* **Section 112:** Abettor when liable to cumulative punishment for act abetted and for act done:

Section 112 is an extension of section 111 of Indian Penal Code. According to section 111 if the offence committed is different from that of act abetted but it is in probable consequences of the abetment, done under the influence of instigation or aiding for the commission of an act. The abettor is held liable of the act in the same manner as if abetted directly.

Further it is said that the word cumulative used here in this section states that the act abetted and act done in pursuance of abetment exceeds in nature and thereby causing additional act resulting in additional offence of that abetted. Abettor is liable for the additional offence, if that offence is result of the probable consequence of abetment.

* **Section 113**: liability of abettor for an effect caused by the act abetted different from that intended by the abettor:
Intension and knowledge plays an important role in any criminal act done or abetted. If an act abetted with different intension causing different effect as a result, abettor will be liable of the effect cause, on the ground that he knew that the act abetted was likely to cause such effect. Although intension is different from the act caused but one will be liable for the effect mere on the ground of knowledge.

The major difference between section 111 and section 113 is that section 111, says that when one act abetted and difference act is committed and in section 113, the act abetted and committed is same but the effect cause is different. According as offence abetted is cognizable or non- cognizable, bailable or non- bailable, triable by court and non- compoundable.
* **Section 114**: Abettor present when offence is committed:

This section states that whenever any person who is absent would liable to be punished as an abettor, is present when the act or offence is being committed in consequences of the abetment for which he would be punishable, the law will resume that the abettor himself has committed such offence and act. And the abettor will be liable to be punished for the offence committed and not for the abetment of offence. According as offence abetted is cognizable or non- cognizable, bailable or non- bailable, triable by court and non- compoundable.

Terms Of Punishment Provided In Section 115, 116, 117, 118, 119, 120 Of Indian Penal Code, 1860:

**Section 115**: abetment of offence punishable with death or imprisonment for life- if offence not committed:

|  |  |
| --- | --- |
| If offence not committed in consequences of abetment. | 7 years of imprisonment +Fine |
| If act causing harm be done in consequences | 14 years of imprisonment +Fine |

**Section 116**: abetment of offence punishable with imprisonment- if offence be not committed:

|  |  |
| --- | --- |
| Offence not committed in consequences of abetment |  of the longest term of punishment provided for the offence / fine /both. |
| If abettor be a public servant whose duty id to prevent offence. |  of the longest term of punishment provided for the offence / fine /both. |

**Section 117**: Abetting commission of offence by the public or by more than ten persons:

Any person who abets the commission of offence by the public generally or by any number or class of person exceeding ten, shall be punished with imprisonment for the term which may extent to three years, or fine or both. According as offence abetted is cognizable or non- cognizable, bailable or non- bailable, triable by court and non- compoundable.

Punishment For Concealing Designs Or Plans To Commit Offence:

Section 118,119 and 120 of Indian Penal Code,1860 laid down the provision for punishment of concealing the design voluntarily by any act or illegal omission which lead to the commission of an offence be punishable under these sections.

**Section 118**: concealing design to commit offence punishable with death or imprisonment for life:

|  |  |
| --- | --- |
| If offence committed in consequences of abetment | 7 years of imprisonment/ fine |
| If offence not committed in consequence of abetment | 3 years of imprisonment/Fine |

**Section 119**: Public servant concealing design to commit offence which it is his duty to present:

|  |  |
| --- | --- |
| If offence committed in consequences of abetment |  of the longest term of punishment provided for the offence / fine /both. |
| If offence not committed in consequence of abetment |  of the longest term of punishment provided for the offence / fine /both. |
| If offence committed which is punishable with death or imprisonment for life | 10 years of imprisonment. |

**Section 120:** concealing design to commit offence punishable with imprisonment:

|  |  |
| --- | --- |
| If offence committed in consequences of abetment |  of the longest term of punishment provided for the offence / fine /both. |
| If offence not committed in consequence of abetment | 1/8 of the longest term of punishment provided for the offence / fine /both. |

* **Case Laws:**
* **Sheo Dail Mal, 1894:**

This case held that instigation may be direct or it may be through letter. Where A writes a letter to B instigating thereby to murder C, the offence of abetment by instigation is complete as soon as the contents of letter becomes now to B.

* **Queen vs Mohit:**

A women prepared herself to become sutti in the presence of the accused persons. They followed herupto the pyre and stood by her step sons crying Ram Ram. One of the accused also admitted that he told the women to say Ram Ram. It was held that all those that followed her to the pyre and stood by her crying Ram Ram would be guilty of abetment as the actively abetted her.

* **Pandala Venkatasami 1881:**

It was held that if a person prepares, in counjuction with others a copy of an intented false document and buys a stamp paper for the purpose of writing such a false document and also ask for information as to fact to be inserted in such false document, he would be guilty for abetment of forgery because these are the acts done to facilitate the commission of the offence.

* **Conclusion:**
Abetment is said to be a substantive offence which is punishable in itself respective of the act abetted is committed or not. When any act is done as a consequences of instigation, conspiracy and aid, the person performing such act is held liable under Indian Penal Code, 1860 but the person behind the commission of an act will also be held liable for abetment as the instigation for such commission has been done by that person.

Therefore , we say that abetment as an offence is just and fair law which enhances the principle of natural justice in legal system. As explained above there are four stages of crime and abetment may take place at initial level of planning and punishable with that of imprisonment or fine or both as may be expressed in the provision.