

Ingredients section
25 of the code the



**ASSIGN
BUSTER**

Ingredients of Fraudulently: In order that an act to be a fraudulent act following elements are necessary — (i) A person has done something; and (ii) He has done with an intention to defraud.

The words “ with the intention to defraud” may or may not imply deprivation of property, actual or intended. In Section 25 of the Code the word “ defraud” has been used in the sense to deprive one of right, either by obtaining something by deception or artifice, or by taking something wrongfully without the knowledge or consent of the owner. There can be no fraud, unless there is an intention to defraud. The expression “ defraud” involves two elements, namely, deceit and injury to the person deceived. Injury is something other than economic loss, that is, deprivation of property, whether movable or immovable, or of money, and it will include any harm whatever caused to any person in body, mind, reputation or of such others. In short, it is a non-economic or non-pecuniary loss.

A benefit or advantage to the deceiver will almost always cause loss or detriment to the deceived. Even in those rare cases where there is a benefit or advantage to the deceiver but no corresponding loss to the deceived, the second condition is satisfied.