



Ready Reckoner

OF FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE

Recent developments to the legal framework governing false evidence and offenses against public justice in India involve modifications to specific sections of the Indian Penal Code (IPC). Key changes include an enhanced penalty amount in Section 193, a shift in terminology from "court of justice" to "court," and the addition of a fine up to fifty thousand rupees in Section 230 for giving or fabricating false evidence with the intent to procure conviction. Sections 232 to 234 remain unchanged, addressing threatening, using known false evidence, and issuing false certificates. Sections 239 and 241 introduce fines of up to five thousand rupees and an increased imprisonment duration of three years, respectively, for intentional omissions and destruction of evidence. Sections 242 to 244 remain unaltered, covering false personation, fraudulent removal or concealment of property, and fraudulent claims. In Sections 245 to 248, focusing on fraudulent decrees, false charges, and fraudulent claims, Section 248 experiences an imprisonment duration increase to five years and a specified fine of up to two lakh rupees.

Punishment for false evidence.

229.(Section 193) There is no change with respect to the corresponding IPC section except for the enhancement of the penalty amount. Additionally, the words "court of justice" are being replaced with "court."

Giving or fabricating false evidence with intent to procure conviction of Capital offence

230.(Section 194): There are no substantial changes, except that a fine, which may extend to fifty thousand rupees, has been added, and there is a minor change in phraseology in the second subsection.

Intentional omission to give information of offence by person bound to inform.

239. (Section 202) In the corresponding provisions, there are no changes except that a fine, which may extend to five thousand rupees or both, is added.

Giving false information respecting an offence committed.

241. (Section 204) *There are no changes except for the following: The duration of imprisonment is increased to three years from two years, and a fine is specified, which may extend to five thousand rupees."*

False charge of offence made with intent to injure

248.(Section 211) There are no changes except for the following: Imprisonment is increased to five years from two years, and a fine is specified, which may extend to two lakh rupees. Additionally, imprisonment is increased to ten years from seven years, respectively."

Harbouring offender

249.(Section 212) The term 'spouse' is used in substitution for husband or wife in the Indian Penal Code (IPC). Additionally, the following should be added to the explanation clause: 'Offence' in this section includes any act committed at any place outside of India, which, if committed in India, would be punishable under any of the following sections, namely:"

Harbouring offender who has escaped from custody or whose apprehension has been ordered

253.(Section 216): Phrase spouse is used in substitution of husband or wife in IPC

Penalty for harbouring robbers or dacoits

254. (Section 216A)

Phrase spouse is used in substitution of husband or wife in IPC.

Intentional insult or interruption to public servant sitting in judicial proceeding

267.(Section 228) Fine is enhanced from one thousand rupees to five thousand rupees.

Personation of assessor (juror or assessor)

268. (Section 229) There are no major changes except for the following: The phrases 'juryman' or 'assessor' and 'jury' or 'assessor' are replaced by a single term, 'assessor'."

READY RECKNONER:

SECTION	OFFENCE DESCRIPTION	PUNISHMENT	COGNIZABLE/ BAILABLE /TRIAL COURT/ COMPOUNDABLE	REMARK
229 (1) (193)	Intentionally giving or fabricating false evidence in a judicial proceeding.	Imprisonment for seven years and fine ten thousand rupees.	Non-cognizable/ Bailable/ Magistrate of the first class.	Fine amount is added i.e. ten thousand rupees.
229 (2)	Giving or fabricating false evidence in any other case	Imprisonment for three years and fine five thousand rupees.	Non-cognizable/ Bailable / Any Magistrate	Fine amount is added i.e. five thousand rupees
230(a) (194)	Giving or fabricating false evidence	Imprisonment for life, or rigorous	Non-cognizable, Non-bailable, Court of Session	fine which may

	with intent to cause any person to be convicted of capital offence	imprisonment for ten years and fifty thousand rupees.		extend to fifty thousand rupees is added.
239 (202)	Intentional omission to give information of offence by person bound to inform.	Imprisonment for six months, or fine of five thousand rupees, or both.	Non-cognizable/ Bailable/ Any Magistrate.	Fine which may extend to five thousand rupees or with both is added.
241 (204)	Destruction of document or electronic record to prevent its production as evidence.	Imprisonment for three years, or fine of five thousand rupees, or both.	Non-cognizable/ Bailable/ Magistrate of the first class.	Duration of imprisonment is increased to Three years from (two years), and fine is specified which may extend to five thousand rupees.
248(a) (211)	False charge of offence	Imprisonment for five years	Non-cognizable/ Bailable/ Magistrate of the first class.	Imprisonment is

	made with intent to injure	or fine of two lakh rupees, or both.		increased to five years (two years), and fine is specified which may extend to two lakh rupees,
248(b)	Criminal proceeding instituted on a false charge of an offence punishable with death, imprisonment for life, or imprisonment for ten years or upwards.	Imprisonment for ten years and fine.	Non-cognizable/ Bailable/ Court of Session.	Imprisonment is increased to ten years (seven years),
249(a) (212)	Harbouring offender, if the offence is punishable with death.	Imprisonment for five years and fine	Cognizable/ Bailable/ Magistrate of the first class.	spouse (husband or wife)
253(a) (216)	Harbouring offender who has escaped from custody, or whose apprehension	Imprisonment for seven years and fine.	Cognizable/ Bailable/ Magistrate of the first class.	spouse (husband or wife)

	has been ordered, if the offence is punishable with death.			
254 (216A)	Penalty for harbouring robbers or dacoits	Rigorous imprisonment for seven years and fine	Cognizable/ Bailable/ Magistrate of the first class.	spouse (husband or wife)
267 (228)	Intentional insult or interruption to a public servant sitting in any stage of a judicial proceeding.	Simple imprisonment for six months, or fine of five thousand rupees, or both.	Non-cognizable/ Bailable/ The Court in which the offence is committed, subject to the provisions of Chapter XXVIII; or, if not committed, in a Court, any Magistrate.	five thousand rupees (one thousand),
268 (229)	Personation of assessor (juror or assessor)	Imprisonment for two years, or fine, or both.	Non-cognizable/ Bailable/ Magistrate of the first class	Word 'Personation of assessor' replace s (juror or assessor)