

INTRODUCED ON 30.05.2022.

[AS 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), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act shall be called the Code of Criminal Procedure (Amendment) Act, 2022.

(2) It shall come into force at once.

2. Amendment of section 46, Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), in section 46, in sub-section (1), for the full stop "." occurring at the end, a colon ":" shall be substituted and thereafter the following proviso shall be added, namely:-

"Provided that where a woman is to be arrested, unless the circumstances indicate to the contrary, her submission to the custody on an oral intimation of arrest shall be presumed and, unless the circumstances otherwise require or unless the police officer is a female, the police officer shall not touch the person of the woman for making her arrest."

STATEMENT OF OBJECTS AND REASONS

Section 46 of the Code of Criminal Procedure relates to how arrest of a person is to be made by Police. A proviso is being added so as to provide that where a woman is to be arrested, unless the circumstances otherwise require or unless the police officer is a female, the police officer shall not touch the person of the woman to arrest her. Hence, this Bill seeks to achieve the aforesaid objectives.

**SENATOR FAWZIA ARSHAD
MEMBER-IN-CHARGE**