# IPC Section 320: Grievous hurt.

## IPC Section 320: Grievous Hurt - A Detailed Explanation  
  
Section 320 of the Indian Penal Code (IPC) defines "Grievous Hurt," distinguishing it from simple hurt (Section 319) by specifying injuries deemed to be of a more serious nature. This section plays a critical role in classifying offences relating to bodily harm, influencing the severity of punishment and legal proceedings. This analysis provides a comprehensive understanding of Grievous Hurt, exploring its specific clauses, interpretations, and significance within the legal framework.  
  
\*\*The Text of Section 320:\*\*  
  
"The following kinds of hurt only are designated as “grievous”:  
  
First.— Emasculation.  
  
Secondly.— Permanent privation of the sight of either eye.  
  
Thirdly.— Permanent privation of the hearing of either ear.  
  
Fourthly.— Privation of any member or joint.  
  
Fifthly.— Destruction or permanent impairing of the powers of any member or joint.  
  
Sixthly.— Permanent disfiguration of the head or face.  
  
Seventhly.— Fracture or dislocation of a bone or tooth.  
  
Eighthly.— Any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits."  
  
\*\*Explanation of Each Clause:\*\*  
  
1. \*\*Emasculation:\*\* This refers to the deprivation of male reproductive power, either surgically or through injury. It signifies a severe and irreversible form of bodily harm.  
  
2. \*\*Permanent privation of the sight of either eye:\*\* This involves the complete and irreversible loss of vision in one or both eyes. Temporary loss of sight, even if prolonged, wouldn't fall under this clause.  
  
3. \*\*Permanent privation of the hearing of either ear:\*\* Similar to the previous clause, this refers to the complete and irreversible loss of hearing in one or both ears. Temporary hearing loss, even if significant, doesn't constitute grievous hurt under this clause.  
  
4. \*\*Privation of any member or joint:\*\* "Member" refers to a limb or organ of the body essential for its functioning, such as a hand, foot, or finger. "Joint" refers to the point of connection between bones. Privation implies the loss or severing of a member or joint, rendering it unusable.  
  
5. \*\*Destruction or permanent impairing of the powers of any member or joint:\*\* This clause addresses instances where a member or joint is not completely lost but suffers permanent damage impacting its functionality. This could include paralysis, severe nerve damage, or any other injury that permanently restricts the use of the member or joint.  
  
6. \*\*Permanent disfiguration of the head or face:\*\* Disfiguration refers to an alteration in appearance that detracts from the person's original form. The disfiguration must be permanent and affect the head or face, impacting the individual's physical identity and potentially causing social and psychological distress.  
  
7. \*\*Fracture or dislocation of a bone or tooth:\*\* A fracture is a break in a bone, while a dislocation is the displacement of a bone from its joint. This clause covers both, including fractures of teeth. The fracture or dislocation doesn't need to be compound or particularly severe; even a simple fracture falls under this category.  
  
8. \*\*Any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits:\*\* This is a broader clause encompassing injuries not specifically listed above. It considers three key factors:  
  
 \* \*\*Endangering life:\*\* The injury must pose a real and imminent threat to the victim's life. Medical evidence is crucial in establishing this.  
  
 \* \*\*Severe bodily pain for twenty days:\*\* The pain experienced must be significant and continuous for a period of twenty days. The twenty-day period is calculated from the date of the injury.  
  
 \* \*\*Inability to follow ordinary pursuits for twenty days:\*\* This refers to the victim's incapacity to engage in their regular activities, whether professional, personal, or domestic, for a period of twenty days due to the injury.  
  
  
\*\*Interpretations and Judicial Pronouncements:\*\*  
  
Several judicial pronouncements have clarified the application of Section 320:  
  
\* \*\*Nature and severity of the injury:\*\* Courts consider the nature, severity, and potential long-term consequences of the injury when determining whether it qualifies as grievous hurt.  
  
\* \*\*Medical evidence:\*\* Medical opinions and reports play a crucial role in establishing the nature and extent of the injury, particularly in cases involving internal injuries or long-term consequences.  
  
\* \*\*Totality of injuries:\*\* If multiple injuries are inflicted, the court considers their cumulative effect in determining whether they constitute grievous hurt, even if individual injuries might not qualify on their own.  
  
\* \*\*Intention of the accused:\*\* While intention isn't a defining element of grievous hurt, it can influence the severity of the punishment under Section 325 IPC.  
  
  
  
\*\*Distinction from Simple Hurt:\*\*  
  
The crucial distinction between grievous hurt and simple hurt lies in the severity and permanence of the injury. Simple hurt encompasses minor injuries causing pain, disease, or temporary infirmity, while grievous hurt involves more serious injuries with potentially lasting consequences, as defined by the specific clauses of Section 320.  
  
  
  
\*\*Punishment for Grievous Hurt:\*\*  
  
The punishment for voluntarily causing grievous hurt is outlined in Section 322 IPC and can extend to imprisonment for up to seven years and a fine. It's a cognizable and non-bailable offence triable by a Court of Session.  
  
  
  
\*\*Conclusion:\*\*  
  
Section 320 provides a specific framework for classifying and addressing grievous hurt, ensuring that more serious offences against physical integrity are met with appropriate legal action. Its detailed clauses, coupled with judicial interpretations, offer clarity on the various forms of grievous hurt and the factors considered in determining its application. Understanding the nuances of this section is crucial for both legal professionals and the public, as it delineates the boundaries between simple and grievous hurt and highlights the legal repercussions of inflicting serious bodily harm.