

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR  
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT,  
MUZAFFARABAD**

Dated the 28<sup>th</sup> February, 1989.

No. 143-47/LD/Leg(A)/89. The following Act of the Assembly received the assent of the President on the 22<sup>nd</sup> day of February, 1989. Is hereby published for general information:-

**(ACT IV OF 1989)**

**AN  
ACT**

further to amend the Code of Criminal Procedure, 1898

Whereas it is necessary to amend the Code of Criminal Procedure, 1898 (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 Azad Jammu and Kashmir Code of Criminal Procedure (Amendment) Act, 1989.  
(2) it shall come in to force at once.
2. **Amendment of Section 9, Act V of 1898.**- In the Code of Criminal Procedure, 1898 (Act V of 1898) hereinafter referred to as the said code, in Section 9, after sub-section (3), the following new sub-section (3-A) shall be inserted, namely:-  
“(3-A) The Government may appoint and invest an Additional Sessions Judge with all the powers of a Sessions Judge within the local area in a sessions division.”
3. **Addition of new Section 249-A (Act V of 1898).**- In the Said Code, after Section 249, the following new Section 249-A shall be added, namely:-  
**“249-A. Power of Magistrate to acquit accused at any stage.**-  
Nothing in this Chapter shall be deemed to prevent a Magistrate from acquitting an accused at any stage of the case if, after hearing the prosecutor and the accused and for reasons to be recorded; he considers that the charge is groundless or that there is no probability of the accused being convicted of any offence.”
4. **Repeal.**- The Azad Jammu and Kashmir Code of Criminal Procedure (Amendment) Ordinance, 1988 (Ordinance LXVIII 1988) is hereby repealed.

(Raja Bashir Ahmed Khan)  
Secretary Law and Parliamentary Affairs