

# THE INDIAN PENAL CODE

ACT NO. 45 OF 1860<sup>1</sup>

[6th October, 1860.]

## CHAPTER I

### INTRODUCTION

**Preamble.**—WHEREAS it is expedient to provide a general Penal Code for <sup>2</sup>[India]; It is enacted as follows:—

**1. Title and extent of operation of the Code.**—This Act shall be called the Indian Penal Code, and shall <sup>3</sup>[extend to the whole of India <sup>4</sup>[except the State of Jammu and Kashmir]].

**2. Punishment of offences committed within India.**—Every person shall be liable to punishment under this Code and not otherwise for every act or omission contrary to the provisions thereof, of which he shall be guilty within <sup>5</sup>[India] <sup>6</sup>\*\*\*\*.

**3. Punishment of offences committed beyond, but which by law may be tried within, India.**—Any person liable, by any <sup>7</sup>[Indian law], to be tried for an offence committed beyond <sup>8</sup>[India] shall be dealt with according to the provisions of this Code for any act committed beyond <sup>8</sup>[India] in the same manner as if such act had been committed within <sup>5</sup>[India].

<sup>9</sup>**[4. Extension of Code to extra-territorial offences.**—The provisions of this Code apply also to any offence committed by—

<sup>10</sup>[(1) any citizen of India in any place without and beyond India;

(2) any person on any ship or aircraft registered in India wherever it may be.]

<sup>11</sup>[(3) any person in any place without and beyond India committing offence targeting a computer resource located in India.]

<sup>12</sup>[*Explanation.*—In this section—

(a) the word “offence” includes every act committed outside India which, if committed in India, would be punishable under this Code;

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1. The Indian Penal Code has been extended to Berar by the Berar Laws Act, 1941 (4 of 1941) and has been declared in force in—

Sonthal Parganas, by the Sonthal Parganas Settlement Regulation 1872 (3 of 1872) s. 2;  
Panth Piploda, by the Panth Piploda Laws Regulation, 1929 (1 of 1929), s. 2 and the Sch.;  
Khondmals District, by the Khondmals Laws Regulation, 1936 (4 of 1936), s. 3 and the Sch; and  
Angul District, by the Angul Laws Regulation, 1936 (5 of 1936), s. 3 and the Sch.

It has been declared under s. 3 (a) of the Scheduled Districts Act, 1874 (14 of 1874), to be in force in the following Scheduled Districts, namely: the United Provinces Tarai Districts, *see* Gazette of India, 1876, Pt. I, p. 505; the Districts of Hazaribagh, Lohardaga [now called the Ranchi District, *see* Calcutta Gazette, 1899, Pt. I, p. 44] and Manbhum and Pargana Dhalbhum and the Kolhan in the District of Singhbhum—*see* Gazette of India, 1881, Pt. I, p. 504.

It has been extended under s. 5 of the same Act to the Lushai Hills—*see* Gazette of India, 1898, Pt. II, p. 345.

The Act has been extended to Goa, Daman and Diu by Reg. 12 of 1962, s. 3 and Sch; to Dadra and Nagar Haveli by Reg. 6 of 1963, s. 2 and Sch. I.; to Pondicherry by Reg. 7 of 1963, s. 3 and Sch. I and to Lakshadweep by Reg. 8 of 1965, s. 3 and Sch.

2. The words “British India” have successively been subs. by the A.O. 1948, the A.O. 1950 and Act 3 of 1951, s. 3 and the Sch., to read as above.

3. The Original words have successively been amended by Act 12 of 1891, s. 2 and Sch. I, the A.O. 1937, the A.O. 1948 and the A.O. 1950 to read as above.

4. Subs. by Act 3 of 1951, s. 3 and the Sch., for “except Part B States”.

5. The original words “the said territories” have successively been amended by the A.O. 1937, the A.O. 1948, the A.O 1950 and Act 3 of 1951, s. 3 and the Sch., to read as above.

6. The words and figures “on or after the said first day of May, 1861” rep. by Act 12 of 1891, s. 2 and the First Sch.

7. Subs. by the A.O. 1937, for “law passed by the Governor General of India in Council”.

8. The Original words “the limits of the said territories” have successively been amended by the A.O. 1937, the A.O.1948, the A.O. 1950 and Act 3 of 1951, s. 3 and the Sch., to read as above.

9. Subs. by Act 4 of 1898, s. 2, for section 4.

10. Subs. by the A.O. 1950, for cls. (1) to (4).

11. Ins. by Act 10 of 2009, s. 51 (w.e.f. 27-10-2009).

12. Subs. by s. 51, *ibid.*, for the *Explanation* (w.e.f. 27-10-2009).