

(XVIII of 1891) and relates, or might disclose any information which relates to the bank account of any person except.

Punjab Amendment: [Provided that no officer shall issue any such order requiring the production of any document or other thing which is in the custody of a bank or banker as defined in the Banker Books Evidence Act, 1891 (XVIII of 1891) and relates or might disclose any information which relates, to bank account of any person except with the prior permission In writing of the High Court or the Sessions Judge within whose jurisdiction such bank or banker, as the case may be, is situated or carries on business.]

(2) Any person required under this section merely to produce a document or other thing shall be deemed to have complied with the requisition if he causes such document or thing to be produced instead of attending personally to produce the same.

(3) Nothing in this section shall be deemed to affect the Evidence Act, 1872, section 123 and 124, or to apply to a letter, postcard, telegram, or other document or any parcel or thing in the custody of the Postal or Telegraph authorities.

(a) for the purpose of investigating an offence under sections 403, 406, 408 and 409 and section 421 to 424 (both inclusive) and section 465 to 447-A (both inclusive) of the Pakistan Penal Code, with the prior permission in writing of a Sessions Judge; and

(b) in other cases, with the prior permission in writing of the High Court.

95. Procedure as to letters and telegraphs. (1) If any document, parcel or thing in such custody is, in the opinion of any District Magistrate, High Court or Court of Sessions, wanted for the purpose of any investigation, inquiry trial or other proceeding under this Code, such Magistrate or Court may require the Postal or Telegraph authorities, as the case may be to deliver such document, parcel or thing to such person as such Magistrate or Court directs.

(2) If any such document, parcel or thing is, in the opinion of any other Magistrate, or District Superintendent of Police, wanted for any such purpose, he may require the Postal or Telegraph Department, as the case may be, to cause search to be made for and to detain such document, parcel or thing pending the orders of any such District Magistrate, or Court.

B. Search warrants

96. When search warrant may be issued. (1) Where any Court has reason to believe that a person to whom a summons or order under section 94 or a requisition under section 95, sub-section (1), has been or might be addressed, will not or would not produce the document or thing as required by such summons or requisition.

or where such documents or thing is not known to the Court to be in the possession of any person,

or where the Court considers that the purposes of any inquiry, trial or other proceeding under this Code will be served by a general search or inspection.

it may issue a search-warrant; and the person to whom such warrant is directed, may search or inspect in accordance therewith and the provisions hereinafter contained.

(2) Nothing herein contained shall authorize any Magistrate other than a District Magistrate to grant a warrant to search for a document, parcel or other thing in the custody of the Postal or Telegraph authorities.

97. Power to restrict warrant. The Court may, if it thinks fit, specify in the warrant the particular place or part thereof to which only the search or inspection shall extend; and the person charged with the execution of such warrant shall then search or inspect only the place or part so specified.

98. Search of house suspected to contain stolen property, forged documents, etc. (1) If a District Magistrate, Sub-Divisional Magistrate, or Magistrate of the first class, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property,

or for the deposit or sale or manufacture of forged documents, false seals or counterfeit stamps, [bank notes, currency notes or coins, or instruments or materials for counterfeiting coins stamps, bank notes or currency notes] or for forging,

or that any forged documents, false seals or counterfeit stamps [bank note currency notes or coins or instruments or materials used for counterfeiting coins, stamps, bank notes or currency notes] or for forging, are kept or deposited in any place.

or for the deposit, sale, manufacture or production of any obscene object such as is referred to in section 292 of the Pakistan Penal Code or that any such obscene objects are kept or deposited in any place;

he may by his warrant authorize any police-officer above the rank of a constable-

(a) to enter, with such assistance as may be required, such place, and

(b) to search the same in manner specified in the warrant, and

(c) to take possession of any property, documents, seals, stamps, [bank notes, currency notes] or coins therein found which he reasonably suspects to be stolen, unlawfully obtained, forged, false or counterfeit, and also of any such instruments and materials or of any such obscene objects as aforesaid, and

(d) to convey such property, documents, seals, stamps, [bank notes, currency notes], coins, instruments, or materials or such obscene objects before a Magistrate, or to guard the same on the spot until the offender is taken before a Magistrate, or otherwise to dispose thereof in some place of safety, and

(e) to take into custody and carry before a Magistrate every person found in such place who appears to have been privy to the deposit, sale or manufacture or keeping of any such property, documents seals, or stamps, (bank notes, currency) notes coins, instruments or materials [or such obscene objects] knowing of having reasonable cause to suspect the said property to have been stolen or otherwise unlawfully obtained, or the said documents, seals, stamps, bank notes, currency notes, coin, instruments or materials, to have been forged, falsified or counterfeited, or the said instruments or materials have been or to be intended to be used for counterfeiting coin, stamps, bank notes, or currency notes or for forging 2o[or the said obscene objects to have been or to be intended to be sold, let to hire, distributed, publicly exhibited, circulated, imported or exported].

(2) The provisions of this section with respect to:

(a) counterfeit coin,