# IPC Section 470

## Section 470 of the Indian Penal Code: Forged Document or Electronic Record  
  
Section 470 of the Indian Penal Code (IPC) deals with the use of forged documents or electronic records as genuine. It complements the sections dealing with the creation of forged documents (Sections 463-469) by criminalizing the act of knowingly using such documents as if they were authentic. This section recognizes that the harm caused by forgery often stems not just from the creation of the false document but also from its subsequent use in various transactions and proceedings. This comprehensive explanation will dissect the elements of Section 470, analyze its relationship with other forgery-related offenses, discuss the prescribed punishment, and provide illustrative examples for clarity.  
  
\*\*Deconstructing the Elements of Section 470:\*\*  
  
To secure a conviction under Section 470, the prosecution must prove the following elements beyond a reasonable doubt:  
  
1. \*\*Fraudulently or dishonestly uses as genuine any document or electronic record which he knows or has reason to believe to be a forged document or electronic record:\*\* This element encompasses several key components:  
  
 \* \*\*Use:\*\* The accused must have used the forged document or electronic record. "Use" implies any act of employing the document to achieve a specific purpose, such as presenting it as evidence, submitting it to an authority, or using it in a transaction.  
  
 \* \*\*Fraudulently or dishonestly:\*\* The use of the forged document must be accompanied by either fraudulent or dishonest intent. "Fraudulently" implies an intention to deceive, while "dishonestly" refers to the intention to cause wrongful gain to oneself or wrongful loss to another, as defined in Section 24 of the IPC.  
  
 \* \*\*Knowledge or reason to believe:\*\* The accused must know or have reason to believe that the document or electronic record is forged. This doesn't require absolute certainty, but it necessitates a level of awareness that the document is not genuine. The prosecution can establish this through circumstantial evidence, such as the accused's conduct or the circumstances surrounding their acquisition of the document.  
  
  
2. \*\*Document or electronic record:\*\* The section explicitly covers both traditional paper documents and electronic records, reflecting the increasing prevalence of digital documents in modern society. The term "electronic record" is defined in clause (t) of sub-section (1) of Section 2 of the Information Technology Act, 2000. This broad definition ensures that the law keeps pace with technological advancements and covers various forms of digital documents.  
  
  
\*\*Relationship with Other Forgery-Related Offenses:\*\*  
  
Section 470 is distinct from, yet complements, the sections dealing with the creation of forged documents (Sections 463-469). While those sections criminalize the act of making a false document, Section 470 penalizes the subsequent use of that document as genuine. A person can be charged under Section 470 even if they did not create the forged document themselves, as long as they knowingly used it fraudulently or dishonestly. In many cases, both the creator of the forged document and the person who uses it can be charged under the relevant sections of the IPC.  
  
  
\*\*Scope and Application of Section 470:\*\*  
  
Section 470 covers a wide range of situations where forged documents or electronic records are used:  
  
\* \*\*Submitting forged documents to government agencies:\*\* This includes submitting fake identification documents, educational certificates, or financial records to obtain benefits or avoid penalties.  
  
\* \*\*Using forged documents in legal proceedings:\*\* Presenting fabricated evidence, such as forged contracts or witness statements, in court proceedings can obstruct justice and prejudice the outcome of a case.  
  
\* \*\*Using forged documents in financial transactions:\*\* Employing forged checks, promissory notes, or credit card details to defraud individuals or institutions.  
  
\* \*\*Using forged documents in employment:\*\* Presenting a fabricated resume or educational qualifications to secure a job.  
  
\* \*\*Using forged electronic records in online transactions:\*\* Utilizing fake digital signatures or fabricated electronic documents to conduct fraudulent online transactions.  
  
  
\*\*Punishment under Section 470:\*\*  
  
The punishment under Section 470 depends on the nature of the forged document or electronic record used. The section stipulates that the offender shall be punished in the same manner as if he had forged such document or electronic record. This means that the punishment will be the same as the punishment prescribed for forging the specific type of document used. For instance, if the forged document is a valuable security under Section 467, the punishment would be imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine. This graded punishment structure reflects the varying degrees of harm associated with different types of forged documents.  
  
  
  
\*\*Illustrative Examples:\*\*  
  
\* \*\*Presenting a forged passport at immigration control:\*\* An individual uses a fake passport to enter a country illegally.  
  
\* \*\*Submitting a forged medical certificate to claim sick leave:\*\* An employee presents a fabricated medical certificate to their employer to obtain paid sick leave.  
  
\* \*\*Using a forged driver's license to rent a car:\*\* A person uses a fake driver's license to rent a car with the intention of never returning it.  
  
\* \*\*Submitting a forged degree certificate to gain admission to a university:\*\* An applicant submits a fabricated degree certificate to a university to secure admission to a program.  
  
  
  
\*\*Distinguishing Section 470 from Related Offenses:\*\*  
  
While Section 470 focuses on the use of forged documents or electronic records, other sections address the creation of such documents:  
  
\* \*\*Sections 463-469 (Forgery):\*\* These sections deal with the creation of various types of forged documents and prescribe punishments based on the nature and purpose of the forgery.  
  
  
\* \*\*Section 471 (Using as genuine a forged document which is known to be forged):\*\* This section specifically deals with using a forged document that the user \*knows\* to be forged. While Section 470 covers both "knowing" and "having reason to believe," Section 471 is limited to cases where the user has definite knowledge of the forgery.  
  
  
  
\*\*Conclusion:\*\*  
  
Section 470 of the IPC plays a crucial role in deterring the use of forged documents and electronic records by penalizing those who knowingly employ such fabricated materials for fraudulent or dishonest purposes. The section's broad scope, covering both traditional paper documents and electronic records, ensures its continued relevance in the digital age. Understanding the elements of Section 470 and its relationship with other forgery-related offenses is essential for legal professionals, investigators, and individuals involved in handling sensitive documents and electronic records. By criminalizing the use of forged documents and electronic records, Section 470 aims to protect individuals, institutions, and the integrity of various processes and transactions from the detrimental consequences of fraudulent activities.