

# **The Code of Criminal Procedure (Goa Amendment) Bill, 2014**

(BILL No. 22 of 2014)

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BILL

Further to amend the Code of Criminal Procedure, 1973 (2 of 1974), in its application to the State of Goa.

BE it enacted by the Legislative Assembly of Goa in the Sixty-fifth Year of the Republic of India, as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Code of Criminal Procedure (Goa Amendment) Act, 2014.

(2) It shall come into force at once.

**2. Amendment of section 156.-** In section 156 of the Code of Criminal Procedure, 1973 (2 of 1974), in sub-section (3), the following proviso shall be inserted, namely:-

“Provided that before passing any orders, the Magistrate shall issue notice to and hear the Public Prosecutor/Government Counsel/Pleader and the Superintendent of Police in the matter.”.

## **Statement of Objects and Reasons**

The Bill seeks to amend section 156 of the Code of Criminal Procedure, 1973 (2 of 1974), in its application to the State of Goa, by inserting proviso in sub-section (3) of section 156 thereof, so as to provide that the Magistrate shall issue notice to and hear the Public Prosecutor/Government Counsel/Pleader and the Superintendent of Police in the matter before passing any orders.

This Bill seeks to achieve the above objects.

## **FINANCIAL MEMORANDUM**

No financial implications are involved in this Bill.

## **MEMORANDUM REGARDING DELEGATED LEGISLATION**

No delegated legislation is envisaged in this Bill.

Porvorim, Goa.  
18<sup>th</sup> August, 2014.

Assembly Hall,  
Porvorim, Goa.  
18<sup>th</sup>, August, 2014

**Shri Manohar Parrikar**  
Home Minister

**N. B. SUBHEDAR**  
Secretary to the  
Legislative Assembly of Goa.

## ANNEXURE

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Extract of Section 156, Code of Criminal Procedure, 1973 (2 of 1974)

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**156. Police officer's power to investigate cognizable case.** – (1) Any officer-in-charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII.

(2) No proceeding of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.

(3) Any Magistrate empowered under Section 190 may order such investigation as above-mentioned.

Assembly Hall,  
Porvorim, Goa.  
18<sup>th</sup>, August, 2014

**N. B. SUBHEDAR**  
Secretary to the  
Legislative Assembly of Goa.