

THE INDIAN PENAL CODE (KARNATAKA AMENDMENT) ACT, 1972.

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and extent.
2. Amendment of section 103.

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STATEMENT OF OBJECTS AND REASONS

Act 8 of 1972.- At present, the right of private defence of property contained in section 103 of the Indian Penal Code extends to the voluntary causing of death or of any harm to the wrong doer, only if the offence, the committing of which or the attempting to commit which, occasions the exercise of the right, is, among other things, mischief by fire committed on any building, tent, or vessel, which building, tent or vessel is used as a human dwelling or as a place for the custody of the property, but does not extend to the cases, where the offence committed or attempted to be committed is mischief by fire or explosive substance on a building, tent or vessel used as place of worship or on any property used or intended to be used for the purposes of the Government, local authority, statutory body, company, owned or controlled by the Government or railway or on any vehicle used or intended to be used for the carriage of passengers for hire or reward. It is considered necessary to amend section 103 of the Indian Penal Code in its application to this State so as to enlarge the scope of the right of private defence of property to cover the cases where mischief by fire or explosive substance is committed or attempted to be committed in respect of the aforesaid property, railway or vehicle.

The Bill seeks to give effect to the above object.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A as No. 138 dated 13-4-1972.)

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¹[KARNATAKA]¹ ACT No. 8 OF 1972.

(First published in the ¹[Karnataka Gazette]¹ Extraordinary on the Eleventh day of October 1972)

THE INDIAN PENAL CODE (¹[KARNATAKA]¹ AMENDMENT) ACT, 1972.

(Received the assent of the President on the Seventh Day of October, 1972)

An Act to amend the Indian Penal Code, 1860, in its application to the ¹[State of Karnataka]¹.

WHEREAS it is expedient to amend the Indian Penal Code, 1860 (Central Act XLV of 1860), in its application to the ¹[State of Karnataka]¹;

BE it enacted by the ¹[Karnataka]¹ State Legislature in the Twenty-third Year of the Republic of India as follows :-

1. Short title and extent.- (1) This Act may be called the Indian Penal Code (¹[Karnataka]¹ Amendment) Act, 1972.

(2) It extends to the whole of the ¹[State of Karnataka]¹.

2. Amendment of section 103.- In section 103 of the Indian Penal Code, 1860 (Central Act XLV of 1860),

(1) in clause Thirdly,-

(i) after the words "mischief by fire", the words "or any explosive substance" shall be inserted;

(ii) after the words "as a human dwelling, or", the words "as a place of worship, or" shall be inserted.

(2) after clause Fourthly, the following clause shall be inserted, namely:-

"Fifthly.- Mischief by fire or any explosive substance committed on any property used or intended to be used for the purpose of Government or any local authority, statutory body, or company owned or controlled by Government, or railway or on any vehicle used or adapted to be used for the carriage of passengers for hire or reward."

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1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 01.11.1973.