

THE CRIMINAL LAW (AMENDMENT) ACT, 1948.

[ACT No. LII OF 1948.]

It is hereby enacted as follows :—

1. In section 279 of the Penal Code, hereinafter referred to as the said Code, for the words "six months" the words "two years" shall be substituted.

2. In section 299 of the said Code,—

(i) the following shall be inserted as sub-section (1) thereof, namely :—

"(1) Whoever causes death by doing an act with the intention of causing such bodily injury as is likely to cause death commits the offence of culpable homicide not amounting to murder." ; and

(ii) the present section 299 shall be renumbered as sub-section (2) thereof.

3. For section 304A of the said Code, the following shall be substituted, namely :—

"304A. Whoever causes the death of any person by doing any rash or negligent act not punishable as culpable homicide or murder shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine ; provided that, if such act is done with the knowledge that it is likely to cause death, the term of imprisonment may extend to ten years."

4. In section 336 of the said Code, for the words "to three months, or with fine which may extend to two hundred and fifty rupees," the words "to one year, or with fine which may extend to five hundred rupees," shall be substituted.

5. In section 337 of the said Code, for the words "to six months, or with fine which may extend to five hundred rupees," the words "to two years, or with fine which may extend to one thousand rupees," shall be substituted.

6. In section 338 of the said Code, for the words "to two years or with fine which may extend to one thousand rupees, or with both," the words "to five years and shall also be liable to fine," shall be substituted.

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7. The second schedule to the Code of Criminal Procedure shall be amended, wherever necessary, in respect of sections 279, 304, 304A, 336, 337 and 338 of the said Code, contained therein, so as to conform to the entries specified in the following table :—

Section.	Offence.	Whether the Police may arrest without warrant or not.	Whether a warrant or a summons shall ordinarily issue in the first instance.	Whether bailable or not.	Whether compoundable or not.	Punishment under the Penal Code.	By what Court triable.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
279	Driving or riding on a public way so rashly or negligently as to endanger human life, etc.	May arrest without warrant.	Summons ...	Bailable ...	Not compoundable.	Imprisonment of either description for two years, or fine of 1,000 rupees, or both.	Magistrate of the first or second class.
304A	Causing death by rash or negligent act.	Do.	Warrant ...	Not bailable	Do.	Imprisonment of either description for seven years, and fine.	Court of Session.
	If act is done with knowledge that it is likely to cause death.	Do.	Do. ...	Do.	Do.	Imprisonment of either description for ten years, and fine.	Do.
336	Doing any act which endangers human life or the personal safety of others.	Do.	Summons ...	Bailable ...	Do.	Imprisonment of either description for one year, or fine of 500 rupees, or both.	Magistrate of the first or second class.
337	Causing hurt by an act which endangers human life, etc.	Do.	Do. ...	Do.	Do.	Imprisonment of either description for two years, or fine of 1,000 rupees, or both.	Do.
338	Causing grievous hurt by an act which endangers human life, etc.	Do.	Do. ...	Do.	Do.	Imprisonment of either description for five years, and fine.	Court of Session or Magistrate of the first class.