

Q1. Short notes

01) Kinds of Punishment

The Indian Penal Code (IPC) under **Section 53** prescribes **five kinds of punishments** that may be imposed upon offenders:

1. **Death Penalty:**

- The most severe punishment, awarded in the rarest of rare cases (e.g., murder under Sec. 302 IPC, waging war against the Government under Sec. 121 IPC).
- Executed by hanging.

2. **Imprisonment for Life:**

- The convict remains imprisoned for the remainder of their natural life unless remitted by government authority.

3. **Imprisonment:**

- Two types:
 - **Rigorous Imprisonment** – with hard labor.
 - **Simple Imprisonment** – without hard labor.

4. **Forfeiture of Property:**

- The offender's property is confiscated by the State (e.g., waging war against the Government).

5. **Fine:**

- A monetary penalty imposed either alone or along with imprisonment.

Purpose:

Punishment aims to deter crime, reform offenders, and ensure justice through retribution and prevention.

02) Assault and Criminal Force

A) Assault (Section 351 IPC):

Assault means an act that creates in another person a reasonable apprehension that force will be used against him.

- **Example:** Raising a hand to strike someone, even without touching, amounts to assault.
- **Essentials:**
 1. Intent to use criminal force.
 2. Creating reasonable fear or apprehension in the victim.

B) Criminal Force (Section 350 IPC):

When force is intentionally used against another person without consent, to cause injury, fear, or annoyance.

- **Example:** Slapping or pushing someone.
- **Essentials:**
 1. Use of force on another.
 2. Without that person's consent.
 3. Intent to cause injury, fear, or annoyance.

Difference:

- *Assault* = threat or attempt of force (no contact).
 - *Criminal force* = actual physical contact.
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03) Affray (Section 159 IPC)

Meaning:

When **two or more persons fight in a public place**, thereby **disturbing public peace**, they are said to commit **affray**.

Ingredients:

1. There must be a fight between **two or more persons**.
2. The fight must occur in a **public place**.
3. The fight must **disturb public tranquility**.

Punishment (Section 160 IPC):

Imprisonment up to **one month**, or **fine up to ₹100**, or both.

Example:

If two people fight on a busy street, causing disturbance to the public, both are guilty of affray.

04) Criminal Liability

Meaning:

Criminal liability means the **legal responsibility** of a person for committing an act that is prohibited by law. It arises when a person intentionally or negligently commits an offense defined under criminal law.

Essentials of Criminal Liability:

1. **Actus Reus (Guilty Act):**
The physical act or unlawful omission.
Example: Killing, theft, assault.
2. **Mens Rea (Guilty Mind):**
The mental element or intention behind the act.
Example: Intention to kill, cheat, or harm.
3. **Concurrence of Actus Reus and Mens Rea:**
Both must exist together at the time of the offense.
4. **Absence of Legal Justification:**
The act must not be justified by law (e.g., self-defense).

Example:

If A intentionally kills B, A is criminally liable for murder.

Exception:

No liability arises if there is no *mens rea* (e.g., accident, infancy, insanity, or mistake of fact).

B) Write any three questions out of five.

01) State and explain what are general exception under BNS Act

Meaning:

The **General Exceptions** under the **Bharatiya Nyaya Sanhita (BNS), 2023** are the provisions that **exempt a person from criminal liability** even though the act committed falls within the definition of an offence.

These exceptions recognize that **certain acts are not offences** when done under specific circumstances, such as **mistake, accident, infancy, insanity, consent, or compulsion**.

Thus, **General Exceptions protect innocent acts** done without *mens rea* (guilty mind) or under special legal justification.

Relevant Provisions:

- **Sections 17 to 36** of the **Bharatiya Nyaya Sanhita, 2023** (corresponding to Sections 76 – 106 of the IPC 1860) deal with **General Exceptions**.
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Main General Exceptions under BNS:

1. Mistake of Fact (Sec. 17):

An act done under a **mistake of fact** believing it to be justified by law is not an offence.

- *Example:* A police officer arrests the wrong person believing he has a warrant — not an offence.

Mistake of fact excuses liability; mistake of law does not.

2. Judicial Acts (Sec. 18):

Nothing is an offence done by a **judge** while acting **judicially within his jurisdiction**, even if his judgment is wrong.

3. Acts Done Under Compulsion (Sec. 19):

An act done under the **order of a superior** or **under threat** from another person is not an offence if the person is bound to obey such command by law, and the act was done in **good faith**.

4. Accident (Sec. 21):

An act that causes harm **by accident** or misfortune, without criminal intention or knowledge, and while doing a **lawful act in a lawful manner**, is not an offence.

- *Example:* A driver carefully driving hits a child who suddenly crosses the road.
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5. Infancy (Sec. 22):

- A child **below 7 years** of age cannot commit an offence.
 - A child **above 7 but below 12 years** is also exempt if he has not attained sufficient maturity to understand the nature and consequence of his act.
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6. Insanity (Sec. 23):

A person of **unsound mind** incapable of knowing the nature of his act or that what he is doing is wrong or contrary to law is **not criminally liable**.

- *Case:* **Daniel McNaghten Case (1843)** laid the foundation for this rule.
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7. Intoxication (Sec. 24):

If a person is **involuntarily intoxicated** and, by reason of intoxication, is incapable of understanding the nature of his act, he is exempt.

But **voluntary drunkenness** is no excuse.

8. Consent (Sec. 25):

Acts done **with consent** of the person harmed are not offences if:

- The person giving consent is **above 18 years**, and
 - The act is not intended to cause **death or grievous hurt**.
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9. Private Defence (Secs. 33–36):

Every person has a **right of private defence** of body and property.

It extends to causing harm, even death, to the assailant if necessary for self-protection.

- **Example:** A kills B in self-defence when B attacks him with a deadly weapon — A is protected.
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Object and Purpose:

The general exceptions aim to:

1. **Protect innocent acts** done without guilty intent.
 2. **Recognize human limitations**, such as mistake, compulsion, or mental incapacity.
 3. **Ensure justice** by punishing only those who act with criminal intention (*mens rea*).
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Conclusion:

General exceptions form the **foundation of criminal jurisprudence** under the BNS Act.

They ensure that **criminal liability arises only when both Actus Reus (guilty act) and Mens Rea (guilty mind)** coexist.

Thus, these provisions safeguard individuals from unjust punishment when their actions lack criminal intent or are justified under law.

Q.2) Discuss – All Murder is Culpable Homicide, but all Culpable Homicide is not Murder

Meaning of Homicide:

The term '**homicide**' means the **killing of a human being by another human being**. It may be:

1. **Lawful homicide** – e.g., death caused in self-defence or by a lawful authority.
 2. **Unlawful homicide** – e.g., **culpable homicide** and **murder**.
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Culpable Homicide – Section 101, Bharatiya Nyaya Sanhita (BNS 2023)

(corresponding to Section 299 of IPC 1860)

A person commits **culpable homicide** if he **causes death** by doing an act:

1. With the **intention** of causing death, or
2. With the **intention** of causing such bodily injury** as is likely to cause death, or
3. With the **knowledge** that the act is likely to cause death.

Essence: Intention or knowledge of likely death.

Murder – Section 103, BNS 2023

(corresponding to Section 300 of IPC 1860)

Culpable homicide becomes **murder** when the act is committed with a **greater degree of intention or knowledge**, so that the act is **immediately dangerous** or **certain to cause death**.

It is murder if:

1. The act is done **with the intention of causing death**, or
2. The act is done **with the intention of causing such bodily injury as the offender knows is likely to cause death** of that person, or
3. The act is done **with the intention of causing bodily injury sufficient in the ordinary course of nature to cause death**, or
4. The act is done **with knowledge that it is so imminently dangerous that it must, in all probability, cause death**, without any excuse for incurring that risk.

Distinction Between Culpable Homicide and Murder

Basis	Culpable Homicide (Sec. 101)	Murder (Sec. 103)
Degree of Intention/Knowledge	Lower – likely to cause death	Higher – certain to cause death
Gravity of Act	May or may not cause death	Act so dangerous that death is almost certain
Punishment	Sec. 102 – life imprisonment / 10 yrs + fine	Sec. 104 – death / life imprisonment + fine
Examples	Injuring someone who dies later due to infection	Shooting at vital organ causing instant death

Illustrative Cases

1. **Reg v. Govinda (1876) 1 Bom 342**

- The accused knocked his wife down and punched her, causing a fatal injury on the head.
- *Held*: Culpable homicide not amounting to murder — intention to cause death absent.

2. **Virsa Singh v. State of Punjab (AIR 1958 SC 465)**

- Injury intentionally inflicted on a vital part sufficient to cause death in the ordinary course of nature.
- *Held*: Murder under Sec. 103 (BNS) = Sec. 300 (IPC).

3. **State of Andhra Pradesh v. Rayavarapu Punnayya (AIR 1977 SC 45)**

- The Supreme Court clarified:

“All murder is culpable homicide, but all culpable homicide is not murder.”
The difference lies in the *degree* of intention and knowledge.

Exceptions Where Culpable Homicide Is Not Murder

(Under Sec. 104 Proviso / old Sec. 300 Exceptions)

1. **Grave and sudden provocation**
2. **Private defence exceeding limits**
3. **Act of public servant exceeding authority**
4. **Sudden fight without premeditation**
5. **Consent of person killed**

In such cases, the offence is **culpable homicide not amounting to murder**.

Conclusion

Every **murder involves culpable homicide**, because both include the causing of death with intention or knowledge.

However, **not every culpable homicide is murder** — only those where the intention or knowledge reaches the highest degree of certainty.

Hence, the distinction is of **degree, not of kind** — **murder is the gravest form of culpable homicide**.

Q.3) Discuss in detail what are the Offences Against Women

Introduction

Offences against women are those crimes that **violate the dignity, security, and equality** of women in society.

The **Bharatiya Nyaya Sanhita (BNS), 2023** — replacing the Indian Penal Code — contains several provisions that **specially protect women** from physical, sexual, emotional, and social exploitation.

These offences aim to safeguard the constitutional right to **life, liberty, and equality** under Articles **14, 15, and 21** of the Indian Constitution.

Major Offences Against Women under BNS, 2023

1. Sexual Harassment (Section 74)

Any man who —

- Physically contacts a woman or makes advances involving unwelcome sexual overtures,
- Demands or requests sexual favors,
- Shows pornography against her will, or
- Makes sexually colored remarks —

is guilty of **sexual harassment**.

Punishment:

Imprisonment up to **3 years**, and fine.

2. Assault or Criminal Force to Woman with Intent to Outrage Her Modesty (Section 75)

If a man assaults or uses criminal force intending to **outrage the modesty of a woman**, he commits an offence.

Punishment:

Imprisonment up to **3 years**, and fine.

Case: Rupan Deol Bajaj v. K.P.S. Gill (1995) — Touching or slapping a woman on her posterior amounts to outraging modesty.

3. Voyeurism (Section 76)

Watching or capturing images of a woman engaged in private acts **without her consent** and sharing them.

Punishment:

- First conviction: 1 to 3 years.
 - Subsequent conviction: 3 to 7 years + fine.
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4. Stalking (Section 77)

Repeatedly following a woman or contacting her to foster personal interaction despite her disinterest.

Punishment:

- First conviction: Up to 3 years.
- Second conviction: Up to 5 years + fine.

5. Rape (Section 63)

A man is said to commit **rape** if he engages in sexual intercourse with a woman **against her will, without consent, or by coercion, deceit, or when she is incapable of consent.**

Punishment (Sec. 63–64):

- Rigorous imprisonment of **10 years to life**, and fine.
- **Aggravated rape** (e.g., gang rape, police custody, minor) – may extend to **death penalty**.

Case: **Tukaram v. State of Maharashtra (Mathura Rape Case, 1979)** – Led to amendment strengthening consent and custodial rape laws.

Case: **Nirbhaya Case (2012)** – Culprits sentenced to death; led to Criminal Law Amendment Act, 2013.

6. Dowry Death (Section 80)

When a woman dies under unnatural circumstances within 7 years of marriage and is subjected to **cruelty or harassment** in connection with dowry demands by her husband or relatives.

Punishment:

Imprisonment of **not less than 7 years**, which may extend to **life imprisonment**.

Case: **Kans Raj v. State of Punjab (2000)** – Dowry death presumed if cruelty is proved soon before death.

7. Cruelty by Husband or Relatives (Section 79)

Any wilful conduct likely to drive a woman to commit suicide or cause grave injury, or harassment for dowry demands.

Punishment:

Imprisonment up to **3 years**, and fine.

8. Acid Attack (Sections 122 & 123)

Throwing acid or attempting to throw acid on a woman causing permanent or partial damage, disfigurement, or injury.

Punishment:

- **For acid attack:** 10 years to life imprisonment.
- **For attempt:** 5 to 7 years imprisonment.

Case: **Laxmi v. Union of India (2014)** – Supreme Court ordered regulation of acid sale and compensation for victims.

9. Kidnapping, Abduction & Trafficking (Sections 137–139)

Kidnapping or abducting a woman with intent to compel her marriage or for illicit intercourse. Human trafficking for sexual exploitation is also a punishable offence.

Punishment:

7 to 10 years imprisonment + fine.

10. Dowry Prohibition (Dowry Prohibition Act, 1961)

Demanding or giving dowry is prohibited. This Act supplements BNS provisions.

11. Immoral Traffic and Exploitation (Immoral Traffic (Prevention) Act, 1956)

Prohibits trafficking of women for prostitution and commercial sexual exploitation.

12. Cyber Crimes Against Women (Information Technology Act, 2000)

Sections 66E, 67, and 67A deal with publishing or transmitting obscene material and online harassment of women.

Legal Safeguards for Women

- **Constitutional:** Articles 14, 15(3), 21, and 39(a) ensure equality and protection.
 - **Special Laws:**
 - Protection of Women from Domestic Violence Act, 2005
 - Sexual Harassment of Women at Workplace Act, 2013
 - Dowry Prohibition Act, 1961
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Conclusion

Offences against women seriously threaten their **safety, dignity, and equality** in society. Through the **Bharatiya Nyaya Sanhita, 2023**, along with **special women-centric laws**, the Indian legal system aims to ensure **justice, deterrence, and protection** to every woman. However, **effective implementation and public awareness** remain vital to achieving true gender justice.

Q.4) Define Hurt. Distinguish between Hurt and Grievous Hurt

1. Meaning of Hurt (Section 113, BNS 2023)

(Corresponds to Section 319 of IPC 1860)

A person is said to cause **hurt** when he causes **bodily pain, disease, or infirmity** to another person.

👉 Thus, any physical injury, however slight, that causes pain or discomfort amounts to *hurt*.

Example:

A slaps B causing pain but no visible injury — this is “hurt”.

2. Essential Ingredients of Hurt

1. There must be **bodily pain, disease, or infirmity**.
 2. The act must be done **voluntarily or intentionally**.
 3. The hurt must be **caused to another person**.
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3. Punishment for Voluntarily Causing Hurt (Section 115, BNS 2023)

(Old Sec. 323 IPC)

Whoever voluntarily causes hurt shall be punished with imprisonment up to **one year**, or fine up to **₹ 10,000**, or both.

4. Meaning of Grievous Hurt (Section 114, BNS 2023)

(Corresponds to Section 320 of IPC 1860)

Grievous hurt means certain specified forms of severe bodily injury.

The section classifies **eight types** of grievous hurt:

1. **Emasculation** (loss of power of generation).
2. **Permanent loss of sight** of either eye.
3. **Permanent loss of hearing** of either ear.
4. **Privation of any member or joint.**
5. **Destruction or permanent impairment** of the powers of any member or joint.
6. **Permanent disfiguration** of head or face.
7. **Fracture or dislocation** of bone or tooth.
8. **Any hurt that endangers life** or causes the sufferer to be in severe bodily pain or unable to follow ordinary pursuits for **20 days**.

5. Punishment for Grievous Hurt (Section 116, BNS 2023)

(Old Sec. 325 IPC)

Imprisonment up to **7 years** and fine.

6. Distinction between Hurt and Grievous Hurt

Basis	Hurt (Sec. 113)	Grievous Hurt (Sec. 114)
Nature of injury	Minor injury causing temporary pain	Serious injury with permanent or prolonged effect
Examples	Bruise, small cut, slap, simple wound	Fracture, loss of limb, loss of eyesight
Duration of pain	Temporary	Long-term or permanent

Danger to life	Does not endanger life	May endanger life or cause long-term disability
Punishment	Up to 1 year + fine	Up to 7 years + fine
Medical seriousness	Simple hurt	Medically classified as grievous

7. Important Case Laws

1. **State of Assam v. Rupadhar Gogoi (1955 CrLJ 1294)**
– Bruises caused without fracture held to be *simple hurt*.
 2. **Kallu v. State of M.P. (2006 CrLJ 341)**
– Fracture of bone automatically treated as *grievous hurt*.
 3. **Bhagwan v. State of Maharashtra (AIR 1965 SC 682)**
– Injury causing loss of hearing regarded as *grievous hurt*.
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8. Conclusion

The distinction between *hurt* and *grievous hurt* lies primarily in the **degree, duration, and seriousness** of the injury caused.

While both are bodily offences, grievous hurt is punished more severely because it results in **permanent or life-threatening damage**, reflecting the intent and gravity of the offender's act.

Q.5) Define Rape Law – Discuss Important Case

1. Meaning and Definition of Rape (Section 63, Bharatiya Nyaya Sanhita 2023)

(Corresponds to Section 375 of IPC, 1860)

A man is said to commit **rape** if he **makes sexual intercourse** with a woman **under any of the following circumstances**:

1. **Against her will,**
2. **Without her consent,**
3. **With her consent obtained by fear of death or hurt,**
4. **With her consent obtained by deception** (e.g., false promise of marriage),
5. **With or without her consent,** when she is **under 18 years of age,**
6. When the woman is **of unsound mind** or **intoxicated** and unable to understand or resist the act.

2. Explanation

The law emphasizes **consent** as the central element in determining rape.

Consent must be:

- **Free, voluntary,** and **informed,**
- Not obtained through **misrepresentation, threat,** or **coercion.**

3. Exception

- Sexual intercourse by a man with his **own wife, not being under 18 years of age,** is **not rape.**

(This exception has been widely debated as discriminatory and inconsistent with

modern equality principles.)

4. Punishment for Rape (Section 64, BNS 2023)

(Old Section 376 IPC)

1. Ordinary rape:

- Imprisonment of **not less than 10 years**, which may extend to **life imprisonment**, and **fine**.

2. Aggravated rape:

- When committed by a **police officer, public servant, member of armed forces, or on a pregnant woman, minor, or disabled person**, etc.
- Punishment: **Life imprisonment or death penalty + fine**.

3. Gang rape:

- Punishment: **Life imprisonment to death**.
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5. Key Ingredients of the Offence

To constitute rape, the following must be proved:

1. **Sexual intercourse** by a man with a woman;
 2. The act must be **under prohibited circumstances**;
 3. There must be **absence of lawful consent**;
 4. The act must be **intentional**.
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6. Consent and Its Legal Understanding

According to **Explanation (2)** to Section 63,

“Consent means an unequivocal voluntary agreement when the woman, by words, gestures, or any form of verbal or non-verbal communication, communicates willingness to participate in the specific sexual act.”

No means No – even silence or absence of resistance does not imply consent.

7. Important Case Laws

1) **Tukaram v. State of Maharashtra (Mathura Rape Case, 1979)**

- *Facts:* Mathura, a tribal girl, was raped by police officers inside a police station.
 - *Held:* The Supreme Court acquitted the accused, stating absence of resistance implied consent.
 - *Impact:* Massive protests led to the **Criminal Law (Amendment) Act, 1983**, redefining consent and strengthening rape laws.
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2) **State of Punjab v. Gurmit Singh (1996 AIR SC 1393)**

- The Court emphasized that the **victim’s testimony alone** is sufficient to convict if credible; corroboration is not mandatory.
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3) **Nirbhaya Case (Mukesh v. State (NCT of Delhi), 2017)**

- *Facts:* Brutal gang rape and murder of a 23-year-old woman in Delhi.
 - *Held:* Supreme Court awarded **death penalty** to all adult accused.
 - *Impact:* Led to **Criminal Law Amendment Act, 2013** — expanding definition of rape, enhancing punishment, and introducing new offences (stalking, voyeurism, etc.).
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4) **Deepak Gulati v. State of Haryana (2013)**

- *Held*: If consent for sexual intercourse is obtained on a **false promise of marriage**, and there was **no intention of fulfilling it**, it amounts to **rape**.
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8. Important Amendments & Developments

- **Criminal Law Amendment Act, 2013**: Broadened the definition of rape and introduced harsher penalties.
 - **Bharatiya Nyaya Sanhita, 2023**: Retains stringent punishment, clarifies consent, and modernizes language.
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9. Objective of the Law

- To **protect women's dignity, bodily integrity, and autonomy**.
 - To ensure **strict deterrence** against sexual violence.
 - To uphold **constitutional equality and human rights**.
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10. Conclusion

Rape is not merely a physical assault but a **violation of the woman's dignity and fundamental right to life** under Article 21 of the Constitution.

The evolution of rape law from IPC to BNS reflects society's growing recognition of **women's rights, consent, and autonomy**.

The judiciary and legislature must continue to ensure that justice is delivered swiftly and sensitively to victims.

C : Seminar Topic any one

Q.6) Explain in Detail the Offences Against Property

1. Introduction

Offences against property are those crimes where the **property of a person is unlawfully taken, destroyed, or interfered with**.

The object of these provisions is to **protect ownership and possession** and maintain **social and economic order**.

The **Bharatiya Nyaya Sanhita (BNS), 2023** (replacing IPC) deals with these offences under **Sections 301 to 324**.

2. Major Offences Against Property

(1) Theft (Section 301, BNS 2023)

Definition:

Whoever, intending to take dishonestly any movable property out of the possession of any person **without that person's consent**, moves that property, commits theft.

Essential Ingredients:

1. Dishonest intention to take property.
2. Movable property.
3. Property must be in possession of another.
4. Without consent.
5. Some movement of the property.

Punishment (Section 303):

Imprisonment up to **3 years** or fine, or both.

Example:

A steals B's mobile phone without permission — A commits theft.

(2) Extortion (Section 306, BNS 2023)**Definition:**

Whoever intentionally puts any person in **fear of injury** and thereby dishonestly induces that person to deliver any property, valuable security, or anything of value, commits **extortion**.

Essentials:

1. Putting a person in fear of injury.
2. Dishonest inducement.
3. Delivery of property or valuable security.

Punishment (Sec. 307):

Imprisonment up to **7 years** and fine.

Example:

A threatens to publish B's private photo unless B gives him ₹10,000 — extortion.

(3) Robbery (Section 308, BNS 2023)**Definition:**

When **theft or extortion** is committed by **causing fear, violence, or hurt**, it becomes **robbery**.

Illustrations:

- Theft becomes robbery when the offender causes or attempts to cause **death, hurt, or fear**.
- Extortion becomes robbery when the offender is present and induces fear of instant harm.

Punishment:

Imprisonment up to **10 years** and fine.

Example:

A snatches a woman's bag by threatening her with a knife — robbery.

(4) Dacoity (Section 310, BNS 2023)

Definition:

When **five or more persons** jointly commit or attempt to commit robbery, it is **dacoity**.

Essentials:

1. Five or more persons.
2. Common intention to commit robbery.
3. Actual or attempted robbery.

Punishment (Sec. 311):

Imprisonment for **life** or **10 years + fine**.

Example:

A gang of six men rob a bank — dacoity.

(5) Criminal Misappropriation of Property (Section 314, BNS 2023)

Definition:

Dishonestly misappropriating or converting for one's own use property belonging to another.

Example:

A finds B's wallet and keeps it instead of returning it — criminal misappropriation.

Punishment (Sec. 315):

Imprisonment up to **2 years**, or fine, or both.

(6) Criminal Breach of Trust (Section 316, BNS 2023)

Definition:

When a person entrusted with property **dishonestly misappropriates or converts it to his own use** or violates the terms of trust, he commits a breach of trust.

Essentials:

1. Entrustment of property.
2. Dishonest misappropriation or conversion.

Punishment (Sec. 317):

Imprisonment up to **5 years** or fine, or both.

If by a **public servant or banker**, up to **10 years**.

Example:

A cashier keeps office money for personal use — breach of trust.

(7) Receiving Stolen Property (Section 319, BNS 2023)

Whoever dishonestly **receives or retains stolen property** knowing or having reason to believe it to be stolen, commits this offence.

Punishment:

Up to **3 years** imprisonment and fine.

If by a **habitual receiver** — up to **10 years**.

(8) Cheating (Section 320, BNS 2023)**Definition:**

Dishonestly or fraudulently inducing a person to deliver property or to do/omit an act which causes harm.

Essentials:

1. Deception by false representation.
2. Dishonest or fraudulent intention.
3. Inducement to deliver property or do/omit an act.

Example:

A pretends to be a government officer and takes money from B promising a job — cheating.

Punishment:

Imprisonment up to **3 years**, or fine, or both.

Aggravated forms (e.g., by impersonation): **up to 7 years**.

(9) Mischief (Section 322, BNS 2023)

Whoever intentionally causes destruction or damage to property **with intent to cause wrongful loss or damage** to another.

Example:

A breaks B's car window out of revenge — mischief.

Punishment:

Depends on damage value — up to **5 years** and fine.

(10) Criminal Trespass (Section 324, BNS 2023)

Entering into or remaining unlawfully on another's property with intent to **commit an offence, intimidate, insult, or annoy**.

Example:

A enters B's land without permission to threaten him — criminal trespass.

Punishment:

Imprisonment up to **3 months**, or fine up to **₹5,000**, or both.

3. Summary Table

Offence	Section (BNS)	Max Punishment
Theft	301–303	3 years + fine
Extortion	306–307	7 years + fine

Robbery	308	10 years + fine
Dacoity	310–311	Life / 10 years
Misappropriation	314–315	2 years + fine
Breach of Trust	316–317	5–10 years
Receiving Stolen Property	319	3–10 years
Cheating	320	3–7 years
Mischief	322	5 years
Criminal Trespass	324	3 months

4. Conclusion

Offences against property strike at the **security of ownership and possession**, which are essential for social order.

The **Bharatiya Nyaya Sanhita, 2023**, continues the spirit of IPC but introduces **clearer definitions, digital relevance, and stricter punishments**.

These provisions ensure that both **movable and immovable property** are legally protected against theft, deception, or destruction.

Bharatiya Nyaya Sanhita (BNS) — Multiple Choice Questions with Correct Answers

Q1)

The **Bharatiya Nyaya Sanhita, 2023** was enacted to replace which of the following Acts?

- a) Indian Evidence Act, 1872
- b) Code of Criminal Procedure, 1973
- c) Indian Penal Code, 1860
- d) The Prevention of Corruption Act

Correct Answer: (c) Indian Penal Code, 1860

Q2)

Under the BNS, what is the fate of the offence of **attempted suicide**?

- a) The punishment has been increased
- b) It has been decriminalized
- c) It remains a crime with the same punishment
- d) The punishment has been reduced

Correct Answer: (b) It has been decriminalized

(Note: BNS 2023 does not treat attempted suicide as an offence, except in cases related to terrorism or abetment.)

Q3)

Section **375 of the IPC**, which deals with **rape**, corresponds to which section of the **BNS**?

- a) Section 100
- b) Section 63
- c) Section 77
- d) Section 76

Correct Answer: (b) Section 63

Q4)

What type of theft does **Section 304 of the BNS** address?

- a) Vehicle theft
- b) Snatching
- c) Housebreaking
- d) Robbery

Correct Answer: (b) Snatching

(Section 304 BNS covers “Snatching” — theft of property from a person’s possession by sudden pulling or grabbing.)

Q5)

Provision for **Right of Private Defence** is given between which sections of the **BNS**?

- a) Sections 34–36
- b) Sections 34–44
- c) Sections 96–106
- d) Sections 141–160

Correct Answer: (a) Sections 34–36

(Right of private defence of body and property is covered under Sections 33–36 of BNS 2023.)

Q6)

The provision regarding **sedition** is given in BNS under:

- a) The term “sedition” is not mentioned in BNS
- b) Sedition is given under Section 15L BNS
- c) The substance of the offence is dealt with under another section
- d) Both (a) and (c) are correct

Correct Answer: (d) Both (a) and (c) are correct

*(Explanation: The term “sedition” has been removed; its substance is covered under **Section 150 – Acts endangering sovereignty, unity, and integrity of India.**)*

Q7)

Section 303 of BNS was earlier mentioned in which section of the **Indian Penal Code (IPC)**?

- a) Section 10
- b) Section 29
- c) Section 303
- d) Section 378

Correct Answer: (d) Section 378

(Section 303 BNS corresponds to IPC Section 378 — which defines theft.)

Q8)

Organized crime syndicate is defined under which section of the **BNS**?

- a) Section 111
- b) Section 112
- c) Section 113
- d) Section 114

Correct Answer: (b) Section 112

(Section 112 BNS defines organized crime and organized crime syndicate.)

Q9)

To establish liability under **Section 3(5) of the BNS**, what must be proved?

- a) Common intention be proved but not overt act be proved
- b) Common intention and overt act both be proved
- c) Common intention need not be proved but overt act be proved
- d) All the above

Correct Answer: (a) Common intention be proved but not overt act be proved

(Explanation: Section 3(5) BNS corresponds to the old IPC Section 34 – “Acts done by several persons in furtherance of common intention.”)

Q10)

Under **Section 107 of the BNS**, what is the punishment for **murder**?

- a) Life imprisonment
- b) Imprisonment for a term up to 10 years

- c) Death penalty
- d) Both (a) and (c)

Correct Answer: (d) Both (a) and (c)

*(Section 107 BNS provides for **death or life imprisonment**, and fine, for the offence of murder.)*
