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The Indian Penal Code 1860

Section 23 - "WRONGFUL GAIN"/"WRONGFUL LOSS" "Wrongful gain" is the gain by unlawful means of property to which the person losing

SECTION 23: "WRONGFUL GAIN"/"WRONGFUL LOSS" "Wrongful gain" is the gain by unlawful means of property to which the person losing gaining is not legally entitled. "Wrongful loss" is the loss by unlawful means of property to which the person losing it is legally entitled. Gaining wrongfully/losing wrongfully--A person is said to gain wrongfully when such person retains wrongfully, as well as when such person acquires wrongfully. A person is said to lose wrongfully when such person is wrongfully kept out of any property, as well as when such person is wrongfully deprived of property. COMMENTS Wrongful gain includes wrongful retention and wrongful loss includes being kept out of the property as well as being wrongfully deprived of property--Krishan Kumar v. Union of India AIR 1959 SC 1390 Wrongful loss is the loss by unlawful means of property to which a person is entitled, while wrongful gain to a person means a gain to him by unlawful means of property to which the person gaining is not legally entitled--Tulsiram v. State of Uttar Pradesh AIR 1963 SC 666 It affects a party in some legal right.