



READY RECKONER ON OFFENCES AGAINST PROPERTY

Under the Bharatiya Nyaya Sanhita (BNS), Offences against property are defined in Chapter XVII, spanning Sections 303 to 334(2), incorporating amendments that modify punishment quantum or introduce new terminology to existing IPC provisions (fine or imprisonment).

The Bharatiya Nyaya Sanhita, 2023, strengthens theft-related offenses, imposing increased penalties of up to seven years' imprisonment and fines, addressing theft in various contexts.

In the realm of mischief, penalties range from one to five years of imprisonment, coupled with fines, showcasing a holistic approach to property damage, including that of the Government or Local Authority. New provisions address offenses related to the destruction or movement of signs or signals vital for navigation, demonstrating adaptability to evolving circumstances.

303.(2) (Section 379) Theft.

In normal cases of theft, imprisonment remains at 3 years under both the old and new law. However, in the case of repeat offences of thefts (second or subsequent conviction), BNS provides for a more stringent punishment, with rigorous imprisonment for a term not less than one year but which may extend to five years, along with a fine.

Community service is prescribed as a punishment for a first-time convict if they return the value of stolen property or restore the stolen property. The proviso to section 303(2) of BNS outlines that in the case of petty thefts (where the value of the stolen property is less than five thousand), a first-time convict may be subjected to community service instead of imprisonment, fine, or both, upon the return of the property's value or restoration of the stolen property.

304. (Section 379A) while both IPC and BNS address theft, the BNS distinguishes theft by snatching as a separate offense and imposes more severe consequences for this specific type of theft under section 304.

Theft in a dwelling house, or means of transportation or place of worship, etc.

305.(Section 380)

The corresponding provisions have enlarged the scope of this offense with the following:

In any building, tent, or vessel (used as a human dwelling or for property custody) (a), of any means of transport for goods or passengers (b), of any article or goods from any transport for goods or passengers (c), of an idol or icon in a place of worship (d), or of any property belonging to the Government or a local authority (e), the offender shall be punished with imprisonment for a term of up to seven years and is also liable to a fine.

Of Extortion

Extortion.

308.(1) (Section 383) No changes in this provision, and only the following illustration has been added:

(e) A threatens Z by sending a message through an electronic device that “Your child is in my possession and will be put to death unless you send me one lakh rupees.” A thus induces Z to give him money. A has committed extortion.

OF ROBBERY AND DACOITY

Robbery.

310.(3) (Section 396) The corresponding provision is only changed with respect to the punishments, which are of a mandatory nature.

-Of mischief

324. (3) In the corresponding provision, the following is added: Whoever commits mischief and thereby causes loss or damage to any property, including the property of the Government or a Local Authority, shall be punished with imprisonment of either description for a term that may extend to one year, or with a fine, or with both.

324. (4) (Section 427) Whoever commits mischief and thereby causes loss or damage to the amount of twenty thousand rupees and more but less than one lakh rupees (fifty rupees or upwards) shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

324. (5) Whoever commits mischief and thereby causes loss or damage to the amount of one lakh rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

326.(d) (Section 433) The following has been added: destroying or moving any sign or signal used for the navigation of rail, aircraft, or ship.

327. (1) (Section 437)-The scope of the corresponding provision has been enlarged by adding that whoever commits mischief to any rail, aircraft,

329.(3) (Section 447)-Under the provision, the penalty has been enhanced to five thousand rupees, or with both.

331. The corresponding provision is only changed to "house-breaking after sunset and before sunrise," not "(by night)."

**TRAINING MATERIAL / READY RECKONER
THE BHARATIYA NYAYA SANHITA, 2023
OF OFFENCES AGAINST PROPERTY (CHAPTER- XVII)**

Previous Law : IPC	New Law : BNS	Change in Chapters
Chapter – XVII	Chapter – XVII	In IPC – Sections 378 to 462 In BNS – Sections 303 to 334

SECTION	OFFENCE DESCRIPTION	PUNISHMENT	COGNIZABLE/ BAILABLE /TRIAL COURT/	REMARK
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			COMPOUNDABLE	
324 (3)	Mischief causing loss or damage to any property including property of Government or Local Authority.	Imprisonment for 1 year, or fine, or both.	Non-cognizable/ Bailable/ Magistrate Any	Newly added
324 (4) IPC 427	Mischief causing loss or damage to the amount of twenty thousand rupees but less than 2 lakh rupees.	Imprisonment for 2 years, or fine, or both.	Non-cognizable/ Bailable/ Magistrate Any	Loss or damage from fifty rupees or upward replaced with twenty thousand rupees but less than 2 lakh rupees.
324 (5)	Mischief causing loss or damage to the amount of one lakh rupees or upwards.	Imprisonment for 5 years, or fine, or both.	Cognizable/ Bailable/ Magistrate of the first class	Newly added
327(1) IPC 437	Mischief with intent to destroy or make unsafe a rail, aircraft, decked vessel or a vessel of 20 tonnes burden.	Imprisonment for 10 years and fine.	Cognizable/ Non-bailable/ Court of Session	Rail and aircraft added

