

Code of Criminal Procedure, 1973

Section 363 - Copy of Judgment to Be Given to the Accused and Other Persons

(1) When the accused is sentenced to imprisonment, a copy of the judgment shall, immediately after the pronouncement of the judgment, be given to him free of cost.

(2) On the application of the accused, a certified copy of the judgment, or when he so desires, a translation in his own language if practicable or in the language of the Court, shall be given to him without delay, and such copy shall, in every case where the judgment is appealable by the accused be given free of cost:

Provided that where a sentence of death is passed or confirmed by the High Court, a certified copy of the judgment shall be immediately given to the accused free of cost whether or not he applies for the same.

(3) The provisions of sub-section (2) shall apply in relation to an order under section 117 as they apply in relation to a judgment which is appealable by the accused.

(4) When the accused is sentenced to death by any Court and an appeal lies from such judgment as of right, the Court shall inform him of the period within which, if he wishes to appeal his appeal should be preferred.

(5) Save as otherwise provided in sub-section (2) any person affected by a judgment or order passed by a criminal Court shall, on an application made in this behalf and on payment of the prescribed charges, be given a copy of such judgment or order of any deposition or other part of the record:

Provided that the Court may, if it thinks fit for some special reason, give it to him free of cost.

(6) The High Court may, by rules provide for the grant of copies of any judgment or order of a Criminal Court to any person who is not affected by a judgment or order on payment, by such person, of such fees, and subject to such conditions, as the High Court may, by such rules provide.

STATE AMENDMENT

1Karnataka:

In section 363 after the proviso to sub-section (5), the following proviso shall be inserted, namely:-

"Provided further that the State shall, on an application made in this behalf by the Prosecuting Officer, be given, free of cost, a certified copy of such judgment, order, deposition or record with the prescribed endorsement."

1. Vide Karnataka Act 19 of 1985, Section 2 (w.e.f. 25-6-1985).

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com