

THE INDIAN PENAL CODE

ARRANGEMENT OF SECTIONS

CHAPTER I

INTRODUCTION

PREAMBLE

SECTIONS

1. Title and extent of operation of the Code.
2. Punishment of offences committed within India.
3. Punishment of offences committed beyond, but which by law may be tried within, India.
4. Extension of Code to extra-territorial offences.
5. Certain laws not to be affected by this Act.

CHAPTER II

GENERAL EXPLANATIONS

6. Definitions in the Code to be understood subject to exceptions.
7. Sense of expression once explained.
8. Gender.
9. Number.
10. "Man". "Woman".
11. "Person".
12. "Public".
13. *[Omitted.]*
14. "Servant of Government".
15. *[Repealed.]*
16. *[Repealed.]*
17. "Government".
18. "India".
19. "Judge".
20. "Court of Justice".
21. "Public servant".
22. "Moveable property".
23. "Wrongful gain".
"Wrongful loss".
Gaining wrongfully/ Losing wrongfully.
24. "Dishonestly".
25. "Fraudulently".
26. "Reason to believe".
27. Property in possession of wife, clerk or servant.
28. "Counterfeit".
29. "Document".
- 29A. "Electronic record".
30. "Valuable security".
31. "A will".
32. Words referring to acts include illegal omissions.
33. "Act".
"Omission".
34. Acts done by several persons in furtherance of common intention.
35. When such an act is criminal by reason of its being done with a criminal knowledge or intention.
36. Effect caused partly by act and partly by omission.
37. Co-operation by doing one of several acts constituting an offence.

SECTIONS

- 38. Persons concerned in criminal act may be guilty of different offences.
- 39. "Voluntarily".
- 40. "Offence".
- 41. "Special law".
- 42. "Local law".
- 43. "Illegal".
"Legally bound to do".
- 44. "Injury".
- 45. "Life".
- 46. "Death".
- 47. "Animal".
- 48. "Vessel".
- 49. "Year".
"Month".
- 50. "Section".
- 51. "Oath".
- 52. "Good faith".
- 52A. "Harbour".

CHAPTER III OF PUNISHMENTS

- 53. Punishments.
- 53A. Construction of reference to transportation.
- 54. Commutation of sentence of death.
- 55. Commutation of sentence of imprisonment for life.
- 55A. Definition of "appropriate Government".
- 56. *[Repealed.]*
- 57. Fractions of terms of punishment.
- 58. *[Repealed.]*
- 59. *[Repealed.]*
- 60. Sentence may be (in certain cases of imprisonment) wholly or partly rigorous of simple.
- 61. *[Repealed.]*
- 62. *[Repealed.]*
- 63. Amount of fine.
- 64. Sentence of imprisonment for non-payment of fine.
- 65. Limit to imprisonment for non-payment of fine, when imprisonment and fine awardable.
- 66. Description of imprisonment for non-payment of fine.
- 67. Imprisonment for non-payment of fine, when offence punishable with fine only.
- 68. Imprisonment to terminate on payment of fine.
- 69. Termination of imprisonment on payment of proportional part of fine.
- 70. Fine leviable within six years, of during imprisonment. Death not to discharge property from liability.
- 71. Limit of punishment of offence made up of several offences.
- 72. Punishment of person guilty of one of several offences, the judgment stating that is doubtful of which.
- 73. Solitary confinement.
- 74. Limit of solitary confinement.
- 75. Enhanced punishment for certain offences under Chapter XII or Chapter XVII after previous conviction.

CHAPTER IV

GENERAL EXCEPTIONS

- 76. Act done by a person bound, or by mistake of fact believing himself bound, by law.
- 77. Act of Judge when acting judicially.
- 78. Act done pursuant to the judgment or order of Court.
- 79. Act done by a person justified, or by mistake of fact believing himself justified, by law.
- 80. Accident in doing a lawful act.
- 81. Act likely to cause harm, but done without criminal intent, and to prevent other harm.

SECTIONS

82. Act of a child under seven years of age.
83. Act of a child above seven and under twelve of immature understanding.
84. Act of a person of unsound mind.
85. Act of a person incapable of judgment by reason of intoxication caused against his will.
86. Offence requiring a particular intent or knowledge committed by one who is intoxicated.
87. Act not intended and not known to be likely to cause death or grievous hurt, done by consent.
88. Act not intended to cause death, done by consent in good faith for person's benefit.
89. Act done in good faith for benefit of child or insane person, by or by consent of guardian.
Provisos.
90. Consent known to be given under fear or misconception.
Consent of insane person.
Consent of child.
91. Exclusion of acts which are offences independently of harm caused.
92. Act done in good faith for benefit of a person without consent.
Provisos.
93. Communication made in good faith.
94. Act to which a person is compelled by threats.
95. Act causing slight harm.

Of the Right of Private Defense

96. Things done in private defence.
97. Right of private defence of the body and of property.
98. Right of private defence against the act of a person of unsound mind. etc.
99. Acts against which there is no right of private defence.
Extent to which the right may be exercised.
100. When the right of private defence of the body extends to causing death.
101. When such right extends to causing any harm other than death.
102. Commencement and continuance of the right of private defence of the body.
103. When the right of private defence of property extends to causing death.
104. When such right extends to causing any harm other than death.
105. Commencement and continuance of the right of private defence of property.
106. Right of private defence against deadly assault when there is risk of harm to innocent person.

CHAPTER V

OF ABETMENT

107. Abetment of a thing.
108. Abettor.
- 108A. Abetment in Indian of offences outside India.
109. Punishment of a abetment if the act abetted is committed in consequence and when no express provision is made for its punishment.
110. Punishment of abetment if person abetted does act with different intention from that of abettor.
111. Liability of abettor when one act abetted and different act done.
112. Abettor when liable to cumulative punishment for act abetted and for act done.
113. Liability of abettor for an effect caused by the act abetted different from that intended by the abettor.
114. Abettor present when offence is committed.
115. Abetment of offence punishable with death or imprisonment for life.—if offence not committed.
if act causing harm be done in consequence.
116. Abetment of offence punishable with imprisonment.—if offence be not committed.
if abettor or person abetted be a public servant whose duty it is to prevent offence.
117. Abetting commission of offence by the public or by more than ten persons.
118. Concealing design to commit offence punishable with death or imprisonment for life.
If offence be committed;
if offence be not committed.
119. Public servant concealing design to commit offence which it is his duty to prevent.
if offence be committed;
if offence be punishable with death, etc.
if offence be not committed.
120. Concealing design to commit offence punishable with imprisonment.
if offence be committed;
if offence be not committed.

CHAPTER VA

CRIMINAL CONSPIRACY

- 120A. Definition of criminal conspiracy.

SECTIONS

120B. Punishment of criminal conspiracy.

CHAPTER VI OF OFFENCES AGAINST THE STATE

- 121. Waging, or attempting to wage war, or abetting waging of war, against the Government of India.
- 121A. Conspiracy to commit offences punishable by section 121.
- 122. Collecting arms, etc., with intention of waging war against the Government of India.
- 123. Concealing with intent to facilitate design to wage war.
- 124. Assaulting President. Governor, etc., with intent to compel or restrain the exercise of any lawful power.
- 124A. Sedition.
- 125. Waging war against any Asiatic power in alliance with the Government of India.
- 126. Committing depredation on territories of power at peace with the Government of India.
- 127. Receiving property taken by war or depredation mentioned in sections 125 and 126.
- 128. Public servant voluntarily allowing prisoner of State or war to escape.
- 129. Public servant negligently suffering such prisoner to escape.
- 130. Aiding escape of, rescuing or harbouring such prisoner.

CHAPTER VII OF OFFENCES RELATING TO THE ARMY, NAVY AND AIR FORCE

- 131. Abetting mutiny, or attempting to seduce a soldier, sailor or airman from his duty.
- 132. Abetment of mutiny, if mutiny is committed in consequence thereof.
- 133. Abetment of assault by soldier, sailor or airman on his superior officer, when in execution of his office.
- 134. Abetment of such assault, if the assault is committed.
- 135. Abetment of desertion of soldier, sailor or airman.
- 136. Harbouring deserter.
- 137. Deserter concealed on board merchant vessel through negligence of master.
- 138. Abetment of act of insubordination by soldier, sailor or airman.
- 138A. *[Repealed.]*
- 139. Persons subject to certain Acts.
- 140. Wearing garb or carrying token used by soldier, sailor or airman.

CHAPTER VIII OF OFFENCES AGAINST THE PUBLIC TRANQUILLITY

- 141. Unlawful assembly.
- 142. Being member of unlawful assembly.
- 143. Punishment.
- 144. Joining unlawful assembly armed with deadly weapon.
- 145. Joining or continuing in unlawful assembly, knowing it has been commanded to disperse.
- 146. Rioting.
- 147. Punishment for rioting.
- 148. Rioting, armed with deadly weapon.
- 149. Every member of unlawful assembly guilty of offence committed in prosecution of common object.
- 150. Hiring, or conniving at hiring, of persons to join unlawful assembly.
- 151. Knowingly joining or continuing in assembly of five or more persons after it has been commanded to disperse.
- 152. Assaulting or obstructing public servant when suppressing riot, etc.
- 153. Wantonly giving provocation, with intent to cause riot—
if rioting be committed; if not committed.
- 153A. Promoting enmity between different groups on grounds of religion, race, place of birth, residence.
language, etc., and doing acts prejudicial to maintenance of harmony.
Offence committed in place of worship, etc.
- 153AA. Punishment for knowingly carrying arms in any procession or organizing, or holding or taking part in
any mass drill or mass training with arms.
- 153B. Imputation, assertions prejudicial to national-integration.
- 154. Owner or occupier of land on which an unlawful assembly is held.
- 155. Liability of person for whose benefit riot is committed.
- 156. Liability of agent of owner or occupier for whose benefit riot is committed.
- 157. Harbouring persons hired for an unlawful assembly.

SECTIONS

- 158. Being hired to take part in an unlawful assembly or riot; or to go armed.
- 159. Affray.
- 160. Punishment for committing affray.

CHAPTER IX OF OFFENCES BY OR RELATING TO PUBLIC SERVANTS

- 161. to 165A. [*Repealed.*]
- 166. Public servant disobeying law, with intent to cause injury to any person.
- 166A. Public servant disobeying direction under law.
- 166B. Punishment for non-treatment of victim.
- 167. Public servant framing an incorrect document with intent to cause injury.
- 168. Public servant unlawfully engaging in trade.
- 169. Public servant unlawfully buying or bidding for property.
- 170. Personating a public servant.
- 171. Wearing garb or carrying token used by public servant with fraudulent intent.

CHAPTER IXA OF OFFENCES RELATING TO ELECTIONS

- 171A. "Candidate", "Electoral right" defined.
- 171B. Bribery.
- 171C. Undue influence at elections.
- 171D. Personation at elections.
- 171E. Punishment for bribery.
- 171F. Punishment for undue influence or personation at an election.
- 171G. False statement in connection with an election.
- 171H. Illegal payments in connection with an election.
- 171-I. Failure to keep election accounts.

CHAPTER X OF CONTEMPTS OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS

- 172. Absconding to avoid service of summons of other proceeding.
- 173. Preventing service of summons or other proceeding, or preventing publication thereof.
- 174. Non-attendance in obedience to an order from public servant.
- 174A. Non-appearance in response to a proclamation under section 82 of Act 2 of 1974.
- 175. Omission to produce document to public servant by person legally bound to produce it.
- 176. Omission to give notice or information to public servant by person legally bound to give it.
- 177. Furnishing false information.
- 178. Refusing oath or affirmation when duly required by public servant to make it.
- 179. Refusing to answer public servant authorised to question.
- 180. Refusing to sign statement.
- 181. False statement on oath or affirmation to public servant or person authorised to administer an oath or affirmation.
- 182. False information, with intent to cause public servant to use his lawful power to the injury of another person.
- 183. Resistance to the taking of property by the lawful authority of a public servant.
- 184. Obstructing sale of property offered for sale by authority of public servant.
- 185. Illegal purchase or bid for property offered for sale by authority of public servant.
- 186. Obstructing public servant in discharge of public functions.
- 187. Omission to assist public servant when bound by law to give assistance.
- 188. Disobedience to order duly promulgated by public servant.
- 189. Threat of injury to public servant.
- 190. Threat of injury to induce person to refrain from applying for protection to public servant.

CHAPTER XI OF FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE

- 191. Giving false evidence.
- 192. Fabricating false evidence.
- 193. Punishment for false evidence.
- 194. Giving or fabricating false evidence with intent to procure conviction of capital offence.
if innocent person be thereby convicted and executed.

SECTIONS

195. Giving or fabricating false evidence with intent to procure conviction of offence punishable with imprisonment for life or imprisonment.
- 195A. Threatening any person to give false evidence.
196. Using evidence known to be false.
197. Issuing or signing false certificate.
198. Using as true a certificate known to be false.
199. False statement made in declaration which is by law receivable as evidence.
200. Using as true such declaration knowing it to be false.
201. Causing disappearance of evidence of offence, or giving false information, to screen offender—
 - if a capital offence;
 - if punishable with imprisonment for life;
 - if punishable with less than ten Years' imprisonment.
202. Intentional omission to give information of offence by person bound to inform.
203. Giving false information respecting an offence committed.
204. Destruction of document to prevent its production as evidence.
205. False personation for purpose of act or proceeding in suit or prosecution.
206. Fraudulent removal or concealment of property to prevent its seizure as forfeited or in execution.
207. Fraudulent claim to property to prevent its seizure as forfeited or in execution.
208. Fraudulently suffering decree for sum not due.
209. Dishonestly making false claim in Court.
210. Fraudulently obtaining decree for sum not due.
211. False charge of offence made with intent to injure.
212. Harbouring offender.—
 - if a capital offence;
 - if punishable with imprisonment for life, or with imprisonment.
213. Taking gift, etc., to screen an offender from punishment.—
 - if a capital offence;
 - if punishable with imprisonment for life, or with imprisonment.
214. Offering gift or restoration of property in consideration of screening offender -
 - if a capital offence;
 - if punishable with imprisonment for life, or with imprisonment.
215. Taking gift to help to recover stolen property, etc.
216. Harbouring offender who has escaped from custody of whose apprehension has been ordered -
 - if a capital offence;
 - if punishable with imprisonment for life, or with imprisonment.
- 216A. Penalty for harbouring robbers or dacoits.
- 216B. [*Repealed.*]
217. Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture.
218. Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture.
219. Public servant in judicial proceeding corruptly making report, etc., contrary to law.
220. Commitment for trial or confinement by person having authority who knows that he is acting contrary to law.
221. Intentional omission to apprehend on the part of public servant bound to apprehend.
222. Intentional omission to apprehend on the part of public servant bound to apprehend person under sentence or lawfully committed.
223. Escape from confinement or custody negligently suffered by public servant.
224. Resistance or obstruction by a person to his lawful apprehension.
225. Resistance or obstruction to lawful apprehension of another person.
- 225A. Omission to apprehend, or sufferance of escape, on part of public servant, in cases not otherwise, provided for.
- 225B. Resistance or obstruction to lawful apprehension, or escape or rescue in cases not otherwise provided for.
226. [*Repealed.*]
227. Violation of condition of remission of punishment.
228. Intentional insult or interruption to public servant sitting in judicial proceeding.
- 228A. Disclosure of identity of the victim of certain offences, etc.
229. Personation of a juror or assessor.
- 229A. Failure by person released on bail or bond to appear in Court.

CHAPTER XII

OF OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS

SECTIONS

- 230. "Coin" defined.
Indian coin.
- 231. Counterfeiting coin.
- 232. Counterfeiting Indian coin.
- 233. Making or selling instrument for counterfeiting coin.
- 234. Making or selling instrument for counterfeiting Indian coin.
- 235. Possession of instrument or material for the purpose of using the same for counterfeiting coin:
if Indian coin.
- 236. Abetting in India the counterfeiting out of India of coin.
- 237. Import or export of counterfeit coin.
- 238. Import or export of counterfeits of the Indian coin.
- 239. Delivery of coin, possessed with knowledge that it is counterfeit.
- 240. Delivery of Indian coin, possessed with knowledge that it is counterfeit.
- 241. Delivery of coin as genuine, which, when first possessed, the deliverer did not know to be counterfeit.
- 242. Possession of counterfeit coin by person who knew it to be counterfeit when he became possessed thereof.
- 243. Possession of Indian coin by person who knew it to be counterfeit when he became possessed thereof.
- 244. Person employed in mint causing coin to be of different weight or composition from that fixed by law.
- 245. Unlawfully taking coining instrument from mint.
- 246. Fraudulently or dishonestly diminishing weight or altering composition of coin.
- 247. Fraudulently or dishonestly diminishing weight or altering composition of Indian coin.
- 248. Altering appearance of coin with intent that it shall pass as coin of different description.
- 249. Altering appearance of Indian coin with intent that it shall pass as coin of different description.
- 250. Delivery of coin, possessed with knowledge that it is altered.
- 251. Delivery of Indian coin, possessed with knowledge that it is altered.
- 252. Possession of coin by person who knew it to be altered when he became possessed thereof.
- 253. Possession of Indian coin by person who knew it to be altered when he became possessed thereof.
- 254. Delivery of coin as genuine which, when first possessed, the deliverer did not know to be altered.
- 255. Counterfeiting Government stamp.
- 256. Having possession of instrument or material for counterfeiting Government stamp.
- 257. Making or selling instrument for counterfeiting Government stamp.
- 258. Sale of counterfeit Government stamp.
- 259. Having possession of counterfeit Government stamp.
- 260. Using as genuine a Government stamp known to be counterfeit.
- 261. Effacing writing from substance bearing Government stamp, or removing from document a stamp used for it,
with intent to cause loss to Government.
- 262. Using Government stamp known to have been before used.
- 263. Erasure of mark denoting that stamp has been used.
- 263A. Prohibition of fictitious stamps.

CHAPTER XIII

OF OFFENCES RELATING TO WEIGHTS AND MEASURES

- 264. Fraudulent use of false instrument for weighing.
- 265. Fraudulent use of false weight or measure.
- 266. Being In possession of false weight or measure.
- 267. Making or selling false weight or measure.

CHAPTER XIV

OF OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS

- 268. Public nuisance.
- 269. Negligent act likely to spread infection of disease dangerous to life.
- 270. Malignant act likely to spread infection of disease dangerous to life.
- 271. Disobedience to quarantine rule.
- 272. Adulteration of food or drink intended for sale.
- 273. Sale of noxious food or drink.
- 274. Adulteration of drugs.

SECTIONS

- 275. Sale of adulterated drugs.
- 276. Sale of drug as a different drug or preparation.
- 277. Fouling water of public spring or reservoir.
- 278. Making atmosphere noxious to health.
- 279. Rash driving or riding on a public way.
- 280. Rash navigation of vessel.
- 281. Exhibition of false light, mark or buoy.
- 282. Conveying person by water for hire in unsafe or overloaded vessel.
- 283. Danger or obstruction in public way or line of navigation.
- 284. Negligent conduct with respect to poisonous substance.
- 285. Negligent conduct with respect to fire or combustible matter.
- 286. Negligent conduct with respect to explosive substance.
- 287. Negligent conduct with respect to machinery.
- 288. Negligent conduct with respect to pulling down or repairing buildings.
- 289. Negligent conduct with respect to animal.
- 290. Punishment for public nuisance in cases not otherwise provided for.
- 291. Continuance of nuisance after injunction to discontinue.
- 292. Sale, etc., of obscene books, etc.
- 293. Sale, etc., of obscene objects to young person.
- 294. Obscene acts and songs.
- 294A. Keeping lottery office.

CHAPTER XV OF OFFENCES RELATING TO RELIGION

- 295. Injuring or defiling place of worship, with intent to insult the religion of any class.
- 295A. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.
- 296. Disturbing religious assembly.
- 297. Trespassing on burial places, etc.
- 298. Uttering words, etc., with deliberate intent to wound the religious feelings.

CHAPTER XVI OF OFFENCES AFFECTING THE HUMAN BODY

Of offences affecting life

- 299. Culpable homicide.
- 300. Murder.
 - When culpable homicide is not murder.
- 301. Culpable homicide by causing death of person other than person whose death was intended.
- 302. Punishment for murder.
- 303. Punishment for murder by life-convict.
- 304. Punishment for culpable homicide not amounting to murder.
- 304A. Causing death by negligence.
- 304B. Dowry death.
- 305. Abetment of suicide of child or insane person.
- 306. Abetment of suicide.
- 307. Attempt to murder.
 - Attempts by life-convicts.
- 308. Attempt to commit culpable homicide.
- 309. Attempt to commit suicide.
- 310. Thug.
- 311. Punishment.

Of the causing of Miscarriage, of Injuries to unborn Children, of the Exposure of Infants, and of the concealment of Births

- 312. Causing miscarriage.
- 313. Causing miscarriage without woman's consent.

SECTIONS

- 314. Death caused by act done with intent to cause miscarriage.
if act done without woman's consent.
- 315. Act done with intent to prevent child being born alive or to cause it to die after birth.
- 316. Causing death of quick unborn child by act amounting to culpable homicide.
- 317. Exposure and abandonment of child under twelve years, by parent or person having care of it.
- 318. Concealment of birth by secret disposal of dead body.

Of Hurt

- 319. Hurt.
- 320. Grievous hurt.
- 321. Voluntarily causing hurt.
- 322. Voluntarily causing grievous hurt.
- 323. Punishment for voluntarily causing hurt.
- 324. Voluntarily causing hurt by dangerous weapons or means.
- 325. Punishment for voluntarily causing grievous hurt.
- 326. Voluntarily causing grievous hurt by dangerous weapons or means.
- 326A. Voluntarily causing grievous hurt by use of acid, etc.
- 326B. Voluntarily throwing or attempting to throw acid.
- 327. Voluntarily causing hurt to extort property, or to constrain to an illegal act.
- 328. Causing hurt by means of poison, etc., with intent to commit an offence.
- 329. Voluntarily causing grievous hurt to extort property, or to constrain to an illegal act.
- 330. Voluntarily causing hurt to extort confession, or to compel restoration of property.
- 331. Voluntarily causing grievous hurt to extort confession, or to compel restoration of property.
- 332. Voluntarily causing hurt to deter public servant from his duty.
- 333. Voluntarily causing grievous hurt to deter public servant from his duty.
- 334. Voluntarily causing hurt on provocation.
- 335. Voluntarily causing grievous hurt on provocation.
- 336. Act endangering life or personal safety of others.
- 337. Causing hurt by act endangering life or personal safety of others.
- 338. Causing grievous hurt by act endangering life or personal safety of others.

Of wrongful restraint and wrongful confinement

- 339. Wrongful restraint.
- 340. Wrongful confinement.
- 341. Punishment for wrongful restraint.
- 342. Punishment for wrongful confinement.
- 343. Wrongful confinement for three or more days.
- 344. Wrongful confinement for ten or more days.
- 345. Wrongful confinement of person for whose liberation writ has been issued.
- 346. Wrongful confinement in secret.
- 347. Wrongful confinement to extort property, or constrain to illegal act.
- 348. Wrongful confinement to extort confession, or compel restoration of property.

Of Criminal Force and Assault

- 349. Force.
- 350. Criminal force.
- 351. Assault.
- 352. Punishment for assault or criminal force otherwise than on grave provocation.
- 353. Assault or criminal force to deter public servant from discharge of his duty.
- 354. Assault or criminal force to woman with intent to outrage her modesty.
- 354A. Sexual harassment and punishment for sexual harassment.
- 354B. Assault or use of criminal force to woman with intent to disrobe.
- 354C. Voyeurism.
- 354D. Stalking.
- 355. Assault or criminal force with intent to dishonour person, otherwise than on grave provocation.
- 356. Assault or criminal force in attempt to commit theft of property carried by a person.
- 357. Assault or criminal force in attempt wrongfully to confine a person.
- 358. Assault or criminal force on grave provocation.

Of Kidnapping, Abduction, Slavery and Forced Labour

- 359. Kidnapping.

SECTIONS

- 360. Kidnapping from India.
- 361. Kidnapping from lawful guardianship.
- 362. Abduction.
- 363. Punishment for kidnapping.
- 363A. Kidnapping or maiming a minor for purposes of begging.
- 364. Kidnapping or abducting in order to murder.
- 364A. Kidnapping for ransom, etc.
- 365. Kidnapping or abducting with intent secretly and wrongfully to confine person.
- 366. Kidnapping, abducting or inducing woman to compel her marriage, etc.
- 366A. Procuration of minor girl.
- 366B. Importation of girl from foreign country.
- 367. Kidnapping or abducting in order to subject person to grievous hurt, slavery, etc.
- 368. Wrongfully concealing or keeping in confinement, kidnapped or abducted person.
- 369. Kidnapping or abducting child under ten years with intent to steal from its person.
- 370. Trafficking of person.
- 370A. Exploitation of a trafficked person.
- 371. Habitual dealing in slaves.
- 372. Selling minor for purposes of prostitution, etc.
- 373. Buying minor for purposes of prostitution, etc.
- 374. Unlawful compulsory labour.

Sexual offences

- 375. Rape.
- 376. Punishment for rape.
- 376A. Punishment for causing death or resulting in persistent vegetative state of victim.
- 376B. Sexual intercourse by husband upon his wife during separation.
- 376C. Sexual intercourse by a person in authority.
- 376D. Gang rape.
- 376E. Punishment for repeat offenders.

Of Unnatural offences

- 377. Unnatural offences.

CHAPTER XVII OF OFFENCES AGAINST PROPERTY *Of Theft*

- 378. Theft.
- 379. Punishment for theft.
- 380. Theft in dwelling house, etc.
- 381. Theft by clerk or servant of property in possession of master.
- 382. Theft after preparation made for causing death, hurt or restraint in order to the committing of the theft.

Of Extortion

- 383. Extortion.
- 384. Punishment for extortion.
- 385. Putting person in fear of injury in order to commit extortion.
- 386. Extortion by putting a person in fear of death on grievous hurt.
- 387. Putting person in fear of death or of grievous hurt, in order to commit extortion.
- 388. Extortion by threat of accusation of an offence punishable with death or imprisonment for life, etc.
- 389. Putting person in fear of accusation of offence, in order to commit extortion.

Of Robbery and Dacoity

- 390. Robbery.
 - When theft is robbery.
 - When extortion is robbery.
- 391. Dacoity.
- 392. Punishment for robbery.
- 393. Attempt to commit robbery.
- 394. Voluntarily causing hurt in committing robbery.
- 395. Punishment for dacoity.

SECTIONS

- 396. Dacoity with murder.
- 397. Robbery, or dacoity, with attempt to cause death or grievous hurt.
- 398. Attempt to commit robbery or dacoity when armed with deadly weapon.
- 399. Making preparation to commit dacoity.
- 400. Punishment for belonging to gang of dacoits.
- 401. Punishment for belonging to gang of thieves.
- 402. Assembling for purpose of committing dacoity.

Of Criminal Misappropriation of Property

- 403. Dishonest misappropriation of property.
- 404. Dishonest misappropriation of property possessed by deceased person at the time of his death.

Of Criminal Breach of Trust

- 405. Criminal breach of trust.
- 406. Punishment for criminal breach of trust.
- 407. Criminal breach of trust by carrier, etc.
- 408. Criminal breach of trust by clerk or servant.
- 409. Criminal breach of trust by public, servant. or by banker, merchant or agent.

Of the Receiving of Stolen Property

- 410. Stolen property.
- 411. Dishonestly receiving stolen property.
- 412. Dishonestly receiving property stolen in the commission of a dacoity.
- 413. Habitually dealing in stolen property.
- 414. Assisting in concealment of stolen property.

Of Cheating

- 415. Cheating.
- 416. Cheating by personation.
- 417. Punishment for cheating.
- 418. Cheating with knowledge that wrongful loss may ensue to person whose interest offender is bound to protect.
- 419. Punishment for cheating by personation.
- 420. Cheating and dishonestly inducing delivery of property.

Of Fraudulent Deeds and Dispositions of Property

- 421. Dishonest or fraudulent removal or concealment of property to prevent distribution among creditor.
- 422. Dishonestly or fraudulently preventing debt being available for creditors.
- 423. Dishonest or fraudulent execution of deed of transfer containing false statement of consideration.
- 424. Dishonest or fraudulent removal or concealment of property.

Of Mischief

- 425. Mischief.
- 426. Punishment for mischief.
- 427. Mischief causing damage to the amount of fifty rupees.
- 428. Mischief by killing or maiming animal of the value of ten rupees.
- 429. Mischief by killing or maiming cattle, etc., of any value or any animal of the value of fifty rupees.
- 430. Mischief by injury to works of irrigation or by wrongfully diverting water.
- 431. Mischief by injury to public road, bridge, river or channel.
- 432. Mischief by causing inundation or obstruction to public drainage attended with damage.
- 433. Mischief by destroying, moving or rendering less useful a light-house or sea-mark.
- 434. Mischief by destroying or moving, etc., a land-mark fixed by public authority.
- 435. Mischief by fire or explosive substance with intent to cause damage to amount of one hundred or (in case of agricultural produce) ten rupees.
- 436. Mischief by fire or explosive substance with intent to destroy house, etc.
- 437. Mischief with intent to destroy or make unsafe a decked vessel or one of twenty tons burden.
- 438. Punishment for the mischief described in section 437 committed by fire or explosive substance.
- 439. Punishment for intentionally running vessel aground, or ashore with intent to commit theft, etc.
- 440. Mischief committed after preparation made for causing death or hurt.

SECTIONS

- 441. Criminal trespass.
- 442. House-trespass.
- 443. Lurking house-trespass.
- 444. Lurking house-trespass by night.
- 445. House-breaking.
- 446. House-breaking by night.
- 447. Punishment for criminal trespass.
- 448. Punishment for house-trespass.
- 449. House-trespass in order to commit offence punishable with death.
- 450. House-trespass in order to commit offence punishable with imprisonment for life.
- 451. House-trespass in order to commit offence punishable with imprisonment.
- 452. House-trespass after preparation for hurt, assault or wrongful restraint.
- 453. Punishment for lurking house-trespass or house-breaking.
- 454. Lurking house-trespass or house-breaking in order to commit offence punishable with imprisonment.
- 455. Lurking house-trespass or house-breaking after preparation for hurt, assault or wrongful restraint.
- 456. Punishment for lurking house-trespass or house-breaking by night.
- 457. Lurking house-trespass or house-breaking by night in order to commit offence punishable with imprisonment.
- 458. Lurking house-trespass or house-breaking by night after preparation for hurt, assault, or wrongful restraint.
- 459. Grievous hurt caused whilst committing lurking house-trespass or house-breaking.
- 460. All persons jointly concerned in lurking house-trespass or house-breaking by night punishable where death or grievous hurt caused by one of them.
- 461. Dishonestly breaking open receptacle containing property.
- 462. Punishment for same offence when committed by person entrusted with custody.

CHAPTER XVIII

OF OFFENCES RELATING TO DOCUMENTS AND TO PROPERTY MARKS

- 463. Forgery.
- 464. Making a false document.
- 465. Punishment for forgery.
- 466. Forgery of record of Court or of public register, etc.
- 467. Forgery of valuable security, will, etc.
- 468. Forgery for purpose of cheating.
- 469. Forgery for purpose of harming reputation.
- 470. Forged document.
- 471. Using as genuine a forged document or electronic record.
- 472. Making or possessing counterfeit seal, etc., with intent to commit forgery punishable under section 467.
- 473. Making or possessing counterfeit seal, etc., with intent to commit forgery punishable otherwise.
- 474. Having possession of document described in section 466 or 467, knowing it to be forged and intending to use it as genuine.
- 475. Counterfeiting device or mark used for authenticating documents described in section 467, or possessing counterfeit marked material.
- 476. Counterfeiting device or mark used for authenticating documents other than those described in section 467, or possessing counterfeit marked material.
- 477. Fraudulent cancellation, destruction, etc., of will, authority to adopt, or valuable security.
- 477A. Falsification of accounts.

Of Property and Other Marks

- 478. *[Repealed.]*
- 479. Property mark.
- 480. *[Repealed.]*
- 481. Using a false property mark.
- 482. Punishment for using a false property mark.
- 483. Counterfeiting a property mark used by another.
- 484. Counterfeiting a mark used by a public servant.
- 485. Making or possession of any instrument for counterfeiting a property mark.
- 486. Selling goods marked with a counterfeit property mark.
- 487. Making a false mark upon any receptacle containing goods.
- 488. Punishment for making use of any such false mark.
- 489. Tampering with property mark with intent to cause injury.

SECTIONS

- 489A. Counterfeiting currency-notes or bank-notes.
- 489B. Using as genuine, forged or counterfeit currency-notes or bank-notes.
- 489C. Possession of forged or counterfeit currency notes or bank-notes.
- 489D. Making or possessing instruments or materials for forging or counterfeiting currency-notes or bank-notes.
- 489E. Making or using documents resembling currency-notes or bank-notes.

CHAPTER XIX OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE

- 490. *[Repealed.]*
- 491. Breach of contract to attend on and supply wants of helpless person.
- 492. *[Repealed.]*

CHAPTER XX OF OFFENCES RELATING TO MARRIAGE

- 493. Cohabitation caused by a man deceitfully inducing a belief of lawful marriage.
- 494. Marrying again during life-time of husband or wife.
- 495. Same offence with concealment of former marriage from person with whom subsequent marriage is contracted.
- 496. Marriage ceremony fraudulently gone through without lawful marriage.
- 497. Adultery.
- 498. Enticing or taking away or detaining with criminal intent a married woman.

CHAPTER XXA OF CRUELTY BY HUSBAND OR RELATIVES OF HUSBAND

- 498A. Husband or relative of husband of a woman subjecting her to cruelty.

CHAPTER XXI OF DEFAMATION

- 499. Defamation.
 - Imputation of truth which public good requires to be made or published.
 - Public conduct of public servants.
 - Conduct of any person touching any public question.
 - Publication of reports of proceedings of Courts.
 - Merits of case decided in Court or conduct of witnesses and others concerned.
 - Merits of public performance.
 - Censure passed in good faith by person having lawful authority over another.
 - Accusation preferred in good faith to authorised person.
 - Imputation made in good faith by person for protection of his or other's interests.
 - Caution intended for good of person to whom conveyed or for public good.
- 500. Punishment for defamation.
- 501. Printing or engraving matter known to be defamatory.
- 502. Sale of printed or engraved substance containing defamatory matter.

CHAPTER XXII OR CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE

- 503. Criminal intimidation.
- 504. Intentional insult with intent to provoke breach of the peace.
- 505. Statements conducing to public mischief.
 - Statements creating or promoting enmity, hatred or ill-will between classes.
 - Offence under sub-section (2) committed in place of worship, etc.

SECTIONS

506. Punishment for criminal intimidation.

If threat be to cause death or grievous hurt, etc.

507. Criminal intimidation by an anonymous communication.

508. Act caused by inducing person to believe that he will be rendered an object of the Divine displeasure.

509. Word, gesture or act intended to insult the modesty of a woman.

510. Misconduct in public by a drunken person.

CHAPTER XXIII OF ATTEMPTS OF COMMIT OFFENCES

511. Punishment for attempting to commit offences punishable with imprisonment for life or other imprisonment.

THE INDIAN PENAL CODE

ACT NO. 45 OF 1860¹

[6th October, 1860.]

CHAPTER I

INTRODUCTION

Preamble.—WHEREAS it is expedient to provide a general Penal Code for ²[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 ³[extend to the whole of India ⁴[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 ⁵[India] ⁶****.

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

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

¹⁰[(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.]

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

¹²[*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;

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).

(b) the expression “computer resource” shall have the meaning assigned to it in clause (k) of sub-section (I) of section 2 of the Information Technology Act, 2000 (21 of 2000);]

¹[*Illustration*]

²***A, ³[who is ⁴[a citizen of India]], commits a murder in Uganda. He can be tried and convicted of murder in any place in ⁵[India] in which he may be found.

⁶*

*

*

*

*

⁷[**5. Certain laws not to be affected by this Act.**—Nothing in this Act shall affect the provisions of any Act for punishing mutiny and desertion of officers, soldiers, sailors or airmen in the service of the Government of India or the provisions of any special or local law.]

CHAPTER II

GENERAL EXPLANATIONS

6. Definitions in the Code to be understood subject to exceptions.—Throughout this Code every definition of an offence, every penal provision, and every *illustration* of every such definition or penal provision, shall be understood subject to the exceptions contained in the Chapter entitled “General Exceptions”, though those exceptions are not repeated in such definition, penal provision, or *illustration*.

Illustrations

(a) The sections, in this Code, which contain definitions of offences, do not express that a child under seven years of age cannot commit such offences; but the definitions are to be understood subject to the general exception which provides that nothing shall be an offence which is done by a child under seven years of age.

(b) A, a police-officer, without warrant, apprehends Z, who has committed murder. Here A is not guilty of the offence of wrongful confinement; for he was bound by law to apprehend Z, and therefore the case falls within the general exception which provides that “nothing is an offence which is done by a person who is bound by law to do it”.

7. Sense of expression once explained.—Every expression which is explained in any part of this Code, is used in every part of this Code in conformity with the explanation.

8. Gender.—The pronoun “he” and its derivatives are used of any person, whether male or female.

9. Number.—Unless the contrary appears from the context, words importing the singular number include the plural number, and words importing the plural number include the singular number.

10. “Man”. “Woman”.—The word “man” denotes a male human being of any age; the word “woman” denotes a female human being of any age.

11. “Person”.—The word “person” includes any Company or Association or body of persons, whether incorporated or not.

12. “Public”.—The word “public” includes any class of the public or any community.

13. [*Definition of “Queen”.*] *Omitted by the A. O. 1950.*

⁸[**14. “Servant of Government”.**—The words “servant of Government” denote any officer or servant servant continued, appointed or employed in India by or under the authority of Government.]

15. [*Definition of “British India”.*] *Rep. by the A. O. 1937.*

16. [*Definition of “Government of India”.*] *Rep., ibid.*

1. Subs. by Act 36 of 1957, s. 3 and Sch, II, for “*Illustrations*”

2. The brackets and letter “(a)” omitted by s. 3 and the Second Sch., *ibid.*

3. Subs. by the A.O. 1948, for “a coolie, who is a Native Indian subject”

4. Subs. by the A.O. 1950, for “a British subject of Indian domicile”.

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

6. *Illustrations* (b), (c) and (d) omitted by the A.O. 1950.

7. Subs., *ibid.*, for section 5.

8. Subs., *ibid.*, for section 14.

Seventh.—Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;

Ninth.—Every officer whose duty it is as such officer, to take, receive, keep or expend any property on behalf of ¹[the Government], or to make any survey, assessment or contract on behalf of ¹[the Government], or to execute any revenue-process, or to investigate, or to report, on any matter affecting the pecuniary interests of ¹[the Government], or to make, authenticate or keep any document relating to the pecuniary interests of ¹[the Government], or to prevent the infraction of any law for the protection of the pecuniary interests of ¹[the Government] ^{2***}.

³[*Eleventh*.—Every person who holds any office in virtue of which he is empowered to prepare, publish, maintain or revise an electoral roll or to conduct an election or part of an election;]

(a) in the service or pay of the Government or remunerated by fees or commission for the performance of any public duty by the Government;

Illustration

Explanation 1.—Persons falling under any of the above descriptions are public servants, whether appointed by the Government or not.

³[*Explanation 3.*—The word “election” denotes an election for the purpose of selecting members of any legislative, municipal or other public authority, of whatever character, the method of selection to which is by, or under, any law prescribed as by election.]

5^* * * *

23. “Wrongful gain”.—“Wrongful gain” is gain by unlawful means of property to which the person gaining is not legally entitled.

“Wrongful loss”.—“Wrongful loss” is the loss by unlawful means of property to which the person losing it is legally entitled.

1. Subs. by the A.O. 1950, for "the Crown" which had been subs. by the A.O. 1937, for "Government".

2. Certain words omitted by Act 40 of 1964, s. 2.

3. Ins. by Act 39 of 1920, s. 2.

4. Subs. by Act 40 of 1964, s. 2, for Cl. Twelfth.

5. *Explanation* 4 omitted by Act 39 of 1920, s. 2.

Gaining wrongfully/Losing wrongfully.—A person is said to gain wrongfully when such person retains wrongfully, as well as when such person acquires wrongfully. A person is said to lose wrongfully when such person is wrongfully kept out of any property, as well as when such person is wrongfully deprived of property.

24. “Dishonestly”.—Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing “dishonestly”.

25. “Fraudulently”.—A person is said to do a thing fraudulently if he does that thing with intent to defraud but not otherwise.

26. “Reason to believe”.—A person is said to have “reason to believe” a thing, if he has sufficient cause to believe that thing but not otherwise.

27. “Property in possession of wife, clerk or servant”.—When property is in the possession of a person's wife, clerk or servant, on account of that person, it is in that person's possession within the meaning of this Code.

Explanation.—A person employed temporarily or on a particular occasion in the capacity of a clerk or servant, is a clerk or servant within the meaning of this section.

28. “Counterfeit”.—A person is said to “counterfeit” who causes one thing to resemble another thing, intending by means of that resemblance to practise deception, or knowing it to be likely that deception will thereby be practised.

¹[*Explanation 1.*—It is not essential to counterfeiting that the imitation should be exact.

Explanation 2.—When a person causes one thing to resemble another thing, and the resemblance is such that a person might be deceived thereby, it shall be presumed, until the contrary is proved, that the person so causing the one thing to resemble the other thing intended by means of that resemblance to practise deception or knew it to be likely that deception would thereby be practised.]

29. “Document”.—The word “document” denotes any matter expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means, intended to be used, or which may be used, as evidence of that matter.

Explanation 1.—It is immaterial by what means or upon what substance the letters, figures or marks are formed, or whether the evidence is intended for, or may be used in, a Court of Justice, or not.

Illustrations

A writing expressing the terms of a contract, which may be used as evidence of the contract, is a document.

A cheque upon a banker is a document.

A power-of-attorney is a document.

A map or plan which is intended to be used or which may be used as evidence, is a document.

A writing containing directions or instructions is a document.

Explanation 2.—Whatever is expressed by means of letters, figures or marks as explained by mercantile or other usage, shall be deemed to be expressed by such letters, figures or marks within the meaning of this section, although the same may not be actually expressed.

Illustration

A writes his name on the back of a bill of exchange payable to his order. The meaning of the endorsement, as explained by mercantile usage, is that the bill is to be paid to the holder. The endorsement is a document, and must be construed in the same manner as if the words “pay to the holder” or words to that effect had been written over the signature.

²[**29A. “Electronic record”.**—The words “electronic record” shall have the meaning assigned to them in clause (t) of sub-section (1) of section 2 of the Information Technology Act, 2000 (21 of 2000).]

30. “Valuable security”.—The words “valuable security” denote a document which is, or purports to be, a document whereby any legal right is created, extended, transferred, restricted, extinguished or

1. Subs. by Act 1 of 1889, s. 9, for the *Explanation*.

2. Ins. by Act 21 of 2000, s. 91 and the First Sch. (w.e.f. 17-10-2000).