

cwi ðek Av`vj Z AvBb, 2000
2000 mbi 11 bs AvBb

[eivj v`k tMRUi AvZwi³ msL`iq 10-4-2000 Bs Zwi ðL cKwkZ]

cwi ðek `Y msµv-Aciva I Avbj wK w`l qw` i w`Pvi Kvix Av`vj Z cZv Kiv cZ AvBb

cwi ðek `Y msµv-Aciva I Avbj wK w`l qw` i w`Pvi Kvix Av`vj Z cZv Kiv mgxPxb I cqvRbxq;

mnZiGZ`v iv wæi`c AvBb Kiv nj v t-

1| **msfB wki wqv**|- GB AvBb cwi ðek Av`vj Z AvBb, 2000 bvtg AvrfwZ nBte |

2| **msAv**|- w`l q ev cstMi cwi ck ðKvb wKQybv _wKj , GB AvBb Ñ

- (K) ð` I qvbx Kvhwa A_Code of Civil Procedure, 1908 (Act V of 1908);
- (L) ðcwi ðek AvBb A_cwi ðek msY AvBb, 1995 (1995 mbi 1bs AvBb) Ges ðKvb AvBb cwi ðek Av`vj tZ w`Pvi i Rb` ðKvb w`l q wavi Z _wKj D³ i`c AvBbI GB msvi Af ;
- (M) ðcwi ðek Av`vj Z A_GB AvBbi Aaxb MwZ ðKvb cwi ðek Av`vj Z;
- (N) ðcwi ðek Avcxj Av`vj Z A_GB AvBbi Aaxb MwZ cwi ðek Avcxj Av`vj Z;
- (O) ðR`vix Kvhwa A_Code of Criminal Procedure, 1898 (Act V of 1898);
- (P) ðgnvcwi Pvj K A_cwi ðek Aw`i i gnvvcwi Pvj K |

3| **AvBbi cb**|- AvcvZZt ej er Ab` ðKvb AvBb w`fbzi hrvv wKQ _vK bv ðKb, GB AvBbi w`avb Kvhwi _wKte |

4| **cwi ðek Av`vj Z cZv**|- (1) GB AvBbi D`k` cYKi mi Kvi , mi Kvix tMRU cAvcb ðv iv, cZ`KwU w`fvM GK ev GKwaK cwi ðek Av`vj Z cZv Kwi te |

(2) GKRB w`Pvi K mgq GKwU cwi ðek Av`vj Z MwZ nBte Ges mi Kvi , mg ðKvU minZ civgkg, mveRR I mnKvix `vqiv RRMYi ga` nBZ D³ Av`vj tZi w`Pvi K why³ Kwi te |

(3) cZ`K cwi ðek Av`vj Z w`fvMxq m`i Aew`Z _wKte, Zte mi Kvi cqvRb gb Kwi tj mi Kvix tMRU maviv ev w`kI Av`k ðv iv D³ Av`vj tZi w`Pvi Kvh `vbmg w`fvMxq m`i evBi I wavY Kwi tZ cwi te |

(4) tKvb wefvM GKwaK cwi tek Av`vj Z `wmcZ nBtj mi Kvi , mi Kvi x tMtrtU cAvcb 0viv, c0Z`K cwi tek Av`vj tzi Rb` Gj vKv wbaftY Kwi qv w`te|

5| **cwi tek Av`vj tzi GLZqi** |- (1) Ab` tKvb AvBtb hvnv wKQB _vKK bv tKb, cwi tek AvBtbi Aaxb Acivtai wePvi I qWZciYj vtfi Rb` ev Dftqi Rb` GB AvBtbi weavb Abynvti cwi tek Av`vj tZ mivmwi gvgjv Kwi tZ nBte Ges i`ay D³ Av`vj Z wePvi v_© MthY (Cognizance), wePvti i Rb` c0qvRbxq Kvhfug MthY mn Dnvi wePvi I w0`uWÉ nBte|

(2) cwi tek Av`vj Z cwi tek AvBtbi Aaxb Acivtai Rb` wbaft Z 0`É Avtivc Ges h_vh_ tftt Dchp qWZciYi wWpx c0vb Kwi tZ cwi te|0

(3) gnv-cwi Pvj tKi woku nBtZ qWZvc0B tKvb e`w³ e`wZZ Ab` tKn GB AvBtbi Aaxb Aciva ev msu0 Ab`vb` mel tq Z` S-Kwi tZ cwi te bv Ges GBifc e`w³ i wj wLZ wi tcvUe`wZiti tK tKvb cwi tek Av`vj Z tKvb Aciva wePvi v_©MthY Kwi te bv t

Zte kZ`vK th, hw` tKvb cwi tek Av`vj Z GB gtg`msh` nq th, AwfthvMKvix GB Dc-avivi Aaxb qWZvc0B e`w³ tK tKvb Acivtai AwfthvM MthY Kwi evi Rb` Abtjiva Kwi qv e`_nBqv0b Ges D³ AwfthvM wePvti i Rb` MthYi thSw³ KZv Avt0, Zrvn nBtj qWZvc0B e`w³ tK i bvxix hy³ msMZ mthvM w`qv D³ ifc wj wLZ AwfthvM e`wZiti tK mivmwi D³ AwfthvMKvixi Avte`tbi wfvEtZ wePvi v_©MthY Kwi tZ cwi te|

(4) cwi tek Av`vj Z cwi tek AvBtbi Aaxb Aciva, AwfthvMi wfvEtZ, Avgtj wbtZ cwi te|

(5) cwi tek Avcxj Av`vj Z gvgjvi tKvb ctfti Avte`tbi cwi tctftZ ctqvRb teva Kwi tj , ev Ab` tKvbfvte c0B Zt`i wfvEtZ tKvb cwi tek Av`vj tZ wePvi vaxb tKvb gvgjv Ab` tKvb cwi tek Av`vj tZ `vbsi Ges GB cKvi `vbswi Z gvgjv cpi vq `vbswi Z Kwi tZ cwi te|

6| **c0ek AmKri BZ`w** |- gnv-cwi Pvj K ev Zrvni woku nBtZ qWZvc0B tKvb e`w³ GB AvBtbi Aaxb tKvb Aciva Z`tst` Dftk` tKvb `vtb c0etki c0qvRb nBtj, weva 0viv wbaft Z cxwZtZ D³ `vtb c0ek, cwi`k0 Ges Z`tst` Rb` c0qvRbxq tftt e`e`v Kwi tZ cwi teb|

7| **Z`tst` qWZv** |- (1) tKvb Aciva Z`tst` e`vcvti _vbi fvi c0B KgRZPtdSR`vix Kvh0wai Aaxtb th qWZv c0qvM Kwi tZ cvtib, cwi tek AvBtbi Aaxb tKvb Aciva Z`tst` tftt gnv-cwi Pvj K ev ZrKZR qWZv c0É tKvb e`w³ GKbifc qWZv c0qvM Kwi tZ cwi teb|

(2) cwi tek AvBtbi Aaxtb tKvb Aciva Z`tst` e`vcvti tdsR`vix Kvh0watZ evYZ cxwZi AwZwi³ ev tKvb wfbzi cxwZi c0qvRb _wktj mi Kvi GZ`Dftk` weva c0qb Kwi tZ cwi te|

8| **cwi tek Av`vj tzi Kth0xwZ I qWZv** |- (1) GB AvBtb wfbifc wKQybv _wktj , GB AvBtbi Aaxb tKvb Acivtai AwfthvM `vtqi, Z`S, wePvi I w0`uWÉi tftt, tdsR`vix Kvh0wai weavbvej x c0hvr` nBte Ges cwi tek Av`vj Z GKwU tdsR`vix Av`vj Z enj qv MY`

nBte Ges tdSR`vi x Kvh^hwa^tZ t^mk^bm Av`vj Z KZR tKvb gvgj vi w^bu^wEi Rb` th c^xwZ w^bav^h Z Av^tQ cwi tek Av`vj Z t^m c^xwZ Ab^mi Y Kwi qv gvgj vi wePvi I w^bu^wE Kwi te |

(2) aviv 5(3) Gi Aaxb ^hgZvc^hB KgRZ^h th tKvb Z^t i w^fwE^tZ Z` s-Kvh^hg^h i i` Kwi tZ cwi tek Ges Av`vj tZ Z` s^haxb w^el t^q wⁱ t^cvU^h w^lj Kwi tek |

(3) cwi tek Av`vj Z Dnvi w^bKU wePvi vaxb tKvb gvgj v m^su^s-Aciva m^au^tK^h Aw^aKZi Z` t^si Rb` Z` s^hKvix KgRZ^h ev e^w3 t^k w^bt` R w` tZ cwi te Ges D³ w^bt` K^h Z` t^si c^hZ^te` b c^hv^tbi Rb` mgq^mgvl w^bav^hY Kwi qv w` tZ cwi te |

(4) GB AvBb ev cwi tek AvBb ^hviv b`-th tKvb ^hgZv cwi tek Av`vj Z c^hq^m Kwi tZ cwi te |

(5) cwi tek Av`vj tZ Aw^fth^hMKvixi c^t ^hgvgj v cwi P^vj bvKvix e^w3 c^vej K c^hm^wKDUi e^vj qv MY` nBte |

(6) ^hgZc^hY m^su^s-gvgj v wePvi I w^bu^wEi t^h GB AvB^tbi weavb m^vt^c ^hg, t` l qvbx Kvh^hwaⁱ weav^vej x c^hh^vR` nBte Ges t^mB t^h cwi tek Av`vj Z GK^wU t` l qvbx Av`vj Z e^vj qv MY` nBte Ges GB AvB^tbi Aaxb tKvb ^hgZc^hYi gvgj v weP^vtⁱ i t^h t` l qvbx Av`vj tZi mKj ^hgZv c^hq^m Kwi tZ cwi te |

(7) weP^vtⁱ i Rb` gvgj vi i^h vbx wZ^bev^ti i Aw^aK g^j Zex Kiv hvBte bv Ges GKkZ Aw^wk w` tbi g^ta` cwi tek Av`vj Z D³ gvgj vi wePvi Kvh^hmgv^b Kwi tet

Zte kZ^h v^tK th, h^w GB mgq^mgvi g^ta` tKvb gvgj vi wePvi Kvh^hmgv^b bv nq, Z^vnv nBtj cwi tek Av`vj Z, wePvi Kvh^hmgv^b bv n^l qvi Kvi Y w^j w^ce^x Kwi qv D^vj w^lZ GKkZ Aw^wk w` tbi cieZ^hc^hbi w` tbi g^ta` w^el q^wU cwi tek Av^cj Av`vj Z^tK AevⁿZ Kwi te Ges D³ GKkZ Aw^wk w` tbi cieZ^hbe^vB w` tbi g^ta` gvgj vi wePvi Kvh^hmgv^b Kwi te |

9 | **A^hE^tK ^hgZc^hY w^mte i^h s^hi** | - (1) Av^cvZ^t ej er Ab` tKvb AvB^tb hvⁿv w^kQ^b v^hKK bv tKb, cwi tek Av`vj Z KZR Av^ti w^cZ A^hE^tK, c^hq^vRb^tev^ta, D³ Av`vj Z cwi tek AvB^tbi Aaxb Aciv^tai Kvi tY ^hgZM^h -e^w3 i Rb` ^hgZc^hY w^mte MY` Kwi tZ cwi te Ges A^hE^t ev ^hgZc^hYi A^hE^t w^hU^h e^w3 i w^bKU nB^tZ Av`vq th^vM` nBte |

(2) cwi tek AvB^tbi Aaxb tKvb Aciv^tai m^wnZ ^hgZc^hY `we Ggb^vte R^woZ v^hK th, Aciva I ^hgZc^hYi `we GKB gvgj vq wePvi Kiv c^tq^vRb, Z^vnv nBtj cwi tek Av`vj Z Aciv^aUⁱ wePvi c^te^hKwi te Ges Aciv^tai `E w^mte ^hgZc^hY c^hv^h b^h b^h nBtj c^hK^vte ^hgZc^hYi Av^te` b w^eteP^v Kiv hvBte |

10 | **cwi tek Av`vj Z KZR cwi`k^hbi ^hgZv** | - (1) gvgj v th tKvb ch^hq tKvb m^au^wE, e^w ev Aciva m^sM^vtⁱ v^h m^au^tK^h tKvb c^hk^he D^he nBtj cwi tek Av`vj Z, c^hMY^tK ev Z^vnv^t i w^bh^h AvB^bR^xMY^tK, cwi`k^hbi mgq I v^h w^bav^hYce^h h^h h^h b^hw^hU^h c^hv^h Kwi qv, Z^vnv cwi`k^h Kwi tZ cwi te |

(2) cwi`kfbī mgq ev Ae`ewnZ cti, wePviK cwi`kfbī djvdj GKiu
`švi Kuj mc AvKvti cō`Z Kwi`teb Ges D³ `švi Kuj mc gvgj vi `i bvbxi mgq mv`ŋi` wnmvte MY`
nBte Ges GBi`c mvt`ŋi`i e`vcviti tKvb c`ŋi` c`k`dī vcb Kwi`tZ cwi`tebv |

11 | **Avcj |** - (1) t`l qvbx Kvhēwa ev tdSR`vix Kvhēwa tZ wfbōzi hrvv wKQB `vKjK bv
tKb, GB AvBtbi weavb Abhvqx cwi`tek Av`vj tZi Kvhāviv, Avt`k, ivq, ŋwZcitiYi wWwμ l
Avti mcZ `Ē m`u`it`K`Q`Kvb Av`vj Z ev Ab`tkvb KZ`e`ŋi`i woku c`k`dī vcb Kiv hvBte bv |

(2) cwi`tek Av`vj Z KZR cō`Ē ivq, ŋwZcitiYi wWwμ ev Avti mcZ `tĒi θviv
ms`ŋj`c`ŋi`, D³ ivq, ŋwZcitiYi wWwμ ev `Ēvt`k cō`vtbi Zvwi L nBtZ w`k`w`tbi gta` aviv 12
Gi Aaxb MWZ cwi`tek Avcj Av`vj tZ Avcj Kwi`tZ cwi`tebv |

(3) AšeZx`wb`tl avAv ev w`Zve`v eRvq ivLvi Avt`k, Rvngb gAj Kiv ev bv
Kivi Avt`k, PvRwv msμvš-Avt`k, Aciva Avgtj j l qvi Avt`k e`ZxZ Ab`tkvb AšeZx`
Avt`tki wei`t`x Avcj Pwj tebv |

(4) Dc-aviv (1) G hrvv wKQB `vKjK bv tKb, ŋwZcitiYi msμvš-gvgj vi Dci
cwi`tek Av`vj Z KZR cō`Ē ivq ev wWwμi wei`t`x ms`ŋj`c`ŋi` Avcj `vtqi Kwi`tZ B`QK nBtj
wZwb, wWwμKZ At`p AfaR A`wWwμ cō`vbKvix Av`vj tZi woku Rgv bv Kwi`qv, D³ ivq ev
wWwμi wei`t`x Avcj Kwi`tZ cwi`tebv |

12 | **cwi`tek Avcj Av`vj Z |** - (1) GB AvBtbi D`t`k` c`i`YK`f`i, mi Kvi, mi Kvix tM`R`t`U
c`Āvcb θviv, GK ev GKwaK cwi`tek Avcj Av`vj Z `vcb Kwi`te |

(2) GKRb wePviK mgštq cwi`tek Avcj Av`vj Z MWZ nBte Ges mi Kvi,
m`c`g tKvtUP mwnZ civgk`p`tg, tRjv l `vqiv RRM`tiYi gta` nBtZ D³ Av`vj tZi wePviK
wbh`p` Kwi`te |

(3) cwi`tek Avcj Av`vj Z XvKvq ev mi Kvi KZR w`bav`f` Z Ab`tkvb `vtb
Aew`Z `wKte |

(4) Aciva msμvš-gvgj vi Avcj w`b`u`w`Ēi t`ŋi`t, tdSR`vix Kvhēwai Aaxtb
tmkbm Av`vj Z th Avcj Av`vj Z wnmvte ŋgZv c`t`q`M Kwi`tZ cvti cwi`tek Avcj Av`vj Z
tmB ŋgZv c`t`q`M Kwi`tZ cwi`te |

(5) ŋwZcitiYi msμvš-gvgj vi Avcj w`b`u`w`Ēi t`ŋi`t, t`l qvbx Kvhēwai Aaxtb
t`l qvbx Av`vj Z th Avcj Av`vj Z wnmvte ŋgZv c`t`q`M Kwi`tZ cvti cwi`tek Avcj Av`vj Z
tmB ŋgZv c`t`q`M Kwi`tZ cwi`te |

13 | **wePviab gvgj v |** - GB AvBb cēZfbi Ae`ewnZ cte`ŋKvb cwi`tek AvBtbi Aaxb tKvb
gvgj v tKvb Av`vj tZ wePviab `wKtj Dnv D³ Av`vj tZB Ggbfvte Pwj tZ `wKte thb GB
AvBb c`ŲxZ nq bvb |

14 | **wea c`Ųqbi ŋgZv |** - mi Kvi, mi Kvix tM`R`t`U c`Āvcb θviv GB AvBtbi D`t`k`
c`i`YK`f`i wea c`Ųqb Kwi`tZ cwi`te |