

**Code Of Criminal Procedure (Punjab Amendment)
Ordinance, 1972**

10 of 1972

[12 April 1972]

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An Ordinance further to amend the Code of Criminal Procedure, 1898, in its application to the Province of the Punjab Preamble.-
WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898, in its application to the Province of the Punjab;
NOW, THEREFORE, in pursuance of the Martial Law Proclamation of 25th March, 1969, read with the Proclamation of 20th December, 1971, and the Provisional Constitution Order, and in exercise of all powers enabling him in that behalf, the Governor of the Punjab is pleased to make and promulgate the following Ordinance:-

1. Short Title, Extent And Commencement :-

- (1) This Ordinance may be called the Code of Criminal Procedure (Punjab Amendment) Ordinance, 1972.
- (2) It extends to the whole of the Punjab.
- (3) It shall come into force at once.

2. Amendment Of Section 94 Of Act V Of 1898 :-

In the Code of Criminal Procedure, 1898 (Act V of 1898), in its application to the Province of the Punjab, hereinafter referred to as

the said Code, in section 94, for the proviso to sub-section (1), the following proviso shall be substituted, namely:-

"Provided that no officer shall issue any such order requiring the production of any document or other thing which is in the custody of a bank or a banker as defined in the Bankers Books Evidence Act, 1891 (XVIII of 1891) and relates, or might disclose any information which relates, to the bank account of any person except with the prior permission in writing of the High Court or the Sessions Judge within whose jurisdiction such bank or banker, as the case may be, is situated or carries on business".

3. Amendment Of Section 165 Of Act V Of 1898 :-

In the said Code, in section 165, for proviso to sub-section (1), the following proviso shall be substituted, namely:-

"Provided that no such officer shall search, or cause a search to be made, for anything which is in the custody of a bank or a banker as defined in the Bankers Books Evidence Act, 1891 (XVIII of 1891) and relates, or might disclose any information which relates to the bank account of any person except with the prior permission in writing of the High Court or the Sessions Judge within whose jurisdiction such bank or banker, as the case may be, is situated or carries on business".

4. Amendment Of Schedule Of Act V Of 1898 :-

In the said Code, in Schedule II-

(i) after the entries relating to section 294-A, the following new entries shall be inserted in the respective columns, namely:-

"294-B. Offering of prize in connection with trade, etc. Ditto. Ditto. Ditto. Ditto. Imprison-ment of either description for 6 months, or fine, or both. Ditto"

(ii) in the entries against section 304-A, in column 7, for the figure, words and commas "2 years, or fine, or both", the figure, words and comma "4 years, and fine" shall be substituted; and

(iii) the entries against section 500 substituted by section 25 of the Code of Criminal Procedure (West Pakistan Amendment) Act, 1964 (West Pakistan Act XVII of 1964) shall also be deemed to be the entries against section 501 and section 502.