

Law of Crime
Three years Sem. II
Dr. Kalindri

Sec 354 D : Stalking

This section was added by the Criminal Law Amendment Act, 2013

Essential elements :

1. Any man follows or contact or tries to have personal interaction with a woman repeatedly .
2. That woman shows no interest in him, or
3. If a man monitors the use by a woman of the internet, email or any other form of electronic communication.
4. The above acts causes a fear of violence or serious alarm or stress in the mind of such woman

shall be guilty of the offence of stalking.

The above acts does not amount to stalking if a man pursuing proves that

- 1.It was pursued for the purpose of preventing or detecting crime and the person accused of stalking had been entrusted with the responsibility of prevention and detection of crime by the state or
- 2.It was pursued under any law or to comply with any condition or requirement imposed by any person under any law or
3. In the particular circumstances such conduct was reasonable.

Punishment:

On first conviction : Imprisonment may extend to three years and fine.

On second conviction: Imprisonment may extend to five years and fine.