# IPC Section 165.1: [Repealed.]

IPC Section 165A, which dealt with the offence of abetment of offences defined under the now-repealed Section 165, has also been \*\*repealed\*\*. As Section 165, concerning public servants obtaining valuable things without consideration, was superseded by the Prevention of Corruption Act, 1988, the related abetment provision under Section 165A became obsolete. Therefore, Section 165A no longer exists within the current legal framework of the Indian Penal Code. Examining this repealed section requires understanding its historical context, the rationale behind its repeal, and how abetment of similar offences is now addressed under the Prevention of Corruption Act.  
  
\*\*Historical Context of Section 165A:\*\*  
  
Before its repeal, Section 165A of the IPC specifically addressed the abetment of the offence defined under Section 165. Section 165 criminalized a public servant obtaining any valuable thing without consideration from a person concerned in any proceeding or business transacted by such public servant. Section 165A, therefore, penalized anyone who instigated, aided, or conspired with a public servant in the commission of this offence.  
  
\*\*Reasons for Repeal:\*\*  
  
The repeal of Section 165A was a direct consequence of the repeal of Section 165. The primary reasons include:  
  
\* \*\*Dependent Provision:\*\* Section 165A was intrinsically linked to Section 165. With the repeal of the latter, Section 165A became redundant as it referred to an offence that no longer existed.  
  
\* \*\*Overlap with General Abetment Provisions:\*\* The general provisions for abetment under the IPC (Sections 107-120) and the specific abetment provision under the Prevention of Corruption Act (Section 10) adequately covered the scenarios envisioned under Section 165A.  
  
\* \*\*Streamlining of Anti-Corruption Laws:\*\* The repeal facilitated a more consolidated and coherent legal framework for addressing corruption, with the Prevention of Corruption Act serving as the primary legislation.  
  
  
\*\*Abetment under the Prevention of Corruption Act, 1988:\*\*  
  
The Prevention of Corruption Act, 1988, replaced the repealed sections concerning illegal gratification and incorporated provisions addressing the abetment of such offences. While not a direct replacement for Section 165A, the concept of abetment in similar situations is now covered primarily under Section 10 of the Act, along with the general principles of abetment defined in the IPC.  
  
\*\*Section 10 of the Prevention of Corruption Act:\*\*  
  
Section 10 of the Act states that "any person who abets any offence punishable under this Act shall be punishable with imprisonment for a term which shall be not less than six months but which may extend to five years and shall also be liable to fine." This broad provision encompasses the abetment of all offences defined under the Prevention of Corruption Act, effectively covering scenarios that were previously addressed by the repealed Section 165A.  
  
\*\*General Principles of Abetment (IPC Sections 107-120):\*\*  
  
The general principles of abetment, as defined in Sections 107-120 of the IPC, also apply to corruption cases. These sections define various forms of abetment, including:  
  
\* \*\*Instigating a person to commit an offence:\*\* Encouraging or provoking a public servant to obtain valuable things without consideration in connection with their official duties.  
\* \*\*Engaging with one or more other person(s) in any conspiracy:\*\* Conspiring with a public servant or others to facilitate the obtaining of valuable things without consideration.  
\* \*\*Intentionally aiding a person to commit an offence:\*\* Providing assistance or support to a public servant in obtaining valuable things without consideration.  
  
  
  
\*\*Advantages of the Current Framework:\*\*  
  
The current framework for addressing abetment in corruption cases offers several advantages:  
  
\* \*\*Wider Scope:\*\* Section 10 of the Prevention of Corruption Act covers the abetment of all offences under the Act, not just those related to the specific scenario envisioned under the repealed Section 165.  
  
\* \*\*Clarity and Precision:\*\* The language used in Section 10 and the general abetment provisions of the IPC is more precise and less ambiguous, leading to more effective prosecution.  
  
\* \*\*Consistency and Harmony:\*\* Integrating the concept of abetment in corruption cases with the general principles of abetment under the IPC creates a more consistent and harmonious legal framework.  
  
\* \*\*Enhanced Penalties:\*\* The Prevention of Corruption Act generally provides for more stringent penalties, including for abetment, acting as a stronger deterrent.  
  
  
  
\*\*Conclusion:\*\*  
  
Although IPC Section 165A is no longer a part of Indian law, the principle it embodied – punishing those who aid or abet the improper acquisition of valuable things by public servants – is now effectively addressed through the broader provisions of the Prevention of Corruption Act and the general principles of abetment under the IPC. This change has led to a more comprehensive and robust legal framework for combating corruption, ensuring that those who facilitate corrupt practices, along with the public servants who engage in them, are held accountable. Understanding this evolution and the relevant provisions of the current legal framework is crucial for anyone dealing with corruption-related legal issues in India.