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GOVERNMENT OF THE PUNJAB
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION

13 December 2023

No.Legis:13-38/2009(P-VII)/7016.- The following Ordinance promulgated by Governor of the Punjab is hereby published for general information:

CODE OF CRIMINAL PROCEDURE (AMENDMENT) ORDINANCE 2023

(XVIII OF 2023)

An
Ordinance

to amend the Code of Criminal Procedure, 1898.

It is necessary to amend the Code of Criminal Procedure, 1898 (V of 1898) for protection of life and liberty of the persons, dealing with the grave and emergent situations likely to endanger general peace and order, preventing imminent breach of peace, and providing preventive jurisdiction and speedy remedy in the interest of the public and for the reason that the nomenclatures of *Zila Nazim* and District Superintendent of Police stand substituted, and for the matters ancillary thereto and connected therewith.

Provincial Assembly of the Punjab is not in session and Governor of the Punjab is satisfied that circumstances exist which render it necessary to take immediate action.

In exercise of the powers conferred under clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, Governor of the Punjab is pleased to make and promulgate the following Ordinance:

1. Short title and commencement.- (1) This Ordinance may be cited as the Code of Criminal Procedure (Amendment) Ordinance 2023.

(2) This Ordinance shall come into force at once.

2. Substitution of section 144 of Act V of 1898.- In the Code of Criminal Procedure, 1898 (V of 1898), for section 144, the following shall be substituted:

"**144. Power to issue order absolute at once in urgent cases of nuisance or apprehended danger.**- (1) In cases where, in the opinion of a Deputy Commissioner, or any other officer specially empowered by Government of the Punjab to act under this section, there is sufficient ground for proceeding under this section and immediate prevention or speedy remedy is desirable, such Deputy Commissioner, or the officer specially empowered in this behalf, by a written order stating the material facts of the case and served in manner provided by section 134, direct any person to abstain from a certain act or to take certain order with certain property in his possession or under his management, if such Deputy Commissioner, or the officer specially empowered in this behalf, considers that such direction is likely to prevent, or tends to prevent, obstruction, annoyance or injury, or risk of obstruction, annoyance or injury to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquility, or a riot, or an affray.

(2) An order under this section may, in cases of emergency or in cases where the circumstances do not admit of the serving in due time of a notice upon the person against whom the order is directed, be passed *ex parte*.

(3) An order under this section may be directed to a particular individual, or to the public generally when frequenting or visiting a particular place.

(4) Such Deputy Commissioner, or the officer specially empowered in this behalf, may, either on his own motion or on the application of any person aggrieved, rescind or alter any order made under this section by himself or by his predecessor in office.

(5) Where such an application is received, the Deputy Commissioner, or the officer specially empowered in this behalf, shall afford to the applicant an early opportunity of appearing before him either in person or by pleader and showing cause against the order; and, if the Deputy Commissioner, or the officer specially empowered in this behalf, rejects the application wholly or in part, he shall record in writing his reasons for so doing.

(6) The order made by the Deputy Commissioner under this section shall remain in force for not more than seven days

from the making thereof, and the order made by the officer specially empowered in this behalf under this section shall remain in force for not more than two months from the making thereof; unless, in cases of danger to human life, health or safety, or a likelihood of a riot or an affray, Government of the Punjab by notification otherwise directs.".

(MUHAMMAD BALIGH-UR-REHMAN)
GOVERNOR OF THE PUNJAB

12/12/2023

MUHAMMAD ASIF BALAL LODHI
Secretary
Government of the Punjab
Law and Parliamentary Affairs Department