

What is 'Abetment of Suicide'?

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What is abetment of suicide?

The Indian Penal Code, 1860 makes abetment of suicide a punishable offence.

- **Section 306 of the Indian Penal Code (IPC)** prescribes either a jail term of up to 10 years or a fine or both.
- "If any person commits suicide, whoever abets the commission of such suicide shall be punished with imprisonment of either imprisonment for a term which may extend to ten years, and shall also be liable to fine," Section 306 reads. Generally, the fine is paid to the kin of the deceased.
- The IPC also has a separate chapter on abetment and describes who is an abettor under **Section 108**.
- **Abetment is defined as including instigating, engaging in a conspiracy or assisting in committing the offence.**

How serious is the offence of abetment?

- **Abetment of suicide** is a serious offence that is tried in a Sessions court and is cognizable, non-bailable and non-compoundable.
- A **cognizable offence** is one in which a police officer can make an arrest without a warrant from a court.
- A **non-bailable offence** means bail is granted to the accused at the discretion of the court and not as a matter of right.
- A **non-compoundable offence** is one in which the case cannot be withdrawn by the complainant even when the complainant and the accused have reached a compromise.

Is abetment of suicide the same as murder?

- No, it is not **same as murder**. The Supreme Court clarified this issue in **1997 in the case of 'Sangarabonia Sreenu v State of Andhra Pradesh'**.
- Despite the intention of the accused to drive a person to commit suicide, abetment of suicide is not the same as murder.
- In the case of a murder, the final 'act' of causing the death of a person is committed by the accused, which is not the case in abetment of suicide.

Q1) What is the difference between the bailable and non-bailable offence?

In the case of a **bailable offence**, the grant of bail is a matter of right. It may be either given by a police officer who is having custody of the Accused or by the court. However, A non-bailable offence is one in which the grant of Bail is not a matter of right. Here the Accused will have to apply to the court, and it will be the discretion of the court to grant Bail or not.

Source: Tunisha Sharma's co-star booked: What is 'abetment of suicide' under the law

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