

Chapter 4 Part VI

Conversion Table:

Penal Code of 1960 to CILS Harmonised Sharia Penal Code

PC §	SPC §	Remarks
CAP. I: GENERAL EXPLANATIONS AND DEFINITIONS		
1	1	
2	2	
3	3	
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5	5	
6	6	
7	omitted	Magistrate
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37	36	
38	omitted	Provocation
39	38	
40	39	
41	62	
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CAP. II: CRIMINAL RESPONSIBILITY		
43	65	
44	66	
45	67	
46	68	
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50	72	
51	73	PC: Act of a person of unsound mind SPC: Act of person of unsound mind or person asleep
52	74	
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58	82	
<i>The Right of Private Defence</i>		
59	84	
60	85	
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CAP. III: PUNISHMENTS AND COMPENSATION		
68	93	
69	94	
70	omitted	Fractions of term of punishment
71	95	

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72	96	
73	97	
74	98	
75	omitted	Fine not discharged by death or service of sentence in default of payment
76	99	
77	100	
78	37, 102	PC: Compensation SPC: Restitution or compensation
CAP. IV: JOINT ACTS		
79	104	
80	105	
81	106	
82	107	
CAP. V: ABETMENT		
83	108	
84	109	
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CAP. VI: ATTEMPTS TO COMMIT OFFENCES		
95	120	
CAP. VII: CRIMINAL CONSPIRACY		
96	121	
97	122	
97A	123	
97B	124	
CAP. VIII: BREACH OF OFFICIAL TRUST		
98	272	
99	273	
CAP. IX: OFFENCES AGAINST THE PUBLIC PEACE		
100	274	
101	275	
102	276	
103	277	
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108	282	
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CAP. X: OFFENCES BY OR RELATING TO PUBLIC SERVANTS		
115	289	
116	290	
117	291	
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131	305	
132	306	SPC combines PC §§on "personating a public servant" and "wearing dress or carrying token used by public servant".
133		
CAP. XI: CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS		
134	307	
135	omitted	Preventing service or publication of summons, etc.
136	308	
137	309	
138	310	
139	311	
140	312	
141	omitted	Refusing oath or affirmation when duly required by public servant to make it
142	313	

CONVERSION TABLE: PENAL CODE TO CILS HARMONISED SHARIA PENAL CODE

143	314	
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CAP. XII: FALSE EVIDENCE AND OFFENCES RELATING TO THE ADMINISTRATION OF JUSTICE		
<i>Offences Relating to Evidence</i>		
156	327	
157	328	
158	329	
159	330	
160	331	
161	332	
162	333	
163	334	
164	335	
165	336	
166	337	
<i>Screening of Offenders</i>		
167	338	
168	339	
169	340	
170	341	
<i>Resistance to Arrest, and Escape</i>		
171	342	
172	343	
173	344	
<i>Fraudulent Dealings with Property</i>		
174	345	
175	346	
176	347	
177	348	
<i>Miscellaneous</i>		
178	349	

179	350	
180	351	
181	352	
182	353	
CAP. XIII: PUBLIC NUISANCE		
183	354	
184	355	
185	356	
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202	374	
203	375	
CAP. XIV: LOTTERIES AND GAMING HOUSES		
204	395	
205	396	
206	397	
CAP. XV: CRUELTY TO ANIMALS		
207	399	
208	400	
209	401	
CAP. XVI: OFFENCES RELATING TO RELIGION		
210	402	
211	403	
212	404	
213	405	
CAP. XVII: OFFENCES RELATING TO ORDEAL, WITCHCRAFT AND JUJU		
214	407	
215	408	
216	409	

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217	412		
218	413		
219	414	PC: Unlawful possession of human head SPC: Unlawful possession of human corpse or any part thereof	
CAP. XVIII: OFFENCES AFFECTING THE HUMAN BODY			
<i>Offences Affecting Life</i>			
220	198-201 203	PC: Culpable homicide defined; when and when not punishable with death; punishment when not punishable with death; causing death of person other than intended; causing death when intending to cause hurt only; death caused in act of committing offence SPC: Intentional and unintentional homicide defined and punishments prescribed	
221			
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227	205(a)	Abetment of suicide of child or insane person	
228	omitted	Abetment of suicide	
229	204	PC: attempts to commit culpable homicide punishable with death and not punishable with death SPC: Attempts to commit intentional homicide	
230			
231	omitted	Attempt to commit suicide	
<i>Causing Miscarriage, Injuries to Unborn Children, Exposure of Infants, Cruelty to Children and Concealment of Births</i>			
232	206		
233	208		
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239	213		
<i>Hurt</i>			
240	214		
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244	218-220	PC: varies punishments for hurt and grievous hurt, depending on motive, means used, and whether with or without provocation.	
245			
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248		SPC punishes for voluntarily causing hurt or grievous hurt (§§218, 219) and for unintentionally causing grievous hurt (§220) without further distinction	
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<i>Wrongful Restraint and Wrongful Confinement</i>			
254	243		
255	244		
256	245		
257	246		
258	247		
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261	250		
<i>Criminal Force and Assault</i>			
262	221		
263	222		
264	223		
265	224		
266	omitted	Punishment for assault with provocation	
267	225		
268	226		
269	227		
270	228		
<i>Kidnapping, Abduction and Forced Labour</i>			
271	229		
272	230		
273	231, 232	PC: punishment for kidnapping and abduction in one section; SPC splits into two.	
274	233		
275	234	PC: Procurement of minor girl SPC: Procurement of girl or woman	
276	235	PC: Importation of girl from foreign country SPC: Importation of girl or woman from any place outside the State	
277	236		
278	237		
279	omitted	Buying or disposing of slave	
280	238		
281	239		

CONVERSION TABLE: PENAL CODE TO CILS HARMONISED SHARIA PENAL CODE

<i>Rape and Unnatural and Indecent Offences against the Person</i>		
282	127	
283	128	
284	129-130 133-136	PC: Unnatural offences SPC: Sodomy, lesbianism, bestiality
285	137	
CAP. XIX: OFFENCES AGAINST PROPERTY		
<i>Theft</i>		
286	143, 145, 146	PC: theft defined. SPC: defines theft punishable with <i>hadd</i> and theft not punishable with <i>hadd</i>
287	144, 147	PC: various punishments for theft depending on circumstances. SPC: <i>hadd</i> and non- <i>hadd</i> punishments
288		
289		
290		
<i>Extortion</i>		
291	155	
292	156	
293	157	
294	158	
295	159	
<i>Robbery and Brigandage</i>		
296	151	PC: definitions of robbery and brigandage SPC: definition of <i>hirabah</i>
297		
298	152	PC: punishment for robbery and brigandage under various circumstances SPC: punishment for <i>hirabah</i> under various circumstances
299		
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305	154	PC: belonging to gang of brigands, gang of thieves, or assembling for purpose of committing brigandage SPC: belonging to gang of persons associated for purpose of committing <i>hirabah</i>
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307		
<i>Criminal Misappropriation</i>		
308	160	
309	161	
310	162	
<i>Criminal Breach of Trust</i>		
311	163	
312	164	

313	165	
314	166	
315	167	
<i>Receiving Stolen Property</i>		
316	168	
317	169	
318	omitted	Dishonestly receiving property stolen in commission of brigandage
319	170	
319A	171	
<i>Cheating</i>		
320	172	
321	173	
322	174	
323	175	
324	176	
325	177	
<i>Mischief</i>		
326	381	
327	382	
328	-	PC §328 repealed in 1960
329	383	Mischief by killing or maiming animal
330	omitted	Mischief by killing or maiming cattle etc. Not distinguished in SPC from mischief by killing or maiming any animal as defined in previous section.
331	384	
332	385	
333	386	
334	387	
335	388	
336	389	
337	390	
338	391	
339	392	
340	393	
341	394	
<i>Criminal Trespass</i>		
342	178	
343	179	
344	180	
345	181	
346	182	

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CAP. XX: FORGERY		
362	251	
363	252	
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367	256	
368	257	
369	258	
370	259	
371	260	
<i>Property and Other Marks</i>		
372	261	
373	262	
374	263	
375	264	
376	265	
377	266	
378	267	
379	268	
380	269	
CAP. XXI: CRIMINAL BREACH OF CONTRACTS OF SERVICE		
381	270	
382	271	
CAP. XXII: OFFENCES RELATING TO MARRIAGE AND INCEST		
383	omitted	Deceitfully inducing belief of lawful marriage
384	omitted	Marrying again during lifetime of husband or wife

385	omitted	Re-marriage with concealment of former marriage
386	omitted	Marriage ceremony fraudulently gone through without lawful marriage
387	125, 126	PC: adultery by a man, adultery by a woman
388		SPC: <i>zina</i> defined and punishment prescribed
389	omitted	Enticing or taking away or detaining with criminal intent a married woman
390	131, 132	Incest and punishment therefor
CAP. XXIII: DEFAMATION		
391	141	
392	142	
393	omitted	Injurious falsehood
394	omitted	Printing matter known to be defamatory
395	omitted	Sale of substance containing defamatory matter
CAP. XXIV: CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE AND DRUNKENNESS		
396	240	
397	241	
398	242(1)	Criminal intimidation by anonymous communication
399	omitted	Intentional insult with intent to provoke breach of peace
400	242(2)	Word, gesture or act intended to insult the modesty of woman
401	150	PC splits punishments for drunkenness in public and private places into two sections;
402		SPC combines them in one.
403	148	
404	omitted	Effect of previous convictions under 401-403
CAP. XXV: VAGABONDS		
405	376	
406	377	
407	378	
408	379	
409	380	