# IPC Section 84

## Section 84 of the Indian Penal Code: Act of a person of unsound mind  
  
Section 84 of the Indian Penal Code (IPC) deals with the criminal liability of individuals with unsound minds. It provides a defense against criminal charges for acts committed while suffering from a mental disorder that impairs the capacity to understand the nature and consequences of the act or the knowledge that the act is wrong or contrary to law. This section embodies a fundamental principle of criminal law: that individuals should only be held responsible for acts they commit with a guilty mind ( \*mens rea\*). It recognizes that individuals lacking the necessary mental capacity cannot form the required criminal intent, and therefore, should not be punished.  
  
\*\*The precise wording of Section 84 is as follows:\*\*  
  
"Nothing is an offence which is done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law."  
  
\*\*Breaking Down the Elements of Section 84:\*\*  
  
This seemingly straightforward statement contains several crucial elements that must be examined in detail to fully understand its application:  
  
1. \*\*"Nothing is an offence..."\*\*: This establishes the core principle – that actions performed under the specified conditions are not considered criminal offenses. It signifies a complete exemption from criminal liability, not merely a mitigation of punishment.  
  
2. \*\*"...which is done by a person who, at the time of doing it..."\*\*: This emphasizes the importance of the defendant's mental state \*at the time of the act\*. The law does not concern itself with the defendant's mental state before or after the act, unless it sheds light on their mental condition at the crucial moment. A person may be of unsound mind at some points in their life but not at others. Similarly, temporary insanity, like delirium caused by fever, can also fall under this section.  
  
3. \*\*"...by reason of unsoundness of mind..."\*\*: This is the central and most challenging aspect of the section. "Unsoundness of mind" is not defined in the IPC, and its interpretation has been the subject of extensive judicial scrutiny. It encompasses various mental disorders, including psychoses, intellectual disabilities, and other conditions affecting cognitive function. The term does not require complete insanity but rather a degree of mental impairment that satisfies the further conditions outlined in the section. The crucial point is the impact of the unsoundness of mind on the defendant's capacity to understand the nature and consequences of their actions, or their ability to distinguish right from wrong. Medical evidence plays a vital role in establishing the presence and extent of unsoundness of mind.  
  
4. \*\*"...is incapable of knowing the nature of the act..."\*\*: This clause addresses the defendant's cognitive understanding of their actions. They must be incapable of comprehending the physical aspects of what they are doing. For instance, a person suffering from delusions might believe they are breaking a stick when they are actually attacking another person. This inability to understand the physical reality of their actions is a key component of the defense.  
  
5. \*\*"...or that he is doing what is either wrong or contrary to law..."\*\*: This clause addresses the defendant's moral and legal understanding. Even if they understand the physical nature of their act, they may still be exempt from liability if they are unable to comprehend that the act is morally wrong or legally prohibited. This includes situations where the defendant may understand the act's physical nature but, due to their mental condition, believe it is justified or even commanded by a higher power. The 'wrong' here encompasses both legal and moral wrong. A person might know that an act is illegal but, due to their mental illness, believe it is morally justified, thereby fulfilling the requirements of this clause.  
  
\*\*Burden of Proof:\*\*  
  
The burden of proving the defense of unsoundness of mind rests on the defendant. While the prosecution must prove all elements of the offense, including \*mens rea\*, once the defendant raises the defense under Section 84, the onus shifts. The standard of proof required is "preponderance of probabilities," meaning the defendant must demonstrate that it is more likely than not that they were of unsound mind at the time of the act. This is a lower threshold than the "beyond reasonable doubt" standard required for the prosecution to prove guilt.  
  
\*\*Legal Tests and Judicial Interpretations:\*\*  
  
Over the years, Indian courts have relied on various legal tests and principles to interpret and apply Section 84. Some key aspects of these interpretations include:  
  
\* \*\*The M'Naghten Rules:\*\* Although not strictly binding in India, the M'Naghten Rules, formulated in England in 1843, have significantly influenced the understanding of the insanity defense. These rules emphasize the defendant's ability to distinguish right from wrong at the time of the act.  
  
\* \*\*Internal and External Influences:\*\* Courts have recognized that unsoundness of mind can arise from both internal factors (like inherent mental illnesses) and external factors (like intoxication or physical illness affecting mental function). However, the mere influence of passion, anger, or jealousy does not qualify as unsoundness of mind.  
  
\* \*\*Medical Evidence:\*\* Expert medical testimony is crucial in cases involving Section 84. Psychiatrists and other mental health professionals are often called upon to assess the defendant's mental state and provide expert opinions. However, the final determination of whether the defense is applicable rests with the court, not solely on medical opinion.  
  
\* \*\*"Wrong" vs. "Contrary to Law":\*\* The inclusion of both "wrong" and "contrary to law" broadens the scope of the defense. A person might know an act is illegal but, due to their mental illness, genuinely believe they are morally justified in committing it.  
  
\*\*Consequences of a Successful Defense:\*\*  
  
If a defendant successfully pleads the defense under Section 84, they are acquitted of the crime. However, this doesn't necessarily mean they are free to go. Depending on the nature and severity of the mental disorder and the potential risk to society, the court may order the person to be detained in a mental health facility for treatment and observation. The procedure for this is outlined in the Code of Criminal Procedure.  
  
  
\*\*Conclusion:\*\*  
  
Section 84 of the IPC reflects a humane and just approach to criminal responsibility. It acknowledges that individuals suffering from specific mental disorders lack the capacity to form criminal intent and should not be punished for acts committed while in such a state. Its application requires careful consideration of the defendant's mental state at the time of the act, utilizing medical evidence and judicial interpretation to ensure a fair and just outcome. The section balances the need to protect society with the recognition that individuals suffering from mental illness should be treated, not punished, when their actions stem from their condition. The complex nature of mental illness and the challenge of assessing mental state require a nuanced and sensitive application of this crucial provision of the law.