

¹[**52A. “Harbour.”**—Except in section 157, and in section 130 in the case in which the harbour is given by the wife or husband of the person harboured, the word “harbour” includes the supplying a person with shelter, food, drink, money, clothes, arms, ammunition or means of conveyance, or the assisting a person by any means, whether of the same kind as those enumerated in this section or not, to evade apprehension.]

CHAPTER III
OF PUNISHMENTS

53. Punishments.—The punishments to which offenders are liable under the provisions of this Code are—

First.—Death;

²[*Secondly*.—Imprisonment for life;]

$$3_* \quad \quad \quad * \quad \quad \quad * \quad \quad \quad * \quad \quad \quad *$$

Fourthly.—Imprisonment, which is of two descriptions, namely:—

(1) Rigorous, that is, with hard labour;

(2) Simple;

Fifthly.—Forfeiture of property;

Sixthly.—Fine.

4[53A. Construction of reference to transportation.—(1) Subject to the provisions of sub-section (2) and sub-section (3), any reference to “transportation for life” in any other law for the time being in force or in any instrument or order having effect by virtue of any such law or of any enactment repealed shall be construed as a reference to “imprisonment for life”.

(2) In every case in which a sentence of transportation for a term has been passed before the commencement of the Code of Criminal Procedure (Amendment) Act, ⁵[1955 (26 of 1955)], the offender shall be dealt with in the same manner as if sentenced to rigorous imprisonment for the same term.

(3) Any reference to transportation for a term or to transportation for any shorter term (by whatever name called) in any other law for the time being in force shall be deemed to have been omitted.

(4) Any reference to “transportation” in any other law for the time being in force shall,—

(a) if the expression means transportation for life, be construed as a reference to imprisonment for life:

(b) if the expression means transportation for any shorter term, be deemed to have been omitted.]

54. Commutation of sentence of death.—In every case in which sentence of death shall have been passed, ⁶[the appropriate Government] may, without the consent of the offender, commute the punishment for any other punishment provided by this Code.

55. Commutation of sentence of imprisonment for life.—In every case in which sentence of ⁷[imprisonment] for life shall have been passed, ⁸[the appropriate Government] may, without the consent

1. Ins. by Act 8 of 1942, s. 2.

2. Subs. by Act 26 of 1955, s. 117 and the Sch., for “*Secondly.—Transportation*” (w.e.f. 1-1-1956).

3. Cl. *Thirdly* omitted by Act 17 of 1949, s. 2 (w.e.f. 6-4-1949).

4. Ins. by Act 26 of 1955, s. 117 and the Sch. (w.e.f. 1-1-1956).

5. Subs. by Act 36 of 1957, s. 3 and the Second Sch., for "1954".

6. Subs. by the A.O. 1950, for “the *Central Government or the Provincial Government of the Province* within which the offender shall have been sentenced”. The words in italics were subs. by the A.O. 1937, for “the Government of India or the Government of the place”.

7. Subs. by Act 26 of 1955, s. 117 and the Sch., for “transportation” (w.e.f. 1-1-1956).

8. Subs. by the A.O. 1950, for "*the Provincial Government of the Province* within which the offender shall have been sentenced".
The words in italics were subs. by the A.O. 1937, for "the Government of India or the Government of the place".