

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 ¹[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 ²[the High Court Division] in punishing contempt of Court;

It is hereby enacted as follows:—

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

Short title,
extent and
commencement

(2) It extends to the whole of ³[Bangladesh].

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

¹ 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).

² 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).

³ 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).

⁴ 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).

Power of superior Courts to punish contempts of court

2. (1) Subject to the provisions of sub-section (3), the ¹[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 ²[it as it has and exercises in respect of contempts of itself].

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

(3) ³[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 ⁴[Penal Code].

Limit of punishment for contempt of court

3. 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 ⁵[Taka], or with both:

¹ 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).

² 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).

³ 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).

⁴ 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).

⁵ 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).

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 ¹[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.

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¹ 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).

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