

[TO BE INTRODUCED IN THE SENATE]

**A
BILL**

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

WHEREAS honour killings continue to claim the lives of hundreds of women and girls every year in Pakistan despite the passage of the Criminal Law (Amendment) (Offences in the Name or on Pretext of Honour) Act, 2016 (XLIII of 2016);

AND WHEREAS persistent judicial leniency, misuse of legal provisions and cultural complicity have prevented full realization of justice and deterrence envisaged under the said Act;

AND 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), to ensure stricter accountability and prevention of offences in the name or on the pretext of honour and that all honour crimes are treated as heinous, non-compoundable offences punishable by life imprisonment, and that no plea or compromise may reduce or mitigate accountability.

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Criminal Laws (Amendment) (Honour Killings Prevention) Act, 2026.

(2) It shall come into force at once.

2. Amendment of section 302, Act XLV of 1860.- In the Pakistan Penal Code, 1860 (XLV of 1860), hereinafter referred to as the said Code, in section 302, in clause (c), in the existing proviso, for the full-stop occurring at the end, a colon ":" shall be substituted and thereafter, the following second proviso shall be inserted, namely:-

"Provided further that no plea of grave and sudden provocation, loss of control, or moral outrage shall be admissible as a defence in any offence committed in the name or on the pretext of honour."

3. **Insertion of new section 311A, Act XLV of 1860.-** In the said Code, after section 311, the following new section shall be inserted, namely:-

"311A. Criminal liability for instigation, abetment, or sanction of honour killing.-(1) Any person, including a family member, relative, community elder, or participant of a *jirga* or *panchayat*, who instigates, directs, aids, abets, or sanctions the commission of an offence in the name or pretext of honour shall be deemed to have committed abetment of murder under Section 109 of the Pakistan Penal Code, 1860, shall be punishable with imprisonment for life.

(2) Any public servant who willfully fails to prevent, report, or investigate an offence under this section shall be punished with imprisonment up to five years and fine."

4. **Insertion of section 509A, Act XLV of 1860.-** In the said Code, after section 509, the following new section shall be inserted, namely:-

"509A. Gender-based aggravating circumstance. Any offence committed on the basis of gender, including an act of murder, assault, or confinement in the name or pretext of honour, **shall be punished with death or imprisonment or with fine as the case may be, as provided for the offences by any law in force for the time being."**

5. **Amendment of section 345, Act V of 1898.-** In the Code of Criminal Procedure, 1898 (V of 1898), in section 345, after sub-section (7), the following new sub-section, shall be added, namely:-

"(8) No offence involving honour killing shall be compoundable or waivable by the heirs of the victim, and such offences shall be prosecuted exclusively by the State."

6. **Amendment of Schedule II, Act V of 1898.-** In the Code of Criminal Procedure, 1898 (V of 1898) in Schedule II, in column 1, after section 311, and corresponding entries relating thereto in columns 2 to 8, the following new section and entries related thereto shall be inserted, namely:-

311A	Criminal liability for instigation, abetment, or sanction of honour killing	May arrest without warrant	warrant	Non-bailable	Non-compoundable	imprisonment for life	Court of Session
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STATEMENT OF OBJECTS AND REASONS

The Criminal Law (Amendment) (Offences in the Name or Pretext of Honour) Act, 2016, though historic, has not fully achieved its deterrent purpose. Honour killings continue unabated, with over 500 reported cases annually. Judicial records reveal persistent leniency due to admissibility of grave and sudden provocation, defences and discretionary sentencing under Section 311 of the Pakistan Penal Code.

The existing legal framework lacks accountability for instigators including jirgas and family elders who often sanction these crimes under social custom. This (Amendment) Bill seeks to eliminate defence loopholes, make life imprisonment mandatory, criminalize instigation and abetment through Jirga's, ensure State-led prosecution to counter patriarchal bias.

This Bill upholds Articles 9, 14, and 25 of the Constitution of Pakistan and aligns with Pakistan's international obligations under CEAW and UN Human Rights resolutions.

SENATOR SAMINA MUMTAZ ZEHRI
Member in-Charge