

Bharatiya Nyaya Sanhita

WHAT WAS THE NEED?



WHAT WAS THE NEED?

- Shedding 160-year-old colonial baggage.
- Aligning criminal law with Indian values and ethos.



Modernizing Outdated Provisions

- Updating archaic language and concepts.
- Reflecting contemporary social realities and technological advancements.



Tackling Emerging Crimes

- Combating terrorism, organised crime, and cybercrime more effectively.
- Addressing new forms of social and economic offences.



Emphasis on victim protection, compensation, and rehabilitation

CHANGES

INDIAN PENAL CODE TO BHARATIYA NYAYA SANHITA

- BNS contains 358 sections in 20 chapters while IPC has 511 sections in 23 chapters.
 - 20 new offences have been added in the Bharatiya Nyaya Sanhita (BNS)
- 19 provisions that existed in IPC have been deleted
 - In 33 offences the punishment of imprisonment has been increased

ADDITIONS

48	Abetment outside India for offence in India.
69	Sexual intercourse by employing deceitful means, etc.
70(2)	woman under eighteen years of age is raped by one or more persons
95	Hiring, employing or engaging a child to commit an offence.
103(2)	Mob Lynching

ADDITIONS

106(2)	Causing death by negligence
111	Organised crime.
112	Petty organised crime
113	Terrorist act.
152	Acts endangering sovereignty, unity and integrity of India.

Punishment

Death

Imprisonment
for life

Imprisonment-
Rigorous
Simple

Forfeiture of
property

Fine

Community Service



Volunteer to Serve your Community

SITUATIONS WHERE COMMUNITY SERVICE CAN BE GIVEN..



1

Public servant unlawfully engaging in trade.



2

Attempt to commit suicide to compel or restrain exercise of lawful power



3

In Case Of Theft
First time
less than 5000
return of property



4

Misconduct in public by a drunken person



5

Defamation

IPC

“Movable property”.—The words “movable property” are intended to include **corporeal property** of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth.

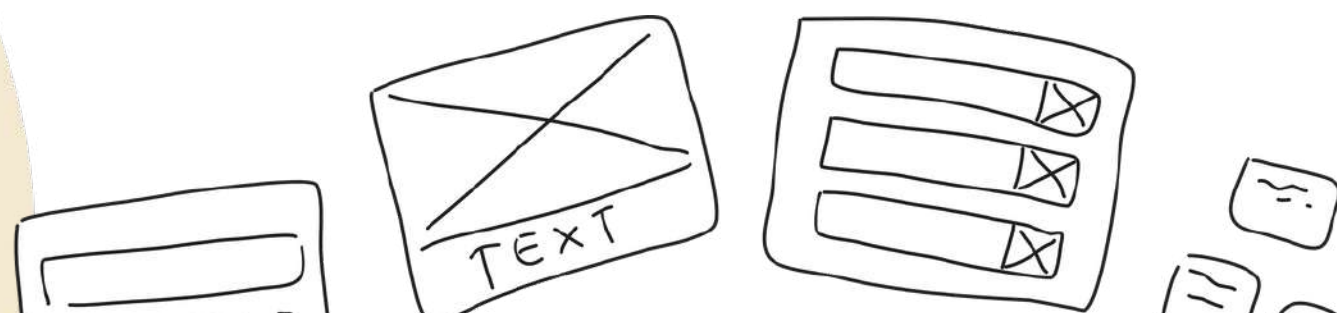
BNS

“movable property” includes property of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth.

Will include intangible assets like patents, copyrights etc.

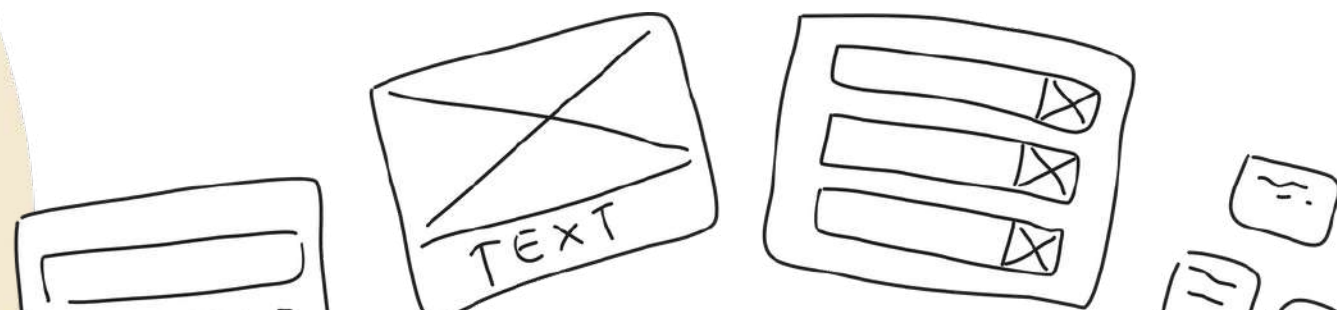
SECTION 48- ABETMENT OUTSIDE INDIA FOR OFFENCE IN INDIA

A person abets an offence within the meaning of this Sanhita who, without and beyond India, abets the commission of any act in India which would constitute an offence if committed in India.



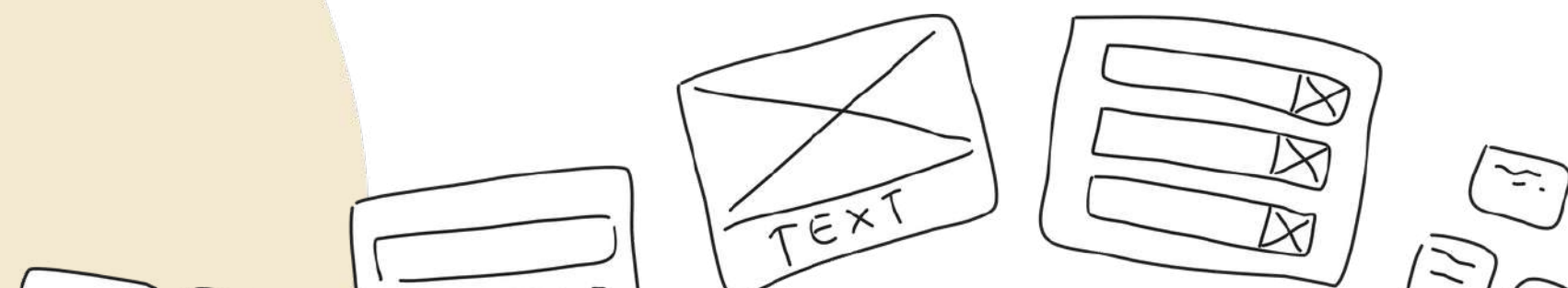
SECTION 49- PUNISHMENT OF ABETMENT IF ACT ABETTED IS COMMITTED IN CONSEQUENCE AND WHERE NO EXPRESS PROVISION IS MADE FOR ITS PUNISHMENT

Whoever abets any offence shall, if the act abetted is committed in consequence of the abetment, and no express provision is made by this Sanhita for the punishment of such abetment, be punished with the punishment provided for the offence.



SECTION 69- SEXUAL INTERCOURSE BY EMPLOYING DECEITFUL MEANS, ETC

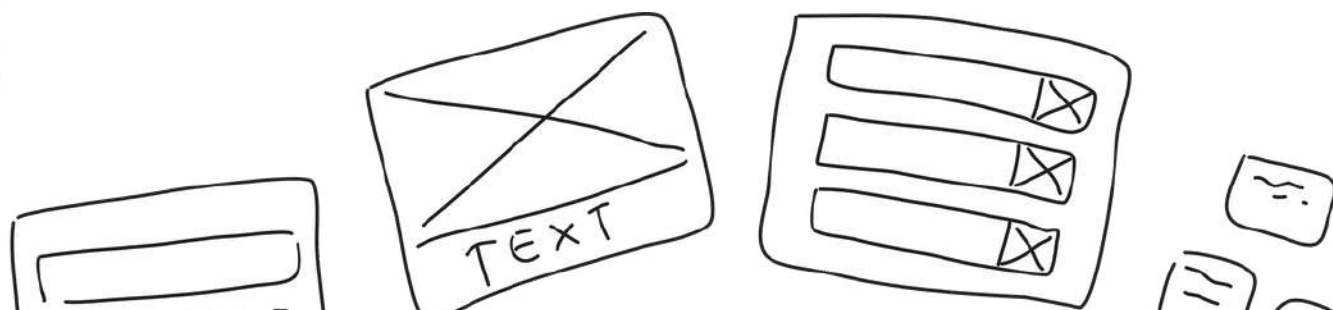
Whoever, by deceitful means or by making promise to marry to a woman without any intention of fulfilling the same, has sexual intercourse with her, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.



SECTION 69- SEXUAL INTERCOURSE BY EMPLOYING DECEITFUL MEANS, ETC

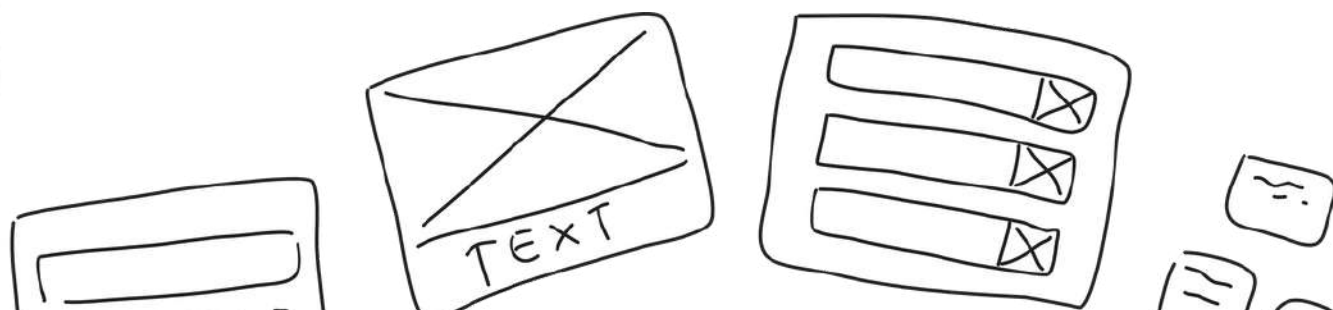
Explanation:-

“deceitful means” shall include inducement for, or false promise of employment or promotion, or marrying by suppressing identity.



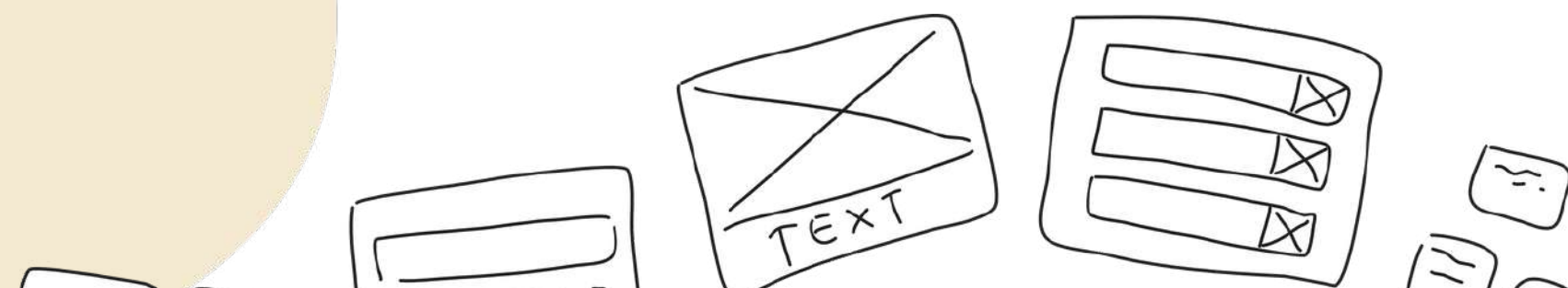
SECTION 70(2)- WOMAN UNDER 18 YEARS OF AGE IS RAPED BY ONE OR MORE PERSONS

Where a woman under 18 years of age is raped by one or more persons constituting a group or acting in furtherance of a common intention, each of those persons shall be deemed to have committed the offence of rape and shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine, or with death



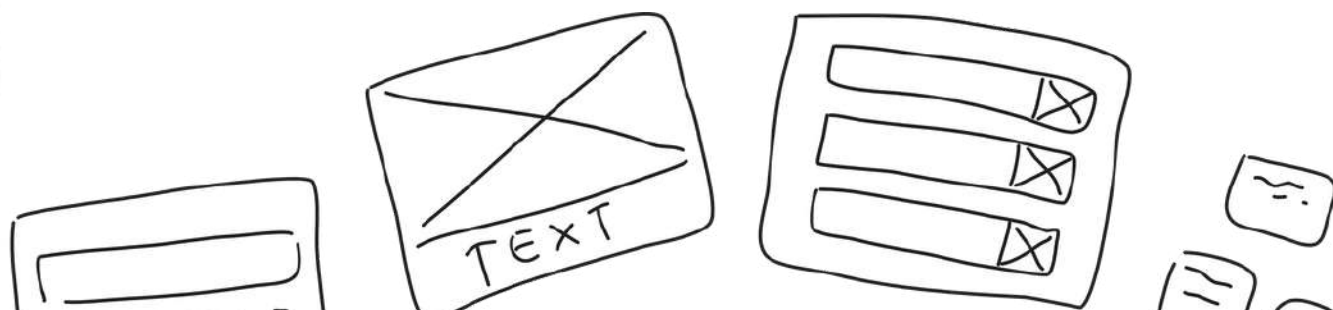
SECTION 95- HIRING, EMPLOYING OR ENGAGING A CHILD TO COMMIT AN OFFENCE.

Whoever hires, employs or engages any child to commit an offence shall be punished with imprisonment of either description which shall not be less than three years but which may extend to ten years, and with fine; and if the offence be committed shall also be punished with the punishment provided for that offence as if the offence has been committed by such person himself



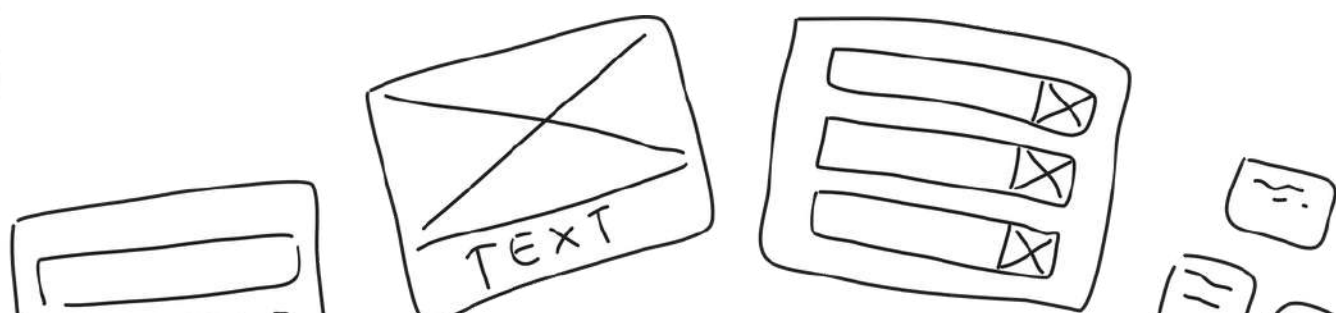
SECTION 103(2)- MOB LYNCHING

When a group of five or more persons *acting in concert* commits murder on the ground 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, and shall also be liable to fine.



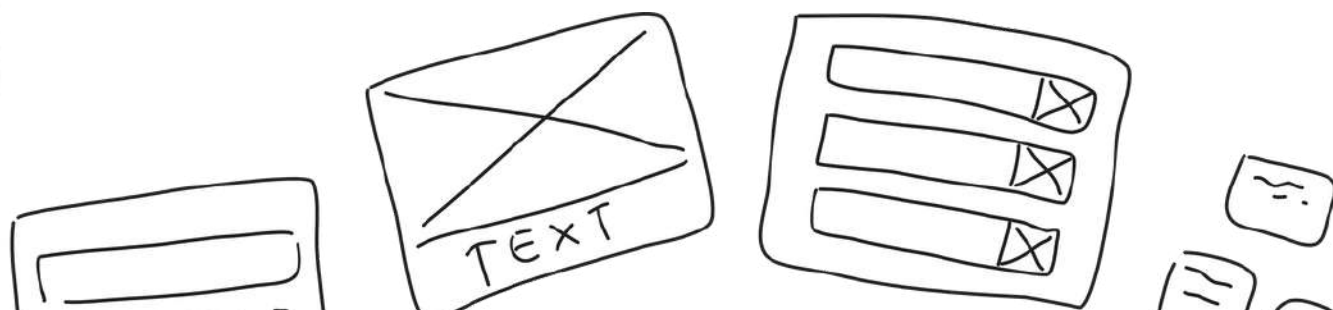
SECTION 107- Voluntarily causing grievous hurt.

(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.



SECTION 107- Voluntarily causing grievous hurt.

(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.



IMPORTANT

111

Organised
Crime



112

Petty
Organised
Crime



113

Terrorist Act



SECTION 111- ORGANISED CRIME

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.

KEY POINTS

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

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

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

Punishment

- If such offence has resulted in the death of any person, be punished with death or imprisonment for life
- 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

Section 112

Petty Organised Crime

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.

SECTION 112

EXPLANATION

—For the purposes of this subsection "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.

PUNISHMENT

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

Section 113

Terrorist Act

01

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

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,

02

SECTION 113

death of, or injury to, any person or persons

loss of, or damage to, or destruction of, property

disruption of any supplies or services essential to the life of the community in India or in any foreign country

damage to, the monetary stability of India by way of production or smuggling or circulation of counterfeit Indian paper currency

damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India

Punishment



(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

Additions

226

Attempt to commit suicide
to compel or restrain
exercise of lawful power.

304

Snatching

Major Deletions

Section- 124A Sedition

Whoever by words or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law in India

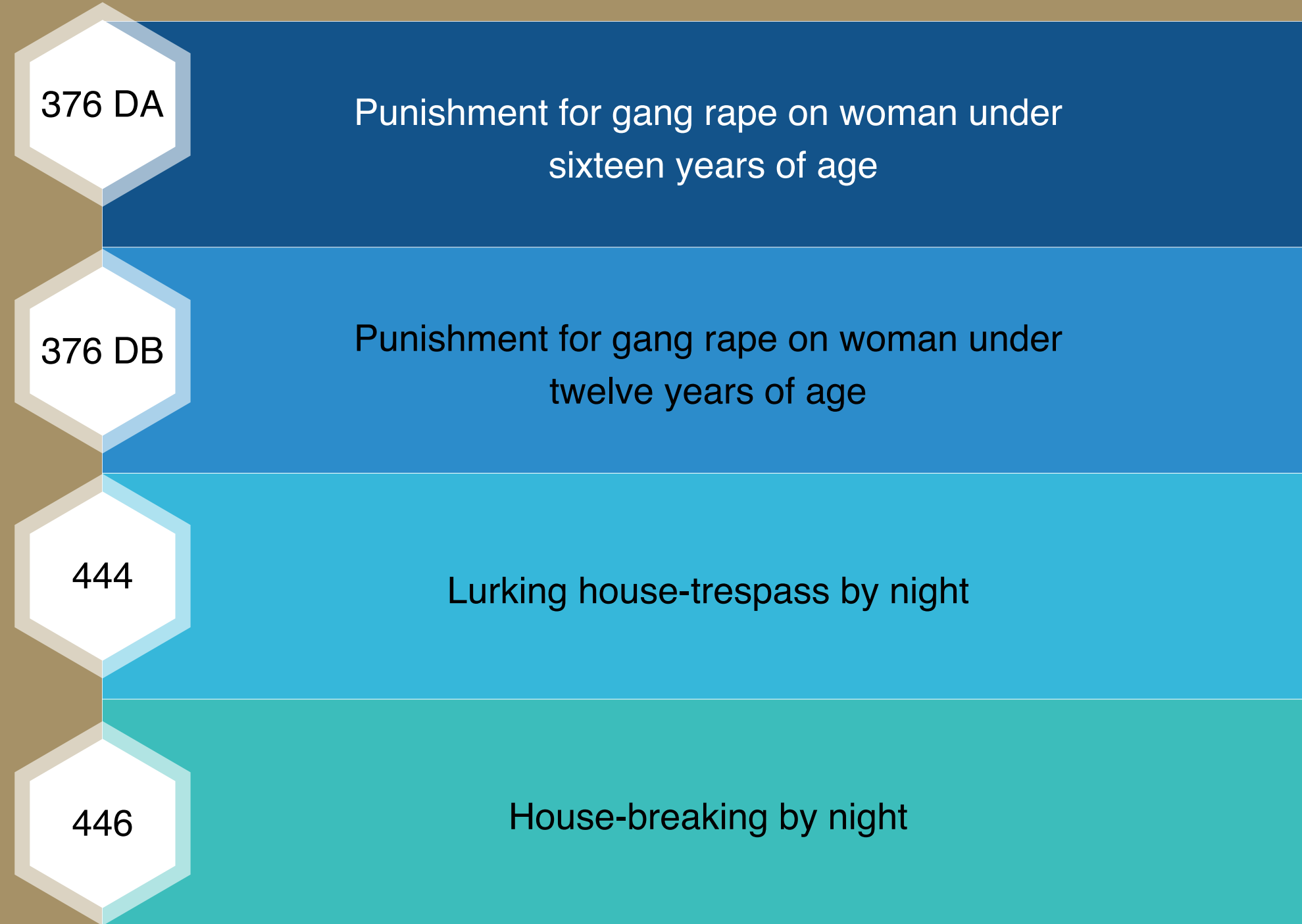
Section 377- Sexual intercourse against the order of nature


This Section
penalised the
Homosexuality

Section- 497 Adultery

Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery

OTHER DELETIONS






Gender
Neutral



New Form Of
Punishment

Re-Cap



Changes in
Sections



New Offences

THANK

YOU

