

Peace Bond

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Why in news?

CJP leader signed a peace bond on October 11, undertaking to maintain peace for a year.

- **Peace Bond** – It is a legal undertaking to maintain public peace for a specified period, typically up to one year.
- **Nature** – It is a *preventive measure rather than a punitive punishment*, intended to address an apprehended breach of peace, rather than punishment following conviction.
- **Issued by** – Executive Magistrates or Special Executive Magistrates.
- **Purpose** – To maintain public peace, tranquillity, or prevent a prospective breach of the peace or unlawful assembly.
- **Legal framework** – Under the Bharatiya Nagarik Suraksha Sanhita (BNSS), provisions related to peace bonds are contained in Sections 125-143.
- **Execution** – Individuals may be asked to execute a personal bond and furnish a surety (such as a cash or local surety bond). Violating the bond can lead to detention or forfeiture of the surety.

Bail Bond vs Peace Bond – Under Sections 2(1)(d) and 2(1)(e) of the BNSS, a 'bail bond' is an undertaking for release with surety, while a 'bond' is a personal undertaking for release without surety.

- **Execution & Sureties** – Magistrates or Special Executive Magistrates (SEM) can direct individuals, often following protests or preventive detentions, to execute personal bonds (such as Rs. 10,000 or Rs. 50,000) with or without sureties.
- **Breach of the bond** – Separately, Section 141(1)(b) provides consequences for breaching an existing peace bond executed under Section 136.
- If the Magistrate is satisfied that the breach has been proved, and records the grounds for that finding, they may order arrest and detention until the bond period expires.
- **Consequences** – If a person violates the terms of an active peace bond or is found by a magistrate to have breached it, authorities can order their arrest and detention for the remaining duration of the bond period.
- However, executing a peace bond *does not grant immunity from separate, independent preventive arrests* if new cognizable offences are apprehended.
- **Can someone be arrested again after signing a peace bond?** – Yes, signing a

peace bond does not provide immunity from subsequent arrest.

- Under Section 170 of the BNSS, police can make a fresh preventive arrest if they know of a plan to commit a cognisable offence and believe it cannot otherwise be prevented.
- **Grounds for seeking a peace bond** - Under Section 126 of the BNSS, an Executive Magistrate can initiate proceedings if there are sufficient grounds to believe that a person is likely to breach the peace.
- The person can then be asked to explain why they should not be required to execute a bond to maintain peace for a period not exceeding one year.
- **Written order** - However, the Magistrate cannot impose such a bond automatically.
- Section 130 requires a written order specifying the information received, the proposed bond amount, its duration and any surety requirements.
- **Inquiry** - Section 135 provides for an inquiry into the grounds for requiring the bond.
- While this inquiry is underway, the Magistrate may require an interim bond if immediate action is necessary to prevent a breach of peace, with reasons recorded in writing.
- **Final outcome** - If the inquiry establishes that security is necessary, the Magistrate may order a bond under Section 136. Otherwise, the person must be discharged under Section 137.

Reference

[Indian Express | Why CJP's Abhijeet Dipke was made to sign another peace bond](#)

