

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

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

WHEREAS it is expedient further the Pakistan Penal Code, 1860 (Act XLV of 1860), the Code of Criminal Procedure (Act V of 1898), for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- This Act may be called the Criminal Law (Amendment) Bill, 2014.
- (2) It shall come into force at once.
2. **Substitution of section 379, Act XLV of 1860.**- In the Pakistan Penal Code (Act XLV of 1860) (Act XLV of 1860), for section 379, the following shall be substituted, namely:-

"379. Punishment for theft.- Whoever commits theft shall be punished as under:-

- (a) if the subject-matter of theft shall be valued less than rupees one hundred thousand, with imprisonment of either description for a term which may extend to three years, or with fine which shall not be less than double of the value of such subject-matter of theft, or with both; or
- (b) if the subject-matter of theft shall be valued more than rupees one hundred thousand but less than rupees five hundred thousand, with imprisonment of either description for a term which may extend to seven years, or with fine which shall not be less than double of the value of such subject-matter of theft, or with both; or
- (c) if the subject-matter of theft shall be valued more than rupees five hundred thousand but less than rupees fifty hundred thousand, with imprisonment of either description for a term which may extend to ten years, or with fine which shall not be less than double of the value of such subject-matter of theft, or with both; or
- (d) if the subject-matter of theft shall be valued more than rupees fifty hundred thousand but less than rupees ten million, with imprisonment of either description for a term which may extend to fourteen years, or with fine which shall not be less double of the value of such subject-matter of theft, or with both; or
- (e) if the subject-matter of theft shall be valued more than rupees ten million and more, with imprisonment for life, or with fine which shall not less than double of the value of such subject-matter of theft, or with both.

3. **Amendment of Schedule II, Act V of 1898.**- In the Code of Criminal Procedure, 1898 (Act V of 1898) (Act V of 1898), in Schedule II, for section 379, in column 1 and the entries relating thereto in columns 2 to 8, the following shall be substituted, namely:-

"379.	Theft	May arrest without warrant.	Warrant	Not bailable	Not compoundable	(a)Imprisonment of either description upto 3 years, or fine which shall not be less than double of the value of subject-matter of theft, or with both.	(a) Any Magistrate.
						(b)Imprisonment of either description upto 7 years, or fine which shall not be less than double of the value of subject-matter of theft, or with both.	(b) Court of Session
						(c)Imprisonment of either description upto 10 years, or fine which shall not be less than double of the value of subject-matter of theft, or with both.	(c) Court of Session.
						(d)Imprisonment	(d) Court

						of either description upto 14 years, or fine which shall not be less than double of the value of subject-matter of theft, or with both.	of Session.
						(e)Imprisonment for 14 years, or fine which shall not be less than double of the value of subject-matter of theft, or with both.	(e)Court of Session.

STATEMENT OF OBJECTS AND REASONS

In the existing section 379 of the Pakistan Penal Code, there is provision of 3 years imprisonment of either description, or with fine or both. However, the said punishment has failed to control the crime of theft or to create an effective deterrent. Nowadays, there are gangs of thieves who are not operating locally as well as inter-district or inter-provincial level making it difficult to control such crime when the police is equally inefficient or in collusion with such gangs. Consequently, the general public is the worst sufferer as there are either no punishment which neither creating any deterrence nor punishment in punitive effect reforming such offenders. Therefore, it is necessary to introduce system of punishment with quantum and financial implications of the offence so that it may be creating an effective deterrent as well as make theft a non-beneficial activity.

2. Bill seeks to achieve the above-said objectives.

Sd/-
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