

Sitting 7th
Session 6th
12 Nov

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A
BILL

further to amend the Pakistan Penal Code (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898).

WHEREAS it is expedient further to amend the Pakistan Penal Code (Act XLV of 1860) and Code of Criminal Procedure (Act V of 1898) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.-** (1) This Act may be called the Criminal Law (Amendment) Act, 2013.

(2) It shall come into force at once.

2. **Insertion of new section 177A, Act XLV of 1860.** In the Pakistan Penal Code, 1860 (Act XLV of 1860), after section 177, the following new section 177-A, shall be inserted, namely;

"177-A. To avoid, refuse, neglect or cause delay in registration of FIR. Whenever a duty officer or Station House Officer of a Police Station or any official assigned to register First Information Report avoids, refuses, neglects or causes delay in registration of an FIR or in recording statement of a complainant relating to cognizable offence shall be punished with imprisonment of either description for a term which may extend to seven years and shall also be liable to fine."

3. **Amendment of Schedule II, Act V of 1898.-** In the Code of Criminal Procedure, 1898 (Act V of 1898) in Schedule II, after section 177, new section 177-A, in column I and the entries relating thereto in columns 2 to 8, the following new section and the entries relating thereto shall be inserted, namely:-

1	2	3	4	5	6	7	8
177-A	Refuses, avoids or causes undue delay in registration of FIR or recording statement of the complainant	May arrest without warrant	Warrant	Non bailable	Ditto	Imprisonment of either description for 7 years and fine	Court of Sessions

STATEMENT OF OBJECTS AND REASONS

As per the Code of Criminal Procedure (Act V of 1898) it is duty of the duty officer at Police Station to register an FIR of the complainant if cognizable offence has been made of but nowadays it has become common practice to avoid registration of FIR and ultimately the complainant has to approach Sessions Court to file application under section 22-A and 22-B of the Criminal Procedure

Code. This causes undue delay in the registration of the FIR and also tax the complainant. Furthermore, due to delay in registration of FIR, the evidence relating to commission of offence is also lost and complainant or victim suffers irreparable loss, embarrassment and harassment.

2. The Bill seeks to achieve the aforesaid objectives.

Sd/-

Mr. S.A. Iqbal Quadri,
 Ms. Tahira Asif,
 Mr. Sufyan Yusuf
 Mr. Salman Khan Baloch ✓ MAM.
 Mr. Sajid Ahmed
 Mr. Rehan Hashmi
 Khawaja Sohail Mansoor,
 Members, National Assembly

ref to committee

1	2	3	4	5	6	7	8
177-A	Refusal, avoids or causes undue delay in registration of FIR or recording statement of the complainant	May without warrant	Warrant	Non bailable	Ditto	imprisonment of either description for 7 years and fine	

STATEMENT OF OBJECTS AND REASONS

As per the Code of Criminal Procedure (Act V of 1898) it is duty of the duty officer at Police Station to register an FIR of the complainant if cognizable offence has been made of but nowadays it has become common practice to avoid registration of FIR and ultimately the complainant has to approach Sessions Court to file application under section 23-A and 23-B of the Criminal Procedure