

The apparently was  
drunk and causing  
disturbance,



**ASSIGN  
BUSTER**

The explanation attached to the section explains that the offender must cause grievous hurt and must intend or must know himself to be likely to cause grievous hurt, and there is no difference even if the intention or knowledge of the offender is to cause one kind of grievous hurt while he actually causes another kind of grievous hurt. The illustration given in the section aptly illustrates the point.

To say it in another way, a person can be convicted of grievous hurt only when the result and the intention or knowledge correspond, or when grievous hurt has been suffered from an act of which the intention or knowledge was to cause grievous hurt, though may be of a different kind. The punishment for voluntarily causing grievous hurt has been provided under section 325 of the Code. Where the accused dragged the victim, who apparently was drunk and causing disturbance, away by holding him by hands and he apparently unexpectedly fell down getting grievously injured, it was held that the accused had not committed the offence of voluntarily causing grievous hurt because the facts showed that the accused was trying to remove the victim from that place in view of the disturbance he was causing and he did not have the requisite intention or knowledge as provided under this section and the circumstances also were different.