Introduced on:-26-10-2026.

[~~TO~~ AS BE INTRODUCED IN THE SENATE]

A

BILL

Further to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898 for the purposes hereinafter appearing; and

WHEREAS elderly parents and senior dependent family members are entitled to dignity, safety, care and protection against abandonment, cruelty, neglect and financial exploitation; and

WHEREAS incidents of elderly parents and senior dependent family members being abandoned in public places, hospitals, roads and unsafe locations require a clear criminal law response;

It is hereby enacted as follows: -

1. Short title and commencement. - (1) This Act may be called the Criminal Laws (Protection of Elderly Parents and Senior Dependent Family Members) (Amendment) Act, 2026.

(2) It shall come into force at once.

2. Insertion of new sections 328B, 328C, 328D, 328-E and 328F, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), after section 328A, the following new sections shall be inserted, namely: -

"**328B. Definitions.** - In sections 328C, 328D, 328E and 328F, unless there is anything repugnant in the subject or context, -

(a) "abandonment" includes exposing, leaving, deserting, expelling, removing or causing an elderly parent or senior dependent family member to remain in any road, street, hospital, public place, transport terminal, shelter, graveyard, market, deserted place or any other unsafe place with the intention of wholly abandoning such person or with knowledge that such act is likely to endanger his or her life, safety, health or dignity;

(b) "caregiver" means a child, spouse of a child, relative, guardian or any person who has custody, charge, control or responsibility of care of an elderly parent or senior dependent family member;

(c) "elderly parent" means a mother, father, grandmother or grandfather who has attained the age of sixty years, or who is unable to maintain or protect himself or herself due to age, illness, disability or infirmity;

(d) "financial exploitation" means dishonestly, fraudulently or coercively taking, using, transferring, controlling or withholding the pension, salary, savings, bank card, identity document, property, valuables, inheritance, house, movable or immovable property of an elderly parent or senior dependent family member in a manner which deprives such person of care, shelter, medical treatment or basic necessities; and

(e) "senior dependent family member" means a person who has attained the age of sixty years, or is infirm, disabled or unable to maintain himself or herself, and is dependent upon a child, relative, guardian or caregiver for shelter, food, medical care, protection or daily support.

328C. Cruelty, neglect or ill-treatment of elderly parent or senior dependent family member.- Whoever, being a caregiver, willfully assaults, ill-treats, humiliates, intimidates, abuses, neglects, confines, deprives of food, shelter, clothing, medicines, access to medical treatment or necessary care, or commits any act of omission or commission which causes or is likely to cause physical, mental, emotional or psychological injury to an elderly parent or senior dependent family member, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to five hundred thousand rupees, or with both.

Explanation. - Mere poverty or inability to provide support shall not constitute an offence under this section unless willful neglect, cruelty, abandonment, exploitation or refusal to provide reasonable care according to means is established.

328D. Abandonment or exposure of elderly parent or senior dependent family member.- (1) Whoever, being a caregiver, abandons or exposes an elderly parent or senior dependent family member in any road, street, hospital, public place, transport terminal, shelter or any unsafe location, or causes such person to be so abandoned or exposed, shall be punished with imprisonment of either description for a term which shall not be less than one year and may extend to five years, and with fine which shall not be less than one hundred thousand rupees and may extend to one million rupees.

(2) Where such abandonment or exposure causes grievous hurt, serious illness, disability or danger to life, the offender shall, in addition to any other punishment prescribed in this Code for such grievous hurt, serious illness, disability or danger to life, be punished with imprisonment of either description for a term which shall not be less than three years and may extend to seven years, and with fine.

(3) Where death is caused as a consequence of such abandonment or exposure, the offender shall be punished with death or with imprisonment of either description for a term which may extend to twenty-five years, and shall also be liable to fine.

328E. Financial exploitation of elderly parent or senior dependent family member.- Whoever, being a caregiver or a person in a position of trust, dishonestly, fraudulently, coercively or by intimidation takes, transfers, occupies, controls, misappropriates or uses any pension, bank account, identity document, property, residence, valuables or other resources of an elderly parent or senior dependent family member in a manner which deprives such person of maintenance, residence, medical care or basic necessities, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both, and the court may order restitution, return of property, compensation or recovery of the amount so misappropriated.

328F. Protection and ancillary orders. - (1) In proceedings under sections 328C, 328D or 328E, the Court may, at any stage, pass such interim or final order as may be necessary for the safety, dignity, residence, medical treatment and maintenance of the elderly parent or senior dependent family member.

(2) The Court may restrain the accused from contacting, threatening, harassing, dispossessing, evicting or interfering with the peaceful residence, pension, property, identity documents, bank account or personal liberty of the elderly parent or senior dependent family member.

(3) Any order passed under this section shall be without prejudice to the right of the aggrieved person to seek maintenance, residence, protection, compensation or any other relief under any other law for the time being in force."

3. Amendment of section 345, Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), hereinafter referred to as the said code, in section 345, after sub-section (7), the following new sub-section shall be inserted, namely: -

"(8) Notwithstanding anything contained in this section, an offence under section 328C or section 328E of the Pakistan Penal Code, 1860 (XLV of 1860), may be compounded by the elderly parent or senior dependent family member with the permission of the Court:

Provided that no offence under section 328D of the Pakistan Penal Code, 1860 (XLV of 1860), shall be compounded:

Provided further that the Court shall not permit compounding unless it is satisfied that the compromise is voluntary and is not the result of coercion, intimidation, pressure, undue influence or financial exploitation:

Provided also that, in an offence under section 328E, the Court may require restitution, return of property, compensation or recovery of the amount as a condition before permitting compounding."

4. Amendment of Schedule II, Act V of 1898.- In the said Code, in Schedule II, in column 1, after section 328A and the entries relating thereto in columns 2 to 8, the following new sections 328B, 328C, 328D, 328F and entries relating thereto in column 2 to 8 shall be inserted, namely:-

"328C	Cruelty to elderly parents, senior dependent family member	May arrest without warrant	Warrant	Bailable	Compoundable	imprisonment of either description for a term which may extend to three years, or with fine which may extend to five hundred thousand rupees, or with both.	Magistrate of the first class
328D	Abandonment or exposure of elderly parents or senior dependent family member	Ditto	Ditto	Non-bailable	Non-compoundable	(1) imprisonment of either description for a term which shall not be less than one year and may extend to five years, and with fine which shall not be less than one hundred thousand rupees and may extend to one million rupees (2) imprisonment of either	Court of Sessions

						description for a term which shall not be less than three years and may extend to seven years, and with fine (3) death or imprisonment of either description for a term which may extend to twenty-five years, and shall also be liable to fine	
328E		Ditto	Ditto	Bailable	Compoundable	imprisonment of either description for a term which may extend to five years, or with fine, or with both	Magistrate of the first class"

STATEMENT OF OBJECTS AND REASONS

Elderly parents and senior dependent family members are among the most vulnerable persons in society. In many cases, they are subjected to cruelty, humiliation, neglect, dispossession, medical neglect, financial exploitation and even abandonment in roads, hospitals, public places and unsafe locations.

2. The existing criminal law does not contain a specific offence dealing with abandonment, cruelty or financial exploitation of elderly parents and senior dependent family members. This legislative gap weakens deterrence and leaves victim's dependent on general provisions which do not fully address the nature of such abuse.

3. This Bill seeks to amend the Pakistan Penal Code, 1860 and the Code of Criminal Procedure, 1898 to criminalize cruelty, neglect, abandonment and financial exploitation of elderly parents and senior dependent family members, and to empower the Court to pass necessary protection and ancillary orders.

SENATOR SAMINA MUMTAZ ZEHRI
Member-in-Charge