

320. Compounding of offences.—(1) The offences punishable under the sections of the Indian Penal Code (45 of 1860) specified in the first two columns of the Table next following may be compounded by the persons mentioned in the third column of that Table:—

¹[TABLE

| Offence | Section of the Indian Penal Code applicable | Person by whom offence may be compounded |
|---|---|---|
| 1 | 2 | 3 |
| Uttering words, etc., with deliberate intent to wound the religious feelings of any person. | 298 | The person whose religious feelings are intended to be wounded. |
| Voluntarily causing hurt. | 323 | The person to whom the hurt is caused. |
| Voluntarily causing hurt on provocation. | 334 | Ditto |

| 1 | 2 | 3 |
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| Voluntarily causing grievous hurt on grave and sudden provocation. | 335 | Ditto |
| Wrongfully restraining or confining any person. | 341, 342 | The person restrained or confined. |
| Wrongfully confining a person for three days or more | 343 | The person confined. |
| Wrongfully confining a person for ten days or more. | 344 | Ditto |
| Wrongfully confining a person in secret. | 346 | Ditto |
| Assault or use of criminal force. | 352, 355, 358 | The person assaulted or to whom criminal force is used. |
| Theft. | 379 | The owner of the property stolen. |
| Dishonest misappropriation of property. | 403 | The owner of the property misappropriated. |
| Criminal breach of trust by a carrier, wharfinger, etc. | 407 | Ditto |
| Dishonestly receiving stolen property knowing it to be stolen. | 411 | The owner of the property stolen. |
| Assisting in the concealment or disposal of stolen property, knowing it to be stolen. | 414 | Ditto |
| Cheating. | 417 | The person cheated. |
| Cheating by personation. | 419 | Ditto |
| Fraudulent removal or concealment of property, etc., to prevent distribution among creditors. | 421 | The creditors who are affected thereby. |
| Fraudulently preventing from being made available for his creditors a debt or demand due to the offender. | 422 | The creditors who are affected thereby. |
| Fraudulent execution of deed of transfer containing false statement of consideration. | 423 | The person affected thereby. |
| Fraudulent removal or concealment of property. | 424 | Ditto |
| Mischief, when the only loss or damage caused is loss or damage to a private person. | 426, 427 | The person to whom the loss or damage is caused. |
| Mischief by killing or maiming animal. | 428 | The owner of the animal. |
| Mischief by killing or maiming cattle, etc. | 429 | The owner of the cattle or animal. |
| Mischief by injury to works of irrigation by wrongfully diverting water when the only loss or damage caused is loss or damage to private person. | 430 | The person to whom the loss or damage is caused. |
| Criminal trespass. | 447 | The person in possession of the property trespassed upon. |
| House-trespass. | 448 | Ditto. |
| House-trespass to commit an offence (other than theft) punishable with imprisonment. | 451 | The person in possession of the house trespassed upon. |
| Using a false trade or property mark. | 482 | The person to whom loss or injury is caused by such use. |
| Counterfeiting a trade or property mark used by another | 483 | Ditto. |

| 1 | 2 | 3 |
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| Knowingly selling, or exposing or possessing for sale or for manufacturing purpose, goods marked with a counterfeit property mark. | 486 | Ditto. |
| Criminal breach of contract of service. | 491 | The person with whom the offender has contracted. |
| Adultery. | 497 | The husband of the woman. |
| Enticing or taking away or detaining with criminal intent a married woman. | 498 | The husband of the woman and the woman. |
| Defamation, except such cases as are specified against Section 500 of the Indian Penal Code (45 of 1860) in Column 1 of the Table under Sub-section (2). | 500 | The person defamed. |
| Printing or engraving matter, knowing it to be defamatory. | 501 | Ditto. |
| Sale of printed or engraved substance containing defamatory matter, knowing it to contain such matter. | 502 | Ditto. |
| Insult intended to provoke a breach of the peace. | 504 | The person insulted. |
| Criminal intimidation. | 506 | The person intimidated. |
| Inducing person to believe himself an object of divine displeasure. | 508 | The person induced. |

(2) The offences punishable under the Section of the Indian Penal Code (45 of 1860) specified in the first two columns of the Table next following may, with the permission of the Court before which any prosecution for such offence is pending, be compounded by the persons mentioned in the third column in that Table :—

¹[TABLE

| Offence | Section of the Indian Penal Code applicable | Person by whom offence may be compounded |
|---|---|---|
| 1 | 2 | 3 |
| Causing miscarriage. | 312 | The woman to whom miscarriage is caused |
| Voluntarily causing grievous hurt. | 325 | The person to whom hurt is caused. |
| Causing hurt by doing an act so rashly and negligently as to endanger human life or the personal safety of others. | 337 | Ditto. |
| Causing grievous hurt by doing an act so rashly and negligently as to endanger human life or the personal safety of others. | 338 | Ditto. |
| Assault or criminal force in attempting wrongfully to confine a person. | 357 | The person assaulted or to whom the force was used. |
| Theft, by clerk or servant of property in possession of master. | 381 | The owner of the property stolen. |
| Criminal breach of trust | 406 | The owner of property in respect of which breach of trust has been committed. |
| Criminal breach of trust by a clerk or servant. | 408 | The owner of the property in respect of which the breach of trust has been committed. |
| Cheating a person whose interest the offender was bound, either by law or by legal contract, to protect. | 418 | The person cheated. |

| 1 | 2 | 3 |
|--|-----|--|
| Cheating and dishonestly inducing delivery of property or the making, alteration or destruction of a valuable security. | 420 | Ditto. |
| Marrying again during the life-time of a husband or wife. | 494 | The husband or wife of the person so marrying. |
| Defamation against the President or the Vice-President or the Governor of a State or the Administrator of a Union territory or a Minister in respect of his public functions when instituted upon a complaint made by the Public Prosecutor. | 500 | The person defamed. |
| Uttering words or sounds or making gestures or exhibiting any object intending to insult the modesty of a woman or intruding upon the privacy of a woman. | 509 | The woman whom it was intended to insult or whose privacy was intruded upon. |

¹[(3) When an offence is compoundable under this section, the abetment of such offence or an attempt to commit such offence (when such attempt is itself an offence) or where the accused is liable under Sections 34 or 149 of the Indian Penal Code, 1860 (Central Act 45 of 1860) may be compounded in like manner.]

(4) (a) When the person who would otherwise be competent to compound an offence under this section is under the age of eighteen years or is an idiot or a lunatic, any person competent to contract on his behalf may, with the permission of the Court, compound such offence.

(b) When the person who would otherwise be competent to compound an offence under this section is dead, the legal representative, as defined in the Code of Civil Procedure, 1908 (5 of 1908), of such person may, with the consent of the Court, compound such offence.

(5) When the accused has been committed for trial or when he has been convicted and an appeal is pending, no composition for the offence shall be allowed without the leave of the Court to which he is committed, or, as the case may be, before which the appeal is to be heard.

(6) A High Court or Court of Session acting in the exercise of its powers of revision under Section 401 may allow any person to compound any offence which such person is competent to compound under this section.

(7) No offence shall be compounded if the accused is, by reason of a previous conviction, liable either to enhanced punishment or to a punishment of a different kind for such offence.

(8) The composition of an offence under this section shall have the effect of an acquittal of the accused with whom the offence has been compounded.

(9) No offence shall be compounded except as provided by this section.