

compelled, to marry any person against her will, or in order that she may be forced, or seduced to illicit intercourse, or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment for life, and shall also be liable to fine; and whoever by means of criminal intimidation as defined in this Code or of abuse of authority or any other method of compulsion, induces any woman to go from any place with intent that she may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall also be punishable as aforesaid.]

<sup>19</sup>366. *Kidnapping, abducting or inducing woman to compel her marriage, etc.*

<sup>20</sup>[366-A. *Procuration of minor girl.* Whoever, by any means whatsoever, induces any minor girl under the age of eighteen years to go from any place or to do any act with intent that such girl may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years and shall also be liable to fine.]

<sup>1</sup>[366-B. *Importation of girl from foreign country.* Whoever imports into Pakistan from any country outside Pakistan any girl under the age of twenty-one years with intent that she may be, or knowing it to be likely that she will be, forced or seduced to illicit intercourse with another person, shall be punishable with imprisonment which may extend to ten years and shall also be liable to fine.]

367. *Kidnapping or abducting in order to subject person to grievous hurt, slavery, etc.* Whoever kidnaps or abducts any person in order that such person may be subjected, or may be so disposed of as to be put in danger of being subjected to grievous hurt, or slavery, <sup>2</sup>\* \* \* or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

<sup>3</sup>[367-A. *Kidnapping or abducting in order to subject person to unnatural lust.* Whoever kidnaps or abducts any person in order that

19. Section 366 repealed by Ord., 7 of 1979, S. 9(3).

20. Ins. by Act, 20 of 1923, S. 3.

1. Subs. by Ord., 27 of 1981. The section was originally ins. by Act, 20 of 1923, S. 3.

2. The words and comma "or to the unnatural lust of any person," omitted by Ord., 7 of 1979, S.19(3) (a).

3. Ins. by the Protection of Women (Criminal Laws Amendment) Act, 2006 (6 of 2006) S. 3 (w.e.f. 02-12-2006).

such person may be subjected, or may be so disposed of as to be put in danger of being subjected, to the unnatural lust of any person, or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with death or rigorous imprisonment for a term which may extend to twenty-five years, and shall also be liable to fine.]

368. *Wrongfully concealing or keeping in confinement, kidnapped or abducted person.* Whoever, knowing that any person has been kidnapped or has been abducted, wrongfully conceals or confines such person shall be punished in the same manner as if he had kidnapped or abducted such person with the same intention or knowledge, or for the same purpose as that with or for which he conceals or detains such person in confinement.

369. *Kidnapping or abducting child under ten years with intent to steal from its person.* Whoever kidnaps or abducts any child under the age of ten years with intention of taking dishonestly any movable property from the person of such child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

370. *Buying or disposing of any person as a slave.* Whoever imports, exports, removes, buys, sells or disposes of any person as a slave, or accepts, receives or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

371. *Habitual dealing in slaves.* Whoever habitually imports, exports, removes, buys, sells, traffics or deals in slaves, shall be punished with <sup>4</sup>[imprisonment for life], or with imprisonment of either description for a term not exceeding ten years, and shall also be liable to fine.

<sup>5</sup>[371-A. *Selling person for purposes of prostitution, etc.* Whoever sells, lets to hire, or otherwise disposes of any person with intent that such person shall at any time be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, or knowing it to be likely that such person will at any time be employed or used for any such purpose, shall be punished

4. Subs. by L.R.O., 1972, for "transportation for life".

5. Ins. by the Protection of Women (Criminal Laws Amendment) Act, 2006 (6 of 2006) S. 4 (w.e.f. 02-12-2006).

*Explanation.* In this section the expression "prisoner of war" and "protected person" shall have the same meaning as have been assigned to them respectively by Article 4 of Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949, and Article 4 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949, ratified by Pakistan on the second June, 1951].

### *Of Rape*

<sup>10</sup>[375. *Rape.* A man is said to commit rape who has sexual intercourse with a woman under circumstances falling under any of the five following descriptions,—

- (i) against her will;
- (ii) without her consent;
- (iii) with her consent, when the consent has been obtained by putting her in fear of death or of hurt;
- (iv) with her consent, when the man knows that he is not married to her and that the consent is given because she believes that the man is another person to whom she is or believes herself to be married; or
- (v) with or without her consent when she is under sixteen years of age.

*Explanation.* Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

376. *Punishment for rape.* (1) Whoever commits rape shall be punished with death or imprisonment of either description for a term which shall not be less than ten years or more than twenty-five years and shall also be liable to fine.

(2) When rape is committed by two or more persons in furtherance of common intention of all, each of such persons shall be punished with death or imprisonment for life.]

### *Of Unnatural Offences*

377. *Unnatural offences.* Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal,

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10. Sections 375 & 376 ins. by the Protection of Women (Criminal Laws Amendment) Act, 2006 (6 of 2006) S. 5. (w.e.f. 02-12-2006). The original Ss. 375 & 376 were repealed by Ord., 7 of 1979, S. 19 (3) (a).

shall be punished with <sup>11</sup>[imprisonment for life], or with imprisonment of either description for a term which <sup>12</sup>[shall not be less than two years nor more than] ten years, and shall also be liable to fine.

*Explanation.* Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

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11. Subs. by L.R.O., 1972, for "transportation for life".

12. Subs. by Ord., 3 of 1980, S. 6, for "may extend to".