

e-content No. 08 Law of Crimes II Sem II

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Criminal misappropriation of Property as an offense has been defined under section 403 of IPC.

Like theft this offence also relates to immovable properties. Following are the important ingredients of criminal misappropriation.

1. The offender has dishonest intention to misappropriat any moveable property.
2. Or he converts that property to his own use.

For instance A finds a ring lying on road. He picks the ring and keeps it with himself to use it. Offense of criminal misappropriation is made out.

There are two explanation appended to this section. So this offense need to be understood in the light of these explanations.

1. A dishonest misappropriation for a time only is enough to constitute this offense. Like temporary misappropriation for some time to use the property and after use return it to its owner.
2. There is no dishonest intention if the person takes such moveable property with a view to keep it safe and search its owner to restore it to him. But later on without making any reasonable efforts he misappropriated or converts the property to his own use then he will be liable for this offense.

Thanks students. Stay safe

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