



# Concerns over Hit-and-Run Law

## Why in News?

The recent protests by **transporters and commercial drivers** in states like Maharashtra, **Chhattisgarh**, West Bengal, and Punjab shed light on the contentious **Section 106 (2) of the [Bharatiya Nyaya Sanhita, 2023 \(BNS\)](#)**.

## Key Points

- This section, which stipulates **severe penalties for hit-and-run incidents**, has become a focal point of discontent among the driving community.
- The countrywide truckers' strike has been called off after the government assured that it would consult stakeholders before implementing a contentious law against hit-and-run.
- Transporters and commercial drivers are **demanding the withdrawal or amendment** of Section 106 (2) of the BNS, 2023.
  - They argue that the **prescribed penalties**, including a 10-year imprisonment and Rs. 7 lakh fine, are **excessively severe**.

## Provisions of Hit-and-run Law

- The hit-and-run provision is part of the Bharatiya Nyaya Sanhita (BNS), which is **set to replace the colonial-era [Indian Penal Code, 1860](#)**.
  - **Section 106 (2) of the BNS, 2023 stipulates a penalty of up to 10 years in jail and a fine** for fleeing an accident spot and failing to report the incident to a police officer or a magistrate.
  - However, **if the driver reports the incident immediately after the accident, they will be charged under Section 106(1) instead of Section 106(2)**. Section 106(1) provides for a punishment of up to five years for causing death by any rash or negligent act not amounting to culpable homicide.