

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

Dated: 08.11.2006

No. LD/ Legis/519-25/2006. The following Act of Assembly received

the assent of the President on 8th day of November, 2006, is hereby published for general information.

(ACT IX OF 2006)

AN

ACT

to amend further the Code of Criminal Procedure 1898, (Act V of 1898)

Whereas, it is expedient to amend further the Code of Criminal Procedure 1898, (Act V of 1898), as adopted in Azad Jammu and Kashmir;

It is hereby enacted as follows:-

1. Short title, extent and Commencement. - (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 2006.

(2) It shall come into force at once.

2. Amendment of Section 497, Act V_ of 1898).-In the Code of Criminal Procedure 1898 (Act V of 1898), as adopted in Azad Jammu and Kashmir, in subsection (1) , in the first proviso, the words "or any women" shall be omitted and after the first proviso amended as aforesaid, the following new provisos shall be inserted as under:-

"Provided further that a woman accused of such an offence shall be released on bail. As if the offence is bailable, notwithstanding anything contained in schedule-II of this Code or any other law for the time being in force:

Provided further that a woman may not be so released if their appear reasonable grounds for believing that she has been guilty of an offence relating to terrorism, financial corruption and murder and such offence is punishable with death or imprisonment for life or imprisonment for ten years, unless having regard to the facts and circumstances of the case, the court directs that she may be released to bail;

Provided further that where a woman accused of an offence is refused bail under the foregoing proviso, she shall be released on bail if she has been detained for a continuous period of six months and whose trial for such offence has not been concluded unless the court is of the opinion that the delay in the

trial of the accused has been occasioned by an act or omission of the accused or any other person acting on her behalf."

Repeal:- The Code of Criminal Procedure (Amendment) Ordinance, 2006 (Act I of 2006) is hereby repealed.

Sd/- (Waheed-U]-Hsan Ch.)
Section Officer (legislation)