

Prosecution Replenish

(An Endeavour to Learn and Excel)



Comparative table of old Major acts with New Criminal laws

- ❖ With remarks column giving the major changes in between the new and old laws.
- ❖ In English and Telugu language.

Aano badra kratva yantu viswatah

(Let all good thoughts come to be from all directions)

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**COMPARISON STATEMENT OF
BHARATIYA NYAYA SANHITA, 2023 (BNS) AND INDIAN PENAL CODE (IPC)**

| IPC | BNS | Title in BNS | Changes in BNS |
|--|----------|---|--|
| CHAPTER I INTRODUCTION | | | |
| 1 | 1(1)/(2) | Short title, commencement and application | The Short title is changed to Bharatiya Nyaya Sanhita, 2023. |
| 2 | 1(3) | Short title, commencement and application | No Change |
| 3 | 1(4) | Short title, commencement and application | The word "Indian Law" is replaced by "by any law for the time being in force in India" |
| 4 | 1(5) | Short title, commencement and application | Explanation 3(b) removed |
| 5 | 1(6) | Short title, commencement and application | No Change |
| CHAPTER II GENERAL EXPLANATIONS | | | |
| 6 | 3(1) | General explanations | No Change |
| 7 | 3(2) | General explanations | No Change |
| - | 2(3) | Definition of Child | New definition of "child" is given in BNS as "any person below the age of 18 years". |
| 8 | 2(10) | Gender | "Transgender" is added in addition to genders of "Male" and "Female". |
| 9 | 2(22) | Number | |
| 10 | 2(19) | Man | The Word "Woman" is Separated |
| 10 | 2(35) | Woman | No Change |
| 11 | 2(26) | Person | No Change |
| 12 | 2(27) | Public | No Change |
| 13 | - | - | Repealed |
| 14 | - | - | Omitted |
| 15 | - | - | Repealed |
| 16 | - | - | Repealed |
| 17 | 2(12) | Government | No Change |
| 18 | --- | --- | --- |
| 19 | 2(16) | Judge | The new law's definition of "Judge" is more concise. Illustrations (a), (c) & (d) are added |
| 20 | 2(5) | Court | "Court of Justice" changed to "Court". Illustration removed. |
| 21 | 2(28) | Public Servant | The word "jury man" is deleted; "Local Authority" is defined. |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----------|--------------|--|---|
| 22 | 2(21) | Movable Property | <ul style="list-style-type: none"> The Word corporeal is removed. Definition of moveable property now includes intangible assets like patents, copyrights etc. |
| 23, Para1 | 2(36) | Wrongful Gain | No Change |
| 23, Para2 | 2(37) | Wrongful Loss | No Change |
| 23, Para3 | 2(38) | Gaining Wrongfully and Losing Wrongfully | No Change |
| 24 | 2(7) | Dishonestly | No Change |
| 25 | 2(9) | Fraudulently | No Change |
| 26 | 2(29) | Reason to Believe | No Change |
| 27 | 3(3) | General explanations | The term "wife", changed as "Spouse". |
| 28 | 2(4) | Counterfeit | No Change |
| 29 | 2(8) | Document | The new BNS law provides that documents include 'electronics and digital records' |
| 29A | 2(39) | Words and Expressions not defined | No Change |
| - | 2(39) | Definitions | Words and expressions used but not defined in this Sanhita but defined in the Information Technology Act, 2000 and the Bhartiya Nagarik Suraksha Sanhita, 2023 and shall have the meanings respectively assigned to them in that Act Sanhita. |
| 30 | 2(31) | Valuable Security | No Change |
| 31 | 2(34) | Will | No Change |
| 32 | 2(1) & 3(4) | Definitions (2(1)) & General explanations (3(4)) | No Change |
| 33 | 2(1) & 2(25) | Definitions | No Change |
| 34 | 3(5) | General explanations | No Change |
| 35 | 3(6) | General explanations | No Change |
| 36 | 3(7) | General explanations | No Change |
| 37 | 3(8) | General explanations | No Change |
| 38 | 3(9) | General explanations | No Change |
| 39 | 2(33) | Voluntarily | No Change |
| 40 | 2(24) | Offence | No Change |
| 41 | 2(30) | Special Law | No Change |
| 42 | 2(18) | Local Law | No Change |
| 43 | 2(15) | Illegal and legally bound to do | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|---------------------------------------|--------------------------|---|--|
| 44 | 2(14) | Injury | No Change |
| 45 | 2(17) | Life | No Change |
| 46 | 2(6) | Death | No Change |
| 47 | 2(2) | Animal | No Change |
| 48 | 2(32) | Vessel | No Change |
| 49 | 2(20) | Month and Year | British Calendar Changed to Gregorian Calendar. |
| 50 | - | - | - |
| 51 | 2(23) | Oath | No Change |
| 52 | 2(11) | Good Faith | No Change |
| 52A | 2(13) | Harbour | No Change |
| CHAPTER III OF PUNISHMENTS | | | |
| 53 | 4 | Punishments | <ul style="list-style-type: none"> Community service as a form of punishment is introduced for the first time. Community service as punishment for petty offences. The punishment of imprisonment for life has been clearly defined as imprisonment for remainder of a person's natural life. |
| 53A | - | - | - |
| 54 | 5(a) | Commutation of sentence | No Change |
| 55 | 5(b) | Commutation of sentence | No Change |
| 55A | Explanation to section 5 | Commutation of sentence | No Change |
| 56 | - | - | - |
| 57 | 6 | Fractions of terms of punishment. | The words "unless otherwise provided" has been added in section 6 at the end of the provision. |
| 58 | - | - | - |
| 59 | - | - | - |
| 60 | 7 | Sentence may be (in certain cases of imprisonment) wholly or partly rigorous or simple. | No Change |
| 61 | - | - | - |
| 62 | - | - | - |
| 63 | 8(1) | Amount of fine, liability in default of fine etc. | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|-------------|---|--|
| 64 | 8(2) | Amount of fine, liability in default of fine etc. | No Change |
| 65 | 8(3) | Amount of fine, liability in default of fine etc. | No Change |
| 66 | 8(4) | Amount of fine, liability in default of fine etc... | Description of Imprisonment for non-payment of fine or <i>community Service</i> . |
| 67 | 8(5) | Amount of fine, liability in default of fine etc... | Imprisonment in case of default of fine or of community service, the scale has been changed as follows: <ul style="list-style-type: none"> • Fine not exceeding Rs.5000 or community service – imprisonment not exceeding 2 months • Fine not exceeding Rs.10000 or community service – imprisonment not exceeding 4 months • In any other case – Imprisonment not exceeding 1 year |
| 68 | 8(6) (a) | Amount of fine, liability in default of fine etc... | No Change |
| 69 | 8(6) (b) | Amount of fine, liability in default of fine etc... | No Change |
| 70 | 8(7) | Amount of fine, liability in default of fine etc... | No Change |
| 71 | 9 | Limit of punishment of offence made up of several offences. | No Change |
| 72 | 10 | Punishment of person guilty of one of several offences, the judgment stating that it is doubtful of which offence he is guilty. | No Change |
| 73 | 11 | Solitary confinement | No Change |
| 74 | 12 | Limit of solitary confinement | No Change |
| 75 | 13 | Enhanced punishment on previous conviction. Chapter X (Offences relating to coins) and chapter XVII (Offences against Property) | No Change |
| CHAPTER IV GENERAL EXCEPTIONS | | | |
| 76 | 14 | Act done by a person bound, or by mistake of fact believing himself bound, by law. | No Change |
| 77 | 15 | Act of Judge when acting judicially | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|-----|--|----------------|
| 78 | 16 | Act done pursuant to judgment or order of Court | No Change |
| 79 | 17 | Act done by a person justified, or by mistake of fact believing himself justified, by law | No Change |
| 80 | 18 | Accident in doing a lawful act | No Change |
| 81 | 19 | Act likely to cause harm, but done without criminal intent, and to prevent other harm | No Change |
| 82 | 20 | Act of a child under seven years of age | No Change |
| 83 | 21 | Act of a child above seven and under twelve years of age of immature understanding | No Change |
| 84 | 22 | Act of a person of unsound mind | No Change |
| 85 | 23 | Act of a person incapable of judgment by reason of intoxication caused against his will | No Change |
| 86 | 24 | Offence requiring a particular intent or knowledge committed by one who is intoxicated | No Change |
| 87 | 25 | Act not intended and not known to be likely to cause death or grievous hurt, done by consent | No Change |
| 88 | 26 | Act not intended to cause death, done by consent in good faith for person's benefit | No Change |
| 89 | 27 | Act done in good faith for benefit of child or person of unsound mind, by, or by consent of guardian | No Change |
| 90 | 28 | Consent known to be given under fear or misconception | No Change |
| 91 | 29 | Exclusion of acts which are offences independently of harm caused | No Change |
| 92 | 30 | Act done in good faith for benefit of a person without consent | No Change |
| 93 | 31 | Communication made in good faith | No Change |

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|----------------------------------|-----|---|--|
| 94 | 32 | Act to which a person is compelled by threats | No Change |
| 95 | 33 | Act causing slight harm | No Change |
| 96 | 34 | Things done in private defence | No Change |
| 97 | 35 | Right of private defence of body and of property | No Change |
| 98 | 36 | Right of private defence against act of a person of unsound mind, etc | No Change |
| 99 | 37 | Acts against which there is no right of private defence | No Change |
| 100 | 38 | When right of private defence of body extends to causing death | No Change |
| 101 | 39 | When such right extends to causing any harm other than death | No Change |
| 102 | 40 | Commencement and continuance of right of private defence of body | No Change |
| 103 | 41 | When right of private defence of property extends to causing death | <ul style="list-style-type: none"> • "Housebreaking by night" is replaced with "housebreaking after sunset and before sunrise" • The old section provided for "mischief by fire". section 41 of BNS provides for "mischief by fire or any explosive substance" |
| 104 | 42 | When such right extends to causing any harm other than death | No Change |
| 105 | 43 | Commencement and continuance of right of private defence of property | "Housebreaking by night" is replaced with "housebreaking after sunset and before sunrise" |
| 106 | 44 | Right of private defence against deadly assault when there is risk of harm to innocent person | No Change |
| CHAPTER V OF ABETMENT | | | |
| 107 | 45 | Abetment of a thing. | No Change |
| 108 | 46 | Abettor | No Change |
| 108A | 47 | Abetment in India of offences outside India | No Change |
| - | 48 | Abetment outside India for offence in India | Abetment by a person outside India has been made an offence under section 48 to allow prosecution of person located in foreign country. |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|-------|---|---|
| 109 | 49 | Punishment of abetment if the act abetted is committed in consequence and where no express provision is made for its punishment | No Change |
| 110 | 50 | Punishment of abetment if person abetted does act with different intention from that of abettor | No Change |
| 111 | 51 | Liability of abettor when one act abetted and different act done | No Change |
| 112 | 52 | Abettor when liable to cumulative punishment for act abetted and for act done | No Change |
| 113 | 53 | Liability of abettor for an effect caused by the act abetted different from that intended by the abettor | No Change |
| 114 | 54 | Abettor presence when offence is committed | No Change |
| 115 | 55 | Abetment of offence punishable with death or imprisonment for life | No Change |
| 116 | 56 | Abetment of offence punishable with imprisonment | No Change |
| 117 | 57 | Abetting commission of offence by public or by more than ten persons | Section.117 of IPC provided for imprisonment up to 3 years or fine or both. Section. 57 of BNS provides for imprisonment or either description for a term which may extend to 7 years and fine. |
| 118 | 58 | Concealing design to commit offence punishable with death or imprisonment for life | No Change |
| 119 | 59 | Public servant concealing design to commit offence which it is his duty to prevent | No Change |
| 120 | 60 | Concealing design to commit offence punishable with imprisonment | No Change |
| CHAPTER VA- CRIMINAL CONSPIRACY | | | |
| 120A | 61(1) | Criminal conspiracy | No Change |
| 120B | 61(2) | Criminal conspiracy | No Change |
| - | 69 | Sexual Intercourse by employing deceitful means etc... | Sexual intercourse by employing deceitful means shall include the false promise of employment or promotion, inducement or marrying after suppressing identity. |

| IPC | BNS | Title in BNS | Changes in BNS |
|---|-----|---|--|
| CHAPTER VI OF OFFENCES AGAINST THE STATE | | | |
| 121 | 147 | Waging, or attempting to wage war, against Government of India | No Change |
| 121A | 148 | Conspiracy to commit offences punishable by section 145 | Words used in section 148 of BNS are "Whoever within or without and beyond India" for words "within or without India" in section 121A of IPC. |
| 122 | 149 | Collecting arms etc., with intention of waging war against the Government of India | No Change |
| 123 | 150 | Concealing with intent to facilitate design to wage war | No Change |
| 124 | 151 | Assaulting President, Governor etc., with intent to compel or restrain exercise of any lawful power | No Change |
| - | 152 | Act endangering Sovereignty, Unity and Integrity of India | SEDITION is replaced with TREASON. Acts endangering Sovereignty, Unity and Integrity of India are made punishable with Imprisonment for life or Imprisonment which may extend to 7 years and fine. |
| 124A | --- | | <ul style="list-style-type: none"> BNS has omitted section 124A of IPC under which sedition was a punishable offence. BNS Has replaced sedition with treason. A new offence relating to act of India endangering sovereignty, unity and integrity of India has been added under section 152 of BNS. Unlike IPC sedition is no longer an offence under BNS. |
| 125 | 153 | Waging war against Government of any foreign state at peace with government of India | Changed in BNS as "Waging war against Government of any foreign State at peace with Government of India." The term "Asiatic Power" has been deleted. |
| 126 | 154 | Committing depredation on territories of foreign state at peace with the government of India | "Any power in alliance or at peace with the Government of India" replaced by" any foreign state at peace with the Government of India" |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|------------|--|---|
| 127 | 155 | Receiving property taken by war or depredation mentioned in section 153 and 154 | No Change |
| 128 | 156 | Public servant voluntarily allowing prisoner of state or war or escape | No Change |
| 129 | 157 | Public servant negligently suffering such prisoner to escape | No Change |
| 130 | 158 | Aiding escape of recuing or harboring such prisoner | No Change |
| CHAPTER VII OF OFFENCES RELATING TO THE ARMY,NAVY AND AIR FORCE | | | |
| 131 | 159 | Abetting mutiny or attempting to seduce a soldier, sailor or airman from his duty | No Change |
| 132 | 160 | Abetment of mutiny if mutiny is committed in consequence thereof | Imprisonment of 3 years is Increased to 10 years. |
| 133 | 161 | Abetment of assault by soldier, sailor, or airman on his superior officer, when his execution of force | No Change |
| 134 | 162 | Abetment of such assault, if assault committed | No Change |
| 135 | 163 | Abetment of desertion of soldier, sailor, airman | No Change |
| 136 | 164 | Harboring deserter | The new law uses the more gender-neutral term spouse, indicating that the exception applies when either a husband or a wife provides shelter to their spouse who is a deserter. |
| 137 | 165 | Deserter concealed on board, merchant vessel through negligence of master | Fine is increased from Rs.500 to Rs.3000. |
| 138 | 166 | Abetment of act of insubordination by soldier, sailor, airman | Imprisonment is increased from 6 months to 2 years |
| 138A | - | - | - |
| 139 | 167 | Person subject to certain Acts | No Change |
| 140 | 168 | Wearing garb or carrying token used by soldier, sailor, or airman | Fine enhanced from Rs.500/- tothat of Rs.2,000/- |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|--------|---|--|
| CHAPTER VIII OF OFFENCES AGAINST THE PUBLIC TRANQUILITY | | | |
| 141 | 189(1) | Unlawful assembly | No Change |
| 142 | 189(2) | Unlawful assembly | No Change |
| 143 | 189(2) | Unlawful assembly | No Change |
| 144 | 189(4) | Unlawful assembly | No Change |
| 145 | 189(3) | Unlawful assembly | No Change |
| 146 | 191(1) | Rioting | No Change |
| 147 | 191(2) | Rioting | No Change |
| 148 | 191(3) | Rioting | Imprisonment is increased from 3 years to 5 years. |
| 149 | 190 | Every member of unlawful assembly guilty of offence committed in prosecution of common object | No Change |
| 150 | 189(6) | Unlawful assembly | No Change |
| 151 | 189(5) | Unlawful assembly | No Change |
| 152 | 195 | Assaulting or obstructing public servant when suppressing riot, etc | <ul style="list-style-type: none"> • The existing section 152 in IPC regarding assaulting or obstructing public servant when suppressing riot etc... has been divided into 2 parts and included in section 195 of the new law. One for the offence of assault or obstruction of public servant (195(1)) and the other for threatening to assault or attempt to obstruct (195(2)) having different punishments and fine. • Offenders found guilty under section 195(1) of BNS shall be fined and the fine shall not be less than Rs.25,000. • <i>Under 195(2), the punishment includes imprisonment of a term that may extend to one year. A fine may also be imposed under this subsection.(New section)</i> |
| 153 | 192 | Wantonly giving provocation with intent to cause riot-if rioting be committed; if not committed | No Change |
| 153A | 196 | Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony | Under section 196 of BNS, "electronic communication" is added as one of the mode of spreading disharmony etc... |

| IPC | BNS | Title in BNS | Changes in BNS |
|-------|--------------|---|---|
| 153AA | - | - | - |
| 153B | 197 | Imputations, assertions prejudicial to national integration | <ul style="list-style-type: none"> • Under section 197 of BNS, "electronic communication" is added as one of the mode of spreading specified activities. • Section 197(1) (d) of BNS additionally covers activity of making or publishing false or misleading information jeopardising the sovereignty, unity and integrity or security of India. |
| 154 | 193(1) | Liability of owner, occupier, etc., of land on which an unlawful assembly or riot takes place | No Change |
| 155 | 193(2) | Liability of owner, occupier, etc., of land on which an unlawful assembly or riot takes place | No Change |
| 156 | 193(3) | Liability of owner, occupier, etc., of land on which an unlawful assembly or riot takes place | No Change |
| 157 | 189(7) | Unlawful assembly | No Change |
| 158 | 189(8) & (9) | Unlawful assembly | No Change |
| 159 | 194(1) | Affray | No Change |
| 160 | 194(2) | Affray | Fine enhanced from Rs.100 to Rs.1000/- |
| - | 195(2) | Assaulting or obstructing public servant when suppressing riot, etc., | In cases where the offender threatens to assault or attempts to obstruct a public servant or threatens or attempts to use criminal force on a public servant in the described situations, the punishment includes imprisonment of a term that may extend to one year. A fine may also be imposed under the subsection. |
| - | 197(1) (d) | Imputations, assertions, prejudicial to national integration | This section additionally covers activity of 'making or publishing false or misleading information jeopardizing the sovereignty, unity and integrity or security of India' |

| IPC | BNS | Title in BNS | Changes in BNS |
|---|-----|--|---|
| CHAPTER IX OF OFFENCES BY OR RELATING TO PUBLIC SERVANTS | | | |
| 161, 162 163, 164 165, 165A | - | - | Omitted Earlier |
| 166 | 198 | Public servant disobeying law, with intent to cause injury to any person | No Change |
| 166A | 199 | Public Servant disobeying direction under law | No Change |
| 166B | 200 | Punishment for non-treatment of victim | No Change |
| 167 | 201 | Public servant framing an incorrect document with intent to cause injury | No Change |
| 168 | 202 | Public servant unlawfully engaging in trade | Judge trying the case is given an option to award sentence of community service for the offence instead of imprisonment or fine or both. |
| 169 | 203 | Public servant unlawfully buying or bidding for property | No Change |
| 170 | 204 | Personating a public servant | Section 204 of BNS, establishes a minimum term of imprisonment of not less than 6 months but which may extend to 3 years in addition to a fine. |
| 171 | 205 | Wearing garb or carrying token used by public servant with fraudulent intent | Fine enhanced from Rs.200 to Rs.5,000/- |
| CHAPTER IX-A OF OFFENCES RELATING TO ELECTIONS | | | |
| 171A | 169 | Candidate, electoral right defined | No Change |
| 171B | 170 | Bribery | No Change |
| 171C | 171 | Under influence at elections | No Change |
| 171D | 172 | Personation at elections | The BNS adds that this section shall not apply to a person who has been authorised to vote as proxy for an elector under any law for the time being in force. |
| 171E | 173 | Punishment for bribery | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|---|-----|---|--|
| 171F | 174 | Punishment for undue influence or personation at an election | No Change |
| 171G | 175 | False statement in connection with an election | No Change |
| 171H | 176 | Illegal payment in connection with an election | Fine enhanced from, Rs.500 to that of Rs.10, 000/-. |
| 171I | 177 | Failure to keep election accounts | Amount of fine increased from Rs.500 to Rs. 5000 |
| CHAPTER X | | | |
| OF CONTEMPT OF THE LAWFUL AUTHORITY OF PUBLIC SERVANTS | | | |
| 172 | 206 | Absconding to avoid service of summons or other proceeding | Amount of fine for absconder increased from Rs.1000 to Rs.10,000 where summons or notice or order is to attend in person or by agent or to produce a document or an electronic record in a court. In other cases amount of fine for absconder increased from Rs.500 to Rs.5000. |
| 173 | 207 | Preventing service of summons or other proceeding, or preventing publication thereof | Amount of fine is increased from Rs.1000 to Rs.10,000 where summons or notice or order or proclamation is to attend in person or by agent or to produce a document or an electronic record in a court. In other cases amount of fine is increased from Rs.500 to Rs.5000. |
| 174 | 208 | Non- attendance in obedience to an order from public servant | Amount of fine is increased from Rs.1000 to Rs.10,000 where summons or notice or order or proclamation is to attend in person or by agent or to produce a document or an electronic record in a court. In other cases amount of fine is increased from Rs.500 to Rs.5000. |
| 174A | 209 | Non- appearance in response to a proclamation u/s. 84 of Bharatiya Nagarik Suraksha Sanhita, 2023 | Judge trying the case is given an option to award sentence of community service for the offence instead of imprisonment or fine or both. |
| 175 | 210 | Omission to produce document or electronic record to public servant by person legally bound to produce it | Amount of fine increased from Rs.1000 to Rs.10,000 where the document or electronic record is to be produced or delivered up to a court. In other cases amount of fine increased from Rs.500 to Rs.5000. |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|-----|--|---|
| 176 | 211 | Omission to give notice or information to public servant by person legally bound to give it | Amount of fine increased from Rs.1000 to 10,000 where the notice or information required to be given w.r.t the Commission of an offence or is required for the purpose of preventing the Commission of an offence or in order to the apprehension of an offender. In other cases amount of fine increased from Rs 500 to Rs.5000. |
| 177 | 212 | Furnishing false information | Amount of fine increased from Rs.1000 to Rs.5000 for offence of furnishing false information. |
| 178 | 213 | Refusing oath or affirmation when duly required by public servant to make it | Amount of fine increased from Rs.1000 to Rs.5000. |
| 179 | 214 | Refusing to answer public servant authorised to question | Amount of fine increased from Rs 1000 to Rs.5000. |
| 180 | 215 | Refusing to sign statement | Amount of fine increased from Rs.500 to Rs.3000. |
| 181 | 216 | False statement oath or affirmation to public servant or personal authorized administer an oath or affirmation | No Change |
| 182 | 217 | False information, with intent to cause public servant to use his lawful power to injury of another person | Amount of fine increased from Rs.1000 to Rs.10,000. Imprisonment term increased from 6 months to one year. |
| 183 | 218 | Resistance to taking of property by lawful authority of a public servant | Amount of fine increased from Rs.1000 to 10,000. |
| 184 | 219 | Obstructing sale of property offered for Sale by authority of public servant | Amount of fine increased from Rs.500 to Rs.5000. |
| 185 | 220 | Illegal purchase or bid for property offered for Sale by authority of public servant | No Change |
| 186 | 221 | Obstructing public servant in discharge of public functions | Amount of fine increased from Rs.500 to Rs.2500. |
| 187 | 222 | Omission to assist public servant when bound by law to give assistance | Amount of fine increased from Rs.200 to Rs.2500. For omission to assist public servant in connection with his demand for assistance for preventing the Commission of an offence suppressing a riot etc., amount of fine is increased from Rs.500 to Rs.5000. |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|-----|---|--|
| 188 | 223 | Disobedience to order duly promulgated by public servant | Amount of fine increased from Rs.200 to Rs.2500 where disobedience causes or tends to cause obstruction, annoyance or injury or risk of obstruction, annoyance or injury to any persons lawfully employed. Imprisonment in such cases increased from one month to 6 months. Amount of fine increased from Rs.1000 to Rs.5000 where such disobedience causes or tends to cause danger to human life, health or safety or causes or tends to cause a riot or affray. Imprisonment in such cases increased from 6 months to one year. |
| 189 | 224 | Threat of injury to public servant | No Change |
| 190 | 225 | Threat of injury to induce person to refrain from applying for protection to public servant | No Change |
| - | 226 | Attempt to commit suicide to compel or restrain exercise of lawful power | Attempt to commit suicide, to compel or restraint exercise of lawful power – Simple Imprisonment for one year or for both with community service. |
| CHAPTER XI | | | |
| OF FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE | | | |
| 191 | 227 | Giving false evidence | No Change |
| 192 | 228 | Fabricating false evidence | No Change |
| 193 | 229 | Punishment for false evidence | Fine upto Rs.10,000/-for fabricating evidence in judicial proceedings and upto Rs.5,000/-for offense of giving or fabricating evidence in any other case. |
| 194 | 230 | Giving or fabricating false evidence with intent to procure conviction of capital evidence | Fine upto Rs.50,000/- prescribed |
| 195 | 231 | Giving or fabricating false evidence with intent to procure conviction of offence punishable with imprisonment for life or imprisonment | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|------|-----|---|---|
| 195A | 232 | Threatening any person to give false evidence | No Change |
| 196 | 233 | Using evidence known to be false | No Change |
| 197 | 234 | Issuing or signing false certificate | No Change |
| 198 | 235 | Using as true a certificate known to be false | No Change |
| 199 | 236 | False statement made in declaration which is by law receivable as evidence | No Change |
| 200 | 237 | Using as true such declaration knowing it to be false | No Change |
| 201 | 238 | Causing disappearance of evidence of offences, or giving false information to screen offender | No Change |
| 202 | 239 | Intentional omission to give information of offence by person bound to inform | Fine up to Rs.5,000/-prescribed |
| 203 | 240 | Giving false information respecting an offence committed | |
| 204 | 241 | Destruction of document or electronic record to prevent its production as evidence | Fine upto Rs.5, 000/- prescribed and punishment enhanced to 3 years from 2 years. |
| 205 | 242 | False personation for purpose of act or proceeding in suit or prosecution | No Change |
| 206 | 243 | Fraudulent removal or concealment of property to prevent its seizure as forfeited or in execution | Punishment enhanced from 2 years to 3 years and fine upto Rs.5,000/-prescribed |
| 207 | 244 | Fraudulent claim to property to prevent its seizure as forfeited or in execution | No Change |
| 208 | 245 | Fraudulently suffering decree for sum not due | No Change |
| 209 | 246 | Dishonestly making false claim in court | No Change |
| 210 | 247 | Fraudulently obtaining decree for sum not due | No Change |
| 211 | 248 | False charge of offence made with intent to injure | Punishment enhanced from upto 2 years to upto 5 years and fine upto Rs 2 Lakhs has been prescribed. |
| 212 | 249 | Harbouring offender | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|------------|------------|--|-----------------------|
| 213 | 250 | Taking gift, etc., to screen an offender from punishment | No Change |
| 214 | 251 | Offering gift or restoration of property in consideration of screening offender | No Change |
| 215 | 252 | Taking gift to help to recover stolen property, etc. | No Change |
| 216 | 253 | Harbouring offender who has escaped from custody or whose apprehension has been ordered | No Change |
| 216A | 254 | Penalty for harbouring robbers or dacoits | No Change |
| 216B | - | - | - |
| 217 | 255 | Public servant disobeying direction of law with intent to save person for punishment or property from forfeiture | No Change |
| 218 | 256 | Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture | No Change |
| 219 | 257 | Public servant in judicial proceeding corruptly making report etc., contrary to law | No Change |
| 220 | 258 | Commitment for trial or confinement by person having authority who knows that he is acting contrary | No Change |
| 221 | 259 | Intentional omission to apprehend on the part of public servant bound to apprehend | No Change |
| 222 | 260 | Intentional omission to apprehend on the part of public servant bound to apprehend person under sentence or lawfully committed | No Change |
| 223 | 261 | Escape from confinement or custody negligently suffered by public servant | No Change |
| 224 | 262 | Resistance or obstruction by a person to his lawful apprehension | No Change |
| 225 | 263 | Resistance or obstruction to lawful apprehension of another person | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|---|-----|--|---|
| 225A | 264 | Omission to apprehend or sufferance of escape, on part of public servant, in cases not otherwise, provided for | No Change |
| 225B | 265 | Resistance or obstruction to lawful apprehension, or escape or rescue in cases, not otherwise provided for | No Change |
| 226 | - | - | - |
| 227 | 266 | Violation of condition of remission of punishment | No Change |
| 228 | 267 | Intentional insult or interruption to public servant in sitting judicial proceeding | Amount of fine increased from Rs.1000 to Rs.5000. |
| 228A (1) / (2) | 72 | Disclosure of identity of victim of certain offences, etc | No Change |
| 228A (3) | 73 | Printing or publishing any matter relating to court proceedings without permission | No Change |
| 229 | 268 | Personation of an assessor | Focuses on "assessor" and does not refer to "juryman" |
| 229A | 269 | Failure by person released on bail bond to appear in court | No Change |
| CHAPTER XII | | | |
| OF OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS | | | |
| 230, 231 and 232 | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 233, 234 and 235 | 181 | Making or possessing instruments or materials for forging or counterfeiting coin, Government stamp, currency-notes or bank-notes | No Change |
| 236, 237 and 238 | - | - | - |
| 239, 240 and 241 | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency | No Change |
| 242 and | 180 | Possession of forged or counterfeit coin, | <ul style="list-style-type: none"> Under the amended law, mere possession of forged or |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|-----|---|---|
| 243 | | Government stamp, currency-notes or bank-notes | counterfeit currency notes or bank notes etc., is not an offence. <ul style="list-style-type: none"> • Possession has to be accompanied by the intention to use the same as genuine |
| 244 | 187 | Person employed in mint causing coin to be of different weight or composition from that fixed by law. | No Change |
| 245 | 188 | Unlawfully taking coining instrument from mint. | No Change |
| 246 | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 247 | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 248 | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 249 | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 250 | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency- notes or bank notes | No Change |
| 251 | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency- notes or bank notes | No Change |
| 252 | 180 | Possession of forged or counterfeit coin, Government stamp, currency-notes or bank-notes | No Change |
| 253 | 180 | Possession of forged or counterfeit coin, Government stamp, currency-notes or bank-notes | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|------------|------------|---|-----------------------|
| 254 | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency- notes or bank notes | No Change |
| 255 | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 256 | 181 | Making or possessing instruments or materials for forging or counterfeiting coin, Government stamp, currency-notes or bank-notes | No Change |
| 257 | 181 | Making or possessing instruments or materials for forging or counterfeiting coin, Government stamp, currency-notes or bank-notes | No Change |
| 258 | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency | No Change |
| 259 | 180 | Possession of forged or counterfeit coin, Government stamp, currency-notes or bank-notes | No Change |
| 260 | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency | No Change |
| 261 | 183 | Effacing writing from substance bearing Government stamp, or removing from document a stamp used for it, with intent to cause loss to Government. | No Change |
| 262 | 184 | Using Government stamp known to have been before used. | No Change |
| 263 | 185 | Erasure of mark denoting that stamp has been used. | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|-----|---|--|
| 263A | 186 | Prohibition of fictitious stamps | The term "of her Majesty's dominions" is deleted |
| CHAPTER XIII OF OFFENCES RELATING TO WEIGHTS AND MEASURES | | | |
| 264 265 266 267 | - | - | - |
| CHAPTER XIV OF OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY CONVENIENCE, DECENCY AND MORALS | | | |
| 268 | 270 | Public nuisance | No Change |
| 269 | 271 | Negligent act likely to spread of disease dangerous to life | No Change |
| 270 | 272 | Malignant act likely to spread of disease dangerous to life | No Change |
| 271 | 273 | Disobedience to quarantine rule | The new law updates the terminology to include "mode of transport" and expands the scope of the offence to cover regulations related to different forms of transportation. |
| 272 | 274 | Adulteration of food or drink intended for sale | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 273 | 275 | Sale of noxious food or drink | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 274 | 276 | Adulteration of drugs | Enhanced imprisonment from 6 months to 1 year and fine from Rs.1,000/- to Rs.5,000/- |
| 275 | 277 | Sale of adulterated drugs | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 276 | 278 | Sale of drug as a different drug or preparation | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 277 | 279 | Fouling water of public spring reservoir | Punishment enhanced from 3 months to 6 months AND fine from Rs.500/- to Rs.5,000/- |
| 278 | 280 | Making atmosphere noxious to health | Fine enhanced from Rs.500/- to Rs.1,000/- |
| 279 | 281 | Rash driving or riding on a public way | No Change |
| 280 | 282 | Rash navigation of vessel | Fine enhanced from Rs.1,000/- to Rs.10,000/- |
| 281 | 283 | Exhibition of false light, mark or buoy | Fine not less than Rs.10,000/- prescribed |
| 282 | 284 | Conveying person by water for hire in unsafe or overloaded vessel | Fine enhanced from Rs.1,000/- to Rs.5,000/- |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|-----|---|--|
| 283 | 285 | Danger or obstruction in public way or line of navigation | Fine enhanced from Rs.200/- to Rs.5,000/- |
| 284 | 286 | Negligent conduct with respect to poisonous substance | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 285 | 287 | Negligent conduct with respect to fire or combustible matter | Fine enhanced from Rs.1,000/- to Rs.2,000/- |
| 286 | 288 | Negligent conduct with respect to explosive substances | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 287 | 289 | Negligent conduct with respect to machinery | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 288 | 290 | Negligent conduct with respect to pulling down, repairing or constructing buildings etc. | New law also includes constructing buildings within its scope. Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 289 | 291 | Negligent conduct with respect to animal | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 290 | 292 | Punishment for public nuisance in cases not otherwise provided for. | Fine enhanced from Rs 200/- to Rs.1,000/- |
| 291 | 293 | Continuance of nuisance after injunction to discontinue. | Fine upto Rs.5,000/-prescribed |
| 292 | 294 | Sale, etc., of obscene books, etc | Fine enhanced from Rs.2, 000/- to Rs.5, 000/- for first time conviction and from Rs.5, 000/- to Rs.10, 000/- for second time onwards. |
| 293 | 295 | Sale, etc., of obscene objects to child. | The new law lowers the age limit from under 20 years to below 18 years. This change aligns with the broader international understanding of the age of consent and protection for minors. |
| 294 | 296 | Obscene acts and songs. | Fine upto Rs.1, 000/- Prescribed. No fine in IPC |
| 294A | 297 | Keeping lottery office. | Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| CHAPTER XV OF OFFENCES RELATING TO RELIGION | | | |
| 295 | 298 | Injuring or defiling place of worship, with intent to insult the religion of any class | No Change |
| 295A | 299 | Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs | New law includes "electronic means" as a medium for potential offences. |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|--------|---|--|
| 296 | 300 | Disturbing religious assembly | No Change |
| 297 | 301 | Trespassing on burial places etc... | No Change |
| 298 | 302 | Uttering words, etc., with deliberate intent to wound religious feelings of any person | No Change |
| CHAPTER XVI OF OFFENCES AFFECTING THE HUMAN BODY OF OFFENCES AFFECTING LIFE | | | |
| 299 | 100 | Culpable Homicide | No Change |
| 300 | 101 | Murder | No Change |
| 301 | 102 | Culpable homicide by causing death of person other than person whose death was intended | No Change |
| 302 | 103 | Punishment for murder | <ul style="list-style-type: none"> Section 103(2) is a new provision. 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 ground each member of such group shall be punished with death or with imprisonment for life and shall also be liable to fine. |
| - | 103(2) | Punishment for murder by a group of 5 or more persons | MOB LYNCHING: This section provides 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 ground each member of such group shall be punished with death or with imprisonment for life and shall also be liable to fine. |
| 303 | 104 | Punishment for murder by life-convict | Unlike IPC, it is not mandatory to avoid death sentence for murder by a life convict. BNS has given an option to the judge to sentence the life convict murderer to death or with imprisonment for life which shall mean the remainder of that person's natural life. |
| 304 | 105 | Punishment for culpable homicide not amounting to murder | BNS prescribes imprisonment of not less than 5 years which may extend to 10 years with fine. It was up to 10 years with fine or both under section 304 of IPC |

| IPC | BNS | Title in BNS | Changes in BNS |
|------|--------|--|--|
| 304A | 106 | Causing death by negligence. | 106(1) increases the punishment for causing death by the negligence from a maximum of 2 years to a maximum of 5 years. 106(2) is a new provision. Which addresses situations where the offender escapes from the scene of the incident without reporting it to a police officer or a Magistrate after the incident. |
| - | 106(2) | Offender escaping or failing to report | This provision addresses situations where the offender escapes from the scene of the incident without reporting it to a police officer or magistrate after the incident. Maximum term of imprisonment of 10 years with fine. The punishment in case of negligent act done by a registered medical practitioner is imprisonment of either description for term which may extend to 2 years and fine. |
| 304B | 80 | Dowry death | No Change |
| 305 | 107 | Abetment of suicide of child or person of unsound mind | Reference to "insane person"/"any idiot" is replaced with reference to "person of unsound mind" in BNS. |
| 306 | 108 | Abetment of suicide | No Change |
| 307 | 109 | Attempt to murder | Under IPC section 307 prescribed only death penalty for attempt to murder by a life convict. For attempt to murder by life convict section 109 of BNS provides for death or with imprisonment for life which shall mean the remainder of that person's natural life. |
| 308 | 110 | Attempt to commit culpable homicide | No Change |
| 309 | — | | <ul style="list-style-type: none"> Section 309 or IPC is now omitted. It is now replaced by section 226 of BNS. Section 309 of IPC prescribed punishment for anyone who attempts to commit suicide and did any act towards the Commission of such offense. Section 226 of BNS prescribes punishment for anyone who attempts to commit suicide with the intent to compel or restrain any public servant from discharging his official duty. |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|--------|--|--|
| 310 | - | - | - |
| 311 | - | - | - |
| 312 | 88 | Causing miscarriage | No Change |
| 313 | 89 | Causing miscarriage without woman's consent | No Change |
| 314 | 90 | Death caused by act done with intent to cause miscarriage | No Change |
| 315 | 91 | Act done with intent to prevent child being born alive or to cause to die after birth | No Change |
| 316 | 92 | Causing death of quick unborn child by act amounting to culpable homicide | No Change |
| 317 | 93 | Exposure and abandonment of child under twelve years of age, by parent or person having care of it | No Change |
| 318 | 94 | Concealment of birth by secret disposal of dead body | No Change |
| - | 95 | Hiring, employing, or engaging a child to commit an Offence | Hiring, employing, or using a child for sexual exploitation or pornography is covered with the meaning of this section. |
| - | 111 | Organized Crime | This section defines Organized crime as any continuing unlawful activity including kidnapping, robbery, vehicle theft, extortion, land grabbing, contract killing, economic offences, cybercrimes etc., The section also prescribes punishment for varying degrees of Organized crime. |
| - | 112 | Petty Organized Crime | "Petty Organized Crime" is defined and its punishment is prescribed |
| - | 113 | Terrorist Act | "Terrorist Act" is defined, and its punishment prescribed. |
| 319 | 114 | Hurt | No Change |
| 320 | 116 | Grievous hurt | Twenty days suffering replaced with fifteen days |
| 321 | 115(1) | Voluntarily causing hurt | No Change |
| 322 | 117(1) | Voluntarily causing grievous hurt | No Change |
| 323 | 115(2) | Voluntarily causing hurt | Fine imposable increased from Rs.1000 to Rs.10,000 |

| IPC | BNS | Title in BNS | Changes in BNS |
|------|--------|--|---|
| 324 | 118(1) | Voluntarily causing hurt or grievous hurt by dangerous weapons or means | Fine may extend to twenty thousand rupees |
| 325 | 117(2) | Voluntarily causing grievous hurt | No Change |
| - | 117(3) | Voluntarily causing grievous hurt | Punishment for causing 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. |
| - | 117(4) | Voluntarily causing grievous hurt | When grievous hurt of a person is caused by a group of five or more persons on the ground of his, race, caste, sex, place of birth, language, personal belief or any other 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. |
| 326 | 118(2) | Voluntarily causing hurt or grievous hurt by dangerous weapons or means | Minimum punishment of one year is added. |
| 326A | 124(1) | Voluntarily causing grievous hurt by use of acid, etc | No Change |
| 326B | 124(2) | Voluntarily causing grievous hurt by use of acid, etc | <ul style="list-style-type: none"> Besides the words 'injury or hurt' in section 326B of IPC, words 'or causes a person to be in a permanent vegetative state' or added. Permanent vegetative state need not be irreversible. |
| 327 | 119(1) | Voluntarily causing hurt or grievous hurt to extort property, or to constrain to an illegal act. | No Change |
| 328 | 123 | Causing hurt by means of poison, etc., with intent to commit an offence. | No Change |
| 329 | 119(2) | Voluntarily causing hurt or grievous hurt to extort property, or to constrain to an illegal act. | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|--------|---|--|
| 330 | 120(1) | Voluntarily causing hurt or grievous hurt to extort confession, or to compel restoration of property. | No Change |
| 331 | 120(2) | Voluntarily causing hurt or grievous hurt to extort confession, or to compel restoration of property. | No Change |
| 332 | 121(1) | Voluntarily causing hurt or grievous hurt to deter public servant from his duty | Punishment enhanced from upto 3 years to upto 5 years |
| 333 | 121(2) | Voluntarily causing hurt or grievous hurt to deter public servant from his duty | Minimum punishment of One year introduced |
| 334 | 122(1) | Voluntarily causing hurt or grievous hurt on provocation | Fine amount enhanced from Rs 500/- to Rs.5000/- |
| 335 | 122(2) | Voluntarily causing hurt or grievous hurt on provocation | Punishment enhanced from upto 4 years to upto 5 years AND fine amount enhanced from Rs 2000/- to Rs.10,000/- |
| 336 | 125 | Act endangering life or personal safety of others | Fine amount enhanced from Rs250/- to Rs 2,500/- |
| 337 | 125 | Act endangering life or personal safety of others | Fine amount enhanced from Rs 500/-- to Rs 5,000/- |
| 338 | 125 | Act endangering life or personal safety of others | Punishment enhanced from upto 2 years to upto 3 years Fine amount enhanced from Rs 1,000/-- to Rs 10,000/- |
| 339 | 126(1) | Wrongful restraint | No Change |
| 340 | 127(1) | Wrongful confinement | No Change |
| 341 | 126(2) | Wrongful restraint | Punishment for wrongful restraint. Fine enhanced from Rs. 500/- to Rs.5,000/- |
| 342 | 127(2) | Wrongful confinement | Punishment for wrongful confinement. Fine enhanced from Rs.1,000/- to Rs.5,000/- |
| 343 | 127(3) | Wrongful confinement | Punishment enhanced from upto 2 years to upto 3 years AND fine is prescribed of upto Rs.10,000/- |
| 344 | 127(4) | Wrongful confinement | Punishment enhanced from upto 3 years to upto 5 years AND fine is prescribed of Minimum Rs.10,000/- |
| 345 | 127(5) | Wrongful confinement | No Change |
| 346 | 127(6) | Wrongful confinement | Punishment enhanced from upto 2 years to upto 3 years AND Shall be liable for fine is added |
| 347 | 127(7) | Wrongful confinement | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|------|---------------|---|---|
| 348 | 127(8) | Wrongful confinement | No Change |
| 349 | 128 | Force | No Change |
| 350 | 129 | Criminal force | No Change |
| 351 | 130 | Assault | No Change |
| 352 | 131 | Punishment for assault or criminal force otherwise than on grave provocation | Punishment for assault or Criminal force otherwise than on grave provocation. Fine enhanced from Rs.500/- to Rs.1,000/- |
| 353 | 132 | Assault or criminal force to deter public servant from discharge of his duty | No Change |
| 354 | 74 | Assault or use of criminal force to woman with intent to outrage her modesty | No Change |
| 354A | 75 | Sexual harassment | No Change |
| 354B | 76 | Assault or use of criminal force to woman with intent to disrobe | Word "whoever" is used in sections 76, 77 of BNS. Earlier word 'Man' was used in IPC. |
| 354C | 77 | Voyeurism | Word "whoever" is used in sections 76, 77 of BNS. Earlier word 'Man' was used in IPC. |
| 354D | 78 | Stalking | No Change |
| 355 | 133 | Assault or criminal force with intent to dishonor person, otherwise than on grave provocation | Assault or criminal force with intent to dishonor person, otherwise than on grave provocation. |
| 356 | 134 | Assault or criminal force in attempt to commit theft of property carried by a person. | Assault or criminal force in attempt to commit theft of property carried by a person. |
| 357 | 135 | Assault or criminal force in attempt to wrongfully confine a person. | Assault or criminal force in attempt wrongfully to confine a person. Fine enhanced from Rs.1,000/-to Rs.5,000/- |
| 358 | 136 | Assault or criminal force on grave provocation. | Assault or criminal force on grave provocation. Fine enhanced from Rs.200/- to Rs.1,000/- |
| 359 | 137(1) | Kidnapping | No Change |
| 360 | 137(1) (a) | Kidnapping | No Change |
| 361 | 137(1) (b) | Kidnapping | Word "child" is used in place of the word "minor". |
| 362 | 138 | Abduction | No Change |
| 363 | 137(2) | Kidnapping | No Change |
| 363A | 139 | Kidnapping or maiming a child for purposes of begging | <ul style="list-style-type: none"> Punishment by way of imprisonment for kidnapping or obtaining custody of a child so |

| IPC | BNS | Title in BNS | Changes in BNS |
|------|---------|---|--|
| | | | <p>that it may be used or employed for begging has been enhanced from imprisonment of either description of 10 years to rigorous imprisonment for a term which shall not be less than 10 years but which may extend to imprisonment for life.</p> <ul style="list-style-type: none"> • Punishment by way of imprisonment for maiming a child for purposes of begging has been enhanced from imprisonment for life to imprisonment which will not be less than 20 years but which may extend to life. • For the word 'minor' word 'child' is used .Child may be a male child or female child. |
| 364 | 140 (1) | Kidnapping or abducting in order to murder or for ransom, etc | No Change |
| 364A | 140(2) | Kidnapping or abducting in order to murder or for ransom | No Change |
| 365 | 140(3) | Kidnapping or abducting in order to murder or for ransom | No Change |
| 366 | 87 | Kidnapping, abducting or inducing woman to compel her marriage, etc | No Change |
| 366A | 96 | Procuration of child | Changed as 'Procuration of a child'. |
| 366B | 141 | Importation of girl or boy from foreign country | This section is now applicable to both girls as well as boys. Age prescribed for boys is 18 years and for girls he is 21 years. |
| 367 | 140(4) | Kidnapping or abducting in order to murder or for ransom | No Change |
| 368 | 142 | Wrongfully concealing or keeping in confinement, kidnapped or abducted person. | No Change |
| 369 | 97 | Kidnapping or abducting child under ten years of age with intent to steal from its person | Gender Neutral |
| | 93 | Exposure and abandonment of child undertwelve years of age, by parent or person having care of it | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|-------------|-------|--|--|
| 370 | 143 | Trafficking of person | For the word "minor", word child is used. |
| 370A | 144 | Exploitation of a trafficked person | Maximum imprisonment term impossible for sexual exploitation of trafficked child increased from 7 years to 10 years. Maximum imprisonment term impossible for sexual exploitation of trafficked person increased from 5 years to 7 years. |
| 371 | 145 | Habitual dealing in slaves | No Change |
| 372 | 98 | Selling child for purposes of prostitution, etc | Word "Child" is substituted for "any person" in section 372 of IPC. |
| 373 | 99 | Buying child for purposes of prostitution, etc | <ul style="list-style-type: none"> Word "Child" is substituted for "person". Imprisonment prescribed is "not less than 7 years but which may extend to 14 years". Earlier prescribed Imprisonment was 10 years. |
| 374 | 146 | Unlawful compulsory labour | No Change |
| 375 | 63 | Rape | Age of consent: Exception 2 to 63 of BNS provides 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. Under section 375 of IPC the age limit was 15 years. |
| 376 (1 & 2) | 64 | Punishment for rape | Consent: Clause (i) of section 64(2) of BNS provides for "commits rape, on a women incapable of giving consent." Section 376(2) (1) of IPC provided for "commits rape on woman when she is under 16 years of age." |
| 376(3) | 65(1) | Punishment for rape in certain cases | No Change |
| 376AB | 65(2) | Punishment for rape in certain cases | Section 65 of BNS combines both age categories (under 12 and under 16) into a single section, simplifying the legal frame work. |
| 376A | 66 | Punishment for causing death or resulting in persistent vegetative state of victim | No Change |
| 376B | 67 | Sexual intercourse by husband upon his wife during separation | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|--------|---|--|
| 376C | 68 | Sexual intercourse by a person in authority | No Change |
| 376D | 70(1) | Gang rape | No Change |
| 376D A | 70(2) | Gang rape | Death sentence was provided under section 376 DB of IPC for gang rape of woman under 12 years of age. No death penalty was provided for gang rape of woman aged below 16 but above 12 in section 376 DA. Now section 70(2) of BNS provides death penalty for gang rape of women under 18 years of age. |
| 376D B | | | |
| 376E | 71 | Punishment for repeat offenders | No Change |
| 377 | | | The reference to section 377 has been removed. |
| CHAPTER XVII OF OFFENCES AGAINST PROPERTY | | | |
| 378 | 303(1) | Theft | No Change |
| 379 | 303(2) | Theft | In case of repeat offences of theft, more stringent punishment is provided in BNS by way of rigorous imprisonment for a term which shall not be less than one year but which may extend to 5 years and with fine. |
| New | 304 | Snatching | Defines "Snatching" as a distinct offence. Whoever commits snatching, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine |
| 380 | 305 | Theft in a dwelling house, or means of transportation or place of worship, etc | Theft of Idol or Icon in any place of worship and theft of any property of the Government or of a Local Authority. |
| 381 | 306 | Theft by clerk or servant of property in possession of master | Summary trial is mandatory. |
| 382 | 307 | Theft after preparation made for causing death, hurt or restraint in order to committing of theft | No Change |
| 383 | 308(1) | Extortion | No Change |
| 384 | 308(2) | Extortion | Punishment enhanced from 3 years to 7 years |
| 385 | 308(3) | Extortion | No Change |
| 386 | 308(5) | Extortion | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|--------------------|--|--|
| 387 | 308(4) | Extortion | No Change |
| 388 | 308(7) | Extortion | No Change |
| 389 | 308(6) | Extortion | No Change |
| 390 | 309(1)/ (2)/(3) | Robbery | No Change |
| 391 | 310(1) | Dacoity | No Change |
| 392 | 309(4) | Robbery | No Change |
| 393 | 309(5) | Robbery | No Change |
| 394 | 309(6) | Robbery | No Change |
| 395 | 310(2) | Dacoity | No Change |
| 396 | 310(3) | Dacoity | Prescribed punishment under this section of BNS is "Shall not be less than 10 years". Earlier it was "which may extend to 10 years". |
| 397 | 311 | Robbery or dacoity, with attempt to cause death or grievous hurt. | No Change |
| 398 | 312 | Attempt to commit robbery or dacoity when armed with deadly weapon. | No Change |
| 399 | 310(4) | Dacoity | No Change |
| 400 | 310(6) | Dacoity | No Change |
| 401 | 313 | Punishment for belonging to gang of robbers, etc | Term "Thugs" is removed |
| 402 | 310(5) | Dacoity | No Change |
| 403 | 314 | Dishonest misappropriation of property | Minimum imprisonment term of 6 months is stipulated under section 314 of BNS which was not the case in section 403 of IPC. While section 403 of IPC stipulated imprisonment or fine or both as punishment, section 314 stipulates imprisonment and fine as punishment. |
| 404 | 315 | Dishonest misappropriation of property possessed by deceased person at the time of his death | No Change |
| 405 | 316(1) | Criminal breach of trust | No Change |
| 406 | 316(2) | Criminal breach of trust | Imprisonment enhanced from 3 years to 5 years. |
| 407 | 316(3) | Criminal breach of trust | No Change |
| 408 | 316(4) | Criminal breach of trust | No Change |
| 409 | 316(5) | Criminal breach of trust | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|---------------|--|--|
| 410 | 317(1) | Stolen Property | Word 'cheating' is added in of BNS |
| 411 | 317(2) | Stolen Property | No Change |
| 412 | 317(3) | Stolen Property | No Change |
| 413 | 317(4) | Stolen Property | No Change |
| 414 | 317(5) | Stolen Property | No Change |
| 415 | 318(1) | Cheating | No Change |
| 416 | 319(1) | Cheating by personation | No Change |
| 417 | 318(2) | Cheating | Punishment enhanced from 1 year to 3 years |
| 418 | 318(3) | Cheating | Punishment enhanced from 3 years to 5 years |
| 419 | 319(2) | Cheating by personation | Punishment enhanced from 3 years to 5 years |
| 420 | 318(4) | Cheating | No Change |
| 421 | 320 | fraudulent removal or concealment of property to prevent distribution among creditors | Minimum imprisonment of 6 months prescribed. |
| 422 | 321 | Dishonestly or fraudulently preventing debt being available for creditors | No Change |
| 423 | 322 | Dishonest or fraudulent execution of deed of transfer containing false statement of consideration. | Punishment enhanced from 2 years to 3 years |
| 424 | 323 | Dishonest or fraudulent removal or concealment of property | Punishment enhanced from 2 years to 3 years. |
| 425 | 324(1) | Mischief | No Change |
| 426 | 324(2) | Mischief | Punishment enhanced from 3 months to 6 months |
| - | 324(3) | Mischief | Punishment for mischief increased from 3 months to 6 months. This section provides that whoever commits mischief and their by caused loss or damage to any property including Government or Local authority shall be punished with imprisonment of upto 1 year or with fine or both |
| 427 | 324(4) (5) | Mischief | 324(3) is added. The threshold monetary limit for value of loss or damage caused by mischief is increased from Rs. 50 in 427 IPC to Rs.20, 000 (but less than 1 Lakh) in section 324(4) of BNS. |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|--------|---|---|
| | | | Imprisonment is increased from 2 years to 5 years where loss or damage by mischief exceeds 1 Lakhs. |
| 428 | 325 | Mischief by killing or maiming animal | Punishment enhanced from 2 years to 5 years and "ANDFINE" included |
| 429 | 325 | Mischief by killing or maiming animal | No Change |
| 430 | 326(a) | Mischief by injury, inundation, fire or explosive substance, etc | No Change |
| 431 | 326(b) | Mischief by injury, inundation, fire or explosive substance, etc | No Change |
| 432 | 326(c) | Mischief by injury, inundation, fire or explosive substance, etc | No Change |
| 433 | 326(d) | Mischief by injury, inundation, fire or explosive substance, etc | The terms "sign or signal used for navigation of rail, aircraft or ship" has been used. |
| 434 | 326(e) | Mischief by injury, inundation, fire or explosive substance, etc | No Change |
| 435 | 326(f) | Mischief by injury, inundation, fire or explosive substance, etc | No Change |
| 436 | 326(g) | Mischief by injury, inundation, fire or explosive substance, etc | No Change |
| 437 | 327(1) | Mischief with intent to destroy or make unsafe a rail, aircraft, decked vessel or one of twenty tons burden | Mischief in relation to any rail or aircraft is also covered. |
| 438 | 327(2) | Mischief with intent to destroy or make unsafe a rail, aircraft, decked vessel or one of twenty tons burden | No Change |
| 439 | 328 | Punishment for intentionally running vessel aground or ashore with intent to commit theft, etc. | No Change |
| 440 | 324(6) | Mischief | No Change |
| 441 | 329(1) | Criminal trespass and house-trespass | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|-----|--------|--|---|
| 442 | 329(2) | Criminal trespass and house-trespass | No Change |
| 443 | 330(1) | House-trespass and house-breaking | No Change |
| 444 | | | The definitions of 'lurking house trespass by night' and 'house breaking by night' have been omitted. |
| 445 | 330(2) | House-trespass and house-breaking | No Change |
| 446 | - | - | - |
| 447 | 329(3) | Criminal trespass and house trespass | Fine enhanced from Rs.500 to Rs.5000. |
| 448 | 329(4) | Criminal trespass and house trespass | Fine enhanced from Rs.1000 to Rs 5000 |
| 449 | 332(a) | House-trespass in order to commit offence | No Change |
| 450 | 332(b) | House-trespass in order to commit offence | No Change |
| 451 | 332(c) | House-trespass in order to commit offence | No Change |
| 452 | 333 | House-trespass after preparation for hurt, assault or wrongful restraint | No Change |
| 453 | 331(1) | Punishment for house-trespass or house- breaking | No Change |
| 454 | 331(3) | Punishment for house-trespass or house- breaking | No Change |
| 455 | 331(5) | Punishment for house-trespass or house- breaking | No Change |
| 456 | 331(2) | Punishment for house-trespass or house- breaking | 'House breaking by night' is replaced with 'house breaking after sunset and before sunrise' |
| 457 | 331(4) | Punishment for house-trespass or house- breaking | 'House breaking by night' is replaced with 'house breaking after sunset and before sunrise' |
| 458 | 331(6) | Punishment for house-trespass or house- breaking | No Change |
| 459 | 331(7) | Punishment for house-trespass or house- breaking | No Change |
| 460 | 331(8) | Punishment for house-trespass or house- breaking | No Change |
| 461 | 334(1) | Dishonestly breaking open receptacle containing property | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|---------|---|--|
| 462 | 334(2) | Dishonestly breaking open receptacle containing property | No Change |
| CHAPTER XVIII | | | |
| OF OFFENCES RELATING TO DOCUMENTS AND TO PROPERTY MARKS | | | |
| 463 | 336 (1) | Forgery | No Change |
| 464 | 335 | Making a false document | No Change |
| 465 | 336 (2) | Forgery | No Change |
| 466 | 337 | Forgery of record of Court or of public register, etc., | BNS specifically makes it an offence to forge identity document issued by Government including Aadhaar card and voter identity card. |
| 467 | 338 | Forgery of valuable security, will etc., | No Change |
| 468 | 336 (3) | Forgery | No Change |
| 469 | 336 (4) | Forgery | No Change |
| 470 | 340 (1) | Forged document or electronic record and using it as genuine | No Change |
| 471 | 340 (2) | Forged document or electronic record and using it as genuine | No Change |
| 472 | 341 (1) | Making or possessing counterfeit seal, etc., with intent to commit forgery punishable u/s.336 | No Change |
| 473 | 341 (2) | Making or possessing counterfeit seal, etc., with intent to commit forgery punishable u/s.336 | No Change |
| - | 341(3) | Making or possessing counterfeit seal etc..., with intent to commit forgery | This new section provides that whoever possesses any seal, plate or other instrument knowing the same to be counterfeit shall be punished with imprisonment of either description for a term which may extend to 3 years and she will also be liable to fine |
| - | 341(4) | Making or possessing counterfeit seal etc..., with intent to commit forgery | Whoever fraudulently or dishonestly uses as genuine any seal, plate or other instrument knowing or having reason to believe the same to be counterfeited, shall be punished in the same manner as if he had made or counterfeited such seal plate or other instrument. |

| IPC | BNS | Title in BNS | Changes in BNS |
|------------|------------|---|-----------------------|
| 474 | 339 | Having possession of document described in section 335 or 336, knowing it to be forged and intending to use it as genuine | No Change |
| 475 | 342(1) | Counterfeiting device or mark used for authenticating documents described in section 336, or possessing counterfeit marked material | No Change |
| 476 | 342(2) | Counterfeiting device or mark used for authenticating documents described in section 336, or possessing counterfeit marked material | No Change |
| 477 | 343 | Fraudulent cancellation, destruction, etc., of will authority to adopt, or valuable security | No Change |
| 477A | 344 | Falsification of accounts | No Change |
| 478 | - | - | - |
| 479 | 345(1) | Property mark | No Change |
| 480 | - | - | - |
| 481 | 345(2) | Property mark | No Change |
| 482 | 345(3) | Property mark | No Change |
| 483 | 347(1) | Counterfeiting a property mark | No Change |
| 484 | 347(2) | Counterfeiting a property mark | No Change |
| 485 | 348 | Making or possession of any instrument for counterfeiting a property mark | No Change |
| 486 | 349 | Selling goods marked with a counterfeit property mark | No Change |
| 487 | 350(1) | Making a false mark upon any receptacle containing goods | No Change |
| 488 | 350(2) | Making a false mark upon any receptacle containing goods | No Change |
| 489 | 346 | Tampering with property mark with intent to cause injury | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|---|-------|--|---|
| 489A | 178 | Counterfeiting coin, Government stamps, currency-notes or bank-notes | No Change |
| 489B | 179 | Using as genuine, forged or counterfeit coin, Government stamp, currency-notes or bank-notes | No Change |
| 489C | 180 | Possession of forged or counterfeit coin, Government stamp, currency-notes or bank-notes | No Change |
| 489D | 181 | Making or possessing instruments or materials for forging or counterfeiting coin, Government stamp, currency-notes or bank-notes | No Change |
| 489E | 182 | Making or using documents resembling currency-notes or bank-notes | <ul style="list-style-type: none"> • Fine for making or using documents resembling currency notes or bank notes increased from Rs.100 to Rs.300 • Fine for refusal to disclose the name and address of the printer increased from Rs.200 to Rs.600. |
| CHAPTER XIX | | | |
| OF THE CRIMINAL BREACH OF CONTRACTS OF SERVICE | | | |
| 490 | - | - | - |
| 491 | 357 | Breach of contract to attend on and supply wants of helpless person. | Fine amount increased from Rs.200 to Rs.5000 |
| - | 358 | Repeal and savings | Section 358 of the BNS repeals the IPC, however, it protects the previous operation of the IPC, or anything done or suffered under the IPC. |
| 492 | - | - | - |
| CHAPTER XX | | | |
| OF OFFENCES RELATING TO MARRIAGE | | | |
| 493 | 81 | Cohabitation caused by man deceitfully inducing belief of lawful marriage | No Change |
| 494 | 82(1) | Marrying again during lifetime of husband or wife | No Change |
| 495 | 82(2) | Marrying again during lifetime of husband or wife | No Change |
| 496 | 83 | Marriage ceremony fraudulently gone through without lawful marriage. | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|--|--------|--|---|
| 497 | -- | --- | ---- |
| 498 | 84 | Enticing or taking away or detaining with criminal intent a married woman. | <ul style="list-style-type: none"> Words 'from that man or from any person having the care of her on behalf of that man' are omitted from 498 IPC. Section 84 of BNS protects a married woman whether or not she is living in the care of her husband or any other person who is taking care of her on behalf of her husband. |
| CHAPTER XX-A OF CRUELTY BY HUSBAND OR RELATIVES OF HUSBAND | | | |
| 498A | 85 | Husband or relative of husband of a woman subjecting her to cruelty | No Change |
| | 86 | Cruelty defined | 498, Explanation. Cruelty defined. |
| CHAPTER XXI OF DEFAMATION | | | |
| 499 | 356(1) | Defamation | Words "in any manner" is used. |
| 500 | 356(2) | Defamation | Alternate Punishment of Community Service is added. |
| 501 | 356(3) | Defamation | No Change |
| 502 | 356(4) | Defamation | No Change |
| CHAPTER XXII OF CRIMINAL INTIMIDATION, INSULT AND ANNOYANCE | | | |
| 503 | 351(1) | Criminal intimidation | The words criminal intimidation 'by any means' is added. |
| 504 | 352 | Intentional insult with intent to provoke breach of peace | No Change |
| 505 | 353 | Statements conducing to public mischief. | Words used in section 505(2) of IPC were "circulates any statement or report containing rumour or alarming news" is replaced with "circulates any statement or report containing false information, rumours or alarming news including through electronic means." |
| 506 | 351(2) | Criminal intimidation | No Change |
| 506(II) | 351(3) | Criminal intimidation | No Change |
| 507 | 351(4) | Criminal intimidation | No Change |
| 508 | 354 | Act caused by inducing person to believe that he will be rendered an object of Divine displeasure. | No Change |

| IPC | BNS | Title in BNS | Changes in BNS |
|---|------------|--|---|
| 509 | 79 | Word, gesture or act intended to insult modesty of a woman | No Change |
| 510 | 355 | Misconduct in public by a drunken person | Fine enhanced to Rs.1000. Alternate Community Service as a form of punishment added. |
| CHAPTER XXIII OF ATTEMPTS TO COMMIT OFFENCES | | | |
| 511 | 62 | Punishment for attempting to commit offences punishable with imprisonment for life or other Imprisonment | No Change |

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**COMPARISON STATEMENT OF BHARATIYA NAGARIK SURAKSHA
SANHITA, 2023 (BNSS) AND CODE OF CRIMINAL PROCEDURE (Cr.P.C)**

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|----------------------------------|----------|--------------------------------------|---|
| CHAPTER I PRELIMINARY | | | |
| 1 | 1 | Short title, extent and commencement | Bharatiya Nagarik Suraksha Sanhita, 2023. |
| 2 | 2 | Definitions | No change |
| - | 2(1) a | "Audio-video electronic means" | New definition (the definition shall include use of any communication device for the purpose of ➤ Video conferencing, ➤ recording of processes of identification, ➤ search and seizure or evidence, ➤ transmission of electronic communication, and ➤ for such other purposes and by such other means as the state Government may, by rules provide) |
| - | 2(1) b | "Bail" | New definition(bail to mean release of a person accused of or suspected of Commission of an offence from the custody of law upon certain conditions imposed by an officer or court on execution by such person of a bond or a bail bond.) |
| 2(a) | 2(1)(c) | "Bailable offence" | No change |
| - | 2(1)(d) | "Bail bond" | New definition:(Bail bond to mean an undertaking for release with surety) |
| - | 2(1) (e) | "Bond" | New definition: (Bond to mean a personal bond or an undertaking for release without surety.) |
| 2(b) | 2(1) (f) | "Charge" | No change |
| 2(c) | 2(1) (g) | "Cognizable offence" | No change |
| 2(d) | 2(1) (h) | "Complaint" | No change |
| - | 2(1) (i) | "Electronic communication" | New definition:(Electronic communication means the communication of any written, verbal, pictorial information or video content transmitted or transferred ➤ whether from one person to another or from one device to another or from a person to a device or from device to a person ➤ by means of an electronic device including a telephone mobile phone or other wireless |

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| | | | telecommunication device or a computer or audio video players or cameras or any other electronic device or electronic form as may be specified by notification by the central government. |
| 2(e) | 2(1)(j) | "High Court" | No change |
| 2(f) | - | - | "India" is Repealed |
| 2(g) | 2(1)(k) | "Inquiry" | No change |
| 2(h) | 2(1)(l) | "Investigation" | New Explanation inserted. The provisions of special Act shall prevail in investigation of offences under special Acts. |
| 2(i) | 2(1) (m) | "Judicial proceeding" | No change |
| 2(j) | 2(1) (n) | "Local jurisdiction" | No change |
| 2(k) | - | -- | "metropolitan area" is Repealed |
| 2(l) | 2(1) (o) | "Non-cognizable offence" | No change |
| 2(m) | 2(1) (p) | "notification" | No change |
| 2(n) | 2(1) (q) | "offence" | No change |
| 2(o) | 2(1) (r) | "officer in charge of a police station" | No change |
| 2(p) | 2(1) (s) | "place" | No change |
| 2(q) | - | -- | "pleader" is repealed |
| 2(r) | 2(1) (t) | "police report" | No change |
| 2(s) | 2(1) (u) | "police station" | No change |
| 2(t) | --- | --- | "prescribed" is repealed |
| 2(u) | 2(1) (v) | "Public Prosecutor" | No change |
| 2(v) | 2(1) (w) | "sub-division" | No change |
| 2(w) | 2(1)(x) | "summons-case" | No change |
| 2(wa) | 2(1)(y) | "victim" | No change |
| 2(x) | 2(1)(z) | "warrant-case" | No change |
| 2(y) | 2(2) | Words and expressions not defined | Sub-section (2) is added in place of (2(y) of Cr.P.C. It provides that words and expressions used herein have the same meaning in the BNS and IT Act-2000. |
| 3 | 3 | Construction of references | No change |
| 4 | 4 | Trial of offences under Bhartiya Nyaya Sanhita and other laws | No change |
| 5 | 5 | Saving | No change |
| CHAPTER II | | | |
| CONSTITUTION OF CRIMINAL COURTS AND OFFICES | | | |
| 6 | 6 | Classes of Criminal Courts. | Concepts of Metropolitan Area and Metropolitan Magistrate are now abolished. |
| 7 | 7 | Territorial divisions | No change |
| 8 | — | | Metropolitan areas is repealed. |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---------------|-------------|--|---|
| 9 | 8 | Court of Session | No change |
| 10 | — | | Subordination of Assistant Sessions Judge is repealed. |
| 11 | 9 | Courts of Judicial Magistrates | No change |
| 12 | 10 | Chief Judicial Magistrate and Additional Chief Judicial Magistrate, etc. | No change |
| 13 | 11 | Special Judicial Magistrates | No change |
| 14 | 12 | Local jurisdiction of Judicial Magistrates | No change |
| 15 | 13 | Subordination of Judicial Magistrates | No change |
| 16 | — | | Courts of Metropolitan Magistrates is repealed |
| 17 | — | | Chief Metropolitan Magistrate and Additional Chief Metropolitan Magistrate is repealed |
| 18 | — | | Special Metropolitan Magistrates is repealed |
| 19 | — | | Subordination of Metropolitan Magistrates is repealed |
| 20 | 14 | Executive Magistrates | No change |
| 21 | 15 | Special Executive Magistrates | New explanation: State Government can also appoint any police officer not below the rank of SP or equivalent as Special Executive Magistrate. |
| 22 | 16 | Local Jurisdiction of Executive Magistrates | No change |
| 23 | 17 | Subordination of Executive Magistrates | No change |
| 24 | 18 | Public Prosecutors | New explanation: Central Govt shall appoint the PP or Addl.PP for the National Capital Territory of Delhi after consultation with the High Court of Delhi. Prosecuting Officer includes a Special Public Prosecutor also. |
| 25 | 19 | Assistant Public Prosecutors | New explanation: District Magistrate may appoint APP. |
| 25A | 20 | Directorate of Prosecution | State Government may establish District Directorate of Prosecution of every district. This section omits the requirement of concurrence of the Chief Justice of the High Court for appointment of a Director of Prosecution or a Deputy Director of |

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| | | | Prosecution. This section also creates new post of Assistant Directors of Prosecution. This section provides clear roles for Director of Prosecution, Deputy Director of Prosecution and Assistant Director of Prosecution. |
| CHAPTER III POWER OF COURTS | | | |
| 26 | 21 | Courts by which offences are triable | No change |
| 27 | — | - | Jurisdiction in the case of juveniles is repealed |
| 28 | 22 | Sentences which High Courts and Sessions Judges may pass | Power of ASJ to pass sentences has been omitted |
| 29 | 23 | Sentences which Magistrates may pass | Sec 23 (2) & (3) is added. The monetary limits on fine which can be imposed by Judicial Magistrates of first class and Judicial Magistrates of second class have been enhanced. Court can impose fine or community service Or both. |
| 30 | 24 | Sentence of imprisonment in default of fine | No change |
| 31 | 25 | Sentence in cases of conviction of several offences at one trial | This section omits the "by default rule" that punishments shall run consecutively in the order directed by the court. Section 25 requires the court to consider the gravity of offences and clearly order such punishments to run consecutively or concurrently. Maximum punishment is increased from 14 years to 20 years. Okay |
| 32 | 26 | Mode of conferring powers | No change |
| 33 | 27 | Powers of officers appointed | No change |
| 34 | 28 | Withdrawal of powers | No change |
| 35 | 29 | Powers of Judges and Magistrates exercisable by their successors-in-office | No change |
| CHAPTER IV POWERS OF SUPERIOR OFFICERS OF POLICE, AID TO MAGISTRATES AND POLICE | | | |
| 36 | 30 | Powers of superior officers of police | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|------|--|--|
| 37 | 31 | Public when to assist Magistrates and police | No change |
| 38 | 32 | Aid to person, other than police officer, executing warrant | No change |
| 39 | 33 | Public to give information of certain offences | No change |
| 40 | 34 | Duty of officers employed in connection with the affairs of a village to make certain report | Defines "Proclaimed Offender" |
| CHAPTER V ARREST OF PERSONS | | | |
| 41 | 35 | When police may arrest without warrant... | <i>(Old Secs 41 & 41A)</i> Section 35 clause 7 of BNSS is a new provision. 35(7) Provides that no arrest shall be made without the prior permission of an officer not below the rank of Deputy Superintendent of Police in cases where the offence is punishable for less than 3 years and the person is infirm or above 60 years of age. |
| 41A | — | - | Old section 41A has been removed |
| 41B | 36 | Procedure of arrest and duties of officer making arrest | Section 41B required the information of arrest to be given to relative or friend named by person arrested. Section 36 of BNSS requires the information of arrest be given to relative or a friend or any other person named by person arrested. |
| 41C | 37 | Designated Police Officer | Sec. 37 of the BNSS provides that the state government shall designate a police officer in every district and in every police station not below the rank of assistant sub inspector of police who shall be responsible for maintaining the information about the names and addresses of the persons arrested, nature of the offence with which charged, which shall be prominently displayed in any manner including in digital mode in every police station and at the district headquarters. |
| 41D | 38 | Right of arrested person to meet an advocate of his choice during interrogation | No change |

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|-----|----|--|--|
| 42 | 39 | Arrest on refusal to give name and residence | Under Section 42 of Cr.P.C, person arrested can be released on his executing a bond with or without sureties. Under section 39 of BNSS, person arrested can be released on a bond or bail bond. |
| 43 | 40 | Arrest by private person and procedure on such arrest | Section 40 of BNSS makes changes to private arrest provisions by setting a deadline of 6 hours from such arrest within which the private person affecting private arrest shall handover the person subjected to private arrest to the police. Section 40(2) of BNSS has substituted the words "shall re-arrest him" in Cr.P.C with the words "shall take him to custody". |
| 44 | 41 | Arrest by Magistrate | No change |
| 45 | 42 | Protection of members of the Armed Forces from arrest | No change |
| 46 | 43 | Arrest how made | Sec. 43 (3) Guidelines to use handcuff: The police officer may, keeping in view the nature and gravity of the offence, use handcuff while effecting the arrest of a person who is a habitual, repeat offender who escaped from custody, who has committed offence of organised crime, offence of terrorist act, drug related crime, or offence of illegal possession of arms and ammunition, murder, rape, acid attack, counterfeiting of coins and currency notes, human trafficking, sexual offences against children or offences against the State. |
| 47 | 44 | Search of place entered by person sought to be arrested | No change |
| 48 | 45 | Pursuit of offenders into other jurisdictions | No change |
| 49 | 46 | No unnecessary restraint | No change |
| 50 | 47 | Person arrested to be informed of grounds of arrest and of right to bail | No change |
| 50A | 48 | Obligation of person making arrest to inform about the arrest, etc., to relative or friend | 48 (1) is added. Information of arrest shall be given to the Designated Police Officer. |

| | | | |
|-----|----|--|--|
| 51 | 49 | Search of arrested person | No change |
| 52 | 50 | Power to seize offensive weapons | Section 50 of BNSS empowers the Police Officer or other person making the arrest to seize offensive weapons from the arrest <i>immediately after the arrest is made</i> . Section 52 of Cr.P.C offered no clarity on when this power is exercisable. |
| 53 | 51 | Examination of accused by medical practitioner at the request of police officer | Section 51 of BNSS has revised the definition of "registered medical practitioner." In Cr.P.C, the request for medical examination can be made by police officer not below the rank of sub inspector. Under the new section of BNSS, request can be made by any police officer |
| 53A | 52 | Examination of person accused of rape by medical practitioner | In case of examination of person accused of rape by medical practitioner, if there is no registered medical practitioner available within the radius of 16 kilometres from the place where the offence of rape has been committed, the new section of BNSS allows such RMP to act on the request of any police officer irrespective of rank. |
| 54 | 53 | Examination of arrested person by medical officer | Section 53(1) provides that if the registered medical practitioner is of the opinion that one more examination of arrested female is necessary, he may do so. |
| 54A | 54 | Identification of person arrested | Recording of identification process by audio/video electronic means, if identifying person is disabled. |
| 55 | 55 | Procedure when police officer deposes subordinate to arrest without warrant | No change |
| 55A | 56 | Health and safety of arrested person | No change |
| 56 | 57 | Person arrested to be taken before Magistrate or officer in charge of police station | No change |
| 57 | 58 | Person arrested not to be detained more than twenty-four hours | The accused shall be produced before the magistrate's court <i>whether having jurisdiction or not</i> . |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|------|---|---|
| 58 | 59 | Police to report apprehensions | No change |
| 59 | 60 | Discharge of person apprehended | No change |
| 60 | 61 | Power, on escape, to pursue and retake | No change |
| 60A | 62 | Arrest to be made strictly according to the Sanhita | No change |
| CHAPTER VI PROCESS TO COMPEL APPEARANCE | | | |
| 61 | 63 | Form of summons | Section 63 of BNSS allows the court to issue summons in an encrypted or any other form of electronic communication with the image of the seal of the court or digital signature. |
| 62 | 64 | Summons how served | The SHO/ Registrar in the court has to maintain process register with the address along with email address, Phone Number etc to facilitate the serving of the summons through electronic media. |
| 63 | 65 | Service of summons on corporate bodies, firms, and societies | The new section provides that service of summons on a firm or other association of individuals may be affected by serving it on any partner of such firm or association or by letter sent by registered post addressed to such partner in which case the service shall be deemed to have been effected when the letter would arrive in ordinary course of post. |
| 64 | 66 | Service when persons summoned cannot be found | No change |
| 65 | 67 | Procedure when service cannot be effected as before provided | No change |
| 66 | 68 | Service on Government servant | No change |
| 67 | 69 | Service of summons outside local limits | No change |
| 68 | 70 | Proof of service in such cases and when serving officer not present | Clause (3) is added, treating electronic communication is also serving of Summons. |
| 69 | 71 | Service of summons on witness | Electronic communication of summons is included |
| 70 | 72 | Form of warrant of arrest and duration | No change |

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|----|----|--|---|
| 71 | 73 | Power to direct security to be taken | No change |
| 72 | 74 | Warrants to whom directed | No change |
| 73 | 75 | Warrant may be directed to any person | No change |
| 74 | 76 | Warrant directed to police officer | No change |
| 75 | 77 | Notification of substance of warrant | No change |
| 76 | 78 | Person arrested to be brought before Court without delay | No change |
| 77 | 79 | Where warrant may be executed | No change |
| 78 | 80 | Warrant forwarded for execution outside jurisdiction | No change |
| 79 | 81 | Warrant directed to police officer for execution outside jurisdiction | No change |
| 80 | 82 | Procedure on arrest of person against whom warrant issued | Clause (2) is added. Police officer shall furnish arrest information to the DPO (Designated Police Officer). |
| 81 | 83 | Procedure by Magistrate before whom such person arrested is brought | No change |
| 82 | 84 | Proclamation for person absconding | No change |
| 83 | 85 | Attachment of property of person absconding | No change |
| | 86 | <i>Identification and attachment of property of proclaimed offender.</i> | <i>This is a new provision. The Court may, on the written request from a police officer not below the rank of the Superintendent of Police or Commissioner of Police, initiate the process of requesting assistance from a Court or an authority in the contracting State for identification, attachment and forfeiture of property belonging to a proclaimed person in accordance with the procedure provided in Chapter VIII.</i> |
| 84 | 87 | Claims and objections to attachment | No change |
| 85 | 88 | Release, sale and restoration of attached property | No change |

| | | | |
|---|-----|---|---|
| 86 | 89 | Appeal from order rejecting application for restoration of attached property | No change |
| 87 | 90 | Issue of warrant in lieu of, or in addition to, summons | No change |
| 88 | 91 | Power to take bond for appearance | No change |
| 89 | 92 | Arrest on breach of bond for appearance | No change |
| 90 | 93 | Provisions of this Chapter generally applicable to summonses and warrants of arrest | No change |
| CHAPTER VII | | | |
| PROCESS TO COMPEL THE PRODUCTION OF THINGS | | | |
| 91 | 94 | Summons to produce document or other thing | As telegram is no longer used, sec. 94 of BNSS omits references to telegram and Telegraph authority. Production of electronic communication including communication devices which is likely to contain digital evidence. Summons can be issued either in physical form or in electronic form. |
| 92 | 95 | Procedure as to letters | Omits references to Telegraph authority. |
| 93 | 96 | When search-warrant may be issued | No change |
| 94 | 97 | Search of place suspected to contain stolen property, forged documents, etc. | No change |
| 95 | 98 | Power to declare certain publications forfeited and to issue search-warrants for the same | No change |
| 96 | 99 | Application to High Court to set aside declaration of forfeiture | No change |
| 97 | 100 | Search for persons wrongfully confined | No change |
| 98 | 101 | Power to compel restoration of abducted females | No change |
| 99 | 102 | Direction, etc., of search-warrants | No change |
| 100 | 103 | Persons in charge of closed place to allow search | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|--------|--|--|
| 101 | 104 | Disposal of things found in search beyond jurisdiction | No change |
| | 105 | <i>Recording of search and seizure through audio video electronic means:</i> | <i>This is a new provision. The process of conducting search of a place or taking possession of any property, article or thing under this Chapter or under section 185, including preparation of the list of all things seized in the course of such search and seizure and signing of such list by witnesses, shall be recorded through any audio-video electronic means preferably cell phone and the police officer shall without delay forward such recording to the District Magistrate, Sub-divisional Magistrate or Judicial Magistrate of the first class.</i> |
| 102 | 106 | Power of police officer to seize certain property | No change |
| | 107 | <i>Attachment, forfeiture or restoration of property.</i> | <i>This is a new provision. BNSS adds a new Section 107 which give vast powers of seizure and attachment of property. This section gives police the power to have the property of any accused seized and forfeited if it is suspected to be involved in criminal activity.</i> |
| 103 | 108 | Magistrate may direct search in his presence | No change |
| 104 | 109 | Power to impound document, etc., produced | No change |
| 105 | 110 | Reciprocal arrangements regarding processes | No change |
| CHAPTER VIII | | | |
| RECIPROCAL ARRANGEMENTS FOR ASSISTANCE IN CERTAIN MATTERS AND PROCEDURE FOR ATTACHMENT AND FORFEITURE OF PROPERTY (NEW) | | | |
| 105A | 111 | Definitions | No Change |
| 105A (a) | 111(a) | Contracting state | No Change |
| 105A (b) | 111(b) | Identifying | No Change |
| 105A (c) | 111(c) | Proceeds of crime | No Change |
| 105A (d) | 111(d) | Property | No Change |
| 105A (e) | 111(e) | Tracing | No Change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---|------|--|---|
| 166A | 112 | Letter of request to competent authority for investigation in a country or place outside India. | New provision included (Old 166A Cr.P.C). Letter of request to competent authority for investigation in a country or place outside India. |
| 166B | 113 | Letter of request from a country or place outside India to a Court or an authority for investigation in India. | New provision included (Old 166B Cr.P.C). Letter of request from a country or place outside India to a Court or an authority for investigation in India. |
| 105B | 114 | Assistance in securing transfer of persons | No change |
| 105C | 115 | Assistance in relation to orders of attachment or forfeiture of property | No change |
| 105D | 116 | Identifying unlawfully acquired property. | No change |
| 105E | 117 | Seizure or attachment of property | No change |
| 105F | 118 | Management of properties seized or forfeited under this Chapter | No change |
| 105G | 119 | Notice of forfeiture of property | No change |
| 105H | 120 | Forfeiture of property in certain cases | No change |
| 105-I | 121 | Fine in lieu of forfeiture | No change |
| 105J | 122 | Certain transfers to be null and void | No change |
| 105K | 123 | Procedure in respect of letter of request | No change |
| 105L | 124 | Application of this Chapter | No change |
| CHAPTER IX | | | |
| SECURITY FOR KEEPING THE PEACE AND GOOD BEHAVIOR | | | |
| 106 | 125 | Security for keeping the peace on conviction | No change |
| 107 | 126 | Security for keeping the peace in other cases | No change |
| 108 | 127 | Security for good behaviour from persons disseminating seditious matters | No change |
| 109 | 128 | Security for good behaviour from suspected persons | No change |
| 110 | 129 | Security for good behaviour from habitual offenders | ➤ The BNSS omitted reference to the Foreign Exchange Regulation Act, 1973. |

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| | | | <ul style="list-style-type: none"> ➤ Replaced reference to the "Prevention of Food Adulteration Act, 1954 with the "Food Safety and Standards Act 2006". ➤ Replaced reference to the "Untouchability Offences Act, 1955" with the "Protection of Civil Rights Act, 1955. |
| 111 | 130 | Order to be made | Section 130 replaces the words "the number, character and class of sureties (if any) required as used in section 111 of Cr.P.C with "the number of sureties after considering the fitness for payment of sureties". |
| 112 | 131 | Procedure in respect of person present in Court | No change |
| 113 | 132 | Summons or warrant in case of person not so present | No change |
| 114 | 133 | Copy of order to accompany summons or warrant | No change |
| 115 | 134 | Power to dispense with personal attendance | No change |
| 116 | 135 | Inquiry as to truth of information | No change |
| 117 | 136 | Order to give security | No change |
| 118 | 137 | Discharge of person informed against | No change |
| 119 | 138 | Commencement of period for which security is required | No change |
| 120 | 139 | Contents of bond | No change |
| 121 | 140 | Power to reject sureties | No change |
| 122 | 141 | Imprisonment in default of security | No change |
| 123 | 142 | Power to release persons imprisoned for failing to give security | No change |
| 124 | 143 | Security for unexpired period of bond | No change |
| CHAPTER X | | | |
| ORDER FOR MAINTENANCE OF WIVES, CHILDREN AND PARENTS | | | |
| 125 | 144 | Order for maintenance of wives, children and parents | No change |
| 126 | 145 | Procedure | Word "advocate" is used for word "pleader". Section 145(1) (d) provides that proceedings may be taken against |

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| | | | any person in any district "where his father or mother resides". This is a new provision. |
| 127 | 146 | Alteration in allowance | No change |
| 128 | 147 | Enforcement of order of maintenance | No change |
| CHAPTER XI | | | |
| MAINTENANCE OF PUBLIC PEACE AND TRANQUILITY | | | |
| 129 | 148 | Dispersal of assembly by use of civil force | Section 148 of BNSS has replaced the words "any male person" with the words "any person" so as to empower the executive magistrate or police officer to take assistance of any person irrespective of gender of such person for dispersing unlawful assembly |
| 130 | 149 | Use of armed forces to disperse assembly | Empowered the <i>District Magistrate or any other Executive Magistrate authorised by him</i> who is present to cause unlawful assembly to be dispersed by the armed forces. Previously, Cr.P.C empowered the <i>Executive Magistrate of the highest rank</i> present to cause unlawful assembly to be dispersed by the armed forces. |
| 131 | 150 | Power of certain armed force officers to disperse assembly | No change |
| 132 | 151 | Protection against prosecution for acts done u/secs.148, 149 and 150 | No change |
| 133 | 152 | Public Nuisance. Conditional order for removal of nuisance | Under section 133 of Cr.P.C, order can be made "to prevent or stop the construction of such building tent or structure or to remove or support of such trees". Section 152 of BNSS order can be made "to prevent or stop the construction of such building or to alter the disposal of such substance." |
| 134 | 153 | Service or notification of order | No change |
| 135 | 154 | Person to whom order is addressed to obey or show cause | The person against whom conditional order for removal of nuisance is made, such person can show cause through <i>audio video conferencing</i> instead of appearing in person and showing cause. |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------|------|---|---|
| 136 | 155 | Penalty for failure to comply with section 154 | No change |
| 137 | 156 | Procedure where existence of public right is denied | No change |
| 138 | 157 | Procedure where person against whom order is made under section 152 appears to show cause | The proceedings under this section shall be completed as soon as possible within a period of 90 days which may be extended for the reasons to be recorded in writing to 120 days. |
| 139 | 158 | Power of Magistrate to direct local investigation and examination of an expert | No change |
| 140 | 159 | Power of Magistrate to furnish written instructions, etc. | No change |
| 141 | 160 | Procedure on order being made absolute and consequences of disobedience | No change |
| 142 | 161 | Injunction pending inquiry | No change |
| 143 | 162 | Magistrate may prohibit repetition or continuance of public nuisance | <ul style="list-style-type: none"> ➤ Section 143 of Cr.P.C provides that a District Magistrate or Sub-Divisional Magistrate or any other Executive Magistrate empowered by the State Government or the District Magistrate in this behalf may order any person not to repeat or continue a Public Nuisance. ➤ Under section 162 of BNS a Deputy Commissioner of Police is also empowered to order any person not to repeat or continue a public nuisance. |
| 144 | 163 | Power to issue order in urgent cases of nuisance or apprehended danger | No change |
| 144A | — | | Power to prohibit carrying arms in procession or mass drill or mass training with arms is repealed . |
| 145 | 164 | Procedure where dispute concerning land or water is likely to cause breach of peace | No change |
| 146 | 165 | Power to attach subject of dispute and to appoint receiver | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 147 | 166 | Dispute concerning right of use of land or water | No change |
| 148 | 167 | Local inquiry | No change |
| CHAPTER XII PREVENTIVE ACTION OF THE POLICE | | | |
| 149 | 168 | Police to prevent cognizable offences | No change |
| 150 | 169 | Information of design to commit cognizable offences | No change |
| 151 | 170 | Arrest to prevent the commission of cognizable offences | No change |
| 152 | 171 | Prevention of injury to public property | No change |
| 153 | - | | Inspection of weights and measures is repealed . |
| -- | 172 | <i>Persons bound to confirm to lawful directions of Police</i> | <i>This is a new provision. All persons shall be bound to confirm to the lawful directions of a police officer given in fulfillment of any of his duty under this Chapter.</i> |
| CHAPTER XIII INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATION | | | |
| 154 | 173 | Information in cognizable cases | <p>Sec. 173 (1) of BNS allows the information relating to the Commission of a cognizable offence to be given to an officer in charge of a police station by electronic communication. In such a case it shall be taken on record by him on being signed within 3 days by the person giving it. The substance of such electronic communication shall be entered in a book to be kept by such officer in such form as the state government may prescribe in this behalf.</p> <p>Sec. 173(2) requires a copy to be so given to the <i>informant or the victim</i>.</p> <p>Sec. 173(3) is a new provision. It provides that on receipt of information relating to the Commission of any cognizable offences which is made punishable for 3 years or more but less than 7 years the officer in charge of the</p> |

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| | | | <p>police station may with the prior permission of an officer not below the rank of Deputy Superintendent of Police, considering the nature and gravity of the offense -proceed to conduct a preliminary enquiry to ascertain whether there exists a prima facie case for proceeding in the matter within a period of 14 days —or proceed with investigation when there exists a prima facie case.</p> <p>Sec. 173(4) the words “failing which he may make an application under subsection 3 of section 175 to the magistrate.” This provision was not there in section 154(4) of Cr.P.C.</p> |
| 155 | 174 | Information as to non-cognizable cases and investigation of such cases | Forward the daily diary report of all such cases fortnightly to the Magistrate. |
| 156 | 175 | Police officer's power to investigate cognizable case | <ul style="list-style-type: none"> ➤ Provided that considering the nature and gravity of the offence, the Superintendent of Police may either himself investigate or require the Deputy Superintendent of Police to investigate the offence. ➤ <i>175(4)(NEW PROVISION) Any Judicial Magistrate empowered under section 210, may upon receiving a complaint against a public servant arising in course of the discharge of his official duties, take cognizance, subject to—</i> <ul style="list-style-type: none"> (a) receiving a report containing facts and circumstances of the incident from the officer superior to him; and (b) after consideration of the assertions |
| 157 | 176 | Procedure for investigation | <p>176(1) of BNSS permits recording of rape victim's statement through any audio-video electronic means preferably cell phone.</p> <p><i>176(3) of BNSS is a New Provision. It provides that on receipt of every information relating to the Commission of an offence which is made punishable for 7 years or more, the officer in charge of a police</i></p> |

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| | | | <p><i>station shall, from such date, as may be notified within a period of 5 years by the State Government in this regard, cause the forensic expert to visit the crime scene to collect forensic evidence in the offence and also cause of videography of the process on mobile phone or any other electronic device.</i></p> <p><i>Where forensics facility is not available in respect of any such offence, the State Government shall, until the facility in respect of that matter is developed or made in the state, notify the utilization of such facility of any other state.</i></p> |
| 158 | 177 | Report how submitted | No Change |
| 159 | 178 | Power to hold investigation or preliminary inquiry | No Change |
| 160 | 179 | Police officer's power to require attendance of witnesses | <p>Under section 160 Cr.P.C, no male person under the age of 15 years or above the age of 65 years or a woman or a mentally or physically disabled person shall be required to attend at any place other than the place in which such male person or woman resides. Section 179 of BNSS extends the above exemption to person with acute illness. Section 179(1) of BNSS further provides that if such exempted person is willing to attend the police station or at any other place within the limits of such police station, such person may be permitted so to do.</p> |
| 161 | 180 | Examination of witnesses by police | No change |
| 162 | 181 | Statements to police and use thereof | No change |
| 163 | 182 | No inducement to be offered | No change |
| 164 | 183 | Recording of confessions and statements | <p>Provided further that in cases relating to the offences punishable with imprisonment for ten years or more or imprisonment for life or with death, the Judicial Magistrate shall record the statement of the witness brought before him by the police officer.</p> |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------|------|--|---|
| 164A | 184 | Medical examination of the victim of rape | Section 184 of BNSS incorporates the provisions of section 164A with one difference. It makes the submission of medical examination report by RMP, time -bound by requiring that medical examination report be submitted within a period of 7 days. |
| 165 | 185 | Search by police officer | Provided that the search conducted under this section shall be recorded through audio-video electronic means preferably by mobile phone. Copies of record made shall forthwith, but not later than 48 hours, be sent to Magistrate. |
| 166 | 186 | When officer in charge of police station may require another to issue search-warrant | No change |
| 166A | — | | Removed and included in Section 112 |
| 166B | — | | Removed and included in Section 113 |
| 167 | 187 | Procedure when investigation cannot be completed in twenty-four hours | The Judicial Magistrate to whom an accused person is forwarded under this section may, irrespective of whether he has or has no jurisdiction to try the case, after taking into consideration the status of the accused person as to whether he is not released on bail or his bail has not been cancelled, authorise, from time to time, the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole, or in parts, at any time during the initial forty days or sixty days out of detention period of sixty days or ninety days, as the case may be, as provided in sub-section (3), and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Judicial Magistrate having such jurisdiction. |
| 168 | 188 | Report of investigation by subordinate police officer | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 169 | 189 | Release of accused when evidence deficient | 189 Sections Added. |
| 170 | 190 | Cases to be sent to Magistrate, when evidence is sufficient | Provided that if the accused is not in custody, the police officer shall take security from such person for his appearance before the Magistrate and the Magistrate to whom such report is forwarded shall not refuse to accept the same on the ground that the accused is not taken in custody. |
| 171 | 191 | Complainant and witnesses not to be required to accompany police officer and not to be subjected to restraint | No change |
| 172 | 192 | Diary of proceedings in investigation | 192 (2) 7 (3) Added. Statements of witnesses inserted in the case diary. |
| 173 | 193 | Report of police officer on completion of investigation | 193(2):-Requirement of time bound completion of investigation within 2 months applicable to offences of rape and gang rape have been extended to offences under POCSO. 193(3) (i):-the report to the magistrate can also be forwarded through electronic communication. 193(3) (ii):-the police officer shall within 90 days inform the progress of investigation by any means including electronic communication to informant or the victim. 193(8):-makes it obligatory for police officer investigating the case to submit such number of copies of the police report along with other documents duly indexed depth to the magistrate for supply to the accused as required under section 230. 193(9):- provides that investigation during the trial may be conducted with the permission of the court trying the case and same shall be completed within a period of 90 days which may extend, with the permission of court. |
| 174 | 194 | Police to enquire and report on suicide, etc. | 194 (2): Forwarding report to District Magistrate or Sub-Divisional Magistrate within twenty-four hours. |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 175 | 195 | Power to summon persons | Provided that no male person under the age of fifteen years or above the age of sixty years or a woman or a mentally or physically disabled person or a person with acute illness shall be required to attend at any place other than the place where such person resides, unless such person is willing to attend and answer at the police station or at any other place within the limits of such police station. |
| 176 | 196 | Inquiry by Magistrate into cause of death | No change |
| CHAPTER XIV | | | |
| JURISDICTION OF THE CRIMINAL COURTS IN ENQUIRIES AND TRIALS | | | |
| 177 | 197 | Ordinary place of inquiry and trial | No change |
| 178 | 198 | Place of inquiry or trial | No change |
| 179 | 199 | Offence triable where act is done or consequence ensues | No change |
| 180 | 200 | Place of trial where act is an offence by reason of relation to other offence | No change |
| 181 | 201 | Place of trial in case of certain offences | No change |
| 182 | 202 | Offences committed by means of letters, etc. | Offences committed by means of electronic communications , letters, etc. The word electronic communication is added |
| 183 | 203 | Offence committed on journey or voyage | No change |
| 184 | 204 | Place of trial for offences triable together | No change |
| 185 | 205 | Power to order cases to be tried in different sessions divisions | No change |
| 186 | 206 | High Court to decide, in case of doubt, district where inquiry or trial shall take place | No change |
| 187 | 207 | Power to issue summons or warrant for offence committed beyond local jurisdiction | No change |

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| 188 | 208 | Offence committed outside India | Provides that an offender may be dealt with in respect of offence committed outside India as if it had been committed at any place within India at which he may be found or where the offence is registered in India. |
| 189 | 209 | Receipt of evidence relating to offences committed outside India | Words, " either in physical form or in electronic form" are added in section 209 of BNSS. |
| CHAPTER XV | | | |
| CONDITIONS REQUISITE FOR INITIATION OF PROCEEDINGS | | | |
| 190 | 210 | Cognizance of offences by Magistrate | Section 210 of BNSS, retains the same 3 modes of taking cognizance as in Cr.P.C but adds the term "including any complaint filed by a person authorised under any special law" in the first mode. It also explicitly mentions that police reports can be recorded in any mood including digital mode |
| 191 | 211 | Transfer on application of the accused | No change |
| 192 | 212 | Making over of cases to Magistrates | No change |
| 193 | 213 | Cognizance of offences by Courts of Session | No change |
| 194 | 214 | Additional Sessions Judges to try cases made over to them | No change |
| 195 | 215 | Prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence | Section 215(1) of BNSS has modified the provisions so as to enable cognizance on complaint in writing of public servant concerned or some other public servant who is authorised by the concerned public servant or so to do. |
| 195A | 216 | Procedure for witnesses in case of threatening, etc. | No change |
| 196 | 217 | Prosecution for offences against the State and for criminal conspiracy to commit such offence | No change |
| 197 | 218 | Prosecution of Judges and public servants | BNSS provides that Government shall take a decision within a period of 120 days from the date of the receipt of the request for sanction and in case it fails to do so, the sanction shall be deemed to have been accorded by such Government. |

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| 198 | 219 | Prosecution for offences against marriage | For words "person who is under the age of 18 years or is an idiot or a lunatic ", words "person who is a child or is of unsound mind or is having intellectual disability requiring higher support" are used. |
| 198A | 220 | Prosecution of offences under section 498A of the Bharatiya Nyaya Sanhita, 2023 | No change |
| 198B | 221 | Cognizance of offence | No change |
| 199 | 222 | Prosecution for defamation | For words "person who is under the age of 18 years or is an idiot or a lunatic ", words "person who is a child or is of unsound mind or is having intellectual disability requiring higher support" are used. |
| CHAPTER XVI COMPLAINTS TO MAGISTRATES | | | |
| 200 | 223 | Examination of complainant | No change Provided further that in case of a complaint against a public servant, the Magistrate shall comply with the procedure provided in section 217. |
| 201 | 224 | Procedure by Magistrate not competent to take cognizance of the case | No change |
| 202 | 225 | Postponement of issue of process | No change |
| 203 | 226 | Dismissal of complaint | No change |
| CHAPTER XVII COMMENCEMENT OF PROCEEDINGS BEFORE MAGISTRATES | | | |
| 204 | 227 | Issue of process | Summons or Warrants may also be issued through electronic means. |
| 205 | 228 | Magistrate may dispense with personal attendance of accused | No change |
| 206 | 229 | Special summons in cases of petty offence | The Monetary limit of fine for the purpose of definition of "petty offence" is increased by section 229 of BNSS from Rs. 1000 to Rs.5000. The monetary limit for fine specified in Summons please increased by section 229 of BNSS from Rs.1000 to Rs.5000. |
| 207 | 230 | Supply to the accused of copy of police report and other documents | The words "without delay" have been replaced by the words "without delay and in no case beyond 14 days from the date of production or appearance of the accused". |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 208 | 231 | Supply of copies of statements and documents to accused in other cases triable by Court of Session | Provided that supply of documents in electronic form shall be considered as duly furnished. |
| 209 | 232 | Commitment of case to Court of Session when offence is triable exclusively by IT | <ul style="list-style-type: none"> ➤ Proceedings have been made a time-bound. ➤ The proceedings under this section shall be completed within a period of 90 days from the date of taking cognizance and such. May be extended by the Magistrate or for a period not exceeding 180 days for the reasons to be recorded in writing. ➤ Any application filed before the Magistrate by the accused or the victim or any person authorised by such person in a case triable by Court of Session, shall be forwarded to the Court of Session with the committal of the case. |
| 210 | 233 | Procedure to be followed when there is a complaint case and police investigation in respect of the same offence | No change |
| CHAPTER XVIII THE CHARGE | | | |
| 211 | 234 | Contents of charge | No change |
| 212 | 235 | Particulars as to time, place and person | No change |
| 213 | 236 | When manner of committing offence must be stated | No change |
| 214 | 237 | Words in charge taken in sense of law under which offence is punishable | No change |
| 215 | 238 | Effect of errors | No change |
| 216 | 239 | Court may alter charge | No change |
| 217 | 240 | Recall of witnesses when charge altered | No change |
| 218 | 241 | Separate charges for distinct offences | No change |
| 219 | 242 | Offences of same kind within year may be charged together | Number of offences of same kind within a year that may be charged together has been increased from 3 to 5. |
| 220 | 243 | Trial for more than one offence | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 221 | 244 | Where it is doubtful what offence has been committed | No change |
| 222 | 245 | When offence proved included in offence charged | No change |
| 223 | 246 | What persons may be charged jointly | No change |
| 224 | 247 | Withdrawal of remaining charges on conviction on one of several charges | No change |
| CHAPTER XIX TRIAL BEFORE A COURT OF SESSION | | | |
| 225 | 248 | Trial to be conducted by Public Prosecutor | No change |
| 226 | 249 | Opening case for prosecution | Words "or under any other law for the time being in force" are added in section 249 of BNSS. |
| 227 | 250 | Discharge | The accused may prefer an application for discharge within a period of sixty days from the date of committal under section 232. |
| 228 | 251 | Framing of charge | If the judge is of opinion that there is ground for presuming that the accused has committed an offence which is exclusively triable by Court, he shall frame in writing a charge against the accused within a period of 60 days from the date of first hearing on charge. Charge sheet shall be read and explained to the accused. Accused's physical presence is no more required. |
| 229 | 252 | Conviction on plea of guilty | No change |
| 230 | 253 | Date for prosecution evidence | No change |
| 231 | 254 | Evidence for prosecution | Provides that evidence of a witness may be recorded by audio-video electronic means. The deposition of evidence of any police officer or public servant may be taken through audio-video electronic means. |
| 232 | 255 | Acquittal | No change |
| 233 | 256 | Entering upon defence | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 234 | 257 | Arguments | No change |
| 235 | 258 | Judgment of acquittal or conviction | After hearing arguments and points of law (if any), the Judge shall give a judgment in the case, as soon as possible, within a period of thirty days from the date of completion of arguments, which may for specific reasons extend to a period of 45 days for reasons to be recorded in writing. |
| 236 | 259 | Previous conviction | No change |
| 237 | 260 | Procedure in cases instituted under section (2) of section 222 | Quantum of compensation increased from Rs.1000 to Rs.5000. |
| CHAPTER XX | | | |
| TRIAL OF WARRANT- CASES BY MAGISTRATES | | | |
| 238 | 261 | Compliance with sec.230 | No change |
| 239 | 262 | When accused shall be discharged | The accused may prefer an application for discharge within a period of sixty days from the date of framing of charges. |
| 240 | 263 | Framing of charge | Magistrate shall frame in writing a charge against the accused within a period of sixty days from the date of first hearing on charge. |
| 241 | 264 | Conviction on plea of guilty | No change |
| 242 | 265 | Evidence for prosecution | Provides that evidence of a witness may be recorded by audio-video electronic means at the designated place to be notified by the State Government. |
| 243 | 266 | Evidence for defence | Examination of witness may be done by audio-video electronic means at the designated place to be notified by the State Government. |
| 244 | 267 | Evidence for prosecution | No change |
| 245 | 268 | When accused shall be discharged | No change |
| 246 | 269 | Procedure where accused is not discharged | 269(7): Closure of prosecution evidence where attendance of PW's cannot be secured despite giving opportunity to the prosecution and after taking all reasonable measures. |
| 247 | 270 | Evidence for defence | No change |
| 248 | 271 | Acquittal or conviction | No change |
| 249 | 272 | Absence of complainant | The magistrate may give 30 days' time to the complainant to be present during hearing of the case. |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
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| 250 | 273 | Compensation for accusation without reasonable cause | No change |
| CHAPTER XXI THE TRIAL OF SUMMONS CASES BY MAGISTRATES | | | |
| 251 | 274 | Substance of accusation to be stated | If the magistrate considers the accusation as groundless, he shall, after recording the reasons in writing release the accused. Such release shall have the effect of discharge. |
| 252 | 275 | Conviction on plea of guilty | No change |
| 253 | 276 | Conviction on plea of guilty in absence of accused in petty cases | No change |
| 254 | 277 | Procedure when not convicted | No change |
| 255 | 278 | Acquittal or conviction | No change |
| 256 | 279 | Non-appearance or death of complainant | 30 days time limit is laid down for appearance of complainant. |
| 257 | 280 | Withdrawal of complaint | No change |
| 258 | 281 | Power to stop proceedings in certain cases | No change |
| 259 | 282 | Power of Court to convert summons-cases into warrant-cases | No change |
| CHAPTER XXII SUMMARY TRIALS | | | |
| 260 | 283 | Power to try summarily | 283 BNSS makes summary trial mandatory for petty and less serious cases. <ul style="list-style-type: none"> ➤ 283(1) replaces the word "may" with the word "shall" and has also increased monetary limits from Rs.2000 to Rs.20,000. ➤ 283(2) provides that the Magistrate may after giving the accused a reasonable opportunity of being heard for reasons to be recorded in writing, try in a summary way all or any of the offences not punishable with death or imprisonment for life or imprisonment for a term exceeding 3 years. <i>No appeal shall lie against decision of magistrate to try a case in a summary way.</i> |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|------|--|--|
| 261 | 284 | Summary trial by Magistrate of the second class | No change |
| 262 | 285 | Procedure for summary trials | No change |
| 263 | 286 | Record in summary trials | No change |
| 264 | 287 | Judgment in cases tried summarily | No change |
| 265 | 288 | Language of record and judgment | No change |
| CHAPTER XXIII PLEA BARGAINING | | | |
| 265A | 289 | Application of the Chapter | No changes |
| 265B | 290 | Application for plea bargaining | BNSS fixes a time limit for filing of application of Plea bargaining by the accused. Such application must be filed within a period of 30 days from the date of framing of charge in the court. It also provides that the court will allow time not exceeding 60 days for the public prosecutor/complainant and accused to work out a mutually satisfactory disposition |
| 265C | 291 | Guidelines for mutually satisfactory disposition | No change |
| 265D | 292 | Report of the mutually satisfactory disposition to be submitted before the Court | No change |
| 265E | 293 | Disposal of the case | Section 293 adopts a lenient and rehabilitative approach in plea bargaining cases. In instances involving first-time offenders, where minimum punishment is prescribed, the Court may impose a sentence equal to one-fourth of the minimum punishment—marking a departure from the existing norm of one-half of the punishment. Further, in cases where the punishment is extendable and no minimum punishment is prescribed, a first-time offender may receive a sentence equivalent to one-sixth of the prescribed punishment, |

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| | | | decreasing the quantum of punishment from the previous one-fourth standard. This provision underscores a commitment to a more progressive and individualized approach to sentencing, especially for the first-time offenders. |
| 265F | 294 | Judgment of the Court | No change |
| 265G | 295 | Finality of the judgment | No change |
| 265H | 296 | Power of the Court in plea bargaining | No change |
| 265-I | 297 | Period of detention undergone by the accused to be set off against the sentence of imprisonment | No change |
| 265J | 298 | Savings | No change |
| 265K | 299 | Statements of accused not to be used | No change |
| 265L | 300 | Non-application of Chapter | No change |
| CHAPTER XXIV | | | |
| ATTENDANCE OF PERSONS CONFINED OR DETAINED IN PRISONS | | | |
| 266 | 301 | Definition | No change |
| 266(a) | 301(a) | Detained | No Change |
| 266(b) | 301(b) | prison | No Change |
| 267 | 302 | Power to require attendance of prisoners | No change |
| 268 | 303 | Power of State Government or Central Government to exclude certain persons from operation of section 302 | 268 Cr.P.C: only State Government had power to exclude certain persons confined or detained in prison from being required by court to be brought before the court. Section 303 BNSS confers this power on the Central Government also. |
| 269 | 304 | Officer in charge of prison to abstain from carrying out order in certain contingencies | No change |
| 270 | 305 | Prisoner to be brought to Court in custody | No change |
| 271 | 306 | Power to issue commission for examination of witness in prison | No change |
| CHAPTER XXV | | | |
| EVIDENCE IN INQUIRIES AND TRIALS | | | |
| 272 | 307 | Language of Courts | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------|------|--|--|
| 273 | 308 | Evidence to be taken in presence of accused | During trial, evidence shall be taken in the presence of the accused's advocate including through audio video electronic means at the designated place to be notified by the state government. |
| 274 | 309 | Record in summons-cases and inquiries | Dealing with evidence of woman below 18 years who is alleged to have been raped is now omitted. |
| 275 | 310 | Record in warrant-cases | No change |
| 276 | 311 | Record in trial before Court of Session | No change |
| 277 | 312 | Language of record of evidence | No change |
| 278 | 313 | Procedure in regard to such evidence when completed | No change |
| 279 | 314 | Interpretation of evidence to accused or his advocate | No change |
| 280 | 315 | Remarks respecting demeanour of witness | No change |
| 281 | 316 | Record of examination of accused | 316 BNSS provides that where the accused is in custody and is examined through electronic communication, his signature shall be taken within 72 hours of such examination. |
| 282 | 317 | Interpreter to be bound to interpret truthfully | No change |
| 283 | 318 | Record in High Court | No change |
| 284 | 319 | When attendance of witness may be dispensed with and commission issued | No change |
| 285 | 320 | Commission to whom to be issued | No change |
| 286 | 321 | Execution of commissions | No change |
| 287 | 322 | Parties may examine witnesses | No change |
| 288 | 323 | Return of commission | No change |
| 289 | 324 | Adjournment of proceeding | No change |
| 290 | 325 | Execution of foreign commissions | No change |
| 291 | 326 | Deposition of medical witness | No change |
| 291A | 327 | Identification report of Magistrate | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------|------|--|--|
| 292 | 328 | Evidence of officers of the Mint | No change |
| 293 | 329 | Reports of certain Government scientific experts | No change |
| 294 | 330 | No formal proof of certain documents | The time limit for acceptance or denial of genuineness of document is 30 days. The court may, in its discretion, relax the time limit with reasons to be recorded in writing. No expert shall be called to appear before the court unless the report of such expert is disputed by any of the parties to the trial. |
| 295 | 331 | Affidavit in proof of conduct of public servants | No change |
| 296 | 332 | Evidence of formal character on affidavit | No change |
| 297 | 333 | Authorities before whom affidavits may be sworn | No change |
| 298 | 334 | Previous conviction or acquittal how proved | No change |
| 299 | 335 | Record of evidence in absence of accused | No change |
| - | 336 | Evidence of Public servant, experts and police officers in certain cases | <i>This is a new provision. Where any document or report prepared by a public servant, scientific expert, medical officer or investigating officer is purported to be used as evidence in any inquiry, trial or other proceeding under this Sanhita, and— (i) such public servant, expert or officer is either transferred, retired, or died; or (ii) such public servant, expert or officer cannot be found or is incapable of giving deposition; or (iii) securing presence of such public servant, expert or officer is likely to cause delay in holding the inquiry, trial or other proceeding, The Court shall secure presence of successor officer of such public servant, expert, or officer who is holding that post at the time of such deposition to give deposition on such document or report.</i> |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|------|---|--|
| CHAPTER XXVI | | | |
| GENERAL PROVISIONS AS TO INQUIRIES AND TRIALS | | | |
| 300 | 337 | Person once convicted or acquitted not to be tried for same offence | No change |
| 301 | 338 | Appearance by Public Prosecutors | No change |
| 302 | 339 | Permission to conduct prosecution | No change |
| 303 | 340 | Right of person against whom proceedings are instituted to be defended | No change |
| 304 | 341 | Legal aid to accused at State expense in certain cases | No change |
| 305 | 342 | Procedure when corporation or registered society is an accused | No change |
| 306 | 343 | Tender of pardon to accomplice | No change |
| 307 | 344 | Power to direct tender of pardon | No change |
| 308 | 345 | Trial of person not complying with conditions of pardon | No change |
| 309 | 346 | Power to postpone or adjourn proceedings Newly Added provision: | Section 346 of BNSS provides that where the circumstances are beyond the control of a party, not more than 2 adjournments may be granted by the court after hearing the objections of the other party and for the reasons to be recorded in writing. |
| 310 | 347 | Local inspection | No change |
| 311 | 348 | Power to summon material witness, or examine person present | No change |
| 311A | 349 | Power of Magistrate to order person to give specimen signatures or handwriting, etc., | The new section empowers the Magistrate to order any person to give specimen signatures or handwriting or voice sample or finger impressions. |
| 312 | 350 | Expenses of complainants and witnesses | No change |
| 313 | 351 | Power to examine the accused | No change |
| 314 | 352 | Oral arguments and memorandum of arguments | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------|------|---|---|
| 315 | 353 | Accused person to be competent witness | No change |
| 316 | 354 | No influence to be used to induce disclosure | No change |
| 317 | 355 | Provision for inquiries and trial being held in the absence of accused in certain cases | Newly Added in sub-section ii: Explanation. —For the purpose of this section, personal attendance of the accused includes attendance through audio video electronic means. |
| - | 356 | <i>Inquiry, trial or Judgment in absentia of proclaimed offender</i> | <i>This is a new provision.</i> <i>Addressing the problem of fugitive criminals, a new provision of trial in absentia has been incorporated under section 356 of BNSS for persons declared as proclaimed offenders.</i> <i>The process involves the issuance of two warrants of arrest within an interval of 30-days, publication of notices in two local or national newspapers, notification of the commencement of trial to relatives and the affixing of notices regarding the trial's initiation before the commencement of such trial.</i> <i>Further, the trial against the proclaimed offender can only commence after the passage of 90 days from the date of framing charges.</i> <i>The provision extends the right to legal representation of the proclaimed offender with the State appointing an advocate for the absent accused's defence...</i> |
| 318 | 357 | Procedure where accused does not understand proceedings | No change |
| 319 | 358 | Power to proceed against other persons appearing to be guilty of offence | No change |
| 320 | 359 | Compounding of offences | Compounding of offences (4) (b) added...With consent to legal representative with person is dead. (5) added...No compoundable, when conviction is pending. |

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| | | | (6)...High/session courts powers. (7)...No compoundable, if accused has previous convictions. (8) added...The case will be acquittal if the accused is compoundable with the complainant. (9)...No offence shall be compounded except as provide by this section. |
| 321 | 360 | Withdrawal from prosecution | Provides that no Court shall allow withdrawal from prosecution without giving an opportunity of being heard to the victim in the case. |
| 322 | 361 | Procedure in cases which Magistrate cannot dispose of | No change |
| 323 | 362 | Procedure when, after commencement of inquiry or trial, Magistrate finds case should be committed | No change |
| 324 | 363 | Trial of persons previously convicted of offences against coinage, stamp-law or property | No change |
| 325 | 364 | Procedure when Magistrate cannot pass sentence sufficiently severe | No change |
| 326 | 365 | Conviction or commitment on evidence partly recorded by one Magistrate and partly by another | No change |
| 327 | 366 | Court to be open | Provides for enquiry into and trial of rape or an offence under Protection of Children from Sexual offences Act shall also be conducted <i>in camera</i> . |
| CHAPTER XXVII | | | |
| PROVISIONS AS TO ACCUSED PERSONS WITH UNSOUND MIND | | | |
| 328 | 367 | Procedure in case of accused being person of unsound mind | The word Unsound Mind is replaced with Mental Illness |
| 329 | 368 | Procedure in case of person of unsound mind tried before Court | No change |
| 330 | 369 | Release of person of unsound mind pending investigation or trial | No change |
| 331 | 370 | Resumption of inquiry or trial | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|------|--|--|
| 332 | 371 | Procedure on accused appearing before Magistrate or Court | No change |
| 333 | 372 | When accused appears to have been of sound mind | No change |
| 334 | 373 | Judgment of acquittal on ground of unsound mind | No change |
| 335 | 374 | Person acquitted on ground of unsoundness of mind to be detained in safe custody | No change |
| 336 | 375 | Power of State Government to empower officer-in-charge to discharge | No change |
| 337 | 376 | Procedure where prisoner with mental illness is reported capable of making his defence | No change |
| 338 | 377 | Procedure where person with mental illness detained is declared fit to be released | No change |
| 339 | 378 | Delivery of person of unsound mind to care of relative or friend | No change |
| CHAPTER XXVIII | | | |
| PROVISIONS AS TO OFFENCES AFFECTING THE ADMINISTRATION OF JUSTICE | | | |
| 340 | 379 | Procedure in cases mentioned in section 215 | No change |
| 341 | 380 | Appeal | No change |
| 342 | 381 | Power to order costs | No change |
| 343 | 382 | Procedure of Magistrate taking cognizance | No change |
| 344 | 383 | Summary procedure for trial for giving false evidence | BNSS increased the maximum fine imposable on witnesses giving false evidence from Rs.500 to Rs.1000. |
| 345 | 384 | Procedure in certain cases of contempt | BNSS has increased the maximum fine imposable from Rs.200 to Rs.1000. |
| 346 | 385 | Procedure where Court considers that case should not be dealt with under section 384 | No change |
| 347 | 386 | When Registrar or Sub-Registrar to be deemed a Civil Court | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------------------------------------|------|---|--|
| 348 | 387 | Discharge of offender on submission of apology | No change |
| 349 | 388 | Imprisonment or committal of person refusing to answer or produce document | No change |
| 350 | 389 | Summary procedure for punishment for non-attendance by a witness in obedience to summons | BNSS increased the maximum fine imposable from Rs.100 to Rs.500. |
| 351 | 390 | Appeals from convictions under sections 383, 384, 388 and 389 | No change |
| 352 | 391 | Certain Judges and Magistrates not to try certain offences when committed before themselves | No change |
| CHAPTER XXIX THE JUDGMENT | | | |
| 353 | 392 | Judgment | <p>Section 392(1) of BNSS provides for time limit of 45 days for pronouncing judgment by Court, after completion of trial.</p> <p>Section 392(4) provides that the court shall as far as practicable, upload the copy of the judgement on its portal within a period of 7 days from the date of judgement.</p> <p>If the accused is in custody he shall be brought up to hear the judgement pronounced either in person or through audio-video electronic means.</p> |
| 354 | 393 | Language and contents of judgment | No change |
| 355 | — | | Metropolitan Magistrate's judgment is repealed |
| 356 | 394 | Order for notifying address of previously convicted offender | No change |
| 357 | 395 | Order to pay compensation | No change |
| 357A | 396 | Victim compensation scheme | In this section, the provision of section 357B Cr.P.C is added as clause (7). |
| 357B | — | | It has been deleted |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---|------|---|--|
| 357C | 397 | Treatment of victims | The duty of hospitals to provide immediately, the first aid or medical treatment free of cost has been extended to victims of Offences under Protection of Children from Sexual Offences Act 2012. |
| - | 398 | <i>Witness Protection Scheme</i> | <i>This is a New Provision. Every State Government shall prepare and notify a Witness Protection Scheme for the State with a view to ensure protection of the witnesses.</i> |
| 358 | 399 | Compensation to persons groundlessly arrested | No change |
| 359 | 400 | Order to pay costs in non-cognizable cases | No change |
| 360 | 401 | Order to release on probation of good conduct or after admonition | No change |
| 361 | 402 | Special reasons to be recorded in certain cases | No change |
| 362 | 403 | Court not to alter judgment | No change |
| 363 | 404 | Copy of judgment to be given to the accused and other persons | The court may, on an application made in this behalf by the prosecuting officer, provide to the Government, free of cost, a certified copy of such judgement, order, deposition or record. |
| 364 | 405 | Judgment when to be translated | For words "the accused so requires", words "and if either party so requires" are substituted. |
| "365 | 406 | Court of Session to send copy of finding and sentence to District Magistrate | No change |
| CHAPTER XXX | | | |
| SUBMISSION OF DEATH SENTENCES FOR CONFORMATION | | | |
| 366 | 407 | Sentence of death to be submitted by Court of Session for confirmation | When the court of session passes a death sentence, the proceeding shall be <i>forthwith</i> submitted to the High Court for confirmation of the death sentence. The word "forthwith" has been added. |
| 367 | 408 | Power to direct further inquiry to be made or additional evidence to be taken | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---------------------------------|------|--|---|
| 368 | 409 | Power of High Court to confirm sentence or annul conviction | No change |
| 369 | 410 | Confirmation or new sentence to be signed by two Judges | No change |
| 370 | 411 | Procedure in case of difference of opinion | No change |
| 371 | 412 | Procedure in cases submitted to High Court for confirmation | The order of the High Court may be sent to Court of Sessions by the proper officer of High Court " <i>either physically or through electronic means</i> "... The word " <i>electronic means</i> " has been added. |
| CHAPTER XXXI APPEALS | | | |
| 372 | 413 | No appeal to lie unless otherwise provided | No change |
| 373 | 414 | Appeal from orders requiring security or refusal to accept or rejecting surety for keeping peace or good behaviour | No change |
| 374 | 415 | Appeals from convictions | No change |
| 375 | 416 | No appeal in certain cases when accused pleads guilty | No change |
| 376 | 417 | No appeal in petty cases | There shall be no appeal by a convicted person where a High Court passes only a sentence of imprisonment for a term not exceeding <i>3 months</i> or of fine exceeding <i>Rs. 1000</i> or of both such imprisonment and fine. |
| 377 | 418 | Appeal by the State Government against sentence | Words "any Central Act" are substituted for "Delhi Special Police Establishment". |
| 378 | 419 | Appeal in case of acquittal | Words "any Central Act" are substituted for "Delhi Special Police Establishment". |
| 379 | 420 | Appeal against conviction by High Court in certain cases | No change |
| 380 | 421 | Special right of appeal in certain cases | No change |
| 381 | 422 | Appeal to Court of Session how heard | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|-------------------------------|-------------|---|------------------------|
| 382 | 423 | Petition of appeal | No change |
| 383 | 424 | Procedure when appellant in jail | No change |
| 384 | 425 | Summary dismissal of appeal | No change |
| 385 | 426 | Procedure for hearing appeals not dismissed summarily | No change |
| 386 | 427 | Powers of the Appellate Court | No change |
| 387 | 428 | Judgments of Subordinate Appellate Court | No change |
| 388 | 429 | Order of High Court on appeal to be certified to lower Court | No change |
| 389 | 430 | Suspension of sentence pending the appeal; release of appellant on bail | No change |
| 390 | 431 | Arrest of accused in appeal from acquittal | No change |
| 391 | 432 | Appellate Court may take further evidence or direct it to be taken | No change |
| 392 | 433 | Procedure where Judges of Court of Appeal are equally divided | No change |
| 393 | 434 | Finality of judgments and orders on appeal | No change |
| 394 | 435 | Abatement of appeals | No change |
| CHAPTER XXXII | | | |
| REFERENCE AND REVISION | | | |
| 395 | 436 | Reference to High Court | No change |
| 396 | 437 | Disposal of case according to decision of High Court | No change |
| 397 | 438 | Calling for records to exercise powers of revision | No change |
| 398 | 439 | Power to order inquiry | No change |
| 399 | 440 | Sessions Judge's powers of revision | No change |
| 400 | 441 | Power of Additional Sessions Judge | No change |
| 401 | 442 | High Court's powers of revision | No change |
| 402 | 443 | Power of High Court to withdraw or transfer revision cases | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|-------------|---|--|
| 403 | 444 | Option of Court to hear parties | No change |
| 404 | - | | Statement by Metropolitan Magistrate of grounds of his decision to be considered by High Court is repealed |
| 405 | 445 | High Court's order to be certified to lower Court | No change |
| CHAPTER XXXIII- TRANSFER OF CRIMINAL CASES | | | |
| 406 | 446 | Power of Supreme Court to transfer cases and appeals | Words "not exceeding Rs.1000" are replaced by "such sum". |
| 407 | 447 | Power of High Court to transfer cases and appeals | Words "not exceeding Rs.1000" are replaced by "such sum". |
| 408 | 448 | Power of Sessions Judge to transfer cases and appeals | For words "one thousand rupees" and "two hundred and fifty rupees" in Cr.P.C, words "Sum" and "Sum not exceeding ten thousand rupees" are substituted. |
| 409 | 449 | Withdrawal of cases and appeals by Session Judges | No change |
| 410 | 450 | Withdrawal of cases by Judicial Magistrates | No change |
| 411 | 451 | Making over or withdrawal of cases by Executive Magistrates | No change |
| 412 | 452 | Reasons to be recorded | No change |
| CHAPTER XXXIV EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCES | | | |
| 413 | 453 | Execution of order passed u/s.409 | No change |
| 414 | 454 | Execution of sentence of death passed by High Court | No change |
| 415 | 455 | Postponement of execution of sentence of death in case of appeal to Supreme Court | No change |
| 416 | 456 | Communication of sentence of death on pregnant woman | No change |
| 417 | 457 | Power to appoint place of imprisonment | No change |
| 418 | 458 | Execution of sentence of imprisonment | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--------|------|---|---|
| 419 | 459 | Direction of warrant for execution | No change |
| 420 | 460 | Warrant with whom to be lodged | No change |
| 421 | 461 | Warrant for levy of fine | No change |
| 422 | 462 | Effect of such warrant | No change |
| 423 | 463 | Warrant for levy of fine issued by a Court in any territory to which this Sanhita does not extend | No change |
| 424 | 464 | Suspension of execution of sentence of imprisonment | No change |
| 425 | 465 | Who may issue warrant | No change |
| 426 | 466 | Sentence on escaped convict when to take effect | No change |
| 427 | 467 | Sentence on offender already sentenced for another offence | No change |
| 428 | 468 | Period of detention undergone by the accused to be set off against the sentence of imprisonment | No change |
| 429 | 469 | Saving | No change |
| 430 | 470 | Return of warrant on execution of sentence | No change |
| 431 | 471 | Money ordered to be paid recoverable as a fine | No change |
| - | 472 | Mercy Petitions in Death Sentence cases: | <ul style="list-style-type: none"> ➤ A new provision for time bound disposal of mercy petitions filed before the President and Governor has been made in Section 472. ➤ This provision prescribes a timeframe, requiring such petitions to be filed within 30 days before the Governor and 60 days before the President. ➤ The Superintendent of the jail is now entrusted with the responsibility of informing the convicts about the confirmation of their death sentence or the dismissal of their appeal or review of a special leave appeal. Additionally, the jail superintendent is mandated to ensure that every convict, |

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| | | | <p><i>especially in cases involving multiple convicts, submits their mercy petition within 60 days.</i></p> <ul style="list-style-type: none"> ➤ <i>In situations where no other petitions are received from the remaining convicts, the jail superintendent is required to forward their names, addresses, and case records to the Central or State government for consideration alongside the mercy petition filed.</i> ➤ <i>Further, the Central Government is to give its recommendations to the President within 60 days, commencing from the date of receiving comments from the State Government and records from the Jail Superintendent. It has also been provided that no appeal shall lie in any Court against the order of the President made under Article 72 of the Constitution; it shall be final, and not to be enquired into by any Court.</i> |
| 432 | 473 | Power to suspend or remit sentences | No change |
| 433 | 474 | Power to commute sentence | <p>This provision has been redrafted: The appropriate Government may, without the consent of the person sentenced, commute—</p> <ul style="list-style-type: none"> (a) a sentence of death, for imprisonment for life; (b) a sentence of imprisonment for life, for imprisonment for a term not less than seven years; (c) a sentence of imprisonment for seven years or ten years, for imprisonment for a term not less than three years; (d) a sentence of rigorous imprisonment, for simple imprisonment for any term to which that person might have been sentenced; (e) A sentence of imprisonment up to three years, for fine. |
| 433A | 475 | Restriction on powers of remission or commutation in certain cases | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---|------|--|--|
| 434 | 476 | Concurrent power of Central Government in case of death sentences | No change |
| 435 | 477 | State Government to act after concurrence with Central Government in certain cases | No change |
| CHAPTER XXXV PROVISIONS AS TO BAIL AND BONDS | | | |
| 436 | 478 | In what cases bail to be taken | No change |
| 436A | 479 | Maximum period for which an under trial prisoner can be detained | In Section 479, provision for bail to under trials prisoners has been relaxed and liberalized. A sympathetic view has been taken towards first-time offenders, who are now eligible to be released on bond by the Court if they have undergone detention for the period extending up to one-third of the maximum period of imprisonment specified for that offence. The provision has also entrusted the jail superintendent to make an application for bail to the Court where an under trial completes one-half or one-third of the maximum period. The release of an under trial prisoner who is involved in more than one offence or in multiple cases is made stringent under the provision. Further, the sentence of life imprisonment or death has been excluded from the purview of this provision. |
| 437 | 480 | When bail may be taken in case of non-bailable offence | The exception of bail denial will now include the category of "child" apart from women or Sick or infirm. |
| 437A | 481 | Bail to require accused to appear before next appellate Court | No change |
| 438 | 482 | Direction for grant of bail to person apprehending arrest | Section 482(1) omits 438(1)(i) to 438(1)(iv).BNSS provides that court may if it thinks fit, direct that in the event of such arrest ,he shall be released on bail. |
| 439 | 483 | Special powers of High Court or Court of Session regarding bail | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---|------|--|--|
| 440 | 484 | Amount of bond and reduction thereof | No change |
| 441 | 485 | Bond of accused and sureties | No change |
| 441A | 486 | Declaration by sureties | No change |
| 442 | 487 | Discharge from custody | No change |
| 443 | 488 | Power to order sufficient bail when that first taken is insufficient | No change |
| 444 | 489 | Discharge of sureties | No change |
| 445 | 490 | Deposit instead of recognizance | No change |
| 446 | 491 | Procedure when bond has been forfeited | No change |
| 446A | 492 | Cancellation of bond and bail bond | No change |
| 447 | 493 | Procedure in case of insolvency of death of surety or when a bond is forfeited | No change |
| 448 | 494 | Bond required from child | No change |
| 449 | 495 | Appeal from orders under section 491 | No change |
| 450 | 496 | Power to direct levy of amount due on certain recognizances | No change |
| CHAPTER XXXVI DISPOSAL OF PROTERTY | | | |
| 451 | 497 | Order for custody and disposal of property pending trial in certain cases | Section 497 introduces the quick disposal of case properties even during the investigation, on preparation of a statement of the property by the Court within 14 days after such property has been photographed/ video graphed. Such statement, photographs and videography shall be used as evidence in any inquiry, trial or other proceeding. The Court shall then, within 30 days after the statement has been prepared, order the disposal, destruction, confiscation or delivery of such property. |
| 452 | 498 | Order for disposal of property at conclusion of trial | No change |
| 453 | 499 | Payment to innocent purchaser of money found on accused | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|---|------|--|---|
| 454 | 500 | Appeal against orders under section 498 or section 499 | No change |
| 455 | 501 | Destruction of libelous and other matter | No change |
| 456 | 502 | Power to restore possession of immovable property | No change |
| 457 | 503 | Procedure by police upon seizure of property | No change |
| 458 | 504 | Procedure where no claimant appears within six months | No change |
| 459 | 505 | Power to sell perishable property | The limit for value of perishable property is increased from Rs.500 to Rs.10,000. |
| CHAPTER XXXVII IRREGULAR PROCEEDINGS | | | |
| 460 | 506 | Irregularities which do not vitiate proceedings | No change |
| 461 | 507 | Irregularities which vitiate proceedings | No change |
| 462 | 508 | Proceedings in wrong place | No change |
| 463 | 509 | Non-compliance with provisions of section 183 or section 316 | No change |
| 464 | 510 | Effect of omission to frame, or absence of, or error in, charge | No change |
| 465 | 511 | Finding or sentence when reversible by reason of error, omission or irregularity | No change |
| 466 | 512 | Defect or error not to make attachment unlawful | No change |
| CHAPTER XXXVIII LIMITATION FOR TAKING COGNIZANCE OF CERTAIN OFFENCES | | | |
| 467 | 513 | Definitions | No change |
| 468 | 514 | Bar to taking cognizance after lapse of the period of limitation | No change |
| 469 | 515 | Commencement of the period of limitation | No change |
| 470 | 516 | Exclusion of time in certain cases | No change |
| 471 | 517 | Exclusion of date on which Court is closed | No change |

| Cr.P.C | BNSS | Title in BNSS | Changes in BNSS |
|--|---------------|--|---|
| 472 | 518 | Continuing offence | No change |
| 473 | 519 | Extension of period of limitation in certain cases | No change |
| CHAPTER XXXIX MISCELLANEOUS | | | |
| 474 | 520 | Trials before High Courts | No change |
| 475 | 521 | Delivery to commanding officers of persons liable to be tried by Court-martial | No change |
| 476 | 522 | Forms | No change |
| 477 | 523 | Power of High Court to make rules | No change |
| 478 | 524 | Power to alter functions allocated to Executive Magistrate in certain cases | No change |
| 479 | 525 | Case in which Judge or Magistrate is personally interested | No change |
| 480 | 526 | Practicing advocate not to sit as Magistrate in certain Courts | No change |
| 481 | 527 | Public servant concerned in sale not to purchase or bid for property | No change |
| 482 | 528 | Saving of inherent powers of High Court | No change |
| 483 | 529 | Duty of High Court to exercise continuous superintendence over Courts | No change |
| - | 530 | <i>Trial and proceedings to be held in Electronic Mode</i> | <i>This is a New Provision. Trial and proceedings may be held in Electronic Mode.</i> |
| 484 | 531 | Repeal and savings | No changes |
| Sch- I | Sch- I | Classification of offences | No changes |
| Sch-II | Sch-II | Forms- 1 to 58 | Forms – 1 to 58 |

**COMPARISON STATEMENT
BHARATIYA SAKSHYA ADHINIYAM, 2023 (BSA) AND
INDIAN EVIDENCE ACT (IEA)**

| IEA | BSA | Title in BSA | Changes in BSA |
|---|---------|--|---|
| PART I CHAPTER I- PRELIMINARY | | | |
| 1 | 1 | Short title, application and commencement. | |
| | | 2. Definitions. | |
| 2 | - | | Repealed |
| 3 | 2 | Definitions (Interpretation -clause) | |
| | 2(1)(a) | "Court". | No Change |
| | 2(1)(f) | "Fact". | The term "MAN" is replaced by "PERSON" in illustrations |
| | 2(1)(K) | "Relevant". | No Change |
| | 2(1)(g) | "Facts in issue". | No Change |
| | 2(1)(d) | "Document". | Includes & defines electronic and digital records. |
| | 2(1)(e) | "Evidence". | Electronically given Oral Statement And electronic and digital records are added. |
| | 2(1)(j) | "Proved". | No Change |
| | 2(1)(c) | "Disproved". | No Change |
| 4 | 2(1)(i) | "Not proved". | No Change |
| | 2(1)(h) | "May Presume". | No Change |
| | 2(1)(l) | "Shall Presume" | No Change |
| | 2(1)(b) | "Conclusive Proof" | No Change |
| | 2(2) | Newly added | The definitions in IT Act,2000; BNSS, 2023 & BNS 2023 to be read as part of the definitions |
| PART II CHAPTER II- RELEVANCY OF FACTS | | | |
| 5 | 3 | Evidence may be given of facts in issue and relevant facts. | No Change |
| 6 | 4 | Relevancy of facts forming part of same transaction. | No significant changes. |
| 7 | 5 | Facts which are occasion, cause or effect of facts in issue or relevant facts. | No Change |
| 8 | 6 | Motive, preparation and previous or subsequent conduct. | Vakils = Advocates Man = Person Ravished = Raped |

| IEA | BSA | Title in BSA | Changes in BSA |
|-------------------|-----|--|---|
| 9 | 7 | Facts necessary to explain or introduce fact in issue or relevant facts. | No Change |
| 10 | 8 | Things said or done by conspirator in reference to common design. | No Change |
| 11 | 9 | When facts not otherwise relevant become relevant. | No Change |
| 12 | 10 | Facts tending to enable Court to determine amount are relevant in suits for damages. | No Change |
| 13 | 11 | Facts relevant when right or custom is in question. | No Change |
| 14 | 12 | Facts showing existence of state of mind, or of body or bodily feeling. | No Change |
| 15 | 13 | Facts bearing on question whether act was accidental or intentional. | No Change |
| 16 | 14 | Existence of course of business when relevant. | No Change |
| ADMISSIONS | | | |
| 17 | 15 | Admission defined. | No Change |
| 18 | 16 | Admission by party to proceeding or his agent. | No Change |
| 19 | 17 | Admissions by persons whose position must be proved as against party to suit. | No Change |
| 20 | 18 | Admissions by persons expressly referred to by party to suit. | No Change |
| 21 | 19 | Proof of admissions against persons making them, and by or on their behalf. | No Change |
| 22 | 20 | When oral admissions as to contents of documents are relevant. | No Change |
| 23 | 21 | Admissions in civil cases when relevant. | Barrister, Pleader, Attorney, Vakil = Advocate. |

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|--|-----|--|--|
| 24 28 29 | 22 | Confession caused by inducement, threat, coercion or promise, when irrelevant in criminal proceeding. | "Coercion" inserted |
| 25 26 27 | 23 | Confession to police officer. | "Magistrate does not include Head of Village" is omitted. |
| 30 | 24 | Consideration of proved confession affecting person making it and others jointly under trial for same offence. | Joint trial with absconding accused is introduced. |
| 31 | 25 | Admissions not conclusive proof, but may estop. | No Change |
| STATEMENTS BY PERSONS WHO CANNOT BE CALLED AS WITNESSES | | | |
| 32 | 26 | Cases in which statement of relevant fact by person who is dead or cannot be found, etc., is relevant. | No Change |
| 33 | 27 | Relevancy of certain evidence for proving, in subsequent proceeding, truth of facts therein stated. | No Change |
| STATEMENTS MADE UNDER SPECIAL CIRCUMSTANCES | | | |
| 34 | 28 | Entries in books of account when relevant. | No Change |
| 35 | 29 | Relevancy of entry in public record or an electronic record made in performance of duty. | No Change |
| 36 | 30 | Relevancy of statements in maps, charts & plans. | No Change |
| 37 | 31 | Relevancy of statement as to fact of public nature contained in certain Acts or notifications. | Gazette in electronic or digital form is admissible. |
| 38 | 32 | Relevancy of statements as to any law contained in law books including electronic or digital form. | e-Law books and e-court rulings of India and other country admissible. |

| IEA | BSA | Title in BSA | Changes in BSA |
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| HOW MUCH OF A STATEMENT IS TO BE PROVED | | | |
| 39 | 33 | What evidence to be given when statement forms part of a conversation, document, electronic record, book or series of letters or papers. | No Change |
| JUDGMENTS OF COURTS WHEN RELEVANT | | | |
| 40 | 34 | Previous judgments relevant to bar a second suit or trial. | No Change |
| 41 | 35 | Relevancy of certain judgments in probate, etc., jurisdiction. | Tribunal orders are covered. |
| 42 | 36 | Relevancy and effect of judgments, orders or decrees, other than those mentioned in section 35. | No Change |
| 43 | 37 | Judgments, etc., other than those mentioned in sections 34, 35 and 36 when relevant. | No Change |
| 44 | 38 | Fraud or collusion in obtaining judgment, or incompetency of Court, may be proved. | No Change |
| OPINIONS OF THIRD PERSONS WHEN RELEVANT | | | |
| 45 | 39 | Opinions of experts. | Other experts included. |
| 46 | 40 | Facts bearing upon opinions of experts. | No Change |
| 47 47A | 41 | Opinion as to handwriting and signature, when relevant. | No Change |
| 48 | 42 | Opinion as to existence of general custom or right, when relevant. | No Change |
| 49 | 43 | Opinion as to usages, tenets, etc., when relevant. | No Change |
| 50 | 44 | Opinion on relationship, when relevant. | No Change |
| 51 | 45 | Grounds of opinion, when relevant. | No Change |
| CHARACTER WHEN RELEVANT | | | |
| 52 | 46 | In civil cases character to prove conduct imputed, irrelevant. | No Change |
| 53 | 47 | In criminal cases previous good character relevant. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
|--|-----|--|---|
| 53A | 48 | Evidence of character or previous sexual experience not relevant in certain cases. | No Change |
| 54 | 49 | Previous bad character not relevant, except in reply. | No Change |
| 55 | 50 | Character as affecting damages. | No Change |
| PART III ON PROOF | | | |
| CHAPTER III- FACTS WHICH NEED NOT BE PROVED | | | |
| 56 | 51 | Fact judicially noticeable need not be proved. | No Change |
| 57 | 52 | Facts of which Court shall take judicial notice. | Colonial References are Omitted |
| 58 | 53 | Facts admitted need not be proved. | |
| CHAPTER IV - OF ORAL EVIDENCE | | | |
| 59 | 54 | Proof of facts by oral evidence. | No substantive changes |
| 60 | 55 | Oral evidence to be direct. | No Change |
| CHAPTER V - OF DOCUMENTARY EVIDENCE | | | |
| 61 | 56 | Proof of contents of documents. | No Change |
| 62 | 57 | Primary evidence. | Electronic or digital records as Primary evidence. |
| 63 | 58 | Secondary evidence. | Oral or written admissions and Skilled examiner evidence are included. |
| 64 | 59 | Proof of documents by primary evidence. | No Change |
| 65 | 60 | Cases in which secondary evidence relating to documents may be given. | No Change |
| | 61 | Electronic or digital record. | New- on par with paper records. |
| 65A | 62 | Special provisions as to evidence relating to electronic record. | No Change |
| 65B | 63 | Admissibility of electronic records. | Expanded. Mobiles, standalone devices etc. Format given in schedule |

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|-------------------------------------|------------|---|---|
| 66 | 64 | Rules as to notice to produce. | Attorney or pleader = Advocate or representative. |
| 67 | 65 | Proof of signature and handwriting of person alleged to have signed or written document produced. | No Change |
| 67A | 66 | Proof as to electronic signature. | No Change |
| 68 | 67 | Proof of execution of document required by law to be attested. | No Change |
| 69 | 68 | Proof where no attesting witness found. | Outdated references omitted. |
| 70 | 69 | Admission of execution by party to attested document. | No Change |
| 71 | 70 | Proof when attesting witness denies execution. | No Change |
| 72 | 71 | Proof of document not required by law to be attested. | No Change |
| 73 | 72 | Comparison of signature, writing or seal with others admitted or proved. | No Change |
| 73A | 73 | Proof as to verification of digital signature. | Controller- omitted. |
| PUBLIC DOCUMENTS | | | |
| 74 75 | 74 | Public and private documents. | Outdated references omitted. Union Territory is included. |
| 76 | 75 | Certified copies of public documents. | No Change |
| 77 | 76 | Proof of documents by production of certified copies. | No Change |
| 78 | 77 | Proof of other official documents. | Outdated references omitted. |
| PRESUMPTIONS AS TO DOCUMENTS | | | |
| 79 | 78 | Presumption as to genuineness of certified copies. | J & K included. |
| 80 | 79 | Presumption as to documents produced as record of evidence, etc. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
|--|------------|--|--|
| 81 | 80 | Presumption as to Gazettes, newspapers, and other documents. | Colonial references omitted. Proper custody of documents- explained. |
| 81A | 81 | Presumption as to Gazettes in electronic or digital record. | Proper custody of records- explained. |
| 83 | 82 | Presumption as to maps or plans made by authority of Government. | No Change |
| 84 | 83 | Presumption as to collections of laws and reports of decisions. | No Change |
| 85 | 84 | Presumption as to powers-of-attorney. | No Change |
| 85A | 85 | Presumption as to electronic agreements. | Digital signature is added. |
| 85B | 86 | Presumption as to electronic records and electronic signatures. | "Digital signature" is not included. |
| 85C | 87 | Presumption as to Electronic Signature Certificates. | No Change |
| 86 | 88 | Presumption as to certified copies of foreign judicial records. | Outdated references omitted. |
| 87 | 89 | Presumption as to books, maps and charts. | No Change |
| 88A | 90 | Presumption as to electronic messages. | Redundant explanation omitted. |
| 89 | 91 | Presumption as to due execution, etc., of documents not produced. | No Change |
| 90 | 92 | Presumption as to documents thirty years old. | Sec.80-Custody of Documents referred. |
| 90A | 93 | Presumption as to electronic records five years old. | Sec.81- Custody of documents referred. |
| CHAPTER VI | | | |
| OF THE EXCLUSION OF ORAL EVIDENCE BY DOCUMENTARY EVIDENCE | | | |
| 91 | 94 | Evidence of terms of contracts, grants and other dispositions of property reduced to form of document. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
|---|------------|--|-----------------------|
| 92 | 95 | Exclusion of evidence of oral agreement. | No Change |
| 93 | 96 | Exclusion of evidence to explain or amend ambiguous document. | No Change |
| 94 | 97 | Exclusion of evidence against application of document to existing facts. | No Change |
| 95 | 98 | Evidence as to document unmeaning in reference to existing facts. | No Change |
| 96 | 99 | Evidence as to application of language which can apply to one only of several persons. | No Change |
| 97 | 100 | Evidence as to application of language to one of two sets of facts, to neither of which the whole correctly applies. | No Change |
| 98 | 101 | Evidence as to meaning of illegible characters, etc. | No Change |
| 99 | 102 | Who may give evidence of agreement varying terms of document. | No Change |
| 100 | 103 | Saving of provisions of Indian Succession Act relating to wills. | No Change |
| PART IV | | | |
| PRODUCTION AND EFFECT OF EVIDENCE | | | |
| CHAPTER VII - OF THE BURDEN OF PROOF | | | |
| 101 | 104 | Burden of proof. | No Change |
| 102 | 105 | On whom burden of proof lies. | No Change |
| 103 | 106 | Burden of proof as to particular fact. | No Change |
| 104 | 107 | Burden of proving fact to be proved to make evidence admissible. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
|------------|------------|--|-----------------------|
| 105 | 108 | Burden of proving that case of accused comes within exceptions. | No Change |
| 106 | 109 | Burden of proving fact especially within knowledge. | No Change |
| 107 | 110 | Burden of proving death of person known to have been alive within thirty years. | No Change |
| 108 | 111 | Burden of proving that person is alive who has not been heard of for seven years. | No Change |
| 109 | 112 | Burden of proof as to relationship in the cases of partners, landlord and tenant, principal and agent. | No Change |
| 110 | 113 | Burden of proof as to ownership. | No Change |
| 111 | 114 | Proof of good faith in transactions where one party is in relation of active confidence. | No Change |
| 111A | 115 | Presumption as to certain offences. | No Change |
| 112 | 116 | Birth during marriage, conclusive proof of legitimacy. | No Change |
| 113A | 117 | Presumption as to abetment of suicide by a married woman. | No Change |
| 113B | 118 | Presumption as to dowry death. | No Change |
| 114 | 119 | Court may presume existence of certain facts. | No Change |
| 114A | 120 | Presumption as to absence of consent in certain prosecution for rape. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
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| CHAPTER VIII - ESTOPPEL | | | |
| 115 | 121 | Estoppel. | No Change |
| 116 | 122 | Estoppel of tenant and of licensee of person in possession. | No Change |
| 117 | 123 | Estoppel of acceptor of bill of exchange, bailee or licensee. | No Change |
| CHAPTER IX - OF WITNESSES | | | |
| 118 | 124 | Who may testify. | Lunatic = Person of unsound mind. |
| 119 | 125 | Witness unable to communicate verbally. | No Change |
| 120 | 126 | Competency of husband and wife as witnesses in certain cases. | No Change |
| 121 | 127 | Judges and Magistrates. | No Change |
| 122 | 128 | Communications during marriage. | No Change |
| 123 | 129 | Evidence as to affairs of State. | No Change |
| 124 | 130 | Official communications. | No Change |
| 125 | 131 | Information as to commission of offences. | No Change |
| 126 127 | 132 | Professional communications. | Barrister, attorney, pleader, vakil = Advocate |
| 128 | 133 | Privilege not waived by volunteering evidence. | Barrister, attorney, pleader, vakil = Advocate |
| 129 | 134 | Confidential communication with legal advisers. | Legal Professional Adviser = Legal Adviser. |
| 130 | 135 | Production of title-deeds of witness not a party. | No Change |
| 131 | 136 | Production of documents or electronic records which another person, having possession, could refuse to produce. | No Change |
| 132 | 137 | Witness not excused from answering on ground that answer will criminate. | No Change |
| 133 | 138 | Accomplice. | No substantive changes. |
| 134 | 139 | Number of witnesses. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
|---|-----|--|--|
| CHAPTER X- OF EXAMINATION OF WITNESSES | | | |
| 135 | 140 | Order of production and examination of witnesses. | No Change |
| 136 | 141 | Judge to decide as to admissibility of evidence. | No Change |
| 137 | 142 | Examination of witnesses. | No Change |
| 138 | 143 | Order of examinations. | No Change |
| 139 | 144 | Cross-examination of person called to produce a document. | No Change |
| 140 | 145 | Witnesses to character. | No Change |
| 141 142 143 | 146 | Leading questions. | No Change |
| 144 | 147 | Evidence as to matters in writing. | No Change |
| 145 | 148 | Cross-examination as to previous statements in writing. | No Change |
| 146 | 149 | Questions lawful in cross-examination. | No Change |
| 147 | 150 | When witness to be compelled to answer. | No Change |
| 148 | 151 | Court to decide when question shall be asked and when witness compelled to answer. | No Change |
| 149 | 152 | Question not to be asked without reasonable grounds. | Barrister = Advocate |
| 150 | 153 | Procedure of Court in case of question being asked without reasonable grounds. | Barrister, attorney, pleader, vakil = Advocate |
| 151 | 154 | Indecent and scandalous questions. | No Change |
| 152 | 155 | Questions intended to insult or annoy. | No Change |
| 153 | 156 | Exclusion of evidence to contradict answers to questions testing veracity. | No Change |
| 154 | 157 | Question by party to his own witness. | No Change |
| 155 | 158 | Impeaching credit of witness. | No Change |

| IEA | BSA | Title in BSA | Changes in BSA |
|---|------------|---|--------------------------------------|
| 156 | 159 | Questions tending to corroborate evidence of relevant fact, admissible. | No Change |
| 157 | 160 | Former statements of witness may be proved to corroborate later testimony as to same fact. | No Change |
| 158 | 161 | What matters may be proved in connection with proved statement relevant under section 26 or 27. | No Change |
| 159 | 162 | Refreshing memory. | No Change |
| 160 | 163 | Testimony to facts stated in document mentioned in section 162. | No Change |
| 161 | 164 | Right of adverse party as to writing used to refresh memory. | No Change |
| 162 | 165 | Production of documents. | Immunity to Ministers and President. |
| 163 | 166 | Giving, as evidence, of document called for and produced on notice. | No Change |
| 164 | 167 | Using, as evidence, of document production of which was refused on notice. | No Change |
| 165 | 168 | Judge's power to put questions or order production. | No Change |
| CHAPTER XI OF IMPROPER ADMISSION AND REJECTION OF EVIDENCE | | | |
| 167 | 169 | No new trial for improper admission or rejection of evidence. | No Change |
| CHAPTER XII REPEAL AND SAVINGS | | | |
| 2 | 170 | Repeal and savings. | |
| | | THE SCHEDULE | New |
