

## **THE CONTEMPT OF COURTS ACT, 1926**

(ACT NO. XII OF 1926)

[8th March, 1926]

### **An Act to define and limit the powers of certain Courts in punishing contempts of courts.**

WHEREAS doubts have arisen as to the powers of <sup>1</sup>[ the High Court Division] to punish contempts of Courts;

AND WHEREAS it is expedient to resolve these doubts and to define and limit the powers exercisable by <sup>2</sup>[ the High Court Division] in punishing contempt of Court;

It is hereby enacted as follows:-

#### **1. Short title, extent and commencement**

(1) This Act may be called the Contempt of Courts Act, 1926.

(2) It extends to the whole of <sup>3</sup>[ Bangladesh].

(3) It shall come into force on such date as the <sup>4</sup>[ Government] may, by notification in the official Gazette, appoint.

#### **2. Power of superior Courts to punish contempts of court**

(1) Subject to the provisions of sub-section (3), the <sup>5</sup>[ High Court Division] shall have and exercise the same Jurisdiction, powers and authority, in accordance with the same procedure and practice, in respect of contempt of courts subordinate to <sup>6</sup>[ it as it has and exercises in respect of contempts of itself].

(2) <sup>7</sup>[ Omitted by section 4 of the Contempt of Courts (Amendment) Ordinance, 1959 (Ordinance No. XLV of 1959).]

(3) <sup>8</sup>[ The High Court Division shall not] take cognizance of a contempt alleged to have been committed in respect of a court subordinate to it where such contempt is an offence punishable under the [Penal Code].

#### **3. Limit of punishment for contempt of court**

Save as otherwise expressly provided by any law for the time being in force, a contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine, which may extend to two thousand <sup>9</sup>[ Taka], or with both

Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the Court:

Provided further that notwithstanding anything else where contained in any law <sup>10</sup>[ the High Court Division shall not] impose a sentence in excess of that specified in this section for any contempt either in respect of itself or of a Court subordinate to it.

### **Annotations**

<sup>1</sup> The words `the High Court Division` were substituted, for the words `a High Court of Judicature` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).

<sup>2</sup> The words `the High Court Division` were substituted, for the words `High Courts` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).

<sup>3</sup> The word `Bangladesh` was substituted, for the word `Pakistan` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>4</sup> The word `Government` was substituted, for the words `Central Government` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>5</sup> The words `High Court Division` were substituted, for the words `High Courts` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>6</sup> The words `it as it has and exercises in respect of contempts of itself` were substituted, for the words `them as they have and exercise in respect of contempts of themselves` by

section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>7</sup> The words `The High Court Division shall not` were substituted, for the words `No High Court shall` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>8</sup> The words `Penal Code` were substituted, for the words `Pakistan Penal Code` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>9</sup> The word `Taka` was substituted, for the word `rupees` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

<sup>10</sup> The words `the High Court Division shall not` were substituted, for the words `no High Court shall` by section 3 and 2nd Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

### **Amending Law(s)**

The Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).

### **Provision(s) Repealed/Omitted by**

The Contempt of Courts (Amendment) Ordinance, 1959 (Ordinance No. XLV of 1959).

### **Translation**

No Translation Available.

### **Associated Subordinate Legislation(s)**

No Subordinate Legislation Available.

### **Related Law(s)**

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### **Related Judgment Categories**

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### **This law has been updated upto (last amending law):**

The Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).