

Concealing it to be
likely that he will



**ASSIGN
BUSTER**

Concealing design to commit offence punishable with imprisonment: Section 120 of the IPC provides that whoever, intending to facilitate or knowing it to be likely that he will thereby facilitate the commission of an offence punishable with imprisonment; Voluntarily conceals, by an act or illegal omission, the existence of a design to commit such offence, or makes any representation which he knows to be false respecting such design; If offence be committed:- Shall, if the offence be committed, be punished with imprisonment of the description provided for the offence, for a term which may extend to one-fourth, and, If the offence be not committed: – To one-eighth, of the longest term for such imprisonment, or with such fine as is provided for the offence, or with both. Sections 118-120 of the code deal with penalty in case of abetment by concealment. The essence of the crime consists in the concealment, despite knowledge of the plans for committing an offence, thereby enabling the offence to be committed. Such concealment involves two aspects: (i) First, the criminal design on the part of persons intending to commit a crime; (ii) Secondly, the concealment by another or others of the design to commit the offence. Sections 118-120 deal with concealment prior to the commission of the crime. If a person conceals of a design to commit an offence, or knowing the existence of a design to commit such offence, gives false information of such design, he is said to have abetted the commission of an offence by concealment.

The obligation to give information in such cases arises only where there is a legal obligation as provided by the Criminal Procedure Code. In such cases, the abettor is punished according to the provisions of Sections 118 and 120, and if he happens to be a public servant, according to Section 119 of the IPC.

The procedure applicable to an offence under Section 117 is the same as in the case of the offence abetted. This offence can be triable as a summons case.

An offence under Section 118 is non-bailable, if the offence concealed is committed, otherwise the offence is bailable. In other respects the procedure is the same as in the case of the offence abetted. An offence under Section 119 is non-bailable if the offence concealed is committed, or if it is punishable with death or imprisonment for the life otherwise it is bailable. It is cognizable and compoundable if the offence abetted is so, and it is triable by the court by which the offence abetted is triable. The procedure relating to an offence under Section 120 is exactly the same as in the case of the offence abetted.