# IPC Section 113: Liability of abettor for an effect caused by the act abetted different from that intended by the abettor.

## IPC Section 113: Liability of Abettor for an Effect Caused by the Act Abetted Different from that Intended by the Abettor  
  
Section 113 of the Indian Penal Code (IPC) deals with the liability of an abettor when the act they abetted causes an effect that is different from what they intended. This section recognizes that actions can have unintended consequences, and it extends the abettor's liability to cover certain unintended effects, even if they didn't specifically foresee or desire those effects.  
  
\*\*The Provision of Section 113:\*\*  
  
Section 113 states:  
  
"When an act is abetted with the intention on the part of the abettor of causing a particular effect, and an act for which the abettor is liable in consequence of the abetment, causes a different effect from that intended by the abettor, the abettor is liable for the effect caused, in the same manner and to the same extent as if he had abetted the act with the intention of causing that effect, provided he knew that the act abetted was likely to cause that effect."  
  
\*\*Explanation and Breakdown:\*\*  
  
This section outlines the following scenario: An abettor instigates, aids, or conspires with someone to commit an act with a specific intention in mind. However, the act abetted ends up causing a different effect than the one intended by the abettor. In such cases, the abettor can still be held liable for the effect actually caused, provided they knew that the act they abetted was likely to cause that effect. This means the abettor didn't need to intend the specific effect that occurred, but they must have had knowledge that it was a likely outcome.  
  
\*\*Illustrative Examples:\*\*  
  
\* \*\*Scenario 1 (Knowledge of Likely Effect):\*\* A instigates B to administer a sleeping pill to C so that B can steal C's jewelry. A intends only to facilitate theft. However, the sleeping pill reacts unexpectedly with C's pre-existing medical condition, causing C's death. If A knew that the sleeping pill was likely to cause death given C's medical condition (perhaps A was aware of C's medical history), A can be held liable for C's death under Section 113, even though A only intended to facilitate theft.  
  
\* \*\*Scenario 2 (No Knowledge of Likely Effect):\*\* A instigates B to throw a small stone at C's window to scare C. B throws the stone, but it accidentally hits C in the head, causing a fatal injury. If A had no reason to believe that throwing the stone was likely to cause death, Section 113 would not apply to hold A liable for C's death. A might still be liable for abetting mischief or some other lesser offense, but not for culpable homicide.  
  
\* \*\*Scenario 3 (Intended Effect Achieved Along with Unintended Effect):\*\* A instigates B to beat C, intending to cause grievous hurt. B beats C as instigated, causing grievous hurt. However, due to the severity of the beating and some underlying health issues C had, C later dies. In this case, while the intended effect (grievous hurt) was achieved, the unintended effect (death) also occurred. If A knew that the beating was likely to cause death given C’s health issues, A would be liable for culpable homicide not amounting to murder under Section 113.  
  
  
  
\*\*Key Elements of Section 113:\*\*  
  
1. \*\*Abetment with a Specific Intention:\*\* There must be an initial act of abetment with the intention of causing a particular effect.  
  
2. \*\*Different Effect Caused:\*\* The act abetted must cause a different effect than the one intended by the abettor.  
  
3. \*\*Knowledge of Likely Effect:\*\* The abettor must have known that the act abetted was likely to cause the different effect that actually occurred. This knowledge is the crucial element that determines liability under this section.  
  
4. \*\*Liability as if Intended:\*\* If these conditions are met, the abettor is liable for the effect caused as if they had abetted the act with the intention of causing that effect. This means the abettor's punishment will be based on the effect caused, not their original intention.  
  
  
\*\*Distinction from Other Sections:\*\*  
  
Section 113 differs from other sections related to abetment in its specific focus on the unintended effects of the abetted act. Sections 110 (Punishment of abetment if person abetted does act with different intention from that of abettor) and 111 (Liability of abettor when one act abetted and different act done) deal with situations where a different act is done than the one abetted, but they don't specifically address the issue of unintended effects.  
  
  
\*\*Purpose and Significance of Section 113:\*\*  
  
Section 113 is significant because it:  
  
\* \*\*Addresses Unintended but Foreseeable Consequences:\*\* It recognizes that actions can have unintended consequences, holding abettors accountable for those consequences if they had knowledge of their likelihood.  
  
\* \*\*Deters Reckless Abetment:\*\* By imposing liability for foreseeable unintended effects, the section discourages individuals from engaging in reckless or negligent abetment where they disregard the potential risks of their actions.  
  
\* \*\*Promotes Justice:\*\* It ensures that the punishment is proportionate to the harm caused, holding abettors responsible for the actual effects of their actions, even if they didn't specifically intend those effects.  
  
  
  
\*\*Conclusion:\*\*  
  
Section 113 of the IPC is a nuanced provision that addresses the complexities of causation and liability in abetment. By focusing on the abettor's knowledge of the likely consequences of the act abetted, the section provides a framework for holding abettors accountable for unintended but foreseeable effects. This promotes a more just outcome and reinforces the principle that individuals should be held responsible for the reasonably foreseeable consequences of their actions, even in the context of abetment.