

<sup>1</sup>[imprisonment for life] or imprisonment of either description for a term not exceeding ten years, <sup>2</sup>[and shall also be liable to fine].

**123. Concealing with intent to facilitate design to wage war.**—Whoever by any act, or by any illegal omission, conceals the existence of a design to wage war against the <sup>3</sup>[Government of India], intending by such concealment to facilitate, or knowing it to be likely that such concealment will facilitate, the waging of such war, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**124. Assaulting President, Governor, etc., with intent to compel or restrain the exercise of any lawful power.**—Whoever, with the intention of inducing or compelling the <sup>4</sup>[President] of India, or <sup>5</sup>[Governor <sup>6\*\*\*</sup>] of any <sup>7</sup>[State], <sup>8\*\*\*</sup> <sup>9\*\*\*</sup> <sup>10\*\*\*</sup> to exercise or refrain from exercising in any manner any any of the lawful powers of such <sup>11</sup>[President or <sup>5</sup>[Governor <sup>6\*\*\*</sup>]],

assaults or wrongfully restrains, or attempts wrongfully to restrain, or overawes, by means of criminal force or the show of criminal force, or attempts so to overawe, such <sup>11</sup>[President or <sup>5</sup>[Governor <sup>6\*\*\*</sup>]],

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>12</sup>[**124A. Sedition.**—Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, <sup>13\*\*\*</sup> the Government established by law in <sup>14</sup>[India], <sup>15\*\*\*</sup> shall be punished with <sup>16</sup>[imprisonment for life], to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

*Explanation 1.*—The expression “disaffection” includes disloyalty and all feelings of enmity.

*Explanation 2.*—Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.

*Explanation 3.*—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.]

**125. Waging war against any Asiatic Power in alliance with the Government of India.**—Whoever wages war against the Government of any Asiatic Power in alliance or at peace with the <sup>3</sup>[Government of India] or attempts to wage such war, or abets the waging of such war, shall be punished with <sup>1</sup>[imprisonment for life], to which fine may be added, or with imprisonment of either description for a term which may extend to seven years, to which fine may be added, or with fine.

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

2. Subs. by Act 16 of 1921, s. 2, for “and shall forfeit all his property”.

3. Subs. by the A. O. 1950, for “Queen”.

4. Subs. by the *ibid.*, for “Governor General”.

5. Subs. by Act 3 of 1951, s. 3 and the Sch., for “Governor”.

6. The words “or Rajpramukh” omitted by the A. O. 1956.

7. Subs. by the A. O. 1950, for “Province” which had been subs. by the A. O. 1937, for “Presidency”.

8. The words “or a Lieutenant-Governor” omitted by the A. O. 1937.

9. The words “or a Member of the Council of the Governor General of India” omitted by the A.O. 1948.

10. The words “or of the Council of any Presidency” omitted by the A. O. 1937.

11. The words “Governor General, Governor, Lieutenant-Governor or Member of Council” have successively been amended by the A.O. 1937, the A. O. 1948 and the A. O. 1950 to read as above.

12. Ins. by Act 27 of 1870, s. 5 and subs. by Act 4 of 1898, s. 4, for s. 124A.

13. The words “Her Majesty or” omitted by the A.O. 1950. The words “or the Crown Representative” ins. after the word “Majesty” by the A. O. 1937 were omitted by the A. O. 1948.

14. 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.

15. The words “or British Burma” ins. by the A. O. 1937 and omitted by the A. O. 1948.

16. Subs. by Act 26 of 1955, s. 117 and the Sch., for “transportation for life or any shorter term” (w.e.f. 1-1-1956).