# IPC Section 190: Threat of injury to induce person to refrain from applying for protection to public servant.

## IPC Section 190: Threat of Injury to Induce Person to Refrain from Applying for Protection to Public Servant  
  
Section 190 of the Indian Penal Code (IPC) addresses the specific offense of threatening someone to prevent them from seeking protection from a public servant. This provision is designed to safeguard access to justice and ensure that individuals are not intimidated or deterred from seeking help from authorities when facing threats or potential harm. It recognizes that threatening someone to prevent them from reporting a crime or seeking protection can obstruct justice and embolden criminal behavior.  
  
\*\*The Text of Section 190:\*\*  
  
"Whoever threatens any person with any injury to him, or to one in whom he is interested, with intent to cause that person to refrain from applying for the protection of any public servant legally empowered as such to give such protection, or with intent to cause that person to withhold any evidence that he is legally bound, or is about to be legally bound to give respecting such protection, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.  
  
  
If the threat be to cause death or grievous hurt, or to cause the destruction of any property by fire, or to cause an offence punishable with death or with  
[imprisonment for life] or with imprisonment for a term which may extend to seven years, or to impute unchastity to a woman, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both."  
  
  
  
  
\*\*Key Elements of the Offense:\*\*  
  
1. \*\*Threat of Injury:\*\* The offense involves threatening a person with injury. This threat can be communicated directly or indirectly and must be of such a nature as to cause reasonable apprehension of harm. The threat can be expressed verbally, in writing, or through gestures or other forms of communication.  
  
2. \*\*Intent to Prevent Application for Protection:\*\* The threat must be made with the specific intent to prevent the person from seeking protection from a public servant. This protection could include reporting a crime, seeking police assistance, or applying for any other form of legal protection or intervention from a public authority.  
  
3. \*\*Public Servant Legally Empowered to Give Protection:\*\* The public servant in question must be legally authorized to provide the type of protection being sought. This ensures that the provision is applied only in cases where the individual is being deterred from seeking legitimate protection from a competent authority.  
  
4. \*\*Intent to Withhold Evidence:\*\* The threat can also be made with the intent to cause the person to withhold evidence that they are legally bound or about to be legally bound to give concerning the matter requiring protection. This covers situations where the individual is threatened to prevent them from cooperating with law enforcement or judicial proceedings related to the threat or incident.  
  
5. \*\*Nature of the Threat (Enhanced Punishment):\*\* Similar to Section 189, the punishment for this offense increases if the threat involves certain aggravated elements:  
  
 \*\*(a) Threat of Death or Grievous Hurt:\*\* If the threat is to cause death or grievous hurt (serious bodily injury), the maximum punishment increases to seven years imprisonment, or fine, or both.  
  
 \*\*(b) Threat of Property Destruction by Fire:\*\* If the threat involves the destruction of property by fire, the maximum punishment is also enhanced to seven years.  
  
 \*\*(c) Threat of Serious Offense:\*\* If the threat is to cause an offense punishable with death, life imprisonment, or imprisonment up to seven years, the punishment is also enhanced to seven years.  
  
 \*\*(d) Threat to Impute Unchastity to a Woman:\*\* If the threat involves imputing unchastity to a woman, the maximum punishment is enhanced to seven years.  
  
  
\*\*Illustrative Examples:\*\*  
  
\* \*\*Threatening a Witness:\*\* Threatening a witness to a crime with harm if they testify in court would fall under Section 190.  
\* \*\*Intimidating a Victim of Domestic Violence:\*\* Threatening a victim of domestic violence with further violence if they report the abuse to the police would constitute an offense.  
\* \*\*Coercing a Person to Not Report Extortion:\*\* Threatening someone with harm if they report an extortion attempt to law enforcement would fall under this section.  
\* \*\*Threatening to Burn Down a House:\*\* Threatening to burn down someone's house if they seek police protection against threats would be covered under the enhanced punishment clause.  
  
  
\*\*Distinction from Other Related Offenses:\*\*  
  
\* \*\*Section 189 (Threat of Injury to Public Servant):\*\* Section 189 deals with threats made directly to public servants, while Section 190 deals with threats made to individuals to prevent them from seeking protection from public servants.  
  
\* \*\*Section 503 (Criminal Intimidation):\*\* Section 503 deals with criminal intimidation in general, while Section 190 addresses the specific situation of threatening someone to prevent them from seeking protection or providing evidence to a public servant.  
  
  
\*\*Importance of Section 190:\*\*  
  
Section 190 is crucial for ensuring access to justice and protecting individuals from being intimidated into silence. By criminalizing threats made to prevent people from seeking protection or providing evidence to public servants, it empowers individuals to report crimes and seek assistance without fear of reprisal. This provision reinforces the state's responsibility to protect its citizens and ensures that individuals are not deterred from utilizing the mechanisms available for seeking justice and protection. It contributes to creating a safer environment where individuals can confidently report crimes and seek help from authorities without being silenced by threats of harm.