# IPC Section 470: Forged document.

## IPC Section 470: Forged Document - A Comprehensive Analysis  
  
Section 470 of the Indian Penal Code (IPC) defines the concept of a "forged document" and serves as a crucial link to other offences related to forgery. It doesn't define a separate offence in itself but rather lays the groundwork for understanding and prosecuting other forgery-related offences where the use of a forged document is a key component. A detailed understanding of this section is essential for navigating the complexities of forgery law in India.  
  
\*\*The Text of Section 470:\*\*  
  
“A document or electronic record is said to be forged document or electronic record if it is a document or electronic record made, executed, accepted or used by a person, who knows or has reason to believe that such document or electronic record is forged within the meaning of section 462.”  
  
\*\*Dissecting the Elements of a Forged Document:\*\*  
  
Section 470 clarifies that a document or electronic record is considered forged if it meets the following conditions:  
  
1. \*\*Covered by Section 462:\*\* The document or electronic record must fall within the ambit of "forged document" as defined by Section 462. Section 462 outlines various scenarios that constitute forgery, including:  
  
 \* \*\*Dishonestly making a false document:\*\* Creating a document that is entirely fabricated or contains false information with the intention to deceive.  
 \* \*\*Dishonestly altering a genuine document:\*\* Modifying an existing genuine document to change its meaning or effect.  
 \* \*\*Dishonestly using a genuine document as if it were not genuine:\*\* Using a genuine document in a deceptive manner, such as presenting an old agreement as a current one.  
 \* \*\*Making or using any electronic record which is false in any material particular:\*\* This specifically addresses forgery in the context of electronic records, emphasizing the importance of accuracy in digital documentation.  
  
2. \*\*Knowledge or Reason to Believe it is Forged:\*\* The person making, executing, accepting, or using the document must know or have reason to believe that it is forged. This mental element is crucial. It signifies that the person is aware, or should reasonably be aware, of the document's fraudulent nature. The knowledge doesn't have to be absolute certainty, but a reasonable belief based on the circumstances is sufficient. This subjective element needs to be proven by the prosecution through circumstantial evidence. For instance, if someone receives a document with glaring inconsistencies or obtains it through suspicious channels, they might be deemed to have reason to believe it's forged.  
  
3. \*\*Making, Executing, Accepting, or Using:\*\* The section covers various actions related to the forged document:  
  
 \* \*\*Making:\*\* This refers to the actual creation of the forged document.  
 \* \*\*Executing:\*\* This involves signing or otherwise formally completing the document, giving it apparent legal validity.  
 \* \*\*Accepting:\*\* This encompasses receiving or acknowledging the forged document as genuine.  
 \* \*\*Using:\*\* This involves utilizing the forged document for any purpose, such as submitting it as evidence, using it to claim a right, or using it to deceive someone.  
  
  
\*\*The Significance of Section 470:\*\*  
  
Section 470 doesn't create an offence in itself; its primary function is to define what constitutes a "forged document." This definition is then utilized in other sections of the IPC that deal with specific offences related to forged documents, such as:  
  
\* \*\*Section 471 (Using as genuine a forged document):\*\* This section criminalizes the act of knowingly using a forged document as if it were genuine.  
\* \*\*Sections 474-476 (Possession of forged documents, plates, etc.):\*\* These sections address the illegal possession of materials used for forgery.  
  
\*\*Illustrative Examples:\*\*  
  
\* A person knowingly submits a forged degree certificate to obtain a job. This constitutes using a forged document under Section 471, with the forged document defined under Section 470.  
\* Someone creates a fake land deed and tries to sell the property. The creation of the deed falls under Section 463 (forgery), while the document itself is a forged document as per Section 470.  
\* An individual accepts a forged cheque knowing it's fake. While accepting the cheque might not be an offence in itself, if they subsequently try to cash it, they would be liable under Section 471, with the cheque classified as a forged document under Section 470.  
  
  
\*\*Challenges in Application:\*\*  
  
The application of Section 470 requires a clear understanding of the interplay between it and the relevant offence sections, particularly Section 462. The prosecution must establish not only that the document is forged according to Section 462, but also that the accused had knowledge or reason to believe it was forged. Proving this subjective element can be challenging and often relies on circumstantial evidence.  
  
  
\*\*Conclusion:\*\*  
  
Section 470 of the IPC provides a crucial definition of a "forged document," forming the foundation for various other offences related to forgery. It plays a significant role in the prosecution of forgery cases by clarifying the scope and applicability of related offences. Understanding the nuances of this section is essential for both legal professionals and individuals seeking to understand the complexities of forgery law in India. The effective application of this section requires a nuanced understanding of the context, the intent of the individual involved, and the potential impact of the forged document. The combination of Section 470 with other relevant sections provides a comprehensive legal framework to combat the pervasive problem of forgery and protect individuals and institutions from its harmful consequences.