

## ***Preface***

1. ***Author*** has felt when he ***qualified*** as Chartered Accountant (CA) in Year 1985 that ***legal provisions' interpretations*** are ***big challenge*** for legal professionals, govts' officials and public at large ***in India and outside India***.
  2. ***Author*** has ***realized*** that ***something*** should ***be developed to resolve this challenge*** in India and outside India.
  3. ***Author*** has ***started compiling*** Frequently Asked Questions (FAQs) on many subjects where his 100% ***answers are precisely based on Yes or No i.e. white or black nothing is grey***
  4. ***Author*** has ***compiled approximately 150 +(plus) research papers / books with 25 thousand + (plus) pages*** on many prevailing subjects / acts in India and outside India.
  5. ***Author's 1<sup>st</sup> paper book*** is now ***being published*** under head FAQs on Enforcement Directorate (ED) ***where 571 FAQs are replied*** based on Yes or No i.e. white or black nothing is grey
  6. This ***book*** is also ***containing***
    - (i) Foreign Exchange Management Act (***FEMA***) 1999 and rules / regulations
    - (ii) Prevention of Money Laundering Act (***PMLA***) 2002 and rules / regulations
    - (iii) Fugitive Economic Offenders Act (***FEOA***) 2018 and rules / regulations
  7. This ***book*** is ***published with Sai Kripa and dedicated*** to my father (late) ***Mr. M.R. Agarwal***, Mother ***Mrs. R.D. Agarwal***, wife ***Mrs. Snigdha Agarwal***, daughter ***Ms. Soumya Agarwal***, daughter ***Ms. Sanya Agarwal*** and dedicated team headed by ***Rajat Kumar***
- ***I trust that you will be enriched by reading this book***

*With best wishes,*  
***CA. Satish Agarwal***  
***B. Com (Hons.) FCA***

*satishagarwal307@yahoo.com*  
*+91-9811081957*  
*www.femainindia.com*

## ***Author's Profile***

***Mr. Satish Agarwal (FCA) is heading M/s Satish S Agarwal & Co. Chartered Accountants since 1985 with a team of dynamic young professionals serving clients from various business sectors including public listed companies and government undertakings. Firm was also registered with PCAOB (USA) for undertaking audits and other work of US GAAP.***

***He is regularly advising on several matters to Institute of Chartered Accountant of India (ICAI) and also to Ministry of Commerce (MoC) for Foreign Trade Agreements (FTAs) and World Trade Organization (WTO) for securing India's best interests.***

***He is continuously advising on Foreign Investments (FIs) in India and also on Overseas Direct Investments (ODIs) outside India.***

***He is known for his expertise in incorporating companies in most of countries across the world.***

***He has written around 150 +(plus) Research papers / books containing 25 thousand +(plus) pages available "freely" on certain portals like:***

***[https://taxguru.in/author/satishagarwal307\\_1957](https://taxguru.in/author/satishagarwal307_1957)***

***Or***

***[www.femainindia.com](http://www.femainindia.com)***

***Few out of abovementioned Research papers / books are as under:***

- 1. Book on Enforcement Directorate (ED) in India- (Book with 617 pages)***
- 2. Director of Revenue Intelligence (DRI) in India***
- 3. Central Bureau of Investigation (CBI) in India***
- 4. National Investigation Agency (NIA) in India***
- 5. Serious Fraud Investigation Office (SFIO) in India***
- 6. Financial Intelligence Unit (FIU-IND) in India***
- 7. Central Vigilance Commission (CVC) in India***
- 8. Narcotics Control Bureau (NCB) in India***
- 9. Research & Analysis Wing (R&AW) in India***
- 10. Economic Offence Wing (EOW) in India***
- 11. Intelligence Bureau (IB) in India***
- 12. Director General of Income Tax Criminal Investigation (DGITCI) in India***
- 13. National Company Law Tribunal (NCLT) in India***
- 14. Security Exchange Board of India (SEBI) in India***
- 15. Prevention of Corruption (PC) Act, 1988 in India***

16. *Foreign Assets Investigation Unit (FAIU) in India*
17. *Book on International Financial Services Center (IFSC) in India (Book with 290 pages)*
18. *Replacement of Indian Penal Code (IPC) Criminal Procedure (CP) & Evidence Act (EA) in India*
19. *Undisclosed Foreign Income & Asset (UFIA)-Black Money Act, 2015*
20. *Statutory provisions for General Anti Avoidance Rule (GAAR) in India*
21. *Reserve Bank of India (RBI) Act, 1934*
22. *Foreign Exchange Management Act (FEMA) 1999 in India*
23. *Benami Transactions (Prohibition) Amendment Act, 2016 in India*
24. *Advance Pricing Agreements (APAs) in India*
25. *Annual Performance Report (APR) for Investments outside India*
26. *Foreign Trade Agreements (FTAs) executed by India*
27. *Statutory Obligations for Companies Operating in India*
28. *Significant Beneficial Owners (SBO) in India*
29. *Significant Economic Presence (SEP) in India*
30. *Place of Effective Management (POEM) in India*
31. *Liberalized Remittance Scheme (LRS) for residents of India*
32. *Foreign Liability and Asset (FLA) return in India*
33. *FATCA agreement with USA*
34. *Double Taxation Avoidance Agreement (DTAA) with USA*
35. *Foreign Tax Credit (FTC) in India*
36. *Corporate Frauds (CFs) in India*
37. *Export of Goods and Services under FEMA, 1999 in India*
38. *Imports of Goods and Services under FEMA, 1999 in India*
39. *External Commercial Borrowings (ECBs) in India*
40. *Overseas Direct Investments (ODIs) under FEMA, 1999 in India*
41. *Acquisition of Immovable Properties by Non-residents under FEMA, 1999 in India*
42. *Compounding of Contraventions under FEMA, 1999 in India*
43. *Foreign Branch Office (BO) + Liaison Office (LO) + Project Office (PO) under FEMA, 1999 in India*
44. *Annual Information Statement (AIS) in India*
45. *Investments by Non-Residents (NRIs) in India*
46. *Guidance for Doing Business in United States of America (USA)*
47. *Corporate Tax (CT) Law in UAE*
48. *Acquisition & Transfer for Immovable Properties by Non-Residents (NRs) in India*
49. *Foreign Company's Registration in India*
50. *Auditor Checks and Reporting for Indian Companies in India*
51. *Companies Auditor Report Order (CARO) 2020 in India*
52. *Tax Audit Report (TAR) + Accounting Standard (ASs) in India*
53. *World Trade Organisation (WTO) & Benefits for India*
54. *Deposits by Corporate in India*
55. *Expatriates + Foreign Citizens in India*
56. *Book on Foreign Investments (FIs) by Non-Residents of India (Non-RoI) (Book with 346 pages)*



## 181 FAQs on **Replacement** of IPC, 1860 + CPC, 1898 + IEA, 1872 (3 Acts) in India

### INDEX

S.No	Particulars of topics	Page No.
<b>(A) Before replacement from IPC, 1860 to Bharatiya Nyaya Sanhita (BNS)</b>		<b>10</b>
1.	History before independence (1947)	10 + 11
2.	History after independence (1947)	11
3.	IPC, 1860 replaced with Bharatiya Nyaya Sanhita (BNS) Bill 2023 on Aug 11, 2023	11
4.	Replacement's objectives	12
5.	IPC to include 511 sections before replacement	12 + 13
6.	More interpretations through Mental Healthcare Act, 2017 - Section 115(1)	14
7.	More interpretations from Punjab High Court for death penalty - Section 302	14
8.	More interpretations for death penalty - Section 305 + etc.	14
9.	More interpretations from govt. of India - Section 309	15
10.	More interpretations from Rajasthan High Court - Section 309	15
11.	More interpretations from Supreme Court of India - Section 309	15
12.	More interpretations from govt. of India - Section 377	15
13.	More interpretations from Delhi High Court - Section 377	16
14.	More interpretations from Supreme Court of India - Section 377	16
15.	More interpretations from Supreme Court of India - Section 377	16
16.	More interpretations from govt. of India - Section 497	16
17.	More interpretations from Supreme Court of India - Section 497	16 + 17

18.	<i>Malimath Committee's suggestions in 2003 for Criminal justice reforms</i>	17
19.	<i>Universally acceptability of IPC, 1860</i>	17
20.	<i>Role in Indian movies of IPC, 1860</i>	17
21.	<i>Amendments made during 150 years (1870 to 2019) in IPC, 1860</i>	18 to 20
	<b>(B) After replacement from IPC + CPC + IEA to BNS + BNSS + BS (3 Acts) in India</b>	<b>21</b>
22.	<i>Introduction</i>	21
23.	<i>Objects</i>	21
24.	<i>Legal structures</i>	21 + 22
25.	<i>Comparison between BNS Bill, 2023 and IPC 1860</i>	22
26.	<i>Comparison between BNSS Bill, 2023 and CPC 1898</i>	22 + 23
27.	<i>Comparison between BS Bill, 2023 and IEA 1872</i>	23
28.	<i>Removed signs of slavery from 475 places</i>	23
29.	<i>To include electronic records modes under documents</i>	23 + 24
30.	<i>100% digitized process</i>	24
31.	<i>100% videography</i>	24
32.	<i>National Forensic Science University (NFSU)</i>	24
33.	<i>Visit by forensic team at crime place</i>	24
34.	<i>Zero FIR</i>	25
35.	<i>E-FIR</i>	25
36.	<i>Statement of victim for sexual violence + harassment</i>	25
37.	<i>Status report for complaints</i>	25
38.	<i>Not to withdraw case when imprisonment for minimum 7 years</i>	25
39.	<i>Increased scope for summary trial against petty cases</i>	25
40.	<i>90 days court's time limit for filing charge sheet by police</i>	26

41.	<b>60 days court's time limit for charge framing notice</b>	26
42.	<b>7 days court's time limit for online verdict (decision)</b>	26
43.	<b>120 days court's time limit for civil servants' trial</b>	26
44.	<b>Inter-state gangs or organized crimes for attachment</b>	26
45.	<b>20 years imprisonment for sex based on false promises</b>	27
46.	<b>Life imprisonment for gang rape based on false promises</b>	27
47.	<b>Death penalty for crime with girl below 18 years age</b>	27
48.	<b>Death penalty for mob lynching</b>	27
49.	<b>10 years imprisonment for mobile or chain snatching (any)</b>	27
50.	<b>Life imprisonment for snatching + permanent disability (both)</b>	27
51.	<b>10 years imprisonment for crimes with children</b>	28
52.	<b>From death penalty to life imprisonment for political gains</b>	28
53.	<b>Abolished (repealed) sedition law for enabling right to speak</b>	28
54.	<b>Terrorism's meaning for unity + sovereignty + integrity (all)</b>	28
55.	<b>Trial in absentia against person declared escaped by court</b>	29
56.	<b>Compulsory justice in maximum 3 years</b>	29
57.	<b>Care for women + children + police can't misuse powers (all)</b>	29
58.	<b>10 years imprisonment for criminals runaway from police custody</b>	29
<b>(C) Meanings under Bhartiya Nyaya Sanhita (BNS) + Indian Penal Code (IPC) both</b>		<b>30</b>
59.	<b>General - Section 2 of BNS + Section 6 to 52A of IPC (both)</b>	30
60.	<b>Child - Section 2(3) of BNS + Section 6 to 52A of IPC (both)</b>	30
61.	<b>Document - Section 2(8) of BNS + Section 29 of IPC (both)</b>	30
62.	<b>Gender - Section 2(10) of BNS + Section 8 of IPC (both)</b>	30
63.	<b>Judge - Section 2(16) of BNS Bill, 2023</b>	30

64.	<i>Judge - Section 19 of IPC, 1860</i>	31
65.	<i>Month + year - Section 2(20) of BNS + Section 49 of IPC (both)</i>	31
66.	<i>Movable property - Section 2(21) of BNS + Section 22 of IPC (both)</i>	31
67.	<i>Punishment - Section 4 of BNS</i>	32
68.	<i>Community service punishment - Section 4 of BNS</i>	32
69.	<i>Punishment - Section 53 of IPC</i>	33
70.	<i>Life imprisonment under BNS + IPC (both)</i>	33
71.	<i>Punishment for assisting against committing offence - Section 57 of BNS</i>	33
72.	<i>Punishment for assisting against committing offence - Section 117 of IPC</i>	33
73.	<i>Rape - Section 63 of BNS</i>	33
74.	<i>Rape - Section 375 of IPC</i>	33
75.	<i>Rape - Section 64(2)(i) of BNS</i>	33
76.	<i>Rape - Section 376(2)(i) of IPC</i>	34
77.	<i>Death penalty for gang rape - Section 70 of BNS</i>	34
78.	<i>Death penalty for gang rape - Section 376AD to 376DB of IPC</i>	34
79.	<i>Child procurement - Section 96 of BNS</i>	34
80.	<i>Child procurement - Section 366A of IPC</i>	34
81.	<i>Child + non child (both) selling for prostitution + etc. - Section 98 of BNS</i>	34
82.	<i>Child (only) selling for prostitution + etc. - Section 372 of IPC</i>	34
83.	<i>Child + non child (both) buying for prostitution + etc. - Section 99 of BNS</i>	34
84.	<i>Punishment for child buying against prostitution - Section 99 of BNS</i>	35
85.	<i>Child (only) buying for prostitution + etc. - Section 373 of IPC</i>	35
86.	<i>Punishment for child buying against prostitution - Section 373 of IPC</i>	35
87.	<i>Punishment for culpable homicide not amounting to murder - Section - 105 of BNS</i>	35
88.	<i>Punishment for culpable homicide not amounting to murder - Section - 304 of IPC</i>	35



89.	<i>Punishment for death penalty due to negligence act - Section 106 of BNS</i>	35
90.	<i>Punishment for death penalty due to negligence act - Section 304A of IPC</i>	36
91.	<i>Punishment for attempt to murder by life convict person - Section – 109 of BNS</i>	36
92.	<i>Punishment for attempt to murder by life convict person- Section – 307 of IPC</i>	36
<b>(D) Commutation of sentence under BNSS Bill, 2023 + CPC, 1898 (both)</b>		<b>37</b>
93.	<i>From death penalty to life imprisonment - Section 474 of BNSS, 2023</i>	37
94.	<i>From death penalty to other punishment - Section 433 of CPC, 1898</i>	37
95.	<i>From life to minimum 7 years imprisonment - Section 474 of BNSS, 2023</i>	37
96.	<i>From life to maximum 14 years imprisonment or fine - sec 433 of CPC, 1898</i>	37
97.	<i>From minimum 7 years to minimum 3 years imprisonment - Section 474 of BNSS</i>	37
98.	<i>From rigorous to simple imprisonment or fine - Section 433 of CPC, 1898</i>	37
99.	<i>From rigorous to simple imprisonment - Section 474 of BNSS, 2023</i>	37
100.	<i>From simple imprisonment to fine - Section 433 of CPC, 1898</i>	38
101.	<i>From maximum 7 years imprisonment to fine - Section 474 of BNSS, 2023</i>	38
<b>(E) Punishments inserted through new sections under BNS Bills 2023</b>		<b>39</b>
102.	<i>For default in payment against fine or default in community service (any)</i>	39
103.	<i>For offence committed outside India which also treated offence in India – Sec 48</i>	39
104.	<i>For sexual intercourse based on false promises for employment or etc. – Sec 69</i>	39
105.	<i>For child hiring or employing or engaging (any) – Section 93</i>	39
106.	<i>For Mob lynching by group of minimum 5 persons based on race or caste – Sec 103(2)</i>	40
107.	<i>For petty organized crimes committed by member of group or gang – Sec 112</i>	40
108.	<i>Meaning for theft under petty organized crimes by groups or gangs – Sec 112</i>	40
109.	<i>For terrorist activity by offender - Section 113</i>	41
110.	<i>Meaning for terrorist activity by offender - Section 113</i>	41 + 42



111.	Meaning for <b>public functionary</b> - Section 113	42
112.	Meaning for <b>counterfeit Indian currency</b> - Section 113	42
113.	For <b>offender's escaping from scene</b> of incident without reporting to Police	43
114.	For <b>negligence act by medical practitioner</b> during medical procedure	43
115.	For <b>continuing unlawful activity</b> + economic offence by organized criminal ( <b>both</b> )	43 + 44
116.	Meaning for <b>organized crime syndicate</b> against continuing unlawful activity	44
117.	Meaning for <b>continuing unlawful activity</b> by organized crime syndicate	44
118.	Meaning for <b>economic offence</b> by organized crime syndicate	44
119.	For <b>committing organized crime</b>	45
120.	For <b>attempting or knowingly facilitating</b> for committing organized crime	45
121.	For <b>attempting or knowingly facilitating</b> by member of crime syndicate	45
122.	For <b>intentionally harbored</b> or concealed person ( <b>any</b> ) who committed offence	45
123.	For <b>possessing property</b> derived from committing organized crime	46
124.	For <b>possessing not satisfactory explained</b> movable or immovable <b>property (any)</b>	46
<b>(F) Offences under BNS Bill, 2023 + IPC, 1860 (both) in India</b>		<b>47</b>
125.	<b>Preliminary</b> like short title + definition + etc – Sec 1 to 3 (Chapter – I)	47
126.	<b>Punishments</b> against offences – Sec 4 to 13 (Chapter – II)	47
127.	<b>General expectations</b> against offences – Sec 14 to 33 (Chapter – III)	47 + 48
128.	For <b>right against private defense</b> – Sec 34 to 44 (Chapter – III)	48
129.	For <b>abetment</b> + conspiracy + abetment's attempt ( <b>all</b> ) – Sec 45 to 60 (Chap. – IV)	49
130.	For <b>criminal conspiracy</b> – Sec 61 (Chapter – IV)	49
131.	For <b>attempting to commit</b> – Sec 62 (Chapter – IV)	49
132.	For <b>sexual crime with women</b> + children + transgender ( <b>all</b> ) - Sec 63 to 72 (Chap-V)	49 + 50
133.	For <b>criminal force</b> + assault against women ( <b>both</b> ) – Sec 73 to 78 (Chapter – V)	50

134.	For <b>marriage</b> - Sec 79 to 85 (Chapter - V)	50
135.	For <b>causing miscarriage</b> without women's consent - Sec 86 to 90 (Chap. - V)	50
136.	For <b>children</b> - Sec 91 to 97 (Chapter - V)	51
137.	For <b>human body</b> + human life ( <b>both</b> ) - Sec 98 to 111 (Chapter - VI)	51
138.	For <b>causing or grievous hurt</b> ( <b>any</b> ) by dangerous weapon-Sec 112 to 125 (Chap-V)	51 + 52
139.	For <b>criminal force</b> + assault ( <b>both</b> ) - Sec 126 to 134 (Chapter - VI)	52
140.	For <b>kidnap</b> + abduction + slavery + forced labor ( <b>all</b> ) - Sec 135 to 144 (Chap.-VI)	52 + 53
141.	For <b>govt.</b> - Sec 145 to 156 (Chapter VII)	53
142.	For <b>Army</b> + Navy + Air Force ( <b>all</b> ) - Sec 157 to 166 (Chapter VIII)	53 + 54
143.	For <b>elections</b> - Sec 167 to 175 (Chapter IX)	54
144.	For <b>coins</b> + currency notes + bank notes + stamps ( <b>all</b> )-Sec 176 to 186 (Chap. X)	54 + 55
145.	For <b>public harmony</b> - Sec 187 to 195 (Chapter XI)	55
146.	For <b>public servant</b> - Sec 196 to 203 (Chapter XII)	55
147.	For <b>lawful authority by public</b> + public servants ( <b>both</b> ) - Sec 204 to 224 (Chap XIII)	55 + 56
148.	For <b>false evidence</b> + public justice ( <b>both</b> ) - Sec 225 to 267 (Chapter XIV)	56 to 58
149.	For <b>health</b> + safety + convenience + decency ( <b>all</b> ) - Sec 268 to 295 (Chap XV)	58 + 59
150.	For <b>religion</b> - Sec 296 to 300 (Chapter XVI)	59
151.	For <b>property</b> - Sec 301 to 305 (Chapter XVII)	59
152.	For <b>extortion</b> - Sec 306 (Chapter XVII)	59
153.	For <b>robbery</b> + <b>dacoity</b> ( <b>both</b> ) - Sec 307 to 311 (Chapter XVII)	59
154.	For <b>criminal property's misappropriation</b> - Sec 312 to 313 (Chap. XVII)	60
155.	For <b>criminal trust's breach</b> - Sec 314 (Chapter XVII)	60
156.	For <b>receiving stolen property</b> - Sec 315 (Chapter XVII)	60
157.	For <b>cheating</b> - Sec 316 + 317 (Chapter XVII)	60
158.	For <b>fraudulent deeds</b> + Property's dispositions ( <b>both</b> ) - Sec 318 to 321 (Chap. XVII)	60

159.	For <b>mischief</b> - Sec 322 to 326 (Chapter XVII)	60
160.	For <b>Criminal trespass</b> - Sec 327 to 332 (Chapter XVII)	60 + 61
161.	For <b>documents</b> + property marks (both) - Sec 333 to 342 (Chapter XVIII)	61
162.	For <b>property marks</b> - Sec 343 to 348 (Chapter XVIII)	61
163.	For <b>criminal intimidation</b> + insult + annoyance (all) - Sec 349 to 353 (Chap. XIX)	61 + 62
164.	For <b>defamation</b> - Sec 354 (Chapter XIX)	62
165.	For <b>contract's breach</b> + supply to helpless persons (both) - Sec 355 + 356 (Chap. XIX)	62
166.	IPC's <b>certain words</b> + <b>provisions</b> (both) <b>deleted</b> in BNS Bill, 2023	62 + 63
	<b>(G) Punishment's summary through new sections inserted under BNS Bills, 2023</b>	<b>64</b>
167.	For <b>community service</b> against petty offences - Section 4	64
168.	For <b>rape</b> - Section 64	64
169.	For <b>sexual intercourse</b> by dishonest means or false promise to marry (any) – Sec. 69	64
170.	For <b>Crimes against women + children + transgender</b> (all) - Section 69	64
171.	For <b>Gang rape</b> - Section 70	64
172.	For <b>Mob lynching</b> - Section 101(2)	65
173.	For <b>terrorism</b> + <b>terrorist activity</b> (both) - Section 111	65
174.	For <b>illicit intercourse</b> with boy or girl below 18 or 21 years age - Section 139	65
175.	For <b>sedition removed</b> except danger for sovereignty + etc. of India – Sec. 150	65
176.	Meaning for <b>sedition removed</b> except danger for sovereignty + etc.– Sec. 150	65
177.	For <b>violating legal obligations</b> by public servant - Section 200	66
178.	For <b>snatching</b> - Section 302	66
179.	For <b>defamation</b> - Section 354	66
180.	Meaning for <b>not yet prescribed</b> for community service	66
181.	Meaning for <b>not covering man + transgender</b> for rape + sexual intercourse (all)	66
	<b>Publisher's Profile on 181 FAQs on Replacement of IPC, 1860 + CPC, 1898 + IEA, 1872</b>	<b>67</b>



## 181 FAQs on **Replacement** of IPC, 1860 + CPC, 1898 + IEA, 1872 (**3 Acts**) in India

### (A) **Before replacement from IPC, 1860 to Bharatiya Nyaya Sanhita (BNS)**

#### 1. **History before independence (1947)**

- (i) Indian Penal Code (IPC) 1860 was applied against official **criminal code** as inherited from British Rules **after independence** in 1947
- (ii) **Now** IPC, 1860 is **replaced by** Bharatiya Nyaya Sanhita (BNS) in December 2023.
- (iii) IPC, 1860 was **comprehensive code to cover 100%** substantive **areas** of India's criminal laws.
- (iv) IPC, 1860 was **drafted after recommendations** received from **1<sup>st</sup> Law Commission of India** as established in **1834** under British's Charter Act of 1833 **through chairmanship** of Lord Thomas Babington **Macauley** + also **submitted to** Governor-General of India **Council in 1835 (both)**.
- (v) (a) IPC was **drafted based on** simplified codification of **England's law**  
(b) Also **elements** were **derived from Napoleonic Code** + Edward Livingston's Louisiana Civil Code of 1825 (**both**).
- (vi) (a) **1<sup>st</sup> final draft** of IPC was **submitted to** Governor-General of India in **Council in 1837**  

**But**

  
(b) **1<sup>st</sup> final draft** of IPC was **again revised**.
- (vii) (a) IPC's drafting was **completed in 1850** + also code was **presented to** Legislative Council in **1856 (both)**.

**But**



- (b) IPC couldn't place on statute book for British India due to Indian Rebellion in 1857.
- (viii) (a) IPC's draft was carefully revised by Barnes Peacock who later became 1<sup>st</sup> chief justice of Calcutta High Court
- (b) Also IPC was passed on October 6, 1860
- (ix) IPC, 1860 was came into force from January 01, 1862.
- (x) (a) IPC, 1860 was not to apply automatically in British Rules on India.  
But
- (b) IPC, 1860 was to be applied through courts + also legal systems (both) till 1947
- (xi) IPC, 1860 was amended several times before 1947.

## 2. History after independence (1947)

- (i) Indian Penal Code (IPC) was inherited from British Penal Code (BPC) after 1947 in India like Pakistan Penal Code (PPC) + also Bangladesh Penal Code (BPC) (both)
- (ii) Also BPC was adopted by other British colonial authorities like Burma + British Ceylon (Sri Lanka), + Straits Settlements (Malaysia) + Singapore + Brunei + also etc. (all)
- (iii) (a) IPC, 1860 was came into force in Jammu and Kashmir (J&K) on October 31, 2019 under J&K Reorganization Act, 2019
- (b) Also IPC, 1860 was replaced from J&K's Ranbir Penal Code (RPC).

## 3. IPC, 1860 replaced with Bharatiya Nyaya Sanhita (BNS) Bill 2023 on Aug 11, 2023

- Government of India (Govt.) has introduced Bill in Lok Sabha on August 11, 2023 for replacing IPC with BNS.



#### 4. Replacement's objectives

- (i) IPC, 1860 was to provide "general" penal code for India
- (ii) IPC replacement's objective was to include 100% offences which were not existed in IPC, 1860.

#### 5. IPC to include 511 sections before replacement

- IPC, 1860 was subdivided into 23 chapters comprising 511 sections under different topics like introduction + explanations + also exceptions (all) used to cover wide range of offences:

S.No	Chapter	Sections	Classification of offences
(i)	I	From 1 to 5	Offence's Introduction
(ii)	II	From 6 to 52	Offence's General Explanations
(iii)	III	From 53 to 75	Offence's Punishments
(iv)	IV	From 76 to 106	Offence's General Exceptions
(v)	V	From 107 to 120	Offence's Abetment
(vi)	VA	From 120A to 120B	Offence's Criminal Conspiracy
(vii)	VI	From 121 to 130	Offences against State
(viii)	VII	From 131 to 140	Offences for Army + Navy + also Air Force (all)
(ix)	VIII	From 141 to 160	Offences against Public Tranquility
(x)	IX	From 161 to 171	Offences by Public Servants
(xi)	IX-A	From 171A to 171I	Offences for Elections
(xii)	X	From 172 to 190	Offences against Lawful Authority of Public Servants
(xiii)	XI	From 191 to 229	Offences against public Justice
(xiv)	XII	From 230 to 263	Offences against coin + also govt.'s stamps (both)
(xv)	XIII	From 264 to 267	Offences against weight + also measures (both)
(xvi)	XIV	From 268 to 294	Offences against public health + Safety + Convenience + Decency + also Morals (all).
(xvii)	XV	From 295 to 298	Offences against religion





(xviii)	XVI	From 299 to 311	Offences against human body like Life + Murder + also culpable homicide (all)
(xix)		From 312 to 318	Offences for causing of miscarriage + injuries to unborn children + exposure of infants + concealment of births (all)
(xx)		From 319 to 338	Offences for hurt + also grievous hurt (both)
(xxi)		From 339 to 348	Offences for wrongful restraint + also confinement (both)
(xxii)		From 349 to 358	Offences for criminal force + also assault (both)
(xxiii)		From 359 to 374	Offences for kidnapping + abduction + slavery + forced labor (all)
(xxiv)		From 375 to 377	Offences for sexual + rape + also Sodomy (all)
(xxv)	XVII	From 378 to 382	Offences against property like theft
(xxvi)		From 383 to 389	Offences for extortion
(xxvii)		From 390 to 402	Offences for robbery + also dacoity (both)
(xxviii)		From 403 to 404	Offences for criminal misappropriation of property
(xxix)		From 405 to 409	Offences for criminal breach of trust
(xxx)		From 410 to 414	Offences for receiving of stolen property
(xxxi)		From 415 to 420	Offences for cheating
(xxxii)		From 421 to 424	Offences for fraudulent deeds + disposition of property (both)
(xxxiii)		From 425 to 440	Offences for mischief
(xxxiv)		From 441 to 462	Offences for criminal trespass
(xxxv)	XVIII	From 463 to 477A	Offences against documents + also property mark (both)
(xxxvi)		From 478 to 489	Offences against property + also other marks (both)
(xxxvii)		From 489A to 489E	Offences against currency notes + also bank notes (both)
(xxxviii)	XIX	From 490 to 492	Offences for criminal breach of contracts of service
(xxxix)	XX	From 493 to 498	Offences against marriage
(xl)	XX-A	From 498A	Offences for cruelty by husband or relatives of husband (any)
(xli)	XXI	From 499 to 502	Offences for defamation
(xlii)	XXII	From 503 to 510	Offences for criminal intimidation + insult + annoyance (all)
(xliii)	XXIII	From 511	Offences for attempts to commit offences
43	23	511	Total





**6. More interpretations through Mental Healthcare Act, 2017 - Section 115(1)**

- (i) New MHA is introduced in 2017.
- (ii) MHA, 2017 has effectively decriminalized suicide attempts by providing interpretation under section 115(1) that suicide attempt is not considered offence under section 309 of IPC, 1860 except proved otherwise.

**7. More interpretations from Punjab High Court for death penalty - Section 302**

- Supreme Court of India has pronounced in case of *Mittu Singh vs. State of Punjab* that certain offences are not to be considered for death penalty like:
  - (i) Offence for criminal conspiracy under section 120B of IPC, 1860.
  - (ii) Offence for war against govt. under section 121 of IPC, 1860.
  - (iii) Offence for mutiny under section 132 of IPC, 1860.
  - (iv) Offence for false evidence to procure conviction under section 194 of IPC, 1860.
  - (v) Offence for murder under section 302 + also 303 (both) of IPC, 1860.

**8. More interpretations for death penalty - Section 305 + etc**

- Certain offences are not to be considered for death penalty like:
  - (i) Offence for abetting suicide under section 305 of IPC, 1860.
  - (ii) Offence for kidnapping for ransom under section 364A of IPC, 1860.
  - (iii) Offence for dacoity with murder under section 396 of IPC, 1860.
  - (iv) Offence for rape of woman above 12 years under section 376A of IPC, 1860.
  - (v) Offence for rape of woman under 12 years under section 376AB of IPC, 1860.
  - (vi) Offence for gang rape of woman under 12 years section 376DB of IPC, 1860.
  - (vii) Offence for repeated offender under section 376E of IPC, 1860.



**9. More interpretations from govt. of India - Section 309**

- (i) Suicide attempts are considered offence under section 309 of IPC, 1860 where punishable with imprisonment for maximum 1 year
- (ii) Govt. has decided in Dec, 2014 to decriminalize suicide attempts by dropping section 309 of IPC, 1860 from statute book.
- (iii) Govt. has asked Legislative Department of Ministry of Law and Justice in Feb, 2015 to prepare draft Amendment Bill.

**10. More interpretations from Rajasthan High Court - Section 309**

- Rajasthan High Court has pronounced judgment that Jain religion's practice where voluntary death penalty by fasting at end of person's life which is commonly known as Santhara is punishable under sections 306 + also 309 (both) of IPC, 1860.

**11. More interpretations from Supreme Court of India - Section 309**

- (i) Supreme Court of India has admitted petition as filed by Akhil Bharat Varshiya Digambar Jain Parishad
- (ii) Supreme Court of India has granted leave
- (iii) Supreme Court of India has stayed decision of Rajasthan's High Court
- (iv) Supreme Court of India has lifted ban on practice which was banned by Rajasthan's High Court.

**12. More interpretations from govt. of India - Section 377**

- More offences are to be included under IPC, 1860 over and above 511 sections like:
  - (i) To include offence being voluntary carnal (oral) intercourse against nature with man or woman or animal (any) to be punished with life imprisonment
  - Or
  - (ii) Maximum imprisonment for 10 years + also fine (both)
- Penetration is sufficient to constitute carnal intercourse which is necessary to describe under IPC, 1860.



**13. More interpretations from Delhi High Court - Section 377**

- Delhi's High Court gave liberal interpretation that section 377 of IPC, 1860 can't be used to punish for consensual sexual intercourse between 2 same-sex individuals.

**14. More interpretations from Supreme Court of India - Section 377**

- (i) Supreme Court of India has overruled judgment which was given by Delhi High court on July 02, 2009 under section 377
- (ii) Also clarified that same-sex relations are unnatural therefore treated unconstitutionality.
- (iii) Supreme Court further suggested that competent legislature is permitted to consider desirability + also propriety for deleting section 377 from statute book or amend it in accordance with suggestion made by Attorney-General G.E. Vahanvati.

**15. More interpretations from Supreme Court of India - Section 377**

- (i) Supreme court has agreed to reconsider its own decision on Jan 08, 2018 which was pronounced on Dec 11, 2013
- (ii) Also agreed to decriminalize parts of section 377 which is criminalizing same-sex relations.
- Judgment of Suresh Kumar Koushal v. Naz Foundation was overruled.

**16. More interpretations from govt. of India - Section 497**

- (i) Adultery is considered offence + also liable for punishment (both) under section 497 of IPC, 1860.
- (ii) Women were given 100% protection against adultery under section 497 of IPC, 1860.

**17. More interpretations from Supreme Court of India - Section 497**

- (i) Supreme Court of India pronounced unanimously through struck down in case of Joseph Shine v. Union of India that adultery is considered unconstitutional + also demeaning to dignity of women (both).



+ (plus)

- (ii) Also Supreme Court of India has further affirmed that adultery is to be continued ground for seeking divorce in Civil Court.

## 18. Malimath Committee's suggestions in 2003 for Criminal justice reforms

- (i) Malimath Committee has submitted its report in 2003 with several recommendations for criminal justice reforms
- (ii) Also for separation of investigation + prosecution (both) similar to CPS in UK for streamlining criminal justice system.
- (iii) Malimath Committee's report recommended need for shift from adversarial to inquisitorial criminal justice system based on Continental European systems.

## 19. Universally acceptability of IPC, 1860

- (i) India's IPC, 1860 is universally acceptable + also substantially survived in India (both) for 154 (1860 to 2023) years without major amendments.
- (ii) Supreme Court of United Kingdom (UK) has appreciated efficacy + also relevance (both) of IPC, 1860.
- (iii) World's modern crimes involving latest technologies are also accommodated under IPC, 1860 due to its broadness of coverage.

## 20. Role in Indian movies of IPC, 1860

- (i) Hindi film *chaar-sau-bees* was made based on section 420 of IPC, 1860 against cheatings.
- (ii) Hindi + Urdu film *tazīrāt-e-Hind dafā tīn-sau-do ke tehet sazā-e-maut* was made based on section 302 of IPC, 1860 against death penalty.
- (iii) Hindi film *dafa 302* was made based on section 302 of IPC, 1860 against death penalty.
- (iv) Hindi film *Shree 420* was made based on section 420 of IPC, 1860 against cheatings.
- (v) Hindi film *Chachi 420* was made based on section 420 of IPC, 1860 against cheatings.



## 21. Amendments made during 150 years (1870 to 2019) in IPC, 1860

S.No.	Particulars for amendments made under IPC, 1860	No. of amendments	Year
(i)	Repealing Act, 1870	14	1870
(ii)	Indian Penal Code Amendment Act, 1870	27	1870
(iii)	Indian Penal Code Amendment Act, 1872	19	1872
(iv)	Indian Oaths Act, 1873	10	1873
(v)	Indian Penal Code Amendment Act, 1882	8	1882
(vi)	Code of Criminal Procedure, 1882	10	1882
(vii)	Indian Criminal Law Amendment Act, 1886	10	1886
(viii)	Indian Marine Act, 1887	14	1887
(ix)	Metal Tokens Act, 1889	1	1889
(x)	Indian Merchandise Marks Act, 1889	4	1889
(xi)	Cantonments Act, 1889	13	1889
(xii)	Indian Railways Act, 1890	9	1890
(xiii)	Indian Criminal Law Amendment Act, 1891	10	1891
(xiv)	Amending Act, 1891	12	1891
(xv)	Indian Criminal Law Amendment Act, 1894	3	1894
(xvi)	Indian Criminal Law Amendment Act, 1895	3	1895
(xvii)	Indian Penal Code Amendment Act, 1896	6	1896
(xviii)	Indian Penal Code Amendment Act, 1898	4	1898
(xix)	Currency-Notes Forgery Act, 1899	12	1899
(xx)	Indian Penal Code Amendment Act, 1910	3	1910
(xxi)	Indian Criminal Law Amendment Act, 1913	8	1913
(xxii)	Indian Elections Offences and Inquiries Act, 1920	39	1920
(xxiii)	Indian Penal Code (Amendment) Act, 1921	16	1921
(xxiv)	Indian Penal Code (Amendment) Act, 1923	20	1923
(xxv)	Indian Penal Code (Amendment) Act, 1924	5	1924
(xxvi)	Indian Criminal Law Amendment Act, 1924	18	1924
(xxvii)	Workmen's Breach of Contract (Repealing) Act, 1925	3	1925
(xxviii)	Obscene Publications Act, 1925	8	1925



(xxix)	Indian Penal Code (Amendment) Act, 1925	29	1925
(xxx)	Repealing and Amending Act, 1927	10	1927
(xxxi)	Criminal Law Amendment Act, 1927	25	1927
(xxxii)	Repealing and Amending Act, 1930	8	1930
(xxxiii)	Indian Air Force Act, 1932	14	1932
(xxxiv)	Amending Act, 1934	35	1934
(xxxv)	Government of India (Adaptation of Indian Laws) Order, 1937	—	1937
(xxxvi)	Criminal Law Amendment Act, 1939	22	1939
(xxxvii)	Offences on Ships and Aircraft Act, 1940	4	1940
(xxxviii)	Indian Merchandise Marks (Amendment) Act, 1941	2	1941
(xxxix)	Indian Penal Code (Amendment) Act, 1942	8	1942
(xl)	Indian Penal Code (Amendment) Act, 1943	6	1943
(xli)	Indian Independence (Adaptation of Central Acts and Ordinances) Order, 1948	—	1948
(xlii)	Criminal Law (Removal of Racial Discriminations) Act, 1949	17	1949
(xliii)	Indian Penal Code and the Code of Criminal Procedure (Amendment) Act, 1949	42	1949
(xliv)	Adaptation of Laws Order, 1950	—	1950
(xlv)	Repealing and Amending Act, 1950	35	1950
(xlvi)	Part B States (Laws) Act, 1951	3	1951
(xlvii)	Criminal Law Amendment Act, 1952	46	1952
(xlviii)	Repealing and Amending Act, 1952	48	1952
(xlix)	Repealing and Amending Act, 1953	42	1953
(l)	Code of Criminal Procedure (Amendment) Act, 1955	26	1955
(li)	Adaptation of Laws (No.2) Order, 1956	—	1956
(lii)	Repealing and Amending Act, 1957	36	1957
(liii)	Criminal Law Amendment Act, 1958	2	1958
(liv)	Trade and Merchandise Marks Act, 1958	43	1958
(lv)	Indian Penal Code (Amendment) Act, 1959	52	1959
(lvi)	Indian Penal Code (Amendment) Act, 1961	41	1961
(lvii)	Anti-Corruption Laws (Amendment) Act, 1964	40	1964
(lviii)	Criminal and Election Laws Amendment Act, 1969	35	1969
(lix)	Indian Penal Code (Amendment) Act, 1969	36	1969
(lx)	Criminal Law (Amendment) Act, 1972	31	1972
(lxi)	Employees' Provident Funds and Family Pension Fund (Amendment) Act, 1973	40	1973





(lxii)	<i>Employees' State Insurance (Amendment) Act, 1975</i>	38	1975
(lxiii)	<i>Election Laws (Amendment) Act, 1975</i>	40	1975
(lxiv)	<i>Criminal Law (Amendment) Act, 1983</i>	43	1983
(lxv)	<i>Criminal Law (Second Amendment) Act, 1983</i>	46	1983
(lxvi)	<i>Dowry Prohibition (Amendment) Act, 1986</i>	43	1986
(lxvii)	<i>Employees' Provident Funds &amp; Miscellaneous Provisions (Amendment) Act, 1988</i>	33	1988
(lxviii)	<i>Prevention of Corruption Act, 1988</i>	49	1988
(lxix)	<i>Criminal Law (Amendment) Act, 1993</i>	42	1993
(lxx)	<i>Indian Penal Code (Amendment) Act, 1995</i>	24	1995
(lxxi)	<i>Information Technology Act, 2000</i>	21	2000
(lxxii)	<i>Election Laws (Amendment) Act, 2003</i>	24	2003
(lxxiii)	<i>Code of Criminal Procedure (Amendment) Act, 2005</i>	25	2005
(lxxiv)	<i>Criminal Law (Amendment) Act, 2005</i>	2	2006
(lxxv)	<i>Information Technology (Amendment) Act, 2008</i>	10	2009
(lxxvi)	<i>Criminal Law (Amendment) Act, 2013</i>	13	2013
(lxxvii)	<i>Criminal Law (Amendment) Act, 2018</i>	22	2018
(lxxviii)	<i>Jammu and Kashmir Reorganization Act, 2019</i>	34	2019
<b>Total</b>		<b>1596</b>	<b>150</b>





## **(B) After replacement from IPC + CPC + IEA to BNS + BNSS + BS (3 Acts) in India**

(Compilation's Source is based on *press release by PIB Delhi dated Aug 11, 2023 at 7:32 PM*)

### **22. Introduction**

- Union Home Minister + also Minister of Cooperation (both) *Amit Shah* has introduced 3 bills in Lok Sabha on August 11, 2023 like:
  - (i) *Bhartiya Nyaya Sanhita (BNS) Bill 2023* to be replaced from Indian Penal Code (IPC) 1860
  - (ii) *Bharatiya Nagarik Suraksha Sanhita (BNSS) Bill, 2023* to be replaced from Criminal Procedure Code (CPC) 1898
  - (iii) *Bharatiya Sakshya (BS) Bill, 2023* to be replaced from Indian Evidence Act (IEA) 1872

### **23. Objects**

- (i) (a) IPC + CPC + IEA were made to strengthen + also to protect (both) for British rule therefore their purpose was to punish Indian citizens  
But  
(b) Not to give justice to Indian citizens
- (ii) (a) BNS + BNSS + BS are made to protect 100% rights already given to Indian citizens by India's constitution therefore purpose is not to punish Indian citizens  
But  
(b) To give justice to Indian citizens
- These 3 Acts are made with thought process that will bring huge change in India's criminal justice system

### **24. Legal structures**

- (i) BNS + BNSS + BS's legal structures were started with receiving suggestions from several stakeholders like:
  - (a) From 18 Indian States



- (b) From 6 Indian Union Territories
  - (c) From Supreme Court of India
  - (d) From 16 Indian High Courts
  - (e) From 5 Indian Judicial Academies
  - (f) From 22 Indian Law Universities
  - (g) From 142 Indian Members of Parliament (MPs)
  - (h) From 270 Indian Members of Legislative Assemblies (MLAs)
  - (i) From Indian public
- (ii) BNS + BNSS + BS's legal structures were started with having 4 years intense discussion + also attending 158 consultation meetings (both) by Home Minister Amit Shah

## 25. Comparison between BNS Bill, 2023 and IPC 1860

- (i) BNS 2023
  - (a) Now BNS Bill, 2023 is having 356 sections out of which 175 old sections of IPC, 1860 have been modified (changed) + divided in 19 chapters (both)
  - (b) 8 new sections introduced (added) which were not existed in IPC, 1860
  - (c) 22 old sections of IPC 1860 have been deleted (revoked)
- (ii) IPC 1860
  - IPC 1860 was having 511 sections divided into 23 chapters

## 26. Comparison between BNSS Bill, 2023 and CPC 1898

- (i) BNSS 2023
  - (a) BNSS 2023 is having 533 sections out of which 160 old sections of CPC, 1898 have been modified (changed) + divided in 39 chapters (both)



(b) 9 new sections which were not in CPC, 1898 have been introduced (added)

(c) 9 old sections of CPC 1898 have been deleted (revoked)

(ii) CPC 1898

- CPC 1898 was having 158 sections divided in 11 chapters

## 27. Comparison between BS Bill, 2023 and IEA 1872

(i) BS 2023

(a) BS 2023 is having 170 sections out of which 23 old sections of IEA, 1872 have been modified (changed) + divided in 11 chapters (both)

(b) 1 new sections have been introduced which were not in IEA, 1872

(c) 5 old sections of IEA, 1872 have been deleted (revoked)

(ii) IEA, 1872

- IEA 1872 was having 167 sections divided under X chapters

## 28. Removed signs of slavery from 475 places

- BNS + BNSS + BS (3 Acts) had signs of slavery which were passed by British Parliament therefore 3 new acts removed signs of slavery from 475 places.

## 29. To include electronic records modes under document

(i) Electronic records

(ii) Digital records

(iii) Emails records

(iv) Server logs records

(v) Computers records

(vi) Smart phones records

(vii) Laptops records

(viii) SMS records



- (ix) *Websites records*
- (x) *Location evidence records*
- (xi) *Mails records*
- (xii) *Message on devices records*

### **30. 100% digitized process**

- (i) *Provisions have been made under 3 new acts to digitize 100% process starting from FIR to case diary*
- (ii) *Provisions have been made under 3 new acts to digitize 100% process starting from case diary to charge sheet*
- (iii) *Provisions have been made under 3 new acts to digitize 100% process starting from charge sheet to judgment*

### **31. 100% videography**

- *100% videography has been made compulsory at time of search and seizure to become part of case to avoid not implication of innocent citizens without videography by police thereafter charge sheet will not be valid.*

### **32. National Forensic Science University (NFSU)**

- (i) *Govt. has taken historical decision for establishing as NFSU to promote forensic science to increase conviction ratio*
- (ii) *33,000 forensic science experts + also scientists (both) will be working after 3 years like after year 2026 in country to take conviction ratio above 90%*

### **33. Visit by forensic team at crime place**

- (i) *Visit of forensic team is being made compulsory at crime place where punishment is applicable for minimum 7 years*
- (ii) *Police is also required to have scientific evidence thereafter chances of acquittal of culprits in court will be lowest*



**34. Zero FIR**

- Govt. will be empowered to start Zero FIR for convenience of citizens to lodge complaints even from outside their police station jurisdiction (area)

**35. E-FIR**

- Govt. will be empowered to start e-FIR for convenience of citizens to designate police officers at 100% district + police station level to officially inform family of arrested person about his arrest as online + also in person (all)

**36. Statement of victim for sexual violence + harassment**

- (i) Govt. will be empowered to start 100% statement of victim for sexual violence
- (ii) Also permitted to start 100% video recording for sexual harassment's statement

**37. Status report for complaints**

- (i) Govt. will be empowered to start 100% through police to provide status report for complaints within maximum 90 days
- (ii) Also to start status report for complaints within maximum 15 days after expiry of abovementioned 90 days.

**38. Not to withdraw case when imprisonment for minimum 7 years**

- Govt. will not be empowered to withdraw case when imprisonment is applicable for minimum 7 years without listening to victim to protect rights of Indian citizens

**39. Increased scope for summary trial against petty cases**

- (i) Govt. will be empowered to increase scope of summary trial for petty cases when crime is punishable maximum for 3 years
- (ii) Increase scope of summary trial for petty cases to delete 40% cases in India's sessions courts



**40. 90 days court's time limit for filing charge sheet by police**

- (i) Govt. will be empowered to fix court's time limits maximum for 90 days against filing of charge sheet by police
- (ii) Courts will further permit to provide extension maximum for 90 days against filing of charge sheet by police depending on situation when investigation yet to be completed.
- (iii) Courts will be permitted for total time limit for 180 (90+90) days for filing of charge sheet by police.

**41. 60 days court's time limit for charge framing notice**

- (i) Courts will required to give notice for framing of charges to accused person within maximum 60 days
- Or
- (ii) Within 30 days after argument's completion whichever is earlier.

**42. 7 days court's time limit for online verdict (decision)**

- Courts will required to give verdict (decision) through online (only) within 7 days instead of keeping pending for several years under IPC, 1860.

**43. 120 days court's time limit for civil servants' trial**

- (i) Govt. will required to provide permission within maximum 120 days for trial against civil servant or police officer (any).
- (ii) Also treated deemed permission when courts failed to provide permission within maximum 120 days thereafter trial will be started

**44. Inter-state gangs or organized crimes for attachment**

- Govt. will be empowered for attaching property of inter-state gangs + also organized crimes (both) under existing provisions as applicable against declared offenders



**45. 20 years imprisonment for sex based on false promises**

- (i) Govt. will be empowered to declare crime against sex based on false promise to marry or employment or promotion or false identity (any)
- (ii) Also Govt. will be empowered to introduce imprisonment's provisions for maximum 20 years against sex based on false promise to marry or employment or promotion or false identity (any)

**46. Life imprisonment for gang rape based on false promises**

- (i) Govt. will be empowered to declare crime against gang rape based on false promise to marry or employment or promotion or false identity (any)
- (ii) Also Govt. will be empowered to introduce life imprisonment's provision against gang rape based on false promise to marry or employment or promotion or false identity (any)

**47. Death penalty for crime with girl below 18 years age**

- Govt. will be empowered to provide provisions for death penalty against crimes with girl having age below 18 years

**48. Death penalty for mob lynching**

- Govt. will be empowered to provide provisions for death penalty against mob lynching

**49. 10 years imprisonment for mobile or chain snatching (any)**

- Govt. will be empowered to declare maximum for 10 years imprisonment against snatching of mobile phone or chain from women (any)

**50. Life imprisonment for snatching + permanent disability (both)**

- (i) Govt. will be empowered to declare life imprisonment for snatching of mobile phone or chain from women
- (ii) Also Permanent disability or brain dead (any)





**51. 10 years imprisonment for crimes with children**

- (i) Govt. will be empowered to declare imprisonment for maximum 10 years against crime with children
- (ii) (a) Abovementioned imprisonment is increased from 7 to 10 years under BNS Bill, 2023 in comparison to IPC, 1860
- (b) Also increased amount of fine for many crimes with children.

**52. From death penalty to life imprisonment for political gains**

- (i) Govt. will be empowered for not allowing pardon against political gains thereafter death penalty may be changed to life imprisonment.  
Or
- (ii) From life imprisonment to minimum for 7 years  
Or
- (iii) From 7 years to minimum for 3 years
  - Hence culprit will be required imprisonment for minimum 3 years

**53. Abolished (repealed) sedition law for enabling right to speak**

- Govt. will be empowered to abolish sedition law for providing right to speak to every Indian citizens being India is democratic country

**54. Terrorism's meaning for unity + sovereignty + integrity (all)**

- Govt. will be empowered to define definition of terrorism like:
  - (i) India's armed insurgency
  - (ii) India's subversive activities
  - (iii) India's separatism activities
  - (iv) India's challenging unity + sovereignty + also integrity (all)



**55. Trial in absentia against person declared escaped by court**

- (i) Govt. will be empowered to allow trial in absentia when person is declared escaped by Sessions Court judge
- (ii) Also to allow trial + to sent in sentence in his absence (both)
- (iii) Declared escaped person is permitted to appeal under applicable Indian laws

**56. Compulsory justice in maximum 3 years**

- Govt. will be empowered to insert provisions in India's criminal justice systems to get justice within maximum 3 years therefore 313 changes have been made in India's law

**57. Care for women + children + police can't misuse powers (all)**

- (i) Govt. will be empowered to insert provisions for special care against women + also children (both)
- (ii) Also to ensure that criminals be punished + police can't misuse their powers (both)

**58. 10 years imprisonment for criminals runaway from police custody**

- Govt. will be empowered to insert provisions for maximum 10 years imprisonment against criminals who runaway from police custody



## **(C) Meanings under Bhartiya Nyaya Sanhita (BNS) + Indian Penal Code (IPC) both**

### **59. General - Section 2 of BNS + Section 6 to 52A of IPC (both)**

- (i) (a) Most of definitions under sections from 6 to 52A of IPC, 1860 are retained under BNS Bill, 2023 without any change
- (b) Also compactly grouped under section 2 of BNS Bill, 2023 in alphabetical sequence for reading + references (both).
- (ii) IPC, 1860's definition for word section under section 50 is omitted under BNS, 2023
- (iii) IPC, 1860 don't have specific definitions clauses.
- (iv) 100% definitions (meanings) were spread over from section 6 to 52A of IPC, 1860

### **60. Child - Section 2(3) of BNS + Section 6 to 52A of IPC (both)**

- (i) Child to include any person below 18 years age under section 2(3) of BNS Bill, 2023.
- (ii) Don't have specific definition clause under IPC, 1860.

### **61. Document - Section 2(8) of BNS + Section 29 of IPC (both)**

- (i) Document to include paper + electronic + digital records + also etc. (all) under section 2(8) of BNS Bill, 2023
- (ii) Document to include paper records (only) under section 29 of IPC, 1860

### **62. Gender - Section 2(10) of BNS + Section 8 of IPC (both)**

- (i) Gender to include male + female + transgender (all) under section 2(10) of BNS, 2023
- (ii) Gender to include male + female (both) under section 8 of IPC, 1860

### **63. Judge - Section 2(16) of BNS Bill, 2023**

- (i) Definition of judge is more precise + also follows similar old pattern under section 2(16) of BNS Bill, 2023 (both) therefore align with old definition
- But
- (ii) Presented information's in systematical manner.



**64. Judge - Section 19 of IPC, 1860**

- Definition of judge is quite detailed under section 19 of IPC, 1860 like:
  - (i) (a) Judge to include individual who officially designated as Judge
  - (b) Also judge to include individual who have authority to render definitive judgments during legal proceedings like civil or criminal (any).
  - (ii) Judge to include individual who can make judgments when not to appeal.
  - (iii) Judge to include member of Body of Persons (BoPs) who is authorized by law to render judgments.
  - (iv) Judge also to include certain authorities like:
    - (a) District collectors
    - (b) District magistrates
    - (c) Panchayat's members

**65. Month + year - Section 2(20) of BNS + Section 49 of IPC (both)**

- (i) Definition for month + year (both) as reckoned in Gregorian calendar under section 2(20) of BNS Bill, 2023
- (ii) Definition for month + year (both) as reckoned in British calendar under section 49 of IPC, 1860

**66. Movable property - Section 2(21) of BNS + Section 22 of IPC (both)**

- (i) Definition of movable property to include 100% properties like corporeal + non corporeal therefore to include patents + copyrights + also etc. (all) under section 2(21) of BNS Bill, 2023.
- (ii) Definition of movable property to include intended corporeal (tangible physical) only under section 22 of IPC, 1860



**67. Punishment - Section 4 of BNS**

- Definition of punishment to include 6 types like:

- (i) For death penalty
- (ii) For life imprisonment
- (iii) For rigorous or simple imprisonment (any)
- (iv) For property's forfeiture
- (v) For fine
- (vi) For community service

**68. Community service punishment - Section 4 of BNS**

- (i) Community service punishment is started 1<sup>st</sup> time under section 4 of BNS Bill, 2023 to reduce jail's burden
- (ii) Community service punishment is prescribed for petty offences like:
  - (a) For non-appearing against proclamation
  - (b) For attempt to commit suicide
  - (c) For compel or restraint exercise of public servant's lawful power (any)
  - (d) For petty theft after returning back
  - (e) For misconduct in public by drunken person
  - (f) For defamation
  - (g) For etc.
- (iii) Community service punishment is not defined under BNS Bill, 2023.

But
- (iv) Defined through explanation to section 23 of BNSS Bill, 2023 to include to do work against punishment for benefit of community without remuneration to be ordered by court under verdict (decision)



**69. Punishment - Section 53 of IPC**

- Definitions of punishment to include 5 types like:
  - (i) For death penalty
  - (ii) For life imprisonment
  - (iii) For rigorous or simple imprisonment (any)
  - (iv) For property's forfeiture
  - (v) For fine

**70. Life imprisonment under BNS + IPC (both)**

- Definition of life imprisonment to include remainder of person's natural life (whole life) under IPC, 1860 + also BNS Bill, 2023 (both)

**71. Punishment for assisting against committing offence - Section 57 of BNS**

- Definition of punishment to include imprisonment maximum for 7 years + fine (both) under section 57 of BNS, 2023

**72. Punishment for assisting against committing offence - Section 117 of IPC**

- Definition of punishment to include imprisonment maximum for 3 years or fine or both (any) under section 117 of IPC, 1860

**73. Rape - Section 63 of BNS**

- Definition of rape to include sexual intercourse or act of sex by man with his wife who is below 18 years age under section 63 of BNS, 2023

**74. Rape - Section 375 of IPC**

- Definition of rape to include sexual intercourse or act of sex by man with his wife who is below 15 years age under section 375 of IPC, 1860

**75. Rape - Section 64(2)(i) of BNS**

- Definition of rape to include sexual intercourse or act of sex by man with woman who is below 16 years age under section 64(2)(i) of BNS, 2023



**76. Rape - Section 376(2)(i) of IPC**

- Definition of rape to include sexual intercourse or act of sex by man with woman who is incapable for giving consent under section 376(2)(i) of IPC, 1860

**77. Death penalty for gang rape - Section 70 of BNS**

- Definition of gang rape to include sexual intercourse with woman who is below 18 years age under section 70 of BNS, 2023

**78. Death penalty for gang rape - Section 376AD to 376DB of IPC**

- Definition of gang rape to include sexual intercourse with woman who is below 12 years age under section 376D to 376DB of IPC, 1860

**79. Child procurement - Section 96 of BNS**

- Definition of child procurement to include act of sex with girl + boy (both) who are below 18 years age under section 96 of BNS, 2023

**80. Child procurement - Section 366A of IPC**

- Definition of child procurement to include act of sex with girl who is below 18 years age under section 366A of IPC, 1860

**81. Child + non child (both) selling for prostitution + etc. - Section 98 of BNS**

- Definition for person's selling against prostitution + also etc. (both) to include any person therefore word child is replaced to any person under section 98 of BNS, 2023

**82. Child (only) selling for prostitution + etc. - Section 372 of IPC**

- Definition for child selling against prostitution + also etc. (both) to include child (only) under section 372 of IPC, 1860

**83. Child + non child (both) buying for prostitution + etc. - Section 99 of BNS**

- Definition for person buying against prostitution + also etc. (both) to include any person therefore word child is replaced to any person under section 99 of BNS, 2023





**84. *Punishment for child buying against prostitution - Section 99 of BNS***

- Definition for *punishment* against child buying for prostitution + also etc. (both) to include *imprisonment minimum for 7 years or maximum for 14 years* (any) under section 99 of BNS, 2023

**85. *Child (only) buying for prostitution + etc. - Section 373 of IPC***

- Definition for child buying for prostitution + also etc. (both) to include *child (only)* under section 373 of IPC, 1860

**86. *Punishment for child buying against prostitution- Section 373 of IPC***

- Definition for *punishment* against child buying for prostitution + also etc. (both) to include *imprisonment for 10 years* under section 373 of IPC, 1860

**87. *Punishment for culpable homicide not amounting to murder - Section – 105 of BNS***

- (i) Definition for punishment against culpable homicide *not amounting to murder* to include *imprisonment for minimum 5 years or maximum 10 years + fine* (both) under section 105 of BNS, 2023

Or

- (ii) (a) Punishment may be *lesser when accused Su-moto goes to police* to report about case

- (b) Also *takes victim to hospital* for medical treatment (both)

- Vide PIB's *press release* dated December 20, 2023

**88. *Punishment for culpable homicide not amounting to murder - Section – 304 of IPC***

- Definition for punishment against culpable homicide *not amounting to murder* to include *imprisonment for maximum 10 years or fine or both* (any) under section 304 of IPC, 1860

**89. *Punishment for death penalty due to negligence act - Section 106 of BNS***

- Definition for punishment against death penalty *due to negligence act* which should *not* be amounting to *culpable homicide* to include *imprisonment for maximum 5 years* under section 106 of BNS, 2023



**90. *Punishment for death penalty due to negligence act - Section 304A of IPC***

- Definition for punishment against death penalty *due to negligence act* which should *not* be amounting to *culpable homicide* to include *imprisonment* for maximum *2 years* under section *304A* of IPC, 1860

**91. *Punishment for attempt to murder by life convict person - Section – 109 of BNS***

- Definition for punishment against attempt to murder *by life convict person* (already in prison) to include *death penalty* or *life imprisonment* (any) under section *109* of BNS, 2023

**92. *Punishment for attempt to murder by life convict person- Section – 307 of IPC***

- Definition for punishment against attempt to murder *by life convict person* (already in prison) to include *death penalty* under section *307* of IPC, 1860



**(D) Commutation of sentence under BNSS Bill, 2023 + CPC, 1898 (both)**

**93. From death penalty to life imprisonment - Section 474 of BNSS, 2023**

- Govt. will be empowered to commute death penalty sentence into life imprisonment under section 474 of BNSS, 2023

**94. From death penalty to other punishment - Section 433 of CPC, 1898**

- Govt. is empowered to commute death penalty sentence into other punishment under section 433 of CPC, 1898

**95. From life to minimum 7 years imprisonment - Section 474 of BNSS, 2023**

- Govt. will be empowered to commute life imprisonment into minimum 7 years imprisonment under section 474 of BNSS, 2023

**96. From life to maximum 14 years imprisonment or fine - sec 433 of CPC, 1898**

- Govt. is empowered to commute life imprisonment into maximum 14 years imprisonment or fine (any) under section 433 of CPC, 1898

**97. From minimum 7 years to minimum 3 years imprisonment - Section 474 of BNSS**

- Govt. will be empowered to commute minimum 7 years imprisonment into minimum 3 years imprisonment as specified under section 474 of BNSS, 2023

**98. From rigorous to simple imprisonment or fine - Section 433 of CPC, 1898**

- Govt. is empowered to commute rigorous imprisonment into simple imprisonment or fine (any) under section 433 of CPC, 1898

**99. From rigorous to simple imprisonment - Section 474 of BNSS, 2023**

- Govt. will be empowered to commute rigorous imprisonment into simple imprisonment under section 474 of BNSS, 2023



**100. From *simple imprisonment to fine* - Section 433 of CPC, 1898**

- Govt. is empowered *to commute simple* imprisonment into fine under section 433 of CPC, 1898

**101. From maximum *7 years imprisonment to fine* - Section 474 of BNSS, 2023**

- Govt. will be empowered *to commute* maximum *7 years* imprisonment into fine under section 474 of BNSS, 2023.



**(E) Punishments inserted through new sections under BNS Bills 2023**

**102. For default in payment against fine or default in community service (any)**

- (i) Punishment as imprisonment for maximum 2 months against default in payment of fine for maximum 5000 or default in community service (any)
- (ii) Punishment as imprisonment for maximum 4 months against default in payment of fine for maximum 10000 or default in community service (any)
- (iii) Punishment as imprisonment for maximum 1 year against any other default

**103. For offence committed outside India which also treated offence in India – Sec 48**

- (i) Govt. will be empowered to levy punishment to offender like imprisonment or fine or both (any) beside offence is committed outside India when same offence is liable for punishment in India under section 48 of BNS, 2023
- (ii) Also to levy punishment to offender like imprisonment or fine or both (any) when offence is committed in India beside offender is located outside India is liable for punishment in India under section 48 of BNS, 2023

**104. For sexual intercourse based on false promises for employment or etc. – Sec 69**

- Govt. will be empowered to levy punishment to offender like imprisonment for maximum 10 years + also fine (both) against sexual intercourse based on false promise for employment or promotion or inducement or marring or suppressing identity or promise to marry woman without any intention of fulfilling same under section 69 of BNS Bill, 2023

**105. For child hiring or employing or engaging (any) – Section 93**

- Govt. will be empowered to levy punishment to offender like imprisonment or fine (any) for child hiring or employing or engaging or using for sexual exploitation or pornography (any) below 18 years age under section 93 of BNS Bill, 2023



**106. For Mob lynching by group of minimum 5 persons based on race or caste – Sec 103(2)**

- Govt. will be empowered to levy punishment to 100% members of group like death penalty or life imprisonment + fine (both) for mob lynching by group of minimum 5 persons based on race or caste or community or sex or place of birth or language or personal belief or other ground (any) under section 103(2) of BNS Bill, 2023

**107. For petty organized crimes committed by member of group or gang – Sec 112**

- Govt. will be empowered to levy punishment to offender like imprisonment for minimum 1 years or maximum for 7 years + also fine (both) against petty organized crimes committed by member of group or gang singly or jointly like theft or snatching or cheating or unauthorized selling of tickets or unauthorized betting or gambling or selling of public examination question papers or other similar criminal act (any) under section 112 of BNS Bill, 2023.

**108. Meaning for theft under petty organized crimes by groups or gangs – Sec 112**

- Meaning of theft under section 112 of BNS Bill, 2023 to include:

- (i) Through trick
- (ii) From vehicles
- (iii) From dwelling houses
- (iv) From business premises
- (v) From Cargos
- (vi) Through pick pocketing
- (vii) Through card skimming
- (viii) Through shopliftings
- (ix) Through Automated Teller Machine (ATM).



**109. For *terrorist activity* by offender - Section 113**

(i) Govt. will be empowered to levy punishment to offender like death penalty or life imprisonment + also fine (both) where offence has resulted in victim's death penalty

Or

(ii) BNS Bill, 2023 to levy punishment to offender like imprisonment for minimum 5 years or life imprisonment + also fine (both) where offence has not resulted in victim's death penalty

**110. Meaning for *terrorist activity* by offender - Section 113**

(i) To include act with intent to threaten or likely to threaten India's unity or integrity or sovereignty or security or economic security or with intent to strike terror or likely to strike terror on people or on section of people in India + outside India (both) by using certain modes like :

(a) Bombs

(b) Dynamite

(c) Other explosive substance

(d) Inflammable substance

(e) Firearms

(f) Other lethal weapons

(g) Poisonous gases

(h) Noxious gases

(i) Other chemicals

(j) Other substance like:

- Biological

- Radioactive

- Nuclear

- Other hazardous in nature

- Other means to cause or likely to cause certain injuries





(ii) *Meaning for **certain injuries** - Section 113*

- *Certain injuries to include followings:*
  - (a) *Loss or damage or destruction of property (any)*
  - (b) *Disruption of essential supplies or services to life of peoples in India + outside India (both)*
  - (c) *Damage to India's monetary stability through production or smuggling or circulation of counterfeit Indian paper currency or coin or other material (any)*
  - (d) *Damage or destruction of property in India + outside India (both) used or intended to be used for India's defense or for other govt.'s purposes or govt. of states or their agencies (any)*
  - (e) *Acting through criminal force or show of criminal force or causes to public functionary's death penalty or attempts to cause of public functionary's death penalty (any)*
  - (f) *Detains or kidnaps or abducts person(s) + also threatening to kill or injure or do other act to compel govt. of India or state(s) govt. or govt. outside India or international organization or inter-governmental organization or other person (any).*

**111. Meaning for public functionary - Section 113**

- *To include constitutional authorities or other functionary (any) duly notified in Central govt.'s official gazette as public functionary*

**112. Meaning for counterfeit Indian currency - Section 113**

- *To include as declared after examination by authorized or notified forensic authority for non genuine currency or compromises with Indian currency's key security features (any)*



**113. For offender's escaping from scene of incident without reporting to Police**

- Govt. will be empowered to levy punishment to offender like imprisonment maximum for 10 years + also fine (both) for offender's escaping from scene of incident without reporting to Police or magistrate (any) after incident under BNS Bill, 2023

**114. For negligence act by medical practitioner during medical procedure**

- (i) Govt. will be empowered to levy punishment for negligence act by registered medical practitioner during medical procedure under BNS Bill, 2023
- (ii) Meaning for registered medical practitioner
  - (a) To include person who possesses medical qualification as recognized under National Medical Commission (NMC) Act, 2019 (30 of 2019)
  - (b) Also whose name is entered in National Medical Register (NMR) or State Medical Register (SMR) under respective act.

**115. For continuing unlawful activity + economic offence by organized criminal (both)**

- (i) Govt. will be empowered to levy punishment for continuing unlawful activity like:
  - (a) Punishment for kidnapping
  - (b) Punishment for robbery
  - (c) Punishment for vehicle theft
  - (d) Punishment for extortion
  - (e) Punishment for land grabbing
  - (f) Punishment for contract killing
  - (g) Punishment for economic offence
  - (h) Punishment for cyber-crimes
  - (i) Punishment for trafficking of persons
  - (j) Punishment for trafficking of drugs
  - (k) Punishment for trafficking of Weapons
  - (l) Punishment for trafficking of Illicit goods



- (m) Punishment for *trafficking of Services*
- (n) Punishment for *trafficking of human*
- (o) Punishment for *trafficking for prostitution*
- (p) Punishment for *ransom*
- (ii) Unlawful activity + economic offence (both) may be carried by person or *group of persons acting* in concert or singly or *jointly through member of organized crime syndicate* or on behalf of syndicate or *use of violence* or threat for violence or *intimidation* or *coercion* or other unlawful means (any) to obtain direct or indirect *material financial benefits*.

**116. Meaning for *organized crime syndicate* against continuing unlawful activity**

- To include *group of minimum 2 persons + acting* singly or jointly *as syndicate* or gang + also *indulge in continuing unlawful activity* (all).

**117. Meaning for *continuing unlawful activity* by organized crime syndicate**

- (i) *To include 100% prohibited activities* under India's law
- (ii) (a) Also *treated cognizable offence* which punishable *with imprisonment* for minimum *3 years*
- (b) Also *undertaken* singly or jointly as *member of organized crime syndicate* or on behalf of syndicate *by offender where* minimum *2 charge-sheets* are *filed* before *competent Court* within preceding *10 years*
- (c) Also competent *Court* has *taken cognizance* against these *offences + economic offence (both)*

**118. Meaning for *economic offence* by organized crime syndicate**

- To include *criminal breach of trust* or *forgery* or *counterfeiting of currency notes* or bank notes or govt. stamps or hawala transactions or *mass-marketing frauds* or running any scheme *to defraud* several *persons* or doing any act in any manner *to defraud bank* or financial institution or other institution or organization *for obtaining monetary benefits* in any form



**119. For committing organized crime**

- (i) Govt. will be empowered to levy death penalty or life imprisonment + also minimum 10 lac fine (both) for committing organized crime where offence has resulted in death of any person
- (ii) Also to levy punishment to offender like life imprisonment + minimum fine for 5 lac (both) against committing organized crime where offence has not resulted in death of any person

**120. For attempting or knowingly facilitating for committing organized crime**

- Govt. will be empowered to levy punishment to offender like imprisonment for minimum 5 years or maximum life imprisonment + also fine for minimum 5 lac (both) against attempting or knowingly facilitating for committing organized crime or engaged in preparatory act for organized crime under BNS Bill, 2023

**121. For attempting or knowingly facilitating by member of crime syndicate**

- Govt. will be empowered to levy punishment to offender like minimum imprisonment for 5 years or maximum life imprisonment + also fine for minimum 5 lac (both) against attempting or knowingly facilitating for committing of organized crime or engaged in preparatory act for organized crime (any) under BNS Bill, 2023

**122. For intentionally harbored or concealed person (any) who committed offence**

- (i) Govt. will be empowered to levy punishment to offender like imprisonment for minimum 3 years or maximum life imprisonment + also fine for minimum 5 lac (both) against intentionally harboring or concealing person who committed offence under organized crime
- But
- (ii) Govt. will not be empowered when harboring or concealing is committed by offender's spouse under BNS Bill, 2023



**123. For *possessing property* derived from committing organized crime**

- Govt. will be empowered to levy punishment to offender like imprisonment for minimum 3 years or maximum life imprisonment + also fine for minimum 2 lac (both) against possessing property which derived or obtained from committing organized crime or proceed of organized crime or acquired through organized crime under BNS Bill, 2023.

**124. For *possessing not satisfactory explained* movable or immovable property (any)**

- (i) Govt. will be empowered to levy punishment to offender like imprisonment for minimum 3 years or maximum imprisonment for 10 years + also fine for minimum 1 lac (both) against possessing movable or immovable property on behalf of member of organized crime syndicate
- (ii) Also not satisfactory explained by offender (both) under BNS Bill, 2023.



**(F) Offences under BNS Bill, 2023 + IPC, 1860 (both) in India**

Section under BNS Bill, 2023	Name of Chapter + Title (both) under BNS Bill, 2023	Section under IPC, 1860
<b>125. Preliminary like short title + definition + etc – Sec 1 to 3 (Chapter – I)</b>		
1	Short title + commencement + also application (all)	1 to 5 = 5
2	Definitions for different words used under BNS Bill, 2023	6 to 52A = 47
3	General explanations + also expressions (both)	6 + 7 + 27 + 32 + 34 + 35 + 36 + 37 + 38 = 9
<b>126. Punishments against offences – Sec 4 to 13 (Chapter – II)</b>		
4	Punishments for offences	53
5	Commutation for sentences	54 to 55A = 2
6	Punishments fractions + also terms (both)	57
7	Sentences like wholly (100%) or partly (not 100%) as rigorous or simple	60
8	Fine's amounts + liabilities in defaults + also etc (all)	63 to 70 = 8
9	Limits for punishments	71
10	Punishments for several offences by offender	72
11	Solitary confinement (offender lives in single cell)	73
12	Limit for solitary confinement	74
13	Enhanced punishments for certain offences	75
<b>127. General expectations against offences – Sec 14 to 33 (Chapter – III)</b>		
14	Acted by mistake	76
15	Acted by judge judicially	77
16	Acted by pursuant to judgment	78
17	Acted by fact's mistake	79
18	Accident during lawful act	80



19	Acted <i>without criminal intent</i> to prevent other from harm	81
20	Acted <i>by child</i> below 7 years age	82
21	Acted <i>by child</i> between 7 years and 12 years	83
22	Acted <i>by mental illness person</i>	84
23	Acted <i>by incapable person</i> due to under influence of drugs	85
24	Offences committed <i>by person</i> under influence of drugs	86
25	Acted <i>not intended to cause death penalty or grievous hurt with consent</i>	87
26	Acted <i>not intended to cause death penalty or grievous hurt in good faith</i>	88
27	Acted <i>in good faith for mental illness of child or person's benefits</i>	89
28	Giving <i>consent under fear or misconception (any)</i>	90
29	Offence against <i>causing miscarriage beside consent</i> obtained from woman	91
30	Acted <i>in good faith for person's benefit without consent</i>	92
31	Communicating <i>in good faith for person's benefits</i>	93
32	Acted <i>because compelled by threats</i>	94
33	Acted <i>for slight harm</i>	95

#### **128. For *right against private defense* – Sec 34 to 44 (Chapter – III)**

34	Acted <i>for private defense</i>	96
35	Acted <i>for private defense of human body + also property (both)</i>	97
36	Acted <i>for private defense against mental illness person</i>	98
37	Private defense <i>not allowed against public servant's action</i>	99
38	Private defense <i>not allowed against other person's death penalty</i>	100
39	Private rights <i>allowed against causing harm other than death penalty</i>	101
40	Private defense <i>continuance till apprehension of danger</i>	102
41	Private defense's rights <i>extends to causing death penalty</i>	103
42	Private defense's rights <i>extends to causing any harm other than death penalty</i>	104
43	Private defense <i>rights commence</i> when reasonable <i>apprehension of danger</i>	105
44	Private defense <i>rights against deadly assault to innocent persons</i>	106





**129. For abetment + conspiracy + abetment's attempt (all) - Sec 45 to 60 (Chap. - IV)**

45	For abetting	107
46	For abettor	108
47	For abetting in India against offences committed outside India	108A
48	For abetting committed in India against abetted outside India	-
49	For without expressed provisions under BNS Bill, 2023	109
50	For abetted person acted with different intention	110
51	For abettor abetted but committed different act	111
52	For abettor eligible for cumulative punishment	112
53	For abettor abetted but committed different from intended	113
54	For abettor presented during committing offence	114
55	For abatement for death penalty or life imprisonment	115
56	For abatement for imprisonment	116
57	For abatement by more than 10 persons	117
58	For concealing design for death penalty or life imprisonment	118
59	For concealing design by public servant	119
60	For concealing design for other imprisonment	120

**130. For criminal conspiracy - Sec 61 (Chapter - IV)**

61	For criminal conspiracy	120A + 120B = 2
----	-------------------------	-----------------

**131. For attempting to commit - Sec 62 (Chapter - IV)**

62	For attempting commit	511
----	-----------------------	-----

**132. For sexual crime with women + children + transgender (all) - Sec 63 to 72 (Chap-V)**

63	For raping	375
64	For rape	376(1) + (2) = 2
65	For rape in certain cases like:	
	(i) When rape on woman under 16 years of age	376(3)
	(ii) When rape on woman under 12 years of age	376AB
66	For rape causing death penalty or persistent vegetative state (any)	376A



67	For sexual intercourse during separation	376B
68	For sexual intercourse by person in authority	376C
69	For sexual intercourse by false means or promise to marry like:	-
70	(i) When gang rape	376D
	(i) When gang rape on women under 18 years of age	-
71	For repeat offenders	376E
72	For disclosure of victim's identity	228A

**133. For criminal force + assault against women (both) - Sec 73 to 78 (Chapter - V)**

73	For assault or criminal force to woman to outrage her modesty	354
74	For sexual harassment	354A
75	For assault or criminal force with intent to disrobe	354B
76	For voyeurism	354C
77	For stalking	354D
78	For word + gesture + act intended to insult modesty of woman	509

**134. For marriage - Sec 79 to 85 (Chapter - V)**

79	For dowry death penalty	304B
80	For cohabitation by deceitfully inducing belief of lawful marriage	493
81	For marrying again during lifetime of husband or wife (any)	494 + 495 = 2
82	For fraudulently organizing marriage ceremony	496
83	For enticing or detaining married woman (any)	498
84	For cruelty by husband or relative(s)	498A
85	For Kidnapping + etc. + inducing woman to compel marriage	366

**135. For causing miscarriage without women's consent - Sec 86 to 90 (Chap. - V)**

86	For causing miscarriage	312
87	For causing miscarriage without woman's consent	313
88	For death penalty caused by act done for miscarriage	314
89	For act to prevent child's birth alive or cause death penalty after birth	315
90	For causing death penalty due to quick unborn child	316



**136. For children – Sec 91 to 97 (Chapter – V)**

91	For child's exposure + abandonment under 12 years age	317
92	For birth's concealment through dead body's disposal	318
93	For child's hiring or employing or engaging to commit offence	-
94	For child's procuration	366A
95	For child's kidnapping or abducting under 10 years age to steal	369
96	For child's selling for prostitution	372
97	For child's buying for prostitution	373

**137. For human body + human life (both) – Sec 98 to 111 (Chapter – VI)**

98	For culpable homicide	299
99	For murder	300
100	For culpable homicide through causing death penalty of person like:	301
101	(i) For murder	302
	(ii) For mob lynching	-
102	For murder through life-convict	303
103	For culpable homicide as not amounting to murder like:	304
104	(i) For causing death penalty through negligence	304A
	(ii) For non reporting of rash or negligent act causing death penalty	-
105	For abetment of child's suicide or person with mental illness	305
106	For suicide's abetment	306
107	For attempt to murder	307
108	For attempt to commit culpable homicide	308
109	For organized crime	-
110	For petty organized crime or organized in general	-
111	For terrorist act	-

**138. For causing or grievous hurt (any) by dangerous weapon–Sec 112 to 125 (Chap–V)**

112	For hurting	319
113	For voluntarily causing hurt	321 + 323 = 2



114	For <i>grievous hurting</i>	320
115	For <i>voluntarily</i> causing <i>grievous hurting</i> like:	322 + 325 = 2
	(i) <i>Grievous hurt</i> causing <i>permanent disability</i> /persistent vegetative state	-
	(ii) <i>Hurting</i> caused by <i>mob</i>	-
116	For <i>voluntarily</i> causing <i>hurt</i> or <i>grievous hurt</i> by <i>weapons</i>	324 + 326 = 2
117	For <i>voluntarily</i> causing <i>hurt</i> or <i>grievous hurt</i> to <i>extort property</i>	327 + 329 = 2
118	For <i>voluntarily</i> causing <i>hurt</i> / <i>grievous hurt</i> to <i>extort confession</i>	330 + 331 = 2
119	For <i>voluntarily</i> causing <i>hurt</i> or <i>grievous hurt</i> to <i>public servant</i>	332 + 333 = 2
120	For <i>voluntarily</i> causing <i>hurt</i> or <i>grievous hurt</i> on <i>provocation</i>	334 + 335 = 2
121	For causing <i>hurt</i> by <i>poison</i> with intent to commit offence	328
122	For <i>voluntarily</i> causing <i>grievous hurt</i> by <i>use of acid</i> + etc.	326A + 326B = 2
123	For <i>act endangering life</i> or <i>personal safety of others</i>	336 + 337 + 338 = 3
124	For <i>wrongful restraint</i>	339 + 341 = 2
125	For <i>wrongful confinement</i>	340 + 342 to 348 = 8
<b>139. For <i>criminal force</i> + <i>assault</i> (both) – Sec 126 to 134 (Chapter – VI)</b>		
126	For <i>force</i>	349
127	For <i>criminal force</i>	350
128	For <i>assault</i>	351
129	For <i>assault</i> / <i>criminal force</i> other than on <i>grave provocation</i>	352
130	For <i>assault</i> / <i>criminal force</i> to deter <i>public servant</i> from his duty	353
131	For <i>assault</i> / <i>criminal force</i> with intent to dishonor person	355
132	For <i>assault</i> /criminal force in attempt to commit property's theft	356
133	For <i>assault</i> /criminal force in attempt wrongly to confine person	357
134	For <i>assault</i> / <i>criminal force</i> on <i>grave provocation</i>	358
<b>140. For <i>kidnap</i> + <i>abduction</i> + <i>slavery</i> + <i>forced labor</i> (all) - Sec 135 to 144 (Chap.–VI)</b>		
135	For <i>kidnapping</i>	359 + 360 + 361 + 363 = 4



136	For abduction	362
137	For kidnapping or maiming child for begging	363A
138	For kidnapping or abducting to murder or for ransom + etc.	364 + 365 + 367 = 3
139	For importation of girl or boy from outside India	366B
140	For wrongfully concealing or keeping in confinement kidnapped	368
141	For person's trafficking	370
142	For trafficked person's exploitation	370A
143	For habitual dealing in slaves	371
144	For unlawful compulsory labor	374

#### 141. For govt. - Sec 145 to 156 (Chapter VII)

145	For waging war against govt. of India	121
146	For conspiracy to commit offences	121A
147	For collecting arms against wage war	122
148	For concealing to facilitate design against wage war	123
149	For assaulting President of India or Governor of state (any)	124
150	For acts endangering India's sovereignty + unity + integrity (all)	-
151	For waging war against foreign state	125
152	For depredation on territories located outside India	126
153	For receiving property taken through war or depredation	127
154	For public servant allowing prisoner of state or war to escape	128
155	For public servant negligently allowing prisoner to escape	129
156	For aiding escape or harboring prisoner (any)	130

#### 142. For Army + Navy + Air Force (all) - Sec 157 to 166 (Chapter VIII)

157	For abetting mutiny or attempting to seduce soldier from duty	131
158	For abetment of mutiny when mutiny committed in consequence	132
159	For abetment of assault by soldier/sailor/etc on superior officer	133
160	For abetment of assault when assault committed	134
161	For abetment of desertion of soldier or sailor or airman	135



162	For harboring deserter	136
163	For deserter concealed on merchant vessel by master's negligence	137
164	For abetment of act of insubordination by soldier/sailor/airman	138
165	For subject to certain acts	139
166	For wearing garb or carrying token used by soldier/sailor/airman	140
<b>143. For elections - Sec 167 to 175 (Chapter IX)</b>		
167	For candidate + defined electoral right (both)	171A
168	For bribery in cash or in kind	171B
169	For undue influence at elections	171C
170	For personation at elections	171D
171	For bribery consisting food or drink or entertainment or etc.	171E
172	For undue influence or personation at election	171F
173	For false statements against election	171G
174	For illegal payments against election	171H
175	For failure to keep election's accounts	171I
<b>144. For coins + currency notes + bank notes + stamps (all)-Sec 176 to 186 (Chap. X)</b>		
176	For counterfeiting coins or govt. stamps or currency-notes or bank- notes (any)	230 + 231 + 232 + 246 + 247 + 248 + 249 + 255 + 489A = 9
177	For using as genuine or forged or counterfeit coins or govt. stamp or currency-notes or bank notes (any)	250 + 251 + 258 + 260 + 489B = 5
178	For possession of forged or counterfeit coins or govt. stamps or currency-notes or bank-notes (any)	242 + 252 + 253 + 259 + 489C = 5
179	For making or possessing instruments or materials for forging or counterfeiting coins or govt. stamps or currency or bank notes	233 + 235 + 256 + 257 + 489D = 5
180	For making or using documents resembling currency notes or bank notes (any)	489E
181	For effacing writing with intent to cause loss to govt.	261





182	For using govt. stamps which already used	262
183	For erasure of mark denoting that stamp already used	263
184	For prohibition of fictitious stamps	263A
185	For causing coin to be of different weight from that fixed by law	244
186	For unlawfully taking coining instrument from mint	245

#### 145. For public harmony - Sec 187 to 195 (Chapter XI)

187	For unlawful assembly	141 to 145 + 150 + 151 + 157 + 158 = 9
188	For unlawful offence guilty	149
189	For rioting	146 to 148 = 3
190	For wantonly giving provocation to cause riot	153
191	For liability of owner or occupier or etc. (any)	154 to 156 = 3
192	For affray	159 + 160 = 2
193	For assaulting or obstructing public servant suppressing riot	152
194	For promoting enmity between groups	153A
195	For imputations + assertions prejudicial to national integration	153B*

#### 146. For public servant - Sec 196 to 203 (Chapter XII)

196	For public servant's disobeying law to cause injury	166
197	For public servant's disobeying direction under law	166A
198	For victim's non-treatment	166B
199	For framing incorrect document to cause injury	167
200	For unlawfully engaging in trade	168
201	For unlawfully buying or bidding for property (any)	169
202	For personating public servant	170
203	For wearing garb of public servant	171

#### 147. For lawful authority by public + public servants (both) - Sec 204 to 224 (Chap XIII)

204	For absconding to avoid service of summons or other proceeding	172
205	For preventing summons' service or other proceeding or etc.	173





206	For non-attendance in obedience to order from public servant	174
207	For non-appearance against proclamation – Sec. 82 of BNSS	174A
208	For omission to produce document by person to public servant	175
209	For omission to give notice or etc. by person to public servant	176
210	For furnishing false information's	177
211	For refusing oath or affirmation as required by public servant	178
212	For refusing to answer to public servant against his question	179
213	For refusing to sign statement	180
214	For false statement on oath or affirmation to public servant	181
215	For false information with intent to cause public servant	182
216	For resistance in taking property by public servant's authority	183
217	For obstructing property's sale offered by public servant	184
218	For Illegal property's purchase offered by public servant	185
219	For obstructing public servant in discharge of his functions	186
220	For omission to assist public servant when required by law	187
221	For disobedience to order promulgated by public servant	188
222	For injury's threat to public servant	189
223	For injury's threat to refrain others to protect to public servant	190
224	For attempt to commit suicide to restraint lawful power exercise	-

**148. For false evidence + public justice (both) - Sec 225 to 267 (Chapter XIV)**

225	For giving false evidence	191
226	For fabricating false evidence	192
227	For false evidence	193
228	For giving false evidence to procure conviction of capital offence	194
229	For giving false evidence to procure conviction	195
230	For threatening any person to give false evidence	195A
231	For using evidence beside knowingly being false	196
232	For issuing or signing false certificate (any)	197



233	<i>For using as true certificate beside knowingly being false</i>	198
234	<i>For false statement under declaration by law as evidence</i>	199
235	<i>For using as true declaration beside knowingly being false</i>	200
236	<i>For causing evidence's disappearance / giving false information</i>	201
237	<i>For intentional omission to give information by required person</i>	202
238	<i>For giving false information against committed offence</i>	203
239	<i>For document's destruction to prevent as evidence's production</i>	204
240	<i>For false personation in suit or prosecution proceedings</i>	205
241	<i>For fraudulent property removal/concealment to prevent seizure</i>	206
242	<i>For fraudulent claim against property to prevent seizure</i>	207
243	<i>For fraudulently suffering decree against wrong claim</i>	208
244	<i>For dishonestly making false claim in Court</i>	209
245	<i>For fraudulently obtaining decree against wrong claim</i>	210
246	<i>For false offence charge with intent to injure</i>	211
247	<i>For offender's harboring</i>	212
248	<i>For taking gift or etc. to screen offender</i>	213
249	<i>For offering gift for restoration of property</i>	214
250	<i>For taking gift to help to recover stolen property or etc.</i>	215
251	<i>For offender's harboring from custody or apprehension ordered</i>	216
252	<i>For robbers or dacoit's harboring</i>	216A
253	<i>For disobeying law's direction to save from punishment</i>	217
254	<i>For public servant's framing incorrect records</i>	218
255	<i>For corruptly making report in proceedings by public servant</i>	219
256	<i>For committing wrong beside knowingly acting contrary to law</i>	220
257	<i>For intentional omission for offender's help by public servant</i>	221
258	<i>For intentional omission for offender's escaping by public servant</i>	222
259	<i>For escape from confinement or custody by public servant</i>	223
260	<i>For resistance or obstruction by offender himself</i>	224



261	<i>For resistance or obstruction by other person for offender</i>	225
262	<i>For omission to apprehend of escape by public servant</i>	225A
263	<i>For resistance or obstruction to lawful apprehension or escape</i>	225B
264	<i>For violation of condition of remission of punishment</i>	227
265	<i>For intentional insult during judicial proceedings</i>	228
266	<i>For assessor's personation</i>	229
267	<i>For failure to appear in court who released on bail or bond</i>	229A

**149. For health + safety + convenience + decency (all) - Sec 268 to 295 (Chap XV)**

268	<i>For public nuisance</i>	268
269	<i>For negligent act which likely to spread infection of disease dangerous to life</i>	269
270	<i>For malignant act which likely to spread infection of disease dangerous to life</i>	270
271	<i>For disobedience to quarantine rule</i>	271
272	<i>For adulteration of food or drink intended for sale</i>	272
273	<i>For sale of noxious food or drink</i>	273
274	<i>For drug's adulteration</i>	274
275	<i>For adulterated drug's sale</i>	275
276	<i>For different drug or preparation's sale</i>	276
277	<i>For fouling water of public spring or reservoir</i>	277
278	<i>For making atmosphere noxious to health</i>	278
279	<i>For rash driving or riding on public way</i>	279
280	<i>For rash navigation of vessel</i>	280
281	<i>For exhibition of false light or mark or buoy (any)</i>	281
282	<i>For conveying through water for hire in unsafe or overloaded vessel</i>	282
283	<i>For danger or obstruction in public way or line of navigation (any)</i>	283
284	<i>For negligent conduct against poisonous substance</i>	284
285	<i>For negligent conduct against fire or combustible matter</i>	285
286	<i>For negligent conduct against explosive substance</i>	286
287	<i>For negligent conduct against machinery</i>	287



288	For negligent conduct against pulling down or repairing buildings or etc.	288
289	For negligent conduct against animal	289
290	For public nuisance	290
291	For continuance of nuisance after injunction to discontinue	291
292	For sale or etc. of obscene books or etc. (any)	292
293	For sale or etc. of obscene objects to child (any)	293
294	For obscene acts or songs (any)	294
295	For keeping lottery office	294A
<b>150. For religion - Sec 296 to 300 (Chapter XVI)</b>		
296	For injuring or defiling worship's place (any)	295
297	For deliberately acting outrage religious feelings	295A
298	For disturbing religious assembly	296
299	For trespassing on burial places	297
300	For uttering words + etc. to wound religious feelings	298
<b>151. For property - Sec 301 to 305 (Chapter XVII)</b>		
301	For theft	378 + 379 = 2
302	For snatching	–
303	For theft in dwelling house	380*
304	For theft by clerk or servant (any)	381
305	For theft after preparing for causing death penalty or hurt or restraint	382
<b>152. For extortion - Sec 306 (Chapter XVII)</b>		
306	For extortion	383 + 389 = 2
<b>153. For robbery + dacoity (both) - Sec 307 to 311 (Chapter XVII)</b>		
307	For robbery	390 + 392 + 393 + 394 = 4
308	For dacoity	391 + 395 + 396 + 399 + 400 + 402 = 6
309	For robbery or dacoity (any) with attempt to cause grievous hurt	397
310	For attempting to commit robbery or dacoity (any) with deadly weapon	398
311	For belonging to gang of robbers or thieves (any)	401



**154. For criminal property's misappropriation - Sec 312 to 313 (Chap. XVII)**

312	For dishonest misappropriation	403
313	For dishonest misappropriation of property possessed by deceased person	404

**155. For criminal trust's breach - Sec 314 (Chapter XVII)**

314	For criminal breach of trust	405 to 409 = 5
-----	------------------------------	----------------

**156. For receiving stolen property - Sec 315 (Chapter XVII)**

315	For stolen property	410 to 414 = 5
-----	---------------------	----------------

**157. For cheating - Sec 316 + 317 (Chapter XVII)**

316	For cheating	415 + 417 + 418 + 420 = 4
317	For cheating by personation	416 + 419 = 2

**158. For fraudulent deeds + Property's dispositions (both) - Sec 318 to 321 (Chap. XVII)**

318	For dishonestly property's removal to prevent distribution among creditors	421
319	For dishonestly preventing debts as available for creditors	422
320	For dishonestly execution of sale deed	423
321	For dishonestly property's removal or concealment (any)	424

**159. For mischief - Sec 322 to 326 (Chapter XVII)**

322	For mischief	425 + 426 + 427 + 440 = 4
323	For mischief by killing or maiming animal (any)	428 to 429 = 2
324	For mischief by injury or ire or explosion or etc (any)	430 to 436 = 7
325	For mischief with intent to destroy rail or aircraft or etc (any)	437 to 438 = 2
326	For intentionally running vessel to commit theft or etc (any)	439

**160. For Criminal trespass - Sec 327 to 332 (Chapter XVII)**

327	For criminal trespass + also house trespass (both)	441 to 442 = 2
		447 to 448 = 2
328	For lurking house trespass + also housebreaking (both)	443 + 445 = 2
329	For lurking house trespass or housebreaking (any)	453 to 460 = 8



330	For house trespass to commit offence	449 to 451 = 3
331	For house trespass for assault or etc. (any)	452
332	For dishonestly breaking receptacle	461 to 462 = 2

**161. For documents + property marks (both) - Sec 333 to 342 (Chapter XVIII)**

333	For preparing false documents	464
334	For forgery	463 + 465 + 468 + 469 = 4
335	For forgery of court's or public registrar's records or etc. (any)	466
336	For forgery of valuable security or will or etc. (any)	467
337	For forged document's possessed knowingly + also to use as genuine (both)	474
338	For forged documents or electronic records + also to use as genuine (both)	470 to 471 = 2
339	For wrongly possessed counterfeit seal or etc. (any) with intent to forgery	472 to 473 = 2
340	For counterfeiting device or mark used for authenticating documents	475 to 476 = 2
341	For fraudulently cancellation or etc. about will or authority to adopt (any)	477
342	For account's falsifications	477A

**162. For property marks - Sec 343 to 348 (Chapter XVIII)**

343	For property mark	479 + 481 + 482 = 3
344	For tampering property mark with intent to cause injury	489
345	For counterfeiting property mark	483 + 484 = 2
346	For making or possessing instrument for counterfeiting property mark	485
347	For selling goods marked with counterfeit property mark	486
348	For making false mark on receptacle containing goods	487 + 488 = 2

**163. For criminal intimidation + insult + annoyance (all) - Sec 349 to 353 (Chap. XIX)**

349	For criminal intimidation	503 + 506 + 507 = 3
350	For intentional insult to provoke breach of peace	504
351	For statement conducing to public mischief	505





352	For <i>acting by inducing</i> to believe to render object of divine displeasure	508
353	For <i>misconduct by drunken person</i> in public	510
<b>164. For <i>defamation</i> - Sec 354 (Chapter XIX)</b>		
354	For <i>defamation</i>	499 to 502 = 4
<b>165. For <i>contract's breach</i> + <i>supply to helpless persons (both)</i> - Sec 355 + 356 (Chap. XIX)</b>		
355	For <i>breach of contract</i> to supply helpless person	491
356	For <i>repealing</i> + also savings ( <i>both</i> )	-
356	<b>Total</b>	<b>511</b>

**166. IPC's *certain words + provisions (both)* deleted in BNS Bill, 2023**

- (i) Deleted *servant of govt.* under section 14 of IPC, 1860
- (ii) Deleted *India* under section 18 of IPC, 1860
- (iii) Deleted *electronic record* under section 29A of IPC, 1860
- (iv) Deleted *section* under section 50 of IPC, 1860
- (v) Deleted *construction of reference to transportation* under section 53A of IPC, 1860
- (vi) Deleted *sedition* under section 124A of IPC, 1860
- (vii) Deleted *punishment for knowingly carrying arms in any procession* under section 153AA of IPC, 1860
- (viii) Deleted *delivery of coin as genuine* under section 254 of IPC, 1860
- (ix) Deleted *offences relating to weights and measures* under section 264 to 267 of IPC, 1860
- (x) Deleted *attempt to commit suicide* under section 309 of IPC, 1860





- (xi) Deleted *thug and punishment for thug* under section 310 to 311 of IPC, 1860
- (xii) Deleted *gang rape on woman under age of 16 and 12 (respectively)* under section 376DA + also 376DB of IPC, 1860
- (xiii) Deleted *sexual intercourse against order of nature* under section 377 of IPC, 1860
- (xiv) Deleted *lurking house trespass at night* under section 444 of IPC, 1860
- (xv) Deleted *housebreaking at night* under section 446 of IPC, 1860
- (xvi) Deleted *adultery* under section 497 of IPC, 1860



## **(G) Punishment's summary through new sections inserted under BNS Bills, 2023**

### **167. For community service against petty offences - Section 4**

- Community service against petty offences will be considered punishment as unpaid labor under section 4 of BNS Bill, 2023

### **168. For rape - Section 64**

- (i) Rape will be considered stricter offence under section 64 of BNS Bill, 2023
- (ii) Also will be punishable with imprisonment for minimum 10 years + fine (both) instead of imprisonment for minimum 7 years under section 376 of IPC, 1860

### **169. For sexual intercourse by dishonest means or false promise to marry (any) – Sec. 69**

- (i) Sexual intercourse by dishonest (deceitful) means or false promise to marry (any) will be considered offence under section 69 of BNS Bill, 2023.
- (ii) Also will be punishable with imprisonment for maximum 10 years + fine (both)

### **170. For Crimes against women + children + transgender (all) - Section 69**

- (i) Crimes against women + also children (both) will be considered offence under section 69 of BNS Bill, 2023
- (ii) Also will be punishable with imprisonment for maximum 10 years + fine (both)

### **171. For Gang rape - Section 70**

- (i) Gang rape with women below 18 years of age will be considered offence under section 70 of BNS Bill, 2023
- (ii) Also will be punishable with imprisonment for minimum 20 years or life imprisonment + fine (both)



**172. For Mob lynching - Section 101(2)**

- (i) Mob lynching will be *considered offence* under section 101(2) of BNS Bill, 2023
- (ii) Also will be punishable with *imprisonment* for minimum 7 years or life imprisonment + *fine* (both)

**173. For terrorism + terrorist activity (both) - Section 111**

- Terrorism + also terrorist act (both) will be *considered offence* under section 111 of BNS Bill, 2023

**174. For illicit intercourse with boy or girl below 18 or 21 years age - Section 139**

- (i) Illicit intercourse with *boy or girl below 18 or 21 years age* will be considered offence under section 139 of BNS Bill, 2023
- (ii) Also will be punishable with *imprisonment* for maximum 10 years + *fine* (both)

**175. For sedition removed except danger for sovereignty + etc. of India – Sec. 150**

- (i) Sedition laws will be removed *except danger for India's sovereignty* + unity + also integrity (all) will be *considered offence* under section 150 of BNS Bill, 2023
- (ii) Also will be punishable with *imprisonment* for maximum 7 years + *fine* (both) under section 150 of BNS Bill, 2023

**176. Meaning for sedition removed except danger for sovereignty + etc.– Sec. 150**

- (i) *Beside* existing *sedition laws* will be *removed* under section 150 of BNS Bill, 2023

*But*

- (ii) *Criminalization of any act* which *exciting* or attempting to excite *secessionist activities* or encourages feelings of separatist activities will be *considered offence* under section 150 of BNS Bill, 2023



**177. For violating legal obligations by public servant - Section 200**

- (i) Violating legal obligations through *conducting trade by public servant* will be considered *offence* under section 200 of BNS Bill, 2023
- (ii) Also will be punishable with *imprisonment* for maximum *1 year or fine or both* or community service (*any*)

**178. For snatching - Section 302**

- (i) Snatching will be *considered offence* under section 302 of BNS Bill, 2023
- (ii) Also will be punishable with *imprisonment* for maximum *3 years + fine* (both)

**179. For defamation - Section 354**

- (i) Defamation will be considered *offence* under section 354 of BNS Bill, 2023
- (ii) Also will be punishable with *imprisonment* for maximum *2 years + fine* (both)

**180. Meaning for not yet prescribed for community service**

- (i) Definition is not yet prescribed *for community service* therefore potential *chances for* creating *disputes* against sentences under community services
- (ii) Its suggested that *govt.* should *issue* proper *guidelines* for community service.

**181. Meaning for not covering man + transgender for rape + sexual intercourse (all)**

- *BNS* Bill, 2023 + *IPC*, 1860 (both) not covering man + transgender *for rape +* also *sexual intercourse beside* Criminal law *amendment bill* which was *introduced* as private member's bill in 2019 to make Indian criminal laws *as gender natural*



## ***Published By***



*CA. Satish Agarwal  
B.com (Hons.) FCA  
Practicing Chartered Accountant Since 1985  
+919811081957*

*9/14 (First Floor) East Patel Nagar, New Delhi- 110008*

*Email: satishagarwal307@yahoo.com*

*Website: www.femainindia.com*

### **◆ *Disclaimer***

- 1. Contents of this newsletter are solely for informational purpose (only). Neither this newsletter nor information's as contained herein constitutes a contract or will form basis of a contract.*
- 2. Material contained in this newsletter does not constitute or substitute professional advice as may be required before acting on any matter.*
- 3. Every care has been taken in preparation of this newsletter to ensure its accuracy at time of publication.*
- 4. Satish Agarwal assumes no responsibility for any error which despite all precautions may be found herein.*
- 5. We shall not be liable for direct, indirect or consequential damages if any arising out of or in any way connected with use of this newsletter or information's as contained herein.*

***July-2024***

