

The valuable security.  
the offence is  
complete



**ASSIGN  
BUSTER**

The offender must intentionally put any person in fear of injury. This fear of injury may be to that person or to any other person. The offender must thereby dishonestly induce the person so put in fear to deliver to any person any property, or valuable security, or anything signed or sealed which may be converted into a valuable security.

The offence is complete only when the delivery takes place. Proof of dishonest intention, that is to say, intention to cause wrongful gain or wrongful loss vide section 24, is a must. Extortion can be committed with respect to any property, movable or immovable, or valuable security, or anything signed or sealed which could be converted into a valuable security. By using the expression 'to any person' the section makes it clear that it is not necessary that the giver of the threat and the receiver of the property may be the same person. The expression 'valuable security' has the same meaning as given under section 30 of the Code. The injury may be intended to the person put in fear or to any person other than him too, and it is not necessary that they should be related to each other.

The word 'injury' has the same meaning as given under section 44 of the Code. The delivery must be made by the person put in fear. The use of the words 'anything signed or sealed which may be converted into a valuable security' shows that incomplete deeds may also be subject of extortion.

Where the accused promised to do something which he was not bound to do under law, and also said that he would not do it unless money was paid to him, the same cannot be termed extortion. Where the accused threatening to take the complainant to the police station on a charge of theft put him in fear of injury, it was held that the act amounted to wrongful confinement in

order to extort money from the complainant. The terror of a true or false criminal charge amounts to putting the victim in fear of injury. Even a threat of charge of misconduct not amounting to an offence may be extortion, and this threat may be before any person, not necessarily before a court. Where the accused persons put a lot of pressure on two members of the governing council of an educational institution to revoke the earlier order of suspension of the principal, it may have an undue pressure but it could not amount to extortion.

Abduction for ransom makes the offender guilty for the offences of abduction and extortion. But threat of divine displeasure was not held to be extortion.

Difference between theft and extortion In theft the property which is subject of theft must be movable, while in extortion the property may be movable or immovable. It may even be a valuable security or anything signed or sealed which may be converted into a valuable security, in case of extortion.

In theft the offender himself moves the property in order to such taking, whereas in extortion the victim is induced to deliver the same to the offender or to any person. In theft the property is taken without the consent of the possessor, whereas in extortion consent of the victim is obtained by putting him or any other person in fear of injury. In theft element of force on the part of the offender is absent, while in extortion property is obtained by putting the victim or any other person in fear of injury and thus inducing him to deliver the property.