# IPC Section 219

## IPC Section 219: Public servant in judicial proceeding corruptly making report, etc., contrary to law  
  
Section 219 of the Indian Penal Code addresses the offense committed by a public servant who, while acting in a judicial proceeding, corruptly makes a report, statement, or certificate contrary to law. This provision aims to maintain the integrity of judicial processes and prevent public servants involved in such proceedings from manipulating or falsifying information for corrupt purposes. It underscores the importance of honesty and impartiality in the administration of justice and seeks to deter public servants from abusing their position to influence judicial outcomes.  
  
\*\*Detailed Breakdown of Section 219:\*\*  
  
\*\*Text of Section 219:\*\*  
  
Whoever, being a public servant, in any stage of a judicial proceeding, not being bound by an oath, makes any report, statement or certificate which he knows to be false, intending thereby to cause, or knowing it to be likely that he will thereby cause, any person subject to such proceeding to be legally punished, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.  
  
  
\*\*Explanation of Key Elements:\*\*  
  
1. \*\*"Public Servant":\*\* As with other sections dealing with public servant misconduct, this element restricts the application of Section 219 to individuals holding a public office. The definition of "public servant" is provided in Section 21 of the IPC. Establishing the accused's status as a public servant is essential for invoking this section.  
  
2. \*\*"In any stage of a judicial proceeding":\*\* This phrase clarifies that the offense must be committed within the context of a judicial proceeding. This could include any stage of the process, from the initial investigation and filing of a complaint to the final judgment and appeal. The report, statement, or certificate must be made in connection with a matter that is under judicial consideration.  
  
3. \*\*"Not being bound by an oath":\*\* This element specifies a crucial condition for the application of Section 219. The public servant must \*not\* be under oath while making the false report, statement, or certificate. If the public servant is bound by an oath and makes a false statement, it would constitute perjury under Section 193 of the IPC, which carries a more severe punishment. This distinction underscores the legislature's intention to address different levels of culpability based on whether the false statement was made under oath.  
  
4. \*\*"Makes any report, statement or certificate which he knows to be false":\*\* This element highlights the requirement of knowledge on the part of the public servant. The public servant must be aware that the report, statement, or certificate being made is false. An honest mistake or unintentional error does not fall under this section. The prosecution must prove the public servant's knowledge of the falsity of the information.  
  
5. \*\*"Intending thereby to cause, or knowing it to be likely that he will thereby cause, any person subject to such proceeding to be legally punished":\*\* This phrase defines the specific intent required for the offense under Section 219. The public servant's action must be motivated by the intention to ensure that a person involved in the judicial proceeding receives legal punishment. This intention can be direct, aiming specifically to secure a conviction, or indirect, knowing that the false report, statement, or certificate is likely to result in punishment for the individual.  
  
6. \*\*"Punishment":\*\* The punishment for violating Section 219 is imprisonment of either description (rigorous or simple) for a term which may extend up to seven years, and a fine. The court has the discretion to determine the appropriate sentence based on the specific facts and circumstances of each case, including the nature of the false information, the potential consequences for the person subject to the proceeding, and the motive of the public servant.  
  
  
  
\*\*Different Interpretations and Judicial Pronouncements:\*\*  
  
Judicial pronouncements have shed light on various aspects of Section 219:  
  
\* \*\*"Judicial proceeding":\*\* Courts have interpreted this term broadly to include not only formal court proceedings but also quasi-judicial proceedings conducted by tribunals or other administrative bodies exercising judicial functions.  
  
\* \*\*"Report, statement or certificate":\*\* These terms are interpreted broadly to encompass any form of written or oral communication made by the public servant in the course of the judicial proceeding.  
  
\* \*\*"Knows to be false":\*\* The prosecution must establish that the public servant had actual knowledge of the falsity of the information. Mere suspicion or negligence is not sufficient to attract this section.  
  
\* \*\*"Corruptly":\*\* While the term "corruptly" is not explicitly mentioned in the text of Section 219, courts have generally held that a corrupt motive is implicit in the offense. The public servant's action must be motivated by some improper or unlawful consideration, such as personal gain, malice, or favoritism.  
  
\* \*\*Distinction from Section 193 (Perjury):\*\* The key difference between Section 219 and Section 193 lies in whether the false statement was made under oath. Section 219 applies specifically to situations where the public servant is not bound by an oath.  
  
  
  
\*\*Examples:\*\*  
  
\* A police officer, not under oath during a preliminary inquiry, falsely implicating an innocent individual in a crime, knowing that this would likely lead to their arrest and prosecution.  
  
\* A revenue official making a false statement in a property dispute case, intending to unjustly benefit one party at the expense of the other.  
  
\* A social worker submitting a fabricated report in a child custody case, aiming to influence the court's decision based on false information.  
  
  
\*\*Section 219 and Related Sections:\*\*  
  
Section 219 needs to be read alongside related provisions of the IPC, such as:  
  
\* \*\*Section 21 (Definition of "Public Servant")\*\*: Provides the essential definition of a public servant.  
  
\* \*\*Section 191 (Giving false evidence):\*\* Deals with giving false evidence in any judicial proceeding.  
  
\* \*\*Section 193 (Perjury):\*\* Specifically addresses giving false evidence under oath.  
  
\* \*\*Section 194 (Giving or fabricating false evidence with intent to cause conviction of capital offense):\*\* Deals with a more serious form of giving false evidence.  
  
  
\*\*Conclusion:\*\*  
  
Section 219 of the IPC serves as a critical safeguard against manipulation and corruption within judicial proceedings. By specifically targeting public servants who corruptly provide false information in such proceedings, it aims to uphold the integrity of the justice system and protect individuals from being unjustly punished based on fabricated evidence. The distinction between statements made under oath and those not under oath demonstrates the legislature's nuanced approach to addressing different levels of culpability. Judicial pronouncements have further clarified the scope and application of this provision, making it a potent tool for ensuring accountability within the public sector and maintaining public trust in the administration of justice. This section serves as a deterrent for public servants who might be tempted to misuse their position to influence judicial outcomes, ultimately contributing to a more fair and impartial legal system.