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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 19th April, 1976

The following Acts of Parliament received the assent of the President on the 15th April, 1976, and are hereby published for general information:—

An Act further to amend the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898 (Act V of 1898), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 1976.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Amendment of section 491, Act V of 1898.**—In the Code of Criminal Procedure, 1898 (Act V of 1898), hereinafter referred to as the Code, in section 491, in sub-section (3), after the words, comma and figure “ Security of Pakistan Act, 1952 ” at the end, the comma and words “ , or any other law providing for preventive detention ” shall be added.

3. **Amendment of section 497, Act V of 1898.**—In the Code, in section 497, in sub-section (1), in the second proviso, the comma, words and figure “ , without prejudice to the provisions of section 498 ” shall be omitted.

4. **Insertion of new section 498A, Act V of 1898.**—In the Code, after section 498, the following new section shall be inserted, namely :—

“ 498A. *No bail to be granted to a person not in custody, in court or against whom no case is registered, etc.*—Nothing in section 497 or section 498 shall be deemed to require or authorise a Court to release on bail, or

to direct to be admitted to bail, any person who is not in custody or is not present in court or against whom no case stands registered for the time being and an order for the release of a person on bail, or a direction that a person be admitted to bail, shall be effective only in respect of the case that so stands registered against him and is specified in the order or direction.”.

5. Repeal.—The Code of Criminal Procedure (Amendment) Ordinance, 1975 (XXX of 1975), is hereby repealed.