

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

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 (Act XLV of 1860), and the Code of Criminal Procedure, 1898 (Act 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 Law (Amendment) Bill, 2017.

(2) It shall come into force at once.

2. **Insertion of new section 377, Act XLV of 1860.**- In the Pakistan Penal Code, 1860 (Act No. XLV of 1860), after section 377, the following new section shall be inserted, namely:-

“377A Committing rape or unnatural offence with minor Child.- Whoever commits rape or unnatural offence, as the case may be, with a minor child shall be punished with death but not less than imprisonment for life and shall also be liable to fine which shall not be less than rupees five hundred thousand which shall be paid to the victim or heirs of the victim.

Note I.- For the purposes of this section child means a girl or boy of less than eighteen years of age.

Note II.- Notwithstanding anything contained in the Qanun-e-Shahadat, 1984, any scientific or modern means of evidence like DNA testing or other such evidence, etc. proving the offence shall be enough to impose punishment under this section.”

3. **Amendment of Schedule II, Act V of 1898.**- In the Code of Criminal Procedure, 1898 (Act V of 1898), in Schedule II, after entry relating to section 377, the following new entry in column 1 and the entries relating thereto in columns 2 to 8 shall be inserted, namely:-

"377 A.	Committing rape or unnatural offence with minor child.	May arrest without warrant	Warrant	Not bailable	Not compoundable	Death sentence but not less than imprisonment for life and fine which shall not be less than rupees five hundred thousand.	Court of Sessions."
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STATEMENT OF OBJECTS AND REASONS

There is growth of heinous crimes in the country but it is miserable to note that minor children are also becoming victims of heinous offences like rape and unnatural offences and in such lusty offences sometimes victims are losing their lives. Such type of offences are not only traumatizing the victims but also making rest of their life as hell in this world. They are living a life which is more than a burden for them with humiliation and disgrace with none of their fault. There is need of harsh punishments for such type of offences as the existing penal provisions are unable to provide sufficient deterrence to intending offenders.

2. The instant Bill seeks to achieve the aforesaid objectives.

Sd/-
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