

It feel sorry that death  
has been caused



**ASSIGN  
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It involves the necessity of showing that circumstances were such that a reasonable man must have felt convinced that the note with which he was dealing was forged one and it would not be sufficient to show that he was careless or he had reason to suspect or that he did not make sufficient enquiry to ascertain the fact. An objective standard has been assigned to the expression “reason to believe”. It means the sufficiency of cause and not genuineness of belief. A person can be supposed to know where there is a direct appeal to his senses, and he has “reason to believe” under the present section if he has sufficient cause to believe the thing but not otherwise. If the circumstances are such that a reasonable man would be led by a claim of probable reasoning to conclude or infer that the articles found to be stolen then even though the circumstances may fall short of carrying absolute conviction on the point, a person must be held to have reason to believe so. Voluntarily: A thing is done voluntarily not only when it is intentionally done but also when there is reason to believe that it is likely to happen as a natural result of the act done to achieve some other object.

A sets fire by night to an uninhabited house in a large town, for the purpose of facilitating robbery and thus causes the death of a person. Here A may not have intended to cause death, and may even feel sorry that death has been caused by his act; yet, if he knew that he was likely to cause death, such death shall be said to be voluntarily caused. A person is said to cause an effect “voluntarily” when he causes it by means whereby, at the time of employing those means, he knew or had reason to believe to be likely to cause it (Section 39). A political agitator blows up a train with the object of killing a dictator travelling by it whom he looks upon as an enemy of his

country and in doing so he causes the death of so many other passengers travelling by the same train whom he never wanted to kill and whom, nevertheless, he knew that he was killing. He kills the dictator in the honest hope of doing good to his country.

Such hope is the motive which induces him to intend by his act the death of so many persons whom he never wanted to kill, their death is a means to an end not an end in itself. By motive we mean the ultimate end secure for which an act is done while intention signifies the act so done and effects voluntarily caused thereby, in short the means leading to the ultimate end. Law is concerned with intention, not with motive. Some Hindus removed an ox and two cows from the possession of a Muslim not with any object of causing wrongful gain to themselves or wrongful loss to the Muslim but with the object of saving the lives of these animals.

The ultimate end which they hoped to secure was noble, their motive was laudable but they were nevertheless held guilty at law which confined itself only to the acts intentionally or voluntarily done and refused to look to motive. Ingredients of voluntarily: A person is said to cause an effect voluntarily when he causes it by means— (i) Whereby he intended to cause it, or (ii) Which at the time of employing these means he knew to be likely to cause it; or (iii) Which at the time of employing these means he had reason to believe to be likely to cause it. Dishonesty, Fraud and Injury: (1) Wrongful gain, (Section 23). (2) Wrongful loss, (Section 23). (3) Gaining wrongfully, (Section 23).

(4) Losing wrongfully, (Section 23). (5) Dishonestly, (Section 24). (6) Fraudulently, (Section 25). (7) Injury, (Section 44).