

Chapter 4 Part VII

Conversion Table:

CILS Harmonised Sharia Penal Code to Penal Code of 1960

SPC §	PC §	Remarks
CAP. I: GENERAL EXPLANATIONS AND DEFINITIONS		
1	1	
2	2	
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36	37	
37	78	Compensation
38	39	
39	40	
40	omitted	In SPC this is a series of definitions beginning with 'genital', continuing with 'zina' and 'married', and then with a series of Arabic words used subsequently in the Code.
41	omitted	
42	omitted	
43	omitted	
44	omitted	
45	omitted	
46	omitted	
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58	omitted	
59	omitted	
60	omitted	
61	omitted	
62	41	
63	42	
CAP. II: CRIMINAL RESPONSIBILITY		
64	omitted	Basic criminal responsibility
65	43	
66	44	
67	45	
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76	54	
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78	56	
79	57	
80	omitted	Non-voluntary act
81	omitted	Act of necessity
82	58	
83	omitted	Presumption of right of <i>diyab</i> , damages, etc.
<i>The Right of Private Defence</i>		
84	59	
85	60	
86	61	
87	62	
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89	64	
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92	67	
CAP. III: PUNISHMENTS AND COMPENSATION		
93	68	
94	69	
95	71	
96	72	
97	73	
98	74	
99	76	
100	77	
101	omitted	Punishment for misdemeanours
102	78	
103	omitted	Closure of premises
CAP. IV: JOINT ACTS		
104	79	
105	80	
106	81	
107	82	
CAP. V: ABETMENT		
108	83	
109	84	
110	85	
111	86	
112	87	
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118	93	
119	94	
CAP. VI: ATTEMPTS TO COMMIT OFFENCES		
120	95	
CAP. VII: CRIMINAL CONSPIRACY		
121	96	
122	97	
123	97A	
124	97B	
CAP. VIII: HUDUD AND HUDUD-RELATED OFFENCES		
<i>Zina (Adultery or Fornication)</i>		
125	387, 388	SPC: <i>zina</i> defined and punishment prescribed
126		PC: adultery by a man, adultery by a woman
<i>Rape</i>		
127	282	
128	283	
<i>Sodomy (Liwat)</i>		
129	284	SPC: sodomy
130		PC: unnatural offences
<i>Incest</i>		
131	390	
132		
<i>Lesbianism (Sibag)</i>		
133	284	SPC: Lesbianism
134		PC: unnatural offences
<i>Bestiality (Wat al-Bahimah)</i>		
135	284	SPC: Bestiality
136		PC: unnatural offences
<i>Gross Indecency</i>		
137	285	
<i>False Accusation of Zina (Qadhf)</i>		
138	omitted	<i>Qadhf</i> defined
139	omitted	Punishment for <i>qadhf</i>
140	omitted	Remittance of <i>qadhf</i>
<i>Defamation</i>		
141	391	
142	392	
<i>Theft (Sariqah)</i>		
143	286-290	SPC: defines theft

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144		punishable with and without <i>badd</i> and gives punishments therefor. PC: defines theft and gives punishments therefor under various circumstances	170	319				
145			171	319A				
146			<i>Cheating</i>					
147			172	320				
<i>Drinking Alcoholic Drink (Shurb al-Khamr)</i>			173	321				
148	403		174	322				
149	omitted	Punishment for dealing in alcoholic drinks	175	323				
150	401, 402, 404	SPC: punishment for drunkenness in a public or private place. PC splits these into two crimes, and in §404 increases the punishment for repeat offenders	176	324				
			177	325				
<i>Hirabah – (Robbery)</i>			<i>Criminal Trespass</i>					
151	296, 297	SPC: definition of <i>hirabah</i> PC: definitions of robbery and brigandage	178	342				
			179	343				
152	298-303	SPC: punishment for <i>hirabah</i> under various circumstances PC: punishment for robbery and brigandage under various circumstances	180	344				
			181	345				
153	304		182	346				
154	305-307	SPC: belonging to gang of persons associated for purpose of <i>hirabah</i> PC: belonging to gang of brigands, gang of thieves, or assembling for purpose of committing brigandage	183	347				
			184	348				
<i>Extortion</i>			185	349				
155	291		186	350				
156	292		187	351				
157	293		188	352				
158	294		189	353				
159	295		190	354				
<i>Criminal Misappropriation</i>			191	355				
160	308		192	356				
161	309		193	357				
162	310		194	358				
<i>Criminal Breach of Trust</i>			195	359				
163	311		196	360				
164	312		197	361				
165	313		CAP. IX: <i>QISAS</i> AND <i>QISAS</i> -RELATED OFFENCES					
166	314		<i>Homicide</i>					
167	315		198	220-226	SPC: intentional and unintentional homicide defined and punishments prescribed 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; death caused in act of committing offence			
<i>Receiving Stolen Property</i>								
168	316					199		
169	317					200		
			201					
			202	omitted	<i>Wal'yy al-damm</i> causing death of suspect			
			203	222	SPC: remittance of <i>qisas</i>			

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		PC: when culpable homicide is not punishable with death			SPC: splits punishments for kidnapping and abduction into two sections; PC combines in one
204	229, 230	SPC: attempts to commit intentional homicide PC: attempts to commit culpable homicide punishable with death and not punishable with death		231	273
205	227	SPC: abetment in cases of homicide PC: abetment of suicide of child or insane person		232	
<i>Causing Miscarriage etc.</i>				233	274
206	232			234	275
207	234			235	276
208	233			236	277
209	235			237	278
210	236			238	280
211	237			239	281
212	238			CAP. X: TA'AZIR OFFENCES	
213	239			<i>Criminal Intimidation</i>	
<i>Hurt</i>				240	396
214	240			241	397
215	241			242	398
216	242			<i>Wrongful Restraint; Wrongful Confinement</i>	
217	243			243	254
218	244, 246, 248-253	SPC: punishment for causing hurt. PC varies punishment depending on motive, means used, and whether with or without provocation		244	255
219	245, 247, 248-253	SPC: punishment for causing grievous hurt. PC varies punishment as with causing hurt		245	256
220	omitted	punishment for unintentionally causing grievous hurt		246	257
<i>Criminal Force and Assault</i>				247	258
221	262			248	259
222	263			249	260
223	264			250	261
224	265			<i>Forgery</i>	
225	267			251	362
226	268			252	363
227	269			253	364
228	270			254	365
<i>Kidnapping, Abduction and Forced Labour</i>				255	366
229	271			256	367
230	272			257	368
				258	369
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				260	371
				<i>Property and Other Marks</i>	
				261	372
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269	380		<i>Contempts of the Lawful Authority of Public Servants</i>		
<i>Criminal Breach of Contracts of Service</i>			307	134	
270	381		308	136	
271	382		309	137	
<i>Breach of Official Trust</i>			310	138	
272	98		311	139	
273	99		312	140	
<i>Offences Against the Public Peace</i>			313	142	
274	100		314	143	
275	101		315	144	
276	102		316	145	
277	103		317	146	
278	104		318	147	
279	105		319	148	
280	106		320	149	
281	107		321	150	
282	108		322	151	
283	109		323	152	
284	110		324	153	
285	111		325	154	
286	112		326	155	
287	113		<i>False Evidence; Offences Relating to the Admin. of Justice</i>		
288	114		327	156	
<i>Offences by or Relating to Public Servants</i>			328	157	
289	115		329	158	
290	116		330	159	
291	117		331	160	
292	118		332	161	
293	119		333	162	
294	120		334	163	
295	121		335	164	
296	122		336	165	
297	123		337	166	
298	124		<i>Screening of Offenders</i>		
299	125		338	167	
300	126		339	168	
301	127		340	169	
302	128		341	170	
303	129		<i>Resistance to Arrest and Escape</i>		
304	130		342	171	
305	131		343	172	
306	132, 133	SPC combines two PC §§ on personating public servant	344	173	

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<i>Fraudulent Dealings with Property</i>		
345	174	
346	175	
347	176	
348	177	
<i>Miscellaneous</i>		
349	178	
350	179	
351	180	
352	181	
353	182	
<i>Public Nuisance</i>		
354	183	
355	184	
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362	191	
363	192	
364	193	
365	194	
366	195	
367	196	
368	197	
369	198	
370	199	
371	omitted	Invasion of privacy
372	200	
373	201	
374	202	
375	203	
<i>Vagabonds</i>		
376	405	
377	406	
378	407	
379	408	
380	409	
<i>Mischief</i>		
381	326	
382	327	

383	329	
384	331	
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387	334	
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390	337	
391	338	
392	339	
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394	341	
<i>Lotteries and Gaming Houses</i>		
395	204	
396	205	
397	206	
398	omitted	Power to order forfeiture of lottery equipment etc.
<i>Cruelty to Animals</i>		
399	207	
400	208	
401	209	
<i>Offences Relating to Religion</i>		
402	210	
403	211	
404	212	
405	213	
406	omitted	Blasphemous acts, utterances, etc.
<i>Offences Relating to Ordeal, Witchcraft and Juju</i>		
407	214	
408	215	
409	216	
410	214, 216	Attending places of witchcraft or trial by ordeal: substantially covered in PC §§214 and 216
411	omitted	Causing death by witchcraft or juju
412	217	
413	218	
414	219	SPC: unlawful possession of human corpse or any part thereof PC: unlawful possession of human head