

PART B.----FINE

1. This is the lightest form of punishment which a Criminal Court can impose, but care should always be taken to see that the fine is not excessive with reference to the means of the offender. Indiscriminate imposition of fines without due regard to the capacity of the convict to pay it only results in waste of time of the Courts and the Police in attempting to realise it, and harassment to the convict and his dependants. If in awarding sentences of imprisonment in default of payment of fines, regard is had to the status of the accused and the sentence properly regulated, the accused may be induced to pay the fine rather than evade such payment.

Fine to be in proportion to offenders means.

2. Courts are empowered to impose imprisonment in default of payment of fines, but such imprisonments can only be awarded subject to the limitations prescribed in sections 64 to 67 of the Indian Penal Code.

Limitations.

3. When an offender has been sentenced to fine only and to imprisonment in default of fine and the fine is not paid forthwith, the court can, under section 388 of the Code of Criminal Procedure, order that the fine be paid within a certain period or in instalments as laid down in that section.

Instalments or postponement of realisation of fine.