# IPC Section 171: Wearing garb or carrying token used by public servant with fraudulent intent.

## IPC Section 171: Wearing Garb or Carrying Token Used by Public Servant with Fraudulent Intent  
  
Section 171 of the Indian Penal Code (IPC) deals with the offense of wearing a garb or carrying a token used by a public servant with fraudulent intent. This section complements Section 170 (personating a public servant) by criminalizing the use of symbols of authority associated with public office for fraudulent purposes. It recognizes that even without explicitly claiming to be a public servant, merely wearing their uniform or carrying their insignia can deceive others and facilitate fraudulent activities.  
  
\*\*The Text of Section 171:\*\*  
  
"Whoever, not being a public servant, wears any garb or carries any token resembling any garb or token used by a public servant, with the intention that it may be believed, or that it is likely that it will be believed, that he is such a public servant, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two hundred rupees, or with both."  
  
  
\*\*Breaking Down the Elements of the Offense:\*\*  
  
1. \*\*Not Being a Public Servant:\*\* The offender must not be a public servant authorized to wear the garb or carry the token in question. This element clarifies that the section targets individuals who falsely represent themselves through attire or symbols of authority.  
  
2. \*\*Wears Any Garb or Carries Any Token:\*\* This refers to the physical act of wearing a uniform, insignia, or carrying any object that symbolizes a public servant's authority. "Garb" refers to clothing or attire, while "token" encompasses any object used as a symbol of office, such as a badge, ID card, seal, or official document.  
  
3. \*\*Resembling Any Garb or Token Used by a Public Servant:\*\* The garb or token worn or carried must bear a resemblance to those used by genuine public servants. The resemblance need not be exact, but it must be sufficient to create a likelihood of deception. A minor or insignificant similarity is unlikely to be considered an offense.  
  
4. \*\*With the Intention that it May be Believed, or that it is Likely that it Will be Believed, that He is Such a Public Servant:\*\* This is the crucial element of fraudulent intent. The prosecution must establish that the offender wore the garb or carried the token with the intention of deceiving others into believing they were a public servant. The intent can be inferred from the circumstances of the case, such as the offender's actions, words, or the context in which the garb or token was used.  
  
 The section also covers situations where the offender knows that it is \*likely\* that others will believe they are a public servant, even if that was not their primary intention. This broader scope reflects the potential for deception even in cases where the offender's intent might be difficult to prove conclusively.  
  
  
  
\*\*Purpose of Section 171:\*\*  
  
The primary objectives of Section 171 are:  
  
\* \*\*Preventing Fraud and Deception:\*\* This section aims to deter individuals from using symbols of public authority to deceive others for personal gain or other unlawful purposes.  
  
\* \*\*Protecting the Integrity of Public Institutions:\*\* By preventing the misuse of official garb and tokens, the section helps maintain public trust in genuine public servants and the institutions they represent.  
  
\* \*\*Maintaining Law and Order:\*\* Unauthorized use of official garb or tokens can create confusion and undermine the authority of legitimate public servants, potentially disrupting law and order.  
  
\* \*\*Complementing Section 170:\*\* Section 171 works in conjunction with Section 170 to address a broader range of impersonation and misuse of public authority symbols. While Section 170 focuses on actively claiming to be a public servant, Section 171 targets the use of symbolic representations for deceptive purposes.  
  
  
\*\*Distinguishing Section 171 from Related Offenses:\*\*  
  
\* \*\*Section 170 (Personating a public servant):\*\* While both sections address misuse of public authority, Section 170 focuses on the act of pretending to hold a public office, whereas Section 171 targets the use of garb or tokens for deceptive purposes, even without explicitly claiming to be a public servant.  
  
\* \*\*Section 416 (Cheating by personation):\*\* Section 416 deals with cheating someone out of property or valuable security by pretending to be someone else. Section 171 is specifically concerned with the misuse of garb or tokens associated with public service, regardless of whether cheating is involved.  
  
\* \*\*Other specific offenses:\*\* The IPC contains provisions dealing with impersonating specific public servants, such as police officers. These provisions carry stricter penalties than Section 171.  
  
  
  
\*\*Examples of Violating Section 171:\*\*  
  
\* Wearing a police uniform without authorization to gain access to a restricted area.  
\* Displaying a fake government ID card to avoid paying fines.  
\* Carrying a counterfeit official seal to create fraudulent documents.  
\* Wearing a military uniform to impress others or gain social status.  
  
  
  
\*\*Punishment:\*\*  
  
The punishment for violating Section 171 is imprisonment of either description (simple or rigorous) for a term which may extend to three months, or with a fine which may extend to two hundred rupees, or with both. The relatively lighter punishment compared to Section 170 reflects the fact that Section 171 typically involves symbolic representation rather than explicit impersonation.  
  
  
\*\*Conclusion:\*\*  
  
Section 171 of the IPC plays an important role in protecting the integrity of public institutions and preventing fraudulent activities by prohibiting the unauthorized use of official garb and tokens associated with public service. By targeting the deceptive use of symbols of authority, it complements Section 170 and strengthens the legal framework against impersonation and misuse of public office for unlawful purposes. The inclusion of "likelihood" of belief in the section broadens its scope and enhances its effectiveness in addressing potentially deceptive practices.