

The Indian Penal Code 1860

Section 212 - HARBOURING OFFENDER Whenever an offence has been committed, whoever, harbours or conceals a person whom he knows or has

SECTION 212: HARBOURING OFFENDER Whenever an offence has been committed, whoever, harbours or conceals a person whom he knows or has reason to believe to be the offender, with the intention of screening him from legal punishment; If a capital offence shall, if the offence is punishable with death, be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine; If punishable with imprisonment for life, or with imprisonment and if the offence is punishable with imprisonment for life or with imprisonment which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and if the offence is punishable with imprisonment which may extend to one year, and not to ten years, shall be punished with imprisonment of the description provided for the offence for a term which may extend to one-fourth part of the longest term of imprisonment provided for the offence, or with fine, or with both.

"Offence" in this section includes any act committed at any place out of India, which, if committed in India, would be punishable under any of the following sections, namely, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 451, 457, 458, 459 and 460; and every such act shall, for the purposes of this section, be deemed to be punishable as if the accused person had been guilty of it in India.

Exception : This provision shall not extend to any case in which the harbour or concealment is by the husband or wife of the offender. Illustration A, knowing that B has committed dacoity, knowingly conceals B in order to screen him from legal punishment. Here, as B is liable to imprisonment for life, A is liable to imprisonment of either description for a term not exceeding three years, and is also liable to fine.