

**Comparative Study of the Bhartiya Nyaya Sanhita 2023 (BNS) and IPC
& My Suggestions for BNS**

BNS Sections 2 and its clauses.	Corresponding sections in IPC.	Remarks	My Suggested Draft.
<p>2. In this Sanhita unless the context otherwise requires,—</p> <p>2(1) “act” as well a series of acts as a single act;</p>	<p>33. “Act”, “omission”. The word “act” denotes as well a series of acts as a single act: the word “omission” denotes as well a series of omissions as a single omission.</p>	<p>Word “denotes” is missing after word “act”. However word “denotes” is more appropriate because legislature is not giving meaning of “act” here whereas it wants to tell that the word includes series of acts. Struck through portion has not been imported in BNS from IPC.</p>	<p>2. In this Sanhita unless the context otherwise requires,—</p> <p>(1) “act” denotes as well a series of acts as a single act;</p>
<p>2 (2) “animal” means any living creature, other than a human being;</p>	<p>47. The word “animal” denotes any living creature, other than a human being;</p>	<p>No suggestion is required.</p>	<p>2 (2) “animal” means any living creature, other than a human being;</p>
<p>2(3) counterfeit”.— – A person is said to “counterfeit” who causes one thing to resemble another thing,</p>	<p>28. A person is said to “counterfeit” who causes one thing to resemble another thing,</p>	<p>We should use “may” in place of “will”. Possibility of deception</p>	<p>2(3) “counterfeit”.— – A person is said to “counterfeit” who causes one thing to resemble another thing,</p>

<p>intending by means of that resemblance to practice deception, or knowing it to be likely that deception will thereby be practised.</p>	<p>intending by means of that resemblance to practice deception, or knowing it to be likely that deception will thereby be practised.</p>	<p>should be extended.</p>	<p>intending by means of that resemblance to practice deception, or knowing it to be likely that deception may thereby be practised.</p>
<p>Explanation 1.—It is not essential to counterfeiting that the imitation should be exact.</p>	<p>Explanation 1.—It is not essential to counterfeiting that the imitation should be exact.</p>		<p>Explanation 1.—It is not essential to counterfeiting that the imitation should be exact.</p>
<p>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</p>	<p>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</p>		<p>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</p>

<p>or knew it to be likely that deception would thereby be practised;</p>	<p>or knew it to be likely that deception would thereby be practised;</p>		<p>or knew it to be likely that deception would thereby be practised;</p>
<p>2 (4) “Court” means a Judge who is empowered by law to act judicially alone, or a body of Judges, which is empowered by law to act judicially as a body, when such Judge or body of Judges is acting judicially;</p>	<p>20. “Court of Justice”, — the words “Court of Justice” denote a Judge who is empowered by law to act judicially alone, or a body of Judges, which is empowered by law to act judicially as a body, when such Judge or body of Judges is acting judicially;</p>	<p>The word ‘denotes’ is more appropriate instead of means. “Means” gives an exhaustive definition but where the word ‘denotes’ is used, there may be treated not exhaustive definition. Since ‘means’ gives a definite meaning but here law wants to notify the persons, hence word denotes is more suitable.</p>	<p>2 (4) “Court” denotes a Judge who is empowered by law to act judicially alone, or a body of Judges, which is empowered by law to act judicially as a body, when such Judge or body of Judges is acting judicially;</p>
<p>2 (5) “death” means the death of a human being unless the contrary appears from the context;</p>	<p>46. The word “death” denotes the death of a human being unless the contrary appears from the context.</p>	<p>The words “<i>unless the contrary appears from the context</i>” are already written in the beginning of Section 2, it is merely repetition.</p>	<p>2 (5) “death” means the death of a human being;</p>

<p>2 (6) “dishonestly” means doing of an act with the intention of causing wrongful gain to one person or wrongful loss to another person;</p>	<p>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.</p>	<p>Red part is comparable. Anything is being replaced from words “an act”. In my opinion, word anything is wider than act, hence to give wider meaning, the word anything is more appropriate. Otherwise, at any point of time, which is today unforeseen, accused may take advantage of the same. Furthermore, the words “a thing” has been used 2(8) of the Bill.</p>	<p>2 (6) “dishonestly” means doing of anything with the intention of causing wrongful gain to one person or wrongful loss to another person;</p>
<p>2 (7) “document” means 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.</p>	<p>29. 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.</p>	<p>“Means” gives an exhaustive definition/meaning but where the word “denotes” is used there may be treated not exhaustive and give wider meaning.</p>	<p>2 (7) “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.</p>

<p>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 or not.</p>	<p>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.</p>		<p>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 or not.</p>
<p>Illustrations.</p> <p>(a) A writing expressing the terms of a contract, which may be used as evidence of the contract, is a document.</p> <p>(b) A cheque upon a banker is a document.</p>	<p>Illustrations.</p> <p>A writing expressing the terms of a contract, which may be used as evidence of the contract, is a document.</p> <p>A cheque upon a banker is a document.</p>		<p>Illustrations.</p> <p>(a) A writing expressing the terms of a contract, which may be used as evidence of the contract, is a document.</p> <p>(b) A cheque upon a banker is a document.</p>

<p>(c) A power-of-attorney is a document.</p>	<p>A power-of-attorney is a document.</p>	<p>Red portion should be added to remove confusion with the main body and explanation 1.</p>	<p>(c) A power-of-attorney is a document.</p>
<p>(d) A Map or plan which is intended to be used or which may be used as evidence, is a document.</p>	<p>A Map or plan which is intended to be used or which may be used as evidence, is a document.</p>		<p>(d) A Map or plan which is intended to be used or which may be used as evidence anywhere other than a court, is a document.</p>
<p>(e) A writing containing directions or instructions is a document.</p>	<p>A writing containing directions or instructions is a document.</p>		<p>(e) A writing containing directions or instructions is a document.</p>
<p>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</p>	<p>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</p>	<p>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</p>	

<p>the same may not be actually expressed.</p> <p>Illustration</p> <p>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 shall 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.</p>	<p>the same may not be actually expressed.</p> <p>Illustration</p> <p>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 shall 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.</p>		<p>the same may not be actually expressed.</p> <p>Illustration</p> <p>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 shall 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.</p>
<p>2(8) “fraudulently”.—A person is said to do a thing</p>	<p>25. “Fraudulently”.—A person is said to do a thing</p>		<p>2(8) “fraudulently”.—A person is said to do a thing</p>

<p>fraudulently if he does that thing with intent to defraud but not otherwise.</p>	<p>fraudulently if he does that thing with intent to defraud but not otherwise.</p>		<p>fraudulently if he does that thing with intent to defraud but not otherwise.</p>
<p>2 (9) “gender”.— the pronoun “he” and its derivatives are used of any person, whether male, female or transgender.</p> <p>Explanation.— “transgender” shall have the meaning assigned to it in clause (k) of section 2 of the Transgender Persons (Protection of Rights) Act, 2019;</p>	<p>8. “Gender”.—The pronoun “he” and its derivatives are used of any person, whether male or female.</p>	<p>Word “transgender” has newly been added.</p> <p>The word “it” of explanation should be replaced with the words “transgender person” because in BNS, only transgender has been used whereas in the said Act “transgender person” has been used.</p>	<p>2 (9) “gender”.— The pronoun “he” and its derivatives are used of any person, whether male, female or transgender.</p> <p>Explanation.— “transgender” shall have the meaning assigned to “transgender person” in clause (k) of section 2 of the Transgender Persons (Protection of Rights) Act, 2019;</p>
<p>2(10) “good faith”.—Nothing is said to be done or believed in “good faith” which is done or believed without due care and attention;</p>	<p>52. “Good faith”.— Nothing is said to be done or believed in “good faith” which is done or believed without due care and attention;</p>	<p>In my opinion it should be framed in the manner to make easier the definition.</p>	<p>2(10) “good faith”.— Anything is said to be done or believed in “good faith” which is done or believed with due care and attention;</p>

<p>2(11) “Government” means the Central Government or a State Government;</p>	<p>17. “Government”.- The word “Government” denotes the Central Government or a State Government;</p>	<p>As above, means gives exhaustive meaning and if “means” is used, no other government may be used in it.</p>	<p>2(11) “Government” denotes the Central Government or a State Government;</p>
<p>2(12) “harbour”.— except as otherwise provided in this Sanhita, 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;</p>	<p>52A. “Harbour”.— except in section 157, and in section 130 in the case in which 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</p>	<p>Red portion is comparable.</p>	<p>2 (12) “harbour” except as otherwise provided in this Sanhita, 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;</p>

	not, to evade apprehension.		
2 (13) “injury” means any harm whatever illegally caused to any person, in body, mind, reputation or property;	44. “Injury” .- The word “injury” denotes any harm whatever illegally caused to any person, in body, mind, reputation or property;	Clause Number 13 of “injury” and 14 of “illegal” should be interchanged due to alphabetical order. “Illegal” comes prior to the “injury” in alphabetical order.	2 (13) “illegal”- “legally bound to do” .— The word “illegal” is applicable to everything which is an offence or which is prohibited by law, or which furnishes ground for a civil action; and a person is said to be “legally bound to do” whatever it is illegal in him to omit;
2 (14) “illegal”- “legally bound to do” .— The word “illegal” is applicable to everything which is an offence or which is prohibited by law, or which furnishes ground for a civil action; and a person is said to be “legally bound	43. “Illegal”, “Legally bound to do” - The word “illegal” is applicable to everything which is an offence or which is prohibited by law, or which furnishes ground for a civil action; and a person is said to be “legally bound	..do...	2 (14) “injury” denotes any harm whatever illegally caused to any person, in body, mind, reputation or property;

<p>to do” whatever it is illegal in him to omit;</p>	<p>to do” whatever it is illegal in him to omit;</p>		
<p>2 (15) “Judge” means a person who is officially designated as a Judge and includes a person,—</p> <p>(i) who is empowered by law to give, in any legal proceeding, civil or criminal, a definitive judgment, or a judgment which, if not appealed against, would be definitive, or a judgment which, if confirmed by some other authority, would be definitive; or</p> <p>(ii) who is one of a body or persons, which body of persons is empowered by law</p>	<p>19. “Judge”.—The word “judge” denotes not only every person who is officially designated as a Judge, but also every person,—</p> <p>who is empowered by law to give, in any legal proceeding, civil or criminal, a definitive judgment, or a judgment which, if not appealed against, would be definitive, or a judgment which, if confirmed by some other authority, would be definitive, or</p> <p>who is one of a body of persons, which body of persons is empowered by law</p>	<p>“J” of word Judge should be small to show uniformity with others.</p>	<p>2 (15) “judge” denotes a person who is officially designated as a Judge and includes a person,—</p> <p>(i) who is empowered by law to give, in any legal proceeding, civil or criminal, a definitive judgment, or a judgment which, if not appealed against, would be definitive, or a judgment which, if confirmed by some other authority, would be definitive; or</p> <p>(ii) who is one of a body of persons, which body of persons is empowered by law</p>

<p>to give such a judgment.</p>	<p>to give such a judgment.</p>		<p>to give such a judgment.</p>
<p>Illustration</p>	<p>Illustration</p>		<p>Illustration</p>
<p>A Magistrate exercising jurisdiction in respect of a charge on which he has power to sentence to fine or imprisonment, with or without appeal, is a Judge;</p>	<p>(a) A Collector exercising jurisdiction in a suit under Act 10 of 1859, is a Judge.</p> <p>(b) A Magistrate exercising jurisdiction in respect of a charge on which he has power to sentence to fine or imprisonment, with or without appeal, is a Judge;</p> <p>(c) A member of a panchayat which has power, under Regulation VII, 1816, of the Madras Code, to try and determine suits, is a Judge.</p>	<p>One more illustration (written in red in 4th column) where it has been explained who is not judge because definition has been given to explain only who is judge.</p>	<p>A Magistrate exercising jurisdiction in respect of a charge on which he has power to sentence to fine or imprisonment, with or without appeal, is a Judge;</p> <p>A magistrate exercising jurisdiction in respect of a charge on which he has power only to commit for trial to another court, is not a judge.</p>

	(d) A magistrate exercising jurisdiction in respect of a charge on which he has power only to commit for trial to another court, is not a judge.		
2 (16) “life” means the life of a human being, unless the contrary appears from the context;	45. “Life”.- The word “life” denotes the life of a human being, unless the contrary appears from the context;	The define “life” is not actually a definition or meaning of life, it is only indicating nature and could not come under “means”, it should come under “denotes”. The words “unless the contrary appears from the context” are not required here because the same are written in the beginning of section 2 of BNS. It unnecessary repetition.	2 (16) “Life”._ The word “life” denotes the life of a human being;
2 (17) “local law” means a law applicable only to	42. “Local law”,- A “local law” is a law applicable only to		2 (17) “local law” is a law applicable only to a particular part of India;

<p>a particular part of India;</p>	<p>a particular part of India.</p>		
<p>2 (18) “man” means male human being of any age;</p>	<p>10. “Man”, “Woman”.— The word “man” denotes a male human being of any age; the word “female” denotes a female human being of any age.</p>	<p>Defining words in alphabetical order, here only ‘man’ has been defined and ‘woman’ will be defined later.</p>	<p>2 (18) “man” denotes a male human being of any age;</p>
<p>2 (19) “mental illness” shall have the meaning assigned to it in clause (a) of section 2 of the Mental Healthcare Act, 2017;</p>	<p>Nil (Earlier this definition was not in IPC)</p>	<p>Because in clause (a) “advance directive” is defined and “mental illness” is defined in clause (s) of the Act.</p>	<p>2 (19) “mental illness” shall have the meaning assigned to it in clause (s) of section 2 of the Mental Healthcare Act, 2017;</p>
<p>2 (20) “month” and “year”.— Wherever the word “month” or the word “year” is used, it is to be</p>	<p>49. “Year” and “Month”.— Wherever the word “year” or the word “month” is used, it is to be understood</p>		<p>2 (20) “month” and “year”.— Wherever the word “month” or the word “year” is used, it is to be</p>

<p>understood that the month or the year is to be reckoned according to the Gregorian calendar;</p>	<p>that the year or the month is to be reckoned according to the British calendar.</p>		<p>understood that the month or the year is to be reckoned according to the Gregorian calendar;</p>
<p>2 (21) “movable property” includes property of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth;</p>	<p>22. “Movable property”.— The words “moveable property” are intended to include corporeal property of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth.</p>	<p>The word “Corporeal” should be remained, otherwise incorporeal properties i.e. intellectual rights or electricity etc would be considered a property and may be included in the definition of movable property.</p>	<p>2 (21) “movable property” includes corporeal property of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth;</p>
<p>2 (22) “number”.— Unless the contrary appears from the context, words importing the singular number include the plural number,</p>	<p>9. “Number”.— Unless the contrary appears from the context, words importing the singular number include the plural number,</p>	<p>The words “Unless the contrary appears from the context” should be removed as these are unnecessary as these are already written in the beginning of</p>	<p>2 (22) “number”.- words importing the singular number include the plural number, and words importing the plural number</p>

<p>and words importing the plural number include the singular number;</p>	<p>and words importing the plural number include the singular number.</p>	<p>the section 2 of BNS.</p>	<p>include the singular number;</p>
<p>2 (23) “oath” includes a solemn affirmation substituted by law for an oath, and any declaration required or authorised by law to be made before a public servant or to be used for the purpose of proof, whether in a Court or not;</p>	<p>51. “Oath”,— The word “oath” includes a solemn affirmation substituted by law for an oath, and any declaration required or authorised by law to be made before a public servant or to be used for the purpose of proof, whether in a Court or not;</p>		<p>2 (23) “oath” includes a solemn affirmation substituted by law for an oath, and any declaration required or authorised by law to be made before a public servant or to be used for the purpose of proof, whether in a Court or not;</p>
<p>(24) “offence”.— Except in the Chapters and sections mentioned in sub-clauses (a) and (b) of this section the word “offence” means an act made punishable by this Sanhita, but—</p>	<p>40. “Offence”.— Except in the Chapters and sections mentioned in clauses 2 and 3 of this section, the word “offence” denotes a thing made punishable by this Code.</p>	<p>‘s’ from chapters should be removed as only one chapter is mentioned in sub clause (a). Instead of “an act” words “ a thing” should be used to give wider sense. Even below in sub clause (a) of this section, words “ a</p>	<p>(24) “offence”.— Except in the Chapter and sections mentioned in sub-clauses (a) and (b) of this section, the word “offence” denotes a thing made punishable by this Sanhita, but—</p>

<p>(a) in Chapter III and in the following sections, namely, sub-sections (2), (3), (4) and (5) of section 8, sections 10, 46, 47, 48, 51, 53, 54, 55, 56, 57, 61, 113, 114, 117, sub-sections (7) and (8) of section 125, 217, 224, 225, 234, 242, 244, 245, 253, 254, 255, 256, 257, sub-sections (6) and (7) of section 306 and clause (b) of section 324, the word “offence” means a thing punishable under this Sanhita, or under any special law</p>	<p>In Chapter IV, VA and in the following sections, namely, sections 64, 65, 66, 67, 71, 109, 110, 112, 114, 115, 116, 117, 118, 119, 120, 187, 194, 195, 203, 211, 213, 214, 221, 222, 223, 224, 225, 327, 328, 329, 330, 331, 347, 348, 388, 389, and 445, the word “offence” means a thing punishable under this Code, or under any special or local law as hereinafter defined.</p>	<p>thing” have been used. Again words “ the act” in place of “ the thing” have been used in clause (b), the same should be replaced with “the thing”. Few of the sections mentioned in sub clause (a) and (b) of the Bill are not right as these do not mention word “offence”. Right sections are mentioned in my suggested draft.</p>	<p>(a) in Chapter III and in the following sections, namely, sub-sections (2), (3), (4) and (5) of section 8, sections 9, 10, 46, 47, 48, 49, 50 52 54, 55, 56, 57, 58, 59, 60, 61, 117, 118, 121, sub-sections (7) and (8) of section 125, 220, 228, 229, 238, 246, 248, 249, 257, 258, 259, 260, 261, sub-sections (6) and (7) of section 306 and sub section 2 of section 328 the word “offence” denotes a thing punishable under this Sanhita, or under any</p>
--	--	---	---

<p>or local law; and</p> <p>(b) in sections 183, 205, 206, 232, 233, 243, 247, and 323 the word “offence” shall have the same meaning when the act punishable under the special law or local law is punishable under such law with imprisonment for a term of six months or more, whether with or without fine;</p>	<p>And in sections 141, 176, 177, 201, 202, 212, 216 and 441, the word “offence” has the same meaning when the thing punishable under the special or local law is punishable under such law with imprisonment for a term of six months or upwards, whether with or without fine.</p>		<p>special law or local law; and</p> <p>(b) in sections 187, 209, 210, 236, 237, 247, 251 and 327(1), the word “offence” shall have the same meaning when the thing punishable under the special law or local law is punishable under such law with imprisonment for a term of six months or more, whether with or without fine;</p>
<p>2 (25) “omission” means single omission as well as a series of omissions;</p>	<p>33. “Act”, “omission”. The word “act” denotes as well a series of acts as a single act; the word “omission” denotes as well a series of</p>	<p>‘m’ form omission is to be removed. Formation is different from “act”</p>	<p>2 (25) “omission” denotes as well a series of omissions as a single omission;</p>

	omissions as a single omission.		
2 (26) “person” includes any company or association or body of persons, whether incorporated or not;	11. “Person”. The word “person” includes any company or association or body of persons, whether incorporated or not.	“Comma” should be added after the word “company” to separate it from the words “whether incorporated or not” because company is always incorporated.	2 (26) “person” means natural person and includes any company, or association or body of persons, whether incorporated or not;
2 (27) “public” includes any class of the public or any community;	12. “Public”. The word “public” includes any class of the public, or any community.	“comma” should be added after “the public”.	2 (27) “public” includes any class of the public, or any community;
2 (28) “public servant” means a person falling under any of the descriptions, namely: —	21. “Public servant”. The words “public servant” denote a person falling under any of the descriptions hereinafter following; namely: —		2(28) “public servant” denotes a person falling under any of the following descriptions, namely: —
(a) every commissioned	[***] Second.- Every commissioned officer in the		(a) every commissioned officer in the Army,

<p>officer in the Army, Navy or Air Force;</p> <p>(b) every Judge including any person empowered by law to discharge, whether by himself or as a member of any body of persons, any adjudicatory functions;</p> <p>(c) every officer including a liquidator, receiver or commissioner whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate, or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or to administer any</p>	<p>military, Naval or Air Force of India;</p> <p>Third.- Every Judge including any person empowered by law to discharge, whether by himself or as a member of any body of persons, any adjudicatory functions;</p> <p>Fourth.- Every officer of a Court of Justice including a liquidator, receiver or commissioner whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate, or keep any document, or to take charge or dispose of any property, or to execute any</p>		<p>Navy or Air Force of India;</p> <p>(b) every Judge including any person empowered by law to discharge, whether by himself or as a member of any body of persons, any adjudicatory functions;</p> <p>(c) every officer of court including a liquidator, receiver or commissioner whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate, or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or</p>
--	--	--	---

<p>oath, or to interpret, or to preserve order in the Court, and every person specially authorised to perform any of such duties;</p>	<p>judicial process, or to administer any oath, or to interpret, or to preserve order in the Court, and every person specially authorised by a court of justice to perform any of such duties;</p>		<p>to administer any oath, or to interpret, or to preserve order in the Court, and every person specially authorised by a court to perform any of such duties;</p>
<p>(d) every assessor or member of a panchayat assisting a Court or public servant;</p>	<p>Fifth.- Every juryman, assessor, or member of a panchayat assisting a Court of Justice or public servant;</p>		<p>(d) every assessor, or member of a panchayat assisting a Court or public servant;</p>
<p>(e) every arbitrator or other person to whom any cause or matter has been referred for decision or report by any Court, or by any other competent public authority;</p>	<p>Sixth.- Every arbitrator or other person to whom any cause or matter has been referred for decision or report by any Court of Justice, or by any other competent public authority;</p>		<p>(e) every arbitrator or other person to whom any cause or matter has been referred for decision or report by any Court, or by any other competent public authority;</p>

<p>(f) every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;</p>	<p>Seventh.- Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;</p>		<p>(f) every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;</p>
<p>(g) every officer of the Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;</p>	<p>Eighth.- Every officer of the Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;</p>		<p>(g) every officer of the Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or convenience;</p>
<p>(h) every officer whose duty it is as such officer, to take, receive, keep or expend any property on behalf of the Government, or to make any survey, assessment or</p>	<p>Ninth.- Every officer whose duty it is, as such officer, to take, receive, keep or expend any property on behalf of the Government, or to make any survey,</p>		<p>(h) every officer whose duty it is as such officer, to take, receive, keep or expend any property on behalf of the Government, or to make any survey, assessment or</p>

<p>contract on behalf of the Government, or to execute any revenue process, or to investigate, or to report, on any matter affecting the pecuniary interests of the Government, or to make, authenticate or keep any document relating to the pecuniary interests of the Government, or to prevent the infraction of any law for the protection of the pecuniary interests of the Government;</p>	<p>assessment or contract on behalf of the Government, or to execute any revenue process, or to investigate, or to report, on any matter affecting the pecuniary interests of the Government, or to make, authenticate or keep any document relating to the pecuniary interests of the Government, or to prevent the infraction of any law for the protection of the pecuniary interests of the Government;</p>		<p>contract on behalf of the Government, or to execute any revenue process, or to investigate, or to report, on any matter affecting the pecuniary interests of the Government, or to make, authenticate or keep any document relating to the pecuniary interests of the Government, or to prevent the infraction of any law for the protection of the pecuniary interests of the Government;</p>
<p>(i) every officer whose duty it is, as such officer, to take, receive, keep or expend any property, to make any survey or</p>	<p>Tenth.- Every officer whose duty it is, as such officer, to take, receive, keep or expend any</p>		<p>(i) every officer whose duty it is, as such officer, to take, receive, keep or expend any property, to make any survey or</p>

<p>assessment or to levy any rate or tax for any secular common purpose of any village, town or district, or to make, authenticate or keep any document for the ascertaining of the rights of the people of any village, town or district;</p>	<p>property, to make any survey or assessment or to levy any rate or tax for any secular common purpose of any village, town or district, or to make, authenticate or keep any document for the ascertaining of the rights of the people of any village, town or district;</p>		<p>assessment or to levy any rate or tax for any secular common purpose of any village, town or district, or to make, authenticate or keep any document for the ascertaining of the rights of the people of any village, town or district;</p>
<p>(j) every person who holds any office by 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;</p>	<p>Eleventh.- Every person who holds any office by 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;</p>		<p>(j) every person who holds any office by 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;</p>
<p>(k) every person— (i) in the service or pay of the</p>	<p>Twelfth.- Every person— (a) in the service or pay of the</p>		<p>(k) every person— (i) in the service or pay of the</p>

<p>Government or remunerated by fees or commission for the performance of any public duty by the Government;</p> <p>(ii) in the service or pay of a local authority as defined in clause (31) of section 3 of the General Clauses Act, 1897, a corporation established by or under a Central or State Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013.</p> <p>Explanation.—</p> <p>(a) persons falling under any of the descriptions made</p>	<p>Government or remunerated by fees or commission for the performance of any public duty by the Government;</p> <p>(b) in the service or pay of a local authority, a corporation established by or under a Central, provincial or State Act or a Government company as defined in section 617 of the Companies Act, 1956 (1 Of 1956).</p> <p>Illustration</p> <p>A Municipal Commissioner is a public servant.</p> <p>Explanation 1.—</p> <p>Persons falling under any of the descriptions are</p>		<p>Government or remunerated by fees or commission for the performance of any public duty by the Government;</p> <p>(ii) in the service or pay of a local authority as defined in clause (31) of section 3 of the General Clauses Act, 1897, a corporation established by or under a Central or State Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013.</p> <p>Explanation.—</p> <p>(a) persons falling under any of the descriptions made</p>
---	--	--	---

<p>in this clause are public servants, whether appointed by the Government or not;</p>	<p>public servants, whether appointed by the Government or not;</p>	<p>in this clause are public servants, whether appointed by the Government or not;</p>
<p>(b) every person who is in actual possession of the situation of a public servant, whatever legal defect there may be in his right to hold that situation is a public servant;</p>	<p>Explanation 2.- Wherever the words “public servant” occur, they shall be understood of every person who is in actual possession of the situation of a public servant, whatever legal defect there may be in his right to hold that situation.</p>	<p>(b) every person who is in actual possession of the situation of a public servant, whatever legal defect there may be in his right to hold that situation is a public servant;</p>
<p>(c) “election” means an election for the purpose of selecting members of any legislative, municipal or other public authority, of whatever character, the method of election to which is by, or</p>	<p>Explanation 3.- The word “election” denotes an election for the purpose of selecting members of any legislative, municipal or other public authority, of whatever</p>	<p>(c) “election” denotes an election for the purpose of selecting members of any legislative, municipal or other public authority, of whatever character, the method of</p>

<p>under any law for the time being in force.</p> <p>Illustration</p> <p>A Municipal Commissioner is a public servant.</p>	<p>character, the method of selection to which is by, or under, any law prescribed as by election.</p>		<p>selection to which is by, or under any law for the time being in force.</p> <p>Illustration</p> <p>A Municipal Commissioner is a public servant.</p>
<p>2 (29) “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;</p>	<p>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.</p>		<p>2 (29) “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;</p>
<p>2 (30) “special law” means a law applicable to a particular subject;</p>	<p>41. “Special law”.- A “special law” is a law applicable to a particular subject.</p>		<p>2 (30) “special law” is a law applicable to a particular subject;</p>
<p>2 (31) “valuable security” means a document which is, or purports to be, a document whereby where by any legal right is</p>	<p>30. “Valuable security”.- The words “valuable security” denote a document which is, or purports to be, a document</p>		<p>2 (31) “valuable security” denotes a document which is, or purports to be, a document whereby any legal right is created,</p>

<p>created, extended, transferred, restricted, extinguished or released, or where by any person acknowledges that he lies under legal liability, or has not a certain legal right.</p>	<p>whereby any legal right is created, extended, transferred, restricted, extinguished or released, or where by any person acknowledges that he lies under legal liability, or has not a certain legal right.</p>		<p>extended, transferred, restricted, extinguished or released, or whereby any person acknowledges that he lies under legal liability, or has not a certain legal right.</p>
<p>Illustration</p> <p>A writes his name on the back of a bill of exchange. As the effect of this endorsement is to transfer the right to the bill to any person who may become the lawful holder of it, the endorsement is a “valuable security”;</p>	<p>Illustration</p> <p>A writes his name on the back of a bill of exchange. As the effect of this endorsement is to transfer the right to the bill to any person who may become the lawful holder of it, the endorsement is a “valuable security”;</p>		<p>Illustration</p> <p>A writes his name on the back of a bill of exchange. As the effect of this endorsement is to transfer the right to the bill to any person who may become the lawful holder of it, the endorsement is a “valuable security”;</p>
<p>2 (32) “vessel” means anything made for the</p>	<p>48. “Vessel”.—The words “vessel” denotes anything</p>		<p>2 (32) “vessel” denotes anything made for the</p>

<p>conveyance by water of human beings or of property;</p>	<p>made for the conveyance by water of human beings or of property;</p>		<p>conveyance by water of human beings or of property;</p>
<p>2(33) “voluntarily”.- A person is said to cause an effect “voluntarily” when he causes it by means whereby he intended to cause it, or by means which, at the time of employing those means, he knew or had reason to believe to be likely to cause it.</p> <p>Illustration</p> <p>A sets fire, by night, to an inhabited house in a large town, for the purpose of facilitating a robbery and thus causes the death of a person. Here, A may not have intended to cause</p>	<p>39. “Voluntarily”.- A person is said to cause an effect “voluntarily” when he causes it by means whereby he intended to cause it, or by means which, at the time of employing those means, he knew or had reason to believe to be likely to cause it.</p> <p>Illustration</p> <p>A sets fire, by night, to an inhabited house in a large town, for the purpose of facilitating a robbery and thus causes the death of a person. Here, A may not have intended to cause</p>		<p>2(33) “voluntarily”.- A person is said to cause an effect “voluntarily” when he causes it by means whereby he intended to cause it, or by means which, at the time of employing those means, he knew or had reason to believe to be likely to cause it.</p> <p>Illustration</p> <p>A sets fire, by night, to an inhabited house in a large town, for the purpose of facilitating a robbery and thus causes the death of a person. Here, A may not have intended to cause</p>

<p>death; and may even be sorry that death has been caused by his act; yet, if he knew that he was likely to cause death, he has caused death voluntarily;</p>	<p>death; and may even be sorry that death has been caused by his act; yet, if he knew that he was likely to cause death, he has caused death voluntarily;</p>		<p>death; and may even be sorry that death has been caused by his act; yet, if he knew that he was likely to cause death, he has caused death voluntarily;</p>
<p>2 (34) “will” means any testamentary document;</p>	<p>31. “A will”. The word “a will” denotes any testamentary document;</p>		<p>2 (34) “will” denotes any testamentary document;</p>
<p>2 (35) “woman” means a female human being of any age;</p>	<p>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;</p>		<p>2 (35) “woman” denotes a female human being of any age;</p>
<p>2 (36) “wrongful gain” means gain by unlawful means of property to which the person gaining is not legally entitled;</p>	<p>23. “Wrongful gain” .- “wrongful gain” is gain by unlawful means of property to which the person gaining is not legally entitled;</p>		<p>2 (36) “wrongful gain” is gain by unlawful means of property to which the person gaining is not legally entitled;</p>

	<p>“Wrongful loss”.- “wrongful loss” is the loss by unlawful means of property to which the person losing it is legally entitled.</p> <p>“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.</p>	Struck through portion is defined in separate section.	
<p>2 (37) “wrongful loss” means the loss by unlawful</p>	<p>23. As above</p>		<p>2 (37) “wrongful loss” is the loss by unlawful means of</p>

<p>means of property to which the person losing it is legally entitled;</p>			<p>property to which the person losing it is legally entitled;</p>
<p>2 (38) “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; and</p>	<p>As above</p>	<p>These words should be defined before “gender” because it starts with “g” and should be defined accordingly in alphabetical order.</p>	<p>2 (38) “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; and</p>
<p>2 (39) words and expressions used but not defined in this Sanhita, but defined in the</p>	<p>Not available in IPC</p>		<p>2 (39) words and expressions used but not defined in this Sanhita, but defined in the</p>

Information Technology Act, 2000 and the Bhartiya Nagarik Suraksha Sanhita, 2023 and shall have the meanings respectively assigned to them in that Act Sanhita.			Information Technology Act, 2000 or the Bhartiya Nagarik Suraksha Sanhita, 2023 and shall have the meanings respectively assigned to them in that Act or Sanhita.
---	--	--	---

Author: Sanjeev Sikarwar (The Legal Lamp)

For more information, you may visit website:

legallamp.info & YouTube Channel: **Legal Lamp**

**LEGAL
LAMP**