

The Indian Penal Code 1860

Section 141 - UNLAWFUL ASSEMBLY An assembly of five or more persons is designated an "unlawful assembly", if the common object of the

SECTION 141: UNLAWFUL ASSEMBLY An assembly of five or more persons is designated an "unlawful assembly", if the common object of the persons composing that assembly is-- First--To overawe by criminal force, or show of criminal force, the Central or any State Government or Parliament or the Legislature of any State, or any public servant in the exercise of the lawful power of such public servant; or Second--To resist the execution of any law, or of any legal process; or Third--To commit any mischief or criminal trespass, or other offence; or Fourth--By means of criminal force, or show of criminal force, to any person, to take or obtain possession of any property, or to deprive any person of the enjoyment of a right of way, or of the use of water or other incorporeal right of which he is in possession or enjoyment, or to enforce any right or supposed right; or Fifth--By means of criminal force, or show of criminal force, to compel any person to do what he is not legally bound to do, or to omit to do what he is legally entitled to do. Explanation : An assembly which was not unlawful when it assembled, may subsequently become an unlawful assembly.

COMMENTS The meeting together of five or more persons, to the disturbance of the public peace and with the intention of cooperating in the forcible and violent execution of some unlawful enterprise. Five or more persons come together with a common plan in mind which, if carried out, will result in a riot. The intention is to commit a crime by force or to execute a common design lawful & unlawful, in an unauthorized manner likely to cause courageous persons to apprehend a breach of the peace. If they take steps towards the performance of their purpose, it becomes a riot; and if they put their design into actual execution, it is a riot. Common object is the essence of the offence under this section. They should all be aware of it and concur in it.