



Bill Summary

The Code of Criminal Procedure (Amendment) Bill, 2010

- The Code of Criminal Procedure (Amendment) Bill, 2010 was introduced in the Lok Sabha on March 15, 2010 by the Minister of Home, Shri P. Chidambaram. The Bill was referred to the Standing Committee on Home Affairs, which is scheduled to submit its report within three months.
- The Bill seeks to amend the Code of Criminal Procedure Act, 1973. The Act allows any police officer to arrest a person without an order of a Magistrate and a warrant in certain specified circumstances.
- The Act requires police officers to state the reasons in writing for arrest in case of offences punishable with imprisonment up to seven years and the police officer is satisfied that such arrest is necessary to prevent further offences or for proper investigation. The Bill states that if police officers are not required to arrest under the provisions of the Act, they have to record the reason in writing for not making the arrest.
- The Act states that instead of arresting a person, the police officer may issue a “notice of appearance” to the person requiring him to present himself as specified in the notice. The Bill makes it mandatory for police officers to issue a notice in all cases where arrest is not required. It also states if a person refuses to comply with the terms of the notice or is unwilling to identify himself, the police officer may arrest him for the offence mentioned in the notice.

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