

**THE
PROTECTION
OF
WOMEN**

**(Criminal Laws Amendment) Act, 2006
with
other Relevant Laws, etc.**

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Preface

“The Protection of Women (Criminal Laws Amendment) Act, 2006 (Act VI of 2006)” is a very important legislation with far-reaching consequences in our social life and intended to introduce a few social reforms and safeguarding the rights of women . The first paragraph of the Statement of Objects and Reasons of the Act states :

“One of the avowed constitutional objectives of the Islamic Republic of Pakistan is to enable Muslims to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as laid down in the Holy Qur’an and Sunnah.”.

In this way, the Act aims to make the existing laws in accordance with the teachings and requires of Islam as laid down in the Holy *Qur’an* and *Sunnah* after making necessary changes in such laws made and promulgated from time to time.

Prior to this the ***Criminal Law (Amendment) Act, 2004 (Act I of 2005)***, has been passed by the *Majlis-e-Shoora* (Parliament) and enforced from the 4th January, 2005, to eradicate the evil like ***karo kari, siyah kari*** or similar other customs and practices prevailing in some parts of our country and society extremely in violation of constitutionally guaranteed fundamental rights and making the women a vulnerable community.

Similarly, the ***Code of Criminal Procedure (Amendment) Ordinance, 2006***, and the ***Code of Criminal Procedure(Second Amendment) Ordinance, 2006 (XXXV of 2006)***, are providing the right of bail to women except in cases wherein she has been guilty of an offence relating to terrorism, financial corruption and murder and such offence is punishable with death or imprisonment for life or imprisonment for ten years, unless having regard to the facts and circumstances of the case, the court directs that she may be released on bail.

Undoubtedly, all these are landmark legislations for the protection of rights of women particularly in such areas wherein their fate

was lying in the hands of *jirgas* or some other outside the court settlements by their guardians or in some compoundable cases and they were forced to suffer the miseries due to such offences which had never been committed by them. They were the victims of unfair treatment and used as scapegoats on the pretext of family honour or due to some other social customs and practices, etc.

These laws will have far-reaching impact on the social and cultural life of Pakistan in the 21st century with maximum protection of rights of women and they will not only be protected but also be freed from the chains of social evils, customs or practices, etc., which are prevailing in different parts of country under different pretexts or customary practices since centuries. These will help stop the momentous wheel of customary evil practices which are neither Islamic nor having support of any moral code and are being practised due to ignorance and illiteracy and still the shadow of dark ages on the Muslim community and Pakistani civilization.

The Protection of Women (Criminal Laws Amendment) Act, 2006 (Act VI of 2006), has introduced some comprehensive changes in the following laws, namely :-

- (a) the Pakistan Penal Code (Act XLV of 1860);
- (b) the Code of Criminal Procedure, 1898 (Act V of 1898);
- (c) the Offence of *Zina* (Enforcement of *Hudood*) Ordinance, 1979 (Ordinance No. VII of 1979);
- (d) the Offence of *Qazf* (Enforcement of *Hadd*) Ordinance, 1979 (Ordinance No. VIII of 1979); and
- (e) the Dissolution of Muslim Marriages Act, 1939 (Act VIII of 1939).

In this publication, effort has been made to provide an upto date version of the above laws or their relevant sections after these amendments to help the reader to under the true perspective and nature of amendments.

Every effort has been made to make this text error-free but after all we are humans and there is possibility of errors and omissions but all it will be without any bad intention. However, I shall be thankful if you point out about such errors or omissions for rectification in future editions and for the benefit of others. Your cooperation, guidance and assistance will be of tremendous benefit for me.

All suggestions and comments will be welcomed for improvement of quality of this work. I shall also be ready and available for all such guidance and advice for better understanding of these laws. You can also send me your messages electronically at my e-mail address given in this page. Your questions and queries will be answered and advice about any aspect of the subject or topic will also be provided.

***Rawalpindi,
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Dedicated

to

all women of this great nation

The
**Protection of Women
(Criminal Laws Amendment)
Act, 2006,**
and
Other Relevant Laws, etc.

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3.	The Offence of <i>Qazf</i> (Enforcement of <i>Hadd</i>) Ordinance, 1979 (VIII of 1979)	
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6.	The Criminal Law (Amendment) Act, 2004 (I of 2005)	
