

Section 397 of Indian Penal Code is not a substantive offence: Learn how and when it should be invoked - by Rakesh Kumar Singh

October 22,2017:

It is not uncommon to come across judgments passed in district courts in which accused is convicted and sentenced separately for offences under Section-392 and 397 of IPC.

Similarly, even charges under both the provisions are framed against an accused in a given case. Even further, one may find that for more accused persons, the courts have invoked the concept of common intention prescribed in Section-34 IPC with Section-397 IPC.

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