

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

STARRED QUESTION NO:336  
ANSWERED ON:14.03.2006  
AMENDMENTS IN CR PC  
Rao Shri Sambasiva Rayapati

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the Government proposes to amend some sections of the criminal procedure code to bring about a radical change in the procedure of recording of evidence by the police in the criminal cases;
- (b) if so, whether the Government has decided to make the signature of a witness mandatory while recording evidence;
- (c) if so, the details thereof; and
- (d) the extent to which functioning of criminal justice system will improve in the country by such amendments?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIS. REGUPATHY)

(a) to (d): To prevent the evil of witness turning hostile, the Criminal Law (Amendment) Bill, 2003 had proposals, inter alia, to amend Sections 161 and 162 of the Code of Criminal Procedure, 1973 and to insert new sections 164A and 344A in the Code to provide that

- (i) statement made to Police relating to offences punishable with imprisonment upto seven years be signed and quickly transmitted to the Magistrate;
- (ii) recording of evidence of material witness by Magistrate in all offences punishable with death or imprisonment for 7 years or more;
- (iii) summary procedure for trial of witnesses depositing contrary to statements recorded under section 164A Cr. P.C. by Magistrate; and
- (iv) enhanced punishment for perjury.

However, the Parliamentary Standing Committee on Home Affairs which examined the Bill did not agree to these proposals. Government accepted the Standing Committee's recommendations and accordingly these proposals were deleted from the Bill by way of moving official amendments. Thereafter, the revised Bill was passed by both Houses of Parliament during the winter session of Parliament, 2005.