

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to amend the Anti-Rape (Investigation and Trial) Act, 2021

WHEREAS, it is expedient to amend the Anti-Rape (Investigation and Trial) Act, 2021 (XXX of 2021), in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Bill may be called the Anti-Rape (Investigation and Trial) (Amendment) Bill, 2026.

(2) It shall come into force at once.

2. Amendment of section 4, Act XXX of 2021.- In the said Act, in section 4, in sub-section (2), in the proviso, for the full stop at the end a colon shall be substituted and thereafter the following new proviso shall be added, namely:-

“Provided further that in every case where a child is alleged to be a victim of abuse, the police shall ensure that a medical examination is conducted within twenty-four hours of the report. The examination should be carried out by a qualified forensic expert in a manner that upholds the dignity, safety, and privacy of the child. The forensic evidence gathered during the medical examination must be preserved and submitted as part of the investigation.”.

3. Insertion of new section 16A, Act XXX of 2021.- In the said Act, after section 16, the following new section 16A, shall be inserted, namely:-

“16A. Bail only in exceptional circumstances.- In cases of sexual abuse, physical abuse, or exploitation of children, the court shall deny bail unless exceptional circumstances exist. The court shall consider the best interests of the child victim, including the potential for further harm or intimidation by the accused. Bail may only be granted after a careful assessment of the child's safety and welfare.”.

STATEMENT OF OBJECTS AND REASONS

Child abuse, in all its forms physical, sexual, emotional abuse, and neglect remains one of the most pressing societal issues in Pakistan, directly impacting the most vulnerable members of society. The judicial process in such cases often suffers from delays, complex procedures, and a lack of specialized support resulting in further harm to the child victims. The trauma caused by prolonged legal proceedings, coupled with the fear of intimidation or re-victimization, undermines the effectiveness of the justice system and the overall wellbeing of the child. This Bill seeks to address these challenges by introducing a specialized framework for the swift and effective handling of child abuse cases.

Sd/-

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