

Bill No. LI of 2013

THE INDIAN PENAL CODE (AMENDMENT) BILL, 2013

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BILL

further to amend the Indian Penal Code, 1860.

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

1. (1) This Act may be called the Indian Penal Code (Amendment) Act, 2013.

Short title
and
commencement.

(2) It shall come into force at once.

45 of 1860.

2. In section 206 of the Indian Penal Code, 1860 (hereinafter referred to as the principal Act), after the words "which may extend to two years, or with fine, or with both", the words "and the property so concealed or transferred or delivered shall be recovered from the person or whom it has been transferred" shall be inserted.

Amendment
of section
206.

3. In section 207 of the principal Act after the words "which may extend to two years, or with fine, or with both", the words "and the property so concealed or transferred or delivered shall be recovered from the person or whom it has been transferred" shall be inserted.

Amendment
of section
207.

STATEMENT OF OBJECTS AND REASONS

People involving in fraudulent activities are increasing in our country. The law enforcing agencies in the country have intensified their vigilance in finding out the people who are engaged in such activities. Common men are the most affected persons due to such type of fraudulent activities. Most of them lose their money which is earned by them through hard work. These small savings of the common people are looted by the dishonest people to pile up their wealth. As and when they come under the scanner of the law enforcing agencies, they merely produce evidence or documents in their favour to show that they have not amassed any wealth from the common man. And if they are convicted, they will only be awarded imprisonment by the court without forfeiture of properties that they have built by means of fraudulent practice. There is an urgent need that our law should be made more specific to provide for attachment or recovery of the property amassed by use of unfair means along with the punishment specified in the law.

Hence this Bill.

K.N. BALAGOPAL

ANNEXURE

EXTRACTS FROM THE INDIAN PENAL CODE

(ACT No. 45 OF 1860)

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206. Whoever fraudulently removes, conceals, transfers or delivers to any person any property or any interest therein, intending thereby to prevent that property or interest therein from being taken as a forfeiture or in satisfaction of a fine, under a sentence which has been pronounced, or which he knows to be likely to be pronounced, by a Court of Justice or other competent authority, or from being taken in execution of a decree or order which has been made, or which he knows to be likely to be made by a Court of Justice in a civil suit, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Fraudulent removal or concealment of property to prevent its seizure as forfeited or in execution.

207. Whoever fraudulently accepts, receives or claims any property or any interest therein, knowing that he has no right or rightful claim to such property or interest, or practices any deception touching any right to any property or any interest therein, intending thereby to prevent that property or interest therein from being taken as a forfeiture or in satisfaction of a fine, under a sentence which has been pronounced, or which he knows to be likely to be pronounced by a Court of Justice or other competent authority, or from being taken in execution of a decree or order which has been made, or which he knows to be likely to be made by a Court of Justice in a civil suit, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Fraudulent claim to property to prevent its seizure as forfeited or in execution.

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BILL

further to amend the Indian Penal Code, 1860.

(Shri K. N. Balagopal, M.P.)