

**HOLISTIC
APPROACH TO
JUSTICE -
UNREVEALING
BHARATIYA
NYAYA SANHITA,
2023**

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WHY THE NEW LAWS ?

॥ परिवर्तनमेव स्थिरमस्ति ॥

The only constant is change.



- Indian Penal Code, 1860 – 511 sections
- Bharatiya Nyaya Sanhita, 2023 – 358 sections
- IPC Chapter XXIII / BNS Chapter XX
- BNS more concise, arranged precisely, streamlines and consolidates the legal provisions.

*** Reshaping the legal landscape ***



Chapter I – Preliminary – Sec. 1 to 3

Chapter II - Punishment – Sec. 4 to 13

Chapter III – General exception – Sec. 14- 44

Chapter IV – Abetment, Criminal Conspiracy and attempt – Sec. 45 - 62



- Chapter V – Offences against woman and child – Sec. 63 to 99
- Chapter VI – offences affecting human body – Sec. 100 to 146
- Chapter VII – Offences against the state – Sec. 147 to 158
- Chapter VIII – offences relating to Army, Navy and Air force – Sec. 159 to 168



- Chapter IX – offences relating to elections – Sec. 169 to 177
- Chapter X – offences relating to coin, currency notes, bank notes and Government stamps – Sec. 178 – 188
- Chapter XI – Offence against Public Tranquility – Sec. 189 to 197
- Chapter XII – Offences by or relating to Public Servants – Sec. 198 to 205



- Chapter XIII – Contempt of lawful authority of public servants – Sec. 206 to 226
- Chapter XIV – False evidence and offences against public justice – Sec. 227 to 269
- Chapter XV – Offences affecting public health, safety, convenience, decency and moral – Sec. 270 - 297



- Chapter XVI – offences relating to religion –
Sec. 298 to 302
- Chapter XVII – offences against property – Sec.
303 to 334
- Chapter XVIII – offences relating to documents
and property marks – Sec. 335 to 350



- Chapter XIX – Criminal intimidation insult, annoyance, defamation, etc. – Sec. 351 to 357
- Chapter XX – Repeal and savings – Sec. 358

Major Changes at Glance



- In 83 offences the punishment of fine has been enhanced.
- In 23 offences the mandatory minimum punishment has been introduced.
- In 6 offences the punishment of community service has been incorporated.



- 20 new offences are introduced in BNS.
- 19 offences in IPC deleted.
- In 33 offences the punishment of imprisonment has been increased.

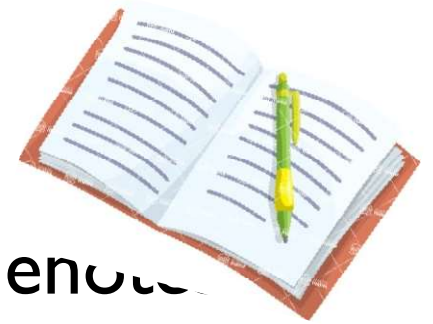


- There are separate sections for definitions in IPC (Sec.8 to 52-A).
- In BNS sec. 2 (1) to 2 (39) consists all definitions in a systematic alphabetical order.

(Ease of reading..)



- Sec. 8 IPC Gender – The pronoun ‘he’ & its derivatives are used of any person, whether male or female.
- Sec 2 (10) Gender – The pronoun ‘he’ & its derivatives used of any person, whether male, female or transgender.



- **Sec. 19 IPC** – Judge – The word “Judge” denotes not only every person who is officially designated as a Judge, but also every person ---**Illustrations**
(a) (b) (d) (deleted)---- illustration (c) retained.
- **Sec. 2 (16) BNS** – “Judge” means a person who is officially designated as a Judge and includes a person, ---- illustration (c) retained.



- **Sec. 20 IPC** – “Court of Justice” ----- Illustration
- **Sec. 2(5) BNS** – “Court” (change in title of the section)
- (Illustration referring to Regulation Act VI, 1816 of the Madras Court has been omitted as it became redundant long back with the repeal of Regulation VII by the Madras Civil Courts Act, 1873.)



- **Sec. 21 IPC** – “Public Servant”
- **Sec. 2 (28) BNS** – “Public Servant”
- Juryman deleted
- (The jury system was abolished. *K.M. Nanavati vs. State of Maharashtra*)



- **Sec. 22 IPC** – “Movable Property” intended to include corporeal property of every description---
--.
- **Sec. 2 (21) BNS** – “Movable Property” includes property of every description-----.

(In BNS definition is widened and also includes intangible property like patents, copyrights, etc.)



- **Sec. 27 IPC** – Property in possession of **wife**, clerk or servant.
- **Sec 3 (3) BNS** – when property is in the possession of a **person's spouse**, clerk or servant-----.

(Word **wife** deleted, replaced with **person's spouse**, gender neutral)



- Sec. 29 IPC – Document
- Sec. 2 (8) BNS - includes electronic and digital record.



- Sec. 49 IPC – “Year”, “Month” – **British calendar**
- Sec. 2 (20) BNS – “Month” and “Year” – **Gregorian Calendar**



- New provision added
- Sec. 2(3) BNS – “**Child**” means any person below the age of eighteen years.

- **No corresponding provision in IPC.**

(Uniformity has been established in the use of term “Child” by replacing expression like “minor” and “child under the age of 18 years.” Clarity has been ensured.)



- **Sec. 2 (39) BNS – “words and expressions”**
used but not defined in this Sanhita but defined in the Information Technology Act, 2000 and the Bharatiya Nagarik Suraksha Sanhita, 2023 shall have meanings respectively assigned to them in that Act and Sanhita.
- **No corresponding provision in IPC.**



- Sec. 53 IPC – “Punishments”

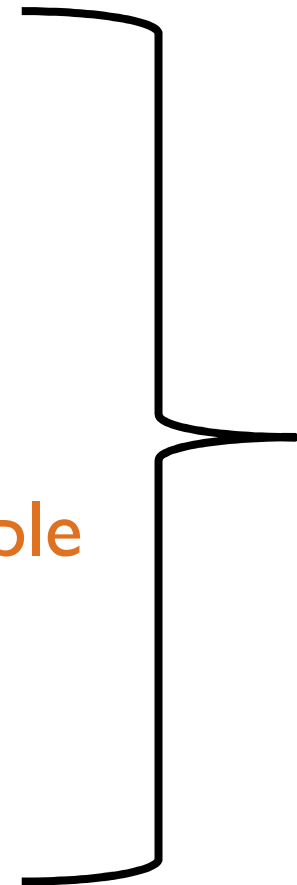
Firstly - Death

Secondly - Imprisonment for life

Fourthly - Imprisonment – Rigorous , simple

Fifthly - Forfeiture of property,

Sixthly - fine

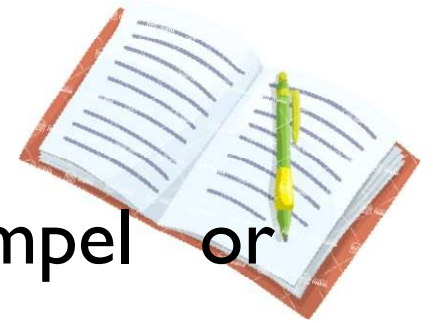




- Sec. 4 BNS – “Punishments”
 - a) Death
 - b) Imprisonment for life
 - c) Imprisonment – Rigorous , simple
 - d) Forfeiture of property, and
 - e) Fine
 - f) Community service**



- ❑ ‘Community service’ as punishment is provided for six (6) offences.
- Non appearance in response to proclamation u/s 84 of The Bharatiya Nagarik Suraksha Sanhita (Sec. 209 of Bharatiya Nyaya Sanhita)
- Public servant unlawfully engaging in trade (Sec. 202 of Bharatiya Nyaya Sanhita).



- Attempt to commit suicide to compel or restrain exercise of lawful power of public servant (Sec. 226 of Bharatiya Nyaya Sanhita).
- Theft (proviso to Sec. 303 (2) of Bharatiya Nyaya Sanhita)
- Misconduct in public by a drunken person (Sec. 355 of Bharatiya Nyaya Sanhita).
- Defamation (Sec. 356 (2) of Bharatiya Nyaya Sanhita).



- The community service has been defined in Explanation to Sec. 23 of Bharatiya Nagarik Suraksha Sanhita.
- It shall mean the work which the Court may order a convict to perform as a form of punishment that benefits the community, for which he shall not be entitle to any remuneration.
- The community service would lighten the burden on the prison infrastructure by reducing the number of inmates.



- Sec. 8 (4) & (5) of Bharatiya Nyaya Sanhita, 2023 provides default sentence in default of community service.



- Three categories of offence Attempt, Abetment and Conspiracy are brought together in Chapter IV of BNS.

- Section 54 & 55 of IPC – commutation of sentence – Section 5 of BNS
- Death sentence – Section 433 (a) of CRPC – For any other punishment provided by IPC - Section 474 (a) BNSS - imprisonment for Life.
- Imprisonment for life – Section 433 (b) of CRPC – imprisonment not exceeding 14 years or fine - Section 474 (b) BNSS – imprisonment for term not less than 7 years.
- Imprisonment for 7 years or more – no separate commutation under CRPC – Section 474 (c) BNSS - imprisonment for term not less than 3 years.

- Sentence of Rigorous imprisonment – Section 433 (c) of CRPC - simple imprisonment for any term to which that person might have been sentenced or fine – Section 474 (e) of BNSS - Simple imprisonment.
- Sentence of Simple Imprisonment – Section 433 (d) of CRPC – Fine – Section 474 BNSS – No such commutation.
- Sentence of Imprisonment for less than 7 years – No commutation under CRPC – Section 474 (d) BNSS – Fine



- Sec. 48. Abetment outside India for offence in India is a new provision. It allows the prosecution of a person located in foreign country.
- The individual sitting in another country and plotting to carry out an offence in India can be held accountable for their actions under this provision. which would hold a person residing in another country guilty of abetment if he instigates person situated in India to commit an offence.



- Exception 2 to Sec. 376 IPC (Marital Rape)
- Exception 2 to Sec. 63 BNS
- BNS does not define marital rape or categorized it as an offence. But exception 2 to sec. 63 has brought a change so far the age of the wife is concerned.
- It says that sexual intercourse or sexual acts by a man with his own wife, the wife not being under 18 years of age, is not rape. (Justice J.S.Verma Committee Report).



- Sec. 69 BNS - sexual intercourse by employing deceitful means etc (new provision)
- Introduced with an intent to curb the various instances of false promise to marry.
- **Deepak Gulati vs. State of Haryana, (2013)**
7 SCC 675
- **State of UP vs. Naushad (2013) 16 SCC 651**



- The National Crime Records Bureau in 2016 recorded 10,068 cases of rape by known persons on a false promise to marry a victim.



- Sec. 376 D A IPC – Punishment for gang rape on women under 16 years.
- Sec. 376 D B IPC - Punishment for gang rape on women under 12 years.
- **Sec. 70 (2) of BNS – (Sec. 376 D A + D B) Punishment for gang rape on women under 18 years of age.**



❑ Disrobing

- Sec. 354 B IPC - only a man can be an accused
 - Sec. 76 of BNS – besides man, a women or transgender can be an accused. (Gender Neutral)
-

❑ Voyeurism

- Sec. 354 C IPC – only a man can be an accused
- Sec. 77 of BNS - besides man, a women or transgender can be an accused. (Gender Neutral)



- Sec. 95 BNS - Hiring, employing or engaging a child to commit an offence (new provision).
- Whoever hire, employ or engage a child, to commit an offence.
- **Punishment - minimum 3 years – maximum 10 years and fine.**
- If offence is committed by a child, the sentence shall be imposed on the adult offender.

(Hiring, employing, engaging or using a child for sexual exploitation or pornography is covered within the meaning of this section.)



- Sec. 96 BNS - Procuration of child
gender neutral.
- Sec. 366 A of IPC referred to procuration of minor girl.



- In Sec.103 (2) of BNS, a new offence has been introduced which provides punishment for Mob Lynching.
- Sub clause 2 of Sec. 103 states that;“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.”



- Such punishment for mob lynching is result of the directions given by Hon'ble Supreme Court in **Tehseen S. Poonawala vs. Union of India and Ors. (2018) 9 SCC 501**, wherein the government was asked to bring law on mob lynching.



- **Sec. 104 BNS** – Punishment for murder by life convict - death or imprisonment for life.
- **Sec. 303 of IPC** – only death.
- **Sec. 303** was declared unconstitutional by Hon'ble Supreme Court in ***Mithu vs. State of Punjab*** , ***AIR 1983 SC 473***.



- Sec. 106 BNS – Causing death by negligence - Sec. 304 A
IPC
- Sec. 106 (1) BNS – imprisonment for five years and fine.
- In case of medical negligence – two (2) years and fine. (Jacob Mathaew vs. State of Punjab, (2005) 6 SCC 1.)
- Hit and run cases ten (10) years and fine.



- **Sec. 109 BNS - Attempt to murder - Sec. 307 IPC**
- **Sec. 109 (2) - Attempt to commit murder by life convict – death or imprisonment for life which shall mean the remainder of that person natural life.**
- **Sec. 307 – Attempt to commit murder by life convict – death.**



- Sec. III of BNS – Organized Crime (New Provision)
- Borrowed largely from special legislations such as MCOCA (The Maharashtra control of organized crime act, 1999) or GCOC (The Gujarat control of crime act, 2015) aimed at curbing organized criminal activities.
- Organized crime in India includes variety of illegal activities that are planned, co-ordinated, and conducted by criminal organizations.

What is Organized Crime ?

Any continuing unlawful activity –

- ✓ 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



- Committed by
 - ✓ Any person
 - ✓ A Group of persons acting in concert
 - ✓ Singly or jointly
 - ✓ Either as a member of an organized crime syndicate
 - ✓ Or on behalf of such syndicate

THEY MAKE USE OF



- ✓ Violence
- ✓ Threat of Violence
- ✓ Intimidation
- ✓ Coercion
- ✓ By any other unlawful means



- The purpose is;
- ✓ To obtain, direct or indirect
- ✓ Material benefit
- ✓ Including a financial benefit.



What is continuing unlawful activity?

- Cognizable offences punishable with imprisonment of three years or more,
- By member of an organized crime syndicate,
- More than one charge-sheets have been filed in respect of such offences,
- Within the preceding period of 10 years,
- Court has taken cognizance of such offences and
- It includes economic offences.



Sec. III BNS - What are such Economic offences ?

- ✓ Criminal breach of trust
- ✓ Forgery
- ✓ Counterfeiting of currency notes
- ✓ Bank notes and government stamps
- ✓ Hawala transactions
- ✓ Mass marketing fraud
- ✓ 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 or
- ✓ Organization for obtaining monetary benefits in any firm.



Sec. 111 BNS - Punishment

- If death is caused;
 - Death or imprisonment for life
 - Fine not less than 10 lakhs.
- In any other case
 - Imprisonment not less than five (5) years.
 - It may extend to life and
 - Fine not less than five (5) lakhs.



Sec. III BNS - Punishment

- Abetment
- Attempt
- Conspiracy
- Knowingly facilitating
- Engaging in any act preparatory to any organized crime.
- Imprisonment of minimum five (5) years maximum life.
- Fine minimum five (5) lakhs.

Sec. 111 BNS - Punishment



- For being member of an organized syndicate;
 - Imprisonment of minimum five (5) years and maximum life.
 - Fine minimum five (5) lakhs.



Sec. 111 BNS - Punishment

- For intentionally harboring, concealing member of organized crime syndicate –
 - Imprisonment of minimum three (3) years maximum life.
 - Fine minimum five (5) lakhs.

Sec. 111 BNS - Punishment



- For possessing property acquired, derived or obtain through organized crime –
 - Imprisonment of minimum three (3) years maximum life (fine minimum two (2) lakhs).



Sec. 111 BNS - Punishment

- For Possession of unaccounted movable or immovable property on behalf of member of unorganized crime syndicate –
 - Imprisonment of minimum 3 years, maximum 10 years
 - Fine minimum 1 lakh.



- Sec. 112 of BNS – Petty Organized Crime (New Provision)
- **Ingredients**
- ✓ Member of a group or gang,
- ✓ Either singly or jointly,
- ✓ Commits -
 - Theft, snatching, cheating,
 - unauthorized selling of tickets,
 - unauthorized betting or gambling
 - Selling of public examination question papers or
 - any other similar criminal act

Theft includes

- ✓ Trick theft
- ✓ Theft from vehicle
- ✓ Dwelling house or
- ✓ Business premises
- ✓ Cargo theft
- ✓ Pick pocketing
- ✓ Card skimming
- ✓ Shop lifting
- ✓ Theft of Automated
Teller Machine (ATM)



Sec. 112 BNS - Punishment

- Minimum 1 year, maximum 7 years and fine.



- Sec. 113 BNS – Terrorist Act (New Provision)
- **Ingredients**
- Threat to unity, integrity, sovereignty, security, or economic security of India,
- With the intent to strike terror in the people or any section of the people of India or any foreign country by use of
- Bombs, dynamite, explosive substance, inflammable substance, fire arms, lethal weapons, poisonous or noxious gases, other chemicals, biological or radio active or nuclear substance to cause or lightly to cause.



Sec. 113 BNS-Terrorist Act

- Death, injury to person/s
- Lost damage, destruction of property
- Disruption of essential supply or services
- Damage to monetary stability of India
- Destruction of defence property
- Causing death of public functionary or attempt to cause such death
- Keeping hostages



Punishment for sec. 113 BNS

- If offence resulted in death of any person –
death or life and fine.
- In any other cases - minimum impris. 5 years,
maximum life and fine.



Punishment for sec. 113 BNS

- Conspiracy, advocate, abetment, attempt, advice, incite, facilitate, prepares terrorist act -
- Minimum impris. 5 years – maximum life and fine.



Punishment for sec. 113 BNS

- Organizing camp/s for training or recruitment of terrorist -
- Minimum impris. 5 years – maximum life and fine.



Punishment for sec. 113 BNS

- Being a member of terrorist organization -
- Imprisonment upto life and fine.



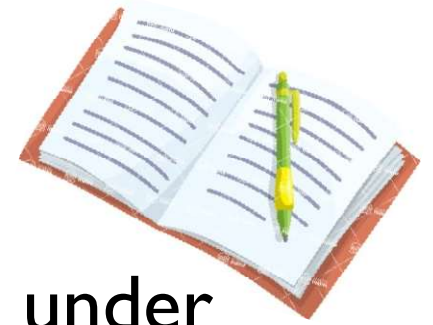
Punishment for sec. 113 BNS

- Harboring or concealing a terrorist -
- Minimum impris. 3 years – maximum life and fine.



Punishment for sec. 113 BNS

- Possession of property obtained, acquired, derived of terrorist acts-
- Imprisonment upto life and fine.



- The Terrorist act are currently dealt with under **Unlawful Activities Prevention Act, 1967 (UAPA)**.
- The BNS (**sec. 113 explanation**) recognizes that the provisions of BNS and UAPA are overlapping.
- It provides that an officer not below the rank of superintendent of police shall decide whether to register a case under BNS or the UAPA.



- Sec. 115 BNS- Voluntarily causing Hurt -Sec. 323 IPC
- Sec. 323 fine 1000/- one thousand.
- Sec. 115 fine 10,000/- ten thousand.



- **Sec. 116 BNS – Grievous hurt- Sec. 320 IPC**
- **Sec. 116 (h) BNS – Any hurt which endangers life or which causes the sufferer to be during the space of **fifteen days** in severe bodily pain, or unable to follow his ordinary pursuits.**
- **Sec. 320 IPC- Eighthly any hurt which endangers life or which causes the sufferer to be during the space of **twenty days** in severe bodily pain or unable to follow his ordinary pursuits.**



- Sec. 117 (3) & (4) BNS – Aggravated form of grievous hurt (New Provision).
- Sec. 117 (3) BNS
- If permanent disability or persistent vegetative state caused as a result of grievous hurt –
- The punishment is RI of minimum 10 years, which may extend to life, which shall mean imprisonment for the remainder of that person's natural life.
- Offence cognizable, non-bailable and triable by Court of Sessions
- (Aruna Shanbaug Case)



Sec. 117 (4) BNS –Causing Grievous Hurt In Mob

Lynching

- Ingredients-
 - ✓ Five or more persons
 - ✓ Acting in concert
 - ✓ Causes grievous hurt – on the ground of
 - ✓ race, caste or community
 - ✓ Sex, place of birth, language
 - ✓ Personal belief and any other similar ground



Sec. 117 (4) BNS – Punishment

- Imprisonment upto 7 years and fine
- Offence cognizable, non-bailable and triable by Court of Sessions.



Sec. 143 BNS – Trafficking of person – Sec. 370 IPC

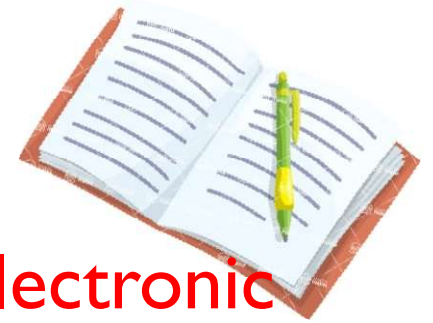
- **Sec. 143** introduces beggary as an form of exploitation for trafficking and made it punishable.
- In this section, for the word **minor** the word ‘Child’ has been used.



- Sec. 124 A IPC – Sedition (deleted) .
- Sec. 152 BNS- Act endangering sovereignty, unity and integrity of India. (New Provision)
- **It introduced sedition in a new form as subversive activity.**
- It states that Whoever, purposely or knowingly, by words, either spoken or written, or by signs, or by visible representation, or by electronic communication or by use of financial mean, or otherwise, excites or attempts to excite, secession or armed rebellion or subversive activities, or encourages feelings of separatist activities or endangers sovereignty or unity and integrity of India; or indulges in or commits any such act shall be punished with imprisonment for life or with imprisonment which may extend to seven years and shall also be liable to fine.



- Minimum punishment under sec. 152 BNS is **seven years** as opposed to **three years** u/s 124-A of IPC.
- Sec. 152 retains explanation 2 &3 of **Sec. 124-A** IPC.
- This is seemingly in view of the observations of Hon'ble Supreme Court in **Kedarnath Singh vs. State of Bihar, 1962 supp. (2) SCR, 769.**



- Sec. 152 of BNS uses the term **electronic communication** and makes the act of secession etc. done via electronic communication punishable
- Sec. 2 (i) of BNSS says that electronic communication covers the communication by means of Mobile, telephone, laptop's etc.

Sec. 153 B IPC – Imputations , assertions
prejudicial to national integration – Sec. 197 BNS



- Sec. 197 (d) of BNS (New addition)
- Clause (1) (d) of sec. 197 states that whoever makes or publishes false or misleading information jeopardizing the sovereignty, unity and integrity or security of India, shall be punished with imprisonment which may extend to **three years or with fine or both.**
- It also covers **False News.**



- Sec. 303 BNS - Theft – Sec. 319 IPC
- Sec. 303(2) BNS - For second or subsequent conviction minimum imprisonment 1 year – maximum 5 years
- Proviso to sec. 303 – community service as a sentence –
 - ✓ Value of stolen property less than Rs. 5000/-
 - ✓ First conviction
 - ✓ Return the value of property or
 - ✓ Restored the stolen property



Sec 304 BNS – Snatching (New Provision)

- **Ingredients -**
- Theft is snatching;
- If The offender suddenly or quickly or forcibly
- Seizes or secures or grabs or takes away
- Any movable property
- From the possession of any person
- **Punishment** – imprisonment maximum 3 years and fine



- **Sec. 305 BNS – theft in dwelling house – Sec. 380 IPC**
- **Sec. 380 IPC - Theft in any building, tent or vessel used for human dwelling or custody of property.**
- **Sec. 305 BNS - Theft in any building, tent or vessel used for human dwelling or custody of property,**
- **New addition -**
- **Any means of transportation of goods or passengers**
- **Any idol or icon from place of worship**
- **Any property of government and local authority.**
- **Punishment - upto 7 years and fine.**



- Sec. 314 BNS- dishonest misappropriation of property – Sec. 403 IPC
- Sec. 314 provides for a minimum punishment of six months with fine for dishonest misappropriation of property, as opposed to imprisonment or fine or both under corresponding sec. 403.



- Sec. 324 BNS – Mischief – Sec 427 IPC
- Sec. 324 BNS –
- Mischief (upto Rs. 25,000/-) – impri. 6 months / fine / both
- Mischief to government property – impris. upto 1 year / fine / both.
- Mischief (Rs. 25,000/- & more but below one lakh) – impris. 2 years /fine / both.
- Mischief (above Rs. One lakh) – impris. 5 years / fine /both.
- Mischief with preparation for causing death/ hurt/ wrongful restrain / fear of death, hurt, wrongful restrain – impris. Upto 5 years and fine.



- Sec. 428 and 429 IPC – Sec 325 BNS –
Mischief by killing and maiming animal
- Sec. 428 & 429 IPC consolidated.
- Sec. 325 BNS punishes mischief by killing, poisoning, maiming or rendering useless any animal **irrespective of its value.**
- **Imprisonment upto 5 years or fine or both.**



- **Sec. 352 of BNS** -Intentional insult with intent to provoke breach of peace - **Sec. 504 of IPC**–
- Sec. 352 is now to be tried summarily as per sec. 283 (I) (v) of BNSS.
- Earlier, under sec. 260 of Cr.p.c., it was summarily triable at the discretion of the magistrate.



- Sec. 505 IPC – Statements conducing to public mischief
- Sec. 353 BNS –
- Whoever makes, publishes or circulates any statement or report
- Having false information, rumor, alarming news
- Including through **electronic means**.
- It causes enmity, hatred or ill will
- Between religions, castes, sex, etc.
- Impris. Upto 3 years or fine or both.



- Sec. 510 IPC – misconduct in public by a drunken person
- Sec. 355 BNS – imprisonment of 24 hours / fine upto Rs. 1000/- or both or community service.



- Sec. 499 IPC – Defamation
- Sec. 356 BNS –
- Whoever by words either spoken or intended to be read, or by signs or by visible representation
- Makes or publishes in any manner.....



- **Sec. 356 (2) BNS prescribes community service as a punishment.**



- The BNS omits adultery (sec. 497 of IPC) as an offence.
- In **Joseph Shine vs. Union of India, (2019) 3 SCC 39**, The Hon'ble Supreme Court has struck down the offence of adultery, noting that it is arbitrary and paternalistic.

- BNS has repealed sec. 377 of IPC.



- **In Navtej Singh Johar v. Union of India**

the Hon'ble Supreme Court decriminalized any type of consensual sexual intercourse among adults in private, including homosexual activities.

- **Sec. 38 BNS** continues to give right to private defence to the extent of causing death of aggressor, where there is reasonable apprehension of an assault with the intention of gratifying unnatural lust.





- Sec. 358 BNS – Repeal and savings (new provision)
- The IPC is repealed.
- However it shall not affect-
- The previous operation of the code, or anything duly done / suffered thereunder,
- The right, privilege, obligation or liability, acquired, accrued, incurred under the code.
- Penalty or punishment incurred in respect of any offences committed against the code or



Sec. 358 BNS – Repeal and savings (new provision)

- Any investigation or remedy in respect of any such penalty, or punishment.
- Any proceeding, investigation or remedy in respect of any such penalty or punishment as aforesaid, and any such proceeding or remedy maybe instituted, continued or enforced and any such penalty maybe imposed as if that code had not been repealed.









