

Divisional Judicial Seminar 2024-2025

Bastar Division

Introduction and Key Provision:
Additional, Deletion, Modification and
Reorganization
of Section of Bhartiya Nagrik Suraksha Sanhita
2023

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PART-I

11th August, 2023 marked a historic day as several speculations regarding the introduction of new criminal major laws were finally laid to rest.

Bhartiya Nagrik Suraksha Sanhita, 2023 (BNSS) is one of the three criminal law bills introduced by the Union Government to replace the **Criminal Procedure Code, 1973 (CrPC)**.

BNNS is the main legislation on procedure for administration of substantive criminal law in India. **The BNNS aims to provide for a faster and more efficient justice system to address the issue of delay in delivering of justice due to complex procedures, large pendency of cases in courts, low conviction rates, low level of use of technology in legal system delays in investigation and inadequate use of forensics.** Several

positive changes have been made under the newly enacted.

In replaces outdated terminology with people friendly language, reflecting a humane approach.

- 1) There are 531 section in BNSS (484 sections in CrPC.)
- 2) There are 39 Chapters in BNSS (37 Chapters in CrPC.)
- 3) 9 new section Have been added
- 4) 39 Sub-sections/clauses have been added.
- 5) 41 new provisos have been added.
- 6) In 33 places electronic means have been added.
- 7) Specific Timelines
- 8) 4 New Explanations added.
- 9) 14 sections have been excluded.

10) 177 sub-sections have been modified.

11) **Section 531: Repeal and Savings**

Removed the post of **Assistant Sessions Court** from the hierarchy of criminal courts. Removed **Metropolitan Area** and all corresponding judicial posts (**Metropolitan Magistrate and Chief Metropolitan Magistrates**). The BNSS removes the classification of **Metropolitan Areas and Metropolitan Magistrates**.

Criminal courts under BNSS, 2023:

- 1- **Judicial Magistrate of Second Class,**
- 2- **Judicial Magistrate of First Class,**
- 3- **Chief Judicial Magistrate and Additional Chief Judicial Magistrate,**
- 4- **Court of Sessions & Additional Court of Sessions,**
- 5- **Executive Magistrates.**

The definition of '**investigation**' has been updated with an explanation that clarifies that "Where any of the provisions of a special Act are inconsistent with the provisions of this Sanhita, the provisions of the special Act shall prevail".

Introduction of Zero FIR and E-FIR

The phrase 'irrespective of the area where the offence is committed' in **Section 173** of the BNSS, 2023 validates the mandatory registration of a **Zero FIR**. **Section 173** states that "Every information relating to the commission of a cognizable offence, irrespective of the area where the offence is committed, may be given orally or by electronic communication to an officer in charge of a police station."

Manner of recording in case of electronic FIR: OIC to record the information on being signed within **three days** by the person giving the information - **S. 173**.

Zero-FIR will help the victims as the police officer is duty-bound to register the first information regardless of the territorial jurisdiction. Statutory recognition to preliminary enquiry for cases punishable with three years or more but less than seven years - **S. 173 (3)**. Preliminary enquiry shall be carried out within a period of fourteen days to ascertain whether there exists any prima facie case - **S. 173**.

Police officer to inform the progress of the investigation to the informant or victim within a period of **NINETY DAYS** through any means including electronic communication - **S. 193 (3)**. Police officer to forward police report to the Magistrate by electronic communication also - **S. 193 (3)**.

I.O. to submit copies of documents to the Magistrate to be supplied to the accused in compliance with S. 230 - **S. 193 (8)**. Further investigation made

during the trial to be complete within **NINETY DAYS** which could be extended with the permission of the court - **Proviso to S. 193 (9)**. Judicial Magistrate, Executive Magistrate or Police officer conducting inquiry or investigation into custodial death to forward the body for postmortem within **TWENTY-FOUR HOURS - S. 196 (6)**.

The BNS, 2023, allows Forensic Investigation for offences punishable with at least 7 years of imprisonment. Section 176(3) of the BNS states that "On receipt of every information relating to the commission of an offence which is made punishable for seven years or more, the officer in charge of a police station shall, from such date, as may be notified within a period of five years by the State Government in this regard, cause the forensic expert to visit the crime scene to collect forensic evidence in the offence and

also cause videography of the process on a mobile phone or any other electronic device: Provided that where the forensic facility is not available in respect of any such offence, the State Government shall, until the facility in respect of that matter is developed or made in the State, notify the utilization of such facility of any other State."

The new code also significantly clarifies and amends the stance to be used viz-a-viz Proclaimed offenders. Earlier as per **Section 82(4)** of CrPC as added to the code by 2005 Amendment, someone can be declared as a 'Proclaimed offender' for only nineteen specified offence under IPC namely, "302, 304, 364, 367, 382, 392, 393, 394, 395, 396, 397, 398, 399, 400, 402, 436, 449, 459 or 460". This led to situations wherein someone repeatedly evading legal processes of summons/warrant for any other offence under general

penal code of IPC or any other special law could not be declared as a Proclaimed offender. Now, by removing this seemingly arbitrary list of section, anyone accused of an offence with more than 10 years of imprisonment or other special offence could be declared a proclaimed offender.

Section 356 of the BNSS introduced *'Inquiry, trial, or judgment in absentia of the proclaimed offender'*

which was not permitted under the provisions of Cr.P.C. It states that "Notwithstanding anything contained in this Sanhita or in any other law for the time being in force, when a person declared as a proclaimed offender, whether or not charged jointly, has absconded to evade trial and there is no immediate prospect of arresting him, it shall be deemed to operate as a waiver of the right of such person to be present and tried in person, and the Court shall, after recording

reasons in writing, in the interest of justice, proceed with the trial in the like manner and with like effect as if he was present, under this Sanhita and pronounce the judgment."

Arrest

Ss.40 and **41A** of Cr.P.C. merged as **S. 35** BNSS. In case of arrest by a private person, the production of such arrested person within **six hours** before a police officer or to be taken to the nearest police station is mandated- **S. 40**

The proviso giving safeguards for women arrestees under subsection (1) of **Section 43** of BNSS corresponding to **Section 46** of CrPC has been expanded. Now, information regarding such woman's arrest needs to be given to her relatives or friends.

Another such safeguard for anyone who is arrested pursuant to a warrant outside the jurisdiction where

warrant was issued, is the addition of subsection (2) to **Section 82** of BNSS corresponding to **Section 80** of CrPC. By this change, information about such arrested person needs to be given to authorities in the district where the person usually resides. A good change has been brought by adding a proviso to **Section 190(1)** of BNSS corresponding to **Section 170(1)** of CrPC. Now, if after completion of investigation but before submission of police report, the police are not mandated to arrest an accused simply to secure his appearance before a judicial magistrate. This change seems to be in line with the landmark verdict of the Hon'ble Supreme Court of India in **Satender Kumar Antil vs CBI, (2022) 10 SCC 51.**

After an arrest is made, any offensive weapons found on the person of the arrested person have to be seized immediately and submit the same before the

Court or the officer before whom the arrested person is to produced .

BNSS also does away with an obsolete provision i.e., **Section 153** of CrPC where police were granted power to enter and search any place without a warrant to inspect or search for accuracy of weights and measuring instruments. It also broadens the scope of police powers in property seizure by including immovable properties. Apart from these changes, there are certain other noteworthy additions and modifications made in the existing Cr.P.C. 1973 with the introduction of the Bharatiya Nagarika Suraksha Sanhita, 2023.

An important safeguard has been provided for by the addition of **Section 105** the BNSS wherein police conducting search under **section 185** (erstwhile section 165 of CrPC) are mandated to record the proceeding of such search electronically and forward the same to the

concerned magistrate. This would ensure that no excesses are carried out while search operations are conducted by the police. Similarly copies of any records made during such search under **Section 185** of BNSS now need to be sent to the concerned magistrate within 48 hours as per **Section 185(5)**. Earlier, no such time limit was provided.

The new law gives authority to any police officer to request a medical examination of the accused irrespective of their level which was, under the provision of Cr.P.C., given only to a Sub-Inspector level police officer.

Signature and finger impressions:

The CrPC empowers a Magistrate to order any person to provide specimen signature or handwriting.

The BNSS expands this to **include finger impressions and voice samples**. It allows these samples

to be collected from a person who has not been arrested.

The BNSS permits the use of handcuffs in various cases, including organized crime, which contradicts directives laid down by the Hon'ble Supreme Court.

Section 2 of the BNSS has been expanded with the introduction of new definitions such as 'Audio-Video Electronic Means', 'bail', 'bail bond', 'bond', and 'electronic communication'.

Bail:

The CrPC provides for bail for an accused who has been detained for half the maximum imprisonment for the offence.

The BNSS denies this facility for anyone facing multiple charges. As many cases involve charges under multiple sections, this may limit such bail.

BNSS has also altered the scope of grant of Anticipatory Bail. Some provisions which may have been seen as hinderances to the effective grant of Anticipatory Bail have been removed.

Particularly, proviso to **Section 438(1)**, **Section 438(1A)** and **438 (1B)** of CrPC have now been removed and do not find a mention in the revised **Section 484** fo BNSS. These provisions had onerous conditions such as giving "the Public Prosecutor a reasonable opportunity of being heard" while hearing the application or securing the physical presence of an accused seeking Anticipatory Bail. While, in certain case it may be necessary to send such information to the prosecutor or secure the physical presence, but it should not have been mandatory as was the case in CrPC. A middle path could have been the substitution

of the word '**shall**' for '**may**' in both these removed provisions.

Changes have also been incorporated under **Section 481** of BNSS corresponding to **Section 436A** of CrPC. By adding a proviso to subsection (1) now a first-time offender pending trial can be eligible for mandatory bail after undergoing **1/3rd** of the punishment as compared to **1/2** of punishment as provided earlier. To make this right effective, subsection (3) has been added to **Section 481** wherein it will be duty of jail superintendent to apply for release of eligible prisoners.

While the term '**Victim**' was defined for the first time in CrPC in 2009, many safeguards were still lacking to ameliorate their situation. BNSS takes this initiative a step forward in the right direction by incorporating some changes with regards to the same. For instance, a proviso has been added to **section 232**

of BNSS corresponding to **Section 209** of CrPC wherein during the committal proceedings an application filed by the victim shall also be forwarded to the Sessions Court. Similarly, copies of documents such as police report supposed to be supplied under **Section 207** of CrPC or **Section 230** of BNSS shall also be supplied to the Victim or their Advocates.

Earlier in complaint cases the accused would be discharged when a complainant was absent. Now the revised **Section 272** of BNSS corresponding to **Section 249** of CrPC, gives an opportunity for complainant to be adequately represented as the magistrate can give 30 day's time to the complainant to be present before discharging the accused. Similarly, while considering an application for withdrawal from prosecution, victim must be heard by the court. This has been done adding

a proviso to **Section 360** of BNSS corresponding to **Section 321** of CrPC.

A part from victims, even accused have been given an opportunity of being heard in complaint cases. By adding a new proviso to **Section 223** of BNSS of **Section 200** of CrPC, now accused must be heard before cognizance can be taken in complaints before magistrates.

A new clause (ii) has been added to **Section 193(3)** of BNSS corresponding to **Section 173(2)** of CrPC wherein police is mandated to inform informant/victim about investigation's progress within **90 days** which can be done electronically as well.

Another significant change done to the procedural law is the addition of **section 398** whereby all State government are directed to notify a **Witness Protection Scheme**. However, the new code could have

incorporated some guidelines as an interim measure within BNSS itself rather than leaving it entirely to individual state' discretion. Guidance could have been taken from Ministry of Home Affairs Draft Guidelines and Hon'ble Supreme Court of India's verdicts such as *Maheder Chawla vs. Union of Inida, (2019) 14 SCC 615.*

By the addition of two new proviso to **Section 183(6)(a)** of BNSS corresponding to **Section 164 (5A) (a)** fo CrPC, additional safeguards have been provided for recording of statements by a judicial magistrate. **Firstly**, if a woman is giving such a statement, it should be record by female judge. **Secondly**, when a person is accused of serious offences, i.e., with impriosnment of more than 10 years, such a person's statement must be recorded by the magistrate.

Electronic/Digital alternatives for existing processes

In line of our commitment towards a Digital India, a landmark new **Section 532** has been added to the BNSS. As per the same, all trial, inquires and proceedings, recording of evidence therein, examinations of parties, issuance, service and execution of summons and warrants, and several other processes can now be done electronically.

Some of the specific section-wise changes implementing this are:

- In the proviso provided to **Section 64(2)** of BNSS as corresponding to **Section 62** of CrPC, summons can now be served digitally as well. As per **Section 70(3)** ad **71(2)** of BNSS, electronically served summons and its digital communication would also be considered valid.

- Issuing summon/warrants under 'Issue of Process' as given in **Section 227** of BNSS corresponding to **Section 204** of CrPC.
- Notices by executive magistrate under **Section 134** of CrPC and now **Section 153** of BNSS can be served online.
- Supply of police report and other investigation related documents under **Section 173(7)** and **207** fo CrPC can be done digitally as per **Sections 193(8)** and **230** of BNSS
- Order of confirmation of Death Sentence under **Section 412** of BNSS or **Section 371** of CrPC.
- Reading of Charges to the accused under Session Trail as per **Section 251(2)** of BNSS corresponding to **Section 288(2)** of CrPC.

As per the changes made to **Sections 254** and **265** of BNSS corresponding to **Sections 231** and **242** of the CrPC, now prosecution evidence can also be recorded via digital means. However, curiously enough, the same explicit courtesy has not been extended to the corresponding section for defence evidence. While one may make the claim that the general explanation under **Section 532** encompasses all such process including 'Defence Evidence' already, then why were explicit changes needed only for '**Prosecution Evidence**'?

Furthering the noteworthy cause of ease of investigation, statements by police during investigation under **Section 157** of CrPC, may be recorded electronically by phone as well. This has been done adding a proviso to the same effect to the corresponding **Section 176(1)** of BNSS. Even FIR's can be legally registered by electronic communication as per

addition of clause (ii) to **Section 173(1)** which corresponds to **Section 154 CrPC**.

In order to expedite trials, a very timely provision has been **added** by way of **Section 336 of BNSS**.

Whenever a report/document prepared by a public servant, scientific expert, or investigating officer is supposed to be used as evidence in a court, the maker of such document needs to testify before such court.

However, due to unaboidable circumstances such as death, retirement, inordinate delay etc. in getting such person, the court can secure the attendance of the successor officer of such person.

Another step taken to expedite trials is that now as per revised **section 274** of BNSS or **Section 251** of CrPC regarding summons cases, a magistrate after recording reasons can now discharge the accused in case of groundless accusations.

The procedural law is finally giving recognition to the fact that Special Judges equivalent to (Additional) Session Judges can be appointed under several legislations such as **NDPS Act 1985, POCSO Act 2012** etc. In this line, **Section 249** of BNSS corresponding to **Section 226** of CrPC which relates to 'opening case for prosecution' in a sessions trial, mentions "any other law for the time being in force". Similarly, the exact same phrase has also been added to **Section 306(2)** of CrPC or the revised **Section 343(2)** of BNSS to signify that special judges could have been appointed under other laws as well.

This legislative stride positions India towards a more equitable accessible and efficient legal framework. The journey of legal reforms has begun, and these pioneering laws promise a future where justice is not only served but is genuinely inclusive and reflective of the dynamic fabric of our nation.

PART-II

Many proceeding under this code, both judicial and executive, have now been mandated to become time-bound by providing maximum time limits in which they must be done. Some of the specific section-wise changes implementing this are:

Medical examination of a victim of rape under new **section 184(6)** corresponding to the old **section 164A(6)** has been time bound by substituting the words '**within seven days**' instead of '**without delay**'.

Police investigation during trials under **section 173(8)** of CrPC or **Section 193(9)** needs to be completed within **90 days**.

Inquest proceedings under **section 194** of BNSS or **section 174** of CrPC, police is required to send a

report within 24 hours to the concerned District/Executive magistrate.

'Committal proceedings' by Magistrate to Sessions Court under **Section 232** of BNSS corresponding to **section 209** of CrPC have been mandated to be completed within **90 days** from date of taking cognizance. This can be extended to a maximum of **180 days** by providing reasons in writing.

As per **Section 230** of BNSS corresponding to **Section 207** of CrPC, copy of police report and other documents now need to be supplied to the accused within **14 days** of date of production/appearance. Earlier there was no time limit for the same as the then **section 207** simply mentioned 'without delay'.

A proviso added to **section 218(1)** of BNSS which corresponds to **Section 197(1)** of CrPC i.e., 'Prosecution of Judges and Public Servants' is quite

noteworthy as it seeks to reduce the time for such prosecutions. As per this proviso, if the concerned government fails to give a decision on the requisite sanction within **120 days**, it shall be treated as **'Deemed Sanction'** given by the government.

In both Sessions and Magistrate trials certain processes have been made time-bound by the new code of BNSS. If the accused wants to be discharged in a Sessions trial as per **Section 250** of BNSS corresponding to **Section 227** of CrPC, he must prefer an application for the same within **60 days** of committal.

Even the charges under Sessions Trials and Magistrate Trial in warrant cases now need to be framed within **60 days** of first hearing on charge as per the addition to **Section 251(1)(b)** and **263(1)** of BNSS as corresponding to **Section 228(1)(a)** and **240(1)**

of CrPC. As per **Section 258** of BNSS corresponding to **Section 235** of CrPC, after completion of arguments, a judgment of acquittal or conviction by Session court has to be given within **30 days** which can be extended to **60 days** only. A pertinent addition to shorten some trial proceedings is the addition of **subsection (7)** in **Section 269** of BNSS corresponding to **Section 246** of CrPC wherein prosecution evidence can be closed if the witnesses do not turn up despite taking all reasonable measures.

An interesting change has been incorporated to expedite trials under **Section 242(1)** of BNSS as corresponding to **Section 219(1)** of CrPC. Earlier, for offences of the same kind within a span of a year given certain circumstances, a person could be charged and tried for a maximum of **'three offences at once'**. This limit has now been raised to **'five'**.

As per a proviso added to **Section 316(4)** of BNSS corresponding to **Section 281(5)** of CrPC, when a magistrate examines an accused through electronic means, his signatures shall be taken **within 72 hours**. If any party be it defence or prosecution, needs to admit or deny the genuineness of a document, they must do so within **30 days** of supply of the said document as per the revised **section 330(1)** of BNSS corresponding to **294(1)** of CrPC.

A noteworthy change done to the procedure to shorten the trial duration is the addition of sub-clause (b) to the proviso under **Section 346(2)** of BNSS corresponding to **Section 309(2)** of CrPC.

The said clause is being reproduced from BNSS 2023: "where the circumstance are beyond the control of a party, not more than two adjournments may be granted by the Court after hearing the objections of the

other party and for the reasons to be recorded in writing". It has often been felt that undue adjournments taken in a trial often leads to significant delays. Now, some accountability has been sought to be fixed by disallowing unwarranted adjournments.

Sentencing power of Judicial Magistrate of First Class increased to three years or **a fine of 50000 Rs. or both or community service**

Sentencing power of Judicial Magistrate of Second Class increased to one year or **a fine of 10000 Rs. or both or community service- S.23**

Community Service - the work which the Court may order a **convict** to perform as a punishment that benefits society for which he shall not be entitled to any remuneration- **Explanation to S.23(3). Changes in the ambit of offences that shall be tried summarily:**

Emphasis on rehabilitative and reformative form of punishment.

(i) Value of property involved in theft increased to **20000 Rs.**

(ii) Value of property involved in the offence of receiving or retaining stolen property as well in the offence of assisting in the concealment or disposal of property increased to **20000 Rs.**

(iii) Lurking house-trespass or house-breaking after sunset and before sunrise done with or without the purpose of committing any offence punishable with imprisonment- **S. 283**

Discretionary power conferred on CJM and JMFC to conduct summary trial in cases where all or any of the offences are not punishable with death/life imprisonment/imprisonment not exceeding three years

after giving reasonable opportunity of being heard to the accused - **S. 283 (3)**

Parties do not have right to prefer an appeal against the decision of the trial court in a judgment made in the above case

Fine amount increased to **1000 Rs.** from **500 Rs.** in case of trial procedure for giving false evidence where summary procedure is adopted-**S. 383.** Fine amount increased to **1000 Rs.** from **200 Rs.** In case of trial procedure for cases of contempt where a summary procedure is adopted - **S. 384.** Fine amount increased to **500 Rs.** from **100 Rs.** In case of trial procedure for cases of non-appearance by a witness in obedience to summons where the summary procedure is adopted- **S. 389.**

Serving of Summons

Introduces technology compatible for issuance and serving of electronic summons- **S. 63.** Gender neutrality introduced while serving summons [any adult member in the family]- **S. 66.** Serving of summons to person, corporate bodies, firms and societies, when person cannot be found, to Government servant, outside the local limits to be done using **Electronic Communication** too- **S. 73 (3)**

State Government is now authorized to confer all or any powers of the Executive Magistrate on a Commissioner of Police-**S. 14 (16)** State Government is now authorized to appoint as a Special Executive Magistrate, any police officer not below the rank of Superintendent of Police or equivalent in addition to an Executive Magistrate -**S. 15**

In the matter of conferring sentence in a case involving several offences, the Court considering the gravity of the offences shall order punishments to run concurrently or consecutively- **S. 25**

Another regressive provision has been amended whereby under **Section 64** of CrPC, summons could only be served to an **Adult 'Male'** member of the family. Similarly, in **Section 432** of CrPC, suspension/remission petitions by only **'Males'** over the age of 18 were subject to higher scrutiny Now as per **Section 66** and **474** BNSS respectively, the word 'male' has been rightfully dropped.

Removal of Archaic and Insensitive Terms

Unlike several justifiable critiques against the banality of changing names, sometimes the exercise can be a marvelous step against stigmatisation. One of the most praiseworthy steps in the BNSS is the

replacement of archaic and insensitive terminology such as 'lunatic person' or 'person of unsound mind'. All such references have been replaced with more sensitive terms such as 'having intellectual disability' or 'person with mental illness'.

This can be seen in **Section 219(1)(a)** of the BNSS corresponding to **Section 198** of CrPC. Similar change has been incorporated in **Section 357** of BNSS corresponding to **Section 318** of CrPC. Most noticeably, Chapter XXV or 25 CrPC [**Provisions as to Accused Persons Of Unsound Mind**] has now been introduced as Chapter XXVII or 27 of BNSS [**Provisions as to Accused Persons With Mental Illness**] where all the concerned sections have been amended suitably with references to **Mental Healthcare Act 2017**. The term '**Lunatic Asylum**' has been suitably changed to 'mental health establishment'.

Some other archaic references have been removed such as the non-existent category of '**Assistant Sessions Judges**' particularly by deletion of **Section 10**. Similarly, all reference to the word '**Pleader**' have been rightly substituted for the word '**Advocate**'. Another such term which has not been retained is '**Thug**' and reference to crimes by '**Thugs**' have been removed such a **Section 201** of BNSS which directly corresponds to **Section 181** of CrPC.

By adding a clear explanation a **Section 516** of BNSS corresponding to **Section 468** of CrPC, disputes regarding computation of period of limitation have finally been settled.

Another section which has been clarified is **Section 462(1)** of BNSS corresponding to **Section 421(1)** of CrPC. This section provides for coercive actions against people fined for offences. Now they can only be taken

against people who haven't paid such amount by addition of the words "but no such payment has been made".

While the practice of capital punishment or death sentence by itself is inhumane and out of place in several democracies, Indian criminal justice system still recognises the same. In this regard, the procedural code has finally prescribed a detailed procedure for '**Mercy Petitions in Death Sentence Cases**' by the addition of **Section 473**.

It replaces outdated terminology with people friendly language, reflecting a humane approach.

A humane change has also been brought by adding a proviso to **Section 195 (1)** of BNSS corresponding to **Section 175 (1)** of CrPC regarding power of police to summon people. As per this proviso, now people belonging to vulnerable categories will not be mandated

to "attend at any place other than the place where they reside".

The code is also making some other humane changes to show leniency to first-time offenders in less serious offences and simultaneously address the issue of rising population of under-trial prisoners. For instance, in **Section 293** of BNSS corresponding to **Section 265E** of CrPC relating to disposal of case in plea bargaining procedure, punishments have been significantly reduced for first-time offenders. Now they can be punished to $\frac{1}{4}^{\text{th}}$ and $\frac{1}{6}^{\text{th}}$ of minimum punishment as compared to $\frac{1}{2}$ and $\frac{1}{4}^{\text{th}}$ punishment respectively under **Section 293(c)** and **293(d)** of BNSS.

Parties' woes usually don't cease after the conclusion of a trial as they might have to wait for indefinite periods for a copy of the judgment. As per **Section 392(1)** of BNSS or **Section 353(1)** of CrPC,

judgment in every trial has to be pronounced within **45 days** of termination of trial. The said judgment needs to be uploaded online within **7 days** of pronouncement by the addition of a proviso to **Section 392(4)** of BNSS or **Section 353(4)** of CrPC.

For efficacious disposal and custody of perishable property pending trial, the magistrate court shall pronounce an order for disposal/custody/delivery within **thirty days** as per newly added **sub-section 5** to **Section 499** of BNSS corresponding to **Section 451** of CrPC. As per the addition to **Section 501** of BNSS or **Section 453** of CrPC, an innocent purchaser of stolen property needs to be paid '**within six months**' of the date of passing of any compensation order to the same effect. Earlier, such a time frame was not provided.

In conclusion, the Bharatiya Nagarik Suraksha Sanhita, 2023 endeavours to modernize India's criminal

justice and expediting the criminal justice system by introducing significant reforms which in turn ensure the protection of citizens' rights.

Thank you