

[TO BE INTRODUCED IN THE YOUTH PARLIAMENT PAKISTAN]

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BILL

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 and commencement.- (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 2012.

(2) It shall come into force at once.

2. Amendment of section 374, Act V of 1898.- In the Code of Criminal Procedure, 1898 (Act V of 1898), in section 374, after the full stop at the end, the words and full stop “ The convict shall neither be treated as condemned person nor shall be confined in the death cell unless the sentence is confirmed by the High Court and in case of an appeal before the Supreme Court unless the sentence is upheld in appeal.” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

It is a general practice to treat the convict as condemned person and confine him in the death cell till confirmation of sentence and disposal of appeals. According to the Section 374, Act V of 1898, when the Court of Session passes .sentence of death the proceedings shall be submitted to

the High Court and the sentence shall not be executed unless it is confirmed by the High Court. An amendment is being proposed in the Code to the effect that the convict shall neither be treated as condemned person nor shall he be confined in the death cell till confirmation of the death sentence by the High Court and in case of appeal before the Supreme Court unless sentence is upheld in the appeal.

Sd/-

Muhammad Umar Riaz

Youth Minister for Law, Parliamentary Affairs and Human Rights

Youth Parliament Pakistan