

HURT AND GRIEVOUS HURT

Explanation, Difference, IPC

WritingLaw.com

Causing slight harm or injury to other person is hurt. And when the degree of injury caused to other person is higher, then it becomes grievous hurt. We cannot make every serious injury in the category of grievous hurt. [Section 320 of IPC](#) contains situations when grievous hurt is caused. Therefore, hurt and grievous hurt make the difference in the level of degree of harm.

What Causes Hurt

[Section 319](#) of the Indian Penal Code defines hurt.

1. To cause hurt, a person causes bodily pain to the other. Or,
2. One can communicate a disease to the other person. Or,
3. A person may cause infirmity to the other person.

Note: Bodily pain does not include mental pain.

Example 1

A, a person beats B with a stick in order to get his work done. Here A is causing hurt to B by giving him bodily pain.

Example 2

A, a person suffering from communicable disease deliberately comes in contact with another person B to make him infected. Here A is causing hurt to B.

Example 3

A knows that B has a weak heart. He deliberately goes to B in the early morning and gives him news that his son has committed suicide. And B, in consequence of this shock, faces heart attack. A has caused hurt.

Punishment for Hurt

If any person causes hurt as described in section 319 of the [Indian Penal Code](#), he shall be punished up to the period of one year or fine or one thousand rupees fine or both.

What Causes Grievous Hurt

Section 320 of the Indian Penal Code talks about [grievous hurt](#). There are eight situations or cases which amount to grievous hurt to a person. These are the situations that cause extreme hurt to a person.

Eight cases of grievous hurt in IPC are:-

1. Emasculation
2. Injury to Eyesight
3. Deprivation of hearing
4. Loss of Limb or Joint
5. Impairing of Limb
6. Permanent disfiguration of head or face
7. Fracture or dislocation of bone or tooth
8. Endangering life, severe bodily pain, etc.

1. Emasculation

This hurt can be caused to only males because it means depriving a man of his sexual capability. It takes away the power of a man to perform [sexual activities](#). It can be done by squeezing the testicles of a man as a counteract. For making the case under grievous hurt, the impotence of a man must be permanent and not temporary.

2. Injury to Eyesight

If any person causes injury to either of the eyes or both eyes of a person, then he causes grievous hurt. The injury must be of a permanent nature. It may be deprivation of the visual power of a person.

3. Deprivation of hearing

If any person causes injury to either of the ear or both ears of a person and it makes the other person deaf permanently, then the person is said to cause grievous hurt.

4. Loss of Limb or Joint

If any person deprives the other person of any member or joint, he causes grievous hurt. The joint is the area where two bones are joined. Depriving of a limb or joint makes a person incapable of doing task by such organs or limbs or joints.

For example, cutting down the hand from the human body shall cause loss to the person.

5. Impairing of Limb

The permanent impairment of the limb is a serious damage to the body. Impairing is the destruction of that joint or organ. Such injury lessens the power of that organ to function normally.

For example, A causes such harm to the knee joint of B, that B is unable to bend his leg to sit. 'A' has impaired the powers of B organ.

6. Permanent disfiguration of head or face

Where the act of the person causes such injury to other person, which results in disfiguration of the actual structure of that part of the body, causes grievous hurt.

For example, A hits a sharp-edged weapon on B's face, and as a consequence, a piece of B's face mass fall down. 'A' has disfigured B's face.

7. Fracture or dislocation of bone or tooth

A fracture means when the bone of a person gets broken and dislocation means when the bone or tooth of a person actually shifts or dislocate from its actual position.

For example, A hits on the elbow of B with an iron rod while he was sleeping. As a result, the joint bone of B got dislocated from its actual place and shifted slightly left. 'A' has caused grievous hurt.

8. Endangering life, severe bodily pain, etc.

If the act of a person puts another person's life in danger. Or,
Cause severe bodily pain that a person suffers for twenty days. Or,
Cause severe bodily pain that the person is unable to do his ordinary work and daily activities for a period of twenty days, he is said to cause grievous hurt.

For example, A hits B's head with an iron rod repeatedly that he faints and falls down. B is taken to the hospital. Due to the contusion of blood, he is unable to eat, drink, or sleep properly. He is unable to perform normal routine activities. 'A' has caused grievous hurt under this clause.

Note: If a person is unable to go to his office or work does not mean grievous hurt under this section.

Q.E vs. Vasta Chela, 1894

If, after injury, a person does not get admitted to the hospital does not mean that the injury is not serious. The real test is whether the person is unable to follow his daily and ordinary activities for twenty days or not. If not, then it is grievous hurt. It is not necessary to get admitted to the hospital.

In case if the injury does not continue for the period of twenty days or more or it gets healed before the period of twenty days, then it shall not be considered grievous hurt.

Punishment for Grievous Hurt

If any person causes injury enumerated in section 320 of the Indian penal code, he is said to cause grievous hurt. The person shall be punished with imprisonment up to seven years and fine (exact amount not mentioned).

[WritingLaw.com](https://www.writinglaw.com)