

(REPORT 46 OF 2020)



House of the Federation

SENATE SECRETARIAT

**REPORT OF THE
SENATE STANDING COMMITTEE ON INTERIOR**

ON

**“THE CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL, 2020”**

PRESENTED BY

**SENATOR A. RHMAN MALIK
Chairman
Standing Committee on Interior**

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SENATE SECRETARIAT

REPORT OF SENATE STANDING COMMITTEE ON INTERIOR ON
“THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL,
2020” INTRODUCED BY SENATOR MUHAMMAD JAVED ABBASI

I, Chairman of Senate Standing Committee on Interior, have the Honour to present report on “The Code of Criminal Procedure (Amendment) Bill, 2020 introduced by Senator Muhammad Javed Abbasi in the House on 24th August, 2020.

2. The Bill, upon introduction in the Senate, was referred to the Standing Committee for consideration and report back to the House.

3. The composition of the Standing Committee on Interior is as under: -

1.	Senator A. Rehman Malik	Chairman
2.	Senator Kalsoom Parveen	Member
3.	Senator Muhammad Javed Abbasi	Member
4.	Senator Muhammad Azam Khan Swati	Member
5.	Senator Muhammad Tahir Bizinjo	Member
6.	Senator Mian Muhammad Ateeq Shaikh	Member
7.	Senator Rana Maqbool Ahmad	Member
8.	Senator Muhammad Talha Mehmood	Member
9.	Senator Farooq Hamid Naek	Member
10.	Senator Kauda Babar	Member
11.	Senator Sardar Muhammad Shafiq Tareen	Member
12.	Senator Dr. Shahzad Waseem	Member
13.	<u>Senator Haji Momin Khan Afridi</u>	<u>Member</u>
14.	Minister for Interior	Ex-Officio Member

4. The Committee considered and discussed the Bill in its meeting held on 09th October, 2020. The following attended the Committee: -

1.	Senator A. Rehman Malik	Chairman
2.	Senator Kalsoom Parveen	Member
3.	Senator Shahzad Waseem	Member
4.	Senator Muhammad Javed Abbasi	Member / Mover
5.	Senator Sardar Muhammad Shafiq Tareen	Member
6.	Senator Mian Muhammad Ateeq Shaikh	Member
7.	Senator Kauda Babar	Mover
8.	Senator Rana Maqbool Ahmed	Mover

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5. **The Mover briefed the Committee on the salient features of “The Code of Criminal Procedure (Amendment) Bill, 2020”.** He stated that the Islamabad Capital Territory is a separate administrative unit with its own High court and Criminal Courts working under the Islamabad High Court. They have their own prosecution department and judicial setup working in co-ordination with the Federal Government. So, the power to suspend or remit a sentence and the conditions attached thereto provided under Sections 401, 402, 402A and 402B, are required to be dealt by the Federal Government to the extent of the ICT, Islamabad.

6. The Committee deliberated on merits and demerits of the proposed legislation.

7. The Committee recommended that the Bill shall stand passed by the Committee as introduced in the House if some cogent reasons are not presented by the Ministry of Interior and Law Division within a week.

8. In view of the above, the Committee recommends that “The Code of Criminal Procedure (Amendment) Bill, 2020” as introduced in the House, may be passed by the Senate. (Copy of the Bill is enclosed).



(TANVIR AHMED)
D.G./Secretary Committee



(SENATOR A. REHMAN MALIK)
Chairman Committee

ISLAMABAD, THE
09th October, 2020.

As
[TO BE INTRODUCED IN 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), in its application to the Islamabad Capital Territory and for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. Short title, extent and commencement. - (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 2020.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Amendment of section 401, Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), hereinafter referred to as the said Act, in section 401,-

(i) in sub-section (1) and in the proviso thereto, for the words "Provincial Government", the words "Federal Government" shall be substituted;

(ii) in sub-section (2), for the words "Provincial Government" occurring twice, the words "Federal Government" shall be substituted;

(iii) in sub-section (3), for the words "Provincial Government" occurring twice, the words "Federal Government" shall be substituted; and

(iv) in sub-section (6), for the words "Provincial Government", the words "Federal Government" shall be substituted.

3. Amendment of section 402, Act V of 1898.- In the said Act, in section 402, for the words "Provincial Government", the words "Federal Government", shall be substituted.

4. **Amendment of section 402A, Act V of 1898.-** In the said Act, in section 402A, in sub-section (1), for the words "Provincial Government", the words "Federal Government" shall be substituted.

5. **Amendment of section 402B, Act V of 1898.-** In the said Act, in section 402B and in the marginal note of the section, for the words "Provincial Government", the words "Federal Government" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Islamabad Capital Territory is a separate administrative unit with its own High Court and criminal courts working under the Islamabad High Court. They have their own prosecution department and judicial setup working in co-ordination with the Federal Government. So, the power to suspend or remit a sentence and the conditions attached thereto provided under Sections 401, 402, 402A and 402B, are required to be dealt by the Federal Government to the extent of the Islamabad Capital territory.

**SENATOR MUHAMMAD JAVED ABBASI
MEMBER-IN-CHARGE**