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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 17th October, 2003 is hereby published for general information.

V. M. KOTHARE,

Secretary to the Government of Gujarat ,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 31 OF 2003.

(First published, after having received the assent of the President in the "Gujarat Government Gazette", on the 18th October, 2003).

AN ACT

further to amend the Code of Criminal Procedure, 1973 in its
application to the State of Gujarat.

It is hereby enacted in the Fifty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called The Code of Criminal Procedure (Gujarat Amendment) Act, 2003.

(2) It shall be deemed to have come into force on the 16th August, 2003.

Short title
and
commence-
ment.

**Amendment
of section
167 of Act
2 of 1974.**

2. In the Code of Criminal Procedure, 1973 (hereinafter referred to as "the principal Act") in its application to the State of Gujarat, in section 167, in sub-section (2)-

2 of 1974.

(1) in the proviso, for paragraph (b), the following paragraph shall be substituted, namely:-

"(b) no Magistrate shall authorise further detention in any custody under this section unless-

- (i) where the accused is in the custody of police, he is produced in person before the Magistrate, and
- (ii) where the accused is otherwise than in the custody of the police, he is produced before the Magistrate either in person or through the medium of electronic video linkage, in accordance with the direction of the Magistrate.";

(2) in Explanation II, after the words "whether an accused person was produced before the Magistrate", the words "in person or, as the case may be, through the medium of electronic video linkage" shall be inserted.

**Repeal
and
savings.**

3. (1) The Code of Criminal Procedure (Gujarat Amendment) Ordinance, 2003 is hereby repealed.

**Guj. Ord.
3 of 2003.**

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.
