# IPC Section 230

## IPC Section 230: Making or Taking Gift, etc., to Screen an Offender from Punishment  
  
Section 230 of the Indian Penal Code (IPC) deals with the offence of making or taking a gift, gratification, or valuable security to screen an offender from punishment. This section is designed to uphold the integrity of the justice system by criminalizing acts that obstruct or interfere with the legal process of punishing offenders. It targets both those who offer such inducements and those who accept them for the purpose of shielding an offender from the consequences of their actions. This comprehensive analysis will explore the various facets of Section 230, including the scope of "offender," the nature of "gift, gratification, or valuable security," the meaning of "screening an offender from punishment," the different categories of offences under this section, the prescribed punishments, and the relationship of this section with other relevant provisions.  
  
\*\*I. Scope of "Offender":\*\*  
  
Section 230 applies to situations where a person attempts to screen an "offender" from punishment. An "offender" in this context refers to any person who has committed an offence under any law. This encompasses a wide range of offences, from minor infractions to serious crimes. The offence committed by the offender need not have resulted in a conviction; even if the offender is merely suspected or accused of committing an offence, offering or accepting a bribe to shield them from potential punishment falls under the purview of this section.  
  
  
\*\*II. Nature of "Gift, Gratification, or Valuable Security":\*\*  
  
The offence under Section 230 involves the making or taking of a "gift, gratification, or valuable security."  
  
\* \*\*Gift:\*\* This refers to any transfer of property without consideration. It can include tangible items such as money, jewelry, or other valuable possessions, as well as intangible benefits such as favors or services.  
  
\* \*\*Gratification:\*\* This encompasses anything that provides pleasure or satisfaction, including monetary benefits, sexual favors, or any other form of inducement.  
  
\* \*\*Valuable Security:\*\* This refers to any document or instrument that represents a legal right or interest, such as a bond, share certificate, or promissory note.  
  
  
The value of the gift, gratification, or valuable security is not relevant for establishing the offence. Even a small inducement offered or accepted to screen an offender from punishment falls within the scope of this section.  
  
  
\*\*III. Meaning of "Screening an Offender from Punishment":\*\*  
  
The key element of Section 230 is the intent to "screen an offender from punishment." This refers to any action taken to protect an offender from facing the legal consequences of their actions. This can manifest in several ways:  
  
\* \*\*Preventing arrest or prosecution:\*\* Offering a bribe to a police officer to prevent the arrest of an offender or to influence the investigation in their favor.  
  
\* \*\*Influencing witnesses or judges:\*\* Offering inducements to witnesses to change their testimony or to judges to deliver a favorable verdict.  
  
\* \*\*Facilitating escape:\*\* Helping an offender escape from custody or avoid apprehension.  
  
\* \*\*Concealing evidence:\*\* Destroying or hiding evidence that could incriminate the offender.  
  
  
The act of screening need not be successful to constitute an offence under this section. Even an unsuccessful attempt to shield an offender from punishment falls within its ambit.  
  
  
  
\*\*IV. Categories of Offences under Section 230:\*\*  
  
Section 230 defines three distinct categories of offences, each with its own prescribed punishment:  
  
\* \*\*If the offence is punishable with death:\*\* If the offence committed by the offender is punishable with death, the person making or taking the gift, gratification, or valuable security to screen them from punishment shall 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 imprisonment for ten years or upwards:\*\* If the offence committed by the offender is punishable with imprisonment for life or imprisonment for ten years or more, the person making or taking the inducement shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.  
  
\* \*\*In any other case:\*\* If the offence committed by the offender is punishable with imprisonment for less than ten years, the person making or taking the inducement 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.  
  
  
  
\*\*V. Prescribed Punishments:\*\*  
  
The punishments under Section 230 vary depending on the severity of the offence committed by the original offender. This graded approach reflects the principle of proportionality in sentencing. The more serious the offence being screened, the harsher the punishment for those involved in the screening.  
  
  
\*\*VI. Relationship with Other Sections:\*\*  
  
Section 230 is related to other sections of the IPC dealing with offences against public justice and corruption.  
  
\* \*\*Prevention of Corruption Act, 1988:\*\* This Act provides a more comprehensive framework for dealing with corruption offences, including offering or accepting bribes to influence public servants. Section 230 of the IPC can be seen as a specific instance of corruption related to screening offenders from punishment.  
  
\* \*\*Section 191 (Giving false evidence):\*\* If the act of screening involves giving false evidence in court, Section 191 might also be applicable.  
  
\* \*\*Section 192 (Fabricating false evidence):\*\* If the act of screening involves creating false evidence, Section 192 might also be applicable.  
  
\* \*\*Section 219 (Public servant in judicial proceeding corruptly making report, etc., contrary to law):\*\* This section targets judicial officers who corruptly make reports or deliver judgments contrary to law.  
  
  
\*\*VII. Illustrations:\*\*  
  
\* \*\*A offers a bribe to a police officer to not arrest B, who is wanted for murder. This constitutes an offence under Section 230, falling under the first category (offence punishable with death).\*\*  
  
\* \*\*C gives a valuable security to a witness to change their testimony in favor of D, who is accused of robbery. This constitutes an offence under Section 230, falling under the second category (offence punishable with imprisonment for ten years or upwards).\*\*  
  
\* \*\*E helps F, who is accused of theft, escape from police custody. This constitutes an offence under Section 230, falling under the third category (any other case).\*\*  
  
  
\*\*VIII. Conclusion:\*\*  
  
Section 230 of the IPC plays a vital role in upholding the integrity of the justice system by criminalizing attempts to screen offenders from punishment. This section targets both those who offer and those who accept inducements to obstruct the legal process. Understanding the scope of "offender," the nature of "gift, gratification, or valuable security," the meaning of "screening an offender from punishment," the different categories of offences, and the prescribed punishments is crucial for the correct application of this section. By deterring individuals from interfering with the course of justice, Section 230 contributes to ensuring that offenders are held accountable for their actions and that the rule of law is maintained.