

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

Dated the 24th August, 1992.

No. 853-57/LD/92. The following ordinance made by the President on the 15th day of August 1992, is hereby published for general information:-

(ORDINANCE LXXV OF 1992)

AN

ORDINANCE

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;

AND WHEREAS the Legislative Assembly is not in session and 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 Code of Criminal Procedure (Amendment) Ordinance, 1992.
 - (2) It shall come into force at once.
2. **Amendment of Schedule II, Act V of 1898.**- In the said Code, in Schedule II:-
 - (a) in entries relating to Section 186:-
 - (i) in column 7, for the figures and words "3 months, or fine of 500 rupees" the figure and words "3 years and fine of five thousand rupees" shall be substituted.
 - (ii) in column 8, for the word "Ditto" the words "Magistrate of the first class" shall be substituted.
 - (b) in the entries relating to Section 295-A in column 1, in column 7, for the figure "2" the figure "10" shall be substituted.

Volume IX: 1989-1993

(c) after the entries relating to Section 295-A, the following new entries shall be inserted, namely:-

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-------|---|-----------------------------|-------|-------|-------|------------------------|--------------------------|
| 295-B | Defiling, of copy of Holy Quran. | May arrest without warrant. | Ditto | Ditto | Ditto | Imprisonment for life. | District Criminal Court. |
| 295-C | Use of derogatory remarks, etc. In respect of Holy Prophet. | Ditto | Ditto | Ditto | Ditto | Death and fine. | -do- |

(b) In entries relating to Section 353:-

- (i) in column 5, for the word "bailable" the words "not bailable" shall be substituted;
- (ii) in column 7, for figure "2" the figure "7" shall be substituted;
- (iii) in column 8, the words "or second" shall be omitted.

(e) after the entries relating to Section 430, the following new entries shall be inserted, namely:-

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--------|---|-----------------------------|-------|-------|-------|-------|---|
| "430-A | Mischief causing damage to public property. | May arrest without warrant. | Ditto | Ditto | Ditto | Ditto | Court of Session or Magistrate of the First Class." |

Sd/-
(Sardar Sikandar Hayat Khan)
President
Azad Jammu and Kashmir

Sd/-
(Syed Shakir Shah)
Additional Secretary Law