

# **THE INDIAN PENAL CODE**

## **CHAPTER XII OF OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS**

The offences described in this Chapter relate to (I) Coins and (II) Government Stamps.

### **(I) Coins.—**

The offences relating to coins may be classified into three divisions:—

(1) Counterfeiting, (2) alteration, and (3) acts of mint employees.

#### **1. Counterfeiting—**

- (1) Counterfeiting coins (sections 231, 232).
- (2) Making or selling instrument for counterfeiting (sections 233, 234).
- (3) Possession of instrument for counterfeiting (section 235).
- (4) Abetting in India the counterfeiting of coin out of India (section 236).
- (5) Importing or exporting of counterfeit coin (sections 237, 238).
- (6) Delivering counterfeit coin knowing it to be so (sections 239, 240).
- (7) Delivering counterfeit coin not known to be so when first possessed (section 241).
- (8) Possession of counterfeit coin knowing it to be so (sections 242, 243).

#### **2. Alteration—**

- (1) Diminishing the weight or altering the composition of any coin (sections 246, 247).
- (2) Altering appearance of any coin to pass it off as a different coin (sections 248, 249).
- (3) Delivering coin possessed with the knowledge that it is altered (sections 250, 251).
- (4) Possessing altered coin knowing it to be so (sections 252, 253).
- (5) Delivering altered coin which the deliverer did not know to be altered when first possessed (section 254).

#### **3. Acts of mint employees—**

- (1) Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law (section 244).
- (2) Unlawful taking from a mint any coining instrument (section 245).

### **(II) Government Stamps.—**

- (1) Counterfeiting a stamp (section 255).
- (2) Possession of an instrument for counterfeiting a stamp (section 256).

- (3) Making or selling an instrument for counterfeiting a stamp (section 257).
- (4) Sale of a counterfeit stamp (section 258).
- (5) Possession of a counterfeit stamp (section 259).
- (6) Using as genuine a stamp known to be counterfeit (section 260).
- (7) Effacing any writing from a substance bearing a stamp or removing from a document a stamp used for it, with intent to cause loss to Government (section 261).
- (8) Using a stamp known to have been before used (section 262).
- (9) Erasure of mark denoting that a stamp has been used (section 263).
- (10) Making, uttering, or dealing in, or selling or using for postal purpose, any fictitious stamp; or possessing any fictitious stamp; or making or possessing any instrument for manufacturing fictitious stamps (section 263A).

**[s 248] Altering appearance of coin with intent that it shall pass as coin of different description.**

**Whoever performs on any coin any operation which alters the appearance of that coin, with the intention that the said coin shall pass as a coin of a different description, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.**

**COMMENT.—**

This section refers to any operation which alters the appearance of a coin with the intention that the said coin shall pass as a coin of a different description, e.g., gilding, silvering. If the weight of the coin is diminished, either section 246 or section 247 applies.

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#### **1. Counterfeiting—**

- (1) Counterfeiting coins (sections 231, 232).
- (2) Making or selling instrument for counterfeiting (sections 233, 234).
- (3) Possession of instrument for counterfeiting (section 235).
- (4) Abetting in India the counterfeiting of coin out of India (section 236).
- (5) Importing or exporting of counterfeit coin (sections 237, 238).
- (6) Delivering counterfeit coin knowing it to be so (sections 239, 240).
- (7) Delivering counterfeit coin not known to be so when first possessed (section 241).
- (8) Possession of counterfeit coin knowing it to be so (sections 242, 243).

#### **2. Alteration—**

- (1) Diminishing the weight or altering the composition of any coin (sections 246, 247).
- (2) Altering appearance of any coin to pass it off as a different coin (sections 248, 249).
- (3) Delivering coin possessed with the knowledge that it is altered (sections 250, 251).
- (4) Possessing altered coin knowing it to be so (sections 252, 253).
- (5) Delivering altered coin which the deliverer did not know to be altered when first possessed (section 254).

#### **3. Acts of mint employees—**

- (1) Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law (section 244).
- (2) Unlawful taking from a mint any coining instrument (section 245).

### **(II) Government Stamps.—**

- (1) Counterfeiting a stamp (section 255).
- (2) Possession of an instrument for counterfeiting a stamp (section 256).

- (3) Making or selling an instrument for counterfeiting a stamp (section 257).
- (4) Sale of a counterfeit stamp (section 258).
- (5) Possession of a counterfeit stamp (section 259).
- (6) Using as genuine a stamp known to be counterfeit (section 260).
- (7) Effacing any writing from a substance bearing a stamp or removing from a document a stamp used for it, with intent to cause loss to Government (section 261).
- (8) Using a stamp known to have been before used (section 262).
- (9) Erasure of mark denoting that a stamp has been used (section 263).
- (10) Making, uttering, or dealing in, or selling or using for postal purpose, any fictitious stamp; or possessing any fictitious stamp; or making or possessing any instrument for manufacturing fictitious stamps (section 263A).

**[s 249] Altering appearance of Indian coin with intent that it shall pass as coin of different description.**

**Whoever performs on any <sup>36</sup>[Indian coin] any operation which alters the appearance of that coin, with the intention that the said coin shall pass as a coin of a different description, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.**

<sup>36</sup>. Subs. by the A.O. 1950, for "any of the Queen's coin".

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- (1) Counterfeiting coins (sections 231, 232).
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- (6) Delivering counterfeit coin knowing it to be so (sections 239, 240).
- (7) Delivering counterfeit coin not known to be so when first possessed (section 241).
- (8) Possession of counterfeit coin knowing it to be so (sections 242, 243).

#### **2. Alteration—**

- (1) Diminishing the weight or altering the composition of any coin (sections 246, 247).
- (2) Altering appearance of any coin to pass it off as a different coin (sections 248, 249).
- (3) Delivering coin possessed with the knowledge that it is altered (sections 250, 251).
- (4) Possessing altered coin knowing it to be so (sections 252, 253).
- (5) Delivering altered coin which the deliverer did not know to be altered when first possessed (section 254).

#### **3. Acts of mint employees—**

- (1) Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law (section 244).
- (2) Unlawful taking from a mint any coining instrument (section 245).

### **(II) Government Stamps.—**

- (1) Counterfeiting a stamp (section 255).
- (2) Possession of an instrument for counterfeiting a stamp (section 256).

- (3) Making or selling an instrument for counterfeiting a stamp (section 257).
- (4) Sale of a counterfeit stamp (section 258).
- (5) Possession of a counterfeit stamp (section 259).
- (6) Using as genuine a stamp known to be counterfeit (section 260).
- (7) Effacing any writing from a substance bearing a stamp or removing from a document a stamp used for it, with intent to cause loss to Government (section 261).
- (8) Using a stamp known to have been before used (section 262).
- (9) Erasure of mark denoting that a stamp has been used (section 263).
- (10) Making, uttering, or dealing in, or selling or using for postal purpose, any fictitious stamp; or possessing any fictitious stamp; or making or possessing any instrument for manufacturing fictitious stamps (section 263A).

**[s 250] Delivery of coin possessed with knowledge that it is altered.**

**Whoever, having coin in his possession with respect to which the offence defined in section 246 or 248 has been committed, and having known at the time when he became possessed of such coin that such offence had been committed with respect to it, fraudulently or with intent that fraud may be committed, delivers such coin to any other person, or attempts to induce any other person to receive the same, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.**

**COMMENT.—**

This and the following section are intended to punish persons who are traders in spurious or altered coins. They correspond to sections 239 and 240. There must be both possession with knowledge and fraudulent delivery.

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- (6) Delivering counterfeit coin knowing it to be so (sections 239, 240).
- (7) Delivering counterfeit coin not known to be so when first possessed (section 241).
- (8) Possession of counterfeit coin knowing it to be so (sections 242, 243).

#### **2. Alteration—**

- (1) Diminishing the weight or altering the composition of any coin (sections 246, 247).
- (2) Altering appearance of any coin to pass it off as a different coin (sections 248, 249).
- (3) Delivering coin possessed with the knowledge that it is altered (sections 250, 251).
- (4) Possessing altered coin knowing it to be so (sections 252, 253).
- (5) Delivering altered coin which the deliverer did not know to be altered when first possessed (section 254).

#### **3. Acts of mint employees—**

- (1) Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law (section 244).
- (2) Unlawful taking from a mint any coining instrument (section 245).

### **(II) Government Stamps.—**

- (1) Counterfeiting a stamp (section 255).
- (2) Possession of an instrument for counterfeiting a stamp (section 256).

- (3) Making or selling an instrument for counterfeiting a stamp (section 257).
- (4) Sale of a counterfeit stamp (section 258).
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- (6) Using as genuine a stamp known to be counterfeit (section 260).
- (7) Effacing any writing from a substance bearing a stamp or removing from a document a stamp used for it, with intent to cause loss to Government (section 261).
- (8) Using a stamp known to have been before used (section 262).
- (9) Erasure of mark denoting that a stamp has been used (section 263).
- (10) Making, uttering, or dealing in, or selling or using for postal purpose, any fictitious stamp; or possessing any fictitious stamp; or making or possessing any instrument for manufacturing fictitious stamps (section 263A).

**[s 251] Delivery of Indian coin possessed with knowledge that it is altered.**

**Whoever, having coin in his possession with respect to which the offence defined in section 247 or 249 has been committed, and having known at the time when he became possessed of such coin that such offence had been committed with respect to it, fraudulently or with intent that fraud may be committed, delivers such coin to any other person, or attempts to induce any other person to receive the same, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.**



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- (1) Counterfeiting coins (sections 231, 232).
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- (3) Possession of instrument for counterfeiting (section 235).
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- (6) Delivering counterfeit coin knowing it to be so (sections 239, 240).
- (7) Delivering counterfeit coin not known to be so when first possessed (section 241).
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#### **2. Alteration—**

- (1) Diminishing the weight or altering the composition of any coin (sections 246, 247).
- (2) Altering appearance of any coin to pass it off as a different coin (sections 248, 249).
- (3) Delivering coin possessed with the knowledge that it is altered (sections 250, 251).
- (4) Possessing altered coin knowing it to be so (sections 252, 253).
- (5) Delivering altered coin which the deliverer did not know to be altered when first possessed (section 254).

#### **3. Acts of mint employees—**

- (1) Persons employed in a mint causing coin to be of a different weight or composition from that fixed by law (section 244).
- (2) Unlawful taking from a mint any coining instrument (section 245).

### **(II) Government Stamps.—**

- (1) Counterfeiting a stamp (section 255).
- (2) Possession of an instrument for counterfeiting a stamp (section 256).

- (3) Making or selling an instrument for counterfeiting a stamp (section 257).
- (4) Sale of a counterfeit stamp (section 258).
- (5) Possession of a counterfeit stamp (section 259).
- (6) Using as genuine a stamp known to be counterfeit (section 260).
- (7) Effacing any writing from a substance bearing a stamp or removing from a document a stamp used for it, with intent to cause loss to Government (section 261).
- (8) Using a stamp known to have been before used (section 262).
- (9) Erasure of mark denoting that a stamp has been used (section 263).
- (10) Making, uttering, or dealing in, or selling or using for postal purpose, any fictitious stamp; or possessing any fictitious stamp; or making or possessing any instrument for manufacturing fictitious stamps (section 263A).

**[s 252] Possession of coin by person who knew it to be altered when he became possessed thereof.**

**Whoever, fraudulently or with intent that fraud may be committed, is in possession of coin with respect to which the offence defined in either of the section 246 or 248 has been committed, having known at the time of becoming possessed thereof that such offence had been committed with respect to such coin, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.**

**COMMENT.—**

Possession of debased or altered coin by the professional dealer, with fraudulent intention is made punishable by this section. This and the next section resemble sections 242 and 243. Under sections 250 and 251 the accused is punished for uttering, under this section and the next he is punished for possessing a coin in respect of which the offence defined either in section 246 or section 247 has been committed.