# IPC Section 198

## Section 198 of the Indian Penal Code: A Comprehensive Analysis  
  
Section 198 of the Indian Penal Code (IPC) deals with the specific offense of using as true a certificate known to be false. This provision is intricately linked to Section 197, which criminalizes the issuance of false certificates. Section 198 extends the scope of liability to those who knowingly use such false certificates, thereby safeguarding the integrity of legal proceedings and preventing the perpetuation of fraud based on these documents. This in-depth analysis dissects the various aspects of Section 198, exploring its constituent elements, interpreting key phrases, examining related provisions, and discussing relevant case laws.  
  
\*\*The Text of Section 198:\*\*  
  
"Using as true a certificate known to be false.—Whoever corruptly uses or attempts to use any such certificate as a true certificate, knowing or believing the same to be false in any material point, shall be punished in the same manner as if he gave false evidence."  
  
\*\*Dissecting the Elements of the Offense:\*\*  
  
1. \*\*"Whoever corruptly uses or attempts to use":\*\* This phrase echoes the language used in Section 196 and highlights two key aspects: actual use and attempted use. "Uses" refers to employing the false certificate in any legal proceeding or official context where it might influence a decision or outcome. "Attempts to use" encompasses situations where the individual takes steps towards using the certificate, even if they ultimately fail to present it before the relevant authority. The inclusion of "corruptly" is crucial, signifying that the use or attempted use must be driven by a dishonest or improper motive. This doesn't necessarily require monetary gain; any unlawful or improper intention suffices. The prosecution bears the burden of proving this corrupt intention beyond reasonable doubt.  
  
2. \*\*"any such certificate":\*\* The term "such certificate" directly refers to the certificates described in Section 197. Therefore, the certificate must relate to a fact and be legally declared as evidence. This link between Sections 197 and 198 is essential; a certificate not falling under the purview of Section 197 cannot be subject to prosecution under Section 198.  
  
3. \*\*"as a true certificate":\*\* This phrase emphasizes the perpetrator's representation of the false certificate as authentic and genuine. The individual must present the certificate with the intention to deceive the recipient into believing its veracity.  
  
4. \*\*"knowing or believing the same to be false in any material point":\*\* This element focuses on the accused's state of mind. The prosecution must prove that the individual either knew for certain that the certificate was false or held a strong belief in its falsity concerning a significant detail. "Material point" signifies a crucial fact within the certificate that affects its truthfulness and intended purpose. This subjective element differentiates it from the objective falsity of the certificate itself. The use of "knowing or believing" broadens the scope compared to "knowledge," accommodating instances where absolute certainty might be lacking but a firm belief in the falsity exists.  
  
5. \*\*"shall be punished in the same manner as if he gave false evidence":\*\* This crucial aspect connects the punishment under Section 198 to the penalties for giving false evidence under Sections 191-194. This linkage ensures that using a false certificate carries the same weight as providing false testimony, reflecting the gravity of attempting to mislead legal processes with fraudulent documents. The punishment can range from imprisonment up to seven years and fine, or even life imprisonment in specific circumstances, depending on the nature of the proceedings where the certificate is used and the intended consequences.  
  
\*\*Distinction from Related Offenses:\*\*  
  
\* \*\*Section 197 (Issuing or Signing False Certificate):\*\* While Section 197 criminalizes the creation of the false certificate, Section 198 targets the subsequent use of that certificate. These two sections often work in tandem, but separate individuals can be held liable under each section.  
  
\* \*\*Section 196 (Using Evidence Known to be False):\*\* Both sections deal with using false evidence. However, Section 198 specifically addresses the use of false certificates that are legally declared to be evidence, whereas Section 196 has a broader scope encompassing any type of false evidence.  
  
\* \*\*Sections 463 (Forgery) and 471 (Using as Genuine a Forged Document):\*\* If the false certificate is also a forged document, using it might attract charges under Section 471. However, Section 198 specifically targets the use of false certificates declared as legal evidence, even if they aren't technically forged but contain false information.  
  
\*\*Interpretational Nuances and Case Laws:\*\*  
  
\* \*\*"Corruptly":\*\* Similar to its interpretation in Section 196, "corruptly" in Section 198 signifies acting with an unlawful or improper motive, not necessarily for financial gain. Judicial pronouncements have clarified that any dishonest or improper intention suffices to satisfy this requirement.  
  
\* \*\*"Such certificate":\*\* The term reinforces the direct link to Section 197, underscoring that only certificates covered under Section 197 can be subject to prosecution under Section 198.  
  
\* \*\*"Material Point":\*\* The falsity must pertain to a significant detail that impacts the truthfulness and intended purpose of the certificate. Insignificant errors or omissions that don't affect the core assertion of the certificate might not attract liability under Section 198.  
  
  
\* \*\*"Knowing or believing":\*\* This element underscores the subjective nature of the offense. The prosecution must demonstrate that the accused had a firm belief in the certificate's falsity, even if absolute certainty was absent. Mere suspicion is insufficient.  
  
\* \*\*Sanction for Prosecution:\*\* As with Sections 196 and 197, prosecution under Section 198 generally requires a complaint from the court where the false certificate is used or intended to be used, according to Section 195(1)(b)(i) of the CrPC. This procedural safeguard prevents frivolous or malicious prosecutions.  
  
  
\*\*Illustrative Examples:\*\*  
  
\* Submitting a false medical certificate to an employer to obtain sick leave, knowing that the certificate contains fabricated information.  
\* Using a false birth certificate to claim inheritance, being aware of the inaccuracies in the certificate.  
\* Producing a false character certificate for a job application, knowing that the certificate misrepresents the individual's character.  
  
  
\*\*Conclusion:\*\*  
  
Section 198 of the IPC plays a crucial role in upholding the integrity of legal processes by criminalizing the use of false certificates. By penalizing those who knowingly or believingly utilize such documents, it prevents the perpetuation of fraud and ensures that legal decisions are based on authentic information. This comprehensive analysis has delved into the various elements of Section 198, clarified its scope, distinguished it from related offenses, and highlighted its interpretational nuances through relevant legal principles and case laws. A thorough understanding of Section 198 is essential for legal professionals, government officials, and individuals dealing with certificates designated as legal evidence, enabling them to navigate the complexities of this provision and appreciate its significance in maintaining the sanctity of legal proceedings.