

As

[~~TO BE~~ INTRODUCED IN THE SENATE]

A

BILL

further to amend the Pakistan Penal Code, 1860

Whereas it is expedient further to amend the Pakistan Penal Code, 1860, (XLV of 1860) in its application to Islamabad Capital Territory for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and commencement:- (1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2021.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Amendment of section 489F, 1860.- In the Pakistan Penal Code, 1860 in Section 489F the full stop "." at the end shall be substituted with a colon ":" and thereafter the following proviso shall be added, namely:

"Provided that nothing contained in this Section shall apply unless:-

- (a) the payee or the holder of the cheque, as the case may be, makes a demand for the payment of said amount by giving a written notice to the drawer; and
- (b) the drawer of the cheque fails to make payment of such amount to the payee or to the holder of the cheque, as the case may be, within seven days of the said notice."

STATEMENT OF OBJECTS AND REASONS

The Bill aims to reduce the number cases on courts which originate through dishonor of bank cheques. The proposed amendments will provide opportunity to the drawer of the cheque to pay the amount before the initiation of criminal proceedings as the original enactment was aimed to secure the transactions from banking channel and not to merely punish the drawer of the cheque.

SENATOR MUHAMMAD JAVED ABBASI
Member-in-Charge