

# Section 144 of the Criminal Procedure Code (CrPC) of 1973

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Section 144 has been used in the past to impose restrictions as a means to prevent protests that can lead to unrest or riots. It was introduced in 1861

## **What is Section 144 of the Criminal Procedure Code (CrPC) of 1973?**

Imposition Section 144 of CrPC **authorizes the Executive Magistrate of any state or territory** to issue an order to **prohibit the assembly of four or more people in an area**. According to the law, every member of such **'unlawful assembly'** can be booked for engaging in rioting. This means the fundamental right of peaceful assembly provided under Article 19 of the Constitution is curtailed by the administration if the executive magistrate finds the situation at any specified place presenting a potential to the disturbance in law and order.

The restriction could be imposed in a specific locality or in the entire town. **The defining aspect of imposing such a restriction is the assessment of the situation by the district administration** that it has the potential to cause unrest or danger to peace and tranquility in such an area due to certain disputes.

## **Other activities restricted under section 144 and Punishment**

- It restricts **carrying any sort of weapon** in that area where it has been imposed and people can be detained for violating it. **The maximum punishment for such an act is three years.**

- According to the order under this section, there shall be **no movement of public** and all educational institutions shall also remain closed and there will be a complete bar on holding any kind of public meetings or rallies during the period of operation of this order.
- Moreover, **obstructing law enforcement agencies from dispersing an unlawful assembly is a punishable offence.**
- Section 144 also empowers the authorities to **block internet access.**
- It also bars the conduct of certain activities or actions or events which are allowed to be done in regular courses. It is imposed to ensure the maintenance of peace and tranquillity in an area.

### **Areas in which section 144 is always in force**

There are certain places that are highly sensitive have Section 144 imposed in the surrounding areas all the time. **Parliament Building Complex and the Supreme Court** are among such areas where Section 144 is always in force.

### **When is it imposed?**

It imposed in **urgent cases of nuisance or apprehended danger of some event** that has the **potential to cause trouble or damage to human life or property.**

### **Duration and withdrawal of section 144 of CrPC**

- No order under Section 144 shall remain in force for more than two months but the **state government can extend the validity for two months and maximum up to six months.**
- It can be withdrawn at any point of time if the situation becomes normal.