SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Source: sooperkanoon.com/act/47302

Arms Act 1959

Section 25 - Punishment for Certain Offences

---

1 [1) Whoever--

(a)manufacturers, sells, transfers, converts, repairs, tests, or proves, or exposesor offers for sale or transfer, or has in his possession for sale, transfer,conversion, repair, test or proof, any arms or ammunition in contravention ofsection 5; or

(b) shortens the barrel of afirearms or converts an imitation firearm into a firearm in contravention ofsection 11,

(c) 2 [*****]

(d) brings into, or takes outof, India, any arms or ammunition of any class or description in contraventionof section 11,

Shall be punishable withimprisonment for a term which shall not be less than three years but which mayextend to seven years and shall also be liable to fine.

3 [(1A)Whoever acquires, has in his possession or carries any prohibited arms orprohibited ammunition in contravention of section 7 shall be punishable withimprisonment for a term which shall not be less than five years, but which mayextend to ten years and shall also be liable to fine.

(1AA) Whoever manufactures,sells, transfers, converts, repairs, tests or proves or exposes or offers forsale or transfer or has in his possession for sale, transfer, conversion,repair, test or proof, any prohibited arms or prohibited ammunition incontravention of section 7 shall be punishable with imprisonment for a termwhich shall not be less than seven years but which may extend to imprisonmentfor file and shall also be liable to fine.]

3 [(1AAA)]Whoever has in contravention of a notification issued under section 24A in hispossession or in contravention of a notification issued under section 24Bcarries or otherwise has in his possession, any arms or ammunition shall bepunishable with imprisonment for a term which shall not be less than 4 [threeyears, but which may extend to seven years]shall also be liable to fine.

(1B) Whoever--

(a) acquires, has in hispossession or carries any firearm or ammunition in contravention of section 3;or

(b) acquires, has in hispossession of carries in any place specified by notification under section 4 anyarms of such class or description as has been specified in that notification incontravention of that section; or

(c)sells or transfers any firearm which does not bear the name of the maker,manufacturer's number or other identification mark stamped or otherwise shownthereon as required by sub-section (2) of section 8 or does any act incontravention of sub-section (1) of that section; or

(d)being a person to whom sub-clause (ii) or sub-clause (iii) of clause (a) ofsub-section (iii) of clause (a) of sub-section (1) of section 9 applies,acquires, has in his possession or carries any firearm or ammunition incontravention of that section;

(e)sells or transfers, or converts, repairs, tests or proves any firearm orammunition in contravention of clause (b) of sub-section (1) of section 9; or

(f) brings into, or take out of, India, any arm or ammunition in contravention of section 10; or

(g) transports any arms orammunition in contravention of section 12; or

(h) fails to deposit arms orammunition as required by sub-section (2) of section3, or sub-section (1) ofsection 21;

(i)being a manufacturer of, or dealer in, arms or ammunition, fails, on beingrequired to do so by rules made under section 44, to maintain a record oraccount or to make therein all such entries as are required by such rules orintentionally makes a false entry therein or prevents or obstructs theinspection of such record or account of the making of copies of entriestherefrom or prevents or obstructs the entry into any premises or other placewhere arms or ammunition are or is manufactured or kept or intentionally failsto exhibit or conceals such arms or ammunition or refuses to point out where thesame are or is manufactured or kept;

shall be punishable with imprisonment for a term which shall not be lessthan 5 [oneyear] but which may extend to three years andshall also be liable to fine;

Provided that the Court may for any adequate and special reason to berecorded in the judgment impose a sentence of imprisonment for a term of lessthan 6 [oneyear]

7 [(1C)Notwithstanding anything contained in sub-section (1B), whoever commits anoffence punishable under that sub-section in any disturbed area shall bepunishable with imprisonment for a term which shall not be less than three yearsbut which may extend to seven years and shall also be liable to fine.

Explanation--For the purposesof this sub-section, "disturbed area" means any area declared to be adisturbed area under any enactment, for the time being in force, makingprovision for the suppression of disorder and restoration and maintenance ofpublic order, and includes any area specified by notification under section 24Aor section 24B.]

(2) Whoever being aperson to whom sub-clause (i) of clause (a) of sub-section(1) of section 9 applies, acquires, has in his possession or carries any firearmor ammunition in contravention of that section shall be punishable withimprisonment for a term which may extend to one year, or with fine, or with both.

7 [(3)Whoever sells or transfers any firearm, ammunition or other arms--

(i) withoutinforming the district magistrate having jurisdiction or the officer in chargeof the nearest police station, of the intended sale or transfer of that firearm,ammunition or other arms; or

(ii) before the expiration ofthe period of fortyfive days from the date of giving such information to suchdistrict magistrate or the officer in charge of the police station.

in contravention of theprovisions of clause (a) or clause (b) of the proviso to sub-section (2) ofsection 5, shall be punishable with imprisonment for a term which may extend tosix months, or with fine of an amount which may extend to five hundred rupees,or with both].

(4) Whoever fails to deliver-upa licence when so required by the licensing authority under sub-section(1) of section 17 for the purpose of varying the conditions specified in thelicence of fails to surrender a licence to the appropriate authority under sub-section(10) of that section on its suspension or revocation shall be punishable withimprisonment for a term which may extend to six months, or with fine of anamount which may extend to five hundred rupees, or with both.

(5) Whoever, whenrequired under section 19 to give his name and address, refuses to give suchname and address or gives a name or address which subsequently transpires to befalse shall be punishable with imprisonment for a term which may extend to sixmonths, or with fine of an amount which may extend to two hundred rupees, orwith both.

1.Substitutedby Act 25 of 1983, section 8 w.e.f. 22-6-1983.

2.Omitted by Act 42 of 1988, section 5 w.e.f. 27-5-1988.

3.Renumbered and inserted, by section 5, by Act 42 of 1988, w.e.f. 27-5-1988

4.Substituted by Act 39 of 1985, section 2 for certain words.

5.Substituted by Act 39 of 1985, section 2 for "six months".

6.Inserted by section 2, by Act 39 of 1985.

7.Substituted by Act 25 of 1983, section 8 w.e.f. 22-6-1983.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com