

[~~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, 1860 (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 Laws (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Insertion of new sections 377C, Act XLV of 1860.-** In the Pakistan Penal Code, 1860 (Act XLV of 1860), after section 377B, the following new sections shall be inserted, namely:-

"377C.- Unnatural offence with child where age of victim is less than seven years.- Whoever has carnal intercourse against the order of nature with a child having the age of seven years and below shall be punished with death or imprisonment for life which shall not be less than twenty five years and shall also be liable to a minimum fine of two million rupees.

Provided that, if the age of offender is above twenty one years, the sentence of death shall be carried in public place or gathering of not less than hundred people.

377D.- Unnatural offence with child where age of victim is less than ten years.- Whoever with consent or without consent has carnal intercourse against the order of nature with a child having the age of ten years but not below than seven years shall be punished with imprisonment for life or imprisonment of either description which shall not be less than ten years and a minimum fine of five hundred thousand rupees.

377E.- Unnatural offence with child where age of victim is less than fourteen years.- Whoever with consent or without consent has carnal intercourse against the order of nature with a child having the age of fourteen years but not below than ten years shall be punished with imprisonment for life or imprisonment of either description which shall not be less than seven years and a minimum fine of two hundred thousand rupees.

377F.- Unnatural offence where age of victim is less than eighteen years.-Whoever with consent or without consent has carnal intercourse against the order of nature with a child having the age of eighteen years but not below than fourteen years shall be punished with imprisonment for life or imprisonment of either description which shall not be less than five years and a minimum fine of fifty thousand rupees.

377G.- Unnatural offence where victim is mentally or physically disable.-Whoever has carnal intercourse against the order of nature where victim is mentally or physically disable shall be punished with imprisonment for fourteen years which shall not be less than seven years and a minimum fine of two hundred thousand rupees.”.

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

1	2	3	4	5	6	7	8
377 C	Unnatur al offence with child where age of victim is less than seven years	May arrest withou t warran t	Warran t	Not bailabl e	Not compoundab le	Death or imprisonme nt for life which shall not be less than twenty five years and a minimum fine two million rupees	Court of Sessio n
377 D	Unnatur al offence with child where	May arrest withou t warran t	Warran t	Not bailabl e	Not compoundab le	Imprisonme nt for life or imprisonme nt of either description which shall	Court of Sessio n

	age of victim is less than ten years					not be less than seven years and a minimum fine five hundred thousand rupees	
377 E	Unnatural offence with child where age of victim is less than fourteen years	May arrest without warrant	Warrant	Not bailable	Not compoundable	Imprisonment for life or imprisonment of either description which shall not be less than seven years and a minimum fine two hundred thousand rupees	Court of Session
377 F	Unnatural offence	May arrest without	Warrant	Not bailable	Not compoundable	Imprisonment for life or imprisonment	Court of Session

	where age of victim is less than eighteen years	t warrant t				nt of either description which shall not be less than five years and a minimum fine fifty thousand rupees	n
377 G	Unnatur al offence where victim is mentally or physically disable	May arrest withou t warrant t	Warrant t	Not bailabl e	Not compoundab le	Imprisonme nt for fourteen years which shall not be less than seven years and a minimum fine two hundred thousand rupees	Court of Sessio n

STATEMENTS OF OBJECTIONS AND REASONS

Children are abused in Pakistan every day. Child abuse has become a prevalent offence which exhibit Pakistan as an unsafe country for children. There is nothing worse than the death of a child and there is nothing worse for parents than burying a child. After raping and killing the child, the body is thrown on a heap of garbage. Killing a child is neither an act of power nor a submission to a maniacal homicidal tendency. In other words, it is not easy to control the sexual abuse of children though efforts must be made to curtail these incidents with exemplary punishment.

Sd/-
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