



PUNISHMENT CONCEPTS IN PC

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Concepts and Meaning

Objectives and Types

Kinds of Punishments in PC

THE PENAL CODE, 1860 (*Sections 1 to 511*)

Chapter	Sections Covered	Classification of Offences
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Chapter II	Sections 6 to 52	General Explanations
Chapter III	Sections 53 to 75	of Punishments
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Chapter V	Sections 107 to 120	Of Abetment
Chapter VA	Sections 120A to 120B	Criminal Conspiracy <i>Added in 1913</i>

Chapter VI	Sections 121 to 130	Of Offences against the State
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Chapter VIII	Sections 141 to 160	Of Offences against the Public Tranquillity
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Chapter XV	Sections 295 to 298	Of Offences relating to Religion

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Chapter XV	Sections 295 to 298	Of Offences relating to Religion

		<p>Of Offences affecting the Human Body</p> <p>Of Offences Affecting Life including murder, culpable homicide (Sections 299 to 311)</p> <p>Of the Causing of Miscarriage, of Injuries to Unborn Children, of the Exposure of Infants, and of the Concealment of Births (Sections 312 to 318)</p>
Chapter XVI	Sections 299 to 377	<p>Of Hurt (Sections 319 to 338)</p> <p>Of Wrongful Restraint and Wrongful Confinement (Sections 339 to 348)</p> <p>Of Criminal Force and Assault (Sections 349 to 358)</p> <p>Of Kidnapping, Abduction, Slavery and Forced Labour (Sections 359 to 374)</p> <p>Sexual Offences including rape(Sections 375 to 376)</p> <p>Of Unnatural Offences (Section 377)</p>

Chapter XVII

Sections 378 to 462

Of Offences Against [Property](#)

Of [Theft](#) (Sections 378 to 382)

Of [Extortion](#) (Sections 383 to 389)

Of [Robbery](#) and Dacoity (Sections 390 to 402)

Of Criminal Misappropriation of Property (Sections 403 to 404)

Of Criminal [Breach of Trust](#) (Sections 405 to 409)

Of the Receiving of Stolen Property (Sections 410 to 414)

Of [Cheating](#) (Section 415 to 420)

Of Fraudulent Deeds and Disposition of Property (Sections 421 to 424)

Of Mischief (Sections 425 to 440)

Of Criminal [Trespass](#) (Sections 441 to 462)

Chapter XVIII	Sections 463 to 489	Of Offences relating to Documents and Property Marks Of Property and Other Marks (Sections 478 to 489) Of Currency Notes and Bank Notes (Sections 489A to 489E) <i>Added in 1958</i>
Chapter XIX	Sections 490 to 492	Of the Criminal Breach of Contracts of Service
Chapter XX	Sections 493 to 498	Of Offences Relating to Marriage
Chapter XXI	Sections 499 to 502	Of Defamation
Chapter XXII	Sections 503 to 510	Of Criminal intimidation , Insult and Annoyance
Chapter XXIII	Section 511	Of Attempts to Commit Offences

Under the sanction of the law, punishment is retribution on the offender to the suffering in person or property which is inflicted by the offender. Punishment is the way through which an offender can be stopped from doing offences against person, property, and government. Therefore, punishments can be of various types like deterrent, rehabilitative, restorative and retributive.

Punishment has five recognized purposes:

- 1. Deterrence,**
- 2. Incapacitation,**
- 3. Rehabilitation,**
- 4. Retribution, and**
- 5. Restitution.**

KEY TAKEAWAYS

- Specific deterrence prevents crime by frightening an individual defendant with punishment. General deterrence prevents crime by frightening the public with the punishment of an individual defendant.**
- Incapacitation prevents crime by removing a defendant from society.**
- Rehabilitation prevents crime by altering a defendant's behavior.**
- Retribution prevents crime by giving victims or society a feeling of avengement.**
- Restitution prevents crime by punishing the defendant financially**

Specific and General Deterrence

Deterrence prevents future crime by frightening the defendant or the public. The two types of deterrence are specific and general deterrence.

Specific deterrence applies to an individual defendant. When the government punishes an individual defendant, he or she is theoretically less likely to commit another crime because of fear of another similar or worse punishment.

General deterrence applies to the public at large. When the public learns of an individual defendant's punishment, the public is theoretically less likely to commit a crime because of fear of the punishment the defendant experienced.

When the public learns, for example, that an individual defendant was severely punished by a sentence of life in prison or the death penalty, this knowledge can inspire a deep fear of criminal prosecution.

Incapacitation

Incapacitation prevents future crime by removing the defendant from society. Examples of incapacitation are incarceration, house arrest, or execution pursuant to the death penalty.

Rehabilitation

Rehabilitation prevents future crime by altering a defendant's behavior. Examples of rehabilitation include educational and vocational programs, treatment center placement, and counseling. The court can combine rehabilitation with incarceration or with probation or parole. In some states, for example, nonviolent drug offenders must participate in rehabilitation in combination with probation, rather than submitting to incarceration (Ariz. Rev. Stat., 2010). This lightens the load of jails and prisons while lowering recidivism, which means reoffending.

Retribution

Retribution prevents future crime by removing the desire for *personal* avengement (in the form of assault, battery, and criminal homicide, for example) against the defendant. When victims or society discover that the defendant has been adequately punished for a crime, they achieve a certain satisfaction that our criminal procedure is working effectively, which enhances faith in law enforcement and our government.

Restitution

Restitution prevents future crime by punishing the defendant *financially*. Restitution is when the court orders the criminal defendant to pay the victim for any harm and resembles a civil litigation damages award. Restitution can be for physical injuries, loss of property or money, and rarely, emotional distress. It can also be a *fine* that covers some of the costs of the criminal prosecution and punishment.

53. Punishments UNDER the Penal Code 1860

Section Details

The punishments to which offenders are liable under the provisions of this Code are,-

Firstly,- Death;

Secondly,- 15[Imprisonment for life];

Thirdly,- [Omitted by the Criminal Law (Extinction of Discriminatory Privileges) Act 1949 (Act No. II of 1950)].

Fourthly,-Imprisonment, which is of two descriptions, namely:-

(1) Rigorous, that is, with hard labour;

(2) Simple;

Fifthly,- Forfeiture of property;

Sixthly,- Fine.

16[Explanation.- In the punishment of imprisonment for life, the imprisonment shall be rigorous.]

Annotation(s)

15 The words "Imprisonment for life" were substituted, for the word "Transportation" by section 2 of the Penal Code (Amendment) Ordinance, 1985 (Ordinance No. XLI of 1985) 16 The explanation was added by section 2 of the Penal Code (Amendment) Ordinance, 1985 (Ordinance No. XLI of 1985)



DEATH PENALTIES UNDER
THE PENAL CODE 1860

- 1. Waging or attempting to wage war, or abetting waging of war, against Bangladesh (Sec-121)**
- 2. Abetment of mutiny, if mutiny is committed in consequence thereof (Sec- 132)**
- 3. Giving or fabricating false evidence with intent to procure conviction of capital offence; if innocent person be thereby convicted and executed (Sec- 194)**
- 4. for murder (Sec-302)**
- 5. Punishment for murder by life-convict (sec- 303), recently this section has been declared unconstitutional by the Apex court**
- 6. Abetment of suicide of child or insane person (Sec-305)**
- 7. Attempt to murder Attempts by life-convicts (Sec-307)**
- 8. Voluntarily causing grievous hurt in respect of both eyes, hand or face by means of corrosive substance, etc (Sec- 326A.)**
- 9. Kidnapping or abducting a person under the age of ten (Sec- 364A)**
- 10. Dacoity with murder (Sec-396)**



CAPITAL PUNISHMENT



IMPRISONMENT



FINE

Activities



TA TA FOR TODAY