# IPC Section 198: Using as true a certificate known to be false.

Section 198 of the Indian Penal Code (IPC) addresses the offense of using a certificate known to be false as if it were true. This section complements Section 197 (issuing or signing a false certificate) by criminalizing the subsequent use of such a certificate, even if the person using it did not create the false certificate themselves. This recognizes that the harm caused by a false certificate lies not only in its creation but also in its subsequent use to mislead or deceive.  
  
\*\*The Text of Section 198:\*\*  
  
"Whoever corruptly uses or attempts to use as true or genuine any such certificate as is mentioned in section 197, knowing or believing the same to be false in any material point, shall be punished in the same manner as if he gave or fabricated false evidence."  
  
\*\*Key Elements of Section 198:\*\*  
  
1. \*\*Corruptly Uses or Attempts to Use:\*\* This element, similar to its counterpart in Section 196, highlights the intentional and dishonest nature of the act. "Corruptly" implies an improper motive, specifically the intent to deceive or mislead by presenting the false certificate as genuine. The section covers both the actual use of the false certificate and the attempt to use it, even if the attempt is unsuccessful. This broadens the scope of the offense to deter any effort to utilize false certificates.  
  
2. \*\*As True or Genuine:\*\* This emphasizes that the false certificate must be presented as if it were authentic and accurate. The individual must represent the certificate as being valid and reliable, knowing that it is not. This deceptive presentation is a central component of the offense.  
  
3. \*\*Any Such Certificate as is Mentioned in Section 197:\*\* This clause explicitly links Section 198 to Section 197. It clarifies that the certificate being used must be of the type described in Section 197, meaning it is either required by law or admissible as evidence in legal proceedings and relates to a fact about which such a certificate is legally relevant.  
  
4. \*\*Knowing or Believing the Same to be False in any Material Point:\*\* This is the crucial \*mens rea\* element of the offense. The individual using the certificate must be aware, or have reason to believe, that the information contained within the certificate is false in a significant aspect. "Material point" refers to any detail that is important or relevant to the purpose of the certificate. Even a single materially false detail can render the entire certificate false for the purposes of this section. It's important to note that mere suspicion about the authenticity of the certificate is not sufficient; the individual must have actual knowledge or a strong belief in its falsity.  
  
5. \*\*Punished in the same manner as if he gave or fabricated false evidence:\*\* This clause, mirroring the language in Section 196, links the punishment under Section 198 to the penalties prescribed for giving or fabricating false evidence under other relevant sections of the IPC, particularly Sections 191, 192, 193, 194, and 195. This establishes a graded scale of punishments, with the severity of the penalty depending on the gravity of the underlying legal proceedings in which the false certificate is used or intended to be used.  
  
\*\*Punishment Under Section 198:\*\*  
  
As with Section 196 and 197, Section 198 does not explicitly state the punishment within the section itself. Instead, it refers to the penalties prescribed for giving or fabricating false evidence. This means the punishment will vary based on the context in which the false certificate is used and the potential consequences of its use. For instance, if a false certificate is used in a trial for an offense punishable with life imprisonment, the punishment under Section 198 would be the same as that for giving false evidence in such a trial, as outlined in Section 195.  
  
\*\*Evidentiary Challenges and Burden of Proof:\*\*  
  
Proving the elements of Section 198, particularly the knowledge or belief of the certificate's falsity, can be challenging. The prosecution must demonstrate beyond a reasonable doubt that the individual knew or believed the certificate to be false in a material particular when they used or attempted to use it. This often relies on circumstantial evidence, such as prior inconsistent statements, evidence of a motive to use the false certificate, or expert testimony challenging the authenticity of the certificate's contents.  
  
\*\*Relationship with Other Sections:\*\*  
  
Section 198 is interconnected with other sections of the IPC related to false evidence and certificates:  
  
\* \*\*Section 197 (Issuing or Signing False Certificate):\*\* Section 198 complements Section 197 by criminalizing the use of a false certificate. An individual can be charged under both sections if they create and subsequently use the false certificate.  
\* \*\*Section 196 (Using Evidence Known to be False):\*\* Both sections address the use of false evidence, but Section 198 focuses specifically on the use of false certificates.  
\* \*\*Sections 191-195 (False Evidence):\*\* These sections provide the framework for determining the appropriate punishment under Section 198 based on the severity of the underlying proceedings in which the false certificate is used.  
  
\*\*Importance of Section 198:\*\*  
  
Section 198 plays a vital role in maintaining the integrity of the legal system and protecting individuals and institutions from the harm caused by the use of false certificates. It recognizes that the use of such certificates can have serious consequences, ranging from misleading individuals and obtaining undue advantages to obstructing justice and undermining legal proceedings. By criminalizing this conduct, the section serves as a deterrent and reinforces the importance of truthful and accurate documentation in all legal and administrative matters. This contributes to greater public trust in official documents and ensures that certificates can be relied upon as genuine representations of facts.