

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

Dated: 3rd December, 2020

No. LD/Legis-Act/444-56/2020. The following Act, passed by the Azad Jammu and Kashmir Legislative Assembly on 24th November, 2020 and received the assent of the President on the 29th day of November, 2020, is hereby published for general information.

[ACT XXIX OF 2020]

An
Act

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

Whereas it is expedient further to amend the Azad Penal Code, 1860 (Act XLV of 1860) and the Code of Criminal Procedure, 1898 (Act V of 1898) 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 (Fourth Amendment) Act, 2020.

(2) It shall come into force at once.

2. Addition of Section 381-A, Act XLV _ of 1860.- In the Azad Penal Code, 1860 (Act XLV of 1860), hereinafter referred to as the said Code, after Section 381, a following new Section 381-A, shall be inserted:-

“381-A. Theft of a car or other motor vehicles.- Whoever commits theft of a car or any other motor vehicles, including motor-cycle, scooter and tractor shall be punished with imprisonment of either description for a term which may extend to ten years and with fine not exceeding the value of the stolen car or motor vehicle.

Explanation: Theft of an electric motor of a tube-well or transformer shall be within the meaning of this Section.”

3. Amendment of Section 489-O, Act XLV of 1860.- In the said Code, in Section 489-O, for the figures “6, 7, 8 or 9” the figure and words, “489-K, 489-L, 489-M or 489-N,

shall be substituted and deemed to have been substituted on 16th day of February, 2020.

Amendment of Section 176-O, Act V of 1898.- In the Code of Criminal Procedure, 1898 (Act V of 1898), hereinafter referred to as the said Code, for Section 176-O, following shall be substituted:-

“176-O. Training of Judicial officers etc.- (1) The Government shall, in consultation with the Chief Justice of

the High Court, arrange for special training of the presiding officers to be conducted by an entity notified by the Government for training on computer sciences, cyber forensics, electronic transactions and data protection.

(2) To the extent not inconsistent with this Chapter, the

procedure laid down under the Code and the Qanoon-e-Shahadat Order, 1984 (P.O.No. X of 1984), as adopted and enforced in Azad Jammu and Kashmir shall be followed.”

Amendment of Schedule II, Act V of 1898.- In the said Code, in Schedule II:-

(i) After Section 381, in column (1) and the corresponding entries relating thereto in columns (2) to (8), the following shall be added, namely:-

“1 2 3 4 5 6 7 8

381-A| Theft of a car | Ditto | Ditto | Ditto | Ditto | Imprisonment of | Court of Session or other motor vehicle either description | or a Magistrate's vehicle of 10 years and First Class.”
fine.

(ii) In Section 489-Y, in column (1), in corresponding entry relating thereto in column (8) the word “Ditto” shall be added.

Sd/-
(Gulfray Ahmed Khan)
Section Officer (Legislation)