

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

Dated the 25th January, 1994.

No. 92-97/LD/94. The following Act of the Assembly received the assent of the President on 19th January, 1994 is hereby published for general information:-

(ACT VIII OF 1994)

AN

ACT

to amend the Penal Code, 1860

WHEREAS it is necessary to amend the Penal Code, 1860 (Act XLV of 1860), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement:- (1) This Act may be called the Penal Code (Amendment) Act, 1993.

(2) It shall come into force at once.

2. Amendment of Section 295-A, Act XLV of 1860:- In the

Pakistan Penal Code, 1860 (Act XLV of 1860), as enforced in Azad Jammu and Kashmir, hereinafter referred to as the said Code, in Section 295-A, for the words "two years" the words "ten years" shall be substituted.

3. Addition of new Section 295-B and 295-C, Act XLV of 1860:- In the said Code, after Section 295-A, the following new Sections shall be added.

*295-B. Defiling etc. or copy of Holy Quran:- Whoever willfully defiles, damages or desecrates a copy of the Holy Quran or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.

295-C. Use of derogatory remarks, etc. in respect of the Holy Prophet:- Whoever by words, either spoken or written, or by visible representation, or by imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death and shall also be liable to fine.

4. Insertion of new Section 365-A, Act XLV of 1860:- In the said Code, after Section 365, the following new Section 365-A shall be inserted, namely:-

"365-A. Kidnapping or abduction for extorting property, valuable security, etc:- Whoever kidnaps or abducts any person for the purpose of extorting from the person kidnapped or abducted, or from any person interested in the person kidnapped or abducted any property, whether movable or immovable, or valuable security, or to compel any person to

comply with any other demand, whether in cash or otherwise, for obtaining release of the person kidnapped or abducted, shall be punished with death and shall also be liable to forfeiture of property.”

Insertion of Section 430-A, Act XLV of 1860:- In the said Code, after Section 430, the following new Section 430-A shall be inserted, namely;

“430-A.Mischief Causing damage to public property:-
Whoever commits mischief by doing any act which causes, or which he knows to be likely to cause damage to any public property shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, not exceeding five thousand rupees or with both and the loss caused to the property shall also be recoverable from the accused as arears of Land revenue.”

Explanation:- Public Property means and includes any property owned by the Government or an autonomous or Corporate body or institution.

Repeal:- The Penal Code (Amendment) Ordinance, 1993 (Ordinance XLVI of 1993) is hereby repealed.

Sd/- (Syed Shakir Shah)
Deputy Secretary Law.