



House of the Federation

SENATE SECRETARIAT

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

**“THE CODE OF CRIMINAL PROCEDURE (AMENDMENT)
BILL, 2021 (AMENDMENT OF SECTION 510)” MOVED BY SENATOR
SHAHADAT AWAN IN THE SENATE SITTING HELD ON
27TH SEPTEMBER, 2021**

PRESENTED BY

**SENATOR MOHSIN AZIZ
Chairman
Standing Committee on Interior**



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SENATE SECRETARIAT

Report of Senate Standing Committee on "The Code of Criminal Procedure (Amendment) Bill, 2021 (Amendment of Section 510)" moved by Senator Shahadat Awan in the Senate sitting held on 27th September, 2021.

I, Chairman of Senate Standing Committee on Interior, have the Honour to present report on "The Code of Criminal Procedure (Amendment) Bill, 2021 (Amendment of Section 510)" moved by Senator Shahadat Awan in the Senate sitting held on 27th September, 2021.

2. The Bill, upon introduction in the Senate, was referred to the Standing Committee for consideration and report back to the House under Rule-98 of the Rules of Procedure and Conduct of Business in the Senate, 2012.

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

1.	Senator Mohsin Aziz	Chairman
2.	Senator Syed Yousaf Raza Gillani (Leader of the Opposition)	Member
3.	Senator Samina Mumtaz Zehri	Member
4.	Senator Azam Nazeer Tarar	Member
5.	Senator Moula Bux Chandio	Member
6.	Senator Saifullah Abro	Member
7.	Senator Rana Maqbool Ahmad	Member
8.	Senator Faisal Saleem Rahman	Member
9.	Senator Shahadat Awan	Member
10.	Senator Muhammad Talha Mahmood	Member
11.	Senator Fawzia Arshad	Member
12.	Senator Syed Faisal Ali Subzwari	Member
13.	Senator Sarfraz Ahmed Bugti	Member
14.	Senator Dilawar Khan	Member
15.	Minister for Interior	Ex-Officio Member

4. The Committee considered and discussed the Bill in its meeting held on 18th October, 2021 and 19th November, 2021. The last meeting was attended by the following Members: -

1.	Senator Mohsin Aziz	Chairman
2.	Senator Saifullah Abro	Member
3.	Senator Samina Mumtaz Zehri	Member
4.	Senator Shahadat Awan	Member / Mover
5.	Senator Muhammad Talha Mehmood	Member
6.	Senator Fawzia Arshad	Member
7.	Senator Faisal Saleem Rehman	Member
8.	Senator Dilawar Khan	Member

5. Senator Shahadat Awan, Mover, briefed the Committee that Section 510, of the Code of Criminal Procedure provides a special rule of evidence where under 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 forensic practice to assess the identity of a person for written documents, and vital to prove a

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case in various criminal matters. The 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-Shahdat 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.

6. Chairman Committee stated that the intent of the Bill seems quite good to avoid delay and inconvenience while providing evidence during trial of the criminal cases. He informed that it was suggested in the previous meeting held on 18th October, 2021 to defer the Bill to ascertain opinion from the provincial governments on the Bill.

7. The Ministry of Interior briefed the Committee that a zoom meeting was held on 21-10-2021 which was attended by Joint Secretary (Law), Deputy Secretary (Law-II) and Section Officer (Law), Ministry of Interior on the said Bill. The ICT, Administration, Home Department of AJ&K and Home Department of KPK have furnished their replies. The Home Departments of Punjab, Sindh, Balochistan and Gilgit Baltistan have endorsed the Bill during the meeting.

8. The Committee considered the Bill clause by clause and recommended to amend Clause 2 of the Bill as under:-

"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 Hand Writing Expert", shall be inserted".

9. The Committee, keeping in view of the above, recommended that the Senate may pass as amended "**The Code of Criminal Procedure (Amendments) Bill, 2021 (Amendment of Section 510)**".

10. The Bill, as reported by the Committee is at Annexure-A and the Bill, as introduced in the Senate, is at Annexure-B.



(**TANVIR AHMED**)
D.G. / Secretary Committee



(**SENATOR MOHSIN AZIZ**)
Chairman
Senate Standing Committee on Interior

Islamabad, the
19th November, 2021

[AS REPORTED BY THE COMMITTEE]

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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, extend 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 Hand-writing expert**", 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 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

AS
[TO BE INTRODUCED IN THE SENATE]

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BILL

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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 Hand-writing 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

