**BANKING CRIME**

* ***Purpose* :**

Crime is an act of gaining unauthorized access by violating the privacy of account holders.

The Purposes of Banking Crime is to opposed against the Fraud. Fraud means any dishonest act to gain undue advantage. The victim suffers loss when a fraud is committed.

Banking crimes constitute that part of ‘Cyber Crime’, wherein the target of a criminal is to rob an innocent person by violating the privacy of account holders.

Many sections of the *Indian Penal Code, 1860* deal with fraud under the different heads of Forgery, Concealment, Breach of Trust, etc & also in *Information Technology Act, 2000.*

* ***Area of Application of Law* :**
* You can Filled a FIR (First Information Report) under section 154 of *Code of Criminal Procedure, 1973, or*
* You can Filled a Complaint Report to the *Superintendent of Police (SP)* of a [district](https://en.wikipedia.org/wiki/Districts_of_India), or
* A Private Complain can be enlarged in Competent Court *under section 200 of Code of Criminal Procedure, 1973* or *156(3­) of Code of Criminal Procedure, 1973.*
* Under various section of *Information Technology Act, 2000* and the *Indian Penal Code, 1860*  you can approach to the Competent Court as per Jurisdiction.
* ***Legal Procedure* :**

*In Case of Fraud, a Victim should be taken a following Procedure* :

* The first step is to inform the Concerning Bank about the Fraud through email, fax, complain letter or calling on the toll-free number.
* Immediate report to the Police about the Fraud. The Police can start their Investigations under various sections of the *Information Technology Act, 2000* and the *Indian Penal Code, 1860* to take necessary action.
* Through Lawyer a Victim can also Defence himself by Judicial Procedure.
* A Private Complain can be enlarged in Competent Court *under section 200 of Code of Criminal Procedure, 1973* or *156(3­) of Code of Criminal Procedure, 1973.*

Like any other fraud, Banking Fraud is also a criminal offence under the *Indian Penal Code, 1860* and the *Information Technology Act, 2000*.

* ***Documents Required to be Submitted in the Court* :**

Application, Vakalatnama or Memo for Appearance, Relevant Document’s as per Facts & Circumstances of Matter.

* ***Punishment*/ Expected Relief :**

Shall be Punished with Imprisonment, or with fine, or with both according to the schedule.

* ***Landmark Judgement* :**

The landmark judgment : *Cbi vs Sri Kant Chawla & Other’s on 10 May, 2013.*