



# CDTI

## CHANDIGARH



Special Edition  
New Criminal Laws - 2023



CDTI ARCHIVES  
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## Director's Desk

*We are pleased to present another edition of the quarterly newsletter of CDTI Chandigarh, covering the period from October to December 2024. This is a special edition on New Criminal Laws in which eminent faculty members associated with CDTI Chandigarh have shared their knowledge and perspective through articles. Since its establishment in 1973, CDTI Chandigarh has consistently upheld exceptional professional standards over the past five decades, solidifying its reputation as a premier training institution for law enforcement personnel.*

*The implementation of new criminal laws which brought a paradigm shift in the criminal laws from "Danda to Nyaya" has significantly transformed the procedural aspects during investigations, and CDTI Chandigarh continues to conduct training programs to ensure that stakeholders are well-versed with these new provisions and changes. During this quarter, 539 personnel were trained and sensitized about provisions in NCL's and procedures to be followed. Recognizing the need for accessible training, we have also conducted online courses and workshops on the new criminal laws. This approach has enabled us to reach stakeholders across the country, ensuring widespread dissemination of knowledge.*

*Fulfilling our social responsibility, CDTI Chandigarh has initiated numerous community awareness programs over the past five years. These programs focus on cyber security and other pertinent issues, catering to diverse segments of society. In this quarter, we also organized awareness sessions on New Criminal Laws for various sections of society, reinforcing our commitment to community engagement and capacity building.*

*CDTI Chandigarh is a centre of excellence for conducting courses related to organized crime. Therefore, a unit has been set up in CDTI wherein all information pertaining to crimes related to Illegal Narcotics, Wildlife Trade and Cyber Crimes has been collated and made available for use by visiting trainee officers. This unit was inaugurated by DG BPRD on 4th of December.*

*We are committed to foster a well informed and responsive police force and all our training programs are periodically reviewed and updated to ensure quality inputs to the officers attending them. Since CDTI is mandated to upgrade the skills and knowledge of law enforcement personnel hence the suggestions and feedback from stakeholders is highly valuable.*

*I thank you for your continuous collaboration and support and would appreciate any insights on new training modules required or propositions for enhanced role that CDTI can play for benefit of stake holders.*

*Ms. Rani Bindu Sachdeva, IPS  
Director, CDTI Chandigarh*



## Editor's desk



*Dear Readers, It is with great enthusiasm that we present the latest edition of our quarterly magazine, covering the period from October to December 2024. This quarter has been particularly significant for the Central Detective Training Institute (CDTI), Chandigarh, as we continued our commitment to enhancing investigative excellence through specialized training programs and knowledge-sharing initiatives.*

*During this period, CDTI Chandigarh conducted several advanced training programs aimed at equipping law enforcement officers with the latest skills in crime detection, NDPS Crime, Crime against women, cyber crime investigation, Offences related to wildlife and Organized crime and legal frameworks under the newly implemented criminal laws. These programs provided a platform for officers to refine their investigative techniques and adapt to the evolving challenges in law enforcement.*

*A key highlight of this quarter was the 5th Young SPs Conference, organized by the Bureau of Police Research and Development (BPR&D) in Chandigarh. This prestigious event brought together young Superintendents of Police from across the country to deliberate on contemporary policing challenges, emerging threats, and innovative crime prevention strategies. The conference fostered insightful discussions on leveraging technology, data-driven policing, and inter-agency collaboration to strengthen law enforcement capabilities.*

*Through this magazine, we aim to capture the essence of these initiatives, sharing knowledge and best practices that can contribute to the continuous professional development of our law enforcement community. We extend our gratitude to the experts, trainers, and participants who have made these programs a success. We hope this edition proves to be informative and thought-provoking. As we move forward, CDTI Chandigarh remains committed to its mission of training and capacity building, ensuring that our police forces are well-equipped to tackle emerging challenges in crime and security.*

*Ms. Sonal, Dy.SP  
CDTI Chandigarh*



Visits of the Chief guests in Retrospect  
Sh. Rajeev Sharma, IPS, DG BPR&D,  
inaugurated the newly set up "Centre of Excellence- Organised Crime"  
during his visit to CDTI Chandigarh in Dec 2024.





Visit of the IG, BPRD  
Sh. Gopesh Aggarwal at CDTI Chandigarh





**Dr. K P Singh, IPS (Rtd.)  
Former DGP Haryana**



### ***Rules Necessary for Full Implementation of the BNSS***

*Law is expressed will of the legislature. The executive implements the statutes; the judiciary interprets them for ambiguity besides examining their constitutionality. An Act of Parliament on a subject contains mainly the bare provisions in order to keep it brief and crisp; working details are left for the executive to legislate by way of subordinate legislation, framing rules, prescribing 'Standard Operating Procedure' (SOP) and issuing instructions. Enabling provisions to empower different people or bodies to integrate such working details are provided in the Act itself.*

*The Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS) includes several new provisions which were not there in the Criminal Procedure Code, 1973, therefore, framing of rules, and prescribing working details are necessary not only for the guidance of functionaries at the grass root level but also for filling the gaps in legal provisions, which are left deliberately by the legislature for want of brevity and lack of technical knowhows. Since implementation of the BNSS involve all the wings of the criminal justice systems, relevant delegated legislations are to be undertaken by all of them; needless to mention that consequential changes in the existing rules are also to be incorporated to complete the statutory framework, in order to claim complete implementation of the BNSS.*

*Under the BNSS, there are several provisions which ask the States (states include central government for the union territories), and its instrumentalities to frame rules for the purpose of giving full effect to the law. These rules/instructions/orders/SOPs/guidelines include the followings:*

- 1. Directorate of prosecution at State and district level for each district are to be established as per section 20 of the BNSS; rules/order/instructions in this regard are to be issued by the respective states and central governments.*
- 2. Relevant High Court Rules are to be revised to incorporate the provisions of section 25(1) BNSS regarding concurrent or consecutive running of sentence.*
- 3. Rules regarding 'community service sentence' under "Explanation to section 23 BNSS" are to be framed by both, the states and central governments, as well as by the respective High Courts to give effect to this punishment, indicating how the sentence shall be executed and by whom. Modalities and documentation required for this purpose need to be prescribed in detail.*
- 4. Instructions/orders are to be issued by the police authorities to give effect to the provisions relating to 'Designated Police Officer' under section 37(b) of the BNSS.*
- 5. State Police Act/Rules/Manual etc are to be revised to incorporate new provisions about handcuffing, incorporating provisions of section 43(3) BNSS.*
- 6. Section 64(1) BNSS provides that the police station or the registrar in the Court shall maintain a register to enter the address, email address, phone number and such other details as the State Government may, by rules, provide. States as well as the High Courts have to take action to give effect to this provision. Rules/instructions regarding proof of service of processes, as required under section 70(3) of the BNSS, are to be framed and issued by the High Courts and police authorities.*
- 7. New section 86 of the BNSS provides for attachment of properties of proclaimed persons, outside jurisdiction;*



rules/instructions/SOP/order to implement this provision, are to be issued by the states.

8. A new section 105, providing for video recording of search and seizure at a place has been added in the BNSS. Detailed procedure/instructions to give effect to this provision fully are needed. This is to be done in consultation with all the stake holders.

9. A new section 107 BNSS has been added to empower police investigating officer to attach property derived or obtained from commission of crime, forfeit or restore such properties, and District Magistrate to distribute it to the victims of crimes. Detailed rules in this regard need to be framed to prescribe the procedure and modalities for each of the stake holder.

10. Section 173 of the BNSS includes new provisions relating to registration of FIR without jurisdiction or zero FIR, recording FIR on information received electronically and preliminary enquiry etc. These new provisions require detailed instructions/guidelines to ensure uniformity of processes throughout the country. Relevant police rules need revision to incorporate these changes in the law.

11. In non-cognizable cases, police is required to record daily diary entry and send such reports to magistrate every fortnightly as per section 174 of the BNSS; police rules are to be amended to this effect.

12. The Forensic Science Laboratory and Forensic Science Experts related rules/manual/ instructions are to be revised to incorporate provisions contained in section 176 of the BNSS.

13. New provision regarding recording evidence by audio-visual electronic means has been included under section 254 of the BNSS. Detailed rules/instructions need to be in place in consultation with all the stakeholders, prescribing modalities, maintenance and responsibilities etc. for different stakeholders.

14. New proviso has been added to section 265 of the BNSS relating to examination of a witness by audio-visual means at a designated place to be notified by state government. This notification is to be issued by the state in consultation with all the stakeholders. Detailed instructions are needed on the subject regarding the facilities to be provided and their up-keep and maintenance.

15. A new section 398 has been added in the BNSS to provide for having witness protection scheme in place, to be prepared and notified by the state government for protection of the witnesses.

16. Provisions relating to commutation of sentence of convicts, contained in section 474 of the BNSS, have been amended; Pre-mature Release Policy, therefore, needs revision immediately by the prison authorities.

17. New Provision about handling and disposal of mercy petitions has been added in section 472 of the BNSS. The prison department has to incorporate it in the Prison Manual of the respective states and detailed instructions need to be issued on the subject for guidance of the lower functionaries.

18. Provision relating to default bail to undertrials under section 479 of the BNSS has been modified to impose responsibility on the Jail Superintendent to file application for release of eligible persons under this provision. The prison manual needs to be amended to this effect and detailed instructions issued for guidance and fixing responsibility in this regard.

19. Sub-sections have been added in section 497 of the BNSS for pre-trial disposal of case properties. Detailed instructions are to be issued in this regard laying down the procedural modalities and responsibilities. The police manual also needs to be tweaked in this regard, wherever necessary.

The above list is indicative and not exhaustive; there are several other provisions in the BNSS which would require executive instructions/order/guidelines to be issued. Since multiple agencies are involved in implementation of the BNSS, it would be appropriate for the states to constitute a high-level committee to monitor progress and iron out points of conflicts. Different wings of the criminal justice system may be asked to prepare draft rules/instructions on all their respective domain and get it approved from the committee. It is also desirable on part of the central government to constitute a committee of experts to draft model rules on all these aspects for the union territories, which may also be adopted by the states as per their needs.

The High Courts also need to examine their relevant rules for the purpose of amending and tweaking with them as per the requirements of the BNSS.



**Dr. Balram K Gupta**  
**Professor Emeritus**  
**Senior Advocate**  
**Formerly Director, NIA &**  
**Chandigarh Judicial Academy**



### ***Article 21 Humanizes Criminal Jurisprudence***

*Article 21 is the shortest article weaved in 18 words. It reads : No person shall be deprived of his life or personal liberty except according to procedure established by law. This is the most significant article of the constitution. In fact, the very soul of the Indian constitution. It has 2 components : (a) Right to life and personal liberty (b) Procedure established by law. The scope of this article came into question in the very first year of the Indian constitution in the case of A.K. Gopalan (1950). At that time, there were only 6 judges of the SC. The case was heard by all the 6 judges. Under the Preventive Detention Act, one could be detained without a trial. The issue for interpretation was, what is the scope of 'Procedure established by law'. The majority view of 5 judges was, Procedure established by law means the procedure laid down under the Act. The Act did not provide any safeguard in this regard. Accordingly, the detention was upheld. The dissenting view of justice Fazal Ali was that Procedure established by law means only such procedure which is in accordance with the Principles of Natural Justice (PNJ). The majority view was a narrow interpretation of Article 21. A.K. Gopalan was overruled in Maneka Gandhi (1978). This case came up before a bench of 7 judges. The passport of Maneka Gandhi had been impounded without any notice/opportunity. It came to be challenged as violative of Article 21. Procedure established by law cannot be interpreted as only such procedure which is provided under the Act. In the Passport Act also, no notice/opportunity was required to be given before impounding the passport. It was held that Procedure established by law means, such Procedure which is Reasonable, Just and Fair. The Procedure has to be in accordance with PNJ. In case, it is not possible to give an opportunity before impounding of the passport, let a temporary order impounding the passport be passed. The notice be given. If an undertaking is given that the person concerned will not go out of the country, the temporary order may be withdrawn. This means, ordinarily, a pre decisional hearing is to be given. In exceptional cases, a post decisional hearing may be given. Such hearing would be reasonable and fair. Thus, Procedure established by law has to be in consonance with PNJ. This interpretation continues to be followed.*

*The Internal Emergency was imposed on 25th June, 1975. The same was withdrawn on March 21, 1977. During the emergency, Articles 20 and 21 remained suspended. Many persons were detained. The detentions came to be challenged before different High courts. 9 different High Courts allowed the writ of habeas corpus. The matter came up on appeal before the top court in the case of ADM Jabalpur (1976). Nani Palkhivala did not consider it necessary to appear before the SC to defend the decisions of the High Courts. Surprisingly, the appeals were allowed in view of the article 21 having been suspended. Justice H.R. Khanna gave the dissenting judgment. He took the view that the right to life is a natural human right. It is not dependent upon only on article 21. Therefore, the detentions without any procedure were violative of article 21. 44th amendment to the Constitution (1978) provided that articles 20 and 21 can never be suspended even during the Emergency. It is relevant to point out that both these articles need to be read together. In fact, article 20 cannot be separated from article 21. Article 20 contains three facets of the right to life and personal liberty. It is integral to article 21. It makes article 21 wholesome. Both these articles*



humanize the criminal jurisprudence. Therefore, they both cannot be suspended. Ever since (1976), these two articles have continued to strengthen the criminal jurisprudence. *ADM Jabalpur* was overruled in the case of Justice K.S. Putaswamy (2017). It was a bench of 9 judges. The majority judgment was written by Justice Dr. D.Y. Chandrachud and on behalf of three other judges. 5 different judges wrote 5 concurrent judgments. In fact, article 21 was interpreted to include the right to Privacy. In this process, Justice Chandrachud overruled the judgment of his father in *ADM Jabalpur*. The view of Justice D.Y. Chandrachud was that the right to life is not only the gift of article 21. This being a natural human right, it would exist even in the absence of article 21.

In *Ajay Kumar* (2015), the issue was that the Mercy Petition against the capital punishment was kept pending for 3 years and 10 months. No decision was taken by the Union Govt. He had been kept in solitary confinement throughout. It was held that this was violative of article 21. The capital punishment was converted into life sentence. In fact, solitary confinement is a separate punishment which cannot be given without the specific orders of the court. This again humanized criminal jurisprudence.

In *Naz Foundation* (2009), Section 377, IPC came to be challenged. Under this provision, same sex persons doing sex without consent was a criminal offence. This was struck down by Delhi high court. On appeal, the SC reversed the decision of the Delhi High Court. Few months later, the Constitution Bench re-examined the matter and upheld the High Court decision. Article 21 covers this as right to personal liberty. Constitutional Morality (CM) requires that LGBT persons are treated as equal citizens of India. They cannot be discriminated on grounds of their sexual orientation. They have the right to express themselves through their partner which must be respected. The dignity of LGBT persons must be respected. This may be contrary to Public Morality (PM). It is always CM which would prevail over PM. Under the BNS Act, Section 377 has been dropped. This means that even consensual sex is punishable or non consensual unnatural sex is non punishable. This created a dicotomy. The matter was brought before the apex court. It refused to interfere. Thereafter, the matter was brought before Delhi High Court. The High Court was also of the view that the Parliament cannot be directed to create an offence. Therefore, the Government was only directed to consider the representation of the petitioners.

In *Joseph Shine* (2019), the Constitution Bench declared section 497, IPC (adultery), as violative of articles 14, 15(1) and 21 of the constitution. It was found arbitrary and gender discriminatory. It was considered encroachment into the dignity, identity and privacy of women. Only men were guilty of adultery. Women were not guilty even as abettors. Under the BNS Act, Section 497 has been removed. Adultery is no more an offence.

Section 309, IPC makes attempt to suicide a criminal offence. Therefore, no person could claim the right to die even by suicide. This section has been removed under the BNS Act. Therefore, attempt to suicide will no longer be a criminal offence. However, attempt to suicide to prevent a public servant from carrying out a public duty would still be a punishable offence. In a *Suo Moto* matter, the SC bench of two judges held that the right to shelter is one of the facets of article 21. The bulldozing of any property (residential/commercial) would mean depriving the people of their right to shelter and livelihood. This cannot be done even if the person is a convict. In case, it is relating to illegal encroachment, procedure has to be followed which should be reasonable, just and fair. No person can be deprived of the property without due procedure. This again humanizes the criminal jurisprudence.

In *Ramlila Maidan* case (2012), Section 144 had been imposed. A huge crowd of peaceful protestors against corruption was sleeping at 12:30AM in the Ramlila grounds (Delhi). Waterguns, tear gas and batons were used. Many were injured. One person even died. Ram Dev, the yoga guru had to run for his life. The police action was violative of the right to privacy. The right to sleep is inclusive of the right to privacy. It is most in-human to take such action on the people while sleeping.

Article 21 is part of Basic Structure of Constitution. It is also part of Constitutional Morality (CM). It is a fundamental tool of criminal jurisprudence. It is equally, fundamental to good governance of the country. It contains Dharma of ancient India as given in Kautalya's Arthasashtra. It has made the right to Life and Personal liberty more meaningful and wholesome. It is the core of criminal jurisprudence.



**Dr. J. R. Gaur**  
Lifetime Professor,  
Rashtriya Raksha University,  
Gandhinagar, Gujarat &  
Former Director of FSL,  
Shimla, Himachal Pradesh.



### ***Forensic Science And New Criminal Laws In India***

Commission of crime, its detection, investigation and punishment are as old as human civilization. Before the enactment of laws, customs and taboos governed the society. There were socially accepted principles of dos and don'ts for which the violators were punished by the group leaders. After the enactment of laws, the crime investigation and the administration of justice remained dependent upon the testimony of eyewitnesses. Some interested investigators also indulged in the practice of using stock witnesses, which was discouraged and prohibited by the courts through various judgements.

The human witnesses were constantly threatened and pressurized to change their statements in the courts of law for multiple reasons. Thus, the criminal justice system worldwide was in search of reliable and infallible evidence that could be seen by investigators, prosecutors, defence, and the courts. With the advancements of science and technology in the world, it was thought worthwhile to use the principles and methods of natural sciences for the administration of justice. Forensic medicine, toxicology, anthropology, serology, biology, fingerprints and documentary evidence were developed and used in crime investigation and the administration of justice all over the world. India was no exception to this. Several chemical examiner laboratories were established in India in the 19th Century. The first Fingerprint Bureau was established in Kolkata in 1897. The Government Examiner of Questioned Documents (GEQD) was established in Shimla in 1906. The Office of Serologist and Chemical Examiner to the Government of India was established in 1910.

Until later in the 20th Century, several State and Central Forensic Science Laboratories were established in India but were insufficient to cater to the needs of the criminal justice system and could not keep pace with the increasing crime rate. Thus, there was much pendency of cases for examination in forensic science laboratories for months to years. In the 21st Century, several regional laboratories and district mobile forensic units were added, which were not commensurate with the workload of crime cases as they accounted for only 10 to 12% of the total crime cases registered in the states.

Not only this, but several new disciplines, such as forensic psychology, DNA fingerprinting, ballistics, and cyber forensics, were added to the Forensic Science Laboratories. The judiciary in India appreciated the forensic evidence and relied on it. The use of forensic evidence provided early and effective justice. Hence, the government of India opened several training institutions under the Bureau of Police Research and Development (BPR&D), such as the Central Training Institute (CTI) and the Central Detective Training Institute (CDTI). The National Institute of Criminology and Forensic Science (NICFS), Forensic Units at National Police Academy at Hyderabad and North Eastern Police Academy (NEPA), Bara Pani, Shillong. The judicial academies also impart forensic training, as well as the state police academies.

Above all, the Government of India established the National Forensic Sciences University (NFSU) at Gandhinagar, Gujarat, along with its multiple campuses for forensic education to produce forensic manpower. Similarly, for national security and training in forensic investigations to all stakeholders in the criminal justice system, the CAPFs and defence forces, Rashtriya Raksha University (RRU) has been established at Gandhinagar, Gujarat, by the Government of India. RRU also has several campuses across the country.



The Government of India in 2023 replaced the colonial laws of the British era, including the Indian Penal Code of 1860, the Indian Evidence Act of 1872 and the Criminal Procedure Code of 1973, with the Bharatiya Nyaya Sanhita, 2023 (BNS), Bharatiya Sakshya Adhiniyam, 2023 (BSA), and Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), respectively. It was implemented with effect from July 01, 2024. To include more forensic inputs to crime investigation and the administration of justice and for quick disposal of crime cases from the courts, the Govt. of India has brought a number of innovations through the new criminal laws.

It has been made mandatory that in crime cases in which the quantum of punishment is seven years or more, forensic evidence must be collected from the scene of crime, and the forensic analysis report must be part of the challan.

The laboratories shall give forensic reports as per the laws' time frame without delay.

Summons to the experts can be issued online.

The experts can give evidence to the court through video-conferencing.

This will be highly economical and time-saving, facilitating the experts to devote more time to examining crime samples in the laboratory. For the security of its citizens from crimes by honing the power of its legal and investigating machinery with the power of technology, the Govt. of India approved the National Forensic Infrastructure Enhancement Scheme (NFIES). It involves a financial outlay of Rs. 2254.43 crore for campuses, laboratories and enhancements of infrastructure. The Govt. of India is committed to implementing an effective and efficient criminal justice system based on scientific and timely forensic examination of evidence. More CFSLs will be established. The Cyber Fraud Mitigation Centre has been launched to mitigate cyber crimes and online digital frauds.

Thus, it is apparent that the new criminal laws, coupled with the use of science and technology, are bound to give early, effective justice to the common man in India.

**Deepak Bajaj**  
**L.L.M Advocate**  
**Resource Person,**  
**CDTI, Chandigarh**



### ***Empowering 'Investigation' under New Criminal Laws***

*The whole idea of Police is based upon professional Investigation so that guilty be punished according to Law. What is professional investigation has always been a challenge before the Investigating Officers of past and present, and for future also.*

*The challenge of Investigating Officer starts from discharging of Burden of proof which is on prosecution to prove guilt beyond reasonable doubt during entire trial, caution is taken to ensure that whether Ingredients of individual offence is proved to satisfaction of trial court, whether proposed evidence would be relevant to fact in issue or not.*

*In this regard, before the introduction of New Criminal Laws, there were lot of difficulties, which now has been addressed on large scale and investigating Officer is empowered with much stronger provisions of Law under Bhartiya Nayaya Sanhita and Bhartiya Sakshya Adhiniyam. The tremendous help of forensic and electronic evidence in collecting evidence now cannot be under estimated in any manner, it starts, from Section 105 of BNSS-2023 which deals with 'Recording of search and seizure through audio-video electronic means', once seizure of case property is done efficiently, it would automatically means step close to conviction. Video recording will eliminate chances of any manipulation by any quarter.*

*With the increasing white collar crimes, role of Section 106 assumes importance, as police officer can seize bank lockers etc without wastage of any time and accused can be stopped from concealing the money or transferring it to anybody. The Investigating officers, has been empowered by Section 107 BNSS-2023 wherein the 'proceeds of crime' cannot only be identified but also attached under orders of court, which has to decide this application, within a period of fourteen days only, thus ruling out the possibility of Siphoning of money through channel of Hawala or misappropriating the proceeds of crime in any manner, this is first time in history of India, that proceeds of crime can be attached in such a speedy manner. The magnificent feature of Section 107(6) BNSS- 23, is like a putting a medicine on wound of victim as it talks of restoring proceeds of crime to the rightful owner in shortest time.*

*Any Investigating officer, cannot think of more string power than Section 349 BNSS-23 which gives power to take voice sample for comparison at any point of Investigation. If the voice is compared, any report of scientific expert is exhibited, nothing more is required to be done in evidence, at the stage of trial because contents of conversation of accused stands, automatically proved before the Court.*

*BNSS-23 has introduced set of new provisions like organized crime, petty organized crime, terrorist act, fake news, snatching, which makes it easy to book accused under these provisions effectively as I.P.C. was silent about new offences.*

*Similarly BSA-23 has empowered Investigation process by taking help of electronic & scientific evidence to prove the offence and treating of these evidence as primary evidence by virtue of explanations introduced to Section 57, makes it comparatively easy for police officer to discharge burden on prosecution.*

*New criminal laws in India was much needed initiative to empower the Investigating Officers of police force who were performing a thankless job of Investigation with limited resources available to them but now with use of modern techniques, they can do the same job with easy, the only caveat to this, is gaining knowledge of these laws, with fail.*



# Legal Provisions Relating To Cyber Crimes As Per Bhartiya Nyaya Sanhita 2023 And Special Laws

Gurcharan Singh,  
Cyber Faculty,  
CDTI, Chandigarh



Sr. No.	Nature of Complaint	Applicable section (s) and punishments under ITAct 2000	Applicable section(s) under other Laws and punishment
1.	Mobile phone lost/stolen	-----	Section 303(2) BNS up to 3 years imprisonment or fine or both
2.	Receiving stolen computer/mobile phone /data (data or computer or mobile phone) owned by you is found in the hands of someone else	Section 66 B of ITAct 2000 Up to 3 years imprisonment or Rupees one lakh fine or both	Section 317(2) BNS up to 3 years imprisonment or fine or both
3.	Data owned by you or your company in any form is stolen	Section 66B of ITAct 2000-Up to 3 years imprisonment or fine up to Rupees five lakh or both	Section 303(2) BNS up to 3 years imprisonment or fine or both
4.	A password is stolen and used by someone else for fraudulent purpose	Section 66C of ITAct 2000- Up to 3 years imprisonment or Rupees one lakh fine Section 66 D of ITAct 2000- Up to 3 years imprisonment or Rupees one lakh fine	Section 319(2) BNS upto 5 years imprisonment or fine Section 318(4) BNS - upto 7 years imprisonment or fine
5.	An e-mail is read by someone else by fraudulently making use of password	Section 66 of ITAct 2000- Up to 3 years imprisonment or fine up to Rupees five lakh or both Section 66C of ITAct 2000-Up to 3 years imprisonment or Rupees one lakh fine	-----
6.	A biometric thumb impression is misused	Section 66C of ITAct 2000- Up to 3 years imprisonment or Rupees one lakh fine	-----
7.	An electronic signature of digital signature is misused	Section 66C of ITAct 2000- Up to 3 years imprisonment or Rupees one lakh fine	-----
8.	A Phishing e-mail is sent out in your name, asking for login credentials	Section 66 D of ITAct 2000- Up to 3 years imprisonment or Rupees one lakh fine	Section 319(2) BNS upto 5 years imprisonment or fine
9.	Capturing, publishing or transmitting the image of a private area without any person's consent or knowledge	Section 66 E of ITAct 2000- Up to 3 years imprisonment or fine not exceeding Rupees two lakh or both	Sec 77 BNS Voyeurism: Imprisonment for not less than 1 year but which may extend to 3 years and fine. Second or subsequent conviction: Imprisonment for not less than 3 years but which may extend to 7 years and fine
10.	Tempering with computer source document	Section 65 of ITAct 2000- Up to 3 years imprisonment or fine upto rupees two lakh or both Section 66 of ITAct 2000-Up to 3 years imprisonment or fine up to Rupees five lakh or both	-----
11.	Data Modification	Section 66 of ITAct 2000-Up to 3 years imprisonment or fine up to Rupees five lakh or both	-----

Sr. No.	Nature of Complaint	Applicable section (s) and punishments under IT Act 2000	Applicable section(s) under other Laws and punishment
12.	Sending offensive messages through communication service etc.	-----	Section 356(2) BNS - upto 2 years or fine or both Section 352 BNS - upto 2 years or fine or both Section 351(2) BNS - upto 2 years or fine or both Section 351(3) BNS - if threat be to cause death or grievous hurt, etc. upto 7 years or fine or both Section 351(4) BNS - upto 2 years along with punishment u/s 351 BNS Section 354 BNS - upto 1 years or fine or both Section 79 BNS - upto 1 years or fine or both
13.	Publishing or transmitting obscene material in electronic form	Section 67 of IT Act 2000 first conviction upto 3 years and 5 lakhs Second and subsequent conviction upto 5 years and upto 10 lakhs	Section 294 BNS- upto 2 years imprisonment and fine Rupees 5000 and upto 5 years and rupees 10000 for second and subsequent conviction
14.	Publishing or transmitting of material containing sexually explicit act, etc. in electronic form	Section 67A of IT Act 2000 first conviction upto 3 years and 5 lakhs Second and subsequent conviction upto 7 years and upto 10 lakhs	Section 294 BNS- upto 2 years imprisonment and fine Rupees 5000 and upto 5 years and rupees 10000 for second and subsequent conviction
15.	Publishing or transmitting of material depicting children in sexually explicit act, etc. in electronic form	Section 67 B of IT Act 2000 first conviction upto 5 years and upto 10 lakhs Second and subsequent conviction upto 7 years and upto 10 lakhs	POCSO-Sec 15 Punishment for storage of pornographic material involving child.-- (1) Any person, who stores or possesses pornographic material in any form involving a child, but fails to delete or destroy or report the same to the designated authority, as may be prescribed, with an intention to share or transmit child pornography, shall be liable to fine not less than five thousand rupees and in the event of second or subsequent offence, with fine which shall not be less than ten thousand rupees. (2) Any person, who stores or possesses pornographic material in any form involving a child for transmitting or propagating or displaying or distributing in any manner at any time except for the purpose of reporting, as may be prescribed, or for use as evidence in court, shall be punished with imprisonment of either description which may extend to three years, or with fine, or with both. (3) Any person, who stores or possesses pornographic material in any form involving a child for commercial purpose shall be punished on the first conviction with imprisonment of either description which shall not be less than three years which may extend to five years, or with fine, or with both and in the event of second or subsequent conviction, with imprisonment of either description which shall not be less than five years which may extend to seven years and shall also be liable to fine.]
16.	Misusing a Wi-fi connection - if done against State	Section 66 of IT Act 2000-Up to 3 years imprisonment or fine up to Rupees five lakh or both Section 66F of IT ACT 2000 life imprisonment	-----
17.	Planting a computer virus- if done against the State	Section 66 of IT Act 2000-Up to 3 years imprisonment or fine up to Rupees five lakh or both Section 66F of IT ACT 2000 life imprisonment	-----
18.	Conducting a denial of service attack against a government computer	Section 66 of IT ACT 2000 -Up to 3 years imprisonment or fine up to Rupees five lakh or both Section 66F of IT ACT 2000 life imprisonment	-----
19.	Stealing data from a government computer that has significance from national security perspective	Section 66 of IT ACT 2000 -Up to 3 years imprisonment or fine up to Rupees five lakh or both Section 66F of IT ACT 2000 life imprisonment	-----
20.	Power to issue directions for interception or monitoring or decryption of any information through any computer resource	Section 69 of IT ACT 2000 Imprisonment upto 7 years and fine	-----
21.	Failure to block web sites when ordered	Section 69 A of IT ACT 2000 Imprisonment upto 7 years and fine	-----
22.	Intentional insult to provoke breach of peace	-----	Section 351 upto two years, or with fine, or with both
23.	Word, gesture or act intended to insult the modesty of a woman	-----	Section 79 BNS - upto 1 years or fine or both - as applicable



<b>Sr. No.</b>	<b>Nature of Complaint</b>	<b>Applicable section (s) and punishments under IT Act 2000</b>	<b>Applicable section(s) under other Laws and punishment</b>
24.	Sending defamatory messages by e-mail	-----	Section 356(2) BNS upto 2 years or fine or both or with community service
25.	Bogus websites, cyber frauds	Section 66 D of IT ACT 2000 -Up to 3 years imprisonment or Rupees one lakh fine	Section 319(2) BNS upto 5 years imprisonment or fine Section 318(4) BNS - upto 7 years imprisonment or fine
26.	E-mail spoofing	Section 66C of IT ACT 2000 - Up to 3 years imprisonment or Rupees one lakh fine Section 66 D of IT ACT 2000 -Up to 3 years imprisonment or Rupees one lakh fine	Section 336(2) BNS upto 2 years or fine or both Section 336(3) BNS upto 7 years imprisonment and fine
27.	Making a false electronic document	Section 66 D of IT ACT 2000 -Up to 3 years imprisonment or Rupees one lakh fine	Section 336 (2) BNS upto 2 years or fine or both
28.	Forgery for purpose of cheating	Section 66 D of IT ACT 2000 - Up to 3 years imprisonment or Rupees one lakh fine	Section 336(3) upto 7 years imprisonment and fine
29.	Forgery for purpose of harming reputation	-----	Section 336(4) upto 3 years and fine
30.	E-mail abuse	-----	Section 356(2) BNS upto 2 years or fine or both or with community service
31.	Punishment for criminal intimidation	-----	Section 351(2) BNS - upto 2 years or fine or both 351(3) if threat be to cause death or grievous hurt, etc upto 7 years or fine or both
32.	Copyright infringement	Section 66 of IT ACT 2000 -Up to 3 years imprisonment or fine up to Rupees five lakh or both	Section 63, 63B Copyright Act, 1957
33.	Theft of computer hardware	-----	Section 303(2) BNS up to 3 years imprisonment or fine or both
34.	Online Sale of Drugs	-----	NDPS Act
35.	Online Sale of Arms	-----	Arms Act
36.	Extortion, Identity Theft, ransomware, phishing, unlawful activity undertaken by a group of persons	Sec 66 C, 66 D, 66	Sec 111 BNS
37.	Act endangering sovereignty, unity, and integrity of India - such as Cyber warfare, Espionage,	Sec 66F of IT Act	Sec 152 BNS
38.	Displays or exhibitions of obscene content on online platforms, i.e., obscene material in electronic form i.e. sharing of offensive material, pornographic or abusive content.	Sec 67 A & B	Sec 292 BNS Sec 15 POCSO
39.	Spreading rumors that can harm public order or security, including through electronic means e.g. spreading fake news, hoax messages, hate speech, disinformation	-----	Sec 353 of BNS



## Highlights of the Young Sp's Conference held in Chandigarh





Highlights of the 51st foundation day celebrated  
at CDTI Chandigarh with staff and trainee officers on 01/10/24





Preparing for the future: Equipping officers with knowledge of Investigation of Bank frauds, Plastic card frauds and frauds related to Crypto/Bit Coins in DSI Course from 07/10/24 to 11/10/24.





Highlights of the Course on "Investigation of  
Organised crime cases and scientific aids  
to investigation" held at CDTI Chandigarh from 02/12/24 to 13/12/24



Sh. Ishwar Singh, IPS, Spl DGP, Punjab,  
during the valediction session of the course.



## Photos Of The Course On New Criminal Laws Held From 18-20 Nov 2024





## SESSIONS ON NCL OUTSIDE CDTI

Cyber faculty Sh. Gureharan Singh, delivered a session on Mobile Phone Architecture & NCLs on 19.12.2024 at SVP National Police Academy, Hyderabad to the participants of 24th MCTP Phase III. .



Cyber Faculty, Sh. Gureharan Singh, delivered a talk on "Appreciation of Judicial Evidence - vis-a-vis New Criminal Laws at Maharashtra Judicial Academy, Mumbai on 5 & 6 Oct, 2024.





Session on New Criminal Laws at Amity Law School,  
Amity University Chandigarh on 14/11/24  
conducted by Sh. Sanjay Sharma, DySP, CDTI Chandigarh



Sessions on Cyber Hygiene with women group on Army wives Association  
in Chandimandir, Panchkula on 09/12/24  
conducted by Ms. Pooja Chaudhary, DySP, CDTI Chandigarh.



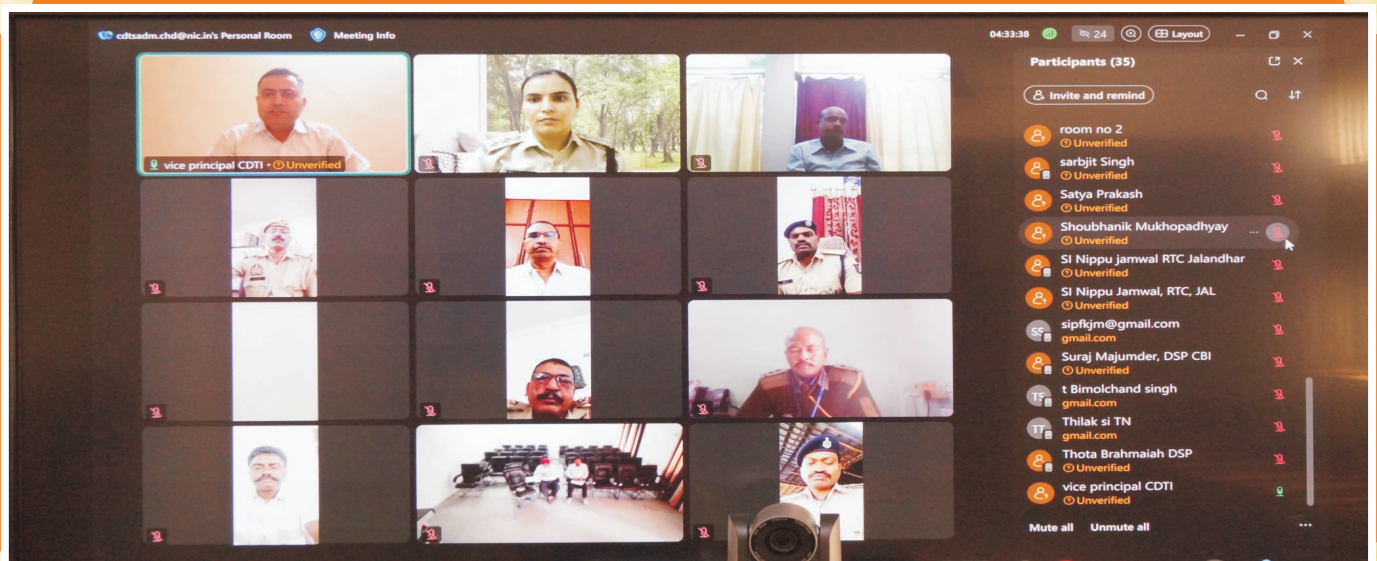


## WEBINAR AND ONLINE COURSES AT CDTI CHANDIGARH

Webinar on "Mandatory provisions of NDPS Act-reasons for failure in courts" for Police Officers on 23/10/24



03 days online course on "Investigation of Organised financial crimes and money laundering crimes" from 19/11/24 to 21/11/24





## SOCIAL MEDIA HANDLES



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