

Law of Crime

Three years sem II

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Section 463: Forgery

Essential elements

1. The making of a false document or part of it.
2. Such making should be with intent
 - a) to cause damage or injury to the public or any person or
 - b) to support any claim or title or
 - c) to cause any person to part with the property or
 - d) to cause any person to enter into express or implied contract or to commit fraud or that fraud may be committed .

Illustration B of section 463: A affixes Z's seal to a document without z's permission purporting to be a conveyance of an estate from Z to A with the intention of selling the estate to B so that he can obtain money from B. Here A has committed forgery.

Note: A man's signature of his own name amount to forgery. (see explanation 1 of section 463 ,see illustration a)

If a person makes a false document in the name of any fictitious person so that others believe it to be made by a real person or in the name of a deceased person intending to be believed that the document was made by the person in his life time may amount to forgery.

Punishment : Sec.465

Imprisonment may extend to two years or with fine or with both.