# IPC Section 239: Delivery of coin, possessed with knowledge that it is counterfeit.

## IPC Section 239: Delivery of Coin, Possessed with Knowledge that it is Counterfeit - A Detailed Explanation  
  
Section 239 of the Indian Penal Code (IPC) criminalizes the act of knowingly delivering counterfeit coins. This section complements other counterfeiting provisions by targeting the act of putting fake coins into circulation. It addresses not just the creation of counterfeit currency, but also the crucial step of passing it on to others, thereby facilitating its use in fraudulent transactions.  
  
Section 239 distinguishes between the delivery of counterfeit coins generally and the delivery of counterfeits of Indian coins specifically, reflecting the heightened legal protection afforded to the Indian currency.  
  
\*\*Part 1: Delivery of Any Counterfeit Coin\*\*  
  
This part of Section 239 deals with the delivery of any counterfeit coin, regardless of whether it resembles Indian or foreign currency.  
  
\*\*Key Elements of the Offense (Part 1):\*\*  
  
1. \*\*Delivery:\*\* The accused must have delivered the counterfeit coin to another person. "Delivery" implies transferring possession, either directly or indirectly, and can include handing over the coin, sending it through mail or courier, or placing it where another person can readily access it.  
  
2. \*\*Possession with Knowledge:\*\* The accused must have possessed the counterfeit coin knowing that it was fake. This means they were aware of the fraudulent nature of the coin at the time of delivery. This knowledge can be inferred from circumstances, quantity, and any statements by the accused.  
  
3. \*\*Counterfeit Coin:\*\* The coin delivered must be a counterfeit, meaning it was fraudulently or dishonestly made to resemble or pass as genuine currency.  
  
  
\*\*Part 2: Delivery of Counterfeits of Indian Coin\*\*  
  
This part of Section 239 specifically addresses the delivery of counterfeit coins resembling Indian currency, as defined in Section 230 of the IPC.  
  
\*\*Key Elements of the Offense (Part 2):\*\*  
  
1. \*\*Delivery:\*\* The accused must have delivered the counterfeit Indian coin to another person.  
  
2. \*\*Possession with Knowledge:\*\* The accused must have possessed the counterfeit Indian coin knowing that it was a fake version of Indian currency.  
  
3. \*\*Counterfeit of Indian Coin:\*\* The coin delivered must be a counterfeit resembling a genuine Indian coin, and the accused must be aware of this resemblance.  
  
\*\*Scope and Applicability\*\*  
  
Section 239 applies to the delivery of any counterfeit coin in the first part and specifically to counterfeits of Indian coins in the second part. This section’s scope covers various methods of delivery and emphasizes the knowledge of the counterfeit nature of the coins as a crucial element of the offense.  
  
\*\*Punishment under Section 239\*\*  
  
The punishment differs depending on the type of counterfeit coin delivered:  
  
\* \*\*Part 1 (Any Counterfeit Coin):\*\* Imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.  
  
\* \*\*Part 2 (Counterfeit of Indian Coin):\*\* Imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.  
  
The harsher penalty for delivering counterfeits of Indian coins underscores the greater legal protection afforded to the Indian currency and the serious consequences of putting fake Indian coins into circulation.  
  
\*\*Importance of Section 239\*\*  
  
Section 239 plays a crucial role in preventing the circulation of counterfeit currency and maintaining public trust in genuine money by:  
  
\* \*\*Targeting the Act of Circulation:\*\* By criminalizing the knowing delivery of counterfeit coins, this section addresses the critical step of putting fake currency into circulation, which is essential for it to be used in fraudulent transactions.  
  
\* \*\*Disrupting the Spread of Counterfeit Currency:\*\* By penalizing those who knowingly pass on counterfeit coins, this section helps prevent the wider dissemination of fake currency and limits its potential damage to the economy.  
  
\* \*\*Deterring the Use of Counterfeit Currency:\*\* The penalties associated with Section 239 deter individuals from accepting and passing on counterfeit coins, thereby discouraging their use in transactions.  
  
\*\*Relationship with Other Sections\*\*  
  
Section 239 complements other IPC sections related to counterfeiting, such as Sections 231, 232, 233, 234, 235, 237, and 238. While these sections address different aspects of counterfeiting, like making, selling, possessing, and importing/exporting counterfeit coins and tools, Section 239 specifically targets the act of knowingly delivering counterfeit currency.  
  
\*\*Illustrative Example\*\*  
  
If a person knowingly uses a counterfeit Indian coin to purchase goods, they could be prosecuted under Section 239 (Part 2), even if they didn’t create the counterfeit coin themselves.  
  
\*\*Conclusion\*\*  
  
Section 239 of the IPC is a vital legal provision that protects the financial system from the detrimental effects of counterfeit currency. By criminalizing the knowing delivery of counterfeit coins, particularly those resembling Indian currency, this section effectively disrupts the spread of fake money, deters its use in transactions, and helps maintain public confidence in genuine currency. Understanding this section is crucial for law enforcement, judicial interpretation, and anyone involved in combating counterfeiting.