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[TO BE INTRODUCED IN THE SENATE]

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BILL

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

WHEREAS it is expedient further to amend the Pakistan Penal Code, 1860 (XLV of 1860) and the Code of Criminal Procedure, 1898 (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 Laws (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment in section 123 B, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), hereinafter referred to as the Code, in section 123 B, for the words "three years" the words "five years but shall not be less than six months" shall be substituted and after the word "fine" the words "which shall not be less than fifty thousand rupees", shall be inserted.

3. Insertion of new section 123 C, Act XLV of 1860.- In the Code, amended as aforesaid, after Section 123 B, the following new section shall be added, namely:-

"123 C. Defiling or un-authorizedly removing the portrait of Quaid-e-Azam Muhammad Ali Jinnah, Founder of Pakistan.- Whoever deliberately defiles or puts on fire the portrait of Quaid-e-Azam Muhammad Ali Jinnah, Founder of Pakistan or un-authorizedly removes it from any office or premises or other property of Government, shall be punished with imprisonment of either description for a term which may extend to five years but shall not be less than six month, or with fine which shall not be less than fifty thousand rupees, or with both."

4. Amendment of Schedule II, Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), in Schedule II,-

- (i) For the entry of section 123 B in column 7 the following shall be substituted, namely,-

"Imprisonment of either description for a term which may extend to five years but shall not be less than six month, or with fine which shall not be less than fifty thousand rupees, or with both."

- (ii) After the entry for section 123 B, amended as aforesaid, following new entry 123 C shall be inserted, namely:-

"123 C	Defiling or un-authorizedly removing the portrait of Quaid-e-Azam Muhammad Ali Jinnah, Founder of Pakistan	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment of either description for a term which may extend to five years but shall not be less than six month, or with fine which shall not be less than fifty thousand rupees, or with both	Magistrate of first class"
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STATEMENT OF OBJECTS AND REASONS

The objective of this Bill is to keep the prestige of the National Flag and the Portrait of Founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah. Defiling of National Flag is already a criminal offence in the Pakistan Penal Code but enhancement in its punishment has been proposed in the Bill in order to make it more detrimental. Moreover, a new section has been proposed in order to penalize the defiling of Portrait of Founder of Pakistan Quaid-e-Azam Muhammad Ali Jinnah. Consequential amendments have also been proposed in the Code of Criminal Procedure. The Bill seeks to achieve the said objects.

SENATOR SYED MUHAMMAD SABIR SHAH
Member-In-Charge