

**FOR THE EXTRAORDINARY GAZETTE ISSUE OF
THE KHYBER PAKHTUNKHWA**

**PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA**

NOTIFICATION

Dated Peshawar, the 13 /02/2025.

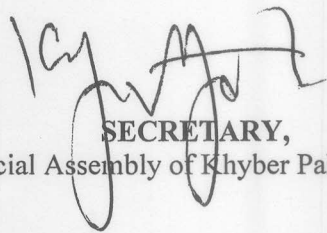
No.PA/Khyber Pakhtunkhwa/Bills-46/2025/ 3440 The Code of Criminal Procedure (Khyber Pakhtunkhwa) (Amendment) Bill, 2025 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 28th January, 2025 and assented to by the Governor of the Khyber Pakhtunkhwa on 07th February, 2025 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE CODE OF CRIMINAL PROCEDURE (KHYBER PAKHTUNKHWA) (AMENDMENT)
ACT, 2025.**

(KHYBER PAKHTUNKHWA ACT NO. IV OF 2025)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa. (Extraordinary), dated the /02/2025).

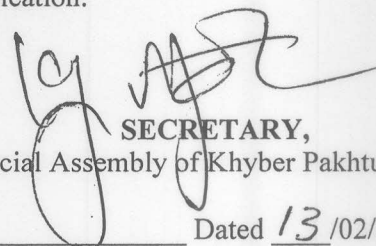
(Here print as in the accompaniment).


SECRETARY,
Provincial Assembly of Khyber Pakhtunkhwa.

No. and date (as per notification above).

A copy of the above notification with the accompaniment is forwarded to the Manager, Government Stationery and Printing Department, Peshawar, with the request to publish the same in the extraordinary issue of the Khyber Pakhtunkhwa Government Gazette of today's date and distribute copies thereof immediately in accordance with the list given overleaf.

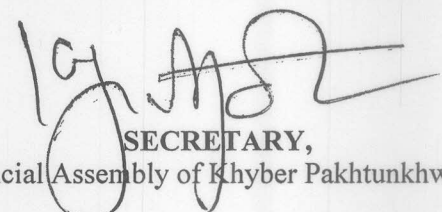
Proof should be sent to this Secretariat before publication.


SECRETARY,
Provincial Assembly of Khyber Pakhtunkhwa

E.No. PA/Khyber Pakhtunkhwa /Bills-46/2025/ 3441 Dated 13 /02/2025

A copy of the above is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Law Department.
3. The Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department.
4. The Director Information, Khyber Pakhtunkhwa.
5. The Additional Director I.T, Provincial Assembly of Khyber Pakhtunkhwa for official website.


SECRETARY,
Provincial Assembly of Khyber Pakhtunkhwa

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ACT

further to amend the Code of Criminal Procedure, 1898.

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898 (Act No. V of 1898), for the purpose hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. **Short title and commencement.**---(1) This Act may be called the Code of Criminal Procedure (Khyber Pakhtunkhwa) (Amendment) Act, 2025.

(2) It shall come into force at once.

2. **Insertion of section 526B of the Code No. V of 1898.**---In the Code of Criminal Procedure, 1898 (Act No. V of 1898), after section 526A (deleted), the following new section shall be inserted, namely:

“526B. Power to transfer cases to Special Courts.---(1) Notwithstanding anything contained in any other law for the time being in force, the High Court, under intimation to Government, may, if considers it expedient so to do in the interest of justice, transfer any case-

(a) from Court of Sessions to a Special Court; or

(b) from one Special Court to another Special Court.

(2) Upon transfer of a case under sub-section (1), any connected case or cases shall also stand transferred.

(3) A special Court, to which the case is transferred under sub-section (1), shall be deemed to be the Court, in which the case was originally instituted, and shall have all the powers and jurisdiction of such Court.

(4) A Special Court, to which the case is transferred under sub-section (1), shall proceed with the case from the stage, at which it was pending, immediately before such transfer, and it shall not be bound to recall and rehear any witness. who has given evidence, and may act on the evidence already recorded.

Explanation: In this section, the words “Court of Sessions” and “Special Court”, shall have the same meanings as have been assigned to them respectively by the Code or any special law.”.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(KIFAYAT ULLAH KHAN AFRIDI)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

Assistant Drafting Officer-II
Govt. of Khyber Pakhtunkhwa
Law Department