# IPC Section 120

## Section 120 of the Indian Penal Code: Concealing design to commit offence punishable with imprisonment  
  
Section 120 of the Indian Penal Code (IPC) addresses the concealment of a design to commit an offence punishable with imprisonment, excluding those already covered under Sections 118 and 119. This section broadens the scope of criminal concealment beyond offences punishable with death or life imprisonment and beyond the duties of public servants. It acknowledges the importance of preventing all crimes, regardless of the severity of the potential punishment.  
  
\*\*Dissecting Section 120:\*\*  
  
To understand the implications of Section 120 fully, we need to analyze its constituent elements in detail:  
  
\*\*1. Concealing a design:\*\*  
  
The core of this section, similar to Sections 118 and 119, is the act of "concealing a design." This involves a deliberate and conscious effort to suppress or withhold information about a planned offence from individuals or authorities capable of preventing it. It's not merely passive unawareness or failure to notice; it's an active decision to hide the knowledge of the intended crime. The "design" refers to the plan or intention to commit an offence. This plan doesn't necessarily need to be meticulously detailed or fully formed; a general intention coupled with preparatory actions can constitute a design.  
  
\*\*2. Offence punishable with imprisonment:\*\*  
  
This section specifically targets the concealment of designs to commit offences punishable with imprisonment. This encompasses a wide range of offences under the IPC, from relatively minor offences like theft to more serious crimes like assault or extortion. Importantly, this section excludes offences punishable with death or imprisonment for life, as those are covered under Section 118, and it excludes offences which a public servant is bound to prevent, as those are covered under Section 119. This distinction ensures that each type of concealment is addressed under the appropriate section of the IPC.  
  
\*\*3. Knowledge of the design:\*\*  
  
For an individual to be liable under Section 120, they must possess demonstrable knowledge of the design to commit the specified offence. This knowledge must be clear and beyond mere suspicion or conjecture. The prosecution needs to establish that the accused was aware of the plan and its intended consequences.  
  
\*\*4. Without informing the authorities:\*\*  
  
The act of concealment becomes an offence under Section 120 when the person with knowledge of the design fails to inform the relevant authorities. This includes law enforcement agencies, judicial officers, or anyone with the authority to intervene and prevent the planned crime. The failure to inform must be a deliberate act and not due to legitimate reasons like coercion, threats, or physical inability.  
  
\*\*5. Punishment:\*\*  
  
Section 120 stipulates a punishment based on the potential punishment for the concealed offence. If the concealed offence is punishable with imprisonment for a term exceeding six months, the punishment for concealment under Section 120 is imprisonment which may extend to one-half of the longest term provided for that offence, or with fine, or with both. If the concealed offence is punishable with imprisonment for a term not exceeding six months, the punishment for concealment under Section 120 is imprisonment which may extend to three months, or with fine, or with both. This graded punishment system ensures proportionality between the severity of the concealed offence and the punishment for its concealment.  
  
  
\*\*Illustrative Examples:\*\*  
  
To clarify the application of Section 120, let's consider a few scenarios:  
  
\* \*\*Example 1:\*\* A person overhears a conversation where a group is planning to vandalize a local park. The person knows the individuals involved and their planned actions but chooses not to report it to the authorities because they don't consider it a serious matter. Vandalism is punishable with imprisonment, and therefore, concealing the design would make the person liable under Section 120.  
\* \*\*Example 2:\*\* An individual learns that their friend is planning to steal a valuable item from a neighbor's house. The individual knows the details of the planned theft but chooses to remain silent due to loyalty to their friend. Theft is punishable with imprisonment, making the individual liable under Section 120 for concealing the design.  
\* \*\*Example 3:\*\* A person discovers that a group is planning to assault a rival gang member. The person is aware of the individuals involved, the intended victim, and the planned attack but chooses not to inform the police due to fear of retaliation. Assault is punishable with imprisonment, and therefore, concealing the design would attract liability under Section 120.  
  
  
\*\*Distinguishing Section 120 from related sections:\*\*  
  
It's essential to differentiate Section 120 from other relevant sections in the IPC:  
  
\* \*\*Section 118 (Concealing design to commit offence punishable with death or imprisonment for life):\*\* Section 118 deals specifically with the concealment of designs to commit more serious offences punishable with death or life imprisonment. Section 120 covers offences punishable with imprisonment other than those covered under Section 118.  
\* \*\*Section 119 (Public servant concealing design to commit offence which it is his duty to prevent):\*\* Section 119 specifically applies to public servants concealing designs to commit offences they are duty-bound to prevent. Section 120 applies to any individual, regardless of whether they are a public servant, and doesn't require a specific duty to prevent the offence.  
\* \*\*Section 201 (Causing disappearance of evidence of offence):\*\* Section 201 deals with actions taken after an offence has been committed to conceal or destroy evidence. Section 120 deals with concealing the design to commit an offence before it takes place.  
\* \*\*Sections 107-117 (Abetment):\*\* Abetment involves actively instigating, aiding, or conspiring to commit an offence. Section 120 deals with passive concealment, not active participation in the crime. However, an individual can be liable for both abetment and concealment if they actively participate in the planning and subsequently conceal the design.  
  
  
\*\*The rationale behind Section 120:\*\*  
  
Section 120 recognizes the importance of public cooperation in crime prevention. By criminalizing the act of concealing information about planned offences, it incentivizes individuals to come forward and report such knowledge to the authorities. This proactive approach to crime prevention can help deter potential offenders and reduce the overall incidence of crime.  
  
\*\*Conclusion:\*\*  
  
Section 120 of the IPC plays a crucial role in promoting public safety by discouraging the concealment of criminal designs. It broadens the scope of criminal concealment beyond the more serious offences covered under Sections 118 and 119, encompassing a wider range of criminal activity. The graded punishment system ensures proportionality between the concealed offence and the punishment for its concealment. Understanding the nuances of Section 120 is vital for law enforcement, legal professionals, and the general public, as it fosters a culture of reporting and contributes to a safer and more law-abiding society.