

Code of Criminal Procedure, 1973

Section 374 - Appeals from Convictions

(1) Any person convicted on a trial held by a High Court in its extraordinary original criminal jurisdiction may appeal to the Supreme Court.

(2) Any person convicted on a trial held by a Sessions Judge or an Additional Sessions Judge or on a trial held by any other Court in which a sentence of imprisonment for more than seven years [1](#) [has been passed against him or against any other person convicted at the same trial]; may appeal to the High Court.

(3) Save as otherwise provided in sub-section (2), any person,-

(a) convicted on a trial held by a Metropolitan Magistrate or Assistant Sessions Judge or Magistrate of the first class or of the second class, or

(b) sentenced under section 325, or

(c) in respect of whom an order has been made or a sentence has been passed under section 360 by any Magistrate,

may appeal to the Court of Session.

STATE AMENDMENTS

[2](#) Punjab and Union Territory of Chandigarh:

In section 374, in sub-section (3), for the words "Magistrate of the first class" the words "Executive Magistrate", shall be substituted.

1. Substituted by Act 45 of 1978, section 28. for "has been passed "(w.e.f. 18-12-1978).

2. Vide Punjab Act. 22 of 1983 (w.e.f. 27-6-1983).
