



## READY RECKONER

### Offences Affecting Life Culpable Homicide

Sections 100, 101, and 102 of the BNS define culpable homicide and murder. These provisions are completely the same and match their corresponding provisions in the IPC. The Bhartiya Nyaya Sanhita (BNS) 2023 has introduced a new category of culpable homicide that targets the issue of mob lynching with an emphasis on justice, deterrence, and protection of victims. The provisions state that when a group of five or more persons acting in concert commit murders on the grounds of race, caste or community, sex, place of birth, language, personal belief, or any other similar ground, each member of such group shall be punished with death or with imprisonment for life stipulated under Punishment for Murder, and shall also be liable to a fine deemed appropriate.

**Section 103 (IPC Section 302):** Under the corresponding paragraph, the following has been introduced: When a group of five or more persons acting in concert commits murder on the grounds of race, caste, community, sex, place of birth, language, personal belief, or any other similar ground, each member of such a group shall be punished with death or imprisonment for life and shall also be liable to a fine.

#### Punishment for murder by life-convict.

**Section 104. (section 303):** In the corresponding paragraph, the following has been added: "with imprisonment for life," which shall mean the remainder of that person's natural life.

#### Punishment for culpable homicide not amount to murder.

**Section 105. (IPC section 304):** There are no changes except with respect to being punished with imprisonment for life, or imprisonment of either description for a term not less than five years and with a fine.

#### Causing death by negligence.

**Section 106. (section 304A):** In the corresponding paragraph, the following with respect to punishment has been specified: The individual has been punished with imprisonment of either description for a term that may extend to five (two) years, or with a fine, or with both, and shall also be liable to a fine.

<b>106(1)</b>	Causing	Imprisonmen	Cognizable	Bailable	Magistrate of
<b>IPC 304(A)</b>	Death by	t for five			the first class
	negligence	years	and Cognizable	Non-bailable	Magistrate of
	If done by	fine			first class
	the	Imprisonmen			
	registered	t may extend			
	medical	to two years			
	practitioner	and fine			

### Causing death by negligence and Escaping

106(2) The following has been introduced “Whoever causes death of any person by rash and negligent driving of vehicle not amounting to culpable homicide, and escapes without reporting it to a police officer or a Magistrate soon after the incident, shall be punished with imprisonment of either description of a term which may extend to ten years, and shall also be liable to fine”.

Explanation: The new law introduces this sub-section that if victim gets injured due to negligence and the one who commits these escapes without reporting it to law enforcement or to hospital then only will be punished with long term imprisonment. Which is a new addition to the law.

### Abetment of suicide of child or person of unsound mind (insane person).

**Section 107. (IPC Section 305):** In the corresponding paragraph, the following has been changed: child or any person with mental illness.,

### Attempt to murder

**Section 109. (section 307):** Under sub-section (1), the following has been changed with respect to punishment or with imprisonment for life, which shall mean the remainder of that person’s natural life

## Organised crime

111. (1) Any continuing unlawful activity including kidnapping, robbery, vehicle theft, extortion, land grabbing, contract killing, economic offence, cyber-crimes, trafficking of persons, drugs, weapons or illicit goods or services, human trafficking for prostitution or ransom, by any person or a group of persons acting in concert, singly or jointly, either as a member of an organised crime syndicate or on behalf of such syndicate, by use of violence, threat of violence, intimidation, coercion, or by any other unlawful means to obtain direct or indirect material benefit including a financial benefit, shall constitute organised crime.

*Explanation.*—For the purposes of this sub-section,—

- (i) “organised crime syndicate” means a group of two or more persons who, acting either singly or jointly, as a syndicate or gang indulge in any continuing unlawful activity;
- (ii) “continuing unlawful activity” means an activity prohibited by law which is a cognizable offence punishable with imprisonment of three years or more, undertaken by any person, either singly or jointly, as a member of an organised crime syndicate or on behalf of such syndicate in respect of which more than one charge-sheets have been filed before a competent Court within the preceding period of ten years and that Court has taken cognizance of such offence, and includes economic offence;
- (iii) “economic offence” includes criminal breach of trust, forgery, counterfeiting of currency-notes, bank-notes and Government stamps, *hawala* transaction, mass-marketing fraud or running any scheme to defraud several persons or doing any act in any manner with a view to defraud any bank or financial institution or any other institution organisation for obtaining monetary benefits in any form.

(2) Whoever commits organised crime shall, —

- (a) if such offence has resulted in the death of any person, be punished with death or imprisonment for life, and shall also be liable to fine which shall not be less than ten lakh rupees;
- (b) in any other case, be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine which shall not be less than five lakh rupees.

(3) Whoever abets, attempts, conspires or knowingly facilitates the commission of an organised crime, or otherwise engages in any act preparatory to an organised crime, shall be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine which shall not be less than five lakh rupees.

(4) Any person who is a member of an organised crime syndicate shall be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine which shall not be less than five lakh rupees.

(5) Whoever, intentionally, harbours or conceals any person who has committed the offence of an organised crime shall be punished with imprisonment for a term which shall not be less than three years but which may extend to imprisonment for life, and shall also be liable to fine which shall not be less than five lakh rupees:

Provided that this sub-section shall not apply to any case in which the harbour or concealment is by the spouse of the offender.

(6) Whoever possesses any property derived or obtained from the commission of an organised crime or proceeds of any organised crime or which has been acquired through the organised crime, shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to imprisonment for life and shall also be liable to fine which shall not be less than two

lakh rupees.

(7) If any person on behalf of a member of an organised crime syndicate is, or at anytime has been in possession of movable or immovable property which he cannot satisfactorily account for, shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to imprisonment for ten years and shall also be liable to fine which shall not be less than one lakh rupees.

111 (2)a New Section	Organised Crime resulting in death of any person	Death or Imprisonment for life and fine not less than 10 lakh rupees	Cognizable	Non-Bailable	Court of Session
111 (2)(b)	In any other case	Imprisonment for not less than 5 years but which may extend to imprisonment for life and fine of not less than 5 lakh rupees	Cognizable	Non-Bailable	Court of Session
111 (3)	Abetting, attempting, conspiring or knowingly facilitating the commission of organised crime	Imprisonment for not less than 5 years but which may extend to imprisonment for life and fine of not less than 5 lakh rupees	Cognizable	Non-Bailable	Court of Session
111 (4)	Being a member of an organised crime syndicate	Imprisonment for not less than 5 years but which may extend to imprisonment for life and fine of not less than 5 lakh rupees	Cognizable	Non-Bailable	Court of Session
111 (5)	Intentionally harbouring or concealing any person who committed offence of organised crime	Imprisonment for not less than 3 years but which may extend to imprisonment for life and fine of not less than 5 lakh rupees	Cognizable	Non-Bailable	Court of Session
111 (6)	Possessing property derived, or obtained from the commission of organised crime	Imprisonment for not less than 3 years but which may extend to imprisonment for life and fine of not less than 2 lakh rupees	Cognizable	Non-Bailable	Court of Session
111 (7)	Possessing property on behalf of a member of an organised crime syndicate	Imprisonment for not less than 3 years but which may extend to imprisonment for 10 years and fine of not less than 1 lakh rupees	Cognizable	Non-Bailable	Court of Session

### Petty Organised crime

112. (1) Whoever, being a member of a group or gang, either singly or jointly, commits any act of theft, snatching, cheating, unauthorised selling of tickets, unauthorised betting or

gambling, selling of public examination question papers or any other similar criminal act, is said to commit petty organised crime.

**Explanation.** —For the purposes of this sub-section "theft" includes trick theft, theft from vehicle, dwelling house or business premises, cargo theft, pick pocketing, theft through card skimming, shoplifting and theft of Automated Teller Machine.

(2) Whoever commits any petty organised crime shall be punished with imprisonment for a term which shall not be less than one year but which may extend to seven years, and shall also be liable to fine.

112 New Section	Petty Added Crime	Organised than 1 year but which may extend to imprisonment for 7 years and fine	Imprisonment for not less Cognizable Non-Bailable Magistrate First Class	of
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### **Terrorist Act**

113. (1) Whoever does any act with the intent to threaten or likely to threaten the unity, integrity, sovereignty, security, or economic security of India or with the intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country,

(a) by using bombs, dynamite or other explosive substance or inflammable substance or firearms or other lethal weapons or poisonous or noxious gases or other chemicals or by any other substance (whether biological, radioactive, nuclear or otherwise) of a hazardous nature or by any other means of whatever nature to cause or likely to cause,

(i) death of, or injury to, any person or persons; or

(ii) loss of, or damage to, or destruction of, property; or

(iii) disruption of any supplies or services essential to the life of the community in India or in any foreign country; or

(iv) damage to, the monetary stability of India by way of production or smuggling or circulation of counterfeit Indian paper currency, coin or of any other material; or

(v) damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State Government or any of their agencies; or

(b) overawes by means of criminal force or the show of criminal force or attempts to do so or causes death of any public functionary or attempts to cause death of any public functionary; or

(c) detains, kidnaps or abducts any person and threatening to kill or injure such person or does any other act in order to compel the Government of India, any State Government or the Government of a foreign country or an international or inter-governmental organisation or any other person to do or abstain from doing any act, commit a terrorist act.

**Explanation.** For the purpose of this sub-section,

(a) "public functionary" means the constitutional authorities or any other functionary notified in the Official Gazette by the Central Government as public functionary;

(b) "counterfeit Indian currency" means the counterfeit currency as may be declared after examination by an authorised or notified forensic authority that such currency imitates or compromises with the key security features of Indian currency.

(2) Whoever commits a terrorist act shall,—

(a) if such offence has resulted in the death of any person, be punished with death or imprisonment for life, and shall also be liable to fine;

(b) in any other case, be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.

(3) Whoever conspires or attempts to commit, or advocates, abets, advises or incites, directly or knowingly facilitates the commission of a terrorist act or any act preparatory to the commission of a terrorist act, shall be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.

(4) Whoever organises or causes to be organised any camp or camps for imparting training in terrorist act, or recruits or causes to be recruited any person or persons for commission of a terrorist act, shall be punished with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.

(5) Any person who is a member of an organisation which is involved in terrorist act, shall be punished with imprisonment for a term which may extend to imprisonment for life, and shall also be liable to fine.

(6) Whoever voluntarily harbours or conceals, or attempts to harbour or conceal any person knowing that such person has committed a terrorist act shall be punished with imprisonment for a term which shall not be less than three years but which may extend to imprisonment for life, and shall also be liable to fine:

Provided that this sub-section shall not apply to any case in which the harbour or concealment is by the spouse of the offender.

(7) Whoever knowingly possesses any property derived or obtained from commission of any terrorist act or acquired through the commission of any terrorist act shall be punished with imprisonment for a term which may extend to imprisonment for life, and shall also be liable to fine.

*Explanation.*—For the removal of doubts, it is hereby declared that the officer not below the rank of Superintendent of Police shall decide whether to register the case under this section or under the Unlawful Activities (Prevention) Act, 1967.

113 (2)(a)	Terrorist act resulting in the death of any person	Death or imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session
113 (2)(b)	In any other case	Imprisonment for not less than 5 years but which may extend to imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session
113 (3)	Conspiring, attempting, abetting, etc. Or knowingly facilitating the commission of terrorist act	Imprisonment for not less than 5 years but which may extend to imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session
113 (4)	Organising camps, training, etc. For commission of terrorist act	Imprisonment for not less than 5 years but which may extend to imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session
113 (5)	Being a member of an organisation involved in terrorist act	Imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session



113 (6)	Harbouring, concealing, etc., of any person who may have committed a terrorist act	Imprisonment for not less than 3 years but which may extend to imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session
113 (7)	Possessing property derived or obtained from commission of terrorist act	Imprisonment for life and fine	Cognizable	Non-Bailable	Court of Session

### Voluntarily causing hurt

**Section 115(2) (section 323):** The following has been added: Whoever, except in the case provided for by sub-section (1) of section 122 voluntarily causes hurt, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both.

115 (2) <b>IPC 323</b>	Voluntarily causing hurt	Imprisonment for 1 year or fine of 10,000 rupees, or both	Non-Cognizable	Bailable	Any Magistrate
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### Grievous hurt

**Section 116. (section 320):** **There** The following kinds of hurt only are designated as "grievous", namely: —

- (h). Any hurt which endangers life or which causes the sufferer to be during the space of **fifteen days (twenty days)** in severe bodily pain, or unable to follow his ordinary pursuits.

### Voluntarily causing grievous hurt.

**Section 117. (section 322):** (1) Whoever voluntarily causes hurt, if the hurt which he intends to cause or knows himself to be likely to cause is grievous hurt, and if the hurt which he causes is grievous hurt, is said "voluntarily to cause grievous hurt".  
(Definition)

**Section 117(2) (section 325)** Whoever, except in the case provided for by sub-section (2) (except in the case provided for by section 335) of section 122, voluntarily causes grievous hurt, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**(Voluntarily causing grievous hurt.)**

**Section 170(3)** Whoever commits an offence under sub-section (1) and in the course of such commission causes any hurt to a person which causes that person to be in permanent disability or in persistent vegetative state, shall be punished with rigorous imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life.

(4) When a group of five or more persons acting in concert, causes grievous hurt to a person on the ground of his race, caste or community, sex, place of birth, language, personal belief or any other similar ground, each member of such group shall be guilty of the offence of causing grievous hurt, and shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

117 (2) New Added Sub Section	Voluntarily causing grievous hurt	Imprisonment for 7 years and fine	Cognizable	Bailable	Any Magistrate
117 (3)	If hurt to results in permanent disability or persistent vegetative state	Rigorous imprisonment for not less than 10 years but which may extend to imprisonment for life which shall mean the remainder of that person's natural life	Cognizable	Non-Bailable	Court Session of
117 (4)	Grievous hurt caused by a group of 5 or more persons	Imprisonment for 7 years and fine	Cognizable	Non-Bailable	Court Session of

**Voluntarily causing hurt or grievous hurt by dangerous weapons or means.**

**Section 118. (section 324): (1)** Whoever, except in the case provided for by sub-section (1) of section 122, (by section 334) voluntarily causes hurt shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to twenty thousand rupees, or with both.



**(2) (326)** Whoever, except in the case provided for by sub-section (2) of section 122, voluntarily causes grievous hurt by any means referred to in sub-section (1), shall be punished with imprisonment for life, or with imprisonment of either description for a term which shall not be less than one year but which may extend to ten years, and shall also be liable to fine.

<p>118 (1) <b>IPC 324</b></p>	<p>Voluntarily causing hurt by dangerous weapons means</p>	<p>Imprisonment for 3 years or fine of 20,000 rupees or both</p>	<p>Cognizable Non-Bailable</p>	<p>Any Magistrate</p>
<p>118 (2) <b>IPC 326</b></p>	<p>Voluntarily causing grievous hurt by dangerous weapons means [Except as provided in section 122(2)</p>	<p>Imprisonment for life or imprisonment of not less than 1 year but which may extend to 10 years and fine</p>	<p>Cognizable Non-Bailable</p>	<p>Magistrate of the first class</p>

**Voluntarily causing hurt or grievous hurt to extort confession, or to compel restoration of property.**

**Section 120. (section 330):** grievous hurt is added in the heading of the offence.

**Section 121 (Section 322):** Punishment is enhancement from 3 years to 5 years.

**Section 121(2):** Imprisonment minimum threshold is defined as one year

**Voluntarily causing hurt or grievous hurt on provocation.**

**Section 122. (1) (section 334):** Fine is enhanced from five hundred to five thousand rupees.

**(2) (section 335)** imprisonment enhanced from four years to five years and fine from, ten (two) thousand rupees to ten thousand.

<p>122 (1) <b>IPC 334</b></p>	<p>Voluntarily causing hurt on grave sudden provocation, not</p>	<p>Imprisonment for 1 month or fine of 5000 rupees or both</p>	<p>Non-Cognizable Bailable</p>	<p>Any Magistrate</p>
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intending to hurt  
any other than the  
person who gave  
the provocation

<b>122 (2)</b> <b>IPC</b> <b>335</b>	Causing grievous hurt on grave and sudden provocation, not intending to hurt any other than the person who gave the provocation	Imprisonment for 5 years, or fine of 10,000 rupees, or both	Cognizable Bailable Magistrate of the first class
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**Voluntarily causing grievous hurt by use of acid, etc.**

**Section 124. (section 326A):** There are no changes from the corresponding provisions except that the permanent vegetative state has been added.

**Act endangering life or personal safety of others.**

**Section 125. (section 336):** Whoever does any act so rashly or negligently as to endanger human life or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to three months or with fine which may extend to two thousand five hundred (two hundred and fifty) rupees or with both, but—

(a) **(Section 337) where hurt is caused**, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five thousand (hundred) rupees, or with both;

(b) **(Section 338) where grievous hurt is caused**, shall be punished with imprisonment of either description for a term which may extend to three (two) years, or with fine which may extend to ten (one) thousand rupees, or with both.

<b>125</b> <b>IPC 336</b>	Doing any act endangering human life or personal safety of both others	Imprisonment for 3 months, or fine of 25,000 rupees, or	Cognizable Bailable Any Magistrate
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<b>125 (a)</b> <b>IPC 337</b>	Where hurt is caused	Imprisonment for 6 months, or fine of 5,000 rupees or both	Cognizable Bailable Any Magistrate
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125 (b) Where grievous hurt is caused  
**IPC 338** Imprisonment for 3 years, or fine of 10,000 rupees, or both  
 Cognizab Bailable  
 Any Magistrate

*Of wrongful restraint and wrongful confinement*

**Wrongful restraint**

126 (2) Wrongfully restraining person  
**IPC 341** Simple Imprisonment for 1 month, or fine of 5,000 rupees, or both  
 Cognizab Bailable  
 Any Magistrate

**Wrongful confinement**

127 (2) Wrongfully confining person  
**IPC 342** Imprisonment for any year, or fine of 5,000 rupees, or both  
 Cognizab Bailable  
 Any Magistrate

127 (3) Wrongfully confining three or more days  
**IPC 343** Imprisonment for 3 years, or fine of 10,000 rupees or both  
 Cognizab Bailable  
 Any Magistrate

127 (4) Wrongfully confining for 10 or more days  
**IPC 344** Imprisonment for 5 years, or fine of 10,000 rupees, or both  
 Cognizab Non-Bailable  
 Magistrate of the first class

127 (5) Keeping wrongful confinement, knowing that writ has been issued for his liberation  
**IPC 345** any Imprisonment for 2 years in addition to any term of imprisonment to under any other section and fine  
 Cognizab Bailable  
 Magistrate of the first class

127 (6) Wrongful confinement secret  
**IPC 346** Imprisonment for 3 years in addition to other punishment which he is liable to and fine  
 Cognizab Bailable  
 Magistrate of the First Class

*Of criminal force and assault*

**Punishment for assault or criminal force otherwise than on grave provocation.**

**Section 131. (section 352):** fine enhanced from five hundred to one thousand rupees.

**Assault or criminal force in attempt to wrongfully confine a person.**

**Section 135. (section 357):** Fine enhanced from one thousand to five thousand rupees.

**Assault or criminal force on grave provocation.**

**Section 136. (section 358):** Fine enhanced from two hundred to one thousand rupees.

BPR&D