# IPC Section 465: Punishment for forgery.

## IPC Section 465: Punishment for Forgery  
  
Section 465 of the Indian Penal Code (IPC) prescribes the punishment for the offence of forgery, as defined under Section 463. It sets out the penalties that can be imposed on individuals found guilty of making a false document with the intent to cause damage or injury. This section serves as a deterrent against forgery and underscores the seriousness with which the law views this offence.  
  
\*\*Text of Section 465:\*\*  
  
Whoever commits forgery shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.  
  
\*\*Breakdown of the Section:\*\*  
  
1. \*\*"Whoever commits forgery":\*\* This refers directly to the offence of forgery as defined under Section 463. The essential elements of forgery, as discussed earlier, must be satisfied for this section to be applicable. This means that the individual must have made a false document or part of a document, with the intent to cause damage or injury to the prejudice of any person or the public.  
  
  
2. \*\*"Shall be punished with imprisonment of either description for a term which may extend to two years":\*\* This specifies the imprisonment component of the punishment. "Imprisonment of either description" means that the sentence can be either rigorous imprisonment (involving hard labor) or simple imprisonment. The maximum term of imprisonment is two years. The court has the discretion to award a lesser term depending on the facts and circumstances of the case.  
  
  
3. \*\*"Or with fine":\*\* This provides for a financial penalty as an alternative or in addition to imprisonment. The amount of the fine is not specified and is left to the court's discretion, considering the severity of the offence and the financial capacity of the offender.  
  
  
4. \*\*"Or with both":\*\* This clarifies that the court has the option to impose both imprisonment and a fine. This allows for a more flexible and appropriate punishment depending on the circumstances.  
  
  
\*\*Nature of the Offence:\*\*  
  
Forgery under Section 465 is a cognizable offence, meaning that the police can arrest the accused without a warrant from a magistrate. It is also a bailable offence, which means that the accused has the right to be released on bail, although the grant of bail is subject to the court's discretion. Furthermore, forgery is a non-compoundable offence, meaning that the parties involved cannot settle the case outside of court. The trial for forgery is conducted by a Magistrate of the First Class.  
  
  
\*\*Enhancement of Punishment:\*\*  
  
While Section 465 prescribes the general punishment for forgery, several other sections in the IPC provide for enhanced punishments for specific types of forgery or when forgery is committed in specific contexts. Some of these include:  
  
\* \*\*Forgery of a valuable security (Section 467):\*\* This carries a punishment of imprisonment for life or a term which may extend to ten years, and shall also be liable to fine. Valuable security includes documents like wills, currency notes, and other valuable instruments.  
  
\* \*\*Forgery for the purpose of cheating (Section 468):\*\* This carries a punishment which may extend to seven years, and shall also be liable to fine.  
  
\* \*\*Forgery of a document purporting to be a record of a court or of a public register (Section 466):\*\* This carries a punishment of imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.  
  
These enhanced punishments reflect the greater potential for harm associated with these specific types of forgery.  
  
\*\*Examples of Application:\*\*  
  
\* A person creating a fake experience certificate to obtain a job could be punished under Section 465.  
\* Forging a signature on a cheque to withdraw a small amount might be punished with a lesser term of imprisonment or a fine under Section 465.  
\* Creating a counterfeit currency note would fall under Section 467 and would attract a much harsher punishment.  
\* Forging a court order would be covered under Section 466 and could result in life imprisonment.  
  
\*\*Significance of Section 465:\*\*  
  
Section 465 plays a vital role in deterring forgery by establishing the consequences of this offence. The punishment, though seemingly moderate in the general case, serves as a baseline penalty that can be significantly enhanced based on the nature and severity of the forgery. By linking the punishment to the potential harm caused by forged documents, the law aims to protect individuals and society from the detrimental effects of this crime. The combination of imprisonment, fines, and the possibility of enhanced punishments provides a flexible framework for dealing with various types of forgery and ensuring that the justice system can effectively address this ever-evolving crime.