LAHORE LEADS UNIVERSITY

Assignment

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SECTION: (A)

SUBJECT: Criminal Law 2

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Offences Against Property (PPC)

1. Introduction

Offences against property are crimes that involve unlawful interference with another person's property. These offences are covered in Chapter XVII (Sections 378–462) of the Pakistan Penal Code (PPC).

The main objective of these laws is to:

• Protect ownership rights

• Prevent unlawful gain or wrongful loss

• Maintain social and economic order

2. Essential Elements of Property Offences

For an act to be considered an offence against property, the following elements are usually present:

• Dishonest intention (mens rea)

• Movable or immovable property involved

• Wrongful gain to one person or wrongful loss to another

• Lack of consent from the owner

3. Types of Offences Against Property

A. Theft (Sections 378–382 PPC)

Definition (Section 378): Theft is committed when a person dishonestly takes movable property out of the possession of another without consent.

Essential Ingredients: Dishonest intention, Movable property, Taking without consent, Movement of property

Punishment: Section 379: Up to 3 years imprisonment, fine, or both

Aggravated Forms: Theft in dwelling house (Section 380), Theft by clerk or servant (Section 381), Theft after preparation for causing harm (Section 382)

B. Extortion (Sections 383–389 PPC)

Definition (Section 383): Extortion occurs when a person intentionally puts another in fear of injury and dishonestly induces them to deliver property.

Key Points: Involves threat or fear, Consent is obtained under pressure

Punishment: Section 384: Up to 3 years imprisonment or fine or both

Aggravated Forms: Extortion with threat of death (Section 386), Extortion by putting a person in fear of accusation (Section 389)

C. Robbery (Sections 390–394 PPC)

Definition (Section 390): Robbery is an aggravated form of theft or extortion involving violence or immediate threat of violence.

When Theft Becomes Robbery: If offender causes or attempts to cause death, hurt, or wrongful restraint

Punishment: Section 392: Up to 10 years imprisonment + fine; Section 394: If hurt is caused ’n severe punishment

D. Dacoity (Sections 391–402 PPC)

Definition (Section 391): Dacoity is robbery committed by five or more persons acting together.

Punishment: Section 395: Life imprisonment or rigorous imprisonment

Special Points: Preparation for dacoity is also punishable (Section 399), Assembling for dacoity (Section 402)

E. Criminal Misappropriation (Sections 403–404 PPC)

Definition (Section 403): Dishonestly misusing or converting another person’s property for personal use.

Example: Finding lost property and keeping it dishonestly

Punishment: Fine or imprisonment

F. Criminal Breach of Trust (Sections 405–409 PPC)

Definition (Section 405): Occurs when a person entrusted with property dishonestly misuses or disposes of it.

Key Elements: Entrustment of property, Dishonest misuse

Punishment: Section 406: Imprisonment up to 7 years + fine

Aggravated Cases: By public servant, banker, or agent (Section 409) ′n severe punishment

G. Receiving Stolen Property (Sections 410–414 PPC)

Definition (Section 410): Property obtained by theft, robbery, or dacoity is called stolen property.

Offence: Receiving or retaining stolen property knowingly

Punishment: Section 411: Imprisonment or fine

H. Cheating (Sections 415–420 PPC)

Definition (Section 415): Cheating is deceiving a person to deliver property or act in a way causing loss.

Key Elements: Deception, Dishonest intention

Punishment: Section 420: Up to 7 years imprisonment + fine

I. Mischief (Sections 425–440 PPC)

Definition (Section 425): Causing destruction or damage to property with intent to cause wrongful loss.

Examples: Breaking property, Damaging vehicles, Burning buildings

Punishment: Depends on severity of damage

J. Criminal Trespass (Sections 441–462 PPC)

Definition (Section 441): Entering or remaining on property unlawfully with intent to commit an offence, intimidate, insult, or annoy

Types: House trespass (Section 442), **House-breaking** (Section 445)

Punishment: Varies depending on severity

Difference Between Extortion and Robbery

Basis	Extortion	Robbery
Nature	Simple offence	Aggravated offence
Use of Force	Fear of injury (not immediate)	Immediate force or threat
Consent	Consent obtained under fear	No real consent
Timing	Future harm	Immediate harm
Presence	Victim must be present	Victim is present
Severity	Less serious	More serious

Difference Between Robbery and Dacoity

Basis	Robbery	Dacoity
Number	One or more	Five or more
Nature	Serious offence	More serious
Force	Yes	Yes (organized)
Planning	May or may not	Usually planned
Severity	Less severe	More severe

Difference Between Criminal Misappropriation and Criminal Breach of Trust

Basis	Criminal Misappropriation	Criminal Breach of Trust
Entrustment	Not required	Essential
Possession	Casual	Given legally
Relationship	Not required	Trust-based
Nature	Less serious	More serious