

The Bharatiya Nyay Sanhita, 2023

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Context:- To replace the Indian Penal Code (IPC), 1860, Bharatiya Nyay Sanhita Bill 2023 was recently introduced in the Lok Sabha.

Key highlights:-

- The Bill establishes a criminal law for India and, along with the Bharatiya Nyay Sanhita-2023, repeals the Indian Penal law.
- The Bharatiya Nyaya Sanhita has 356 sections arranged into 19 chapters.

About the Bharatiya Nyay Sanhita(BNS),2023:-

The Bharatiya Nyay Sanhita Bill, 2023 was presented in Lok Sabha on August 11, 2023, by Indian Home Minister Amit Shah. The criminal justice system in India is thought to have undergone a significant and historic transformation with the passage of this bill.

Features of the bill:-

- IPC will be repealed and replaced with the Bharatiya Nyay Sanhita Bill of 2023.
- In 1834, Thomas Babington Macaulay served as the chairman of the first Law Commission, which produced the Indian Penal Code. In January 1860, the code was implemented.
- The Bharatiya Nyay Sanhita is divided into 19 chapters, each of which has 356 sections. The code's organisation resembles that of the Indian Penal Code.

Basic Outline :-

- Chapter-1(section 1 to 3)

-Preliminary

- Chapter-2(section 4 to 13)

-of punishment

- Chapter-3(section 14 to 44)

-General exception

-of right of private defence

- Chapter-4(section 45 to 62)

-of abetment, criminal conspiracy and attempt of abetment

- Chapter-5(section 63 to 97)

-of offence against women and children of sexual offence

- Chapter-6(section 98 to 144)

-of offence affecting the human body,of offences affected life

- Chapter-7(section 145 to 156)

-of offence against state

- Chapter-8(section 157 to 166)

-of offence relating to the army,navy,and air force

- Chapter-9(section 167 to 175)

-of offence relating to election

- Chapter-10(section 176 to 186)

-of offence relating to coin, currency notes,bank and government stamps

- Chapter-11(section 187 to 195)

-of offence against the public tranquillity

- Chapter-12(section 196 to 203)

-of offence by or relating to public servants

- Chapter-13(section 204 to 224)
- of contempts of the lawful authority of public servants
 - Chapter-14(section 225 to 267)
- of false evidence and offence against public justice
 - Chapter-15(section 268 to 295)
- of offence affecting the public health,safety, convenience,decency and morals
 - Chapter-16(section 296 to 300)
- of offence relating to religion
 - Chapter-17(section 301 to 332)
- of offence against property
 - Chapter-18(section 333 to 348)
- of offence relating to documented to property marks
 - Chapter-19(section 349 to 356)
- od criminal intimidation, insult, annoyance, defamation etc.

Importants aspects of the BNS bill,2023:-

- Under the BNS Bill, the term “terrorism” has been defined for the first time; this was not the case under the IPC.
- In the BNS Bill, the penalty for defamation is now a simple sentence of up to two years in prison, a fine, a combination of the three, or community service.
- Adultery as an offence is not included in the new Bill.
- A crime shall be judged to have been committed if a woman is sexually exploited under the guise of marriage, employment, promotion, or identity concealing.
- However, the provision that permits marital rape has been subsequently retained.
- Although section 302 of the IPC governs the punishment for the crime of murder, it has been replaced by provision 101 of the BNS Bill.
- A penalty for mob lynching, including the death penalty in some circumstances.

Conclusion:-

The Bharatiya Nyaya Sanhita, 2023 aspires to update the legal system, address contemporary issues, and give citizens' safety and wellbeing top priority. The Act's provisions cover a wide variety of offences, from minor infractions to significant dangers to the integrity and security of the country.