

Extradition Act, 1962

Section 21 - Accused or Convicted Person Surrendered or Returned by Foreign State Not to Be Tried for Certain Offences

¹[21. Accused or convicted person surrendered or returned by foreign State not to be tried for certain offences.--

Whenever any person accused or convicted of an offence, which, if committed in India would be an extradition offence, is surrendered or returned by a foreign State, such person shall not until he has been restored or has had an opportunity of returning to that State, be tried in India for an offence other than--

- (a) the extradition offence in relation to which he was surrendered or returned; or
- (b) any lesser offence disclosed by the facts proved for the purposes of securing his surrender or return other than an offence in relation to which an order for his surrender or return could not be lawfully made; or
- (c) the offence in respect of which the foreign State has given its consent.]

1. Substituted by Act 66 of 1993, Section 12 (w.e.f. 18th December, 1993).
