

PASSED ON 27-12-2021

[AS PASSED BY THE SENATE]

A

BILL

further to amend the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898 (V of 1898), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of section 195, Act V of 1898. - In the Code of Criminal Procedure, 1898 (V of 1898), in section 195, in sub-section (1), in clause (a), for the figure "188" the figure "187", shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Section 188 of the Pakistan Penal Code provides punishment for disobedience to an order duly promulgated by a public servant. However, under the provision of section 195 of the Code of Criminal Procedure, no Court shall take cognizance except on a complaint in writing by a public servant or some other public servant to whom he is subordinate. The provisions of Section 195 CrPC places prohibition against taking cognizance of an offence under section 188 of PPC except in the manner provided in the said section of Criminal Code. The object of this amendment is to omit reference to section 188 PPC in the procedure provided under section 195 CrPC, to make the provisions of section 188 PPC executable and to simplify the trial.

SENATOR SHAHADAT AWAN
Member-in-Charge