

Ready Reckoner Offences Against the State

- The Bharatiya Nyaya Sanhita (BNS) 2023 brings several significant changes to offences against the State compared to the previous Code of Criminal Procedure.
- Seditious: BNS removes the controversial offense of sedition (Section 124A of the IPC). However, it introduces new provisions to penalize activities like inciting secession, armed rebellion, or subversive activities, and encouraging feelings of separatist activities, which could potentially cover similar acts punished under sedition.
- Endangering Sovereignty, Unity, and Integrity of India: This new offense covers acts threatening the country's sovereignty, unity, and integrity, including exchanging words or signs, electronic communication, or using financial means.
- The BNS aims to:
 - ✓ Modernize offences against the State to address emerging threats: New offences like cybercrime and organized crime are included to adapt to evolving criminal trends.
 - ✓ Balance security with individual rights: While addressing threats to national security, the BNS aims to safeguard individual rights by removing provisions with potential for misuse, like sedition.
 - ✓ Streamline procedures and investigations: Faster investigation and prosecution timelines are envisaged for offences against the State to ensure swift justice.

Relevant Provisions in BNS and IPC Concerning Offences Against the State

OFFENCE	BNS SECTION	IPC SECTION	BNS PUNISHMENT	IPC PUNISHMENT	COGNIZABLE/ NON COGNIZABLE	BAILABLE/ NON BAILABLE	JURISDICTION OF THE COURT
Waging, or attempting to wage war, or abetting waging of war, against the Government of India	147	121	Shall be punished with death, or imprisonment for life and Shall also be liable to fine.	Shall be punished with death, or imprisonment for life and Shall also be liable to fine.	Cognizable.	Non bailable.	Court Of Session.
Conspiracy to commit offences	148	121A	Shall be punished with imprisonment for life, or with imprisonment of either description which may extend to ten years, and Shall also be liable to fine.	Shall be punished with imprisonment for life, or with imprisonment of either description which may extend to ten years, and Shall also be liable to fine.	Cognizable.	Non bailable.	Court of Session.
Collecting arms, etc., with intention of waging war against the Government of India	149	122	Shall be punished with imprisonment for life or imprisonment of either description for a term not exceeding ten years, and Shall also be liable to fine.	Shall be punished with imprisonment for life or imprisonment of either description for a term not exceeding ten years, and Shall also be liable to fine.	Cognizable.	Non bailable.	Court of Session.
Concealing with intent to facilitate design to wage war	150	123	Shall be punished with imprisonment of either description for a term which may extend to ten years, and Shall also be liable to fine.	Shall be punished with imprisonment of either description for a term which may extend to ten years, and Shall also be liable to fine.	Cognizable.	Non bailable.	Court of Session.
Assaulting President, Governor, etc., with intent to compel or restrain the exercise of any lawful power	151	124	Shall be punished with imprisonment of either description for a term which may extend to seven years, and Shall also be liable to fine.	Shall be punished with imprisonment of either description for a term which may extend to seven years, and Shall also be liable to fine.	Cognizable.	Non bailable.	Court of Session.

<p>BNS: Act endangering sovereignty, unity and integrity of India.</p> <p>IPC: Sedition (Omitted)</p>	152	124A (Omitted)	Shall be punished with imprisonment for life or With imprisonment which may extend to seven years, and Shall also be liable to fine.	Shall be punished with imprisonment for life, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.	Cognizable	Non bailable.	Court of Session.
<p>BNS: Waging war against Government of any foreign state at peace with Government of India.</p> <p>IPC: Waging war against any Asiatic Power in alliance with the Government of India</p>	153	125	Shall be punished with imprisonment for life, to which fine may be added, or with imprisonment of either description for a term which may extend to seven years, to which fine may be added, or with fine.	Shall be punished with imprisonment for life, to which fine may be added, or with imprisonment of either description for a term which may extend to seven years, to which fine may be added, or with fine.	Cognizable.	Non bailable.	Court of Session.
<p>BNS: Committing depredation on territories of foreign State at peace with Government of India.</p> <p>IPC: Committing depredation on territories of Power at peace with the Government of India</p>	154	126	Shall be punished with imprisonment of either description for a term which may extend to seven years, and Shall also be liable to fine and to forfeiture of any property used or intended to be used in committing such depredation, or acquired by such depredation.	Shall be punished with imprisonment of either description for a term which may extend to seven years, and Shall also be liable to fine and to forfeiture of any property used or intended to be used in committing such depredation, or acquired by such depredation.	Cognizable.	Non bailable.	Court of Session.
<p>Receiving property taken by war or depredation Mentioned in Sections 153 and 154 of BNS</p>	155	127	Shall be punished with imprisonment of either description for a term which may extend to seven years, and Shall also be liable to fine and to forfeiture of the property so received.	Shall be punished with imprisonment of either description for a term which may extend to seven years, and Shall also be liable to fine and to forfeiture of the property so received.	Cognizable.	Non bailable.	Court of Session.

Public servant voluntarily allowing prisoner of State or war to escape	156	128	Shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and Shall also be liable to fine.	Shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and Shall also be liable to fine.	Cognizable.	Non bailable.	Court of Session.
Public servant negligently suffering such prisoner to escape	157	129	Shall be punished with simple imprisonment for a term which may extend to three years, and Shall also be liable to fine.	Shall be punished with simple imprisonment for a term which may extend to three years, and Shall also be liable to fine.	Cognizable.	Bailable.	Magistrate of the First Class
Aiding escape of, rescuing or harbouring such prisoner	158	130	Shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and Shall also be liable to fine.	Shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and Shall also be liable to fine.	Cognizable.	Non bailable.	Court of Session.