

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

MUZAFFARABAD

Dated the 28th February, 1989.

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

AN
ACT

(ACT IV OF 1989)

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;

1.

It is hereby enacted as follows:-

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 into force at once.

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.”

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.”

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1988) is hereby repealed.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