

**THE AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR,  
LAW & PARLIAMENTARY AFFAIRS SECRETARIAT,  
MUZAFFARABAD.**

Dated the 25th August, 1980.

No. 4841/LD/80. The following Ordinance made by the President on the 23rd day of August, 1980, is hereby published for general information:-

**(ORDINANCE CXXXIX OF 1980)**

AN

ORDINANCE

to amend the Code of Criminal Procedure, 1980.

WHEREAS it is necessary further to amend the Code of Criminal Procedure, 1898 (Act V of 1 898), for the purposes hereinafter appearing;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate the following Ordinance.

1. **Short title and Commencement.**- (1) This Ordinance may be called the Cede of Criminal Procedure (Amendment) Ordinance 1980.  
(2) It shall come into force at once.
2. **Amendment of Second Schedule, Act V of 1898.**- In the Code of Criminal Procedure, 1898 (Act V of 1898), as in force in the Azad Jammu and Kashmir, in the second Schedule, for the heading 'Offences Against other Laws' and the entries thereunder the following heading and entries shall be substituted, namely.

1	2	3	4	5	6	7	8
	If punishable with death (imprisonment for life) or imprisonment for 7 years or upward.	May arrest without warrant	Warrant	No bailable	Not compoundable	Ditto	Court of Session
	If punishable with imprisonment for 3 years and upward, but less than 7	Ditto	Ditto	Ditto except in cases under the Arms Act, 1878.	Ditto	Ditto	Magistrate of the first class

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	years.			Section 19, which shall be bailable.			
	If punishable with imprisonment for 1 year and upwards but less than 3 years.	Shall not arrest without warrant	Summons	Bailable	Ditto	Ditto	Magistrate of the First or Second class.
	If punishable with imprisonment for less than 1 year, or with fine only.	Ditto	Ditto	Ditto	Ditto	Ditto	Any Magistrate.
<b><u>Offences against Tazeerate Islami, Haddood and Qasas</u></b>							
	If punishable with death, imprisonment for life, imprisonment exceeding 7 years, amputation of hand or feet or both hand feet or with whipping exceeding 80 stripes with or without any other of the said punishment.	May arrest without Warrant.	Warrant	Not bailable	Not compoundable.	-----	Zilae Adalat
	If punishable with imprisonment for 3 years upwards but not exceeding 7 years or with whipping not exceeding 80 stripes with or without imprisonment.	Ditto	Ditto	Ditto	Ditto	Ditto	Adalat
	If punishable with imprisonment for 1 years and upwards but less than 3 years or with whipping not exceeding 40	Shall not arrest without warrant	Summons	Bailable	Ditto	-----	Tehsili Adalat

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stripes with or without imprisonment.							
If punishable with imprisonment for less than 1 years or with whipping not exceeding 19 stripes with or without imprisonment, or with fine only.	Ditto	Ditto	Ditto	Ditto	---	Tehsili Adalat	

(Mohammad Hayat Khan)  
 President,  
 Azad Jammu and Kashmir

Sd/- (Khalil Ahmed Qureshi)  
 Secretary Law.