# IPC Section 214: Offering gift or restoration of property in consideration of screening offenderif a capital offence; if punishable with imprisonment for life, or with imprisonment.

## IPC Section 214: Offering Gift or Restoration of Property in Consideration of Screening Offender - A Detailed Analysis  
  
Section 214 of the Indian Penal Code (IPC) addresses the act of \*offering\* a bribe or reward to someone in exchange for protecting an offender from punishment. This section complements Section 213 (accepting a bribe to screen an offender) by targeting the other side of the corrupt transaction. It recognizes that both offering and accepting bribes to obstruct justice are equally detrimental to the integrity of the legal system. Like Sections 212 and 213, the severity of the offense under Section 214 is graded based on the gravity of the crime committed by the offender being shielded.  
  
\*\*The precise wording of Section 214 is as follows:\*\*  
  
"Whoever gives or offers, or causes, or attempts to cause any gratification to any person, or to restore or cause the restoration of any property to any person, in consideration of that person’s concealing an offence, or of his screening any person from legal punishment for any offence, or of his not proceeding against any person for the purpose of bringing him to legal punishment, shall, if the offence is punishable with death, be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine;  
  
if the offence is punishable with 1[imprisonment for life], or with imprisonment for ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine;  
  
and in any other case shall be punished with imprisonment of either description for a term which may extend to one-fourth part of the longest term of imprisonment provided for the offence, or with fine, or with both."  
  
  
\*\*Breaking down the elements of the offense:\*\*  
  
1. \*\*Gives or Offers, or Causes, or Attempts to Cause Any Gratification:\*\* This element covers the act of offering a bribe or reward, regardless of whether it is accepted. The attempt to offer a bribe is also criminalized, even if the offer is rejected. It also includes indirectly causing a bribe to be offered through a third party.  
  
2. \*\*To Any Person:\*\* The bribe can be offered to anyone, including law enforcement officials, witnesses, or any other individual who might be able to influence the outcome of the case.  
  
3. \*\*To Restore or Cause the Restoration of Any Property:\*\* This includes offering to return stolen property or other assets as a form of bribe.  
  
4. \*\*In Consideration of:\*\* The offer of gratification must be directly linked to the act of protecting the offender from punishment. This establishes the \*quid pro quo\* nature of the offense.  
  
5. \*\*That Person's Concealing an Offence:\*\* This refers to inducing someone to hide or suppress information about a crime.  
  
6. \*\*Screening Any Person from Legal Punishment:\*\* This includes offering a bribe to prevent someone from being arrested, prosecuted, or convicted.  
  
7. \*\*Not Proceeding Against Any Person:\*\* This refers to offering a bribe to prevent someone from initiating legal action against an offender.  
  
8. \*\*Grading of Offenses:\*\* The punishment for offering a bribe to screen an offender is tied to the severity of the crime committed by the offender being protected:  
  
 \* \*\*Death Penalty Offenses:\*\* Imprisonment up to seven years and a fine.  
 \* \*\*Life Imprisonment/10+ Years Imprisonment Offenses:\*\* Imprisonment up to three years and a fine.  
 \* \*\*Other Imprisonable Offenses:\*\* Imprisonment up to one-fourth of the longest term prescribed for the original offense, or with fine, or with both.  
  
  
\*\*Illustrative Examples:\*\*  
  
\* Offering a police officer money to not arrest a relative who has committed a robbery.  
\* Offering a witness a large sum of money to change their testimony and protect a friend charged with assault.  
\* Offering a judge a bribe to ensure a lenient sentence for a family member convicted of a crime.  
  
  
  
\*\*Distinguishing Section 214 from related offenses:\*\*  
  
\* \*\*Section 213 (Taking gift, etc., to screen an offender):\*\* Section 213 deals with the act of \*accepting\* a bribe, while Section 214 focuses on the act of \*offering\* a bribe. These are distinct offenses but are often committed together.  
  
\* \*\*Bribery (Sections 161-171):\*\* Offering a bribe to obstruct justice can also fall under the general provisions related to bribery, particularly if a public servant is involved. Section 214 provides a specific provision for this type of corrupt conduct.  
  
\* \*\*Abetment (Sections 107-117):\*\* Offering a bribe to prevent legal action against an offender could be considered abetment of that offender's attempt to evade justice.  
  
  
\*\*Punishment:\*\*  
  
As detailed above, the punishment under Section 214 is graded based on the severity of the crime committed by the offender being shielded and mirrors the punishment structure in Section 213.  
  
  
\*\*Significance of Section 214:\*\*  
  
Section 214 is crucial for maintaining the integrity of the legal system and deterring corruption. It recognizes that both offering and accepting bribes to obstruct justice are equally harmful. By criminalizing the act of offering bribes to shield offenders, the section strengthens the fight against corruption and reinforces public trust in the judiciary. It protects the legal process from manipulation and ensures that individuals cannot evade accountability through bribery. This contributes to a fairer and more effective criminal justice system where the rule of law prevails. The graded punishment system recognizes the different levels of culpability associated with shielding offenders who have committed crimes of varying severity, ensuring a proportionate response to such corrupt acts.