

INDEX

Sr.No.	Subject	Page No.
1	World Constitution <ul style="list-style-type: none">• United Kingdom Constitution• United States Constitution	2 8
2	Constitutional History of Pakistan	14
3	1973 Constitution of Pakistan	21
4	English Jurisprudence	36
5	Islamic Jurisprudence	41
6	Code of Civil Procedure	45
7	Law of Contract	66
8	Limitation Act	69
9	Law of Torts	72
10	Specific Relief Act	75
11	Maxims of Equity	82
12	Pakistan Penal Code	84
13	Code of Criminal Procedure	140
14	Law of Qisas and Diyat	154
15	Qanoon-e-Shahadat	162
16	International Law	173
17	Cannons of Professional Conduct and Etiquettes of Advocates	177
18	Legal English Language	186
19	Past Papers	194

WORLD CONSTITUTION

UNITED KINGDOM (U.K) CONSTITUTION:

1. The Constitution of U.K is unwritten.
2. The U.K Parliament is comprising of House of Lords (Upper House) and House of Commons (Lower House).
3. The foundational Constitutional text for what is now the UK is the Magna Carta issued by King John of England in 1215.
4. Although England's Parliament, often called "the Mother of Parliaments"
5. The Magna Carta, or Great Charter of the Liberties of England, signed by King John in the year 1215.
6. English Bill of Rights, passed after the Glorious Revolution of 1689.
7. The Acts of Union, of 1707, establishing the linking of England and Scotland within a United Kingdom.
8. Bill of Rights 1668: No tax can be levied, or no army action can be taken without permission of Parliament. No one can suspend any law without any reason.
9. Act of Settlement 1700: All the organs of the Government will be independent particularly judiciary will be independent.
10. Parliament Act 194: How the Parliament will be formed and what are the rights of the Crown.
11. Magna Carta 1215: It the bases of the rule of law and contains the rights of the people in a democratic set up.
12. Crown Proceeding Act 1947: A person can sue the Government.

13. The House of Lords comprises of 760 members out of them 646 Life Peers appointed by Crown on the advice of the Prime Minister, 25 archbishops and bishops, 92 Hereditary Peers (Including 2 Women).
14. Since 2006, the Lord speaker is elected by and among peers for five years.
15. Eligibility for House of Lords is Minimum age or 21, citizenship in Britain, Ireland, or the Commonwealth, or hereditary peers, life peers, and archbishops and bishops of the Church of England.
16. The Law Lords (the House of Lords is the final court of appeal on points of law for the whole of the United Kingdom in civil cases and for England, Wales and Northern Ireland in criminal cases) are nominated for life, but they give up their legal functions at the age of 75.
17. The House of Commons is publicly elected.
18. The UK public elects 650 Members of Parliament (MPs) to represent their interests and concerns in the House of Commons.
19. The Party with the largest number of members in the House of Commons forms the Government.
20. Members of the House of Commons (MPs) debate the big political issues of the day and proposals for new laws.
21. House of Commons is one of the key places where Government Ministers, like the Prime Minister and the Chancellor, and the principal figures of the main political parties, work.
22. The House of Commons alone is responsible for making decisions on financial Bills, such as proposed new taxes. The House of Lords can consider these Bills but cannot block or amend them.
23. Length of term of House of Commons is Up to five years.

24. The leader of the largest party in the Commons is traditionally asked by the monarch to be Prime Minister and to form the Government.
25. The qualification for a candidate to contest election for house of commons that He or she, as the cases may be, must be a British subject and must attain the age of 21 years.
26. The Speaker is elected by a secret ballot of MPs at the beginning of a new Parliament (following a General election), or following the resignation, death or retirement of the previous incumbent.
27. Two party system is flourished in British right from the beginning of the Parliamentary period.
28. The Present judicial system of U.K. is based on the Acts passed during the period of 1873 and 1879 and it also a result of various reforms, one of which was adopted in 1969. The Court are divided into two types. (i) Civil Courts (ii) Criminal Courts.
29. Civil Courts deal with private law or disputes between one private citizen and another.
30. County Courts is the lowest Court of the Civil Courts is county Court. They were established in 1848 for the purpose of making justice more easily available in local areas. There are 337 County Courts. Under the Courts Act, 1971 each County Courts has one or more circuit Judges, assigned it is by Lord Chancellor.
31. High Court of Justice is situated in London. This Court has jurisdiction on cases, not under the jurisdiction of County Courts. It is also appellate Courts against the Decisions of County Courts. It is distributed into three divisions.
32. Queen' s Bench Division bench his jurisdiction about the cases of General civil nature, income tax, insurance, trade and taxation also.
33. Chancery Division has jurisdiction on various kinds of cases such as minor person, administration of property of deceased persons, problem of bankrupt persons and mortgage of property etc.

34. Probate, Divorce and Admiralty Division has jurisdiction on various cases including the probate divorce and various cases regarding shipping affairs.
35. Court of Appeal has jurisdiction of appeal against the decision of the High Court of justice. Some appeals are filed directly against the decisions of the County Courts. The presiding judge is called Master of the Role. It consists of 14 Lords justice of appeal and of Lords chancellor and all three Presidents of Bench division of the High Court of Justice.
36. House of Lords is highest Court of appeal in civil matters. It consists of ten Lords of appeal in ordinary.
37. A Criminal Court deals with breaches of public law. The organization of Criminal of ten Lords of appeal in ordinary.
38. The Honorary Judges are appointed on the various localities to decide the criminal cases of pity nature. These Judges are called Justice of pace. The respectable and noble persons of the locality are appointed by Lords chancellor on the seat of Justice of Peace. In big cities to decide the cases of pity nature instead of justice of peace stipendiary Magistrates are appointed.
39. This Court has jurisdiction on important cases and heinous offence, but dose not try cases involving death sentence or highly complicated. It is also an Appellate Court against the decisions of Justice of peace and stipendiary Magistrate. These Courts are conducted four times in a year.
40. These are the Local Courts to try the Criminal Cases and is branch of High Court. This Court is conducted in each country twice a year it has jurisdiction on the various heinous offences such as imprisonment or death.

41. The Criminal Court of Appeal has jurisdiction against the decisions of Sessions Court and the Court of Assizes regarding appeals. It normally consists of three Judges who are usually Lords justices of appeal or Judges of the High Court.
42. House of Lords is the highest Court of appeal in Criminal Cases Appeal gives permission to file the appeal in House of Lords or where there is any legal problems in lower Court' s decision or it required statutory interpretation.
43. There are two the different Kinds of Bills. A. Public Bills B. Private Bills.
44. The Prime Minister is appointed by the King. After the General election in the country the King invites the person who has majority in the house to form the Government.
45. Prime Minister is the leader of his Cabinet. He is dominating personality in the Cabinet. He appoints the Minister. The agenda of Cabinet is prepared under his guidance.
46. The Prime Minister is leader of House of Commons. He represents Cabinet in the House of Commons. He is the Chief spokesman of the Government and all-important announcements in the house are made by him.
47. The Prime Minister is a source of communication between King and Cabinet. He plays a vital role between King and Cabinet.
48. Important appointment are made by the crown on the advice of the Prime Minister he can appoint: (i) Ambassadors of Country. (ii) Diplomatic representative. (iii) Governor-General of dominions. (iv) Governor of Colonies. (v) Finance Minister (vi) Member of Cabinet. (vii) Civil and Military Officer.
49. The Prime Minister is the national leader of the country. He makes all policies for his country. He is the leader of his people.
50. The Prime Minister is the acknowledge leader of his party which is the majority party in the Parliament.

51. The Prime Minister is the Chief Adviser of the Crown. He gives advises on important matters.
52. The Prime Minister is the only person who is authorized to advise the king to dissolve the House of Commons. Prime Minister should consult the Cabinet on the issue of dissolution.

WAQAR AHMED PANTHWAR

THE CONSTITUTION OF UNITED STATES OF AMERICA:

1. U.S. Constitution is an enacted Constitution given by the convention in Philadelphia and officially adopted on March 4, 1789.
2. The preamble of the U.S. Constitution laid emphasis on the sovereignty of the people. It states with the words, "We the people of the United States". Which clearly indicated the sovereignty of the people.
3. The U.S. Constitution provides for the Presidential form of Government. The Constitution vests Executive powers to the President. He is not responsible for his acts and policies to the legislature. He is elected by the people for the term of four years.
4. Article I Section 1 of the U.S. Constitution made bicameral legislature. In House of representatives, representation is based on population and Senate, each State has equal representation, two Senators from each State.
5. Though the process of amending the Constitution has been extremely slow yet it has led to its growth so far 26 amendments have been made in the Constitution.
6. Article II of the Constitution of U.S.A. deals with the office of President in America. The Constitution provided that the President should be elected by an electoral college, consisting of as many Presidential electors as is the number of members in both the house of the congress.
7. Article II of U.S. Constitution gives the list of the appointments to be made by the President with the advice and consent of the Senate, however all inferior appointments can be made by the President alone.
8. The House of Representatives adopt by Resolution, Articles of impeachment charging the President with certain high crimes and chooses leaders to direct the prosecution

before the Senate which acts as judicial tribunal of impeachment. The Senate may convict the President by two-third majority of its member present and voting. President Johnson was the only President against whom impeachment procedure was adopted but even he could not be convicted.

9. The Constitution imposes three tests on a candidate for the presidency. (i) age: a candidate must not be less than 35 years of age, (ii) citizenship: a candidate must be natural born citizen of the U.S.A, (iii) residence: a candidate must have resided fourteen years within the country however it is not to be interpreted as a continuous and uninterrupted period of 14 years preceding election.
10. The Article II, Section I, clause 5 of the Constitution provides that if President's office falls vacant due to his death resignation, impeachment or inability to discharge the powers and duties of the said office, the vice-President succeeds to his office for the remaining period of his term.
11. Article 5 of the Constitution prescribes the amending process thus: " The congress, whenever the 2/3rd of both the houses shall deem it necessary, shall propose amendments to this Constitution or one the application of the legislatures of the two-thirds of several States shall call a convention for proposing amendments, which in either case shall be valid, to all intents and purposes, as part of this Constitution, when ratified by three-fourth legislatures of the several States or by convention in three-fourth thereof, as the one or the others made of ratification may be proposed by the congress."
12. First amendment in U.S Constitution Prohibits Congress from making any law respecting an establishment of religion, impeding the free exercise of religion, abridging the freedom of speech, infringing on the freedom of the press, interfering

with the right to peaceably assemble or prohibiting the right to petition the Government.

13. 2nd amendment in U.S Constitution Protects the right to keep and bear arms.
14. 3rd amendment in U.S Constitution Places restrictions on the quartering of soldiers in private homes.
15. 4th amendment in U.S Constitution Prohibits unreasonable searches and seizures and sets out requirements for search warrants based on probable cause.
16. 5th amendment in U.S Constitution Sets out rules for indictment by grand jury and eminent domain, protects the right to due process, and prohibits self-incrimination and double jeopardy.
17. 6th amendment in U.S Constitution Protects the right to a fair and speedy public trial by jury, including the rights to be notified of the accusations, to confront the accuser, to obtain witnesses and to retain counsel.
18. 7th amendment in U.S Constitution Provides for the right to trial by jury in certain civil cases, according to common law.
19. 8th Amendment in U.S Constitution Prohibits excessive fines and excessive bail, as well as cruel and unusual punishment.
20. 9th amendment in U.S Constitution Protects rights not enumerated in the Constitution.
21. 10th amendment in U.S Constitution Reinforces the principle of Federalism by stating that the Federal Government possesses only those powers delegated to it by the States or the people through the Constitution.
22. 11th amendment in U.S Constitution Makes States immune from suits from out-of-State citizens and foreigners not living within the State borders; lays the foundation for State sovereign immunity.

23. 12th amendment in U.S Constitution Revises Presidential election procedures by having the President and vice President elected together as opposed to the vice President being the runner up in the Presidential election.
24. 13th amendment in U.S Constitution Abolishes slavery, and involuntary servitude, except as punishment for a crime.
25. 14th amendment in U.S Constitution Defines citizenship, contains the Privileges or Immunities Clause, the Due Process Clause, the Equal Protection Clause, and deals with post-Civil War issues.
26. 15th amendment in U.S Constitution Prohibits the denial of the right to vote based on race, colour or previous condition of servitude.
27. 16th amendment in U.S Constitution Permits Congress to levy an income tax without apportioning it among the various States or basing it on the United States Census.
28. 17th amendment in U.S Constitution Establishes the direct election of United States senators by popular vote.
29. 18th amendment in U.S Constitution Prohibited the manufacturing or sale of alcohol within the United States (Repealed December 5, 1933, via the 21st Amendment).
30. 19th amendment in U.S Constitution Prohibits the denial of the right to vote based on sex.
31. 20th amendment in U.S Constitution Changes the date on which the terms of the President and vice President and of members of Congress end and begin (to January 20 and January 3 respectively). States that if the President-elect becomes vacant, the vice President-elect is inaugurated as President in their place.
32. 21st amendment in U.S Constitution Repeals the 18th Amendment and makes it a Federal offense to transport or import intoxicating liquors into U.S. States and

territories where such transport or importation is prohibited by the laws of those States and territories.

33. 22nd amendment in U.S Constitution Limits the number of times that a person can be elected President: a person cannot be elected President more than twice, and a person who has served more than two years of a term to which someone else was elected cannot be elected more than once.
34. 23rd amendment in U.S Constitution Grants the District of Columbia electors in the Electoral College, their number being not more than those of the least populous State.
35. 24th amendment in U.S Constitution Prohibits the revocation of voting rights due to the non-payment of a poll tax or any other tax.
36. 25th amendment in U.S Constitution Addresses succession to the presidency and establishes procedures both for filling a vacancy in the office of the vice President, as well as responding to Presidential disabilities.
37. 26th amendment in U.S Constitution Prohibits the denial of the right of US citizens, eighteen years of age or older, to vote on account of age.
38. 27th amendment in U.S Constitution Delays laws affecting Congressional salary from taking effect until after the next election of representatives.
39. Supreme Court comprises of 9 Judges appointed by President.
40. There are total 7 Articles in Constitution of U.S.A.
41. USA congress has two houses as others. Lower House is composed of public representatives and called House of Representatives and Upper House is called Senate.
42. Members of Lower House are elected on the base of population. Population of 30,000 elects one member.
43. Election of Lower House is held after each two years.

44. Members of Lower House come together and go together.
45. Members of Upper House are elected on the base of equality. Every State either small or large sends two members in Senate, being equal share. Term of Senate is six years. 1/3rd. Members get retirement after two years. Only members of first Senate did not complete the six years' full term. 2/3rd. Completed only two years and four years term. Since then all members complete six years term.
46. Senator should be natural born of USA, must have 35 years of age. He must be thirteen years' resident of the USA. He can be removed with impeachment.
47. Senate shares six big powers of the President as follows:
 - a. Ratification of treaties made by the President.
 - b. Ratification of the Cabinet selected by the President.
 - c. Ratification of the ambassadors, councillors, attachés, etc. appointed by the President.
 - d. Ratification of the Ministers and Judges of the High Court.
 - e. Ratification of the bureaucrats.
 - f. Ratification of the declaration of war.

CONSTITUTIONAL HISTORY OF PAKISTAN

1. The British Parliament enacted the Independence of India Act, 1947, which became law on July 18, 1947, but came into force on August 15, 1947. This Act was the base of creation of Pakistan.
2. Objective Resolution was presented in the Constituent Assembly by Liaquat Ali Khan on March 7, 1949.
3. On March 12, 1949, the Constituent Assembly adopted a Resolution, moved by Liaquat Ali Khan, the then Prime Minister of Pakistan, called the Objectives Resolution.
4. Mian Muhammad Iftikharuddin was the only Muslim member in the house who opposed the Resolution.
5. 21 members out of 69 voted for the Objectives Resolution.
6. Pakistan's Constituent Assembly first convened on August 11, 1947, on the eve of independence and the end of British rule.
7. The Constituent Assembly of Pakistan was dissolved on October 24, 1954, by Governor General Malik Ghulam Muhammad.
8. The first session of the first Constituent Assembly of Pakistan was held on 10th August 1947 at Sindh Assembly Building Karachi.
9. On 11th August 1947 Quaid-i-Azam Muhammad Ali Jinnah was elected unanimously as the President of the Constituent Assembly of Pakistan and the National Flag was formally approved by the Assembly.
10. Basic Principles Committee comprising of 24 Members was formed to prepare a draft Constitution based on the Objectives Resolution.

11. On 16th October 1951, Prime Minister Nawab Zada Liaquat Ali Khan, mover of the Objective Resolution, was assassinated and Khawaja Nazimuddin took over as the Prime Minister on 17th October 1951.
12. The final draft of the Constitution was prepared in 1954. By that time, Muhammad Ali Bogra had taken over as the Prime Minister. However, just before the draft could be placed in the House for approval, the Assembly was dissolved by the then Governor General Ghulam Muhammad on 24th October 1954.
13. The second Constituent Assembly of Pakistan was created on 28th May 1955 under Governor General's Order No.12 of 1955.
14. The strength of second Constituent Assembly was 80 Members, half each from East Pakistan and West Pakistan.
15. One of the major decisions taken by second Constituent Assembly was the establishment of West Pakistan (One Unit), with the aim to create parity between the two wings (East and West Pakistan).
16. This Assembly also achieved its target by giving the first Constitution to the nation i.e. the Constitution of Pakistan 1956. Choudhary Muhammad Ali was the Prime Minister at that time. The draft of this Constitution was introduced in the Assembly on 9th January 1956 and was passed by the Assembly on 29th February 1956. The assent was given on it by the Governor General on 2nd March 1956. This Constitution was enforced with effect from 23rd March 1956.
17. There were 234 Articles 13 parts and 6 Schedules in Constitution of 1956.
18. Under Constitution of 1956 Pakistan was declared as an Islamic Republic and it was made mandatory that only a Muslim could become the President of the country. President would set up an Organization for Islamic Research. Good relations with the Muslim countries became the main objective of the Foreign Policy. Objectives

Resolution and Quaid's declaration that Pakistan would be a democratic State based on Islamic principles of social justice were made the preamble of the Constitution. Steps were to be taken to enable the Muslims individually and collectively to order their lives in accordance with the teaching of Quran and Sunnah and to implement Islamic moral standards. The sectarian interpretations among the Muslims were to get due regard. Measures were to be taken to properly organize zakat, waqfs, and mosques. However, one clause relating to the elimination of riba, which was the part of the draft was eventually dropped.

19. The Constitution of 1956 provided for the Federal form of Government with three lists of subjects: Federal, Provincial and concurrent. The Federal list consisted of 33 items, Provincial of 94 items and concurrent list of 19 items. The Federal legislation was to get precedence over Provincial legislation regarding concurrent list. In case of a conflict between Federal and Provincial Governments, or between the Provincial Governments, Chief Justice of the Supreme Court was to act as a mediator. Federal Government exercised wider control in Provincial matters in case of emergency.
20. Though the Constitution of 1956 provided for the Parliamentary form of Government, yet it declared that the Executive authority of the Federation would be in the President.
21. Under Constitution of 1956 any Muslim citizen of Pakistan, who was at least forty years old, could be elected as the President of Pakistan for the term of five years. No one was entitled to hold this office for more than two tenures.
22. Under Constitution of 1956 3/4th members of the Assembly could impeach the President.
23. Under Constitution of 1956 President could appoint from amongst the MNAs a Prime Minister who had to take the vote of confidence from the house in two months.

24. Under Constitution of 1956 the Prime Minister had to inform the President about all the decisions of the Cabinet.
25. Under Constitution of 1956 Ministers could be taken from outside the National Assembly but they were to get themselves elected within six months.
26. Under Constitution of 1956 President had the power to summon, prorogue, and dissolve the Assembly on the advice of the Cabinet.
27. In Constitution of 1956 no bill imposing taxes or involving expenditure could be moved without President's consent. He had partial veto power. He could give or withhold his assent to a bill passed by the Assembly.
28. The Constitution of 1956 entitled for a Unicameral Legislature. The National Assembly was to consist of 300 members. Age limit of a candidate for a seat in National Assembly was 25 years.
29. In Constitution of 1956 members of the Assembly were to be elected based on Direct Elections conducted on the basis of Adult Franchise. However, for the first ten years five additional seats were reserved for women from each wing. Every citizen, who was more than 21 years in age was considered as an adult.
30. In Constitution of 1956 the Provincial structure was like that of the centre. There were 300 members in both Provincial assemblies. Ten additional seats were reserved for women. Punjab was given 40% seats in the West Pakistan Assembly.
31. Under Constitution of 1956 Urdu and Bengali were declared as the State languages. However, for the first twenty years English was to continue as an official language. After ten years, the President was to appoint a commission to make recommendations for the replacement of English.

32. Under Constitution of 1956, Pakistan became an Islamic Republic, hence 23rd March became our Republic day. It was the same day in 1940 that the historic Pakistan Resolution was adopted at Minto Park, Lahore.
33. On 5th March 1956, Major General Sikandar Mirza became the first elected President of Pakistan.
34. The 1956 Constitution provides for Parliamentary form of Government with all the Executive powers in the hands of Prime Minister. President was Head of the State and was to be elected by all Members of the National and Provincial Assemblies. He was to hold office for 5 years.
35. Under 1956 Constitution the President was to act on the advice of Prime Minister, except where he was empowered to act in his discretion.
36. Under 1956 Constitution, Parliament was unicameral. Legislative powers vested in the Parliament, which consisted of the President and the National Assembly comprising 300 Members divided equally between East and West Pakistan. In addition to these 300 seats, five seats were reserved for women for each of the two wings, for a period of ten years: thus, bringing the total membership of the House to 310.
37. Although the first General election was Scheduled for early 1959, President Sikandar Mirza abrogated the Constitution, dissolved the National and Provincial Assemblies, and declared Martial Law, on 7th October 1958. He appointed General Muhammad Ayyub Khan, Commander-in-Chief of the Army, as the Chief Martial Law Administrator.
38. On 27th October 1958 General Muhammad Ayyub Khan took-over as a second President of Pakistan.

39. One of the first major steps taken by General Ayyub Khan was the appointment of a Constitution Commission on 17th February 1960.
40. The objective of this commission was to submit proposals, as to how best democracy can be strengthened and moulded according to the country's socio-political environment and Islamic principles of justice.
41. The Commission submitted its report to the Government on 29th April 1961. Based on this report a new Constitution was framed and given to the nation on 1st March 1962.
42. General elections under the new Constitution were held on 28th March 1962 and elections to the special seats reserved for women were held on 29th May 1962.
43. The first session of the third National Assembly was held on 8th June 1962 at Ayyub Hall, Rawalpindi.
44. The Constitution of 1962 envisaged a Federal State with Presidential form of Government, with National Assembly at the centre and the Provincial Assemblies in the Provinces. The Legislatures, both at centre and in provinces were unicameral. The Federal system had been curtailed by allowing the Provincial Governors to be appointed directly by the President. All Executive authority of the Republic of Pakistan, under the Constitution, vested in the office of the President. President appointed his Cabinet members who were directly responsible to him.
45. The electoral system was made indirect, and the 'Basic Democrats', for both wings were declared Electoral College for the purpose of electing the Assemblies and the President. Basic democrats were 80,000 in number (40,000 from each East & West Pakistan). The total membership of the National Assembly was 156, one half of whom were to be elected from East Pakistan and other half from West Pakistan, also three seats were reserved for women from each province. The term of this Assembly was

three years. The norm was established that if the President was from West Pakistan, the Speaker was to be from East Pakistan and vice versa. One of the major achievements of this Assembly was the passage of Political Parties Act, 1962.

46. On 25th March 1969 the second Martial law was imposed and General Agha Muhammad Yahya Khan took-over as the President of Pakistan and Chief Martial Law Administrator (CMLA).
47. General Agha Muhammad Yahya Khan later issued a Legal Framework Order (LFO), under which the first ever General elections were held on 7th December 1970.
48. This was the first Assembly elected on the adult franchise and population basis. It consists of 313 members, 169 from East Pakistan and 144 from West Pakistan including 13 reserved seats for women (6 were from West Pakistan and 7 from East Pakistan). Soon after the elections, due to grave political differences, the Province of East Pakistan seceded from West Pakistan and became Bangladesh. On 20th December 1971 Mr. Zulfikar Ali Bhutto took over as the President of Pakistan as well as the first civil Chief Martial Law Administrator.

CONSTITUTION OF PAKISTAN-1973

1. The Constitution Pakistan was adopted on 12th April 1973.
2. The Constitution of Pakistan 1973 was enforced on 14th August 1973.
3. The Article-1 States the territory of Pakistan.
4. Islam is declared as State religion under Article-2.
5. English and Urdu are declared as official languages under Article-251.
6. The Constitution Pakistan contains 280 Articles, 12 parts and 7 Schedules.
7. The Constitution of Pakistan is balanced.
8. Basis of fundamental rights described under Article-8.
9. Fundamental rights related to person and body are described in Article-9.
10. Safeguard as arrest and detention is describes in Article-10.
11. Right to fair trial describes in Article-10 (A).
12. Protection against double punishment and self-incrimination is described in Article-13.
13. Freedom of movement is described in Article-15.
14. Freedom of Assembly is described in Article-16.
15. Freedom of association is described in Article-17.
16. Freedom of trade and profession is described in Article-18.
17. Every citizen of Pakistan shall have freedom of speech as well as expression describes in Article19.
18. Freedom to acquire property is described in Article-23.
19. Writs are issued by High Court under Article-199.
20. Federal Shariat court of Pakistan comprises of 8 Judges.
21. Pardon can be tendered by President under Article-45.

22. An ordinance passed by President lasts for 4 months.
23. Prime Minister will send his resignation to President.
24. President will give his assent to amendment in Constitution under Article 239(4).
25. President is appointing authority of Attorney General of Pakistan.
26. President has a power to direct the Governors under Article-145.
27. President has power to addresses to joint sitting of Parliament under Article 56.
28. Attorney General of Pakistan is appointed by President under Article-100.
29. Attorney General of Pakistan may be writing under his hand addressed to President to resign his office under Article-100 (4).
30. President has power to transfer the Judges of High Court under Article-200.
31. President has power to refer any law to Islamic ideological council.
32. Ambassadors are appointed by President.
33. Article-227 to 231 deals with Islamic provisions.
34. Safeguard to property rights is described in Article-24.
35. There is no discrimination based on race, religion, caste and sex is described in Article-25.
36. Right to access to public places is described in Article-26.
37. Right to job is described in Article-27.
38. Right to language and culture is described in Article-28.
39. Islamic way of life is described in Article-31.
40. Compulsory teaching of Holy Quran & Islamiat is described in Article-31(2) (a).
41. Promotion of the observance of Islamic moral standards is described in Article-31(2).
42. Proper organization of zakat, usher, auqaf and mosques is described in Article-31 (2) (c).
43. Promotion of local Government institution is described in Article-32.

44. Parochial and other similar prejudices to be discouraged is described in Article-33.
45. Participation of women in National affairs is describes in Article-34.
46. Protection of family, child, mother and marriages is described in Article-35.
47. Protection of rights of minorities is describes in Article-36.
48. Promotion of social justice and eradication of social evils is described in Article-37.
49. The State shall ensure inexpensive justice and speedy justice describes in Article-37 (d).
50. End of social evils describes in Article-37(g).
51. Participation of people in Armed forces is describes in Article-40.
52. Tenure of President is 5 years.
53. The Resolution of impeachment passed against President by 2/3 majority of two houses caste votes.
54. The grounds for removal of President are describes under Article-47 (1).
55. President will take oath under Schedule III.
56. A referendum is held under the order of the President under Article-48 (6).
57. The Article-44 of Constitution provides term of President.
58. President of Pakistan is empowered to declare war under Article-245.
59. President of Pakistan is empowered to appoint Chief of Army Staff under Article-243(4) (b).
60. Article-217 deals with acting election commissioner.
61. Prime Minister is appointed under Article-91.
62. The Prime Minister will take oath before President.
63. The actual Chief Executive of Islamic Republic of Pakistan is Prime Minister.
64. Prime Minister is the leader of National Assembly.
65. The method of election of National Assembly is direct election method.

66. The method of election of Senate is indirect.
67. Prime Minister is the link between Cabinet and President.
68. Establishment of Supreme Court of Pakistan is under Article-175.
69. The rights protected by Constitution of Pakistan are called fundamental rights.
70. Constitution of Pakistan 1973 provides Federal system.
71. The power to legislate on the concurrent list is exercised by Provincial and Federal Government both.
72. Islamic provisions in the Constitution of 1973 are describes in Part-IX.
73. After 1st reading of the bill, it is presented for the Committee stage.
74. The bill will be sent to mediation committee under Article-70(2).
75. The voter shall not be less than the age of 18 years.
76. A person so arrested shall be produced before Magistrate within 24 hours under Article-10.
77. Full faith and credit for public acts will be given throughout Pakistan under Article-150.
78. Governor has not a fixed tenure.
79. Governors are appointed by the President.
80. Governor is bound by the advice of Chief Minister.
81. Governor on advice of Chief Minister is the appointing authority of the Vice Chancellors.
82. Governor has power to dissolve the Provincial Assembly on the advice of Chief Minister.
83. Prime Minister is the most powerful person in Parliamentary form of Government.
84. President will appoint the members of Cabinet.
85. Constitution can be amended by the Parliament with 2/3 majority.

86. Constitution of Pakistan 1973 provides that Head of the State shall be Muslim.
87. Article-6 deals with High Treason.
88. Article-4 & 25 provides doctrine of rule of law.
89. Objective Resolution was made preamble of Constitution under Article-2(A).
90. Prime Minister is the Chief advisor of President.
91. Leader of Cabinet is Prime Minister.
92. There is a party system in Pakistan which is called as multiparty system.
93. Prime Minister belongs to party who has majority in House.
94. There are 3 session of Senate in a year.
95. Governor is the Constitutional Head of Province.
96. High Court is the highest court in the Province.
97. The Advocate General may give his resign to Governor.
98. Fundamental rights are describing in Article-8 to 28.
99. Bi-cameralism is given under Article-50.
100. Half of the members of Senate are retired after every 3 years.
101. Senate is a permanent body.
102. Chairman and Deputy Chairman are elected by its members for 3 years.
103. Speaker National Assembly will be acting President in the absence of President and Chairman Senate.
104. Generally, President will follow the advice of Prime Minister.
105. Article-62 & 63 deals with the disqualification of members of National Assembly and Senate.
106. There are 16 seats of technocrats in Senate.
107. National Assembly is known as Lower House of Parliament.
108. President shall be Head of State under Article-41.

109. A person shall be qualified for election as President unless he is 45 years of age.
110. President is elected under second Schedule.
111. Ministers in Pakistan are responsible to Parliament.
112. The Chairman or Deputy Chairman shall make an oath before the Senate.
113. The Chairman shall summon the Senate within 14 days of receipt of requisition.
114. Quorum of Senate is $\frac{1}{4}$ of members.
115. Presiding officer of Senate is Chairman or Deputy Chairman of Senate.
116. 14th amendment closed the door of horse trading.
117. 1st amendment in Constitution was passed in 1974.
118. Article-1 describes the name of Pakistan as Islamic Republic of Pakistan.
119. Article-265 describes the title of Constitution.
120. The title of Constitution under Article-265(1) is the Constitution of Islamic Republic of Pakistan.
121. Constitution of 1973 provides Parliamentary form of Government.
122. Majlis-e-shura is a name given to Parliament under Article-50.
123. Prime Minister is the Head of Government.
124. Cabinet is the child of Parliament.
125. Annual budget Statement is prepared and presented in Assembly under Article-80.
126. Auditor General submits his report to President under Article-171.
127. Article-160 of Constitution deals with the National Finance Commission.
128. Federal legislative list contains 77 items.
129. Residuary powers in Pakistan vest in the hands of Province.
130. Tenure of Prime Minister is 5 years.
131. Prime Minister must take vote of confidence from National Assembly.
132. A President shall be elected only twice.

133. Term of national Assembly is 5 years.
134. Ordinary decision in National Assembly shall be taken through simple majority.
135. The quorum of National Assembly is $\frac{1}{4}$ of total members.
136. There are 104 members of Senate.
137. Tenure of national Assembly is given Article-52.
138. President can dissolve the Parliament under Article-58(1) (2).
139. Deputy speaker and speaker are elected under Article-53.
140. Composition of Senate is given under Article-59.
141. 14 members of Senate are elected from each province.
142. 25 years of age is required for being member of National Assembly.
143. Money bill can only originate in National Assembly.
144. There are 342 seats in National Assembly.
145. When the National Assembly is dissolved the speaker shall continue in his office till the person elected as speaker.
146. National Assembly shall be summoned by President.
147. The speaker shall summon the National Assembly after receipt of the requisition within 14 days.
148. Term of office of speaker is usually 5 years.
149. Speaker can approve or overrule the adjournment motion in the House.
150. Speaker has no right to vote but when there are duality votes he can use his vote.
151. The Constitution of Pakistan provides legislative procedure in Part-III, chapter-2.
152. Kinds of bills are public bill, private bill, money bill.
153. Article-204 provides punishment for contempt of Court.
154. High Court can issue writs of 5 types.

155. Article-199 is known as writ jurisdiction/ Constitutional jurisdiction/ extra ordinary jurisdiction.
156. Governor shall remain in office only during the Pleasure of the President.
157. Formal Head of Province is Governor.
158. Real Head of Province is Chief Minister.
159. Each province has Uni-cameral Assembly.
160. The Governor is responsible to President.
161. Chief Minister takes an oath before Governor.
162. Provincial Assembly will appoint the Chief Minister.
163. Principles of policy are given under Article 29 to 40 and chapter-II of Part-II.
164. Proclamation of emergency is dealt under Part-X.
165. Parliament is the supreme legislative body of Pakistan.
166. President will take oath from Chief Justice of Pakistan.
167. President can proclaim emergency under Article-232.
168. National Economic council is established under Article-156.
169. Prime Minister is the Chairman of National economic council.
170. Council of common interest is established under Article-153 and 154.
171. 8th amendment had reduced the powers of Prime Minister during 1980 to 1990.
172. 12th amendment created the speedy trial court for a term of 3 years.
173. Under Article-147 provinces can entrust function to federation.
174. If there is deadlock on a bill between two houses, then the matter will be send to mediation committee.
175. Election commission is discussed under Part-VIII of the Constitution.
176. Commissioner will take oath under Article-214.
177. The term of office of the Chief election commissioner is 5 years.

178. Commissioner may tender his resignation to President.
179. Emergency is of 3 types under Constitution 1973.
180. District courts are sub-ordinate to High court.
181. President has power to promulgate Ordinance under Article-89.
182. Total numbers of seats of Punjab Assembly are 371.
183. Total numbers of seats of Sindh Assembly are 168.
184. Total numbers of seats of KPK Assembly are 124.
185. Total numbers of seats of Baluchistan Assembly are 65.
186. Quorum of the Provincial Assembly is $\frac{1}{4}$ of the total membership.
187. Chief Minister and his Cabinet collectively answerable to Provincial Assembly.
188. Federal shariat court has been constituted under chapter 3A Part-VII.
189. President will appoint the Chief justice of Pakistan.
190. 65 years is the age of retirement of a judge of Supreme Court.
191. 62 years is the age of retirement of a judge of High Court.
192. Chief justice of Federal shariat court shall be qualified person who been to be judge of Supreme Court or permanent judge of high court.
193. Supreme Court will enforce the fundamental rights of citizen.
194. Qualifications for Judges for appointment in Supreme Court are given under Article-177.
195. A person may be appointed as a judge of Supreme Court if he is an Advocate of High Court for 15 years.
196. If a person has a five year of job as High Court judge can be appointed as judge of Supreme Court.
197. Supreme judicial council is established under Article-209.
198. Article-175 (3) ensure the independence of judiciary.

199. Judges of Supreme Court are recommended to be removed by Supreme Judicial Council.
200. Federal shariat court was established by Zia-ul-Haq in 1980.
201. Chief justice and other Judges of Federal shariat court shall be appointed for a period of 3 years.
202. Any party aggrieved with the decision of Federal shariat court may prefer an appeal to the Supreme Court within 60 days.
203. President before removing any judge from his office shall refer the matter to the Supreme Judicial Council.
204. Supreme Court has powers of original jurisdiction under Article-184.
205. Supreme Court has powers of appellate jurisdiction under Article-185.
206. Supreme Court has powers of advisory jurisdiction under Article-186.
207. Supreme Court has power to issue any direction as may be necessary for doing complete justice under Article-187.
208. Supreme Court has power of review any Judgment under Article-188.
209. Decisions of Supreme Court have binding effect on the Sub-Ordinate courts under Article-189.
210. Supreme Court is the Guardian of the Constitution.
211. Supreme Court is empowered to interpret the Constitution of Pakistan.
212. Supreme Court has Suo motto jurisdiction.
213. Chief Justice of High Court takes oath of his office before the Governor.
214. Chief Justice of High Court shall be appointed by President after consultation with Governor and Chief Justice of Pakistan.
215. Judges of High Court shall take oath of his office before Chief Justice of High Court.
216. High Court has original jurisdiction in matters of writs and cases of contempt of court.

217. Supreme Judicial Council can take or initiate proceeding by itself or by the reference of the President.
218. Supreme Judicial Council has power to enforce attendance of person under Article-210 (1).
219. Council of Islamic ideology consists of less than 8 members.
220. In council of Islamic ideology, the President shall ensure that at least one member is a woman.
221. The President of Pakistan shall appoint one of the members of the council to be the Chairman of the council under Article-228 (4).
222. Member of the Islamic council shall hold office for period of 3 years.
223. Prime Minister is the Chairman of council of common interest.
224. Council of common interest shall be answerable to the President.
225. President shall appoint the Chief election commissioner under Article-213(1).
226. Chief election commissioner takes oath of the office before the Chief Justice of Pakistan.
227. Procedure for removal of Chief election commissioner is similar as for the removal of Judges of High Court and Supreme Court.
228. Governor of Province shall appoint a person as Advocate General for province under Article140(1).
229. Advocate General should hold office during the pleasure of the Governor.
230. Judicial commission is a unique institution under Article-175(A) for the appoint of Judge to the Supreme Court, High Court and Federal Shariat Court.
231. Parliamentary committee shall consist of 8 members (4 from Senate and 4 from N.A).
232. Secretary Senate shall act as the secretary of the committee under Article-175 (A) (11).

233. Article 184(1) Original jurisdiction in inter-Governmental disputes, issues declaratory judgments;
234. Article 184(3) Enforcement of Fundamental Rights involving an issue of public importance;
235. Article 185(2) Appeal from judgment/order of High Court in criminal cases, tried in original and/or appellate capacity and having imposed death penalty or life imprisonment;
236. Article 185(2) Appeal in civil cases when the value of claim exceeds fifty thousand rupees;
237. Article 185(2) Appeal when High Court certifies that the case involves interpretation of the Constitution;
238. Article 185(3) Appeal (subject to grant of leave) from High Court judgment/order;
239. Article 186 Advisory jurisdiction on any question of law involving public importance referred by the President;
240. Article 187 To issue directions/orders for doing complete justice in a pending case/matter;
241. Article 188 To review any of its own judgment/order;
242. Article 204 To punish for its contempt;
243. Article 212 Appeal from Administrative courts/tribunals; and
244. Article 203F Its Shariat Appellate Bench hears appeals from judgments/orders of Federal Shariat Court.
245. Article 203-D To determine whether a provision of law is repugnant to the Injunctions of Islam;
246. Article 203 DD Revisional Jurisdiction in cases under Hudood laws;
247. Article 203 E To review its judgment/order;
248. Article 203 E To punish for its contempt; and
249. 184(1) Original jurisdictions in inter-Governmental disputes, issues declaratory judgments;
250. 184(3) Enforcement of Fundamental Rights involving an issue of public importance;
251. Art 185(2) Appeal from judgment/order of High Court in criminal cases, tried in original and/or appellate capacity and having imposed death penalty or life imprisonment;
252. Art 185(2) Appeal in civil cases when the value of claim exceeds fifty thousand rupees;

253. Art 185(2) Appeal when High Court certifies that the case involves interpretation of the Constitution;
254. Art 185(3) Appeal (subject to grant of leave) from High Court judgment/order;
255. Art 186 Advisory jurisdiction on any question of law involving public importance referred by the President;
256. Art 187 To issue directions/orders for doing complete justice in a pending case/matter;
257. Art 188 To review any of its own judgment/order;
258. Art 204 To punish for its contempt;
259. Art 212 Appeal from Administrative courts/tribunals; and
260. Art 203F Its Shariat Appellate Bench hears appeals from judgments/orders of Federal Shariat Court.
261. Art 203-D To determine whether a provision of law is repugnant to the Injunctions of Islam;
262. Art 203 DD Revisional Jurisdiction in cases under Hudood laws;
263. Art 203 E To review its judgment/order;
264. Art 203 E To punish for its contempt; and
265. Under Hudood laws, hears appeals from judgment/order of criminal courts.
266. Art 199(1) to issue 5 writs namely mandamus, prohibition, certiorari, habeas corpus and quo warranto;
267. Art 199(2) Enforcement of Fundamental Rights;
268. Art 203: To supervise/control subordinate courts;
269. Art 204: To punish for its contempt;

▪ **1st AMENDMENT (1974)**

- Redefined Boundaries of Pakistan

▪ **2nd AMENDMENT (1974)**

- Declared Ahmadis As Non-Muslim's.

▪ **3rd AMENDMENT (1975)**

- Extend the Period Of Preventive Detention.
- Preventive Detention means detain a person at any unknown place whose acts are against the integrity of State.

▪ **4th AMENDMENT (1975)**

- Give Additional Seats For Minorities.

▪ **5th AMENDMENT (1976)**

- Widened the Scope Of Restrictions On High Court.
- **6th AMENDMENT (1976)**
 - The Judges Of High Court and Supreme Court Will Retire At The Age Of 62 & 65 Respectively.
- **7th AMENDMENT (1977)**
 - Give Powers to Prime Minister To Seek Vote Of Confidence At any Time From The People Of Pakistan.
- **8th AMENDMENT (1985)**
 - Semi Presidential System of Government Introduced From Parliamentary System Of Government
 - Give More Powers to President Of Pakistan.
- **9th AMENDMENT (1985)**
 - Amendment to Make Shariah Law As The Law Of The Land.
- **10th AMENDMENT (1987)**
 - Fixed the Period Of Intervals Between Sessions Of National Assembly To Not Exceed 130 days.
- **11th AMENDMENT (1989)**
 - Revision of National Seats In Both Assemblies.
- **12th AMENDMENT (1991)**
 - Speedy Trial Courts Was Established for A Period Of 3yrs To Trial Offenders Of Heinous Crimes.
- **13th AMENDMENT (1997)**
 - Curtail the Powers Of President To Dissolve National Assembly And Dismissing The Prime Minister.
- **14th AMENDMENT (1997)**
 - Members of Parliament Can Be Dismissed If There Is Found Any Defect.
- **15th AMENDMENT (1998)**
 - Bill to Impose Shariah Law Was Never Passed
- **16th AMENDMENT (1999)**
 - Quota System Term Increased From 20 to 40 years.
- **17th AMENDMENT (2003)**
 - President Powers Increased
- **18th AMENDMENT (2010)**
 - Name of NWFP Was Changed.

- Famous Article 6 Of High Treason Was Introduced.
- Removed the Powers Of President To Dissolve Assembly Unilaterally
- **19th AMENDMENT (2010)**
 - Islamabad High Court Was Formed
 - Deals with Appointment Of Judges Of Supreme Court.
- **20th AMENDMENT (2012)**
 - For Free and Fair Elections.
 - Chief Election Commissioner Was Changed to Election Commission Of Pakistan.
- **21st AMENDMENT (2015)**
 - Military Courts Was Established After APS Massacre
- **22nd AMENDMENT 2016**
 - Changing the Eligibility Criteria For Chief Election Commissioner Of Pakistan.
 - Bureaucrats and Technocrats also will become members of Election Commission of Pakistan.
- **23rd AMENDMENT April 2017**
 - In 2015, National Assembly passed the 21st Amendment and created the military courts for the period of 2 years.
 - The period of two years was expired on 6th January 2017
 - This 23rd Amendment was passed to re-establish the military courts for further two years till 6th January 2019.
- **24th AMENDMENT Nov 2017**
 - Allow the conduct of delimitation of constituencies based on provisional census results.
- **25th AMENDMENT**
 - The Merger of FATA with KPK was signed by President Mamnoon Hussain on 31-May-2018.

ENGLISH JURISPRUDENCE

1. The term jurisprudence is derived from the Latin word “Jurisprudential” which means either “Knowledge of law” or “skill in law”.
2. Austin defines jurisprudence as “the philosophy of positive law” positive law laid down by a political superior for controlling the conduct of those subjects to his authority.
3. Sir Thomas Erskine Holland defines Jurisprudence as “The formal science of positive law”.
4. Salmond defines Jurisprudence as “The Science of Law”. By law he means the “law of the land” Or “civil”.
5. Jeremy Bentham was the real founder of the English Analytical School. Later on, Austin took over the analytical method. Other Chief exponents are Sir William Mark by, Amos, Holland, Salmond and prof. Hart.
6. Historical school was Headed by Savigny, montesqieu, rousseau.
7. The Chief exponents of ethical jurisprudence are bentham, Hobbes Kant.
8. The Chief exponents of sociological school are monstesqieu, comte, spencer , duguit.
9. Austin says that law is a command which obliges a person to a course of conduct.
10. It is derived from the Roman term action in Rem” . It is available the whole world Examples are rights of ownership and possession. My right of possession and ownership is protected by law against all those who those may interfere with the same.
11. It is derived from the Roman term “ action in personam,” Right in personam corresponds to duty imposed upon determinate persons.
12. Prof. Salmond says that Jurisprudence is science of law.
13. Austin said that Jurisprudence is science of law.
14. There are six kinds of Jurisprudence.

15. Imperative theory of law or Austin theory of law is that “law is a command of sovereign backed by sanction.
16. The term law is derived from German word lag it means fixed or evenly.
17. According to Prof. Green, “law is the system of rights and obligations which the State enjoys”.
18. Politically the term law means “rules and regulations enforced by the State”.
19. There are six kinds of special law.
20. There are three kinds of martial law.
21. Administration of justice is the protection of individual from the unjust and unlawful deed of others.
22. Legal justice means justice according to what law declares to be just.
23. Classification of legal justice are private justice and public justice.
24. Classification of public justice are civil justice and criminal justice.
25. Lex loci contract means place where the contract was made.
26. According to Salmond the term question of law is used in three distinct but related sense.
27. Code means a systematic collection of statutes body of law so arranged as collection of statutes, body of laws, so arranged as to avoid inconsistency and ever lapping.
28. Classification of codes are creative and consolidating.
29. Salmond classifies material sources into legal sources and historical sources.
30. Legislation is a Latin word which means to make law.
31. Legislation is that source of law which consists in the declaration of legal rules by a competent authority said by Salmond.
32. There can be no law without a legislative act said by Austin.
33. There are five kinds of sub-ordinate legislation.

34. There are two kinds of legislations.
35. Form of legislations are direct legislation and indirect legislation.
36. There are two kinds of rights.
37. Primary rights and sanctioning rights are kinds of rights.
38. Primary rights are Constitutional rights.
39. Specific enforcement made by agreement.
40. Sanctioning enforcement has two kinds Penal and Compensation.
41. There are five kinds of sub-ordinate legislation.
42. Precedent means judicial decision which creates new rules.
43. There are three classification of Precedent.
44. Declaratory Precedent means those precedent which already exist.
45. Original Precedent means those precedent through which court make new rules.
46. Authorative precedent is a precedent which is bound on courts.
47. Persuasive precedent are those which are not bound on courts.
48. Absolute authority precedent are bound on all sub-ordinate courts.
49. Conditional precedent are those precedent which are binding but not absolutely.
50. Obiter Dictum means opinion of judge.
51. Ratio decidendi means reason of Judgment.
52. Ownership is important concept in English Jurisprudence. It is a relation between a person and vested right of any type. It does not matter that this right is material or immaterial, tangible or intangible. Ownership is classified in five categories.
53. Possession is defined as “it is continuing exercise of a claim to the exclusive use of it.”
54. possession is acquired through Lease, renting out, pledge, mortgage, theft, fraud, and bailment etc. is the General mode of acquisition of possession.
55. Possession is of two kinds, i.e., possession in fact or de facto and possession in law or de jure.
56. Res nullius means ownerless things or objects.

57. Terra nullius means no man land.
58. There are two kinds of person in law, i.e., natural persons and legal person.
59. Legal person is created by legal fiction thus called fictitious and has the rights and obligations as natural person.
60. Kinds of legal persons are three in number.
61. Title is a link between a person and an object to establish ownership of property.
62. Titles have two kinds.
63. Investitive facts create rights. This right is created first time on the objects, which are ownerless.
64. Divestitive facts are those, which loss or keep away of right is termed as divestitive facts.
65. Public Law is related to rules of structures, powers, rights, and activities of the State.
66. Private Law deals with relationship of private person with private person and private person with State. Non-payment of tax for the purpose of bridge or road construction is civil wrong and not crime.
67. Constitutional Law is a body of principles that regulate the organs of the Government, their rights, obligations, and objectives etc.
68. Administrative Law deals with day-to-day activities of officials in relation to the members of the public.
69. Civil Law concerns with the enforcement of rights. Both parties are private.
70. Criminal Law deals with the punishments of wrongs. This law may be regarded as public law because crimes are taken as offences against whole society. But it is a branch of private law. Parties are private person and State.
71. Substantive Civil Law concerns with property and its rights, obligations, and personal rights. It is found in tort and contract. It is an aim.
72. Civil Procedure means how to achieve aim. It is found in Civil Procedure Code (CPC).
73. Substantive Criminal Law is related with lodging of First Information Report (FIR) or charges and punishments. It is found in Pakistan Penal Code (PPC).
74. Criminal Procedure deals with how to Pakistan Penal Code (PPC) is proceeded. How after First Information Report (FIR), proceedings are done. It is found in (CrPC).
75. Law of Property is concerned with rights of ownership. Property is described as any object, which is owned.
 - i. In widest meaning own the thing and all kinds of legal rights is property.

- ii. In narrow sense all proprietary rights, which can be weighted and measured in monetary value, excluding personal rights are property.
 - iii. In narrower sense proprietary rights in rem, which are available against whole society, is property.
 - iv. In narrowest sense corporeal property, means the right of ownership over material things is property.
76. Law of Obligations deals with the proprietary rights in personam, available against certain person or persons.
77. Law of States deals with personal rights.
78. Corporeal Property is the right of ownership in a material, physical, or tangible things.
79. Moveable Property means property, which can be moved from one place to another like fan, book, table etc.
80. Immovable Property means property which is attached or fixed with earth and can not be moved from one place to another until it is detached from the earth.
81. Incorporeal Property is non-physical, intangible, or immaterial thing.
82. Encumbrances means any property upon which burden of liability has been created like tax etc.
83. Rights in re aliena are right of limited use of other's property and right in re propria is a dominant right over own property.
84. Incorporeal intellectuals' property is a product or outcome of one's intellect. It involves for 14 years so that no one other may reproduce such innovations.
85. Obligation is defined as duty in General meaning.
86. There are four sources of obligation.

ISLAMIC JURISPRUDENCE

1. A female child remains with mother till she reaches her puberty.
2. A male child remains with mother till the age of 7 years.
3. Father is liable to maintain his children no matter with whom they live.
4. When a mother contracts second marriage, she loses her right of child custody.
5. Khula can be taken on grounds mentioned in section 2 of Dissolution of Muslim Marriages Act 1939.
6. When a woman has right of talaq-e-tafweez in column 18 then she can take talaq directly from Arbitration council.
7. A husband can contract second marriage if arbitration council permits him.
8. A husband is liable to pay full haq mehr to first wife before contracting second marriage.
9. Wife is liable to return haq mehar in case of khula.
10. If a wife is not in a position to return haq mehr, her khulla decree cannot be stopped.
11. Khula decree becomes effective after six months of its passing.
12. Khula is counted as single talaq in Pakistan.
13. A dismissed employee can only claim damages in case of private employer. (Justice Iftikhar's Judgement)
14. Nominee is not an Inheritor. He is liable to distribute the shares as per Islamic Law of Inheritance.
15. Right of wife in the inheritance of deceased is $\frac{1}{8}$ in case of children.
16. Right of wife in inheritance is $\frac{1}{4}$ th in case there are no children.
17. Right of mother and father is $\frac{1}{6}$ each.
18. Right of husband in the property of wife is $\frac{1}{4}$ th in case of children.
19. Right of husband in the property of wife is $\frac{1}{2}$ in case of no children.
20. Single daughter inherits $\frac{1}{2}$ property.
21. 2 or more than 2 daughters inherit $\frac{2}{3}$ rd property.
22. Son inherits full property.
23. Mother and father are natural guardians of children.
24. Murderer has no share in inheritance.
25. There are four primary sources of Islamic law.
26. Quran, Sunah, Qiyas, Ijma are primary sources of Islamic law.
27. Ijtihad, Urf, Istihsan, Istishab are secondary sources of Islamic law.

28. The third source of Islamic law is Ijma which is “the infallible consensus of the community”.
29. Qiyas means to think something good or bad.
30. Marriage is religious contract between men and women to legalise intercourse.
31. Essentials of marriage are offer, acceptance, two Muslim witnesses, sound mind person, dower.
32. There are three kinds of marriage.
33. Valid marriage (Sahi) means a perfect marriage and legal marriage.
34. Void marriage (Batil) means marriage with a person, with whom marriage is not allowed.
35. A Muslim shall not marry with his mother, father, brother, sister, mother’s brother, mother’s sister, father’s brother or sister, grandfather, brother’s daughter or son, sister’s son or daughter, step mother and foster relation.
36. Irregular marriage (fasid) means marriage which is able to become valid.
37. Marriage during iddat is irregular marriage.
38. Divorce means leave or reject.
39. Divorce is a process by which a person can cease contract of marriage.
40. Divorce can be made express or implied.
41. Divorce can be made personally or through agent.
42. There are two kinds of divorce as per sunnah.
43. Ahsan is kind of divorce, which is pronounced one time and no intercourse is made till iddat.
44. Hassan is kind of divorce, which is pronounced three times and no intercourse is made between tuhrs.
45. Divorce is right of husband.
46. For giving divorce husband may not be minor, insane, intoxicated, during sleep or unconscious.
47. Judicial divorce is given when husband remains unknown for four years, maintenance not paid for two years, husband punished for seven years of imprisonment, husband is unable to do intercourse, insane, husband is cruel.
48. Divorce may be revoked before iddat.
49. Khulla is right of wife to cease contract of marriage on grounds mentioned for judicial divorce.
50. After khulla wife has no right to claim maintenance.

51. Khulla is consider as one time talaq.
52. Will means transfer of property after death.
53. Will maker must be competent.
54. Will may be made in favour of any person.
55. Subject matter or property for which will is made must have existence.
56. Will maker must have possession of property.
57. Will maker may only give 1/3rd portion of his property in will to any person.
58. Heirs cannot take property out of will.
59. The person in whose favour will is made must has to accept will.
60. Will may be made expressly or impliedly.
61. Will may be revoked by will maker.
62. Gift means transfer of property without exchange.
63. There are four kinds of gift.
64. Arreat is a kind of gift in which donor grant license to use of thing.
65. Sadqah is a gift which is made for religious purpose.
66. Hiba-bil-iwaz means gift for consideration.
67. Hiba-bil-shart-ul-iwaz means gift is conditioned on occurrence of certain thing.
68. Offer, acceptance, delivery, sound mind person, major age person, free consent, Muslim, solvent person are essentials for purpose of gift.
69. A gift may be made to unborn child who is of 6 months in mother's womb.
70. Gift may be revoked before delivery or on order of Court.
71. When a gift is given to husband or to wife or to any blood relative then such gift cannot revoked.
72. Dower is consideration of contract of marriage.
73. Kinds of dower are specific dower, prompt dower, deferred dower, proper dower.
74. Prompt dower is paid at the time of marriage.
75. Deferred dower is paid after divorce or when death takes place.
76. Proper dower or customary dower is decided as per customary practice of family.
77. A person having the rights over minor or his property or both is called guardian.
78. Following points are important to be noted in the appointment of the guardian of minor, but the main object is welfare of the minor which is to be taken into consideration while appointment of guardian:
 - i. Mother has priority vested right of guardianship.
 - ii. Religion is also important from the inheritance point of view.

- iii. Age of minor.
 - iv. Age of guardian.
 - v. Sex whether minor is boy or girl.
 - vi. Relationship of the claimant for guardianship with minor and what is the object.
 - vii. Claim of other relatives to be appointed as guardian.
 - viii. Personal character of the claimant.
 - ix. Capacity of the applicant whether he or she may afford guardianship.
 - x. In the absence of parents, the will of minor shall determine the guardianship.
 - xi. Will of minor in any case.
79. There are four major kinds of guardianship.
80. Musha is an undivided share in property.
81. Musha has two kinds .
82. Will is a desire of a person to transfer property to another, which takes effect after his death. Will is a legal declaration of the intention of the testator with respect to his property, which he desires to be carried into effect after his death.

CODE OF CIVIL PROCEDURE:

1. Decree holder means any person in whose favor decree has been passed.
2. Judgment debtor means any person against whom any judgment has been passed.
3. Judge means presiding officer of civil court.
4. District means the local limits of the jurisdiction of a principal civil court of original jurisdiction here in after called a District court.
5. Foreign judgment means judgment of a foreign court.
6. According to section 3 of CPC the district court is sub-ordinate to the High court.
7. According to section 3 of CPC every court of small causes is subordinate to the High Court and district court.
8. Decision given by competent court of law have jurisdiction on concerned matter are either Decree or orders.
9. A decree always follows the judgment which is pronounced by the court After hearing the case.
10. According to section 2 (2) of c.p.c decree means formal expression of adjudication, determine the rights of parties with regards to all or any matter controversy in the suit or may be either preliminary or final.
11. Judgment means the Statement given by the judge on the grounds of a decree or order.
12. In legal sense order means a decision of a court made in writing or judge made in writing.
13. According to section 2 (14) of CPC order means the formal expression of any decision of a civil court which is not a decree.
14. Essentials of order are not a decree, must be in writing and capable of execution.
15. Decree is not effective when it is passed or go through the process of execution.
16. The decision given by the judge is called Judgment.

17. The word jurisdiction signifies the scope of Power and authority.
18. The kinds of jurisdiction are four.
19. According to section 15 to 20 of CPC a civil court has territorial jurisdiction.
20. Pecuniary jurisdiction means jurisdiction of the court with reference to the value of the subject matter of the suit.
21. The place of institution of a suit is determined by rules provided in sections 15 to 20 of CPC.
22. Section 16 to 20 classify suits under three Heads suits relating to immovable properties, suits for compensation for wrong done to the person or to movable property and suits of all other kinds.
23. According to section 15 of CPC every suit shall be instituted in the court of the lowest grade competent to try it.
24. According to section 9 of CPC civil courts have jurisdiction to try all suits of Civil nature.
25. Under CPC what limitation/bars are created upon the jurisdiction of civil courts absolute bars, conditional bars and special bars.
26. Jurisdiction of Civil Courts is barred in respect of matters pending before criminal or civil courts and already adjudicated upon by such courts.
27. Family matters are within the jurisdiction of family courts.
28. According to section 9 of CPC recognizes the doctrine of express and implied bar of jurisdiction.
29. Civil courts would have jurisdiction to examine acts of forums created under special law. (Correct).
30. According to section-9 CPC civil courts have jurisdiction to determine suits of civil nature. (true).

31. The common law principle of res sub-judice is incorporated in section 10 of CPC.
32. Res-sub-judice technically means that the matter in issue is already under the judicial securing.
33. When a principle of res-sub-judice applies, proceedings of subsequent suit shall be stayed.
34. The doctrine “res-sub-judice” prohibits the trial of two parallel litigations in respect of the same cause of action.
35. Elements in Section-10 are parties are the same in two suits and matter in issue in both the suits is same.
36. Doctrine of Res-Judicata has been incorporated in section-11 of CPC.
37. The term Res-Judicata signifies that the matter in dispute has been considered and finally settled.
38. The doctrine of res-judicata is based on three maxims.
39. Essential ingredients for the applicability of section 11 are same matter in issue, same parties and same title.
40. Courts have inherent powers to set a side their own Judgment, decree or final which has been obtained fraudulently or collusively.
41. Section-12 (2) of CPC provide remedy against decree or order obtained through fraud or without jurisdiction.
42. Application under section 12(2) of CPC is made to the court which passed the final order or decree.
43. Section-12(2) providing remedy to aggrieved person by filing application in same proceedings.
44. According to section-16 suit to be instituted where subject matter is situated.

45. According to section 20 of CPC suit to be instituted where defendants reside or cause of action arises.
46. Objection of territorial jurisdiction can be raised only by defendant party.
47. According to section-21 of CPC objections as to the territorial jurisdiction of the court cannot be raised at Appellate or revisional stage.
48. Section-21 of CPC only talks about territorial jurisdiction.
49. The section 24 of CPC empowers the High Court and district court to transfer, withdraw and retransfer the cases at any stage.
50. Summons may be defined as under written notification issued by a civil court.
51. Modes of services of summons are postal and personal summon, service by affixation and substituted service.
52. Costs means pecuniary allowances made to the successful party, recoverable from the losing party.
53. Kinds of costs are three.
54. Costs under section-35 of CPC are in the discretion of Court.
55. Court has power to fix interest on costs not exceeding 6% per annum.
56. Maximum compensatory costs under section-35 A (2) is Rs.25,000/-
57. Decree may be executed by the court which passed the decree, to which decree is sent or to which the proceedings are transferred.
58. Question to be determined by executing court under section 47 of C.P.C.
59. Types of questions to be determined by the court when executing decree in civil cases are pre-decretal question and post decretal question.
60. An application under section-47 must be made within three years.
61. An order determining the question under section-47 is appealable under section 96 of C.P.C.

62. Section 2 (12) of C.P.C is related to the mesne profits.
63. Mesne profits of property mean those profits which the person received wrongful possession of such property.
64. Under order 20 rule 12 is related to decree for possession of mesne profits.
65. Section-60 of CPC is relating to exemption of property from attachment and sale.
66. A plea of payment refers to the extinguishments of the debt prior to raising of such debt after such plea is raised called set-off.
67. Set-off can only be raised where the plaintiff and defendant are reciprocally debtors of each other.
68. Order 33 of C.P.C is relating to Pauper Suit.
69. Pauper are person who institute a suit in court without court fee.
70. Section 2 (11) of C.P.C is relating to Legal Representatives.
71. Legal representative means a person who in law represents the eState of deceased person, any person who intermeddles with the eState of deceased and the person in whom the eState devolves on the death of the party.
72. Precept is a letter of request by a court which passed a decree.
73. Under section-75 of C.P.C court is empowered to issue commission.
74. Section 79 of C.P.C relate suits by or against Government.
75. Under section-78 of C.P.C foreign court could issue commission.
76. The section-80 of C.P.C lays down a procedural pre-condition to the filling of suit against Government of public officer.
77. Ultra virus means beyond the legal powers and authority of persons.
78. Under section-80 of CPC, there are two modes of instituting a suit against Govt. or public officer.
79. According to section 83 of CPC a suit can be filed against alien enemy.

80. An alien enemy is debarred to file a suit in the civil court of Pakistan.
81. Interpleader suit is meant in which the real dispute is between the defendants only.
82. According to section-88 of CPC a interpleader suit is that where two or more persons claim adversely to one or other the same debt.
83. The term alternative dispute Resolution or ADR is often used to describe a wide variety of dispute Resolution mechanism.
84. ADR system may be Generally categorized as negotiation, conciliation/mediation and arbitration system.
85. There are two kinds of ADR have been practiced in Pakistan.
86. According to section-91 of CPC an application consists of the details of Public Nuisance case shall be filed to Advocate General.
87. Nuisance may be public and private.
88. The section 92 of CPC requiring written consent of Advocate General for filing suit for breach of trust.
89. According to section 94 of CPC the court has power to initiate supplemental proceedings.
90. Order 38 Rule 1 to 4 are about arrest before judgment.
91. The word appeal which includes second appeal is not defined in the CPC.
92. Appeal is a continuation of a suit and whole case of parties stands reopened before the appellate forum.
93. Section 96 to 99 of CPC are relating First appeal.
94. Section-100 to 103 of CPC are relating to Second appeal.
95. The term appeal is derived from Noman French appealer and latin appellore.
96. A consent decree is passed with the agreement of the parties.

97. Under order 23 rule 3 consent decree will be awarded when parties to suit compromises and defendant satisfies plaintiff.
98. Consent decree is barred the right of appeal by virtue of section 93 (3) of CPC.
99. Section-107 of CPC empowered the appellate court to be exercised while disposing of an appeal.
100. Order 41 Rule 27 of CPC provides a General rule that additional evidence can not be produced before appellate court.
101. Under section-107 (1) (d) appellate court may take additional evidence.
102. Additional evidence may be produced before the appellate court either on application of a party to an appeal or suo-motu by the court.
103. An order of appellate court admitting or rejecting additional evidence is not appealable.
104. Section-113 order 46 rule 1 to 7 of CPC are relating to Reference.
105. Reference under order 46 Rule 6 of related to Question of jurisdiction of court.
106. Reference under order 46 rule 1 of CPC related to question of law.
107. Section-114 order 47 rule 1 of CPC is relating to review.
108. Power of revision of High Court is given by section 115 of CPC.
109. Authorities empowered to hear revision under section 115 of CPC are High court, District Court and additional district court.
110. Pardahnashin lady means a lady who remains in parda due to tradition of family or society.
111. Exemption of woman from personal appearance before court under section 132 of CPC.
112. The doctrine of restitution is that on reversal or modification of erroneous ex-party decree or eviction order passed by court below.

113. Section-151 of CPC is relating to Inherent powers of court.
114. According to section-151 of CPC the court have inherent power in order to meet the ends of justice or to prevent abuse of process of the court.
115. The inherent powers can only be exercised where there is not express provision of law applicable to the case.
116. The law of limitation will not bar the exercise of inherent powers.
117. Amendment means correction of some error, omission or defect.
118. Section-153 CPC confers a General power on the court to amend defect and error in any proceeding in suit.
119. Civil court is a court which deals with the matter of civil nature.
120. Under section-24 (3) of CPC the court of Additional and Assistant Judges is subordinate to District Court.
121. Representative suit under order 1 rule 8 one person may sue or defend on behalf of all in same interest.
122. Order 1 of CPC deals with the joinder of parties.
123. Order 6 rule 2 requires that pleading should contains the material facts.
124. Meaning of pleading under order 6 rule 1 is any plaint filed by the plaintiff and written Statement filed by the defendant.
125. Amendment of pleadings means correction of some error or defect in plaint and written Statement.
126. An application for amendment may be filed either by plaintiff or defendant.
127. Order 7 rule 10 of CPC is relating to Return of plaint.
128. Order 7 rule 11 of CPC is relating to Rejection of plaint.

129. The plaint under order 7 rule 11 of CPC shall be rejected if plaint does not disclose a cause of action, relief claimed is under valued or plaint is written upon paper insufficiently stamped.
130. An order rejecting a plaint is a decree and hence appealable.
131. Court may proceed ex-party under order 9 rule 6 of CPC when defendant after due service of summon fails to appear on a first date of hearing.
132. Ex-party proceedings are those which are taken in the absence of either defendant.
133. The term ex-party means in the Absence of other party.
134. Under order 9 rule 8 of CPC when defendant appears and plaintiff does not appear in the court suit may be dismissed.
135. Order 10 CPC is providing that the court at the first hearing of the suit shall ascertain from each party about their pleadings.
136. Kinds of issue under order 14 rule 1 (4) are two.
137. Order 15 rule 1 of CPC is relating to parties not at issue.
138. Order 15 rule 3 of CPC is relating to parties at issue.
139. Order 15 rule 4 of CPC is relating to failure to produce evidence.
140. A decree under order 15 rule 4 of CPC is appealable under section 96.
141. General meaning of summon, a written notification issued by a civil court requiring that one must appear before court.
142. Two ways of causing attendance of witness.
143. Order 16 rule 1 of CPC is relating to summon to attend to give evidence or produce documents.
144. Order 21 of CPC is the longest order in whole Schedule. It consists of 104 rules.
145. If the judgment debtor is living execution will be applied for against judgment debtor.

146. If the judgment debtor is dead execution may be applied against his legal representatives.
147. Plaintiff has to file the plaint complying the provisions in all respect as contemplated under Order 4 r/w Order 6 and 7 of the code.
148. Plaintiff has to issue summons within 30 days from the institution of suit.
149. After the service of summons defendant has to file his written Statement within 30 days from the receipt of summons as per Order 8 R 1 of the code
150. No further time exceeding 90 days after date of service of summons be extended for filing written Statement as per proviso to Order 8 R 1 of the code.
151. Within 10 days from the filing of written Statement court has to examine the parties so as to explore the possibilities of compromise in between the parties and to refer the matter of settlement under section 89 of the code.
152. If parties fail to compromise the matter then court has to keep the matter for discovery and inspection within the time span of 7 – 10 – 10 – 3 days, as per Order 11 of the code.
153. Then to adjourn the matter for admission with in the time span of 15 days as per Order 12 of the code.
154. Then parties have to file the original documents prior to framing of issues within the time span of 7 days, as per Order 13 of the code.
155. Court has to frame the issues within 15 days as per Order 14 of the code.
156. Parties have to file the list of witnesses within 15 days from the date of framing of issues as per Order 16 of the code.
157. Plaintiff has to issue summons to the witnesses either for adducing evidence or for production of documents within 5 days of filing of list as per Order 16 R 1 (4) of the code.
158. Parties have to settle the date of evidence as per Order 16 of the code.
159. Plaintiff has to file the affidavits of all his witnesses within 3 adjournments as per Order 18 R 4 r/w Order 17 of the code.
160. Court has to exhibit the documents considering their proof and admissibility with a reasoned order as per proviso to Order 18 R 4 (1) of the code.
161. Cross examination of the plaintiff and his witnesses on day to day until all the witnesses in attendance have been examined as per Order 18 R 4 (2) r/w Order 17 R 2 (a) of the code.

162. Defendant has to issue summons to the witnesses either for adducing evidence or for production of documents as per Order 16 R 1 (4) of the code.
163. Defendant has to file the affidavits of all his witnesses within 3 adjournments as per Order 18 R 4 r/w Order 7 of the code.
164. Court has to exhibit the documents considering their proof and admissibility with a reasoned order as per proviso to Order 18 R 4 (1) of the code.
165. Cross examination of the defendant and his witnesses on day to day until all the witnesses in attendance have been examined as per Order 18 R 4 (2) r/w Order 17 R 2 (a) of the code.
166. Parties have to conclude their arguments within 15 days from the completion of their respective evidence as per Order 18 R 2 (3A) of the code.
167. Court has to delivered judgment forthwith or on or before 30 days and not exceeding 60 days from the date of conclusion of the arguments as per Order 20 R 1 of the code.
168. Where a plaintiff wants to abandon a part of the claim after institution, it can only be done under order 23 rule 1 of CPC.
169. Order 23 rule 1 of CPC empowers the plaintiff to withdraw his suit at any time.
170. Minor is a person under disability he cannot sue and be sued in his own name.
171. The person who represent a minor plaintiff in a suit or proceeding is called next friend.
172. Where the defendant is minor the court on being satisfied by the fact of his minority appoint a proper person to be guardian ad-litem.
173. Order 32 rule 1 CPC States that every suit by a minor must be instituted in his name by person called in next friend.
174. Under order 32 rule 7 of CPC prohibits any agreement or compromise on behalf of a minor without the permission of court.
175. Person who can enter into compromise natural guardian of the minor, guardian appointed by the court for suit against minor and next friend of minor.
176. Order 37 rule 2 of CPC has been made applicable to the district judge.
177. Order 38 rule 5 of CPC prescribes the objects of passing attachment order before delivering final judgment in suit against defendant.

178. No appeal lies against a refusal to order conditional attachment, but a revision may lie where attachment is ordered without notice.
179. Order 39 rule 1 CPC which related to cases in which temporary injunction may be granted.
180. Order 39 rule 2 CPC which related injunction to restrain repetition or continuation of breach.
181. Perpetual injunction are regulated by section 55 to 57 of specific relief act 1877.
182. Injunction is a judicial process where by a party is ordered to do or to refrain from doing.
183. Primary object of temporary injunction is to preserve the status.
184. Conditions for granting temporary injunctions are prima facie case, irreparable damage and balance of convenience.
185. Receiver is a person appointed by a court for the purpose of preserving property of a debtor pending an action against him or in satisfaction of creditors claim.
186. Order 41 of CPC is relating to appeals against original decree.
187. Order 43 of CPC is relating to appeal against order.
188. Order 41 rule 5 sub rule 2 of CPC empowers to the court which passed such decree to stay execution of such decree till the expiration of time allowed for appeal.
189. Where a decree is that of High Court any judge of H.C will review it.
190. In revision notice to the other party is not compulsory.
191. Revision lies before High Court and District court.
192. The mode of institution of revision proceedings are by application of aggrieved person or by suo moto.
193. Section 115 deals with revision.
194. The right of appeal under section 96 is statutory right.

195. Appeal is a continuation of suit.
196. There are two types of appeal in CPC.
197. First appeal shall lie from every decree.
198. The forum of 1st appeal is, if the value of subject matter is less than 50 million district court.
199. Parties to suit or any person affected by decree can file appeal.
200. Section 97 of CPC deals with the appeal from the preliminary decree.
201. All decision in an appeal shall be made by majority.
202. If majority is not established in appeal then referred to other Judges.
203. Where a plaintiff valuation of suit is based on fraud then plaint shall be rejected.
204. Civil courts are courts of ultimate jurisdiction.
205. The jurisdiction of courts will be determined by civil courts.
206. Alien residing in Pakistan can only sue in the court of Pakistan with the permission of Federal Government.
207. Section 10 of CPC deals with res-sub-judice.
208. When conditions of section 10 are fulfilled the court will stay the proceedings.
209. Res sub judice is applicable only in the civil suits.
210. A decree passed contrary to the provisions of section 10 is void.
211. Order XL of CPC deals with receiver.
212. Order XXIX deals temporary injunction.
213. An order rejecting plaint is a decree.
214. There are four classes of decree are there in CPC.
215. A person against whom a decree is passed may seek remedy by appeal, review or application under 12 (2).
216. A person against whom a decree is passed is called judgment debtor.

217. Pecuniary jurisdiction of courts shall be determined in accordance with suit valuation act 1887 and west Pakistan civil courts ordinance 11 of 1962.
218. The pecuniary jurisdiction of 1st class civil judge is unlimited.
219. The jurisdiction of civil judge 2nd class is 5 lac.
220. The jurisdiction of civil judge 3rd class is 1 lac.
221. In section 11 previous suit must be decided.
222. Section 11 applies to suit and issues.
223. The remedy against a judgment debtor order passed through fraud is application under section 12 (2).
224. The court which passed order can entertain application against fraud and misrepresentation.
225. Executing court can order for payment of additional court fee.
226. Executing court can determine the question as to jurisdiction.
227. Executing court can recall the execution proceeding.
228. Executing court can permit payment of money in decree in installments.
229. An application under section 47 must be made within 3 years.
230. An order under section 47 is appealable.
231. A suit against the Federal Government is filed by the name of Pakistan.
232. A suit against the Provincial Government shall be filed by the name of province.
233. A public officer is to be sued personally.
234. The code of civil procedure was formulated on 21st March 1908.
235. The CPC was enforced on 1st day of January 1909.
236. Section-2 of CPC deals with definitions.
237. Decree conclusively determine the rights of the parties.
238. Attachment and arrest before judgment is dealt under order XXVIII.

239. Section 10 is a bar on the jurisdiction of court.
240. Res sub judice can not be applied to foreign courts.
241. Section 11 deals with the doctrine of law related to res judicata.
242. Section 11 bars the jurisdiction of the court if its conditions are fulfilled.
243. Section 11 can be applied to proceedings.
244. Explanation iv of section 11 deals with constructive res judicata.
245. If the plea of res-judicata is not raised at the earliest possible opportunity then it shall be deemed that it is waived.
246. A decision will be res-judicata between the parties' parties on opposite sides or parties on same sides.
247. Scope of section 35 A is wider.
248. The party who made false claim will pay the compensatory costs.
249. Precept is an order or direction by one court to other court for some act to be done.
250. The following courts can execute decree which passed decree, to which decree is sent for execution or to which proceedings are transferred.
251. Order XXI of CPC deals with execution of decree.
252. Section 47 bars to a separate suit.
253. Executing court interpret a decree.
254. Executing court can award costs and interest.
255. 2nd appeal lies on question of law and mixed question of law and fact.
256. Section 96 (3) deals with compromise or consent decree.
257. Consent decree is awarded when parties to suit compromises or defendant satisfies plaintiff.
258. A consent decree shall be recorded or not.
259. A consent decree is non-appealable.

260. Appeal against consent decree is allowed when appeal is against validity, appeal is against nature of decree or where there is no compromise.
261. Consent decree can be set aside by a separate suit.
262. Right of review is substantive right.
263. The unsuccessful party shall pay the costs.
264. Appeal can be filed under section 35.
265. Section 35 A deals with compensatory costs.
266. Awarding costs by courts are discretionary.
267. Section 35 A is appealable.
268. Under section 35 court can award costs when it has no jurisdiction.
269. Scope of section 35 is limited.
270. Suits against federation, provinces and public officer can be filed only in the court of civil judge 1st class.
271. An order of court which has no pecuniary jurisdiction is void.
272. If subsequent increase in the value of subject matter is noticed by the court then it will not lose jurisdiction.
273. Where a court has no jurisdiction, it will return plaint.
274. If the relief claimed is over or under valued plaint shall be rejected.
275. Appeal, review and revision are against the principle of finality of decision.
276. Aggrieved person can institute a review application.
277. Following are the ground of review where no right of appeal allowed, where appeal is allowed but not preferred or decision made on reference.
278. Limitation period for review application is 90 days.
279. Where an application of review is heard by more than one judge and they are equally divided then appeal is rejected.

280. An application for review shall be heard by same judge.
281. Court can add or strike out parties of suit.
282. When defendant sign acknowledgment or postal employee endorses that defendant refuses to take delivery then postal service is deemed to be affected.
283. The mode of personal service is service upon person of defendant, service upon agent of defendant or service on male member of family.
284. Order V rule 20 deals with Substituted service.
285. 15 days' time is given to defendant in order V rule 20 to appear before court.
286. The suit lie, in case of recovery of immovable property in the local limits of court where property is situated.
287. Where a suit lies in case of property situate within jurisdiction of different court? in any court.
288. Section 35 deals with actual costs, the objective of this section is to secure the expenses incurred by litigant.
289. Re-examination of evidence is not allowed in revision.
290. The limitation period to file application for the installment order of money decree is 6 months.
291. Plaintiff can bring a fresh plaint within limitation period after rejection of plaint.
292. Rejection of plaint is appealable.
293. Return of plaint is not a decree.
294. Order 7 rule 11 is not exhaustive.
295. The onus of providing the due service of summon is on plaintiff.
296. Grounds for setting aside ex-party proceeding are appearance before court, assign good cause, before passing decree.

297. Procedure of default in depositing the expenses of witnesses is attach the movable property of party or sale of movable property of party.
298. Order of attachment is appealable.
299. If witness fails to appear the penalty is fine not exceeding Rs:5000/- or attachment or sale of property.
300. Guardian is appointed on the application of plaintiff or defendant.
301. Guardian must be major age and sound mind.
302. Provisions of CPC deals with temporary injunction.
303. Minor can sue by his next friend under order XXXIII rule 1.
304. Order XXXIV deals with suits relating to mortgage.
305. A plaint can be rejected, if it does not disclose cause of action.
306. Order XIX is about affidavits.
307. The return of admitted documents is dealt under order XIII.
308. Order XLIV deals with pauper appeal.
309. Order XLV deals with appeal in Supreme Court.
310. Section-80 (1) deals with institution of suit with notices.
311. A public officer can be sued by giving him two months notices which is compulsory section 80 (1).
312. A public officer is exempted from appearance in court.
313. A notice must contain cause of action, name of plaintiff and relief claimed.
314. Service of notice, in ease of suit against the Provincial Government shall be served to Secretary to the Govt. and collector of district.
315. Service of notice, in case of suit against the Federal Government relating to the affairs of railways shall be given to G.M of railway.

316. In case of suit under section 80 (2) the court will allow time to public officer which shall not be less than 3 months.
317. Amendment in the pleading can be introduced at any stage.
318. Court having jurisdiction has power to grant leave to amend pleading.
319. Amendment in pleading is to the extent of permission of court.
320. Following are the grounds for amendment in pleading unnecessary material, scandalous material and which embarrass delay.
321. Under section 135 of CPC no judge or judicial officer shall be liable to arrest under civil process while going to court, presiding in his court.
322. A court is empowered to make up deficiency of court fees under section 149.
323. Order 1 rule 1 deals with who may be joined as plaintiff.
324. Order of CPC deals framing of suit.
325. Order VI rule 11 deals with notice.
326. Admissions comes under order XII.
327. Order deals with execution of decree is XXI.
328. Section 100 deals with the grounds of 2nd appeal.
329. 2nd appeal lies against appellate decree.
330. First appeal is wider in scope.
331. 2nd appeal as to scope is narrow.
332. Procedure of 1st appeal is in order 41.
333. Procedure of 2nd appeal is in order 42.
334. Limitation period for filing an application to set aside ex-party decree is 30 days.
335. Issue may be relating to facts and laws.
336. The material on which issues are framed are allegation made on oath, contents of documents and oral objection.

337. If parties are prejudiced on, of issues are not framed than it is a material irregularity.
338. If the parties are not at issues then court will at once pronounce judgment.
339. In 7 days list of witnesses after the framing of issue shall be presented.
340. Parties interested will pay the expenses of calling the witnesses.
341. Court has no jurisdiction is ground for return of plaint.
342. At any time and stage plaint may be returned.
343. Revision is a matter between Superior and lower court.
344. The limitation period for revision application is 90 days.
345. Every civil suit is filed in the lowest court of a district which is the court of Senior Civil Judge.
346. A summary suit under order 37 of CPC is filed in the court of district judge.
347. Family suits are governed by Family Courts Act, 1964 in Pakistan.
348. Another statute that governs family suits is West Pakistan Family Court Rules, 1965.
349. In case of family suits, it is filed at the place where the female resides even if she resides temporarily.
350. Visitation is a right for both the parents. It cannot be denied by courts unless any one of them is defaulted.
351. Stay order can be permanent or temporary.
352. Perpetual or permanent stay is granted under Specific Relief Act 1877.
353. Temporary Injunction or stay is granted under order 39 rule 1 & 2 of CPC.
354. Any application can be given anytime in a civil suit and Judge is bound to admit or dismiss it.
355. Decree can be preliminary or final. It is always appeal-able.
356. An order is Generally revision-able unless it falls under the ambit of section 104 or order 43 of CPC.

357. The time for filing first appeal in civil cases is 30 days.
358. The time for filing second appeal in civil cases is 60 days.
359. The time for filing civil revision is 90 days.
360. Civil revision is filed under section 115 of CPC.
361. The petitioner is bound to provide all the record of trial court in a civil revision.
362. The first appeal can have question of law as well as question of fact.
363. Second appeal is only filed on Question of Law.
364. In normal civil cases first appeal is filed in the court of district judge.
365. In normal civil cases second appeal is filed in High Court.
366. Civil court has unlimited pecuniary jurisdiction under West Pakistan Civil Courts Act 1962.
367. Section 114 Order 47 deals with Review.
368. Any court, which passed the decree or made order, can review the case.
369. The review can be made only on an application by an aggrieved party.
370. The order granting the review is appealable.
371. Review can be made even when an appeal lies to the High Court.
372. The grounds for review are: (a) discovery of new and important matter or evidence; (b) mistake or error apparent on the face of the record; (c) any other sufficient reason.
373. Section 115 deals with the Revision.
374. The High Court can only do revision of any case which has been decided by any court subordinate to it.
375. Revisional powers can be exercised by the High Court on an application or even suo motu (of its own motion).
376. An order passed in the exercise of revisional jurisdiction is not appealable.
377. Revisional power can be exercised by the High Court only in a case where no appeal lies to the High Court.

CONTRACT ACT 1872

1. The Contract act 1872 was enforced on 1st September 1872.
2. The elements of contract are proposal, acceptance, consideration, legal object.
3. The types of proposal are specific and General.
4. Modes of communication for proposal are by words or by conduct.
5. Modes of revocation are by notice of revocation, by lapse of time or by failure to fulfil the condition.
6. Consideration is the price of which a promise is brought.
7. When at the desire of promisor, the promisee has done any act is called as consideration.
8. When on person signifies to his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act, he is said to make proposal.
9. When the person to whom proposal is made signifies his assent thereto, the proposal is said to be accepted, a proposal when accepted becomes promise.
10. The person making the proposal is called promisor.
11. The person accepting the proposal is called promisee.
12. Every promise and every set of promises, forming the consideration for each other is an agreement.
13. Promises which form the consideration or part of the consideration for each other are called reciprocal promises.
14. An agreement not enforceable by law is called as void agreement.
15. An agreement enforceable by law is called as contract.
16. An agreement which is enforceable by law at the option of one or more parties but at the option of other is a voidable contract.
17. A contract which ceases to be enforceable by law is called as void contract.
18. Essentials of consideration are it must be real, it need not be adequate.
19. Section 10 of contract act lays down essentials of a valid agreement.
20. Free consent is a consent which has been obtained by free will of parties.
21. Consent is said to be un-free consent when it is caused by coercion, undue influence, fraud and misrepresentation.
22. Coercion means compulsion, constraint, compelling by force or arms or threat.
23. Undue influence means an act or power of producing an effect without apparent force or direct exercise of command.

24. Mis-representation means “to given a false or misleading Statement with an intent to influence the opinion of other”.
25. Some intentional act or omission or error arising from ignorance, surprise, imposition or misplaced confidence is called mistake.
26. There are two kinds of mistake, mistake of law and mistake of fact.
27. Contingent means dependent on or subject to something unpredictable or unforeseen.
28. Novation defined as the substitution of a new contract for an old one.
29. Performance means doing of a thing or a part there of in accordance with an agreement.
30. Damages means the money compensation allowed to an injured party for loss or injury suffered by him for the breach of contract.
31. A contract to perform the promise or discharge the liability of a person in case of his default is a contract of guarantee.
32. Surety is a person who gives guarantee.
33. Principal debtor is the person in respect of whose default the guarantee is given.
34. Continuing guarantee is termed as open guarantee that governs a course of dealing for an indefinite time.
35. Indemnity means promise to save another harmless from loss caused as a result of a transaction entered into the instance of the promisor.
36. If the proposal or acceptance is made in words it will be considered as express contract.
37. When one or more terms of contract are altered with consent of parties is called alteration.
38. When all or some terms of contract are cancelled the contract is said to be rescinded.
39. An agreement to do an impossible act in itself is called void agreement.
40. If a party breaks his obligation which contract imposes, there takes place breach of contract.
41. Damages which naturally arose in the usual course of things from breach is called ordinary damages.
42. The damages which do not form part of law of contract are called vindictive damages.
43. When damages are fixed in the contract itself are called as liquidated damages.
44. In contract of indemnity there are two parts.
45. The indemnifier can bring a suit against the third party only in the name of indemnified.

46. In the contract of guarantee there are three parties.
47. The liability of surety is secondary.
48. Surety is liable to pay when the principal debtor fails to pay.
49. A surety can limit his liability.
50. If there are more sureties, discharge of anyone of them by creditor will not discharge others.
51. The duties of bailor are rights of bailee.
52. The right of bailor are the duties of bailee.
53. A bailee has the right as he is entitled to lawful charges for providing services is called right to remuneration.
54. The right to retain property by a bailee until the charges due in respect of property are paid is called right of lien.
55. If the bailee does not complete the work within agreed time or in reasonable time he is not entitled to right of lien.
56. A gratuitous bailment is terminated by the bailor or bailee or both.
57. If bailee gets any profit from goods bailed shall liable to return same to bailor.
58. The bailment in which neither party is entitled to any remuneration is called gratuitous bailment.
59. The bailment in which either party is entitled to remuneration is bailment for reward.
60. Bailment of goods as a security for payment of a debt or performance of aa promise is called pledge.

LIMITATION ACT-1908

1. Limitation act is enacted on 7th August 1908.
2. Limitation act is enforced on 1st January 1909.
3. There are total 32 sections and 183 articles in Limitation act.
4. Under section-3 of limitation act every suit, appeal, application made after the period of limitation.
5. Under section-4 of limitation act when the period of limitation is prescribed for any suit, appeal, application expires on a day when the court is closed, the suit, appeal, application shall be made on the day when court re-opens.
6. The time for filing first appeal in civil cases is 30 days.
7. The time for filing second appeal in civil cases is 60 days.
8. The time for filing civil revision is 90 days.
9. Limitation period of appeal in capital punishment, 7 days.
10. Limitation period of appeal From Magistrate to Sessions Court, 30 days.
11. Limitation period of appeal From Sessions Court to High Court, 60 days.
12. Limitation period of appeal From High Court to Supreme Court, 30 days.
13. Limitation period of appeal From High Court to Supreme Court in special Leave to Appeal, 30 days.
14. Limitation period of appeal From Magistrate to High Court in acquittal in Challan Case is 30 days and in Complaint Case 60 days.
15. Limitation period of appeal From Sessions Court to High Court in acquittal in Challan Case is 30 days and in Complaint Case 60 days.
16. Limitation period of appeal From High Court when case decide by it in its original jurisdiction and to Division Bench than 20 days in acquittal or conviction as the case may.
17. Plaintiff has a time of 6 years to file execution.
18. Limitation in civil suits is 3 years from the cause of action.
19. Article 150. Appeal from death sentence to High Court-7 days.
20. Article 151. High Court order on original side-appeal-20 days.
21. Article 154. Appeal to any Court other than High Court-30 days.
22. Article 155. Criminal appeal to High Court-60 days.
23. Article 157. Appeal from acquittal by State-6 days.
24. Section-5 of limitation act only applies to appeals, applications, review and revision.

25. Section-5 of limitation act does not apply to institution of suits.
26. Section-5 of limitation act deals with condonation application.
27. When once time of limitation has begun to run, no subsequent disability or inability to sue stop it.
28. Under section-3 of limitation act it is duty of court to consider as to whether suit is barred by limitation act or not.
29. Section-5 of limitation act does not applies to the suits.
30. Condonation provisions does not applicable to the proceedings under family law ordinance 1961.
31. Section 14 of limitation act is only applicable to suits and applications.
32. Section- 6 to 8 recognizes to legal disability.
33. Section-9 is applicable to suits and applications.
34. Article 150. Appeal from death sentence to High Court-7 days.
35. Article 151. High Court order on original side-appeal-20 days.
36. Article 154. Appeal to any Court other than High Court-30 days.
37. Article 155. Criminal appeal to High Court-60 days.
38. Article 157. Appeal from acquittal by State-6 days.
39. According to section 9 of limitation act where time has begun to run shall not stop upon subsequent disability.
40. According to section 11 of limitation act, suits instituted in Pakistan against the foreign contracts are subject to the law of Pakistan.
41. Section 14 of limitation act defines that, where case is instituted in Court having no jurisdiction, in good-faith, time spent in litigation shall be excluded from the time prescribed for it.
42. According to section 18 of limitation act, where a person has obtained possession by means of fraud there period of limitation commences from the time when such fraud comes within the knowledge of such aggrieved party or deprived person against whom fraud is committed.
43. According to section 19 of limitation act, period of limitation commences when cause of action arises, such as refusal of repayment of debt or commission of other such a type wrong. But where before the expiry of limitation written acknowledge is made and duly signed admitting the liability, limitation period is supposed to be prolonged.
44. Under section 21 of limitation act, where there are three plaintiffs one of whom is minor, limitation as against minor shall stand ceased until he attains age of majority.

Time limitation shall run against rest of two major plaintiffs. Where all plaintiffs are partners in a firm, it is presumed that interest of all is not clashing as to each other being having common interest in business.

45. According to section 22 of limitation act, When parties either plaintiff or defendant are added or substituted, it shall be presumed that this effect is made from the date of such addition or substitution.
46. Under section 23 of limitation act, Where is continue breach, limitation runs continuously during such breach. Case can be brought in Court of law at any time during such breaches.
47. According to section 24 of limitation act, Where there is not special injury from the act of others, but violation of legal right is there, limitation starts when such injury results.
48. As per section 26 of limitation act, Easement is a right of use of way or air or light continuously twenty years openly and without interruption. Where this right is violated, suit must be instituted within two years otherwise right to sue shall extinct.
49. For easement right when property belongs to Government the time period is sixty years.
50. For easement right when property belongs to Government the time period is twenty years.

LAW OF TORTS

1. The word tort is a French word and derived from Latin word “tortum” means wrong.
2. Tort is a private or civil wrong.
3. A tort is a civil wrong as against to a crime.
4. It is a right vested in some determinate person and available against the world at large is called right in rem.
5. There are three types of torts, intentional torts, unintentional torts, strict liability.
6. It is a right in some determinate person and available against some determinate person is called right in personam.
7. Negligence is the most common of tort cases. At its core negligence occurs when a tortfeasor, the person responsible for committing a wrong, is careless and therefore responsible for the harm this carelessness caused to another.
8. There are four elements of a negligence case that must be proven for a lawsuit to be successful.
9. Duty, Breach, Causation, Harm are four elements of negligence.
10. Intentional torts require an intended act by a wrongdoer against another.
11. Common intentional torts includes Assault, Battery, Trespass to Land, Conversion, Defamation, Intentional Infliction of Emotional Distress, False Imprisonment
12. Civil assault is an intentional act by the defendant that causes reasonable apprehension or fear of harmful or offensive contact of the plaintiff.
13. Battery is an intentional act by the defendant that causes harmful or offensive contact of the plaintiff.
14. Trespass to land requires an intentional act by the defendant which causes the defendant to enter or intrude on the plaintiff’s land.
15. Conversion is an intentional act by the defendant that causes either the substantial invasion thereof or the outright possession by the defendant of the plaintiff’s personal property without the plaintiff’s consent.
16. Defamation is the intentional communication (sometimes referred to as publication) by the defendant to a third person of a false Statement about the plaintiff that causes harm to the reputation of the plaintiff resulting in damages.
17. False imprisonment is an intentional act by the defendant that causes the confinement of the plaintiff without the plaintiff’s consent.

18. When a person held responsible against the wrongdoing of others, it is called vicarious liability.
19. Intra Vires means internal while Ultra Vires means external.
20. Malfeasance is there where is serious tort occurred, e.g., giving a blow or house arson.
21. Misfeasance is the act of unskilled person. Teacher should do, as he should be. Negligence constitutes this tort
22. Nonfeasance means where there is no answer of question or appeal.
23. Nuisance is any thing, which injures health or offending to senses and which causes injury or damage or annoyance or discomfort to other.
24. There are three kinds of nuisance, statutory, public, and private nuisance.
25. Statutory nuisance is the nuisance for which statute is provided in law to mitigate it.
26. "Public nuisance or common nuisance includes which diverse activities as carrying on an offensive trade, keeping a disorderly house, selling food injurious to health, obstructing public highways, and throwing fireworks about in the street."
27. Private nuisance is "unlawful interference with a person's use or enjoyment of land or of some right over or in connection with it."
28. Res ipsa loquitur: It means thing speaks itself.
29. Right fixed by law independent of consent of the parties is called right fixed by law.
30. There is no remedy without remedy.
31. Limitation act applies to tort.
32. The word malice means ill will or evil motive or intention to commit harm.
33. Mal-feasance means to commit an unlawful act.
34. Non-feasance means failing to perform an obligatory act.
35. There are two types of remedies in tort, Judicial remedy and extra Judicial remedy.
36. Damages are pecuniary satisfaction which a court may grant.
37. Damages are of five kinds.
38. Libel is a publication of a false and defamatory Statement permanent form tending to injure the reputation of another.
39. A slander is a false and defamatory verbal or oral Statement in some transitory form tending to injure the reputation of another person.
40. Slander of goods is also called trade libel.
41. Assault is derived from a latin word adsaltus, which means to leap upon, assault means sudden attack.
42. Battery means any unlawful touching of another without justification or excuse.

43. Injuria Sine Damnum means injury without damages.
44. Damnum Sine Injuria mean damages without injury.
45. There are four kinds of damages.
46. Contemptuous, nominal, compensatory and exemplary are kinds of damages.

WAQAR AHMED PANTHWAR

SPECIFIC RELIEF ACT 1877

1. The Specific Relief act 1877 is enforced on 7th February 1877.
2. There are total 57 sections in Specific Relief Act 1877.
3. The Specific Relief act 1877 does not provide relief in revenue and criminal courts.
4. The specific relief act only provide relief in civil courts.
5. Section-5 of Specific Relief act defines that specific relief how given.
6. There are total five ways through which specific relief may be given.
 - i. By taking possession of certain property and delivering it to claimant.
 - ii. By ordering any party to do act, which he is under obligation to do it.
 - iii. By preventing any party from doing any act, which he is under obligation not to do it.
 - iv. By determining and declaring the rights of parties.
 - v. By appointing receiver.
7. Preventive relief is defined under section-6 of Specific relief act which means preventing any party from doing any act, which he is under obligation not to do it.
8. Specific relief cannot be granted for purpose of enforcing penal law or specific relief act does not provide punishments.
9. Section 8 and 9 of specific relief act deals with immovable property.
10. Section 8 of specific relief act defines that a person who is entitled to possession of specific immovable property may recover it in the manner prescribed by the Code of Civil Procedure.
11. Section 9 of Specific relief act defines that who can file suit when a person is dispossessed of immovable property.
12. If a person is dispossessed without his consent of immovable property otherwise than in due course of law, then he or any person claiming through him may by suit recover possession thereof.
13. Under section 9 it is also mentioned that no suit shall be brought against Government.
14. No appeal or review shall lie from any order or decree passed in any suit filled under section 9 of specific relief act.
15. Section 10 and 11 of specific relief act deals with movable property.
16. Section 10 of specific relief act defines that a person who is entitled to possession of specific movable property may recover it in the manner prescribed by the Code of Civil Procedure.

17. Section 11 of specific relief act is about liability of person in possession, not as owner to deliver possession to person entitled to immediate possession.
18. Any person having possession or control of a article of movable property, of which he is not the owner, may be compelled specifically to deliver it to the person entitled to its immediate possession.
19. Section 11 provides four cases in which possession may be given to a person entitled to its possession of movable property.
 - i. When the thing claimed is held by the defendant in the capacity as agent or trustee of claimant.
 - ii. When compensation in money may not adequate relief for loss of thing.
 - iii. When it would be difficult to ascertain the actual damage caused by loss of thing.
 - iv. When the possession of thing claimed has been wrongly transferred from claimant.
20. Section 12 of specific relief act defines cases in specific performance may be enforced.
21. There are four cases in which specific performance may be enforced.
 - i. When the act agreed to be done is in the performance of trust.
 - ii. When them exist no standard for ascertaining the actual damage caused by non-performance of the act agreed to be done.
 - iii. When the act agreed to be done is such that pecuniary compensation for its non-performance would not afford adequate relief.
 - iv. When it is probable that pecuniary compensation cannot be got for the non-performance of the act agreed to be done.
22. Section 18 of specific relief act defines purchaser's rights against the vendor with imperfect title.
23. When a person did a contract to sell any property which he is not owner or not having legal title then purchaser has following rights against that seller.
 - i. Where vendor or lessor subsequently sells the property or further leases the property, vendee may compel him for the performance of the contract already made with vendee.
 - ii. Where the acknowledgement of the other persons is necessary to validate the title and they are bound to convey at the request of vendor, vendee may compel the vendor for procure of such concurrence.

- iii. Where property is mortgaged for an amount less than purchase money and only vendor has right of its redemption, vendee may compel to vendor to redeem it and convey to vendee.
 - iv. Vendee may compel to vendor for the return of deposit when vendor is defeated in a suit of specific performance on the grounds having imperfect title. Deposit includes the cost of suit. Vendee may also demand interest on deposit incurred on suit.
 - v. Vendee may also establish lien on the property of vendor, which was agreed to sale or let.
24. There may be three conditions where part performance of contract may be enforced specifically. That three cases can be summed up as:
- i. Where unperformed part of contract is small or unsubstantial.
 - ii. Where unperformed part of contract is large or substantial.
 - iii. Where performance of independent part of contract is possible.
25. Under section 19 of specific relief act any person suing for the specific performance of a contract may also ask for compensation for its breach, either in addition or substitution for such performance.
26. Section 21 of specific relief act defines those contracts which not specially enforced.
27. There are 8 contracts which are not specifically enforced.
- i. A contract for the non-performance of which compensation in money is an adequate relief.
 - ii. Contracts incapable of supervision by courts such as having minute or numerous details or dependant on personal qualifications or violation of parties or otherwise in which Court become unable to enforce specifically its material terms.
 - iii. Contract, which is not specifically certain, is not specifically enforceable. Terms and conditions of contract relied upon must be precise and accurate. Contract, which is unable to interpret, is not specifically enforceable but damages can be prayed.
 - iv. A contract nature of, which is revocable, is not specifically enforceable.
 - v. Contract involving breach of trust or excessive use of power is not specifically enforceable. Court protects the interest of beneficiary and refrains to specifically enforce contract which are in excess of powers or breach of trust.

- vi. Ultra vires of company cannot be specifically enforced. Contract made by or on behalf of company, which is not within scope of powers, conferred by the Memorandum of Association (MOA), amounts ultra vires, thus not specifically enforceable.
 - vii. A contract continuity of which exceeds than three years also falls in this category.
 - viii. Where subject matter is non-existent at the time of making contract and both parties are under mistake of fact is not specifically enforceable.
28. Section 23 of specific relief act defines that who may obtain specific performance.
29. Specific performance of contract may be obtained by competent person such as:
- i. Any party to contract.
 - ii. Representative in interest, or the principal, of any party to contract can file suit for specific performance. They shall cease their right to sue in case: Where learning, skill, solvency, or any personal quality of such party is a material ingredient in contract. Or Where contract provides against assignment, but he shall be entitled to specific performance in case his part of contract has already been performed.
 - iii. Any person beneficially entitled under contract of settlement on marriage or a compromise of doubtful right between members of same family.
 - iv. Remainder-man is entitled to specific performance where tenant for life enters contract in due exercise of his power.
 - v. Reversioner in possession, where agreement is a covenant entered into with his predecessor in title and reversioner is entitled to the benefit of such covenant.
 - vi. Reversioner in remainder, where the agreement is such a covenant and the reversioner is entitled to the benefit thereof and will sustain material injury by reason of its breach.
 - vii. New company, which arises out of amalgamation, when a public company has entered a contract and subsequently, becomes amalgamated with another public company.
 - viii. Where promoter has made contracts before incorporation of company and company has not ratified his contract.
30. Section 24 of specific relief act defines personal bars to the relief, means specific performance of a contract cannot be enforced in favour of a person.
31. Following are the persons for whom contracts cannot be specifically enforced:

- i. Where character of person is defective by way of fraud, negligence, void-able contract, and he remains unable to recover compensation due to his own fault.
 - ii. Who become incapable like mentally or physical condition or bankrupt or insolvent or by violation of essential clauses of contract partly or wholly by way of fraud or contravention of the contract or variance or subversion of contract?
 - iii. One who has chosen remedy against the breach of contract cannot enforce contract specifically. Since he has already obtained satisfaction therefore, he cannot enforce specific performance of contract.
 - iv. One who already had notice of the right of third party in a contract. Where contract of sale is made and purchaser was aware the fact about the right of third party, he cannot enforce contract specifically.
32. Under section 27 of specific relief act, following are the persons for whom contracts cannot be specifically enforced:
 - i. Where character of person is defective by way of fraud, negligence, void-able contract, and he remains unable to recover compensation due to his own fault.
 - ii. Who become incapable like mentally or physical condition or bankrupt or insolvent or by violation of essential clauses of contract partly or wholly by way of fraud or contravention of the contract or variance or subversion of contract?
 - iii. One who has chosen remedy against the breach of contract cannot enforce contract specifically. Since he has already obtained satisfaction therefore, he cannot enforce specific performance of contract.
 - iv. One who already had notice of the right of third party in a contract. Where contract of sale is made and purchaser was aware the fact about the right of third party, he cannot enforce contract specifically.
33. According to section 31 of specific relief act that when fraud or mutual mistake of parties in contract may put it in situation where it may not express their intention. Either party or representative-in-interest may institute a suit to have the instrument rectified.
34. According to section 32 of specific relief act during the process of rectification Court must regard the equitable conscience of the parties concerned. Basic principle behind it is “he who comes into equity must come with clean hands”.
35. According to section 33 of specific relief act two points are noteworthy while rectifying the instrument. First intention of the instrument made, and secondly

intention of its legal consequence is important. “Equity looks to intent rather than form” applies here.

36. According to section 34 of specific relief act the contract, which is in writing, first should be rectified and then may be prayed for its specific performance.
37. Any contract may be rescinded. Only Court is competent to grant rescission. According to section 35 of specific relief act, following are the cases in which Court may rescind the contract:
 - i. Where plaintiff terminates contract or contract itself is void-able.
 - ii. Contract is unlawful on the part of defendant for the causes not apparent on its face.
 - iii. In default of compliance of decree of Court, contract may be got rescinded. Court compels for the return of profits received by him as possessor.
38. According to section 36 of specific relief act, Mistake per se will not justify a decree for rescission unless the parties can be restored to status quo ante. Placement of both parties in their original position is taken into consideration so that right of anybody may not infringe.
39. According to section 37 of specific relief act, the plaintiff bringing an action for the specific performance of a contract may claim in alternative that if the contract cannot be enforced it may be rescinded and delivered up to be cancelled. It should be taken into consideration that the alternative relief is based on the same State of facts though with different conclusions as to law.
40. According to section 38 of specific relief act, Court may order for the making compensation to other party while rescinding. Basic principle of making compensation is “he who seeks equity must do equity.”
41. According to section 39 of specific relief act, where there is reasonable apprehension that if contract is left outstanding shall cause him serious injury, plaintiff may sue either for its declaration as void or void able.
42. Stay order can be permanent or temporary.
43. Perpetual or permanent stay is granted under Specific Relief Act 1877.
44. Suit for declaration is filed under section 42 of Specific Relief Act 1877.
45. Declaration can be in rem or in personam.
46. There are two types of injunctions, i.e., temporary or interlocutory and permanent or perpetual injunction.

47. There are two types of Court orders, i.e., **mandatory injunction** in which something can do and other one is **probationary injunction** in which something is prohibited.
48. There are three main kinds of injunctions.
49. Section 52 of specific relief act defines that preventive how granted.
50. Preventive relief is granted at the discretion of the Court by temporary or perpetual injunction.
51. Under section 56 of specific relief act injunction when refused is explained.
52. Injunctions are refused in following cases namely:
 - i. When such proceedings are pending in Court, Court may refuse to grant injunction.
 - ii. When it is requested against the order of superior Court. Injunctions are always granted against the lower courts.
 - iii. Legislation process cannot be got effected from law making.
 - iv. Where Government officer trespasses during official duty.
 - v. When criminal proceedings are started, they cannot be stopped. Civil and criminal courts cannot interfere in each other's matters.
 - vi. Where specific performance of the contract is not possible.
 - vii. Injunctions are refused in the cases of public nuisance, as equity acts in personam. Only personal interest is subject of injunction.
 - viii. Where plaintiff himself is wrong and his conduct is defective.
 - ix. There must be violation of personal right. Where plaintiff has no personal interest injunction is refused, as equity acts in personam.
 - x. Where alternative remedy is available.

MAXIMS OF EQUITY

1. Equity sees that as done what ought to be done.
2. Equity will not suffer a wrong to be without a remedy.
3. Equity delights in equality.
4. One who seeks equity must do equity.
5. Equity aids the vigilant, not those who slumber on their rights.
6. Equity imputes an intent to fulfil an obligation.
7. Equity acts *in personam* or persons.
8. Equity abhors a forfeiture.
9. Equity does not require an idle gesture.
10. He who comes into equity must come with clean hands.
11. Equity delights to do justice and not by halves.
12. Equity will take jurisdiction to avoid a multiplicity of suits.
13. Equity follows the law.
14. Equity will not aid a volunteer.
15. Where equities are equal, the law will prevail.
16. Between equal equities the first in order of time shall prevail.
17. Equity will not complete an imperfect gift.
18. Equity will not allow a statute to be used as a cloak for fraud.
19. Equity will not allow a trust to fail for want of a trustee.
20. Equity regards the beneficiary as the true owner.
21. Actionable per se: - The very act is punishable, and no proof of damage is required.
22. Ad hoc: - For the end or case at hand.
23. Alibi: - At another place, elsewhere
24. Audi alteram partem: - No man shall be condemned unheard.

25. Amicus Curiae: - A friend of court or member of the Bar who is appointed to assist the Court.
26. Assentio mentium: - The meeting of minds, i.e mutual assents
27. Doli incapax: - Incapable of crime.
28. Detinue: - Tort of wrongfully holding goods which belong to someone else.
29. Denatio mortis causa: - Gift because of death.
30. Estoppel: - Prevented from denying.
31. Ex parte: - Proceedings in the absence of the other party.
32. Ex gratia: - As a favour.
33. Ex officio: - Because of an office held.
34. Fatum: - Beyond human foresight.
35. Justitia nemini neganda est: - Justice is to be denied to nobody.
36. Lex non a rege est violanda: - The law must not be violated even by the king.
37. Locus standi: - Right of a party to an action to appear and be heard by the court and be heard by the court.
38. Mala fide: - In bad faith.
39. Mandamus: - 'We command'. A writ of command issued by a Higher Court to Government/Public Authority, to compel the performance of a public duty.
40. Mens rea: - Guilty mind.
41. Misnomer: - A wrong or inaccurate name or term.
42. Modus operandi: - Way of working.
43. Modus Vivendi: - Way of living.
44. Nemo bis punitur pro eodem delicto: - Nobody can be twice punished for the same offence.
45. Nemo debet esse judex in propria causa: - Nobody can be judge in his own case.
46. Nolle prosequi: - a formal notice of abandonment by a plaintiff or prosecutor of all or part of a suit.
47. Novation: - Transaction in which a new contract is agreed by all parties to replace an existing contract.
48. Quo warranto: - By what authority. A writ calling upon one to show under what authority he holds or claims a public office.
49. Ratio decidendi: - Principle or reason underlying a court judgement.
50. Res ipsa loquitur: - The thing speaks for itself.
51. Rex non protest peccare: - The king can do no wrong.

PAKISTAN PENAL CODE

1. Pakistan Penal Code is passed on 6th October 1860.
2. Pakistan Penal Code 1860 contains 511 section.
3. Pakistan Penal Code is a penal law.
4. There XXIII chapters in Pakistan Penal Code.
5. Extradition means the surrender of a fugitive offender by one State to another in which the offender is liable to be punished or has been convicted.
6. According to section-3 of Pakistan Penal Code if a person committed any offence outside Pakistan which is punishable under Pakistan law, shall be tried under Pakistan law.
7. Under Pakistan Penal Code “Person” includes any company, association, body of persons whether incorporated or not.
8. “Servant of State” includes all the person appointed or employed in Pakistan under the authority of Government.
9. Common intention is described under section-34 of Pakistan Penal Code.
10. Ingredients of Common intention are, a criminal act is done, by several persons, in furtherance of common intention.
11. When a criminal act is done by several persons in furtherance of common intention of all then all of them are liable for that offence.
12. There are ten kinds of punishment are mentioned in section 53 of Pakistan Penal Code.
13. Punishments mentioned under section-53 are, Qisas, Diyat, Arsh, Daman, Ta’zir, Death, Imprisonment for life, Imprisonment of two kinds (simple and rigorous), forfeiture of property, fine.
14. When any death sentence has been passed, then Federal Government or Provincial Government may commute the punishment under section-54 of Pakistan Penal Code.

15. Section-55-A saves President power to grant pardons, reprieve, respites or remissions of Punishment.
16. Under section-57 term of life imprisonment is equal to imprisonment for twenty-five years.
17. It is mentioned under section 63 of Pakistan Penal Code that when amount of fine is not mentioned then such fine is unlimited but shall not be excessive.
18. Solitary confinement is defined under section 73 of Pakistan Penal Code.
19. General exceptions are defined under chapter IV (Section 76 to 106) of Pakistan Penal Code.
20. Section-80 is related with accident, which is done by misfortune and without any criminal intention or knowledge in doing of lawful act, in lawful manner, by lawful means, and with proper care and attention.
21. According to Section-82 of Pakistan Penal Code (PPC), nothing is offence which is done by child under seven years of age.
22. Section-83 says, nothing is an offence which is done by a child above seven years of age and under twelve, who must attained sufficient maturity of understanding to judge of the nature and consequences of his conduct on that occasions.
23. Whenever an unlawful Assembly uses force or violence or by any member thereof in prosecution of the common object of such Assembly, every member of such Assembly is guilty of the offence of rioting.
24. When two or more persons, by fighting in a public place, disturb the public peace they are said to “commit an affray”.
25. It is an agreement of two or more persons to do or cause to be done an illegal act or act which is not illegal but committed by means of illegal, such an agreement is designated a criminal conspiracy.

26. Moveable Property means property that can move from one place to another. Anything which is moved must be corporeal, i.e., solid. It can be touched with senses.
27. Section 22 deals with moveable property.
28. Section 24 belongs to dishonesty.
29. Whoever does anything with intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing dishonestly.
30. Fraudulently under section 25, means a person to do thing fraudulently if he does that thing with intent to defraud but not otherwise.
31. Section 28 is related to counterfeit. It means imitation for the purpose of deceives to another person. If an ordinary person in street feels something is original, although that imitation is not exact, even then that is counterfeit.
32. Injury as per section 44 denotes to harm or fear of harm, to body of person, reputation, property, or mind of a person. Injuries to mind means where somebody gets mental shock due to illegal act of another person.
33. Good Faith u/s 52 means anything, which is believed or done with due care or attention.
34. Solitary confinement of One month if term of imprisonment is not more than six months.
35. Solitary confinement of Two months if term of imprisonment is not more than one year.
36. Solitary confinement of Three months if term of imprisonment is more than one year.
37. Whenever an unlawful Assembly uses force or violence or by any member thereof in prosecution of the common object of such Assembly, every member of such Assembly is guilty of the offence of rioting.

38. Whoever is guilty of rioting shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both. Use of deadly weapons is also a greater offence.
39. Affray under Section 159 is When two or more persons, by fighting in a public place, disturb the public peace they are said to “commit an affray”.
40. Punishment of affray is one-month imprisonment, or fine of Rs. 100/-, or both.
41. There are five types of hurt provided in Ordinance.
42. Shajjah S. 337: It means injuries on Head or face. There are six kinds of Shajjah.
43. Shajjah-I-Khafifah: It means simple hurt by any weapon on Head or face without exposing any bone of the victim.
44. Shajjah-I-Mudihah: It is simple hurt by any weapon, on Head or face, where though bone is exposed but no fracture is caused.
45. Shajjah-I-Hashimah: It is grievous hurt by any weapon, on Head or face, resulting in fracture of bone of victim without dislocating it.
46. Shajjah-I-Munaqillah: It is grievous hurt by any weapon, on Head or face, resulting in fracture and dislocation of bone of victim.
47. Shajjah-I-Ammah: It is grievous hurt by any weapon, causing fracture of the skull of the victim, where the wound touches the member of the brain.
48. Shajjah-I-Damighah: This is also grievous hurt by any weapon, causing fracture of the skull of the victim, so that the wound ruptures the membrane of the brain.
49. Jurh is derived from the word “JarooH” which means injury.
50. The word jurh is used for injuries on human body other than injuries on Head or face.
51. These injuries on human body can be divided into two kinds.
52. Jaifah means injury, which extends to the body cavity of the trunk.
53. Ghayr Jaifah under section 337 – E means injury, which does not amount to jaifah.

54. Ghayr Jaifah Jurh may further be divided into six kinds.
55. Damiyah ghayr jaifah jurh means injury with any weapon, in any part of body except Head or face in which skin is reaptured and bleeding occurs.
56. Badiyah means injury with any weapon, on any part of body, except Head or face, by cutting or incising the flesh without exposing the bone.
57. Mutalahimah means injury with any weapon, on any part of the body except Head or face, by lacerating the flesh.
58. Mudihah This type of jurh means injury with any weapon, on any part of the body, except Head or face, in which bone is exposed.
59. Hashimah means injury with any weapon, on any part of the body, except Head or face resulting in fracture of a bone without dislocating it.
60. Munaqqilah This jurh means injury with an weapon, on any part of body, except Head or face, resulting in fracture and dislocation of bone.
61. Whoever being an adult Muslim takes intoxicating liquor by mouth is guilty of drinking liable to hadd and shall be punished with whipping numbering eighty stripes.
62. Whoever by words either spoken or intended to be read, or by signs or by visible representations, makes or any person in tending to harm, or knowing or having reason to believe that such imputation will harm, the reputation, or hurt the feelings, of such person, is said, except in the cases hereinafter excepted, to commit Qazf.
63. Suicide under section 325 Whoever attempts to commit suicide, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both.
64. Wrongful restraint under section 339 is obstruction causing to person to reach in place where he wants to go, and law permits him.

65. Whoever, intending to take dishonestly any moveable property out of possession of any person without that person's consent moves the property in order to such taking is said to commit theft.
66. Dacoity should contain five or more accused.
67. House trespass under section 442 Whoever commits criminal trespass by entering into or remaining in any building, tent, or vessel used as a human dwelling or any building used as a place for worship or as a place for custody of property, is said to commit "house trespass".
68. House breaking under section 445 A person is said to commit "house breaking" who commits house trespass if he effects his entrance into the house or any part of it any of the six ways herein after described with the intention of committing the offence, that is to say.
69. Whoever dishonestly receives or retains any stolen property, knowing or having reason to believe the same to be stolen property is guilty under section 411.
70. The word "harbour" according to section 52-A, includes the supplying a person with shelter, food, drink, money, clothes, arms, ammunition or means of conveyance, or the assisting a person by any means to evade apprehension.
71. Extradition means the surrender of fugitive offender by one State to another in which the offender is liable to be punished or has been convicted.
72. Whoever do anything with the intention of causing wrongful gain in one person or wrongful loss to another person is said to do that thing is Dishonestly.
73. Imprisonment for life means imprisonment for 25 years.
74. Whoever joins or continues in unlawful Assembly, knowing that such unlawful Assembly has been commanded in the manner prescribed in the manner prescribed by law to disperse shall be punished with imprisonment of either description which may extend to 2 years or fine or with both.

75. Right of private defense of the body includes the defense of his own body and the body of any other person
76. Rash driving in a manner as to endanger human life is punishable with imprisonment of either description which may extend to 2 years or with fine which may extend to Rs. 1000 or with both.
77. A person is said to commit house breaking by night when he commits house breaking after sunset and before sunrise.
78. Attempt to commit suicide is punishable with imprisonment of one year or with fine or with both.
79. Where no sum is expressed to which a fine may extend, the amount of fine to which the offender is liable Unlimited but shall not be excessive.
80. Whoever wrongfully any person in such a manner as to prevent that person from proceeding beyond certain circumscribing limits is said wrongfully to confine that person.
81. Kidnapping includes kidnapping from Pakistan and lawful guardianship.
82. Wali means a person who is entitled to claim Qisas.
83. Limit to imprisonment for non-payment of fine, when imprisonment and fine awardable shall not exceed $\frac{1}{4}$ of the imprisonment which is maximum fixed for the offence.
84. When an act is abetted and a different act is done, the abettor is liable for the act done.
85. A instigates B to murder C, B refuses to do so A is guilty of abetting B to commit murder.
86. Tazir means any punishment other than Hadd.
87. Hadd means punishment ordained by the Holly Qur'an or Sunnah.

88. Common intention is disclosed by the facts disclosed in the evidence and surrounding circumstances of the case.
89. The injury denotes any harm whatever illegally caused to person, in body, mind, reputation or property.
90. The value of Diyat is equivalent 30630 grams under section 323.
91. In case of Qatl, if there is no legal heir the Wali shall be the Government.
92. Whoever commits theft shall be punished with imprisonment of either description term which may extend to 3 years.
93. Whoever commits extortion shall be punished with imprisonment for a term which may be extending to 14 years.
94. Section 63 to 70 of PPC authorizes the award of imprisonment in default of payment of fine in case of offences punishable under PPC.
95. A false document made wholly or in part with the intent to cause damage or injury to public or any person commits forgery.
96. Moveable property includes not permanently fastened to anything, which is attached to the earth.
97. When two or more persons by fighting in a public place, disturb the public peace, they are said to commit affray.
98. Whoever kidnaps any person with intent to cause that person to be secretly and wrongfully confined shall be punished with rigorous imprisonment for seven years and shall also be liable to fine.
99. Whoever intending to take dishonestly any moveable property out of the possession of any person without that person's consent, moved the property in order to such taking, is said to commit theft.

100. Whoever commits criminal breach of trust shall be punished with imprisonment of either description for a term which may extend 7 years or with fine or with both.
101. Criminal conspiracy means when two or more persons agree to do or cause to be done, an illegal act, or an act which is not illegal but done by illegal means.
102. The President has right to grant pardons under section 55-A.
103. Resistance or obstruction by a person to his lawful apprehension is liable to be punished with imprisonment of either description for two years or fine or both as given in section 225 of the Pakistan penal code.
104. Qatal-i-amd not liable to Qisas if the offender is close related of the victim, if the offender is a husband of the victim, when the offender is a minor or insane.
105. The Arsh of causing itlaf of a tooth shall be 1/20th of the Diyat.
106. The value of Daman may be determined by the court keeping in view, the expenses incurred on the treatment of the victim, the loss or disability caused in the functioning or power of any organs, the compensation for the anguish suffered by the victim.
107. Qisas for Qatal-i-amd shall not be enforced when the offender dies before the enforcement of the Qisas.
108. The term for which the court directs the offender to be imprisoned in default of payment of a fine shall not exceed 1/3rd of the maximum term for imprisonment.
109. A criminal conspiracy is an agreement between two or more persons to or causes to be done an illegal act, a legal act by illegal means.
110. Whoever collects men, arms or ammunition with intention of waging war against Pakistan shall be punished with death punishment.
111. Unlawful Assembly comprises at least 5 persons.
112. Punishment for being a member of unlawful Assembly shall be imprisonment extendable to 6 months or fine or with both.

113. Any public servant who disobeys law with intent to cause injury to any person shall be punished with simple imprisonment which may extend to 1 year with fine or with both.
114. Giving false evidence is an offence under PPC as given in section 191 PPC.
115. Anyone guilty of blasphemy shall be punished with life imprisonment with fine or death with fine.
116. Daman means the compensation determined by the court to be paid by the offender to the victim for causing hurt not liable to Arsh.
117. Attempt to commit suicide is an offence under section 325 PPC.
118. According to section 359 of PPC kidnapping is of 2 types.
119. Whoever is guilty of the offence of procreation of minor girl shall be punished with imprisonment extendable to 10 years and fine.
120. The word FRAUDULENTLY has been defined in Section 83 of PPC.
121. In counterfeit a man makes one thing to resemble with another to practice deception.
122. A will as Defined by PPC denotes any testamentary document.
123. Special law is applicable to a particular subject.
124. Injury has been defined in section 44 of PPC.
125. Life means life of human beings.
126. The elements must for Good Faith is due care and attention.
127. Qatl-i-Amd: 300
- a. Intention of causing death
 - b. Intention of causing bodily injury
 - c. An act which in ordinary course likely to cause death
128. Punishment u/s 302;
- a. Death as qisas
 - b. Death, as tazir

- c. 25 year as tazir
129. Qatl_Shibh_i_amd_315;
- Intention of causing harm
 - By weapon or an act
 - Ordinary course not likely to cause death
130. Punishment u/s 316;
- liable to diyat,
 - 25 year as tazir
131. Qatl_i_Khata_318;
- No intention of causing death or harm
 - Mistake of fact
 - Mistake of act
132. Punishment u/s 319;
- Diyat, where rash and negligent act up to 5-year addition to diyat
133. Punishment for Qatl i- Khata by reash or negligent driving;
- Diyat,
 - 10 year
134. Qatl_bis_Sabab_321;
- No intention to cause death or harm
 - Some unlawful act which become cause of death
135. Punishment;
- Diyat.

CHART OF PUNISHMENT PROVIDED UNDER PAKISTAN PENAL CODE

SR.NO	SEC. NO	OFFENCE	PUNISHMENT/IMPRISONMENT	FINE
1.	109	Punishment of abetment If the act abetted committed in consequence and where no express provision is made for its punishment:	If no express provision is provided be punished with the punishment provided for the offence abetted. Abettor of an offence under chapter XVI punished with tazir provided for that offence including death.	Fine if provided for that offence.
2.	110	Punishment of abetment if person abetted does act with different intention from that of abettor:	Punished with the punishment of the offence which would have been committed, if done with the intention and knowledge of the abettor.	Fine if provided for that offence
3.	111	Liability of abettor when one act abetted, and different act done:	Liable for the act done in the same manner as if he had abetted	Fine if provided for that act
4.	115	Abetment of offence punishable with death of imprisonment for life if offence not committed: If hurt is caused:	If no express provision is provided, imprisonment extends to 7 years. imprisonment extend to 14 years	Fine. Fine.
5.	116	Abetment of offence punishable with imprisonment: If offence not committed; If abettor or person abetted is a public servant, whose duty is to prevent offence;	If no express provision is provided; Imprisonment of one-fourth part of the longest term of the punishment of that offence, Imprisonment of one-half part of the longest term of the punishment of that offence,	Or fine or both Or fine, or both
6.	117	Abetment commission of	Imprisonment for 3 years	Or fine, or both

		offence by the public or by more than ten people:		
7.	118	Concealing design to commit offence punishable with death or imprisonment for life: If offence committed; If offence not committed;	Imprisonment for 7 years Imprisonment for 3 years	And fine
8.	119	Public servant concealing design to commit offence which it is his duty to prevent: If offence be committed; If offence be punishable with death, etc.; If offence be not committed;	One-half of the longest term of imprisonment provided for that offence. Imprisonment for 10 years One-fourth of the longest term of imprisonment provided for that offence	Or fine for that offence, or both Or fine for that offence, or both
9.	120	Concealing design to commit offence punishable with imprisonment: If offence be committed; If offence be not committed;	One-fourth of the longest term of imprisonment provided for that offence One-eighth of the longest term of imprisonment provided for that offence	Or fine for that offence, or both
10.	120B	Punishment for criminal conspiracy: If for offence punishable with death, imprisonment	If no expression provision is provided; Punished in the same manner as abetted such offence Imprisonment for 6 months	Or fine, or both

		for life or RI ¹ for 2 years; Other than the offence above mentioned;		
11.	121	Waging or attempting to wage war or abetting waging of war against Pakistan:	Death, or imprisonment of life	And fine
12.	121A	Conspiring to commit offence punishable by section 121:	Imprisonment of life, or 10 years	And fine
13.	122	Collecting arms, etc. with intention of waging war against Pakistan:	Imprisonment of life. Or 10 years	And fine
14.	123	Concealing with intent to facilitate design to wage war:	Imprisonment of 10 years	And fine
15.	123A	Condemnation of the creating of the State and advocacy of abolition of its sovereignty:	RI for 10 years	And fine
16.	123B	Defiling or unauthorizedly removing the national flag of Pakistan from Government building etc.,	Imprisonment for 3 years	Or fine, or both
17.	124	Assaulting President, Governor with intention to compel or restrain the exercise of any lawful power;	Imprisonment for 7 years	And fine
18.	124A	Sedition	Imprisonment for life;	Fine is added

¹ Rigorous imprisonment

			Imprisonment for 3 years;	Fine may be added, or with fine only
19.	125	Waging war against Asiatic power in alliance with Pakistan:	Imprisonment for life; Imprisonment for 7 years;	Fine maybe added Fine maybe added, or with fine only
20.	126	Committing depredation o territories of powers at peace with Pakistan:	Imprisonment for 7 years and forfeiture of property used or intended to be used or acquired.	And fine
21.	127	Receiving property taken by war or depredation mentioned in section 125 and 126:	Imprisonment for 7 years, and forfeiture of property	And fine
22.	128	Public servant voluntarily allowing prisoner of State or war to be escape:	Imprisonment for life, or 10 years	And fine
23.	129	Public servant negligently suffering such prisoner to escape	SI ² for a term 3 years	And fine
24.	130	Aiding escape of rescuing or harboring such prisoner:	Imprisonment for life, or 10 years	And fine
25.	131	Abetting mutiny, or attempting to seduce a soldier sailor or airman from his duty:	Imprisonment for life, or 10 years	And fine
26.	132	Abetment of mutiny, if muting is committed in consequences thereof:	Death, or imprisonment for life or imprisonment for 10 years	And fine

² Simple imprisonment

27.	133	Abetment of assault by soldier, sailor or airman on his superior officer, when in execution of his office:	Imprisonment for 3 years	And fine
28.	134	Abetment of such assault, if assault is committed:	Imprisonment for 7 years	And fine
29.	135	Abetment of desertion of soldier, sailor or airman:	Imprisonment for 2 years	Or fine or both
30.	136	Harboring deserter	Imprisonment for 2 years	Or fine or both
31.	137	Deserter concealed on board merchant vessel through negligence of master:	No imprisonment	Penalty not exceeding 1500Rs
32.	138	Abetment of act of insubordinate by soldier, sailor or airman:	Imprisonment for 6 months	Or fine or both
33.	140	Wearing grab or carrying token used by a soldier, sailor or airman:	Imprisonment for 3 months	Or fine of 1500RS or both
34.	143	Punishment of unlawful Assembly	Imprisonment for 6 months	Or fine or both
35.	144	Joining unlawful Assembly armed with deadly weapon:	Imprisonment for 2 years	Or fine or both
36.	145	Joining or continuing in Assembly of five or more persons after it has been commanded to disperse:	Imprisonment of 2 months	Or fine, or both
37.	147	Punishment for rioting	Imprisonment for 2 years	Or fine, or both

38.	148	Rioting armed with deadly weapons:	Imprisonment for 3 years	Or fine, or both
39.	151	Knowingly joining or continuing in Assembly of five or more persons after it has commanded to disperse	Imprisonment for 2 months	Or fine, or both
40.	152	Assaulting to obstructing public servant when suppressing riot, etc.:	Imprisonment for 3 years	Or fine, or both
41.	153	Wantonly giving provocation with intent to cause riot: If committed; If not committed;	Imprisonment for one year Imprisonment for 6 months	Or fine or both Or fine, or both
42.	153A	Promoting enmity between different groups, etc.:	Imprisonment for 5 years	And fine
43.	153B	Inducing students, etc., take part in political activity:	Imprisonment for 2 years	And fine
44.	154	Owner or occupier of land on which an unlawful Assembly is held:	No imprisonment	Fine not exceeding 3000Rs
45.	155	Liability of person for whose benefit riot is committed:	No imprisonment	Only fine
46.	157	Harboring persons hired for an unlawful Assembly:	Imprisonment for 6 months	Or fine, or both
47.	158	Being hired to take part in an		

		unlawful Assembly: When not armed; When armed;	Imprisonment for 6 months Imprisonment for 2 years	Or fine, or both. Or fine, or both.
48.	160	Punishment for affray	Imprisonment for one month	Or fine of Rs 3000, or both.
49.	161	Public servant taking gratification other than legal remuneration in respect of an official act:	Imprisonment for 3 years	Or fine, or both.
50.	162	Taking gratification, in order by corrupt or illegal means to influence public servant:	Imprisonment for 3 year	Or fine, or both
51.	163	Taking gratification, for exercise of personal influence with public servant:	SI for 1 year	Or fine, or both
52.	164	Punishment for abetment by public servant of offences defined in sections 162 or 163:	Imprisonment for 3 years	Or fine, or both
53.	165	Public servant obtaining valuable thing without consideration from person concerned in proceedings or business transacted by such public servant:	Imprisonment for 3 years	Or fine, or both
54.	165A	Punishment for abetment in offences defined	Imprisonment for 3 years	Or fine, or both

		in sections 161 and 165:		
55.	166	Public servant disobeying law, with intent to cause injury to any person:	SI of one year	Or fine, or both
56.	167	Public servant framing an incorrect document with intent to cause injury:	Imprisonment for 3 years	Or fine, or both
57.	168	Public servant unlawfully engaging in trade:	SI for 1 year	Or fine, or both
58.	169	Public servant unlawfully buying or bidding for property:	SI for 2 years	Or fine, or both
59.	170	Personating public servant	Imprisonment for years	Or fine, or both
60.	171	Wearing grab or carrying token used by public servant with fraudulent intent:	Imprisonment for 6 months	Or fine of Rs600, or both
61.	171E	Punishment for bribery: When caused by threat;	Imprisonment for 1 year No imprisonment	Or fine, or both. Fine only.
62.	171F	Punishment for undue influence or personating at election:	Imprisonment for 1 year	Or fine, or both
63.	171G	False Statement in connection with an election:	No imprisonment	Fine only
64.	171H	Illegal payment in connection with an election:	No imprisonment	Fine of Rs1500
65.	171I	Failure to keep election accounts:	No imprisonment	Fine of Rs500
66.	171J	Inducing any person not to	Imprisonment for 3 years	Or fine of Rs. 5lac or both.

		participate in any election or referendum:		
67.	172	Absconding to avoid service of summons or other proceeding. If the order or summon is such that to attend in person or by agent or to produce a document in a court	Imprisonment for 1 month SI for 6 months	Or fine of 1500rs or both Or fine of Rs3000 or both
68.	173	Preventing service of summons or other proceeding preventing publication thereof: If the order or summon is such that to attend in person or by agent or to produce a document in a court	Imprisonment for 1 month SI for 6 months	Or fine of Rs1500 or both Or fine of Rs3000 or both
69.	174	Non-attendance in obedience to an order from public servant. If the order or summon is such that to attend in person or by agent or to produce a document in a court	Imprisonment for 1 month SI for 6 months	Or fine of Rs1500 or both Or fine of Rs3000 or both
70.	175	Omission to produce document to public servant	Imprisonment for 1 month SI for 6 months	Or fine of Rs1500 or both

		<p>by person legally bound to produce it.</p> <p>If the order or summon is such that to attend in person or by agent or to produce a document in a court</p>		Or fine of Rs3000 or both
71.	176	<p>Omission to give notice or information to public servant by person legally bound to give it:</p> <p>If the notice or information required to be given respects the commission of an offence, or prevent the commission of an offence, or apprehension of an offender:</p> <p>If the notice or information required to be given is passed under sub section (1) of section 565 of CrPC:</p>	<p>Imprisonment for 1 month</p> <p>SI for 3 months</p> <p>SI for 3 months</p>	<p>Or Fine of Rs1500 or both</p> <p>Or fine of Rs3000, or both</p> <p>Or fine of Rs3000, or both</p>
72.	177	<p>Furnishing false information.</p> <p>If the information which he is bound to give respects the commission of an offence, or</p>	<p>SI for 6 months</p> <p>Imprisonment for 2 years</p>	<p>Or fine of Rs3000, or both</p> <p>Or fine, or both.</p>

		for the purpose of prevention of an offence, or apprehension of an offender:		
73.	178	Refusing oath or affirmation when duly required by public servant to make it.	SI for 6 months	Or fine of Rs3000, or both
74.	179	Refusing to answer public servant authorized to question.	SI for 6 months	Or fine of Rs3000, or both
75.	180	Refusing to sign Statement.	SI for 3 months	Or fine of Rs1000, or both
76.	181	False Statement on oath or affirmation to public servant or person authorized to administer an oath or affirmation.	Imprisonment for 3 years	And fine
77.	182	False information with intent to cause public servant to use his lawful power to the injury of another person.	Imprisonment for 6 months	Or fine of Rs3000, or both
78.	183	Resistance to the taking of property by the lawful authority of a public servant.	Imprisonment for 6 months	Or fine of Rs3000, or both.
79.	184	Obstructing sale of property offered for sale by authority of public servant.	Imprisonment for 1 month	Or fine of Rs1500, or both
80.	185	Illegal purchases or bid for property offered	Imprisonment for 1 month	Or fine of Rs600, or both.

		for sale by authority of public servant.		
81.	186	Obstructing public servant in discharge of public functions.	Imprisonment for 3 months	Or fine of Rs1500, or both.
82.	187	Omission to assist public servant when bound by law to give assistance: If such assistance is demanded from him by a public servant who is legally competent to make such demands for executing any process issues by court, or to prevent the commission of an offence, or suppressing a riot or affray or apprehending a person who is charged with an offence or guilty of one, or having escaped from a lawful custody:	SI of 1 month Imprisonment for 6 months	Or fine of Rs600, or both. Or fine of Rs1500, or both
83.	188	Disobedience to order duly promulgated by public servant: If Disobedience caused or tend to cause by, obstruction, annoyance, injury, or risk of all these;	SI of 1 month Imprisonment for 6 months	Or fine of Rs600, or both. Or fine of Rs3000, or both.

		If disobedience caused or tend to cause by, damage to human life, health safety or riot, affray;		
84.	189	Threat of injury of public servant.	Imprisonment for 2 years	Or fine, or both.
85.	190	Threat of injury to induce person to refrain from applying for protection to public servant.	Imprisonment for 1 year	Or fine, or both.
86.	193	Punishment for false evidence: When during Judicial proceeding; When not during judicial proceeding;	Imprisonment for 7 years Imprisonment for 3 years	And fine. And fine.
87.	194	Giving or fabricating false evidence with intent to procure conviction of capital offence: If innocent person punished and executed:	Imprisonment for life, or RI for 10 years Death, imprisonment for life, or RI for 10 years	And fine. And fine.
88.	195	Giving or fabricating false evidence with intent to procure conviction of offence punishable with imprisonment for life or for a term of seven years or upwards.	Punished as a person convicted for that offence be punished	If provided for that offence.

89.	196	Using evidence known to be false.	Punished in a same manner as he gave or fabricated false evidence	If provided for that offence
90.	197	Issuing or signing false certificate.	Punished in a same manner as he gave or false evidence.	If provided for that offence
91.	198	Using as true a certificate known to be false.	Punished in a same manner as he gave or false evidence.	If provided for that offence
92.	199	False Statement made in declaration which is by law receivable as evidence.	Punished in a same manner as he gave or false evidence.	If provided for that offence
93.	200	Using as true such declaration knowing it to be false.	Punished in a same manner as he gave or false evidence.	If provided for that offence
94.	201	Causing disappearance of evidence of offence, or giving false information to screen offender: If a capital offence; If punishable with imprisonment for life; If punishable with less than ten years imprisonment;	Imprisonment for 7 years Imprisonment for 3 years Imprisonment for ¼ part of the longer term of imprisonment provided for that offence	And fine And fine Or fine, or both.
95.	202	Intentional omission to give information of offence by person bound to inform.	Imprisonment for 6 months	Or fine, or both.
96.	203	Giving false information respecting an	Imprisonment for 2 years	Or fine, or both.

		offence committed.		
97.	204	Destruction of document to prevent its production as evidence.	Imprisonment for 2 years	Or fine, or both.
98.	205	False personation for purpose of act or proceeding in suit or prosecution.	Imprisonment for 3 years	Or fine, or both.
99.	206	Fraudulent removal or concealment of property to prevent its seizure as forfeited or in execution	Imprisonment for 2 years	Or fine, or both.
100.	207	Fraudulent claim to property to prevent its seizure as forfeited or in execution.	Imprisonment for 2 years	Or fine, or both.
101.	208	Fraudulently suffering decree for sum not due.	Imprisonment for 2 years	Or fine, or both.
102.	209	Dishonestly making false claim in Court.	Imprisonment for 2 years	And fine
103.	210	Fraudulently obtaining decree for sum not due.	Imprisonment for 2 years	Or fine, or both.
104.	211	False charge of offence made with intent to injure: If a false charge instituted an offence punishable with death, imprisonment for life, or imprisonment	Imprisonment for 2 years Imprisonment for 7 years	Or fine, or both. And fine

		for 7 years or upward;		
105.	212	Harboring offender: If a capital offence; If punishable with imprisonment for life or with imprisonment;	Imprisonment for 5 years Imprisonment for 3 years	And fine And fine
106.	213	Taking gift, etc., to screen an offender from punishment: If a capital offence; If punishable with imprisonment for life, or with imprisonment;	Imprisonment for 7 years Imprisonment for 3 years	And fine And fine
107.	214	Offering gift or restoration of property in consideration of screening offender: If a capital offence; If punishable with imprisonment for life, or imprisonment;	Imprisonment for 7 years Imprisonment for 3 years	And fine And fine
108.	215	Taking gift to help to recover property, etc.:	Imprisonment for 2 years	Or fine, or both
109.	216	Harboring offender who has escaped from custody or whose apprehension has been ordered:	Imprisonment for 7 years Imprisonment for 3 years	And fine And fine

		<p>If a capital offence;</p> <p>If punishable with imprisonment for life, or with imprisonment;</p>		
110.	216A	Penalty for harboring robbers or decoits	RI for 7 years	And fine
111.	217	Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture	Imprisonment for 2 years	Or fine, or both.
112.	218	Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture	Imprisonment for 3 years	Or fine, or both
113.	219	Public servant in judicial proceeding corruptly making report, etc., contrary to law	Imprisonment for 7 years	Or fine, or both
114.	220	Commitment for trial or confinement by person having authority who knows that he is acting contrary to law	Imprisonment for 7 years	Or fine, or both.
115.	221	Intentional omission to apprehend on the part of public servant bound to apprehend:	Imprisonment for 7 years	With or without fine

		<p>If a capital offence;</p> <p>If punishable with life, or imprisonment for a term which extends to 10 years;</p> <p>If punishable with imprisonment less than 10 years;</p>	<p>Imprisonment for 3 years</p> <p>Imprisonment for 2 years</p>	<p>With or without fine</p> <p>With or without fine.</p>
116.	222	<p>Intentional omission to apprehend on the part of public servant bound to apprehend person under sentence or lawfully committed: If a capital offence;</p> <p>If punishable with life, or imprisonment for a term which extends to 10 years;</p> <p>If punishable with imprisonment less than 10 years;</p>	<p>Imprisonment for life, or imprisonment for 14 years</p> <p>Imprisonment for 7 years</p> <p>Imprisonment for 3 years</p>	<p>With or without fine</p> <p>With or without fine</p> <p>With or without fine.</p>
117.	223	<p>Escape from confinement or custody negligently suffered by public servant</p>	<p>SI for 2 years</p>	<p>Or fine, or both.</p>
118.	224	<p>Resistance or obstruction by a</p>	<p>Imprisonment for 2 years</p>	<p>Or fine, or both.</p>

		<p>person to his lawful apprehension</p>		
119.	225	<p>Resistance or obstruction to lawful apprehension of another person:</p> <p>If the person rescued or attempted to be rescued is punished or charged with the offence punishable with imprisonment for life, or imprisonment extends to 10 years;</p> <p>If the person rescued or attempted to be rescued was charged or apprehended for an offence punishable with death;</p> <p>If a person apprehended or rescued or attempted to be rescued is liable under the sentence of court, or by virtue of such commutation of such sentence to imprisonment for life, or more than 10 years;</p> <p>If person apprehended, or</p>	<p>Imprisonment for 2 year</p> <p>Imprisonment for 3 years</p> <p>Imprisonment for 7 years</p> <p>Imprisonment for 7 years</p> <p>Imprisonment for life, or 10 years</p>	<p>Or fine, or both.</p> <p>Or fine, or both.</p> <p>And fine</p> <p>And fine</p> <p>And fine</p>

		rescued or attempted to be rescued is under death sentence;		
120.	225A	Omission to apprehend, or sufferance of escape, on party of public servant, in cases otherwise provided for: If done intentionally; If done negligently;	Imprisonment for 3 years SI for 2 years	Or fine, or both Or fine, or both
121.	225B	Resistance or obstruction to lawful apprehension, or escape or rescue in cases not otherwise provided for	Imprisonment for 6 months	Or fine, or both
122.	227	Violation of condition or remission of punishment: If he has suffered no part or any part of that punishment;	Punished with the punishment to which he was originally sentenced Punished with punishment he has not already suffered	—
123.	228	Intentional insult or intervention to public servant sitting in judicial proceeding	Imprisonment for 6 months	Or fine of Rs3000, or both
124.	229	Personation of a juror or assessor	Imprisonment for 2 years	Or fine, or both.
125.	231	Counterfeiting coin	Imprisonment for 7 years	And fine
126.	232	Counterfeiting Pakistan coin	Imprisonment for 10 years	And fine
127.	233	Making or selling instrument for	Imprisonment for 3 years	And fine

		counterfeiting coin		
128.	234	Making or selling instrument for counterfeiting Pakistan coin	Imprisonment for 7 years	And fine
129.	235	Possession of instrument or material for the purpose of using the same for counterfeiting coin: If Pakistan coin;	Imprisonment for 3 years Imprisonment for 10 years	And fine And fine
130.	236	Abetting in Pakistan for counterfeiting out of Pakistan	Punished as abetted I Pakistan	—
131.	237	Import or export of counterfeit coin	Imprisonment for 3 years	And fine
132.	238	Import or export of counterfeits of Pakistan Coin	Imprisonment for 10 years	And fine
133.	239	Delivery of coin, possessed with knowledge that it is counterfeit	Imprisonment for 5 years	And fine
134.	240	Delivery of Pakistan coin possessed with knowledge that it is counterfeit	Imprisonment for 10 years	And fine
135.	241	Delivery of coin as genuine, which when first possessed the deliverer did not know to be counterfeit	Imprisonment for 2 years	Or fine of 10times value of the coin counterfeited, or both.
136.	242	Possession of counterfeit coin by person who know it to be counterfeit when he become possessed thereof	Imprisonment for 3 years	And fine

137.	243	Possession of Pakistan coin by person who know it be counterfeit when he become possessed thereof	Imprisonment for 7 years	And fine
138.	244	Person employed in mint causing coin to be of different weight or composition from that fixed by law	Imprisonment for 7 years	And fine
139.	245	Unlawfully talking coin instrument from mint	Imprisonment for 7 years	And fine
140.	246	Fraudulently or dishonestly diminishing weight or altering composition of coin	Imprisonment for 3 years	And fine
141.	247	Fraudulently or dishonestly diminishing weight or altering composition of Pakistan coin	Imprisonment for 7 years	And fine
142.	248	Altering appearance of coin with intent that it shall pass as coin of different description	Imprisonment for 3 years	And fine
143.	249	Altering appearance of Pakistan coin with intent that it shall pass as coin of different description	Imprisonment for 7 years	And fine
144.	250	Delivery of coin possessed with	Imprisonment for 5 years	And fine

		knowledge that it is altered		
145.	251	Delivery of Pakistan coin possessed with knowledge that it is altered	Imprisonment for 10 years	And fine
146.	252	Possession of coin by person who knew it to be altered when he become possessed thereof	Imprisonment for 3 years	And fine
147.	253	Possession of Pakistan coin by person who knew it to be altered when he become possessed thereof	Imprisonment for 5 years	And fine
148.	254	Delivery of coins genuine which, when first possessed, the deliverer did not know to be altered	Imprisonment for 2 years	Or fine of 10time value of the coin for which the altered coin was passed, or both.
149.	255	Counterfeiting Government stamp	Imprisonment for 10 years	And fine
150.	256	Having possession of instrument or material for counterfeiting Government stamp	Imprisonment for 7 years	And fine
151.	257	Making or selling instrument for counterfeiting Government stamp	Imprisonment for 7 years	And fine
152.	258	Sale of counterfeit Government stamp	Imprisonment for 7 years	And fine

153.	259	Having possession of counterfeit Government stamp	Imprisonment for 7 years	And fine
154.	260	Using as genuine a Government stamp known to be counterfeit	Imprisonment for 7 years	With or without fine
155.	261	Effacing writing from substance bearing Government stamp, or removing from document stamp used for it, with intent to cause loss to Government	Imprisonment for 3 years	With or without fine
156.	262	Using Government stamp known to have been before used	Imprisonment for 2 years	With or without fine
157.	263	Erasure of mark denoting that has been used	Imprisonment for 3 years	With or without fine
158.	263A	Prohibition of fictitious stamp	No imprisonment	Fine of Rs600
159.	264	Fraudulent use of false instrument for weighing	Imprisonment for 1 year	With or without fine
160.	265	Fraudulent use of false weight or measure	Imprisonment for 1 year	With or without fine
161.	266	Being in possession of false weight or measure	Imprisonment for 1 year	With or without fine
162.	267	Making or selling false weight or measure	Imprisonment for 1 year	With or without fine.
163.	269	Negligent act likely to spread infection of	Imprisonment for 6 months	Or fine, or both

		disease dangerous to life		
164.	270	Malignant act likely to spread infection of disease dangerous to life	Imprisonment for 2 years	Or fine, or both
165.	271	Disobedience to quarantine rule	Imprisonment for 6 months	Or fine, or both
166.	272	Adulteration of food or drink intended for sale	Imprisonment for 6 months	Or fine of 3000Rs or both
167.	273	Sale of noxious food or drink	Imprisonment for 6 months	Or fine of 3000Rs or both
168.	274	Adulteration of drugs	Imprisonment for 6 months	Or fine of 3000Rs, or both
169.	275	Sale of adulteration	Imprisonment for 6 months	Or fine of 3000Rs, or both
170.	276	Sale of drug as different drug or preparation	Imprisonment for 6 months	Or fine of 3000Rs, or both
171.	277	Fouling water of public spring or reservoir	Imprisonment for 3 months	Or fine of 1500Rs or both
172.	278	Making atmosphere noxious to health	No imprisonment	Punishable with fine of 1500Rs
173.	279	Rash driving or riding on a public way	Imprisonment for 2 year	Or fine of 3000Rs or both
174.	280	Rash navigation of vessel	Imprisonment of 6 months	Or fine or 3000Rs or both
175.	281	Exhibition of false light, mark or buoy	Imprisonment of 7 years	Or with fine or both
176.	282	Conveying person by water for hire in unsafe or overload vessel	Imprisonment for 6 months	Or fine of 3000Rs, or both
177.	283	Danger or obstruction in public way or line of navigation	No imprisonment	Fine of Rs600

178.	284	Negligent conduct with respect to poisonous substance	Imprisonment for 6 months	Or fine of Rs3000, or both
179.	285	Negligent conduct with respect to fire or combustible	Imprisonment for 6 months	Or fine of 3000Rs or both
180.	286	Negligent conduct with respect to explosive substance	Imprisonment for 6 months	Or fine of 3000Rs, or both
181.	287	Negligent conduct with respect to machinery	Imprisonment for 6 months	Or fine of 3000Rs, or both
182.	288	Negligent conduct with respect to pulling down or repairing building	Imprisonment for 6 months	Or fine of 3000Rs, or both
183.	290	Punishment for public nuisance in cases not otherwise provided for	No imprisonment	Fine of 600Rs
184.	291	Continuance of nuisance after injunction to discontinue	SI for 6 months	Or fine, or both
185.	292	Sale, etc., of obscene books, etc.	Imprisonment for 3 months	Or fine, or both
186.	293	Sale. Etc., obscene objects to young person	Imprisonment for 3 months	Or fine, or fine
187.	294	Obscene acts and songs	Imprisonment for 3 months	Or fine, or both
188.	294A	Keeping lottery office	Imprisonment for 6 months	Or fine, or both
189.	294B	Offering of prize in connection with trade, etc.	Imprisonment for 6 months	Or fine, or both
190.	295	Injuring or defiling place of worship, with intent to insult	Imprisonment for 2 years	Or fine, or both

		the religion of any class		
191.	295A	Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs	Imprisonment for 10 years	Or fine, or both
192.	295B	Defiling, etc., of holy Quran	Imprisonment for life	
193.	295C	Use of derogatory remarks, etc., in respect of the Holy Prophet	Death, imprisonment for life	And fine
194.	296	Disturbing religious Assembly	Imprisonment for 1 year	Or fine, or both
195.	297	Trespassing on burial places, etc.	Imprisonment for 1 years	Or fine, or both
196.	298	Uttering words, etc., with deliberate intent to wound religious feeling	Imprisonment for 1 year	Or fine, or both
197.	298A	Use of derogatory remarks, etc. in respect of Holy personages	Imprisonment for 3 years	Or fine, or fine
198.	298B	Misuse of epithets, descriptions and titles, etc. reserved for certain holy personage or place: If recite Azaan;	Imprisonment for 3 years Imprisonment for 3 years	And fine And fine
199.	298C	Person of Quadiani group, etc., calling himself a Muslim or preaching or	Imprisonment for 3 years	And fine

		propagating his faith		
200.	302	Punishment of Qatal I amd	Death as Qisas, death or imprisonment for life, imprisonment for 25 years	
201.	303	Qatal I amd committed under ikrah I tam or: ikrah I naqis:	Imprisonment for 25 years, not less than 10 years, the person causing Ikrah I tam punished for the kind of qatal caused Imprisonment for 10 years	
202.	308	Punishment in qatal I amd not liable to qisas, etc.	Diyat, and imprisonment for 25 years, when there is no wali, imprisonment not less than 25 years. The court may also punish with imprisonment for not exceeding 25 years in addition to diyat	
203.	310	Compounding of qisas (sulh) in qatal I amd	Badal I sulah, the value of which is not less than diyat	
204.	310A	Punishment for giving a female in marriage or otherwise in Badal I sulh	RI for 10 years not less than 3years	
205.	311	Taizr after waiver or compounding of right of qisas in qatal I amd	Death, imprisonment for life or imprisonment for 14 years. When committed on the name of honor not less than 10 years	
206.	312	Qatal I amd after waiver or compounding of qisas	i) Qisas when right was waived or compounded against the convict or had knowledge of such waiver ii) Diyat when no knowledge of waiver or compounding	
207.	316	Punishment for qatal shibah I amd	Imprisonment for 25 years and diyat	_____
208.	319	Punishment for qatal I khata: In case of Rash and negligent act other than driving:	Diyat Imprisonment for 5 years	_____
209.	320	Punishment for qatal I khata by	Diyat and Imprisonment for 10 years	_____

		rash or negligent driving		
210.	322	Punishment for qatal bis sabab	Diyat	_____
211.	324	Attempt to commit qatal I amd If hurt is caused:	Imprisonment for 10 years not less than 5 years Punished for that hurt	And fine
212.	325	Attempt to commit suicide	Imprisonment for 1 year	Or fine, or both
213.	327	Punishment for thug	Imprisonment for life	And fine
214.	328	Exposure and abandonment of child under 12 years by parent or person having care of it	Imprisonment for 7 years,	Or fine or both
215.	329	Concealment of birth by secret disposal of dead body	Imprisonment for 2 years	Or fine or both
216.	334	Punishment for itlaf I udw	Qisas, when not executable, with arsh and imprisonment for 10 years	_____
217.	336	Punishment for italf I salahiyat I udw	Qisas, when not executable, with arsh and imprisonment for 10 years	_____
218.	337A	Punishment of shajjah	<ul style="list-style-type: none"> i) Daman and imprisonment for 2 years ii) Qisas when not executable arsh which shall be the 5% of diyat and imprisonment for 5 years iii) Arsh, 10% of diyat and imprisonment for 10 years iv) Arsh 15% of diyat and imprisonment for 10 years v) Arsh 1/3 of diyat, imprisonment for 10 years vi) Arsh one half % of diyat and imprisonment for 14 years 	_____
219.	337D	Punishment for jaifah	Arsh 1/3 % of diyat imprisonment of 10 years	_____
220.	337F	Punishment for Ghayr jaifah	<ul style="list-style-type: none"> i) Daman, imprisonment for 1 year ii) Daman imprisonment for 3 year 	

			<ul style="list-style-type: none"> iii) Daman imprisonment for 3 year iv) Daman imprisonment for 5 year v) Daman imprisonment for 5 year vi) Daman imprisonment for 7 year 	
221.	337G	Punishment for hurt by rash or negligent driving	Arsh or daman specified for the kind of hurt and imprisonment for 5 years	
222.	337H	Punishment for hurt by rash or negligent act	<ul style="list-style-type: none"> I) Arsh or daman specified for the kind of hurt and imprisonment for 5 years II) Imprisonment for 3 months 	Or fine, or both
223.	337I	Punishment for causing hurt by mistake (khata)	Arsh or daman specified for that hurt	
224.	337J	Causing hurt by means of a poison	Arsh or daman specified for that hurt, imprisonment for 10 years	
225.	337K	Causing hurt to extort confession, or to compel restoration of property	Qisas, arsh or daman, imprisonment for 10 years	
226.	337L	Punishment for other hurt		
227.	337M	Hurt not liable to qisas		
228.	338A	Punishment for isqaat I haml With the consent of mother: Without the consent of mother:	Imprisonment for 3 years Imprisonment for 10 year If any hurt is caused or woman dies, punished for that hurt and death	
229.	338C	Punishment for isqaat I janin	1/20 of diyat if child is born dead, full diyat If the child was born alive but dies due to some act of offender. Imprisonment for 7 years. Separate diyat for each child. If hurt or death is caused for that respective act	
230.	341	Punishment for wrongfull restraint	Imprisonment for 1 month	Or fine of 1500Rs or both

231.	342	Punishment for wrongful confinement	Imprisonment for 1 year	Or fine of 3000Rs or both
232.	343	Wrongful confinement for three or more days	Imprisonment 2 years	Or fine or both
233.	344	Wrongful confinement for ten or more days	Imprisonment for 3 years	And fine
234.	345	Wrongful confinement of person for whose liberation writ has been issued	Imprisonment for 2 years. And any other term imprisonment for which he may be liable	
235.	346	Wrongful confinement in secret	Imprisonment for 2 years. And any other term imprisonment for which he may be liable	
236.	347	Wrongful confinement to extort property or constraint to illegal act	Imprisonment for 3 years	And fine
237.	348	Wrongful confinement to extort confession or compel restoration of property	Imprisonment for 3 years	And fine
238.	352	Punishment for assault or criminal force otherwise than on grave provocation	Imprisonment for 3 months	Or fine of 1500Rs or both
239.	353	Assault or criminal force to deter the public servant from discharge of his duty	Imprisonment 2 years	Or fine or both
240.	354	Assault or criminal force to woman with intent to outrage her modesty	Imprisonment for 2 years	Or fine or both
241.	354A	Assault or use of criminal force to woman and	Imprisonment for life	And fine

		stripping her of her cloths		
242.	355	Assault or criminal force with intent to dishonor person, otherwise than on grave provocation	Imprisonment for 2 years	Or fine or both
243.	356	Assault or criminal force in attempt to commit theft of property carried by a person	Imprisonment for 2 years	Or fine, or both
244.	357	Assault or criminal force in attempting wrongfully to confine person	Imprisonment for 1 year	Or fine or 3000Rs, or both
245.	358	Assault or criminal force on grave provocation	Imprisonment for 1 month	Or fine or 600Rs, or both
246.	363	Punishment for kidnapping	Imprisonment for 7 years	And fine
247.	364	Kidnapping or abduction in order to murder	Imprisonment for life, or RI for 14 years	And fine
248.	364A	Kidnapping or abducting a person under the age of 14	Death, imprisonment for life, RI extends to 14 years and not less than 7 years	_____
249.	365	Kidnapping or abducting with intent secretly and wrongfully to confine a person	Imprisonment for 7 years	And fine
250.	365A	Kidnapping or abducting for extorting property, valuable security, etc.	Death, imprisonment for life, and forfeiture of property	_____
251.	365B	Kidnapping, abducting or inducing woman to compel for marriage	Imprisonment for life	And fine

252.	366A	Procuration of minor girl	Imprisonment for 10 years	And fine
253.	366B	Importation of girl from foreign country	Imprisonment for 10 years	And fine
254.	367	Kidnapping or abducting in order to subject person to grievous hurt or slavery, etc.	Imprisonment for 10 years	And fine
255.	367A	Kidnapping or abducting in order to subject person to unnatural lust	Death, imprisonment for life, RI for 10 years	And fine
256.	368	Wrongfully concealing or keeping in confinement kidnapped or abducted person	Punished as kidnapping or abduction of any person	_____
257.	369	Kidnapping or abducting child under 10 years with intent to steal from its person	Imprisonment for 7 years	And fine
258.	370	Buying or disposing of any person as slave	Imprisonment for 7 years	And fine
259.	371	Habitual dealing in slave	Imprisonment for 10 years	And fine
260.	371A	Selling person for purpose of prostitution etc.	Imprisonment for 25 years	And fine
261.	371B	Buying person for purpose of prostitution etc.	Imprisonment for 25 years	And fine
262.	374	Unlawful compulsory labor	i) Imprisonment for 5 years ii) Imprisonment for 1 month	Or fine, or both _____
263.	376	Punishment for rape Gang rape with common intension:	Death, imprisonment for not less than 10 years and more than 25 years Death or imprisonment for life	And fine

264.	377	Unnatural offence	Imprisonment for not less than 2 years and more than 10 years	And fine
265.	379	Punishment for theft	Imprisonment for 3 years,	Or fine, or both
266.	380	Theft in dwelling house, etc.	Imprisonment for 7 years	And fine
267.	381	Theft by clerk or servant or property in possession of master	Imprisonment for 7 years	And fine
268.	381A	Theft of a car or other motor vehicles	Imprisonment for 7 years	And fine, not exceeding the value of the stolen car or motor vehicle
269.	382	Theft after preparation made for causing death, hurt or restraint in order to the committing of the theft	RI for 10 years	And fine
270.	384	Punishment for extortion	Imprisonment for 3 years	Or fine, or both
271.	385	Putting person in fear of injury in order to commit extortion	Imprisonment for 2 years	Or fine, or both
272.	386	Extortion by putting a person in fear of death or grievous hurt	Imprisonment for 10 years	And fine
273.	387	Putting person in fear of death or of grievous hurt, in order to commit extortion	Imprisonment for 7 years	And fine
274.	388	Extortion by threat of accusation of an offence punishable with death or imprisonment for life, etc.	Imprisonment for 10 years, and if the offence is punishable under section 377 may be punished with imprisonment for life	And fine

275.	389	Putting person in fear of an accusation of offence, in order to commit extortion	Imprisonment for 10 years, and if the offence is punishable under section 377 may be punished with imprisonment for life	And fine
276.	392	Punishment for robbery: If committed on highway:	RI for not less than 3 years and more than 10 years Imprisonment for 14 years	And fine _____
277.	393	Attempt to commit robbery	RI for 7 years	And fine
278.	394	Voluntarily causing hurt in committing robbery	Imprisonment for life, RI not less than 4 years and more than 10 years	And fine
279.	395	Punishment of dacoity	Imprisonment for life, RI for not less than 4 years and more than 10 years	And fine
280.	396	Dacoity with murder	Death, imprisonment for life, RI for not less than 4 years and more than 10 years	And fine
281.	397	Robbery or dacoity, with intent to cause death or grievous hurt	Imprisonment for 7 years	_____
282.	398	Attempt to commit robbery or dacoity when armed with deadly weapon	Imprisonment for 7 years	
283.	399	Making preparing to commit dacoity	Imprisonment for 1 years	And fine
284.	400	Punishment for belonging to gang of decoits	Imprisonment for life, or RI for 10 years	And fine
285.	401	Punishment for belonging to gang of thieves	Imprisonment for 7 years	And fine
286.	402	Assembling for purpose of committing dacoity	Imprisonment for 7 years	And fine
287.	402B	Punishment for hijacking	Death, imprisonment for life and forfeiture of property	And fine
288.	402C	Punishment for harboring hijacking, etc.	Death, imprisonment for life	And fine

289.	403	Dishonest misappropriation of property	Imprisonment for 2 years	Or fine, or both
290.	404	Dishonest misappropriation of property possessed by deceased person at the time of his death: If the offender was employed by the deceased person as a clerk or servant:	Imprisonment for 3 years Imprisonment for 7 years	And fine
291.	406	Punishment for criminal breach of trust	Imprisonment for 7 years	Or fine, or both
292.	407	Criminal breach of trust by carrier, etc.	Imprisonment for 7 years	And fine
293.	408	Criminal breach of trust by clerk or servant	Imprisonment for 7 years	And fine
294.	409	Criminal breach of trust by public servant, or by banker, merchant or agent	Imprisonment for life, or 10 years	And fine
295.	411	Dishonestly receiving stolen property	Imprisonment for 3 years	Or fine, or both
296.	412	Dishonestly receiving stolen property in a commission of a dacoity	Imprisonment for life, RI for 10 years	And fine
297.	413	Habitually dealing in a stolen property	Imprisonment for life or 10 years	And fine
298.	414	Assisting in concealment of stolen property	Imprisonment for 3 years	Or fine, or both
299.	417	Punishment for cheating	Imprisonment for 1 year	Or fine, or both
300.	418	Cheating with knowledge that wrongful loss	Imprisonment for 3 years	Or fine, or both

		may ensue to person whose interest is bound to protect		
301.	419	Punishment for cheating by personation	Imprisonment for 7 years	Or fine, or both
302.	420	Cheating and dishonestly inducing delivery of property	Imprisonment for 7 years	And fine
303.	421	Dishonest or fraudulent removal or concealment of property to prevent distribution among creditors	Imprisonment for 2 years	Or fine, or both
304.	422	Dishonestly or fraudulently preventing debt being available for creditors	Imprisonment for 2 years	Or fine, or both
305.	423	Dishonest or fraudulent execution of deed of transfer containing false Statement of consideration	Imprisonment for 2 years	Or fine, or both
306.	424	Dishonest or fraudulent removal or concealment of property	Imprisonment for 2 years	Or fine or both
307.	426	Punishment for mischief	Imprisonment for 3 months	Or fine, or both
308.	427	Mischief causing damage to the amount of 50 Rs	Imprisonment for 7 years	Or fine, or both
309.	428	Mischief by killing or maiming animal of the value of 10Rs	Imprisonment for 7 years	Or fine, or both
310.	429	Mischief by killing or	Imprisonment for 5 years	Or fine, or both

		maiming cattle, etc., of any value or any animal of the value of 50 Rs		
311.	430	MisChief by injury to work of irrigation or by wrongfully diverting water	Imprisonment for 5 years	Or fine, or both
312.	431	MisChief by injury to public road, bridge, river or channel	Imprisonment for 5 years	Or fine, or both
313.	432	MisChief by causing inundation to public drainage attended with damage	Imprisonment for 5 years	Or fine, or both
314.	433	MisChief by destroying, moving or rendering less useful a light house or sea mark	Imprisonment for 7 years	Or fine, or both
315.	434	MisChief by destroying or moving, etc., a landmark fixed by public authority	Imprisonment for 1 year	Or fine, or both
316.	435	MisChief by fire or explosive substance with intent to cause damage to amount of 100Rs or (in case of agricultural produce) 10Rs	Imprisonment not less than 2 years and more than 7 years	And fine
317.	436	MisChief by fire or explosive substance with intent to destroy house, etc.	Imprisonment not less than 3 years and more than 10years	And fine
318.	437	MisChief with intent to destroy	Imprisonment for 10 years	And fine

		or make unsafe a decked vessel or one of 20 tons burden		
319.	438	Punishment for the mischief described in section 437 committed by fire or explosive substance	Imprisonment for 10 years	And fine
320.	439	Punishment for intentionally running vessel aground or ashore with intent to commit theft, etc.	Imprisonment for 10 years	And fine
321.	440	Mischief committed after preparation made for causing death or hurt	Imprisonment for 5 years	And fine
322.	447	Punishment for criminal trespass	Imprisonment for 3 months	Or fine of 1500Rs, or both
323.	448	Punishment for house trespass	Imprisonment for 1 year	Or fine of 3000Rs, or both
324.	449	House trespass in order to commit offence punishable with death	RI for 10 years	And fine
325.	450	House trespass in order to commit offence punishable with imprisonment of life	Imprisonment for 10 years	And fine
326.	451	House trespass in order to commit offence punishable with imprisonment: With intent to theft:	Imprisonment for 2 years Imprisonment for 7 years	And fine _____

327.	452	House trespass after preparation for hurt, assault or wrongful restraint	Imprisonment for 7 years	And fine
328.	453	Punishment for lurking, house trespass or house breaking	Imprisonment for 2 years	And fine
329.	454	Lurking house trespass or house breaking in order to commit offence punishable with imprisonment When with intent to theft:	Imprisonment for 3 years Imprisonment for 10 years	And fine _____
330.	455	Lurking house trespass or house breaking after preparation hurt, assault or wrongful restraint	Imprisonment for 10 years	And fine
331.	456	Punishment for lurking house trespass or house breaking by night	Imprisonment for 3 years	And fine
332.	457	Lurking house trespass or house breaking by night in order to commit offence punishable with imprisonment: When with intent to theft:	Imprisonment for 5 years Imprisonment for 14 years	And fine
333.	458	Lurking house trespass or house breaking by night after preparation for hurt, assault or wrongful restraint	Imprisonment for 14 years	And fine

334.	459	Hurt caused whilst committing lurking house trespass or house breaking	Imprisonment for life, or 10 years, also liable for the punishment of qatal or causing hurt or attempt of qatal	_____
335.	460	Persons jointly concerned in lurking house trespass or house breaking by night punishable for qatal or hurt caused by one of them	Imprisonment for life, or 10 years, also liable for the punishment of qatal or causing hurt or attempt of qatal	_____
336.	461	Dishonestly breaking one receptacle containing property	Imprisonment for 2 years	Or fine, or both
337.	462	Punishment for same offence when committed by person entrusted with custody	Imprisonment for 3 years	Or fine, or both
338.	465	Punishment for forgery	Imprisonment for 2 years	Or fine, or both
339.	466	Forgery or record of court or of public register, etc.	Imprisonment for 7 years	And fine
340.	467	Forgery of valuable security, etc.	Imprisonment for 10 years	And fine
341.	468	Forgery for purpose of cheating	Imprisonment for 7 years	And fine
342.	469	Forgery for purpose of harming reputation	Imprisonment for 3 years	And fine
343.	471	Using as genuine a forged document	Same manner as forged document	
344.	472	Making of possessing counterfeit seal, etc. with intent to commit	Imprisonment for 7 years	And fine

		forgery punishable under section 467		
345.	473	Making of counterfeit seal, etc., with intent to commit forgery punishable otherwise	Imprisonment for 7 years	And fine
346.	474	Having possession of document described in section 466 or 467 knowing it to be forged and intending to use it as genuine	Imprisonment for life, or 7 years	And fine
347.	475	Counterfeiting device or mark used for authenticating documents described in section 467, or possessing counterfeit marked material	imprisonment for life, or 7 years	And fine
348.	476	Counterfeiting device or mark used for authenticating documents other than those described in section 467, or possessing counterfeit marked material	Imprisonment for 7 years	And fine
349.	477	Fraudulent cancelation, destruction, etc. of will, authority to adopt or valuable security	Imprisonment for life, or 7 years	And fine
350.	477A	Falsification of accounts	Imprisonment for 7 years	Or fine, or both

351.	482	Punishment for using a false trademark or property mark	Imprisonment for 1 year	Or fine or both
352.	483	Counterfeiting a property mark or trademark used by another	Imprisonment for 2 years	Or fine, or both
353.	484	Counterfeiting a mark used by a public servant	Imprisonment for 3 years	And fine
354.	485	Making or possession or any instrument for counterfeiting a trademark or property mark	Imprisonment for 3 years	Or fine, or both
355.	486	Selling goods marked with a counterfeit trademark or property mark	Imprisonment for 1 year	Or fine, or both
356.	487	Making a false mark upon any receptacle containing goods	Imprisonment for 3 years	Or fine, or both
357.	488	Punishment for making use of any such false mark		
358.	489	Tempering with property mark with intent to cause injury	Imprisonment for 1 year	Or fine, or both
359.	489A	Counterfeiting currency notes or bank notes	Imprisonment for 10 years	And fine
360.	489B	Using as genuine, forged or counterfeit currency notes or bank notes	Imprisonment for 10 years	And fine
361.	489C	Possession of forged or counterfeit currency notes or bank notes	Imprisonment for 7 years	Or fine, or both
362.	489D	Making or possessing	Imprisonment for 10 years	And fine

		instrument or material for forging or counterfeiting currency notes or bank notes		
363.	489E	Making or using documents resembling currency notes or bank notes	Imprisonment for 1 year	Or fine, or both
364.	489F	Dishonestly issuing a cheque	Imprisonment for 3 years	Or fine, or both
365.	491	Breach of contract to attend on any supply wants of helpless person	Imprisonment for 3 months	Or fine of 600Rs, or both
366.	494	Marrying again during lifetime of husband or wife	Imprisonment for 7 years	And fine
367.	495	Same offence with concealment of former marriage from person with whom subsequent marriage is contracted	Imprisonment for 10 years	And fine
368.	496	Marriage ceremony fraudulently gone through without lawful marriage	Imprisonment for 10 years	And fine
369.	496A	Enticing or taking away or detaining with criminal intent a woman	Imprisonment for 10 years	And fine
370.	496B	Fornication	Imprisonment for 5 years	And fine of 10,000Rs
371.	496C	Punishment for false accusation of fornication		
372.	500	Punishment for defamation	SI for 2 years Imprisonment for 5 years	Or fine or both

		If published:		And fine of 1,000RS
373.	501	Printing or engraving matter known to be defamatory	Imprisonment for 2 years	Or fine, or both
374.	502	Sale of printed or engraved substance containing defamatory matter	Imprisonment for 2 years	Or fine, or both
375.	504	Intentional insult with intent to provoke breach of the peace	Imprisonment for 2 years	Or fine, or both
376.	505	Statements conducting to public mischief	i) Imprisonment for 7 years ii) Imprisonment for 7 years	And fine And fine
377.	506	Punishment for criminal intimidation: If threat to be cause death or grievous hurt, etc.:	Imprisonment for 2 years Imprisonment for 7 years	Or fine, or both Or fine, or both
378.	507	Criminal intimidation by an anonymous communication	Imprisonment for 2 years, in addition to that punishment for the offence by the last proceeding section	
379.	508	Acts caused by inducing person to believe that he will be rendered an object to divine displeasure	Imprisonment for 1 year	Or fine, or both
380.	509	Insulting modesty or sexual harassment	Imprisonment for 3 years	And fine of 5 hundred thousand Rs
381.	510	Misconduct in public by a drunken person	SI for 24 hours	Or fine of 30Rs, or both

CODE OF CRIMINAL PROCEDURE 1898

1. Code of Criminal Procedure was enacted on 22nd March 1898.
2. Code of Criminal Procedure was enforced on 1st July 1898.
3. Code of Criminal Procedure contains 565 sections and 5 Schedules.
4. Code of Criminal Procedure is a procedural law.
5. Session Court has power to award death punishment or imprisonment for life.
6. Assistant Session Judge has power to award death punishment or imprisonment for life.
7. Additional Session Judge has power to award imprisonment up to 7 years.
8. Magistrate 1st Class has power to award imprisonment up to 3 years.
9. Magistrate 2nd Class has power to award imprisonment up to 1 year.
10. Magistrate 3rd Class has power to award imprisonment up to 1 month.
11. Criminal Procedure code gives us the procedure for hearing and punishing or acquitting an accused.
12. Criminal procedure code is a procedural and substantive law.
13. FIR stands for first information report.
14. Cognizable cases mean, cases in which the police officer, in charge of a police station, shall investigate without the order of the Magistrate.
15. Non-Cognizable cases means, cases in which the police officer, in charge of a police station can't investigate without the order of the Magistrate.
16. A cognizable offence means an offence in which a police officer may in accordance with the second Schedule of the crpc, or under any special law for the time being enforce, arrest the person accused of such offence without warrant.

17. Non-cognizable offence means an offence in which the police officer may not arrest a person without warrant.
18. FIR is not substantive evidence and can be used only for limited purposes like corroborating or contradicting the maker thereof.
19. The object of FIR is to obtain the earliest information of the alleged criminal activity, before there is time for them to be forgotten or embellished, and the report can be put in evidence when the informant is examined.
20. An accused person has been described as Child of Law.
21. Trial is a judicial proceeding which ends in conviction/acquittal.
22. The form of FIR contains 6 columns.
23. A Police officer is bound to bring a person arrested by him before the court within 24 hours.
24. Charge means the precise formulation of specific accusation made against a person; it shall give the accused full notice of offence charged against him.
25. Offence has been defined in CRPC as any act or omission made punishable by any law for the time being enforce,
26. Both, Inculpatory and Exculpatory confessions can be seen when the offence has been committed by more than one accused. Expert means a person who is skilled by special study or experience and has adequate knowledge of the subject.
27. Evidence of third person is evidence and demands of law are that any person must depose to facts within his own knowledge.
28. Whether the death of "A" was caused by poison, the opinion of expert as to the symptoms produced by the poison by which "A" is supposed to have died, are relevant.

29. It is the duty of court to decide whether the skills of any person in the matter on which evidence of his opinion is required is enough to entitle him to be considered as an Expert Opinion.
30. Confession is an admission made at any time during investigation by a person charged with an offence.
31. Confession suggests an inference that the person (who made confession) has committed the offence.
32. A declaration is not a Confession if it is not made with an animus-confitendi, that is with an intention to confess, or if it does not amount to an admission of facts from which guilt is directly deducible.
33. A confession may be recorded by a Magistrate of first or second class, specially empowered in this behalf by the Provincial Government.
34. Confessions are of two types, Exculpatory and Inculpatory.
35. Exculpatory confession is one in which the accused excludes himself and merely proves his innocence.
36. In Inculpatory confessions, accused includes himself in the commission of offence.
37. When confession is made confrontable, then the Statement shall be signed by the accused and by the Magistrate. Confession can be recorded in the course of investigation or inquiry or at any time afterwards, before the commencement of trial.
38. Before recording a confession, the Magistrate explains to the person that he is not bound to make it, and if he makes it, it can be used in evidence against him.
39. The Magistrate should not record the confession unless upon questioning the person making it, he has reason to believe that it is voluntarily made.
40. There are two kinds of Confessions, Judicial confession and Extra-Judicial confession.

41. Confession shall be recorded in the form of questions and answers, put to a person who make it.
42. confession must be in the language in which he is examined, or if it is not practicable, then in the language of court or English.
43. After making confession, the record of that must be shown or read over to the person making the confession and if necessary, it shall be interpreted to him in the language, which he understands.
44. The Magistrate shall make a memorandum at the foot of such record of confession to the effect as provided in section 164 of criminal procedure code.
45. Judicial confessions are those which are made before a Magistrate in the due course of legal proceedings.
46. Extra-Judicial confessions are those which are neither made to a Magistrate nor in the due course of legal proceedings.
47. Grant of bail in bailable offences is discussed under section 496.
48. Grant of bail in non-bailable offences is discussed under section 497.
49. bail shall not be granted in cases punishable with death, imprisonment for life or for 10 years. But exception for bail in non-bailable offences are, where the person accused is under the age of 16 years, any woman, any sick person, any infirm person.
50. Section 403 Cr.P.C is based on the ancient maxim NEMO DEBETS BIS UEXARI PROEADEM “No person should be disturbed for the same cause”.
51. Section 403 Cr.P.C contemplates a situation where a person has once been tried by a court of competent jurisdiction and acquitted or convicted by such. Cannot be tried again for the same offence nor for any other offence based on similar facts.
52. Section 491 of CrPC is related to Habeas Corpus.

53. “Proceedings by way of habeas Corpus are proceedings, calling upon a person having custody of another person to produce him and demonstrate, under what authority he holds him in custody.”
54. High Court u/sec 491 CrPC exercise two-fold jurisdiction; to direct production of a person, who is illegally detained, so that to set him at liberty or to direct production of a person so that he could be dealt in accordance with law.
55. Pre-Arrest Bail is defined under section 498 CrPC. Appeals in High Court is made under Section 410 of Cr.P.C.
56. Appeals against acquittal in High Court is made under Section 411-A(2) of Cr.P.C.
57. High Court has power to issue directions of the nature of habeas corpus under Section 491 of Cr.P.C.
58. High Court has power of revision under Section 439 Cr.P.C.
59. Appeals in Session Court is made under Section 408 of Cr.P.C.
60. Session Court has power of revision under Section 439-A of Cr.P.C.
61. Session Court has power to issue directions of the nature of habeas corpus under Section 491 of Cr.P.C.
62. Session Court has power to decides pre-arrest bail applications under Section 498 of the Cr. PC.
63. Magistrate 1st Class has power to try offences punishable up to 3 years imprisonment and forty-five thousand rupees fine.
64. Magistrate 2nd Class has power to try offences punishable up to 1 year.
65. Post Arrest Bail is filed under section 497 of CRPC.
66. Pre Arrest Bail is filed under section 498 of CRPC.
67. Post Arrest Bail is filed in the court of Illaqa Magistrate.
68. Pre Arrest Bail is filed in the court of Session Judge.

69. In bailable offenses bail is the right of accused.
70. In non-bailable offenses bail is on the discretion of judge.
71. A Magistrate can acquit the accused at any time of the trial under section 249-A of CRPC.
72. A session judge can acquit the accused at any time under section 265-K of CRPC.
73. A High Court Judge can acquit the accused under section 561-A of CRPC.
74. Schedule at the end of CRPC book is always helpful in determining the nature of offenses.
75. Offenses are compoundable/non-compoundable, bailable/non-bailable and cognizable/non-cognizable.
76. An exception to bail is section 169 of CRPC in which the investigation officer has powers to grant bail.
77. When an accused is in Police Remand then he/she cannot be released on bail.
78. For post arrest bail the accused should be in Judicial Remand.
79. Accused can be discharged by Magistrate at any stage of trial.
80. Supply of documents provisions in Magistrate trial 241-c & 265-c is Sessions Trial and it is mandatory.
81. A charge is the precise formulation of specific accusation made against the person.
82. The separate charge for distinct offences is mentioned section 233
83. Final report or Challan is submitted under section 173 Cr. P C
84. Under Section 249-A A Magistrate has a power to acquit an accused at any stage during the pendency of the trail.
85. Bailable offences means those offences shown as bailable in the second Schedule of Criminal Procedure Code or those offences, which are made bailable by any other law for the time being in force.

86. Non-bailable offences are other than the offences shown or linked as bailable offences. However, non-bailable offences are also shown in the second Schedule of the Code with provision as to quantum of punishment.
87. Cognizable offences in either a cognizable offence or in cognizable case, a police officer, may, in accordance with the provisions of second Schedule or under any law, for the time being force, arrest without warrant.
88. Non-cognizable offences in both of the cognizable offence and cognizable case, the police officer may not arrest without warrant.
89. Charge is the process of charge is commenced after taking cognizable of the crime by the Court of Magistrate or Sessions Judge.
90. Charge includes any Head of charge when the charge contains more Head than one.
91. An object of framing of the charge is to afford the accused an opportunity to know the purport of his cases, which is to be faced by him.
92. Complaint means the allegations made orally or in writing to a Magistrate, with a view to this taking action under the Code of Criminal Procedure that some person, whether known or unknown, has committed an offence, but it does not include the report of a police officer.
93. Inquiry includes every inquiry other than a trial conducted under the Code of Criminal Procedure by a Magistrate or Court.
94. Investigation includes all the proceedings under this Code for collection of evidence conducted by a police officer or by any person (other than a Magistrate) who is authorized by a Magistrate in this behalf.
95. Offence means any act or omission made punishable by any law for the time being in force; it also includes any act in respect of which a complaint may be made under section 20 of the Cattle Trespass Act, 1871.

96. Public Prosecutor means any person appointed under section 492 of the Code; and includes any person acting under the directions of a Public Prosecutor and any person conducting a prosecution on behalf of the State in any High Court in the exercise of its original criminal jurisdiction.
97. Besides High Courts, there shall be two classes of Criminal Courts in Pakistan which are Courts of Sessions and Courts of Magistrate.
98. Under Section 51 of the Criminal Procedure Code, the search of the arrested person can be conducted by the police officer.
99. According to section 52 when it is found necessary to cause a woman to be searched, the search shall be caused with another woman with strict regard to decency.
100. Under Section 54 of CrPC police may arrest person without warrant.
101. Bail before arrest bond is accompanied by an affidavit.
102. In criminal cases accused person appears on left side of Judge.
103. Public servant can be called as witness through process of court.
104. Bail before arrest is filed in the office of C.O.C.
105. In criminal cases complainant appears on right side of the Judge.
106. Section 103 CrPC is not applicable in Narcotics cases.
107. Section-6 provides 7 classes of Executive Magistrate.
108. Section 54 deals with arrest without warrant.
109. Trial before Court of Session initiated upon a police report, the Prosecution shall be conducted by Public Prosecutor.
110. Statement recorded under section 342 shall not be administered on oath.
111. Death sentence passed by Sessions Judge needs confirmation by High Court.
112. When any person pleaded guilty and convicted by court, then on such plea there shall be no appeal lies.

113. Under Section 161 police records Statement of witness or accused.
114. For declaring any person proclaimed under section 87 CrPC, the period required to appear at a specific place and time should not be less than 30 days.
115. Section 154 CrPC about FIR.
116. FIR contains 6 columns.
117. In case of non-completion of investigation within 14 days of the date of recording of FIR, the officer in charge of Police Station shall within 3 days shall forward interim report.
118. Under section 2449-A CrPC the Magistrate has power to acquit the accused at any stage after hearing both Prosecution and Defence.
119. In all cases instituted upon Police report copies of certain document should be supplied to the accused not later than seven days before commencement of trial.
120. A person aggrieved by order of acquittal passed by any court other than High Court may file an appeal against said order within 30 days.
121. Under 1st Proviso of Section 497 CrPC the Court may grant bail to any person under age of 16 years.
122. High Court may transfer any criminal case under Section 526 CrPC.
123. Irregularities which do not vitiate trial have been mentioned under Section 537 CrPC.
124. Complaint means the allegations made to Magistrate under Section 190 CrPC.
125. Inquiry is conducted by Magistrate or Court.
126. Investigation is done by Police Officers or Private persons authorized by Court.
127. Section 133 CrPC deals with conditional order for removal of nuisance.
128. Section 169 CrPC deals with police officer may release accused, when evidence is deficient against him.
129. A challan under Section 173 CrPC forwarded to Magistrate through Public Prosecutor.

130. Under Section 366 CrPC modes of judgment are explained.
131. When Court of Session passes sentence of death, the time period for appeal is 7 days.
132. Section 403 CrPC defines that a person once convicted or acquitted can not be tried again for same offence.
133. Section 439 CrPC is about revision lies to High Court.
134. Section 439-A CrPC is about power of Session Judge relating to revision.
135. Accused is not a competent witness.
136. Statement of accused under Section 342 shall be signed by accused and Magistrate.
137. Accused possess power to explain his Statement.
138. Grounds for bail under section 497 are women, child under 16 years age, infirm or sick.
139. Dacoity is non bailable and non-compoundable offence.
140. Robbery is non-bailable.
141. Extortion is bailable.
142. In theft case Police Officer may arrest without warrant.
143. Justice of Peace are appointed under Section 22 CrPC.
144. Rape case is tried by Session Court.
145. Section 509 CrPC defines that deposition of medical witness and power to summon medical witness.
146. Section 512 CrPC deals with power of Police Officer to prevent injury to public property.
147. Section 337, 338, 339 CrPC deals with tender to pardon.
148. Bailable offences means offences shown as bailable in 2nd Schedule.
149. Section 4 CrPC is about definitions.
150. Section 55 CrPC deals with arrest of vagabonds.

151. Additional powers of Magistrate are given under 4th Schedule of CrPC.
152. Ordinary powers of Magistrate are given under 3rd Schedule of CrPC.
153. Section 104 CrPC is about power to impound documents.
154. Section 100 CrPC is about search for person wrongfully confined which is conducted by Magistrate 1st Class.
155. Section 87 CrPC is about proclamation for person absconding.
156. Schedule II, Column I CrPC deals with Sections.
157. Schedule II, Column II CrPC deals with Offences.
158. Schedule II, Column V CrPC deals with bailable and non-bailable offences.
159. Schedule II, Column VI CrPC deals with compoundable and non-compoundable offences.
160. Schedule II, Column VIII CrPC deals with names of trial courts.
161. Section 122 CrPC deals with power of Magistrate to reject sureties.
162. Section 155 CrPC deals with Non-Cognizable offences.
163. Bail is not granted to a person against whom security proceedings are taken against under section 117 (3) CrPC.
164. Provincial Government has power to commute punishment under Section 401 (6) CrPC.
165. Section 403 CrPC deals with double jeopardy.
166. Section 145 CrPC deals with powers of Magistrate to control dispute over possession of an immovable property.
167. Security for keeping peace on conviction is under section 106 CrPC.
168. Procedure for forfeiture of bond is under section 514 CrPC.
169. Section 512 CrPC deals with record of evidence in absence of accused when he is unknown or abscond.

170. Under Section 87 CrPC accused declared as absconder.
171. Under Section 539 (b) CrPC, Judge or Magistrate may visit and inspect any place in which an offence is alleged to have been committed.
172. Section 540 CrPC deals with power to summon material witness or examine person present.
173. Where attendance of accused is dispensed with under section 540 (A) CrPC the charge could be framed in his absence.
174. Power of Magistrate to sentence to imprisonment in default of fine is contained in section 33 CrPC.
175. Section 54, 55, 109 CrPC are for offenders and looffers.
176. Under Section 492 CrPC Public Prosecutor is appointed.
177. Under Section 427 CrPC arrest of accused in appeals from acquittal pending before High Court.
178. Section 470 CrPC deals with Judgement of acquittal on grounds of lunacy.
179. Section 502 CrPC deals with discharge of sureties.
180. Section 505 CrPC deals with parties may examine witnesses in any proceedings.
181. Section 513 CrPC deals with deposit of money instead of surety.
182. Section 172 CrPC deals with diary of investigation by Police.
183. Section 122 CrPC deals with power of Magistrate to reject sureties.
184. Section 239 CrPC deals with the persons may be charged jointly.
185. Section 344 CrPC deals with power to postpone or adjourn the proceeding of court.
186. Section 345 CrPC defines table of compoundable offences.
187. Section 354 CrPC defines manner of recording evidence.
188. Section 368 CrPC deals with mode of sentence of death.
189. Section 371 CrPC defines that copy of Judgment shall be given to accused free of cost.

190. Statement recorded u/s 161 does not require to sign by the maker of the Statement.
191. Statements recorded u/s 161 are not substantive piece of evidence.
192. There are two types of confession, judicial confession and extra judicial confessions.
193. Judicial confession is recorded in compliance with provisions of Section 164 and 364, Code of Criminal Procedure.
194. Police cannot keep accused with him beyond twenty-four hours under section 61 CrPC.
195. Section 59 of Code of Criminal Procedure gives powers to private person to arrest any person against whom they have suspect that he has committed offence, which comes under non-bail-able offences, and is cognizable.
196. If the retention of accused is required for more than twenty-four hours, only Magistrate is authorized person to allow such extension under section 167 CrPC.
197. Court under section 204 of Code of Criminal Procedure can issue process to the accused, on being satisfied about the existence of sufficient ground for proceeding against him.
198. FIR is lodged under section 154 CrPC and Direct complaint is made under section 200 CrPC.
199. Investigation is conducted under section 156 CrPC and inquiry is conducted under section 202 CrPC.
200. Challan submission is defined under Section 173 CrPC.
201. Section 169-Release of accused when evidence deficient
202. Section 170-Case to be sent to Magistrate when evidence are sufficient.
203. Section 512-Record of evidence in absence of accused.
204. Quashing of FIR is defined under section 561 A CrPC.
205. Magistrate can take cognizance under section 190 CrPC.

206. The framing of charge is defined under section 221 to 240 CrPC.
207. Speedy acquittal is defined in 249 A for Magistrate trial, 265K for Session trial, 561A in High Court.
208. Accused may plead guilty in Magistrate trial under section 243 in Session trial under section 265E.
209. Examination of accused is defined under section 342 CrPC.
210. Defence evidence are begins under section 340 CrPC.
211. Judgment related to acquittal is defined under section 245 for Magistrate Trial and 265H for Session trial. Judgment for conviction in Magistrate trial under section 245(2) and in Session trial under section 265H(2)
212. Appeal to court of session against sentenced passed by the assistant session judge or judicial Magistrate Section 408 CrPC.
213. Appeal to High Court against sentenced passed by session or additional session judge Section 410 CrPC.

LAW OF QISAS AND DIYAT

QISAS

Meaning of Qiyas:

“Qisas” means punishment by causing similar hurt at same part of the body of convict as he has caused to the victim or he’ casing his death if he has committed qatl-i-amd in exercise of the right of the victim or a wali.

Definition:

“Qisas” has been defined to mean punishment by causing similar hurt at the same part of the body of the convict as he has caused to the victim or by causing his death if he has committed qatl-i-amd in exercise of the right of the victim or a wali”. According to S.299 (k) PPC. “Qisas means punishment by causing similar hurt at the same part of the body of the convict as he has caused to the victim or by causing his death, if he has committed qatl-i-amd in exercise of the right of the victim or a wali.

Principle of Qisas:

The basic principle of Qisas is equality or similarity. It aims at to cause similar hurt at the same part of the body of the convict as far as possible, keeping in view the opinion of the authorized Medical Officer, as the offender has caused to the victim.

Exception of Qisas:

The following are the four cases in which Qisas is not applicable on the offender.

- (a) Death of Offender: Where the offender dies before the enforcement of Qisas.
- (b) Waiver by Wali: Where right of Qisas is waived by any Wali.
- (c) Right of Qisas devolves on offender: When the right of Qisas devolves on the offender as result of the death of the Wali of the victim.
- (d) Wali has no right of Qisas: Where right of Qisas devolves on the person who has no right of Qisas against the offender e.g. the son cannot enforce Qisas against his father.

Offences for Qisas:

Some cases of hurt are usually liable to Qisas; it can be awarded as punishment in the following offences:

1. Hurt
2. Qatl-i-Amd

1. Qisas in Hurt Cases: Some cases of hurt are usually liable to Qisas:

Some cases of hurt are usually liable to Qisas.

Exception: S.337-M of PPC provides some exception where hurt shall not be liable to Qisas.

These are as follows:

1. when the offender is a minor or insane.
2. When an offender at the instance of the victim causes hurt to him.
3. When the offender has caused Itlaf-i-udw of a physically imperfect organ of the victim and the convict does not suffer from similar physical imperfection of such organ.
4. When the organ of the offender liable to Qisas is missing.

Qisas in Qatl-i-Amd Cases:

Qatl-i-Amd is liable to Qisas if a proves by the confession of the accused before a Court of competent jurisdiction to try the offence or by the evidence as provided in Article 17 of the Qanun-e-Shahadat Ordinance.

Exceptions:

These are exceptions, the cases in which Qatl-i-Amd shall be liable to Qisas and where it cannot be enforced:

1. Under S. 306, PPC when the offender is non-puberty or insane.
2. When the offender causes death of his child or grandchild how low so ever and when Wali of victim is direct descendent, how low so ever of the offender.

3. Under S. 307 PPC where the offender dies before enforcement of Qisas.
4. When the Wall voluntarily and without duress, to the satisfaction of Court, waives the right of Qisas
5. When the right of Qisas devolves on the offender as a result of the death of the Wall of the by victim or on a person who has no right of Qisas against the Offender.

ARSH

Meaning:

“Arsh” means the compensation specified in this chapter (Chapter XVI) to be paid by the offender to the victim or his heirs under this chapter. According to S.299 (b); “Arsh means the compensation specified in P.P.C. to be paid to the victim or his heirs”.”

Value of Arsh:

The value of Arsh will be assessed at certain percentage indicated various provisions of the value of Diyat U/S 323 P.P.C.

Mode of Payment:

The Arsh will be payable in lumpsum or in instalments spreading over three years from the date of final judgment.

Failure to pay Arsh:

In case of default, the offender may be kept in jail to serve the simple imprisonment until Arsh is paid in full. It may be awarded in the following sections.

Arsh for the organs in quadruplicate (S.337-S):

The arsh for causing itlaf of organs found in a human body in a set of four shall be equal to;

- (a) one fourth of the diyat, if the itlaf is one of such organs
- (b) One half of the Diyat, if the itlaf is of two of such organs.
- (c) Three fourth of the Diyat, if the itlaf is of three such organs, and
- (d) Full Diyat, if the itlaf is of all the four organs

Explanation:

Arsh is compensation specified in the newly added chapter XVI, P.P.C. for offences relating to various kinds of hurt. [t is to be assessed at certain percentage of the value of Diyat. It is to be paid in lumpsum or in instalments. In default the convict is liable to simple imprisonment. He may be released on bail against security of on equal amount Arsh can be awarded in addition to tazir. It is liability on the eState of deceased convict, if not paid during his lifetime.

DIYAT**Meaning:**

“Diyat” means the compensation specified in S. 323 payable to the heirs of the victim.

Value of Diyat: According to S.323(1), P.P.C.;

“The court shall, subject to the injunctions of Islam as laid down in the Holy Quran and Sunnah and keeping in view the financial position of the convict and the heirs of the victim; fix the value of Diyat which shall not be less than the value of thirty thousand six hundred and thirty grams (30, 630) of silver”

According to S.223(2) P.P.C.;

‘For the purpose of sub-section (1), the Federal Government shall, by notification in the official Gazette, declare the value of silver, on the first day of July each year or on such date as it may deem fit, which shall be the value payable during a financial year

Explanation:

The value of diyat should not be less than the value of thirty thousand six hundred and thirty grams of silver. The words payable to the heirs of the victim specify that diyat is payable in case of Qatl-i-Amd not in cases of hurt. In cases of Qatl-i-Amd, diyat can be awarded where the offence committed is proved to be not liable to qisas or where qisas is not enforceable. The consideration in such cases is badl-e-sulh as laid down in S. 310 P.P.C.

Nature of Diyat:

In the definition the words “heirs of victim have been used and not the words “the victim or his heirs”. This means that Diyat is a compensation payable only in cases of Qatl and not in cases of hurt.

The Court may however, in certain cases award punishment of imprisonment as Tazir to addition to Diyat. It may be Stated that the consideration for compounding of Qisas for compromise or waiver cannot be classed as Diyat. The said consideration is Badl-e-Sulh and it settled by the parties themselves subject to condition that Badl-eSulh shall not be less than the value of Diyat.

Condition for Application:

The punishment of Diyat is provided where an offender guilty of Qatl-i-Amd is not liable to Qisas or where Qisas is not enforceable.

Offences for Diyat: Diyat can be awarded as punishment in the following offences:

- (i) Qatl-i-Amd under S. 302.
- (ii) Qatl-i-Shibh-i-Amd under S. 316.
- (iii) Qatl-i-Khata under S.319.
- (iv) Qatl-i-bis-Sabab under S.322.

Cases of Qatl-i-e-Sabab and Qatl-i-bis-Sabab:

The offender in cases of Qatl-i-Shibh-i-Amd and Qatl-i-Khata shall be liable to be punished with Diyat in addition to imprisonment as Tazir, but in Qatl-i-bis-Sabab he shall be liable to Diyat only.

Mode to Fix the Value of Diyat:

In S. 323, for the P.P.C., it is mentioned that how Diyat is valued and who has the right to fix the amount of Diyat.

Power of Court in this regard:

According to S. 323, PPC, the Court shall fix the value of Diyat which shall not be less than the value of thirty thousand six hundred and thirty grams of silver.

Payment of Diyat:

Mode of payment of Diyat and consequences for the non-payment of Diyat are discussed under S.331 of PPC.

Method to Pay Diyat:

The Diyat may be made payable:

- (i) in lump sum; or
- (ii) in installments spread over a period of three years from the date of the final judgment.

Result of Failure to Pay Diyat:

Where a convict fails to pay Diyat or any part thereof within the period specified earlier then one of the following steps may be taken by the Court.

Simple imprisonment; The convict may be kept in jail and dealt within in the same manner as if sentenced to simple imprisonment until the Diyat is paid full.

Released on bail: The convict may be released on bail if he furnishes security equivalent to the amount of Diyat to the satisfaction of the Court.

In case of death of convict:

Where a convict dies before the payment of Diyat or any part thereof, it shall be recovered from his.

Disbursement of Diyat:

Disbursement of Diyat is discussed U/s 330, PPC. According to this section, the Diyat shall be disbursed among the heirs of the victim according to their respective shares in inheritance.

In Case of Forego Share:

This section also provides that where an heir forgoes his share, the Diyat shall not be recovered to the extent of his share.

DIFFERENCE BETWEEN QISAS AND DIYAT

There are many differences between the two. These are the following:

(I). As to Principle:

Punishment under Qisas is always based on the principle of retaliation. On the other hand, punishment of Diyat is based on a principle of compensation.

(ii) As to Nature:

Punishment of Qisas is physical in nature whereas Diyat is in form of blood money.

(iii) As to the Application:

Normally punishment of Qisas is applicable in Qatl and hurt cases.

(iv) As to Right:

Qisas is the right of victim or the wali of the victim. On the other hand, Diyat is the right of the wali of the victim and may be demanded by them only.

(v) As to defect of Waiver of Right:

When wali of the victims waives his right of Qisas, it shall not be applicable against convict. On the other hand, in case of waving of right of Diyat by any of wali of the victim does not affect the rights of other.

(vi) In case of Qatl:

Qisas is applicable only to the Qatl-e-Amd and Diyat is applicable on Qatl-i-Amd, Qatl-Shibh-i-Amd, Qatl-i -Khata and Qatal-bis-Sabab.

(vii) As to meaning:

Both terms have been different.

(viii) As to Exceptions:

In Qisas Cases there are certain exceptions but in Diyat cases there is no exceptions.

(ix) As to Substitute Punishment:

In Qisas cases substitute punishment is available in the Code. But this principle is not applicable in Diyat cases.

(x) As to proof: The Code normally provides some proof in presence of which hurt or qatl becomes liable to Qisas. But on the other hand, Code does not provide specific for the involvement or implication of Diyat.

DAMAN

“Daman” means the compensation determined by the court to be pad by the offender to the victim for causing hurt not liable to arsh. (S.299(d) PPC.

Value of Daman:

The value of daman will he determined by the competent court of jurisdiction keeping in view:

- (a) The expenses incurred on the treatment of the victim.
- (b) Loss of disability caused in the functioning or power of any organ.
- (c) The anguish suffered by the victim.

Explanation:

Daman has been defined compensation fixed. by court payable by the offender to the victim or causing hurt not liable to Arsh. It is to be paid in lumpsum or in instalment. In default the convict is liable to simpler imprisonment. He may be released on bail against security of an equal amount. It can be awarded in addition to tazir. It is liability on the eState of deceased convict if not paid during his lifetime.

QANOON-E-SHAHADAT ORDER 1984:

1. The Qanoon-e-Shahadat order 1984 was enforced on 28th October 1984.
2. The Qanoon-e-Shahadat order 1984 repealed Evidence Act-1872.
3. There are total 166 articles in Qanoon-e-Shahadat.
4. Qanoon-e-Shahadat is not applicable on arbitration.
5. Oral evidence means Statements made by witnesses in Court.
6. Documentary evidence includes public and private documents, and Statements of relevant facts made by persons in writing.
7. Conclusive evidence of a fact which the Court must take as full proof of it, and which excludes all evidence to disprove it.
8. Direct evidence is evidence of fact actually in issue; evidence of a fact actually perceived by a witness with his own senses.
9. Circumstantial evidence is evidence of a fact not actually in issue, but legally relevant to a fact in issue.
10. Real evidence is a kind of evidence supplied by material objects produced for the inspection of the Court.
11. Extrinsic evidence is oral evidence given in connection with written documents.
12. Hearsay evidence is what someone else has been heard to say.
13. Indirect evidence is circumstantial or hearsay evidence.
14. Original evidence is evidence, which has an independent probative force of its own.
15. Derivative evidence is evidence, which derives its force from some other source.
16. Parole evidence is oral, extrinsic (unrelated) evidence.

17. Prima facie evidence is evidence of fact, which the Court must take as proof of such fact, unless disproved, by further evidence.
18. Primary evidence of a document is the document itself, or duplicate original.
19. Under Qanoon-e-Shahadat document means any matter expressed or described upon any substance by means of letters etc with intention to use such for recording any matter.
20. Evidence means all Statements which the Court permits or requires to be made before it by any witness in relation to matter of fact under inquiry such evidence is called Oral evidence.
21. All documents produced in evidence are called as documentary evidence.
22. In article-3 of Qanoon-e-Shahadat it is mentioned that all persons are competent to testify or give evidence, who can understand question and can give rational answer to question.
23. If a person is convicted of giving false evidence he is not competent to give evidence.
24. If court is satisfied that a person is giving false then he is also not competent to give evidence.
25. Under Article-4 of Qanoon-e-Shahadat a Judge or Magistrate shall be compelled to answer any question as to his conduct in Court or as to anything came to his knowledge while acting as Judge upon the special order of some Court to which he is sub-ordinate.
26. No judge or Magistrate is compelled to answer any question put to him regarding as to conduct in Court except through his Superior Court order.
27. Article-5 of Qanoon-e-Shahadat describes communication during marriage.
28. No person shall be compelled to disclose any communication made to him during marriage with his partner.

29. Exception to Article-5 is that when a suit is between two married persons or proceedings in which one married person is prosecuted for any crime committed against other.
30. Under Article-6 no one shall be compelled to or permitted to give any evidence derived from unpublished official records relating to any affairs of State.
31. Article-7 of Qanoon-e-Shahadat is related to official communication.
32. No public officer shall be compelled to disclose communication made to him in official confidence when consider that the public interest would suffer by the disclosure.
33. There are three types of admissions provided under Qanoon-e-Shahadat for recording of judicial evidence.
34. There are two kinds of Confessions defined under Qanoon-e-Shahadat.
35. Evidence obtained by modern devices are discussed under Article-164.
36. Burden of proof in criminal cases always lies upon prosecution side.
37. Article-128 only applies to Muslims.
38. There are three types of examination, Examination-in-Chief, Cross-Examination, Re-Examination.
39. Examination in Chief is always made in narrative form.
40. No leading question shall be asked in examination-in-Chief.
41. Leading question are asked in Cross-examination.
42. Estoppel is rule of evidence.
43. There are three kinds of estoppel under Qanoon-e-Shahadat.
44. Professional Communication is described under Article-9 of Qanoon-e-Shahadat.
45. No Advocate is allowed to disclose any communication made to him by his client for purpose of advocacy without consent of his client.

46. Advocate is allowed to disclose any communication which is made to him in furtherance of any illegal purpose.
47. Obligation Stated in Article-9 also continues after the employment has ceased.
48. Under Article-15 a witness shall not be excused from answering any question as to matter or relevant to issue upon any ground that such answer will criminate him.
49. Any answer given by any witness which will criminate him then upon such answer he shall not be criminated or arrested.
50. Accomplice is defined under Article-16 of Qanoon-e-Shahadat.
51. Accomplice is a person who is guilty associate in crime or co-accused.
52. Accomplice is not a competent witness under Hudud Laws.
53. Accomplice is competent witness against an accused person.
54. Under article-17 if a matter is pertaining to financial or future obligations, if reduced in writing shall be attested by two men or one man and two women.
55. In all other matters the number of witnesses are one man or one woman.
56. According to Article-18 evidence may be given in relation to facts in issue or to relevant facts.
57. Principle of Res-Gestae is defined under Article-19 of Qanoon-e-Shahadat.
58. Article-22 of Qanoon-e-Shahadat is related to Identification Parade.
59. Identification Parade is conducted by Magistrate.
60. There are at least 9 to 10 damies are present at the time of identification Parade.
61. Admission is defined under Article-30 of Qanoon-e-Shahadat.
62. Admission is made in civil cases.
63. Admission is a Statement which suggests any inference as to fact in issue or relevant fact.
64. Statement made through mobile phones or etc are admissible as admission.

65. There are three types of admission which are defined under Article-31 of Qanoon-e-Shahadat.
66. Admission may be made by party himself or by an agent to any party.
67. Under Article-36 in civil cases no admission is relevant if it is made upon an express condition that evidence is not to be given.
68. Confession is made in criminal cases.
69. Under Article-37 if confession caused by threat, promise or inducement then such confession shall not be used against accused.
70. Any question, which suggests that answer, which person, who puts it, wishes or expects to receive, is called a leading question.
71. According to Article-38 of Qanoon-e-Shahadat, Confession made to a police officer shall not be proved against accused.
72. Under Article-39, if a confession made by any accused while in the custody of police officer then it shall not be proved against him until and unless it is made in presence of a Magistrate.
73. According to Article-40 of Qanoon-e-Shahadat the confession made by accused may be proved against him if facts related to such confession thereby discovered.
74. Under Article-41, If confession is made after the removal of threat, inducement etc is relevant.
75. According to Article-44 accused person or accomplice shall be liable to cross-examination.
76. Dying declaration is defined under Article-46 of Qanoon-e-Shahadat.
77. Opinion of experts is mentioned in Article-59 of Qanoon-e-Shahadat.
78. Opinion of experts may be taken in following cases, point of foreign law, science, art, hand writing, finger print.

79. Opinion of experts are relevant fact.
80. Expert is a person who is specially skilled in a particular profession or field.
81. According to article-60 those facts which are not relevant but if they support with opinion of experts then those are relevant.
82. Under Article-61 of Qanoon-e-Shahadat if a court has to file an opinion as to the person by whom any document was written or signed then opinion of expert in relation that by whom such document is written or signed is relevant.
83. Under Article-67 in criminal cases good character of a person is relevant.
84. As a General rule, only one witness either male or female is sufficient for conviction.
85. There are two kinds of facts for which evidence is adduced in court, i.e., facts in issue and relevant facts
86. As far as civil cases are concerned personal character of party is irrelevant.
87. In civil litigation where character affects the amount of damages, it becomes relevant.
88. In criminal cases bad character of accused is irrelevant except in reply.
89. According to article-70, all facts except the contents of documents may be proved by oral evidence.
90. All the oral evidences must be direct.
91. The contents of documents may be proved either by primary evidence or by secondary evidence.
92. Primary evidence is defined under article-73 of Qanoon-e-Shahadat.
93. Primary evidence means that the document itself produced for inspection in the court.
94. When a document is executed in parts each part is primary evidence of document.
95. Where a judgement in personam is pronounced, it is considered conclusive proof.
96. Any judgement, which is in rem, is relevant for other parties but it is not conclusive proof, which it includes.

97. Where previous judgement, judgement in rem, and judgement of public right itself comes under litigation as fact in issue then they become relevant.
98. Comparison of signature by court under article 84.
99. Where court is in doubt about the signature may order such person to put his signature before court and court may compare itself the signature.
100. Opinion as to existence of right or custom, when relevant under article 62.
101. Where court has to ascertain the opinion about the existence of any General custom or right, the evidence of the person who is likely to know the particular custom or right is relevant.
102. secondary evidence includes Certified copies, Copies by mechanical process, Copies made or compared from original, Counterparts of document, Oral evidence of eyewitness.
103. Contents of a document may be proved either by primary or by secondary evidence.
104. Two witnesses must prove the authenticity of the written document.
105. Documents are of two types, public and private.
106. Article 85 deals with public documents.
107. The public documents as enumerated under Article 85 are;
- a. Record or Act of the sovereign such as statues, gazettes, proclamations, and such like that.
 - b. Act or record of the tribunals such as records of courts of justice, decrees, judgements, writs, warrants, bill, etc.
 - c. Act or record of the public officers, legislative, judicial and Executive of any part of Pakistan or of a foreign country.
 - d. Public records kept in Pakistan of private documents such as registries, Wills, etc.

- e. Record of judicial proceedings such as record of confession made by Magistrate, deposition (attestation, announcements) of witnesses, oral information given to the public officer as to the commission of a cognizable offence and reduced to writing by him u/s 164 of Code of Criminal Procedure.
 - f. Any documents which maintain public servant under any law of Pakistan such as mortgage deed register according to law is a public document under this clause.
 - g. Registered documents the execution whereof is not disputed.
 - h. All the documents, which do not fall within the definition of public documents, are private documents.
108. Under Article 87 certified copy of public record is defined.
109. A public officer in whose custody public record is kept ordinarily during the course of normal work is authorized by law to issue certified copy of public record.
110. It is very important part of the issuance of certified copy of public record that fee has been paid for it before its issuance.
111. Certified copy is not issued without application of its demand.
112. Person who is issuing the certificate shall mention his name on certified copy.
113. Under Article 88, entry contents of public record can be proved by production of certified copy.
114. In civil cases if party admits his case against whom, case to be proved, there shall be no need to prove it by evidence.
115. The word “estoppel” means the rule of evidence or doctrine of law which precludes a person from denying the truth of some Statement formerly made by him, or the existence of facts which he has by words or conduct led others to believe in.
116. There are two types of estoppels under Qanoon-e-Shahadat.

117. As per Article 117 (Burden of proof) One who alleges must prove his claim.
118. Article 118 of Qanun-e-Shahdat Order gives test whether who has to prove the case.
119. Where both sides fail to adduce evidence in their favour, then party who alleges shall be responsible to give evidence.
120. Article 119 deals with the plea of Alibi (proof of absence).
121. Plea of Alibi is applied in criminal cases.
122. Where any fact is dependent on other fact, that fact must be proved before proving the actual fact.
123. Under Article 121 Where any person alleges commission of offence comes under exceptions provided under Pakistan Penal Code and any other special law, he has to prove that his act comes under such exceptions.
124. As per Article 126 Person who has possession of anything is presumed its ownership. One who denies such ownership has to prove such fact.
125. Under Article 127 There are always two parties in agreement. Party who has upper hand is required to prove the fact alleged against him.
126. It is defined in Article 128 that when the child is born after six lunar (of the moon) months while the wedlock and husband does not denounce his legitimacy, it shall be presumed that such child is legitimate.
127. Where child is born after dissolution of marriage within two years provided mother remains unmarried, it shall be presumed that such child is legitimate.
128. Pregnancy can be determined within a month when husband dies; therefore, question as to legitimacy does not arise.
129. Where husband disowns the legitimacy of child, then it shall be required to prove legitimacy of child.

130. Examination-in-Chief is the party who produces the witnesses in court and asks questions from her witnesses.
131. Cross-examination is the opposite party who asks questions from the witnesses of adverse party. It must be directly relevant to the case.
132. Re-examination is last possibly order of examination of witnesses by its own party with the permission of court.
133. Where person is not called as witness, he cannot be cross-examined.
134. Under Article 135 character is immaterial in civil litigations but it is so much important in criminal cases.
135. Article 136 merely defines the leading question.
136. Leading question is a question under which answer of the question is provided.
137. Article 137 defines that when leading question is not allowed to be asked.
138. Party is not allowed to ask leading questions either in examination or re-examination.
139. Under Article 138 only adverse party can put leading questions during cross-examination.
140. Under Article 144 where attack is made on credit, question cannot be asked without reasonable ground.
141. Article 156 is about refreshing memory.
142. Under Article 150 where a party calling a witness and examining him discovers that he is either hostile or unwilling to answer questions put to him, he can obtain permission of the court to put question to him by way of cross examination.
143. A “hostile witness” is one who from the manner in which he gives evidence shows he is not desirous of tellingly the truth to the court.
144. It is permissible under Qanun-e-Shahdat Order that written Statement can refresh memory.

145. Where any expert has forgotten his write up, he can refresh his memory.
146. Under Article 158 Where court orders for the production of document in court in evidence, it must be produced in court.
147. Under Article 157 when party refreshes memory from document, adverse party may inspect such document for the purposes of cross-examination.
148. Under Article 161 during the trial Judge can put questions at to ascertain truth.
149. Under Article 163 where plaintiff takes oath in support of his claim, Court may call defendant to deny the facts. Where defendant fails to deny the fact, he is declared guilty. Decision is given against defendant.
150. Article 163 is applicable only in civil suits.
151. Under Article 164 Court may consider modern devices in evidence.

INTERNATIONAL LAW

Public International law

1. International law is body of rules and regulation which regulates relation among States.
2. International law is a body of customary and conventional rules.
3. Sources of international law may be classified into three categories.
4. Article-38 of statute of ICJ is about sources of International law, International Customs, International Conventions, General principles of law, judicial decision and juristic work.
5. Article-59 of ICJ makes it clear that the decision of the court will have no binding force except between parties.
6. Natural law theory is also known as the theory of fundamental rights.
7. The origin of International law be trued back to 15th century.
8. Genocide convention of 1948 has imposed certain duties directly upon individuals.
9. Transformation of international treaty into national legislation is furnished by extradition treaties made by Great Britain.
10. State responsibility is a fundamental principal of international law.
11. Diplomatic protection as an elementary principal of international law.
12. UDHR is a declaration adopted by UN General Assembly on 10th December 1948.
13. Jus Cogens means that if a treaty is signed between two independent States and a clause of the treaty clashes with international law, treaty would be void.
14. Chief mode of acquiring nationality is by Birth.
15. Jurisdiction of ICJ is based upon the consent of parties.
16. There are five permanent members of security council and 10 temporary members of security council.

17. Genocide convention was adopted by UN General Assembly 9 Dec 1948 Convention entered into force 12 January 1951
18. The name of present secretary General of UN is Antonio Guterres
19. The father of international law is Hugo Grotius
20. The doctrine of open sea was elaborated by Grotius
21. The term men of war signify Warship
22. The number Judges of ICJ 15 Judges
23. Terra nullius means Territory belong to no State
24. According to article 3 of the 1982 convention on the law of sea the breadth of the territorial sea is 12miles
25. The charter of the UN is a comprehensive document having 111 articles.
26. According to Fenwick "recognition" is a formal acknowledgement by an existing member of the international community of the international personality of a State or political group not hitherto (previously, formerly) maintaining official relations with it.
27. Recognition of State may be defined that the free act by which one or more States acknowledge the existence on a definite territory of human society politically organized, independent of any other existing State which can observe the obligations of International Law.
28. New emerged State, which requires recognition must have certain elements such as, population, territory, Government, sovereignty, and capability of agreement.
29. There are two theories as to legal nature of recognition, such as, constitutive theory and declaratory theory.

30. According to the constitutive theory, it is the act of recognition alone which creates Statehood, or which clothes a new Government with any authority or status in the international sphere.
31. According to declaratory theory, Statehood or the authority of a new Government exists as such prior to and independently of recognition. The act of recognition is merely a formal acknowledgement of an established situation of fact.
32. Modes of recognition are, express and implied recognition and de facto and de jure recognition.
33. take defines an international servitude as “an exceptional restriction imposed by treaty on the territorial sovereignty of a particular State whereby the territory of that State is put under conditions or restrictions serving the interest of another State.”
34. Oppenheim mentions four kinds of servitude.
35. In order to develop relationship States, send their representatives to other States. These representatives are called diplomatic agents.
36. Ambassador is a person who is sent to abroad to take care of interest of his State.

Private international law

1. The word neutrality is derived from Latin word Neutral
2. Neutral State does support either party during War
3. Chief mode of acquiring nationality is by Birth
4. Modes of acquiring nationality by birth Jus sanguinis and Jus Soli
5. A convention territorial asylum was adopted at Caracas 28 March 1954
6. Chicago convention on international civil aviation was signed by 53 States November 1944
7. Permanent court of arbitration was established Hague convention of 1899
8. Servitudes may be Four types

9. Basic source of Islamic international law Quran and Sunnah
10. Law relating to diplomatic relation has been codified in Vienna convention 1964
11. Immunities and privileges of the diplomatic agent in Vienna convention 1961
12. Piracy as an international crime can be committed on the Open sea only

WAQAR AHMED PANTHWAR

**THE PAKISTAN LEGAL PRACTITIONERS AND BAR COUNCILS RULES,
1976**

CHAPTER XII

CANONS OF PROFESSIONAL CONDUCT AND ETIQUETTE OF ADVOCATES

A: - CONDUCT WITH REGARD TO OTHER ADVOCATES:

1. It is always the duty of every Advocate to uphold the dignity and high standing of his profession, as well as his own dignity and high standing as a member thereof.
2. An Advocate shall not solicit professional employment by advertisement or by any other means. This clause shall not be construed as prohibiting the publication or use of ordinary professional cards, name plates or conventional listing in directories, so long as the information contained therein is limited to professional and academic qualifications, and public offices currently held, and does not contain any matter which savours of personal advertisement.
3. An Advocate shall not employ any other person to solicit or obtain professional employment nor remunerate another person for soliciting or obtaining professional employment for him; nor shall he share with an unlicensed person any compensation arising out of or incidental to professional employment, nor shall he aid or abet an unlicensed person to practice law or to receive compensation therefor; nor shall he knowingly accept professional employment offered to him as a result of or as incidental to the activities of an unlicensed person.
4. An Advocate shall not communicate about a subject of controversy with a party represented by an Advocate in the absence and without the consent of such Advocate.
5. An Advocate shall not, in the absence of the opposing counsel, communicate with or argue before a judge or judicial officer except in open Court and upon the merits of a contested matter pending before such judge or judicial officer; nor shall he, without furnishing the opposing Advocate with a copy thereof, address a written communication to a judge or judicial officer concerning the merits of a contested matter pending before such judge or judicial officer. The rule shall not apply to ex parte matters or in respect of matters not sub-judice before the judge or judicial officer

concerned.

6. A client's proffer of assistance of additional Advocates should not be regarded as evidence of want of confidence but the matter should be left to the determination of the client. An Advocate should decline association as a colleague unless the dues of the Advocate first retained are paid.
7. Clients, not Advocates, are the litigants. Whatever may be the ill-feeling existing between clients, it should not be allowed to influence Advocates in their conduct and demeanour towards each other or toward the parties in the case. All personal clashes between Advocates should be scrupulously avoided. In the trial of a cause it is indecent to allude to the personal history or the personal peculiarities and idiosyncrasies of Advocates appearing on the other side. Personal colloquies between Advocates which cause delay and promote unseemly wrangling should be carefully avoided.
8. No division of fees with any person for legal services is proper except with another Advocate based upon the principle of division of work as expressed in the agreement between the Advocates.
9. Subject to the precedence of the Attorney-General and the Advocate-General, as established by Constitutional usage and practice, it is the duty of Advocate to maintain and uphold the order of precedence in accordance with the roll of Advocates maintained by the Bar Council.
10. Junior and younger members should always be respectful to senior and elder members. The latter are expected to be not only courteous but also helpful to their junior and younger brethren at the Bar.
11. Where more than one Advocate is engaged on any side it is the right of the senior member to lead the case and the junior members should assist him, unless the senior so wants.

B - CONDUCT WITH REGARD TO CLIENTS:

1. An Advocate shall not acquire an interest adverse to a client in the property or interest involved in the case.
2. An Advocate shall not accept employment adverse to a client or former client, relating

to a matter in reference to which he has obtained confidential information by reason of or in the course of his employment by such client or former client provided that an Advocate, who has not been formally engaged by a person and accepted a retainer nor received any fees for such engagement is not precluded from accepting employment adverse to the interest of such person.

3. An Advocate shall not accept professional employment without first disclosing his relation, if any, with the adverse party, and his interest, if any, in the subject matter of such employment.
4. An Advocate shall not represent conflicting interests.
5. An Advocate shall not himself or in benami purchase any property at a probate, foreclosure or judicial sale in an auction or proceeding in which such Advocate appears for a party, nor shall he accept the whole or part of the property, in respect of which he had been engaged to conduct the case, in lieu of his remuneration, or as a reward or bounty.
6. An Advocate shall not commingle the property of client with his own and shall promptly report to the client the receipt by him of any money or other property belonging to such client.
7. An Advocate shall not advise the commencement of prosecution or defence of case, unless he has been consulted in reference thereto, except when his relation to a party or to the subject matter is such as to make proper for him to do so.
8. An Advocate in his professional capacity shall not advise the violation of any law. This rule shall not apply to advice given in good faith, that a law is invalid.
9. It is the right of an Advocate to undertake the defence of a person accused of crime, regardless of his personal opinion, as distinguished from knowledge as to the guilt of the accused; otherwise innocent persons and victims merely of suspicious circumstances might be denied proper defence. Having undertaken such defence, an Advocate is bound by all fair and honourable means, to present every defence that the law of the land permits, to the end that no person may be deprived of life or liberty, except by the process of law.
10. In fixing fees, Advocates should avoid charges which over-estimate their advice and services as well as those which undervalue them. A client's ability to pay cannot

justify charge in excess of the value of the service, though his property may justify a lesser charge, or even none. The reasonable requests of a brother Advocate should also receive special and kind consideration. In respect of widows and orphans of an Advocate, all Advocates shall assist them free of charge.

11. In determining the amount of fee it is proper to consider; (i) the time and labour required, the novelty and difficulty of the questions involved and the skill requisite properly to conduct the case; (ii) whether the acceptance of employment in a particular case will preclude the Advocate's appearance for others in cases likely to arise out of the transaction, about which there is a reasonable expectation that otherwise he would be employed, or will involve the loss of their business while employed in a particular case; (iii) the customary charges of the Bar for similar service; (iv) the amount involved in the controversy and the benefits resulting to the client from the service; (v) the contingency of the certainty of the compensation, and (vi) the character of the employment, whether casual or for an established and constant client. Of these considerations, none is the controlling factor. These are mere guidelines in ascertaining the real value of the service.
12. In fixing fees, it should never be forgotten that the profession is a branch of the administration of justice and not a mere money making trade.
13. Controversies with clients concerning compensation are to be avoided by the Advocate so far as shall be compatible with his self-respect and with his right to receive reasonable recompense for his services. Any lawsuits with clients should be resorted to only to prevent injustice, imposition or fraud.
14. Nothing operates, more certainly to create or foster popular prejudice against Advocates as a class, and to deprive the profession of that full measure of public esteem and confidence which belongs to the proper discharge of its duties than does the false claim, often set up by the unscrupulous in defence of questionable transactions, that it is the duty of the Advocate to do whatever may enable him to succeed in winning his client's cause.
15. It is improper for an Advocate to assert in argument his personal belief in the client's innocence or in the justice of his cause. His professional duty is strictly limited to making submissions at the Bar consistently with the interest of his client.
16. An Advocate owes entire devotion to the interests of the client, warm zeal in the

maintenance and defence of his rights and the exertion of his utmost learning and ability to the end that nothing be taken or be withheld from him save by rules of law legally applied. No fear of judicial disfavour or public unpopularity should restrain him from the full discharge of his duty. In the judicial forum the client is entitled to the benefit of any and every remedy and defence that is authorized by the law of the land, and he may expect his Advocate to assert every such remedy or defence. But it is steadfastly to be borne in mind that the great trust of the Advocate is to be discharged within and not without the bounds of the law. The office of an Advocate does not permit, much less does it demand of him for any client, the violation of any law or any manner of fraud or chicanery. In doing his professional duty to his client he must obey the voice of his own conscience and not that of his client.

17. When an Advocate is a witness for his client except as to merely formal matters, such as the attestation or custody of an instrument and the like, he should leave the trial of the case to other Advocates. Except when essential to the ends of justice, an Advocate should avoid testifying in Court on behalf of his client.
18. In incidental matters, not effecting the merits of the cause in a trial, nor working substantial prejudice to the rights of the client, such as forcing the opposite Advocate to trial when he is under affliction or bereavement, forcing the trial on a particular day to the injury of the opposite Advocate when no harm will result from a trial at a different time, agreeing to an extension of time for filing written Statements, cross interrogatories and the like, the Advocate must be allowed to judge himself. In such matters no client has a right to demand that his Advocate shall be ungenerous or that he does any thing therein repugnant to his own sense of honour and propriety.

C - DUTY TO THE COURT:

1. It is the duty of an Advocate to maintain towards the Court a respectful attitude, not for the sake of the temporary incumbent of the judicial office, but for the maintenance of its supreme importance. Judges, not being wholly free to defend themselves, are peculiarly entitled to receive the support of the Bar against unjust criticism and clamor. At the same time whenever there is proper ground for complaint against a judicial officer, it is the right and duty of an Advocate to ventilate such grievances and seek redress thereof legally and to protect the complainant and person affected.

2. An Advocate shall not advise a person, whose testimony could establish or tend to establish a material fact, to avoid service of process, or conceal himself or otherwise to make his testimony unavailable.
3. An Advocate shall not intentionally misquote to a judge, judicial officer or jury the testimony of a witness, the argument of the opposing Advocate or the contents of a document; nor shall he intentionally misquote to a judge or judicial officer the language of a book, statute or decision; nor shall he, with knowledge of its invalidity and without disclosing such knowledge, cite as authority a decision that has been overruled or a statute that has been repealed or declared unConstitutional.
4. Marked attention and unusual hospitality on the part of an Advocate to a judge or judicial officer not called for by the personal relations of the parties, subject both the judge and the Advocate to misconstructions of motive and should be avoided. An Advocate should not communicate or argue privately with the judge as to the merits of a pending cause and he deserves rebuke and denunciation for any advice or attempt to gain from a judge special consideration or favour. A self-respecting independence in the discharge of professional duty, without denial or diminution of the courtesy and respect due to the judge's station, is the only proper foundation for cordial, personal and official relations between the Bench and the Bar.
5. The primary duty of an Advocate engaged in public prosecution is not to convict, but to see that justice is done. The suppression of facts or the concealing of witnesses capable of establishing the innocence of the accused is highly reprehensible.
6. Publications in newspaper by an Advocate as to pending or anticipated litigation may interfere with a fair trial in the courts and otherwise prejudice the due administration of justice. Generally, they are to be condemned. If the extreme circumstances of a case justify a Statement or reference to the facts should not reach the public, it is unprofessional to make them anonymously. An ex-parte reference to the facts should not go beyond quotation from the records and papers on file in the Court but even in extreme cases it is better to avoid any ex-parte Statement.
7. It is the duty of Advocates to endeavour to prevent political considerations from outweighing judicial fitness in the appointment and selection of Judges. They should protest earnestly and actively against the appointment or selection of persons who are unsuitable for the Bench and thus should strive to have elevated thereto only those

willing to forego other employments, whether of a business, political or other character, which may embarrass their free and fair consideration of the questions before them for the decision. The aspiration of Advocates for judicial positions should be governed by an impartial estimate of their ability to add honour to the office and not by a desire for the distinction the position may bring to themselves.

8. It is the duty of Advocates to appear in Court when a matter is called and if it is so possible to make satisfactory alternative arrangements.
9. An Advocate should in General refrain from volunteering his legal opinion or addressing any arguments in cases in which such Advocate is not engaged unless called upon to do so in open Court by a judge or judicial officer. In advancing any such opinion he must do so with a sense of responsibility and impartiality without any regard to the interest of any party.

D - CONDUCT WITH REGARD TO THE PUBLIC GENERALLY:

1. An Advocate shall not accept employment to prosecute or defend a case out of spite or for the purpose of harassing anyone or delaying any matter; nor shall he take or prosecute an appeal wilfully motivated to harass any one or delay any matter.
2. An Advocate should always treat adverse witnesses and parties with fairness and due consideration, and he should never Minister to the malevolence of prejudices of a client in the trial or conduct of a cause. The client cannot be made the keeper of the Advocate's conscience in professional matters. He has no right to demand that his Advocate shall abuse the opposite party or indulge in offensive arguments. Improper speech is not excusable on the ground that it is what the client would say if speaking in his own behalf.
3. An Advocate must decline to conduct a civil cause or to make a defence when convinced that it is intended merely to harass or to injure the opposite party or to work any oppression or wrong. But otherwise it is his right, and having accepted a retainer, it becomes his duty to insist upon the judgment of the Court as to the legal merits of his client's claim. His appearance in Court should be deemed equivalent to an assertion on his honour that in his opinion his client's case is one proper for judicial determination.

4. No Advocate is obliged to act either as adviser or Advocate for every person who may wish to become his client. He has the right to decline professional employment. Every Advocate upon his own responsibility must decide what business he will accept as an Advocate, what because he will bring into Court for plaintiffs, and what cases he will contest in Court for the defendants.
5. No client, corporate or individual, however powerful, nor any cause civil or political, however important, is entitled to receive, nor should any Advocate render, any service or advice involving disloyalty to the law whose Ministers Advocates are, or disrespect the judicial office, which they are bound to uphold, or corruption of any person or persons exercising a public office or private trust, nor indulge in deception or betrayal of the public. When rendering any such improper service or advice the Advocate invites and merits stern and just condemnation. Correspondingly, he advances the honour of his profession and the best interest of his client when he renders service or gives advice tending to impress upon the client and his undertaking exact compliance with the strictest principles of moral law. He must also observe and advise his client to observe the statute law; though until a statute shall have been finally construed and interpreted by competent adjudication, he is free and indeed is entitled to advise as to its validity and as to what he conscientiously believes to be its just meaning and extent. But above all, an Advocate will find his highest honour in a deserved reputation for fidelity to private trust and to public duty as an honest man and or a patriotic and loyal citizen.
6. An Advocate shall not communicate with, nor appear before a public officer, board, committee or body, in his professional capacity, without first disclosing that he is an Advocate representing interests that may be affected by the action of such officer, board, committee or body.
7. An Advocate should not accept employment as an Advocate in any matter upon the merits of which he has previously acted in a judicial capacity.
8. An Advocate having once held public office or having been in the public employment, should not, after his retirement accept employment in connection with any matter which he has investigated or dealt with while in such office, nor employment except in support thereof.
9. No Advocate will use his previous designation or post such as "Retired Justice", "Ex

Judge", "Retired General", "Ex Attorney-General", "Ex Advocate-General" or use any ex-designation, post or calling in any manner whatsoever, as prefix or suffix, either on letter-Heads, name plates, sign boards, visiting cards or in any form during the period of his practice as an Advocate at any time.]

10. No Advocate shall display outside his office or anywhere else his name on the name plate or Board of the size of more than 1½' x 2'.]
11. An Advocate shall not join or carry on any other profession, business, service or vocation or shall not be an active partner or a salaried official or servant in or be subject to the terms and conditions of service of the Government, semi-Government or autonomous body or any other organization or institution, public or private.
12. Non observance or violation of the canons of professional conduct and etiquette mentioned in this chapter by an Advocate shall be deemed to be professional misconduct making him liable for disciplinary action.]
13. Non observance or defiance of decisions/instructions of the Pakistan Bar Council by any Bar Council or Bar Association or any Member of the Bar/Advocate shall be deemed to be a gross professional misconduct.]

ENGLISH LEGAL LANGUAGE

1. Actionable per se: - The very act is punishable and no proof of damage is required.
2. Actio personalis moritur cum persona:- A personal right of action dies with the person. In other sense, if he dies the right to sue is gone.
3. Actori incumbit onus probandi:- The burden of proof is on the plaintiff.
4. Actus Reus Non Facit Reum Nisi Mens Sit Rea:- Conviction of a crime requires proof of a criminal act and intent. or an act does not make a defendant guilty without a guilty mind. or an act does not constitute guilt unless done with a guilty intention.
5. Ad hoc:- For the particular end or case at hand.
6. Alibi:- At another place, elsewhere.
7. Amicus Curiae:- A friend of court or member of the Bar who is appointed to assist the Court.
8. Ante Litem Motam:- Before suit brought; before controversy instituted OR spoken before a lawsuit is brought.
9. Assentio mentium:- The meeting of minds, i.e mutual assents.
10. Audi alteram partem:- No man shall be condemned unheard.
11. Bona fide:- In good faith.
12. Bona vacantia:- Goods without an owner.
13. Boni iudicis est ampliare jurisdictionem:- It is the part of a good judge to enlarge his jurisdiction, i.e. remedial authority.
14. Caveat:- A caution registered with the public court to indicate to the officials that they are not to act in the matter mentioned in the caveat without first giving notice to the caveator.
15. Caveat actor:- Let the doer beware.
16. Caveat emptor:- Let the buyer beware.

17. Caveat venditor -Let the seller beware.
18. Certiorari:- A writ by which orders passed by an inferior court is quashed.
19. Corpus:- Body.
20. Corpus delicti:- The facts and circumstances constituting a crime and Concrete evidence of a crime, such as a corpse (dead body). Also, It refers to the principle that 'a crime must be proved to have occurred before a person can be convicted of committing that crime.' (This definition is mostly used in Western Law.)
21. Damnum sine injuria:- Damage without injury.
22. De facto:- In fact.
23. De jure:- By law.
24. De minimis:- About minimal things.
25. De Minimis Non Curat Lex:- The law does not govern trifles (unimportant things) or law ignores insignificant details.
26. De novo:- To make something anew.
27. Dictum:- Statement of law made by judge in the course of the decision but not necessary to the decision itself.
28. Doli incapax:- Incapable of crime.
29. Detinue:- Tort of wrongfully holding goods which belong to someone else.
30. Donatio mortis causa:- Gift because of death. (or a future gift given in expectation of the donor's imminent death and only delivered upon the donor's death.)
31. Estoppel:- Prevented from denying.
32. Ex gratia:- As favour.
33. Ex officio:- Because of an office held.
34. Ex parte:- Proceedings in the absence of the other party.

35. Ex post facto:- Out of the aftermath. or After the fact.
36. Fatum:- Beyond human foresight.
37. Factum probans:- Relevant fact.
38. Fraus est celare fraudem:- It is a fraud to conceal a fraud.
39. Functus officio:- No longer having power or jurisdiction.
40. Furiosi nulla voluntas est:- Mentally impaired or mentally incapable persons cannot validly sign a will, contract or form the frame of mind necessary to commit a crime. or a person with mental illness has no free will.
41. Habeas corpus:- A writ to have the body of a person to be brought in before the judge.
42. Ignorantia juris non excusat:- Ignorance of the law excuses not or Ignorance of the law excuses no one. In other words, A person who is unaware of a law may not escape liability for violating that law merely because one was unaware of its content.
43. Injuria sine damno:- Injury without damage.
44. Ipso facto:- By the mere fact.
45. In promptu:- In readiness.
46. In lieu of:- Instead of.
47. In personam:- A proceeding in which relief I sought against a specific person.
48. Innuendo:- Spoken words which are defamatory because they have a double meaning.
49. In status quo:- In the present State.
50. Inter alia:- Among other things.
51. Inter vivos:- (especially of a gift as opposed to a legacy) between living people.
52. Interest Reipublicae Ut Sit Finis Litium:- It means it is in the interest of the State that there should be an end to litigation.
53. Jus cogens (or ius cogens):- Compelling law.
54. Jus in personam:- Right against a specific person.

55. Jus in rem:- Right against the world at large.
56. Jus naturale:- Natural law. Or in other words, A system of law based on fundamental ideas of right and wrong that is Natural Law.
57. Jus non scriptum:- Customary law.
58. Jus scriptum:- Written law.
59. Jus:- Law or right.
60. Justitia nemini neganda est:- Justice is to be denied to nobody.
61. Lex non a rege est violanda:- The law must not be violated even by the king.
62. Locus standi:- Right of a party to an action to appear and be heard by the court and be heard by the court.
63. Mala fide:- In bad faith.
64. Malum in se or Mala in se (plural):- Wrong or evil in itself. Or Mala in se is 'A term that signifies crime that is considered wrong in and of itself.' For Example, Most human beings believe that murder, rape, and theft are wrong, regardless of whether a law governs such conduct or where the conduct occurs and is thus recognizably malum in se.
65. Malum prohibitum:- In a way opposite of Malum in se. It means 'Crimes are criminal not because they are inherently bad, but because the act is prohibited by the law of the State.'
66. Mandamus:- 'We command'. A writ of command issued by a Higher Court to Government/Public Authority, to compel the performance of a public duty.
67. Mens rea:- Guilty mind.
68. Misnomer:- A wrong or inaccurate name or term.
69. Modus operandi:- Way of working.
70. Modus Vivendi:- Way of living.

71. *Mutatis Mutandis*:- with the necessary changes having been made OR with the respective differences having been considered.
72. *Nemo bis punitur pro eodem delicto*:- Nobody can be twice punished for the same offence.
73. *Nemo debet bis vexari pro una et eadem causa*:- It means no man shall be punished twice for the same offence.
74. *Nemo debet esse iudex in propria causa* or *Nemo iudex in causa sua* or *Nemo iudex in sua causa*:- Nobody can be judge in his own case.
75. *Nemo moriturus praesumitur mentire*:- A man will not meet his maker (God) with a lie in his mouth or in other words ‘No man at the point of death is presumed to lie.’ (This maxim is related to DYING DECLARATION)
76. *Nemo Potest esse tenens et dominus*:- Nobody can be both a landlord and a tenant of the same property.
77. *Nolle prosequi*:- A formal notice of abandonment by a plaintiff or prosecutor of all or part of a suit.
78. *Novation*:- Transaction in which a new contract is agreed by all parties to replace an existing contract.
79. *Nunc pro tunc*:- Now for then. A ruling *nunc pro tunc* applies retroactively to correct an earlier ruling.
80. *Non Sequitur*:- A Statement (such as a response) that does not follow logically from or is not clearly related to anything previously said. Source: Merriam Webster Dictionary.
81. *Obiter dictum*:- Things said by the way. It is Generally used in law to refer to an opinion or non-necessary remark made by a judge. It does not act as a precedent. In other words, *Obiter dictum* means “that which is said in passing,” an incidental

Statement. Specifically, in law, it refers to a passage in a judicial opinion which is not necessary for the decision of the case before the court. Such Statements lack the force of precedent but may nevertheless be significant.

82. Onus probandi:- Burden of proof.
83. Pacta Sunt Servanda:- Agreements must be kept. or Agreements are legally binding. In International Agreements it means 'every treaty in force is binding upon the parties to it and must be performed by them in good faith.'
84. Pari passu:- With an equal step. Read more about it on Wikipedia.
85. Particeps criminis:- A participator in the actual crime/partner in crime.
86. Per curiam (decision or opinion):- By the court In other words, The decision is made by the court (or at least, a majority of the court) acting collectively.
87. Per se:- By itself.
88. Persona non grata:- A person who is unacceptable or unwelcome. Opposite of persona non grata is persona grata. Also, In diplomacy, a persona non grata is a foreign person whose entering or remaining in a particular country is prohibited by that country's Government.
89. Prima facie:- At first sight.
90. Alimony:- a husband's (or wife's) provision for a spouse after separation or divorce; maintenance.
91. Palimony:- Money which a man pays to a woman with whom he has been living and from whom he is separated. Palimony has slightly different meanings in different jurisdictions.
92. Per curiam:- By a court.
93. Per incuriam:- Because of lack of care.
94. Prima facie:- On the face of it.

95. **Quantum meruit:-** What one has earned. or The amount he deserves. In other words, A reasonable sum of money to be paid for services rendered or work done when the amount due is not stipulated (specified, written down) in a legally enforceable contract.
96. **Qui facit per alium, facit per se:-** He who acts through another acts himself. In simple words, It is a fundamental legal maxim of the law of agency. It is a maxim often Stated in discussing the liability of the employer for the act of employee in terms of vicarious (indirect, secondhand) liability.
97. **Quid pro quo:-** Something for something.
98. **Qui sentit commodum, sentire debet et onus:-** It means he who receives advantage must also bear the burden.
99. **Quo warranto:-** By what authority. A writ calling upon one to show under what authority he holds or claims a public office.
100. **Ratio decidendi:-** Principle or reason underlying a court judgement. or The rule of law on which a judicial decision is based.
101. **Respondeat superior:-** Let the master answer. For example, There are circumstances when an employer is liable for acts of employees performed within the course of their employment. This rule is also called the master-servant rule.
102. **Res ipsa loquitur:-** The thing speaks for itself.
103. **Res Judicata:-** A matter already judged.
104. **Res Judicata Pro Veritate Accipitur:-** It means that a judicial decision must be accepted as correct.
105. **Rex non protest peccare:-** The king can do no wrong.
106. **Salus populi est suprema lex:-** The welfare of the is the supreme law.
107. **Status quo:-** State of things as they are now.

108. Sine die:- With no day (indefinitely).
109. Sine qua non:- “without which nothing”. An essential condition; a thing that is absolutely necessary. Basically a component of an argument that, if debunked, causes the entire argument to crumble.
110. Suo Motu:- On its own motion.
111. Uberrima fides (sometimes uberrimae fidei):- Utmost good faith.
112. Ubi jus ibi remedium:- Where there is a right, there is a remedy.
113. Veto:- Ban or order not to allow something to become law, even if it has been passed by a Parliament.
114. Vice versa:- Reverse position.
115. Vis major:- Act of God.
116. Volenti non fit injuria:- Damage suffered by consent gives no cause of action. or in other words, If someone willingly places himself in a position where he knows that harm might result, then he is not able (allowed) to bring a claim against the other party in tort or delict (a violation of the law).
117. Vox populi:- Voice of the people. or The opinion of the majority of the people.
118. Waiver:- Voluntarily giving up or removing the conditions.