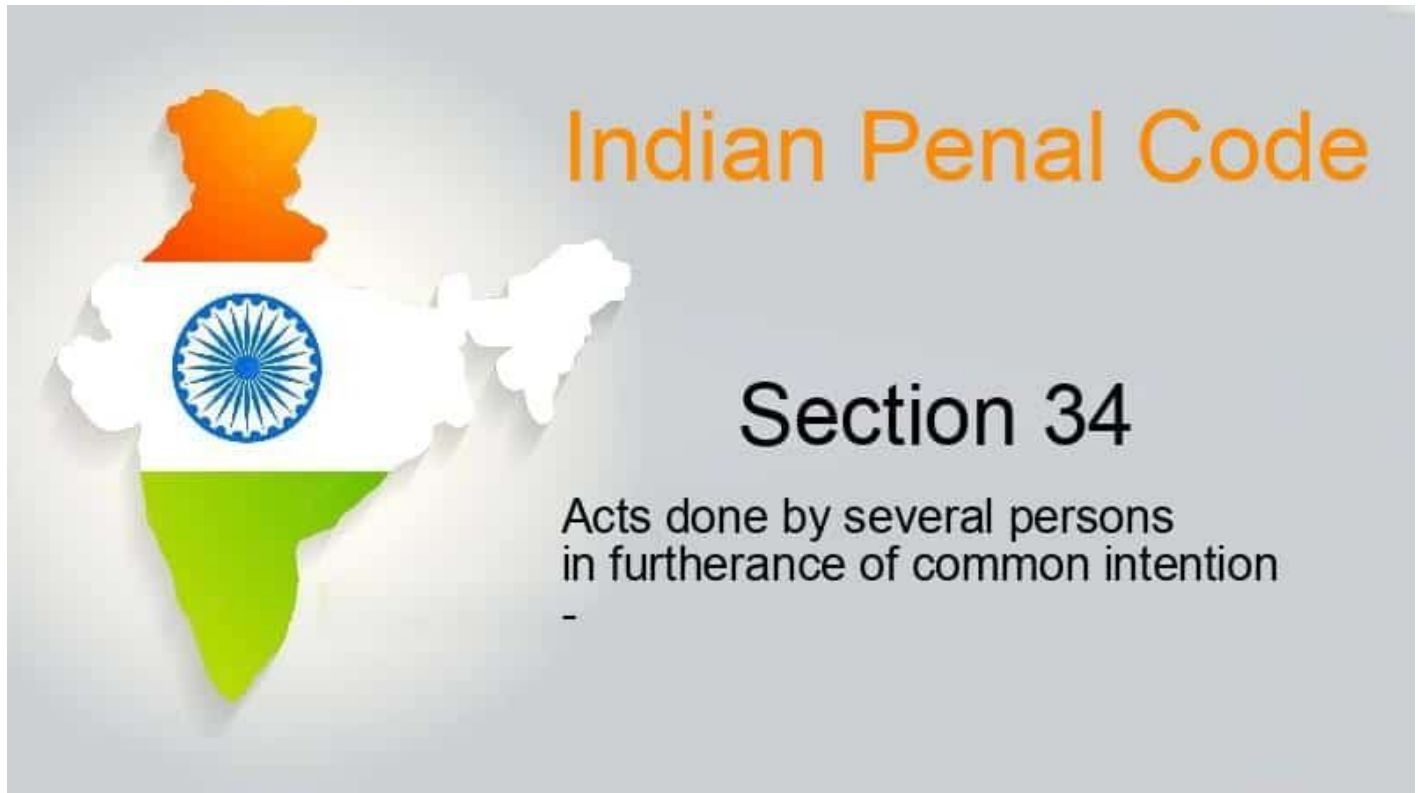


What is Section 34 of the Indian Penal Code (IPC)?

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About Section 34 of the IPC

- Section 34 IPC states the acts done by several persons in furtherance of common intention.
- The section explains that “When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons shall be liable for that act in the same manner as if it were done by him alone.
- This provision, which creates ‘joint culpability’ for an act, deviates from a basic concept of criminal law, which states that a person is only responsible for crimes committed by himself and not for the actions of others.
- Section 34 does not state a specific offence. It only lays down the rule of evidence that if two or more persons commit a crime in order of common intention, each of them will be held jointly liable.
- The punishment for this offence will be consistent with the crime they committed. For example, if the offence of murder has been committed in furtherance of a common purpose, each one of them will be held liable under Section 302 and Section 34 of the Indian Penal Code, 1860.
- Section 34 helps in ascertaining individual accountability in cases where it is difficult to prove individual liability for activities done in support of the common objective of all persons engaged in a criminal act conducted by a group.

- It is crucial to note that Article 34 does not require each accused to actively participate in every aspect of the criminal act. As long as there is a shared intention and active participation in the overall commission of the crime, each individual will be held equally responsible.
 - For Article 34 to apply, the following essential ingredients must be present:
 - A criminal act committed by multiple people.
 - There must be a common intention of all to commit that criminal act. In reference to this principle, In the case of *Hari Om v. State of Uttar Pradesh*, it was held that “it is not necessary that there must be a prior conspiracy or pre-meditation; the common intention can be formed in the course of the occurrence as well.”
 - Active participation of each accused: Each accused must have actively participated in the commission of the criminal act. A mere presence at the scene of the crime is not sufficient.
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Q1) What is the Indian Penal Code, 1860?

The Indian Penal Code is the official criminal code of India, which was drafted way back in 1860. Its objective is to provide a general penal code for the country. It has 511 sections across 23 chapters, providing the list of crimes along with their definitions and punishments. The IPC has been amended several times and is now supplemented by other Acts.

Source: [S. 34 IPC | Common Intention Doesn't Mean Prior Agreement, It Can Be Formed Even A Minute Before The Incident: Supreme Court](#)

Source: <https://vajiramandravi.com/current-affairs/ipc-upsc/>

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