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# **ANALYSIS OF BHARTIYA NYAYA SANHITA**

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## ***Abstract: -***

Bhartiya Nyaya Sanhita, 2023, represents a significant reform in Indian criminal regulation, reflecting a concerted effort to modernize the felony framework by means of casting off colonial legacies and aligning with current values. Enacted by the Indian Parliament in 2023, this new Sanhita introduces a variety of reforms aimed toward improving justice and performance inside the crook justice gadget. This research article examines the key adjustments delivered by using the Bhartiya Nyaya Sanhita, which include the redefinition of crook offenses, procedural innovations, and adjustments in sentencing practices.

## ***Introduction: -***

The First Law Commission, led by Lord Thomas Babington Macaulay, drafted the Indian Penal Code in 1834, and it was presented to the Governor-General of India Council in 1835. It is divided into 23 chapters and 511 sections, each of which addresses a different area of criminal law. A more contemporary version of the Indian Penal Code is being suggested, called the Bhartiya Nyaya Sanhita (BNS). Its goal is to modernize and revise India's criminal laws so they are more appropriate for the country's modern society. The BNS aims to bring the penal laws into compliance with the demands of the modern judicial system by addressing a number of shortcomings and out-of-date provisions of the IPC. On August 11, 2023, the Bhartiya Nyaya Sanhita (BNS) was established to replace the IPC. The Standing Committee on Home Affairs looked into it. Following the withdrawal of the previous Bill, the Bhartiya Nyaya (Second) Sanhita, 2023 (BNS2) was introduced on December 12, 2023. It includes some of the Standing Committee's recommendations. The BNS2 basically keeps the IPC's provisions in place while adding some new offenses, eliminating others that have been declared unconstitutional by courts, and stiffening the penalties for a number of existing ones. Lastly, there are 20 chapters and 358 sections in BNS.

***Abbreviations: -***

1. **IPC-** Indian Penal Code
2. **BNS-** Bhartiya Nyaya Sanhita

***New Chapter Added: -***

1. **CHAPTER IV** OF ABETMENT, CRIMINAL CONSPIRACY AND ATTEMPT
2. **CHAPTER V** OFFENCES AGAINST WOMAN AND CHILDREN 3.  
**CHAPTER X** OF OFFENCES RELATING TO COIN, CURRENCY NOTES, BANK NOTES, AND GOVERNMENT STAMPS

***Deleted Offences: -***

1. Sedition (Section 124A)
2. Punishment for knowingly carrying arms in any procession or organizing, or holding or taking part in any mass drill or mass training with arms. (Section 153AA).
3. Abetting in India the counterfeiting out of India of coin (Section 236).
4. Offences relating to weights and measures (CHAPTER XIII)
5. Attempt to commit suicide (Section 309)
6. Thug (Section 310)
7. Unnatural offences (Section 377)
8. Adultery (Section 497)

***New Offences added: -***

1. Terrorist act (BNS Section 111)
2. Organised Crime (BNS Section 109)
3. Petty Organized Crime (BNS Section 110)
4. Mob lynching (BNS Section 301(2))
5. Hit and Run (BNS Section 106(2))
6. Hiring, employing or engaging a child to commit an offence (BNS Section 95) 7. Act endangering sovereignty, unity and integrity of India (BNS Section 152A) 8. Snatching (BNS Section 302)

## ***A. Definitions: -***

### **1. Child (2(3)- BNS**

The section 2(3) of BNS defines child any person below the age of 18 years it is new provision before this in IPC there is no specifically definition of child.

### **2. Document 2(3) BNS/ Section 20 IPC**

The section 2(3) of BNS defines document as any matter expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means, and includes electronic and digital record, intended to be used, or which may be used, as evidence of that matter, in short it now includes the electronic and digital records before this in IPC it not includes the electronic and digital records.

### **3. Gender 2(10)-BNS/ Section 8 IPC**

The section 2(10) of BNS defines gender and it includes the transgender.

### **4. Movable Property 2(21)-BNS/ Section 22 IPC**

The section 2(21) of BNS defines Movable Property as it includes property of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth. It now includes tangible and intangible property except immovable property before this in IPC intangible property like actionable claims, patents, trademarks, copyrights etc. is not included

### **5. Month and Calendar 2(20)-BNS / Section 49 IPC**

The section 2(20) of BNS defines Month and Calendar, reference of British calendar is replaced by Georgian calendar in BNS

### **6. Public Servant 2(28)-BNS/ Section 21 IPC**

The section 2(28) of BNS define public servant, mostly the section is similar to IPC, except these two changes: -

2(28)(d) every assessor or member of a panchayat assisting a Court or public servant, here it omits the word juryman which is found in IPC 2(28)(k) in the service or pay of a local authority as defined in clause (31) of section 3 of the General Clauses Act, 1897, a corporation established by or under a Central or State Act or a Government company as defined in clause

(45) of section 2 of the Companies Act, 2013. While in IPC in the service or pay of a local authority, a corporation established by or under a Central, Provincial or State Act or a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956).]

### ***B. Expressions: -***

1. "Denotes" word replace by "Means" word (e.g., judge in section 2(15))
2. Contemporary style of drafting
3. Archaic expressions like 'lunatic', 'insane' and 'idiot' have been done away with.
4. Colonial remnants like 'British calendar', 'Queen', 'British India, 'justice of the peace' has been deleted.
5. In 44 places 'Court of Justice' has been replaced with 'Court'

### ***C. Punishments: -***

#### **1. Community Service [Chapter 2, Section 4 of BNS / Section 53 of IPC]**

In section 53 of IPC, it only describes about 5 types of punishments viz. (1) Death;(2) Imprisonment for life; (3) Imprisonment which is of two descriptions– rigorous and simple; (4) Forfeiture of property and (5) Fine. In this particular section, a new punishment called "community service" is introduced by BNS 4(f). However, the term itself is not defined here. Instead, the explanation provided under Section 23 of the BNSS,2023 clarifies its meaning: "Community service" means work ordered by the court as a form of punishment that benefits the community. The convict will not be entitled to any remuneration for this work.

#### **Following sections includes community service as punishment: -**

Section 202 - Public Servant unlawfully engaging in trade.

Section 209 - Under Section 84 of BNSS, failure to appear upon proclamation.

Section 226 - Attempt to commit suicide or to compel or restrain the exercise of lawful power.

Section 303(2) - For theft, the offender may face imprisonment of either type for up to three years, a fine, or both. In the case of a repeat offense, the punishment includes rigorous imprisonment for at least one year, extending up to five years, and a fine. If the value of the stolen property is under five thousand rupees and it is the offender's first conviction, they may receive community service upon returning the stolen property or compensating its value.

Section 355 - Misconduct by a drunken person in a public place.

Section 356 - Defamation.

## ***D. Chapter VI: Crimes impacting the human body: -***

### **1. Penalties for Homicide (New Crime: Mob Lynching) under BNS Section 103(2):**

BNS creates a new category of crimes that explicitly targets mob lynching. It imposes severe penalties for murders committed by groups of five or more people based on race, caste, religion, gender, birthplace, language, personal beliefs, or any other similar criteria. The following is how the law is written: According to Section 103(2), if a group of five or more people conspire to commit a homicide on the basis of race, caste, religion, gender, place of birth, language, personal beliefs, or any other similar grounds, each member of that group shall be subject to the most severe legal penalties, including the possibility of life imprisonment or the death penalty, in addition to financial penalties.

### **2. Terrorist Acts (New Crime: Section 113 BNS):**

A new crime connected to terrorism is defined in Section 113 of the BNS. This section focuses on actions taken with the intention of putting a threat to the unity, integrity, sovereignty, security, or economic stability of India or any other nation, or of provoking fear in the population. such acts include: 1. Making Use of Dangerous Substances: Using explosives, firearms, toxic gases, or other potentially hazardous materials to: Inflict harm or death, Cause property damage or destruction, Interrupt essential services or supplies, Use counterfeit currency to undermine India's economic stability, Destroy or damage property used for defence or government purposes. 2. Unlawful Force: Using force against public officials or attempting to kill them illegally. 3. Kidnapping or hijacking: holding people hostage or kidnapping them with threats of harm to compel governments or international organizations to take action.

### **Terrorist acts come with consequences:**

Terrorism-related offenses carry severe penalties that vary depending on the severity of the crime:

- **Resulting in Death:** If a person dies as a result of the terrorist act, the perpetrator could face severe repercussions, including financial repercussions and a sentence of life imprisonment or death.
- **Other Circumstances:** The punishment may also include financial penalties and a minimum period of incarceration that may extend to life in prison.
- **Conspiracy or Assistance:** Engaging in, attempting, supporting, assisting, advising, inciting, or intentionally facilitating a terrorist act can result in monetary fines and

- lengthy prison sentences—possibly up to life—along with participation in a conspiracy.
- **Recruitment and Training Camps:** Organizing or assisting in the establishment of training camps for terrorist activities or recruiting individuals for such activities could result in lengthy prison sentences—possibly up to life—along with financial penalties.
  - **Membership in Terrorist Organizations:** Being a part of a group associated with terrorist activities can result in fines and long-term, possibly life-long, prison sentences.
  - **Giving Shelter to Terrorists:** Knowingly sheltering or concealing a person who is known to have committed a terrorist act can land you in prison for a long time, potentially lasting all of one's life and carrying financial penalties. If the offender's spouse conceals the crime, there are some exceptions.
  - **Possession of Terrorist Assets:** Having possession of property obtained through activities may result in monetary penalties as well as a significant period of imprisonment—possibly up to life.

#### **Explanation of Key Words:**

- **Public Official:** This term refers to constitutional authorities or any central government-appointed official.
- **Counterfeit Indian Currency:** Currency verified by an authorized forensic authority that imitates or compromises the essential security features of Indian currency.

#### **Law Enforcement's Role:**

An officer with a rank not lower than that of a Superintendent of Police makes the decision to file a case under this section or the Unlawful Activities (Prevention) Act of 1967. This guarantees that every instance of terrorist activity is dealt with within the appropriate legal framework.

### **3. Organized Crime (Section 109 BNS):**

According to Section 109 of the BNS, organized crime is any ongoing illegal activity that includes a variety of serious offenses like contract killings, robbery, vehicle theft, highway robbery, human trafficking for prostitution or forced labour, economic crimes, cybercrimes, and more. These activities are carried out by individuals or groups that work together as part of an organized crime syndicate or independently. To gain material or financial benefits, either

directly or indirectly, the methods may include violence, threats, intimidation, coercion, or other illegal methods.

### **Key Explanations:**

- **Organized Crime Syndicate:** A gang or syndicate is a group of two or more people who regularly engage in illegal activities either alone or together.
- **Persistent Illegal Activity:** Any offense that carries a minimum one-year jail sentence. It involves multiple offenses that have been acknowledged by the court and for which multiple charge sheets have been filed with a competent court in the past ten years. Economic crimes are also included.
- **Economic Crime:** Violations of trust like forging documents, currency counterfeiting, hawala transactions, mass-marketing fraud, and schemes to defraud banks or other financial institutions in exchange for financial gain.

### **Impacts on Organized Crime:**

Participation in organized crime carries severe consequences that vary depending on the nature of the crime and its outcomes:

1. **Having a Fatalities:**

Penalty: The most severe legal penalties, including substantial financial penalties and the possibility of life imprisonment or the death penalty.

2. **Other Situations:**

Penalty: Significant financial penalties in addition to prolonged incarceration—possibly up to life.

3 **Attempt, preparation, facilitation, or participation:**

Penalty: A significant fine and substantial imprisonment, possibly for life.

4 **Participation in a Syndicate of Organized Crime:**

Penalty: Significant financial penalties and long-term confinement, possibly up to life.

5. **Giving shelter to or hiding criminals:**

Penalty: Financial penalties and extended prison time, possibly for the rest of one's life.

Exclusion: This does not apply if the offender's spouse harbours or conceals them.

6. **Possession of Property from Organized crime: -**

Penalty: Imprisonment for a term of not less than three years, which may extend to life imprisonment, and a fine of not less than two lakh rupees

7. Possession of Unaccounted Property on Behalf of Syndicate Members: -

Punishment: Imprisonment for a term of not less than three years, which may extend to ten years, and a fine of not less than one lakh rupees.

The severe punishments underscore the seriousness with which the law treats organized crime, aiming to deter individuals and groups from engaging in such activities and to protect the public and national interests from the extensive harm caused by organized criminal enterprises.

**4. Hit and Run (section 106(2) of the BNS):**

This new BNS Section 106(2) offense applies to situations in which a person causes someone else's death without intending to homicide by driving carelessly or recklessly. The driver could face up to ten years in prison and a financial penalty if they flee the scene without immediately informing authorities or a magistrate.

**5. Hurt from grief (sections 117, 117(3), and 117(4) of the BNS):**

According to Section 117(1), a person is considered to have "voluntarily caused grievous hurt" if they either intend to cause or are aware that their actions are likely to cause severe injury and the injury occurs.

**Sections 117(3) and 117(4)'s elaboration:**

- Section 117(3): This section addresses the penalties for violators of Section 117(1) who cause injuries that result in permanent disability or a state of persistent vegetative state. o Rigorous Imprisonment: The individual will receive a sentence of rigorous imprisonment as one of the penalties. Duration of Imprisonment: The offender will be imprisoned for at least ten years, with the possibility of life imprisonment, which means they will be imprisoned for the rest of their lives.
- Section 117(4): This section deals with situations in which a group of five or more people harms another person because of discriminatory factors like race, caste, religion, gender, birthplace, language, or personal beliefs. The among the penalties are:
  - Group Offense: Every member of the group is held responsible for grievous harm. Penalty: A sentence of up to seven years in prison is possible.
  - Penalty for Money: The offender may also be fined.

### **Connections Between Section 103(2) (Mob Lynching) and Section 117(4):**

- **Action as a Group:**  
A group of five or more people acting together is covered in Section 117(4), and a group of five or more people acting in concert is covered in Section 103(2).
- **The Nature of the Crime:**  
Section 117(4) focuses on discrimination-based grievous bodily harm. Section 103(2) deals with murders committed on similar grounds of discrimination.
- **End Results:**  
Section 117(4) imposes a fine and up to seven years in prison on each group member. Section 103(2): Imposes a fine and either the death penalty or life in prison for each group member who committed a homicide.

### **Key distinctions:**

- **The degree of the offense:**  
Violation of Section 117(4) entails grievous bodily harm. The more serious offense of murder is addressed in Section 103(2).
- **The severity of the punishments:**  
Section 117(4): Up to seven years in prison may be imposed. Section 103(2): Includes the death penalty or life imprisonment.

### **Impact:**

The death penalty or life in prison are included in Section 103(2). Section 117(4) emphasizes the severe harm done to the victim. Section 103(2): Concerned with murder as the ultimate result.

### **6. Murder by a Lifer Convict (Section 104 of the BNS):**

If a person who is already serving a life sentence kills someone, they will either get the death penalty or life in prison, which means they will be locked up for the rest of their life.

### **7. Negligence that Leads to Death (Section 106 BNS/Section 304A IPC):**

Section 106(1) deals with situations in which a person kills another person without intending to homicide by acting rashly or negligently. The offender could face a fine and up to five years in prison. A registered medical practitioner could face up to two years in prison and a fine if they

accidentally cause death during a medical procedure. With specific penalties for medical professionals, these provisions hold individuals accountable for negligent actions that result in death.

**8. Crimes of a Minor Organized Form/ Petty Organised Crimes (BNS Section 112):**

According to Section 112(1), "petty organized crimes" are offenses committed by members of a group or gang, either on their own or in concert. These activities like stealing, snatching, cheating, selling tickets without permission, betting or gambling illegally, and other similar offenses are examples. The term "theft" in this section refers to a variety of activities, including shoplifting, card skimming, trick theft, vehicle theft, theft from residences or businesses, cargo theft, pickpocketing, and ATM theft.

**Subsection 112(2):**

Petty organized crime offenders face severe penalties, including the following: Penalty Up to seven years in prison, with a minimum sentence of one year. And fine infractions may also result in the payment of a fine.

***E. Chapter V: Crimes against women and children: -***

**1. Sexual Intercourse with Deceit (BNS Section 69):**

This section deals with situations in which a person engages in sexual activity with a woman in a deceptive manner or by falsely promising marriage without intent on achieving it. The individual could face up to ten years in prison and a possible fine if the act does not qualify as rape.

**2. Employing or Getting a Child to Do a Crime (BNS Section 95):**

Anyone who hires, employs, or engages a child to commit a crime is subject to a new offense under this section, which carries a maximum sentence of ten years in prison and a fine. The perpetrator will be held accountable for both the act of involving a child and the crime itself if the crime is committed as a result of such engagement. As a result, they will be subject to both the punishment imposed by Section 95 and the specific punishment for the crime committed.

**3. Rape IPC Section 375 and BNS Section 63:**

With the exception of sexual intercourse or acts by a man with his wife, provided she is not

under the age of eighteen, this section does not define rape. This is in contrast to IPC Section 375, which specifies a fifteen-year age limit for Exception 2. In addition, the BNS definition of rape does not include people of other genders, such as men and transgender people, in the discussion of gender equality.

#### **4. Cruelty by Husband or His Relatives (BNS Section 84) / (IPC Section 498A):**

Section 84 mirrors IPC Section 498-A and is prone to misuse. The Supreme Court of India's judgment in **Achin Gupta vs. State of Haryana (2024)** highlights potential abuses of this provision.

#### **Summary of Case (Achin Gupta vs. State of Haryana -2024): -**

Background: Achin Gupta was accused of cruel treatment toward his wife, including dowry demands and an extramarital affair, under Section 498A of the Indian Penal Code.

Allegations: The wife claimed that Achin and his family repeatedly harassed her, including demands for a car and physical abuse.

The Analysis of the Supreme Court: The Supreme Court found that in such cases, exaggerated claims are common, resulting in social problems and unfair suffering for the accused. The Court emphasized the need for a comprehensive examination of evidence beyond the FIR's allegations. Earlier rulings (such as Preeti Gupta v. State of Jharkhand), which called for a legislative review of Section 498A to prevent misuse, were cited.

Legislative Suggestions: To address misuse concerns, the judgment suggested legislative amendments to Sections 85 and 86 of the Bhartiya Nyaya Sanhita, 2023, similar to Section 498A IPC.

#### **5. IPC Section 376-D and BNS Section 70 gang rape:**

The IPC's age categories are removed from the definition of gang rape in BNS Section 70. The offense is defined as follows: -

Section 70(1): Each person is considered to have committed the crime of rape if a woman is raped by a group or individuals with the same goal. The sentence is severe imprisonment for at least twenty years, with the possibility of life in prison, which means the remainder of the

person's normal life. A fair and reasonable fine must also be imposed to cover the victim's medical bills and rehabilitation costs. The victim must be compensated for the fine.

Section 70(2): The offenders will face life in prison, which entails the rest of their natural lives, or even the death penalty, if the victim is under the age of eighteen. In this instance, the fine provisions of subsection (1) also apply.

**6. Assault or Use of Criminal Force with the Intent to Disrobe (BNS Section 76) and Voyeurism (IPC Section 354C):**

By substituting "whoever" for "man," the BNS has made these two sections gender-neutral. As a result of this modification, victims of these crimes of any gender are now protected by law as well as male victims.

**7. Kidnapping from Legal Guardianship (BNS Section 137(b)) and IPC Section 361:**

By eliminating the age requirement, BNS Section 137(b) makes changes to the previous law. The new provision states that kidnapping is committed by anyone who removes a child or person of unsound mind from the custody of their legal guardian without the consent of the guardian. A "lawful guardian" is a person who has been legally appointed to look after or be in charge of a child or mentally ill person. Unless the act is carried out for sinister or unlawful purposes. Unless the act is committed for immoral or unlawful purposes, those who, in good faith, believe they are the father of an illegitimate child or are entitled to lawful custody are exempt.

***F. Chapter XVII: Property-related violations:***

**1. Snatching (section 304 of the BNS):**

According to the definition provided in this section, snatching is a serious form of theft in which the perpetrator abruptly or quickly seizes, grabs, or removes any movable property from a person or their possession. This offense carries a fine and up to three years in prison as punishment. The BNS recently added this offense, which is not covered by the IPC.

**2. (BNS Section 305) Theft from dwelling house transportation, or places of worship:**

Theft is a crime that can result in a fine and up to seven years in prison under this section. This applies to thefts of buildings, tents, or vessels used for human habitation or property custody,

as well as any means of transportation used to transport goods or passengers, items or goods from transportation means, idols or icons from places of worship, and government or local authority property. This provision, in contrast to IPC Section 380, which only addresses theft in human dwellings, covers a wider range of locations.

### **3. Mischief (BNS Section 324):**

In contrast to IPC Section 426, which stipulates a maximum of three months in prison or a fine, this section's mischief penalty has been increased to six months in prison, a fine, or both.

### **4. BNS Section 324(4&5) mischief:**

Section 324(4): Mischief that causes damage or loss of more than one lakh rupees but less than 20,000 rupees is punished under this section. The penalty could be either a fine or up to two years in prison.

Section 324(5): This section increases the severity of the penalty for mischief that results in a loss or damage of one lakh rupees or more. The offender faces up to five years in prison, a fine, or both, depending on the severity of the offense. IPC Section 427, which previously dealt with mischief involving damages exceeding fifty rupees, has been replaced by these subsections.

### **5. Mischief Involving the Killing or Maiming of an Animal ((BNS Section 325):**

This section discusses mischief that results in the death, poisoning, or disfigurement of an animal. The penalty may include a fine or a maximum sentence of five years in jail. In the BNS, the IPC's various classifications (Sections 428 and 429) are combined into a single provision.

### **6. Punishment for Theft (BNS Section 303):**

Section 303(2): Individuals who are found guilty of theft face either a fine or up to three years in prison under this section. The penalty for repeat offenses is increased to harsh imprisonment for a minimum of one year and a fine of up to five years. Additionally, the section makes provisions for first-time offenders who steal property with a value of less than five thousand rupees. The offender may receive community service instead of prison time if the stolen property is returned or its value is compensated. The IPC does not address this idea of community service and subsequent offenses.

## *G. Chapter VII Offenses against the State:*

### **1. Sedition and Acts Endangering India's Sovereignty, Unity, and Integrity:**

#### **Defining Section 152:**

Individuals who intentionally or knowingly incite or attempt to incite secession, armed rebellion, subversive activities, or separatist sentiments through spoken or written words, signs, visible representations, electronic communication, financial means, or other methods threaten India's sovereignty, unity, and integrity. Along with a fine, the punishment includes either life in prison or up to seven years in prison. This section clarifies that it is not illegal to express disapproval of government actions or measures with the intention of pursuing legal changes.

#### **Under the Indian Penal Code (IPC), Section 124A (Sedition):**

Punishes individuals who, by spoken or written words, signs, visible representations, or other means, bring or attempt to bring hatred, contempt, or discontent toward the Indian government. The punishment can range from a possible fine and life in prison to a possible fine and up to three years in prison. Disloyalty and hostility are included in the definition of "disaffection," and it is not illegal to criticize government policies without inciting hostility or discontent.

#### **How Section 152 and Section 124A differ:**

##### 1. The nature and scope of the offense:

Section 152 focuses on secession, armed rebellion, subversive, or separatist activities that directly threaten the nation's sovereignty, unity, and integrity. The more serious threats to the state's existence and territorial integrity are discussed in this section. While in section 124A addresses actions that incite hatred, contempt, or discontent and focuses on maintaining respect and loyalty for the government.

#### **Acts Included:**

Section 152: Reflects contemporary threats to the nation's security and covers a wider range of actions, including contemporary methods like electronic communication and financial meanwhile in section 124A focuses primarily on verbal and written expressions, signs, and visible representations intended to undermine the government's authority

## ***H. Chapter XI Offenses Against Public Tranquility:***

### **1. Imputations and claims that harm national integration (BNS Section 195):**

**This section discusses actions that target specific groups and undermine national integration. The law condemns the accompanying activities:**

- Declaring in public (through speech, writing, images, electronic messages, etc.) that a specific religious, racial, linguistic, regional, caste, or community group: -

1. Cannot uphold India's sovereignty and integrity or be loyal to the Indian Constitution.
2. Should be denied their Indian citizenship rights.
3. Should be dealt with differently or targeted.
4. Disseminating inaccurate or misleading information that poses a threat to India's unity or security.

#### **Penalties: -**

A fine, up to three years in prison, or both. (1) - The penalty is more severe—up to five years in prison and a fine—if the offense occurs in a place of worship or during religious services.

### **2. Attempt suicide in order to prevent or restrict the exercise of Lawful Power (BNS Section 224):**

Any person who makes a suicide attempt with the intention of preventing a public servant from carrying out their official responsibilities will be subject to either a fine, simple imprisonment for up to one year, or both. In addition, community service may be required.

## **I. Chapter IV Abetment, Criminal Conspiracy, and Attempt:**

### **1. Abetment Outside India for an Offense in India (Section 48)**

The offense of aiding an offense committed in India from abroad is discussed in this section. For instance, if a person (A) in country X encourages another person (B) in India to commit a homicide, A is thought to have aided the homicide.

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