

AS INTRODUCED IN LOK SABHA

Bill No. 85 of 2022

THE INDIAN PENAL CODE (AMENDMENT) BILL, 2022

By

SHRI V.K. SREEKANDAN, M.P.

A

BILL

further to amend the Indian Penal Code, 1860.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Penal Code (Amendment) Act, 2022.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

45 of 1860

2. In section 299 of the Indian Penal Code, 1860, for the words "doing an act", the words "doing an act including lynching" shall be substituted.

Amendment of
section 299.

STATEMENT OF OBJECTS AND REASONS

The word lynching was unknown to many of Indians until some seven or eight years ago. However, it invaded like a storm and it became so acquainted and even turned into a talking point among even the ordinary citizens of our country. Incidents of lynching started a few years ago from many parts of the country and since then these incidents are continuing unabated. To prevent this heinous crime legislations have been passed by many State Governments, but the same could not be implemented as the bills passed by the State Governments have been reserved by the respective Governors for consideration of the President. The President has to go with the advice given by the Council of Ministers, in the case of such legislation, represented by the Union Government. Union Government is of the view that lynching is not defined as a crime under the Indian Penal Code, 1860 and the bills are still being examined by them.

Lynching is a crime which is different from other crimes, and therefore, it has to be defined as a crime in the Indian Penal Code, so that proper steps can be taken up to deal with such crimes and to curtail the growing number of such crimes in the country. Such crimes cannot be simply left out or altogether treating it as a crime together with other crimes, stating that it has not been defined as a crime in the Indian Penal Code, 1860.

The Bill, therefore, seeks to amend the Indian Penal Code 1860, with a view to include act of lynching with an intent of causing death or bodily injuries under the offence of culpable homicide.

Hence this Bill.

NEW DELHI;
28 February, 2022

V.K. SREEKANDAN

ANNEXURE

EXTRACT FROM THE INDIAN PENAL CODE, 1860
[45 of 1860]

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CHAPTER XVI
OF OFFENCES AFFECTING THE HUMAN BODY
Of OFFENCES AFFECTING LIFE

299. Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that he is likely by such act to cause death, commits the offence of culpable homicide.

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(Shri V.K. Sreekandan, M.P.)