

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

MUZAFFARABAD

Dated the 12.10. 1999.

No. 407-15/LD/Lg/99. The following Act of the Assembly received the assent of the President on 07.10.1999, is hereby published for general information:-

AN  
ACT

(ACT IX OF 1999)

further to amend the Azad Penal Code, 1860

WHEREAS it is expedient further to amend the Azad Penal Code, 1860 (Act XLV of 1860), for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1.

(2)

2.

Short title and commencement:- (1) This Act may be called the Azad Penal Code (Amendment) Act, 1999.

It shall come into force at once.

Amendment of Section 307, Act XLV of 1860.-- In the Penal Code, 1860 (Act XLV of 1860), as adopted in Azad Jammu and Kashmir, hereinafter referred to as the said Act, in Section 307, the existing provision shall be renumbered as subsection (1) and thereafter subsection (2) shall be added as under:-

“(2) To satisfy itself that the wali has waived the right of qisas under Section 309 or compounded the right of qisas under Section 310 voluntarily and without duress, the court shall write down the statement of the wali and such other persons as it may deem necessary on oath and record an opinion that it is satisfied that the waiver, or as the case may be, the composition, was voluntary and not the result of any duress.”

Amendment of Section 328, Act XLV of 1860:- In the said Code, in Section 328, between the words “seven years” and “or with both” the words “or with fine” shall be inserted.

Amendment of Section 332, Act XLV of 1860:- In the said Code in Section 332, in the second line, after the word disables, for the word “of” the word “or” shall be substituted.

Amendment of Section 337 F, Act XLV of 1860:- In the said Code, clause (v) of Section 337 F, shall be substituted as under:-

“(v) \_ hashimah to any person, shall be liable to daman and may also be punished with imprisonment of either description for a term which may extend to five years as

Ta'zir; and

Amendment of Section 338 A, Act XLV of 1860:- In the said Code, in clause (b) of Section 338 A, in the second line, for the word “with” the word “without” shall be substituted.

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Amendment of Section 338 F, Act XLV of 1860:- In the said Code, in Section 338 F, in the second line, for the word “skin” the word “akin” shall be substituted.

Repeal.-- The Azad Penal Code (Amendment) Ordinance, 1999 (Ordinance IX of 1999) is hereby repealed.

Sd/- (RAJA NIAZ AHMED KHAN)

Secretary

Law, Justice & Parliamentary Affairs Department