

Indian Penal Code, 1860, Section 364A - Essential ingredients to convict an accused under Section 364A which are required to be proved by prosecution are as follows:- (i) Kidnapping or abduction of any person or keeping a person in detention after such kidnapping or abduction; and(ii) threatens to cause death or hurt to such person, or by his conduct gives rise to a reasonable apprehension that such person may be put to death or hurt or; (iii) causes hurt or death to such person in order to compel the Government or any foreign State or any Governmental organization or any other person to do or abstain from doing any act or to pay a ransom - After establishing first condition, one more condition has to be fulfilled since after first condition, word used is “and” - Thus, in addition to first condition either condition (ii) or (iii) has to be proved, failing which conviction under Section 364A cannot be sustained.

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