

My e-Content No. 2 Lecture Series
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So yesterday we discussed about the ingredients of offence of theft as defined under section 378 IPC.

There are number of illustrations given in the Bare Act but one illustration I would like to explain to you so that you can develop a better understanding of offence of theft under criminal law.

There is a gold ring lying on the table in drawing room of A.

There is a gold ring lying on the road.

A person picks the gold ring from table. A person picks the gold ring from road.

Now what would be the legal position of these two situations under Law of Crimes.

Golden ring taken away from table in the drawing room will amount to theft. But the golden ring taken away from road would not amount to theft. It will be the offence of criminal misappropriation.

Try to understand technical legal distinction between the two situations.

Possession of property is an important ingredient to constitute the offence of theft under the law. When the golden ring has been taken from table in the drawing room of A then law considers that it has been in possession of A thus it would amount to theft. While in the second situation the golden ring was lying on the road, it was not in possession of anybody, therefore it would not be theft as per law but it would amount to offence of criminal misappropriation.

In my next e-content number-3, I shall explain you in detail about distinctive features between the offence of Theft and Criminal misappropriation.

Thank you students

Stay safe and Take care.