

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR

Law, Justice, Parliamentary Affairs and Human Rights Department

KREKKKEKEK

“Muzaffarabad”

Dated: 25.06.2021

No. LD/Legis-Act/356-68/2021. The following Act, passed by the Azad Jammu and Kashmir Legislative Assembly on 27<sup>th</sup> day of May, 2021 and received the assent of the President on the 15th day of June, 2021, is hereby

published for general information.

[Act XVII of 2021]

Act

further to amend the Penal Code, 1860 and the Code of Criminal Procedure, 1898

Whereas it is expedient further to amend the Penal Code, 1860 (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898), as adapted and in force in Azad Jammu and Kashmir, for the purposes

hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and Commencement.- (1) This Act may be called the Criminal Law (First Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of Section 289, Act XLV of 1860.- In the Penal Code 1860 (Act XLV of 1860), as adapted and in force in Azad Jammu and

Kashmir, in Section 289 following amendment shall be made,-

(a) the existing Section shall be re-numbered as sub-section (1);

(b) in sub-section (1), as re-numbered above for the words “six months” and “one thousand rupees”, the words “one year” and

“twenty five thousand rupees” shall be substituted respectively;

(c) after sub-section (1), a new sub-section (2) shall be added as

under:-

“(2) Where, such animal causes pain, harm, disease, infirmity or injury to any person or impairs, dismembers or disables any

organ of the body or any part thereof or death of victim is



caused thereby due to negligent conduct of any person responsible to take such order as mentioned in sub-section (1), he shall be liable to punishment, prescribed in this Code, for such kind of pain, harm, disease, infirmity, injury, impairment, dismemberment, disability or death and shall also be punished with imprisonment of either description for a term which may extend to five years or with fine which may extend to two million rupees or both as Tazir."

3. Amendment of Code of Criminal Procedure 1898,(Act V of 1898).- In the Code of Criminal Procedure 1898 (Act V of 1898), as adapted and in force in Azad Jammu and Kashmir, in Schedule II, the corresponding entries against Section 289 from column 2 to 8, shall be substituted as under:-

1 2 3 4 5 6 7 8

289 | (1) A person omitting to |May arrest |Summons | Non- Compoundable Imprisonment of either | Magistrate of take order with any | without bailable description for one | the First Class" animal in his | warrant year or fine of twenty possession, so as to five thousand rupees guard against danger or with both to human life, or of grievous hurt from such animal.

(2) In case where pain, |Shall arrest Warrant Non- Not compoundable | Punishment prescribed | Court of harm, disease, | without bailable for the kind of harm, | sessions. infirmity, injury, | warrant injury, hurt or death impairment, under APC and also dismemberment, imprisonment — which disability of any may extend upto 5

organ of the body or death of victim is caused.

years or fine upto two million rupees or both Tazir.

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(Gulfraz Ahmed Khan)  
Section Officer (Legislation)

