

EXTRAORDINARY  
GOVERNMENT



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## KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 13<sup>th</sup> FEBRUARY, 2025.

### PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

#### NOTIFICATION

Dated Peshawar, the 13<sup>th</sup> February, 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 28<sup>th</sup> January, 2025 and assented to by the Governor of the Khyber Pakhtunkhwa on 7<sup>th</sup> 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 13<sup>th</sup> February, 2025).*

AN  
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

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