# IPC Section 214

## IPC Section 214: A Deep Dive into Offering Gift or Restoration of Property to Screen Offender from Punishment  
  
Section 214 of the Indian Penal Code (IPC) deals with the offense of offering a gratification or restoration of property to a person with the intent to induce them to conceal an offense or screen an offender from legal punishment. This provision complements other sections dealing with harboring and concealing offenders (Sections 212 and 213) by criminalizing the act of offering inducements for such illicit assistance. A comprehensive understanding of Section 214 requires a meticulous examination of its elements, its relationship with other legal provisions, and its implications for the administration of justice.  
  
\*\*I. The Text of Section 214\*\*  
  
Section 214 of the IPC states:  
  
  
"Whoever gives or causes, or offers or agrees or attempts to give or cause, any gratification to any person, or to restore or cause the restoration of any property to any person, in consideration of that person’s concealing an offence, or of his screening any person from legal punishment for any offence, or of his not proceeding against any person for the purpose of bringing him to legal punishment, shall, if the offence is punishable with death, be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine; if the offence is punishable with imprisonment for life or with imprisonment which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and, if the offence is punishable with imprisonment for any term not extending to ten years, shall be punished with imprisonment of either description for a term which may extend to one-fourth part of the longest term of imprisonment provided for the offence, or with fine, or with both."  
  
  
\*\*II. Dissecting the Elements of Section 214\*\*  
  
This section contains several crucial elements that must be established for a successful prosecution:  
  
1. \*\*Gives or Causes, or Offers or Agrees or Attempts to Give or Cause:\*\* This broad language covers a range of actions, from actually giving a gratification to merely offering, agreeing, or attempting to do so. This ensures that individuals are held accountable even if the transaction is not completed. The inclusion of "causes" extends the scope to situations where the individual doesn't directly offer the gratification but instigates or arranges for it to be offered by another person.  
  
2. \*\*Any Gratification to Any Person:\*\* This encompasses any form of benefit, reward, or inducement, whether monetary or otherwise, offered to another person. This can include cash, property, favors, promises of future benefits, or any other advantage offered as an incentive.  
  
3. \*\*To Restore or Cause the Restoration of Any Property to Any Person:\*\* This specifically addresses situations where the inducement involves returning stolen or illegally obtained property to its owner or another person. This recognizes that offering the return of such property can be a powerful incentive to conceal an offense.  
  
4. \*\*In Consideration of that Person's:\*\* This phrase establishes a direct link between the offered gratification or restoration of property and the requested illicit act. The offer must be made as a quid pro quo for the other person's cooperation in concealing the offense or screening the offender.  
  
5. \*\*Concealing an Offence:\*\* This involves actively hiding or covering up the commission of an offense to prevent its discovery or investigation.  
  
6. \*\*Screening Any Person from Legal Punishment:\*\* This involves protecting an offender from arrest, prosecution, or punishment by any means, including providing false information, harboring them, or interfering with the investigation.  
  
7. \*\*Not Proceeding Against Any Person for the Purpose of Bringing Him to Legal Punishment:\*\* This targets individuals who have a duty to pursue legal action against offenders but are offered a gratification to refrain from doing so. This is particularly relevant to law enforcement officials, prosecutors, and other public servants involved in the criminal justice system.  
  
8. \*\*Punishment:\*\* The punishment under Section 214 is tiered based on the gravity of the offense being concealed:  
  
 \* \*\*Offense punishable with death:\*\* Imprisonment up to seven years and a fine.  
 \* \*\*Offense punishable with life imprisonment or imprisonment up to ten years:\*\* Imprisonment up to three years and a fine.  
 \* \*\*Offense punishable with imprisonment less than ten years:\*\* Imprisonment up to one-fourth of the longest term prescribed for that offense, or a fine, or both. This graded punishment structure reflects the principle of proportionality, ensuring that the penalty for offering a bribe is commensurate with the seriousness of the concealed offense.  
  
\*\*III. Illustrative Examples\*\*  
  
To better understand the application of Section 214, consider these scenarios:  
  
\* \*\*Example 1:\*\* A person offers a bribe to a police officer to not arrest their friend who has committed a theft.  
  
\* \*\*Example 2:\*\* A family member offers a large sum of money to a witness to change their testimony and protect a relative accused of a serious crime.  
  
\* \*\*Example 3:\*\* A company offers to restore stolen goods to a victim in exchange for the victim not reporting the theft to the police.  
  
  
\*\*IV. Distinguishing Section 214 from Related Offenses\*\*  
  
Section 214 should be differentiated from other related offenses:  
  
\* \*\*Abetment (Sections 107-120):\*\* While offering a gratification under Section 214 can be a form of abetment, Section 214 specifically targets the act of offering inducements to conceal offenses or screen offenders.  
  
\* \*\*Bribery (Prevention of Corruption Act):\*\* While Section 214 overlaps with bribery provisions, it focuses specifically on offering gratifications to conceal offenses, while bribery laws cover a broader range of corrupt practices.  
  
  
\*\*V. Evidentiary Considerations\*\*  
  
Proving a violation of Section 214 requires strong evidence demonstrating the offer or attempt to offer a gratification or restoration of property, the link between the offer and the request to conceal the offense or screen the offender, and the accused's knowledge of the offense. This can involve witness testimony, intercepted communications, financial records, and other forms of evidence linking the accused to the offer and demonstrating their corrupt intent.  
  
\*\*VI. Challenges and Interpretational Issues\*\*  
  
Applying Section 214 can present certain challenges:  
  
\* \*\*Proving Intent:\*\* Establishing the specific intent to induce the concealment of an offense or the screening of an offender can be complex, especially when relying on circumstantial evidence.  
  
\* \*\*Interpreting "Gratification":\*\* The broad definition of "gratification" requires careful consideration in each case to determine whether the alleged benefit constitutes a gratification within the meaning of the section.  
  
\* \*\*Distinguishing from Extortion:\*\* In some situations, it may be difficult to distinguish between offering a gratification under Section 214 and being extorted to pay a bribe.  
  
  
\*\*VII. Significance and Implications\*\*  
  
Section 214 plays a vital role in maintaining the integrity of the criminal justice system and preventing corruption. By criminalizing the act of offering inducements to conceal offenses, it deters individuals from obstructing justice for personal gain and strengthens the rule of law. This provision is essential for promoting public trust in law enforcement and ensuring that offenders are held accountable for their actions.  
  
  
\*\*VIII. Conclusion\*\*  
  
Section 214 of the IPC targets the corrupt practice of offering rewards to obstruct justice. By penalizing those who attempt to buy their way out of legal consequences or protect others from punishment, this provision protects the integrity of the criminal justice system and ensures that the pursuit of justice is not undermined by corrupt practices. While its application requires careful consideration of the elements of intent, gratification, and the nature of the concealed offense, its effective enforcement is crucial for maintaining a just and equitable legal system. Its continued relevance is paramount in ensuring that the law is applied fairly and impartially, without being influenced by bribes or other illicit inducements.