

# **Bharatiya Nyaya Sanhita (BNS) 2023 – Detailed Section-wise Explanation**

## **CHAPTER I – PRELIMINARY**

### **Section 1 – Short title, commencement and application**

This section establishes the official name of the legislation as "Bharatiya Nyaya Sanhita, 2023" and specifies the date from which it comes into force. It also defines the territorial jurisdiction and applicability of the law across India, replacing the Indian Penal Code (IPC) that was in effect since 1860.

**Example:** Once the government notifies the commencement date, the BNS automatically replaces the IPC throughout the entire territory of India. All criminal offences committed after this date will be prosecuted under BNS provisions instead of IPC sections.

### **Section 2 – Definitions**

This section provides precise legal definitions for terms that are used repeatedly throughout the Act to ensure uniformity in interpretation and avoid ambiguity. The definitions establish a common understanding of key concepts that form the foundation of the law.

#### **Key definitions include:**

- "**Child**": Any person below 18 years of age, aligning with international standards and the Juvenile Justice Act.
- "**Gender**": Explicitly includes male, female, and transgender persons, recognizing the rights of all gender identities under criminal law.
- "**Movable property**": Extends beyond physical objects to include intangible assets, digital currencies, intellectual property, and electronic data.

**Example:** If someone steals cryptocurrency or digital tokens from another person's digital wallet, it can be prosecuted as theft of movable property under BNS. Similarly, a 17-year-old will be treated as a child for purposes of protective provisions, while a transgender person assaulted will receive the same legal protections as any other gender.

### **Section 3 – General explanations**

This section provides interpretative guidelines for understanding how various terms, intentions, and mental states should be construed throughout the legislation. It establishes principles for determining criminal liability based on the accused's state of mind and knowledge at the time of committing the act.

**Example:** When a law states that an offence requires "intent," the court must examine and prove the mental state of the accused at the time of the act. For instance, if someone is charged with theft, the prosecution must prove not just that they took the property, but that they did so with the specific intention of dishonestly depriving the owner of it. Similarly, if a

provision uses the word "knowingly," it means the accused must have had actual knowledge or awareness of the facts or circumstances that constitute the offence.

## CHAPTER II – PUNISHMENTS

### Section 4 – Punishments

This section enumerates all forms of punishment that courts can impose under the BNS. It introduces a modern approach to sentencing by including community service as an alternative or supplementary punishment alongside traditional penalties.

**The punishments listed are:**

- Death penalty
- Imprisonment for life
- Imprisonment (rigorous or simple)
- Forfeiture of property
- Fine
- **Community service (newly introduced)**

**Example:** A first-time offender convicted of petty theft of items worth a small amount may be sentenced to perform community service such as cleaning public parks, teaching underprivileged children, or working at charitable institutions for a specified number of hours, rather than being sent to jail. This helps in reformation without the stigma and consequences of imprisonment, particularly beneficial for young or first-time offenders.

### Section 6 – Life imprisonment meaning

This section clarifies that for the purposes of calculating sentence duration, commutation, and other administrative purposes, life imprisonment is generally considered equivalent to 20 years of actual imprisonment, unless the sentencing specifically states "imprisonment for the remainder of natural life."

**Example:** If a person is sentenced to life imprisonment and the government considers remission or parole eligibility, the calculation will be based on a 20-year period. However, if the court explicitly states "imprisonment for the remainder of natural life" (as in heinous crimes like gang rape or murder of children), then the convict must serve until death regardless of the 20-year calculation. This distinction is crucial for determining when a prisoner becomes eligible for release consideration.

### Section 8 – Fine and default of payment

This section establishes the mechanism for imposing monetary penalties and specifies the consequences when a convicted person fails or refuses to pay the fine imposed by the court.

**Example:** If a court convicts someone for causing a public nuisance and imposes a fine of ₹10,000, but the person is unable to pay this amount, the court may order additional imprisonment (simple imprisonment) for a specified period until the fine is paid or the

additional sentence is completed. The law also allows for installment payments in certain cases where the convict demonstrates genuine financial hardship.

### **Section 13 – Enhanced punishment for repeat offenders**

This section incorporates the principle of deterrence by mandating more severe punishments for habitual offenders who repeatedly commit crimes. It recognizes that repeat criminal behavior indicates either a lack of reformation or deliberate disregard for the law.

**Example:** If a person is convicted of theft for the first time, they might receive 1 year of imprisonment. However, if the same person commits theft again after being released, they will receive an enhanced punishment of perhaps 3-5 years for the second offence. For a third conviction, the punishment could be even more severe, potentially doubling the normal sentence. This progressive enhancement aims to deter habitual criminals and protect society from repeat offenders.

## **CHAPTER III – GENERAL EXCEPTIONS**

### **Section 14 – Act done believing oneself bound by law**

This section provides protection to individuals who perform acts in good faith under the genuine belief that they are legally required or authorized to do so, even if that belief later turns out to be mistaken.

**Example:** A police officer arrests a person based on what appears to be a valid arrest warrant issued by a magistrate. Later it's discovered that the warrant was actually forged or improperly issued. The police officer will not be held criminally liable for wrongful confinement because they acted in good faith, genuinely believing they were bound by law to execute the warrant. Similarly, if a government official seizes property believing a court order authorizes it, they are protected even if the order is later found to be invalid, provided they acted in honest belief.

### **Section 18 – Accident in doing lawful act**

This section exempts from criminal liability any harm or injury that occurs purely by accident while performing a lawful activity, provided the person was exercising proper care and caution and had no criminal intention.

**Example:** A carpenter is working on legitimate repairs in a building, using proper safety measures and standard tools. Despite taking all reasonable precautions, their hammer slips from their hand and accidentally strikes and injures a passerby below. Since the carpenter was engaged in lawful work, took reasonable care, and the injury was purely accidental without any criminal negligence, they will not face criminal charges. The victim may pursue civil compensation, but there's no criminal liability.

### **Section 20 – Act of child under 7 years**

This section establishes an absolute presumption that children below seven years of age are incapable of forming criminal intent or understanding the nature and consequences of their

actions. Such children are therefore completely exempt from criminal liability regardless of the act committed.

**Example:** A 6-year-old child enters a shop and picks up an expensive toy and walks out without paying. Even though this constitutes the act of taking property dishonestly, the child cannot be prosecuted for theft because children under 7 are presumed by law to lack the mental capacity to form criminal intent. Similarly, if a 5-year-old accidentally causes a fire that damages property, no criminal charges can be filed against the child.

## **Section 21 – Child between 7 and 12 (immature understanding)**

This section creates a rebuttable presumption for children between 7 and 12 years of age. While they may potentially be held liable, it depends on whether they had attained sufficient maturity and understanding to judge the nature and consequences of their conduct.

**Example:** A 10-year-old takes money from their parent's wallet. The court will examine whether the child understood that taking money without permission was wrong and would cause harm. If evidence shows the child genuinely did not comprehend the wrongfulness of the act or its consequences, no criminal liability attaches. However, if a mature 11-year-old plans and executes a sophisticated theft demonstrating clear understanding of right and wrong, they could potentially be held liable under juvenile justice provisions.

## **Section 22 – Unsound mind**

This section provides complete exemption from criminal liability for acts committed by persons who, at the time of committing the act, were incapable of knowing the nature of the act or that it was wrong or contrary to law due to unsoundness of mind.

**Example:** A person suffering from severe schizophrenia experiences acute psychotic delusions and genuinely believes that their neighbor is a demon threatening their life. In this delusional state, they damage the neighbor's property believing they are protecting themselves from supernatural evil. Since the mental illness prevented them from understanding the true nature of their act and knowing it was wrong, they cannot be held criminally responsible. The court will require expert psychiatric testimony to establish the mental state at the time of the offence.

## **Section 23 – Involuntary intoxication**

This section exempts persons from criminal liability when they commit an act while under the influence of intoxicating substances that were administered without their knowledge or against their will, rendering them incapable of knowing the nature of the act.

**Example:** Someone secretly adds a powerful drug or excessive alcohol to a person's drink at a party without their knowledge. Under the influence of this involuntary intoxication, the person behaves violently and causes injury to another. Since the intoxication was involuntary and they had no knowledge of being drugged, they are not criminally liable for acts committed in that state. However, if someone voluntarily consumes alcohol or drugs and then commits a crime, this protection does not apply.

## **Section 28 – Consent under fear or misconception**

This section invalidates consent that is obtained through fear, threat, coercion, or by creating a misconception of fact in the mind of the person giving consent. Such consent has no legal validity and cannot justify an otherwise criminal act.

**Example:** A person threatens to harm someone's family members unless they "consent" to transfer their property. Even though the victim technically signs the transfer documents, this consent is legally invalid because it was obtained through fear and intimidation. Similarly, if someone obtains consent for a medical procedure by lying about its nature (claiming it's a routine check-up when it's actually sterilization), the consent is void due to misconception of fact.

## **RIGHT OF PRIVATE DEFENCE**

### **Section 34 – Acts done in private defence**

This section recognizes the inherent right of every person to defend their own body and property, and the body and property of others, against unlawful aggression. Acts done in good faith for such protection are not criminal offences, provided the force used is proportionate and reasonable.

**Example:** If someone is walking alone at night and a person attempts to snatch their bag, they have the right to push the attacker away, hold them, or use reasonable force to protect their property. Similarly, if you witness someone attempting to assault another person, you can intervene and use necessary force to protect them. However, the force must be proportionate—you cannot shoot someone for merely attempting to slap you.

### **Section 38 – When private defence can cause death**

This section defines the extraordinary circumstances under which the right of private defense extends to intentionally causing death of the aggressor. Such extreme force is justified only when there is reasonable apprehension of death, grievous hurt, rape, kidnapping, or acid attack.

**Example:** If an armed intruder breaks into your house at night wielding a weapon and advancing toward you in a threatening manner, and you have reasonable fear that they intend to kill or cause you grievous hurt, you may use lethal force (such as hitting them with a heavy object or stabbing them) in self-defense, even if it results in their death. Similarly, a woman being attacked with the intent of rape may use fatal force to defend herself. The key requirement is reasonable apprehension of the specified serious offences and the absence of time to seek public authorities' help.

## **CHAPTER IV – ABETMENT, CONSPIRACY, ATTEMPT**

### **Section 45 – Abetment**

This section defines and criminalizes the act of abetment, which includes instigating another person to commit an offence, engaging in a conspiracy to commit it, or intentionally aiding in its commission. An abettor is treated almost as culpably as the principal offender.

**Example:** Person A tells Person B, "You should kill Person C and I'll help you hide the evidence." Person A is guilty of abetment by instigation. Alternatively, if Person D provides a weapon to Person E knowing that E intends to use it to commit murder, Person D is guilty of abetment by intentional aid. Even if Person D doesn't actively encourage the crime, the act of knowingly providing the means makes them an abettor. The punishment for abetment is generally the same as for the actual offence.

## **Section 48 – Abetment outside India for offence in India (NEW)**

This is a new provision extending the jurisdiction of Indian criminal law to acts of abetment committed outside India's territorial boundaries, if the abetted offence is committed or intended to be committed within India. This addresses modern transnational criminal activities.

**Example:** A person sitting in Dubai plans and directs an organized crime syndicate operating in Mumbai to commit murders, extortion, and drug trafficking. Even though the person never sets foot in India and all planning happens abroad, they can be prosecuted under BNS because the actual crimes occur in India. Similarly, if someone in another country uses online platforms to instigate hate crimes or terrorist acts in India, they fall under this provision. This is particularly relevant for cybercrimes and international criminal conspiracies.

## **Section 61 – Criminal conspiracy**

This section makes the mere agreement between two or more persons to commit an illegal act, or to commit a legal act by illegal means, a criminal offence in itself, even if no actual step is taken to execute the plan. The conspiracy itself is the crime.

**Example:** Three persons meet and agree to rob a bank. They discuss the plan, assign roles (one will drive, one will threaten staff, one will take money), but before they can take any actual step, police discover their plan through intercepted communications. All three can be convicted of criminal conspiracy even though no bank robbery was actually attempted. The agreement itself, once proven, constitutes the offence. Even if one conspirator later backs out, they remain liable for the conspiracy formed earlier.

## **Section 62 – Attempt to commit offence**

This section criminalizes attempts to commit offences even when the actual offence is not completed. If a person does any act toward committing an offence with the intention and preparation to commit it, but fails to complete it due to circumstances beyond their control, they are guilty of attempt.

**Example:** A person breaks into a house with the intention of committing burglary. They successfully enter and are searching for valuables when the homeowner returns unexpectedly, forcing the burglar to flee empty-handed. Even though no theft actually occurred, the person is guilty of attempted burglary because they took substantial steps (breaking in, searching)

toward completing the crime. Similarly, if someone points a loaded gun at another and pulls the trigger intending to kill, but the gun misfires, they are guilty of attempted murder.

## **CHAPTER V – OFFENCES AGAINST WOMEN AND CHILD**

### **Section 63 – Rape**

This section provides a comprehensive definition of rape, emphasizing that the crucial element is the absence of free, voluntary, and informed consent. Rape includes sexual intercourse without consent, with consent obtained by coercion, threat, fraud, intoxication, or when the woman is unable to communicate consent.

**Example:** Forced sexual intercourse where the woman clearly refuses or resists is rape. Additionally, if a woman is unconscious due to alcohol or drugs and sexual intercourse occurs, it is rape because she cannot give valid consent. If consent is obtained by threatening to release private photographs or videos, it is rape because the consent was coerced. Sexual intercourse with a woman below 18 years is always rape regardless of whether she "agreed," because legal consent capacity is absent.

### **Section 64 – Punishment for rape**

This section prescribes severe punishment for the crime of rape, with a mandatory minimum sentence of 10 years rigorous imprisonment, which may extend to life imprisonment (meaning imprisonment for the remainder of natural life), along with fine. The severity reflects society's recognition of rape as a grave violation of bodily autonomy and dignity.

**Example:** A person convicted of raping an adult woman will receive at minimum 10 years of rigorous imprisonment (involving hard labor). Depending on the brutality, circumstances, and impact on the victim, the court may extend this to 20 years, 30 years, or even life imprisonment meaning the entire natural life. The fine imposed should be adequate to cover the victim's medical expenses and rehabilitation costs.

### **Section 65 – Rape of minor**

This section provides enhanced punishment for rape of minors, recognizing children as particularly vulnerable victims deserving maximum protection. Different age groups attract different levels of punishment, with the most severe penalties for rape of very young children.

**Example:** Rape of a girl under 16 years attracts minimum 20 years rigorous imprisonment up to life imprisonment (remainder of natural life). Rape of a girl under 12 years attracts even more severe punishment, with the possibility of death penalty in the most heinous cases, especially where the rape results in death or vegetative state of the child. A 40-year-old man who rapes a 10-year-old girl would face either life imprisonment for the remainder of his natural life or death penalty.

### **Section 69 – Sexual intercourse by deceitful means (NEW)**

This is a new provision criminalizing sexual intercourse obtained through deceit, particularly false promises of marriage or by impersonating the woman's husband or someone with whom she believes she has a lawful marital relationship.

**Example:** A man promises marriage to a woman and maintains a relationship with her on this pretext for years, engaging in sexual intercourse. Later it's discovered that he was already married and never intended to marry her—he used the false promise merely to obtain consent for sexual intercourse. This constitutes rape by deceitful means. Similarly, if someone impersonates a woman's husband in darkness or uses identity fraud to obtain sexual consent, it falls under this provision. The key element is that consent was obtained through deliberate deception about a fact fundamental to the decision to consent.

## **Section 70 – Gang rape**

This section addresses the particularly heinous crime where two or more persons acting in furtherance of a common intention commit or abet rape. The group nature of the crime makes it especially traumatic and deserving of the harshest punishment.

**Example:** Multiple offenders acting together assault one woman, with each taking turns or some assisting while others commit the act. This could occur in various scenarios—a group of men attacking a woman in a moving vehicle, or a gang surrounding and assaulting a woman in an isolated area. Each person involved, whether they individually committed rape or helped hold the victim or acted as lookout, is guilty of gang rape. The punishment is minimum 20 years rigorous imprisonment extending to life imprisonment (remainder of natural life) or death penalty, with substantial fine.

## **Section 72 – Disclosure of victim's identity**

This section protects the privacy and dignity of rape victims by criminalizing the revelation or publication of the victim's identity in any form. This includes names, photographs, addresses, family details, or any information that could lead to identification.

**Example:** If a newspaper publishes the full name and photograph of a rape victim while reporting the incident, the editor and publisher are guilty under this provision. Similarly, if someone posts on social media revealing "the rape victim is the daughter of Mr. X from Y locality," they have violated this law even without naming her directly. The only exceptions are when the victim herself chooses to reveal her identity, or when disclosure is required by court order for lawful purposes. Punishment includes imprisonment and fine to ensure media and public respect victim privacy.

## **Section 76 – Assault to disrobe (Gender-neutral)**

This section criminalizes assault with the intent to force removal of clothing or compelling a person to be naked in public. The provision is now gender-neutral, protecting all persons regardless of gender from such violation of dignity.

**Example:** A group of persons forcibly attempts to remove a woman's clothing in a public place as punishment or humiliation—this constitutes assault to disrobe. Similarly, forcing a man to strip naked in public as a form of punishment or mockery is equally punishable. Even

unsuccessful attempts are criminalized—if someone tears at another's clothes with intent to disrobe them but the victim escapes or is rescued, the offence is still complete.

### **Section 77 – Voyeurism (Gender-neutral)**

This section criminalizes watching or capturing images of a person engaged in private acts without consent, where the person has a reasonable expectation of privacy. The provision now protects all genders from such invasion of privacy.

**Example:** Installing a hidden camera in a bathroom, changing room, or hotel room to record someone bathing, dressing, or engaging in private acts is voyeurism. Using a mobile phone to secretly record up someone's skirt or down their shirt is also covered. Taking photographs through a bedroom window of someone in their private space without consent violates this provision. Digital sharing of such images constitutes an aggravated form. First conviction attracts up to 3 years imprisonment with fine; subsequent convictions carry up to 7 years imprisonment.

### **Section 78 – Stalking**

This section criminalizes the act of following, contacting, or attempting to contact a person repeatedly despite clear indication that such contact is unwanted, or monitoring a person's use of internet or electronic communication. It recognizes stalking as a serious violation of personal security and freedom.

**Example:** After a woman clearly rejects a man's romantic advances and asks him not to contact her, he continues to send multiple messages daily, follows her to work, waits outside her home, and creates fake social media profiles to monitor her activities. This constitutes stalking. Similarly, continuously calling someone despite being told to stop, tracking someone's location using GPS or social media, or repeatedly showing up at places the person frequents after being asked not to, all constitute stalking. Punishment includes imprisonment up to 3 years for first offence and up to 5 years for subsequent offences.

## **CHAPTER VI – OFFENCES AFFECTING HUMAN BODY**

### **Section 100 – Culpable homicide**

This section defines culpable homicide as causing death by doing an act with the intention of causing death, or with intention of causing such bodily injury as is likely to cause death, or with knowledge that the act is likely to cause death. This is a broader category than murder.

**Example:** During a sudden heated quarrel at a wedding, two men get into a physical fight. One person pushes the other forcefully. The pushed person falls, hits his head on a stone edge, and dies from the head injury. The pusher did not intend to kill but intended to cause injury, and such injury in the circumstances was likely to cause death—this is culpable homicide. It differs from murder because there was no premeditation or calculated intent to kill, but arose from sudden provocation in the heat of the moment.

## **Section 101 – Murder**

This section defines the most serious form of unlawful killing—murder. It requires the act to be done with the intention of causing death, or with intention of causing bodily injury that the offender knows is likely to cause death, or is so imminently dangerous that it must in all probability cause death.

**Example:** A person plans to kill their business rival. They purchase poison, secretly mix it in the rival's drink, and the rival dies—this is murder with clear intention to cause death.

Alternatively, stabbing someone multiple times in vital organs like the chest or neck demonstrates intention to cause injury that the offender knows is likely to cause death—also murder. Firing a gun at someone's head at close range shows an act so imminently dangerous that death is the probable consequence—murder. The key distinction from culpable homicide is the degree of intention and premeditation.

## **Section 103 – Punishment for murder**

This section prescribes the punishment for murder as either death penalty or imprisonment for life (meaning remainder of natural life), along with fine. The choice between death and life imprisonment depends on whether the case falls within "rarest of rare" category as interpreted by courts.

**Example:** A person convicted of murdering their spouse in a domestic dispute might receive life imprisonment. However, if someone commits multiple murders with extreme brutality, or murders a child after rape, or commits a terrorist act killing many innocents, the court may award death penalty considering it a "rarest of rare" case deserving maximum punishment. The fine imposed should be substantial enough to provide compensation to the victim's family.

## **Section 105 – Culpable homicide not amounting to murder**

This section distinguishes culpable homicide from murder and now prescribes a minimum punishment of 5 years imprisonment (newly introduced), which may extend to 10 years along with fine. This applies to killings without the full premeditation or extreme intention required for murder.

**Example:** Two neighbors have a longstanding property dispute. During a heated argument, one neighbor, in sudden anger and without any prior planning, picks up a stick and hits the other on the head causing death. There was no intention to kill, no premeditation, but death was caused by an intentional act of violence arising from sudden provocation. This would be culpable homicide not amounting to murder, punishable with minimum 5 years up to 10 years imprisonment. The minimum sentence ensures serious consequences even for unplanned killings.

## **Section 106(1) – Death by negligence**

This section deals with causing death by rash or negligent act that does not amount to culpable homicide. The punishment has been significantly increased to up to 5 years

imprisonment (enhanced from earlier provisions), recognizing the serious impact of negligent actions causing death.

**Example:** A truck driver is driving at high speed on a highway while constantly using a mobile phone. Due to distraction and excessive speed, the driver loses control and crashes into another vehicle, killing the occupants. The driver did not intend to kill anyone but their rash and negligent driving caused death—this is death by negligence. Similarly, a doctor performing surgery while grossly negligent (perhaps being intoxicated or using completely wrong procedures) causing patient's death would be liable. The enhanced 5-year punishment reflects society's reduced tolerance for negligent behavior causing death.

### **Section 106(2) – Hit and run causing death (NEW)**

This is an entirely new provision specifically targeting drivers or other persons in charge of vehicles who cause death through rash or negligent driving and then flee the scene without reporting the accident or providing aid. It addresses a serious social problem of accident victims dying due to lack of immediate help.

**Example:** A car driver, while driving rashly, hits a pedestrian crossing the road. Instead of stopping to help the injured person or calling for medical assistance or informing police, the driver accelerates and flees the scene to avoid consequences. The victim dies due to lack of timely medical attention. The driver is guilty of hit and run causing death. This provision carries enhanced punishment compared to simple death by negligence because the additional act of fleeing demonstrates callousness and prevents the victim from receiving potentially life-saving help. Punishment includes imprisonment up to 10 years and substantial fine.

### **Section 109 – Attempt to murder**

This section criminalizes attempts to commit murder even when the victim survives. If a person does any act with the intention or knowledge that such act would cause death if completed, they are guilty of attempt to murder.

**Example:** A person fires a gun at someone with clear intent to kill, but misses or the bullet hits a non-vital area and the victim survives after medical treatment—this is attempted murder. Similarly, pushing someone off a cliff intending to kill them, but they survive by landing in water or on vegetation, constitutes attempted murder. Administering poison with intent to kill, but the victim vomits it out or receives antidote, is also attempted murder. The punishment is up to 10 years imprisonment with fine; if the attempt causes hurt, it increases to up to life imprisonment. The key element is proving the intention to kill.

### **Section 111 – Organized crime (NEW)**

This is a comprehensive new provision targeting organized criminal activities conducted by syndicates or gangs for financial or material benefit. It recognizes that organized crime poses a unique threat to society requiring special legal treatment.

**Example:** A gang operates an extortion racket where they systematically threaten businessmen and shopkeepers to pay "protection money" regularly, using violence against those who refuse. This is organized crime. Similarly, a syndicate that engages in land grabbing by forging documents, intimidating legitimate owners, and using violence to take

possession of properties constitutes organized crime. Drug trafficking networks, human trafficking rings, contract killing operations, and illegal gambling dens run by organized groups all fall under this provision. The punishment is severe—death penalty or life imprisonment with substantial fine—reflecting the grave threat organized crime poses to social order and rule of law.

### **Section 112 – Petty organised crime (NEW)**

This new provision addresses smaller-scale but still systematic criminal activities carried out by organized groups. It covers repeated criminal acts by gangs that may not involve extreme violence but cause significant public nuisance and economic loss.

**Example:** A group of pickpockets operates in a coordinated manner at railway stations, with some members creating distractions while others steal from passengers, sharing proceeds regularly. This is petty organized crime. Similarly, a gang that runs a systematic operation of stealing manhole covers, copper wires, or railway equipment and selling them repeatedly is covered. Organized groups involved in ticket scalping (black marketing) for trains, flights, or events, or running pyramid schemes, or conducting systematic fare evasion in public transport also fall under this category. While less serious than major organized crime under Section 111, it still attracts imprisonment up to 7 years and fine because of the organized, repeated nature.

### **Section 113 – Terrorist act (NEW)**

This new provision specifically defines and criminalizes terrorist acts—those intended to threaten the unity, integrity, security, or sovereignty of India, strike terror in people, or adversely affect harmony among different sections of society, using means like bombs, explosives, firearms, biological weapons, etc.

**Example:** Planting bombs in a crowded marketplace, railway station, or public gathering with the intent to kill civilians and create widespread fear is a terrorist act. Hijacking aircraft or taking hostages to make political demands constitutes terrorism. Armed attacks on military installations, government buildings, or places of worship to create communal disharmony are terrorist acts. Using biological or chemical weapons, or even threatening to use them to terrorize the population falls under this provision. Financing, planning, or providing any support for such acts is equally punishable. The punishment is death penalty or life imprisonment (remainder of natural life) with substantial fine, and the convicted person's property may also be forfeited.

### **Section 115 – Voluntarily causing hurt**

This section criminalizes the intentional infliction of bodily pain, disease, or infirmity upon another person. "Hurt" means any bodily pain, disease, or infirmity caused to any person, and when caused voluntarily (intentionally), it is an offence.

**Example:** Slapping someone across the face causing pain and redness is voluntarily causing hurt. Punching someone causing bruising, pushing someone causing them to fall and get scratches, or pulling someone's hair causing pain all constitute voluntarily causing hurt. Deliberately infecting someone with a disease is also causing hurt. The offence is complete even if the injury is minor or temporary. Punishment is imprisonment up to 1 year or fine up

to ₹10,000 or both. The relatively mild punishment reflects that the harm caused is not severe or permanent.

### **Section 116 – Grievous hurt**

This section defines and criminalizes causing serious injuries that are categorized as "grievous hurt." Grievous hurt includes emasculation, permanent loss of sight or hearing, destruction of any limb or joint, permanent disfigurement of head or face, bone fracture, tooth dislocation, or any hurt that endangers life or causes severe bodily pain for 20 days or inability to pursue ordinary work for 20 days.

**Example:** Breaking someone's arm or leg bone is grievous hurt. Causing an injury that results in permanent loss of vision in one or both eyes constitutes grievous hurt. Disfiguring someone's face with cuts or burns leaving permanent scars is grievous hurt. Knocking out someone's teeth, severing a finger, or causing internal injuries that prevent them from working for 20 days or more all fall under grievous hurt. The punishment is imprisonment up to 7 years along with fine, reflecting the serious and often permanent nature of the harm caused.

### **Section 117 – Grievous hurt causing permanent disability**

This section provides for enhanced punishment when grievous hurt results in permanent or protracted disability, recognizing that such injuries have lifelong devastating impact on the victim's quality of life and capacity to function.

**Example:** An acid attack that leaves the victim permanently disfigured and blind constitutes grievous hurt causing permanent disability, attracting punishment up to life imprisonment. An assault that results in permanent paralysis, loss of limbs requiring amputation, or brain damage causing permanent mental impairment falls under this provision. An attack that destroys someone's eyes, making them permanently blind, or damage to the spine causing permanent inability to walk are examples. The severe punishment—up to life imprisonment with substantial fine—reflects society's condemnation of acts that permanently destroy another person's physical capabilities and life prospects.

### **Section 118 – Hurt using dangerous weapons**

This section specifically criminalizes causing hurt by means of dangerous weapons or substances, including sharp-edged weapons like knives and swords, firearms, corrosive substances like acid, fire or heated substances, or poison. The use of such dangerous means attracts enhanced punishment.

**Example:** Stabbing someone with a knife, even if the injury is relatively minor, falls under this provision because a dangerous weapon was used. Throwing acid on someone causing burns and injury, shooting someone with a firearm causing injury, attacking someone with a sword or machete, or deliberately burning someone with fire or boiling liquid all constitute hurt by dangerous weapons or means. The punishment is more severe than simple hurt—up to 7 years imprisonment and fine—because the use of such dangerous means demonstrates greater malice and poses greater risk of serious injury or death, even if the actual injury in a particular case may not be very grave.