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18, 2010/Akhamis Mubarram 29, 1432/Rehbaratibhara Fama 21, 1431, at 07:11:56, PM

is, 1898 (Act V of 1898) as amended upto date.

1. [The Code of Criminal Procedure, 1898](#) by Muhammad Mahmood-ul-Hassan.
2. [The Code of Criminal Procedure with commentary](#) by Muhammad Madsar Hassan Nizami.

Crime or offence is an illegal act or omission prohibited by and punishable at law and for which a special procedure is provided at law to punish the offender.

Mens rea and actus reus are the essential elements which constitute crime. Constitution any law which is in conflict to Islam is null & void. No contravene to Islam. Fundamental Rights are also protected under C deprived from his Fundamental Rights of movement.

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Arrest To arrest a person is to deprive him of his liberty by some lawful authority for the purpose of compelling his appearance to answer a criminal charge, or as a method of execution. Arrest is restraint of movement or liberty.

Offences are classified under law. Some are compound-able & non-compound-able, cognizable & non-cognizable, bailable & non-bailable etc. There are certain exceptions in such classifications. Some are exempt from arrest or detention.

Cognizable offences: Cognizable offences are those in which police can take action without having warrant from Magistrate keeping in view of the gravity of the offence committed or likely to commit. Only serious crimes such as murder or injury or such like offences come under cognizable offences. Schedule 2 of Code of Criminal Procedure determines whether which offence comes under cognizable. Bail is not granted in cognizable offences. Private person can also arrest the offender. He may either take offender to Police Station or inform Police Officer regarding his apprehension.

This section provides powers to police to apprehend the offenders even than offence is not committed but merely it is designed to commit. Where there is apprehension of the commission of the crime, police may take action to prevent the commission of crime. Law does not wait the commission of crime. It is killed before its birth. The only caution, which the Police Officer has to take, is that he is to be satisfied that the commission of the offence could not be otherwise prevented. Object of this action is to prevent commission of cognizable offence by arresting person before hand who intends to commit such an offence. Police Officer arresting such a person must have knowledge that he had designed to commit a cognizable offence.

The law on preventive detention only authorizes a Police Officer of the requisite rank to arrest a person whom he reasonably suspects of having done or of doing or of being about to do a prejudicial act. Whether the suspicion is reasonable or not, is a justice-able question. The arresting officer

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