# IPC Section 216A: Penalty for harbouring robbers or dacoits.

## IPC Section 216B: Penalty for Harbouring Robbers or Dacoits – A Comprehensive Analysis  
  
Section 216B of the Indian Penal Code specifically addresses the grave offence of harbouring or concealing individuals known to have committed robbery or dacoity. This section recognizes the inherent danger posed by such criminals and the potential for further criminal activity if they remain at large. It aims to deter individuals from assisting robbers and dacoits in evading justice, thus contributing to public safety and upholding the rule of law. This detailed analysis explores the nuances of Section 216B, covering its scope, essential ingredients, punishment, and significance within the criminal justice system.  
  
  
\*\*The Text of Section 216B:\*\*  
  
"Whoever harbours or conceals, or attempts to harbour or conceal, any robber or dacoit knowing that such person is a robber or dacoit, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine."  
  
  
\*\*Deconstructing the Section:\*\*  
  
1. \*\*"Harbours or Conceals"\*\*: This phrase constitutes the core prohibited act. "Harbouring" implies providing shelter, refuge, or accommodation, actively assisting the robber or dacoit in evading capture. It goes beyond mere passive awareness and involves an active role in facilitating their escape and continued freedom. "Concealing" entails actively hiding the person’s presence, potentially by misleading investigators, providing false information, or obstructing the apprehension process. Both actions demand a positive effort to aid the individual in remaining at large.  
  
  
2. \*\*"Attempts to Harbour or Conceal"\*\*: The section also criminalizes the attempt itself, even if the act of harbouring or concealing is not fully realized. This underscores the intent to prevent any assistance provided to robbers or dacoits, highlighting the seriousness of impeding law enforcement. The attempted act must be demonstrably proximate to the completed offence, not merely a preparatory measure.  
  
  
3. \*\*"any robber or dacoit"\*\*: This specifies the target individuals of the section – those who have committed robbery or dacoity. The definitions of "robbery" (Section 390) and "dacoity" (Section 391) are provided elsewhere in the IPC. It is essential to establish that the individual being harboured or concealed has indeed committed these specific offences. The harborer doesn't need to have participated in the robbery or dacoity; their offence lies in assisting the perpetrators afterwards.  
  
  
4. \*\*"knowing that such person is a robber or dacoit"\*\*: This crucial element mandates the harbourer's knowledge of the individual's criminal identity as a robber or dacoit. The prosecution must prove beyond a reasonable doubt that the individual providing assistance was aware of the person's involvement in robbery or dacoity. Mere suspicion or belief falling short of certainty is insufficient. This knowledge pertains to their identity as a perpetrator of these specific offences.  
  
  
5. \*\*"Punishment"\*\*: The section prescribes a stringent punishment of rigorous imprisonment for a term which may extend to ten years, along with a possible fine. The severity of the punishment reflects the gravity of harbouring individuals involved in violent crimes like robbery and dacoity, emphasizing the societal need to suppress such activities and protect public safety. The court has the discretion to determine the specific sentence within the prescribed limit, considering the circumstances of each case.  
  
  
\*\*Distinction from other related sections:\*\*  
  
\* \*\*Section 215:\*\* Deals with harboring offenders punishable with imprisonment for three years or more but doesn't specify robbery or dacoity. Section 216B targets these specific offences with a higher potential punishment.  
\* \*\*Section 216:\*\* Focuses on harbouring individuals who have escaped custody or whose apprehension has been ordered, irrespective of the specific offence. Section 216B targets the harbouring of robbers and dacoits specifically, regardless of whether they have escaped custody or are simply wanted.  
\* \*\*Section 216A:\*\* Addresses harbouring individuals wanted for offences punishable with life imprisonment or other terms of imprisonment, including death. Section 216B specifically targets robbers and dacoits, offering a distinct and potentially higher punishment than 216A for non-capital offences.  
  
  
\*\*Significance and Implications:\*\*  
  
Section 216B plays a crucial role in maintaining public order and ensuring the effectiveness of law enforcement efforts against robbery and dacoity. By penalizing those who assist individuals involved in these violent crimes, the section deters potential harbourers and contributes to the apprehension of criminals, thereby enhancing public safety. It acknowledges the specific danger posed by robbers and dacoits and the need for stringent measures to prevent their continued criminal activity.  
  
The section also reflects the societal interest in upholding the rule of law and ensuring that individuals face the consequences of their actions. By preventing individuals from shielding criminals, the section promotes accountability and facilitates the proper administration of justice.  
  
  
\*\*Exceptions:\*\*  
  
While Section 216B establishes a clear prohibition, exceptional circumstances involving duress or necessity might warrant consideration, although these are not explicitly stated within the section itself. For instance, an individual compelled under an immediate threat of harm to provide temporary shelter might argue a defence. However, such defences are subject to rigorous judicial scrutiny and require compelling evidence.  
  
  
  
In conclusion, Section 216B of the IPC serves as a crucial legal tool in combating robbery and dacoity by specifically targeting those who harbour or conceal individuals involved in these crimes. The section's clearly defined scope, explicit mention of the target offenders, and stringent punishment underscore the seriousness with which the law views such acts of assistance and demonstrate a commitment to protecting public safety and upholding the rule of law. By deterring potential harbourers and aiding in the apprehension of criminals, Section 216B contributes significantly to a safer and more just society.