

Introduced on 27-09-2021

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[TO BE INTRODUCED IN THE SENATE]

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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 510, Act V of 1898. - In the Code of Criminal Procedure, 1898 (V of 1898), in section 510, after the words "fire arm expert" the words "**or the Chemist or the Pharmacist or the Forensic scientist or Handwriting expert or Motor vehicle officer**", shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Section 510, of the Code of Criminal Procedure provides a special rule of evidence whereunder any document purporting to be a report under the hands of persons mentioned therein, is admissible in evidence without calling such person as a witness. The forensic document analysis, including the handwriting analysis is a standard forensics practice to assess the identity of a person for written documents, and vital to prove a case in various criminal matters. This section, however, does not deal with Handwriting expert, consequently; such evidence is judicially viewed as inherently weak, unless proved in the manner prescribed under Article 78 of the Qanoon e Shahadat Order, 1984. In addition to that, the report of Motor Vehicle Officer (MOV of police) for an accident, the pharmacist authorized by the Government for cases related to Ice drug and forensic scientist for DNA are also not admissible evidence under this section that may be used as a formal proof in the criminal cases. This amendment aims at inclusion of these reports in section 510, to avoid delay and inconvenience while providing evidence at trial of the criminal cases.

SENATOR SHAHADAT AWAN
Member-in-Charge