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BILL

further to amend the Code of Criminal Procedure, 1898

WHEREAS Article 9 of the Constitution guarantees that no person shall be deprived of life or liberty save in accordance with law;

AND WHEREAS incidents involving death or life-threatening injury in hospitals, factories, buildings, workplaces, transport systems and other public or private facilities may require immediate criminal investigation and preservation of evidence;

AND WHEREAS registration and investigation of a cognizable offence involving loss of life should not be delayed merely for want of an application from the legal heirs or because a departmental, technical or fact-finding inquiry is pending;

It is hereby enacted as follows:

1. Short title, extent and commencement.

(1) This Act shall be called the **Code of Criminal Procedure (Amendment) Act, 2026**.

(2) It shall extend to the whole of Pakistan.

(3) It shall come into force at once.

2. **Insertion of new section 154A, Act V of 1898.**-In the Code of Criminal Procedure, 1898 (Act V of 1898), after section 154, the following new section shall be inserted, namely:

“154A. Mandatory registration and investigation of cognizable offences involving death or life-threatening injury.

(1) Where information received by an officer in charge of a police station, from any source, gives reasonable grounds to suspect the commission of a cognizable offence involving the death of one or more persons, or life-threatening injury to any person, arising from gross or reckless negligence, breach of a legal duty, an unlawful act or omission, deliberate disregard of a foreseeable danger to human life, or any other circumstances constituting a cognizable offence, the officer shall, without awaiting an application from an injured person or legal heir and without awaiting the conclusion of any departmental, technical, fact-finding or other inquiry, record the information as a first information report under section 154 and proceed in accordance with law.

(2) A first information report under subsection (1) may be registered against the person or persons responsible, whether known or unknown. The identity, role and criminal liability of any person, including an owner, occupier, administrator, public servant, professional, contractor or supervisor, shall be determined on the basis of evidence collected during investigation.

(3) Immediately after registration of the case, the officer in charge shall ensure that the place of occurrence is secured, all material physical, documentary, electronic, medical and forensic evidence is identified and preserved, appropriate medical, forensic or technical assistance is obtained where required, all measures required under sections 174 and 176 and other applicable law are taken, and the head of the district police and the Magistrate having jurisdiction are informed.

(4) Where an incident involves two or more deaths, or prima facie involves institutional failure or the conduct of a public servant or senior management of an institution, the investigation shall be entrusted to an officer not below the rank of Deputy Superintendent of Police or to a special investigation team headed by an officer of that rank or above, having no personal or departmental conflict of interest in the matter.

(5) The existence or constitution of any departmental inquiry, technical inquiry, fact-finding committee, Commission of Inquiry or other administrative proceeding shall not bar, suspend or delay registration of the first information report, preservation of evidence or investigation under this Code:

Provided that any relevant material subsequently obtained through such inquiry or proceeding may be supplied to the investigating agency and dealt with in accordance with law.

(6) Nothing in this section shall require the naming or arrest of any person without lawful grounds, nor shall any person be treated as criminally liable merely by reason of holding an office or position. Criminal responsibility shall be determined on the basis of evidence establishing the relevant act or omission, legal duty, knowledge or recklessness, and causal connection as required by law.

(7) Any police officer who, without lawful justification, wilfully fails to register information required to be recorded under this section, deliberately delays preservation of material evidence, or knowingly permits its destruction, alteration, concealment or disappearance shall be liable to disciplinary proceedings and, where the facts so warrant, proceedings under the Pakistan Penal Code, 1860 or any other applicable law.

(8) The Provincial Governments and, in relation to the Islamabad Capital Territory, the Federal Government shall prescribe rules or standard operating procedures for the effective implementation of this section, including procedures for immediate reporting by hospitals, rescue services, fire services, building-control authorities, labour and workplace-safety authorities, transport authorities and other relevant bodies.

Explanation.

For the purposes of this section, 'gross negligence' means a serious and substantial departure from the degree of care required by law or reasonably expected in the circumstances, demonstrating reckless disregard for a reasonably foreseeable risk to human life, and does not include a mere error of judgment or an unavoidable accident."

STATEMENT OF OBJECTS AND REASONS

Incidents involving fires, unsafe buildings, industrial hazards, institutional failures, medical facilities, workplaces, transport systems and other public-safety emergencies may result in death or serious injury in circumstances giving rise to suspicion of criminal negligence or another cognizable offence.

2. Section 154 of the Code of Criminal Procedure, 1898 requires information relating to the commission of a cognizable offence to be recorded. In serious incidents involving loss of life, however, delay may occur where police await an application from the victims' families or the completion of a departmental, technical or fact-finding inquiry. Such delay may result in the loss, alteration or concealment of material evidence.

3. The Bill therefore provides an express statutory procedure requiring immediate registration and investigation where available information gives reasonable grounds to suspect a cognizable offence involving death or life-threatening injury. It further provides for timely preservation of evidence and senior, conflict-free investigation in serious or institutionally sensitive cases.

4. At the same time, the Bill contains safeguards against arbitrary criminal liability. An FIR may initially be registered against unknown responsible persons; no person is required to be named, arrested or treated as criminally liable merely because of the office or position held; and mere errors of judgment and unavoidable accidents are excluded from the definition of gross negligence.

5. The Bill seeks to strengthen protection of the right to life, ensure timely and lawful criminal investigation, preserve material evidence and determine individual responsibility through evidence in accordance with law.

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Member-in-Charge