# IPC Section 329: Voluntarily causing grievous hurt to extort property, or to constrain to an illegal act.

## IPC Section 329: Voluntarily Causing Grievous Hurt to Extort Property, or to Constrain to an Illegal Act  
  
Section 329 of the Indian Penal Code (IPC) addresses the grave crime of intentionally inflicting grievous hurt on an individual for the purposes of extorting property or compelling them to perform an illegal act. This section highlights the heightened culpability of individuals who utilize violence and inflict severe injuries to achieve their ulterior motives, specifically property acquisition or coerced illegal activity. The severity of the punishment reflects the gravity of this offence, recognizing the substantial harm inflicted on the victim both physically and psychologically.  
  
\*\*The Text of Section 329:\*\*  
  
“Whoever voluntarily causes grievous hurt to any person for the purpose of extorting from him or any person related to him, any property or valuable security, or for the purpose of constraining such person or any person related to him to do anything which is illegal or which may cause injury to any person, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”  
  
  
\*\*Breaking Down the Elements of Section 329:\*\*  
  
1. \*\*Voluntarily Causing Grievous Hurt:\*\* This element constitutes the actus reus, the guilty act. The offender must intentionally inflict “grievous hurt” as defined under Section 320 of the IPC. Grievous hurt encompasses injuries of a more serious nature than simple hurt, including:  
  
 \* Emasculation.  
 \* Permanent privation of the sight of either eye.  
 \* Permanent privation of the hearing of either ear.  
 \* Privation of any member or joint.  
 \* Destruction or permanent impairing of the powers of any member or joint.  
 \* Permanent disfiguration of the head or face.  
 \* Fracture or dislocation of a bone or tooth.  
 \* 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.  
  
 The prosecution must demonstrate that the accused’s actions directly and voluntarily caused the grievous hurt.  
  
2. \*\*Purpose of Extorting Property or Valuable Security:\*\* This constitutes the first of the two specified mens rea (guilty mind) elements. The perpetrator must inflict grievous hurt with the specific intention of extorting property or valuable security from the victim or someone related to them. "Extortion" involves obtaining something through coercion, threats, or violence. The property or security doesn’t have to be physically taken; the threat of grievous hurt causing the victim to transfer ownership is sufficient.  
  
3. \*\*Purpose of Constraining to an Illegal Act:\*\* This is the second mens rea element. The perpetrator must intend to compel the victim or someone related to them to perform an act that is illegal under any law. This includes forcing the victim to commit a crime or engage in any activity prohibited by law. The illegal act need not be completed; the intent to coerce its performance through grievous hurt is sufficient for the application of Section 329.  
  
4. \*\*Relationship to the Victim:\*\* The section explicitly covers situations where the grievous hurt is inflicted on a person to extort property or compel an illegal act from that person or \*any person related to them\*. This broader scope recognizes that perpetrators might target family members or close associates to exert pressure on the intended victim.  
  
  
\*\*Examples of Offences under Section 329:\*\*  
  
\* Inflicting serious injuries on a businessman to force him to transfer ownership of his company.  
\* Breaking someone's bones to compel them to sign a false confession.  
\* Attacking a person's family member to coerce them into participating in illegal activities like drug trafficking.  
\* Blinding someone to force them to reveal the location of hidden valuables.  
  
  
\*\*Punishment:\*\*  
  
Section 329 prescribes a harsh punishment reflecting the severity of the crime. The offender can be punished with:  
  
\* Imprisonment for life.  
\* Imprisonment of either description (rigorous or simple) for a term which may extend to ten years.  
\* Fine.  
  
  
The court has discretion in determining the appropriate sentence based on the specific facts of the case, the severity of the injuries inflicted, the nature of the extortion or coercion, and the overall circumstances.  
  
  
\*\*Relationship with Other Sections:\*\*  
  
Section 329 is related to but distinct from other sections dealing with hurt and extortion:  
  
\* \*\*Section 383 (Extortion):\*\* This section deals with the general offence of extortion, which involves putting a person in fear of any injury and thereby dishonestly inducing the person to deliver any property or valuable security. Section 329, however, specifically addresses situations where \*grievous hurt\* is inflicted for the purpose of extortion. Section 383 doesn't require the actual infliction of injury, just the threat of it.  
\* \*\*Section 387 (Putting person in fear of death or grievous hurt, in order to commit extortion):\*\* This section focuses on the threat of death or grievous hurt to commit extortion. Section 329, on the other hand, requires the actual infliction of grievous hurt.  
\* \*\*Section 326 (Voluntarily causing grievous hurt by dangerous weapons or means):\*\* This section addresses the general offence of causing grievous hurt. Section 329 specifies the intention behind causing grievous hurt – to extort property or constrain to an illegal act. If the intention under Section 329 isn't proven, Section 326 might still be applicable.  
  
  
  
\*\*Burden of Proof:\*\*  
  
The prosecution bears the responsibility of proving all the elements of Section 329 beyond a reasonable doubt. This includes establishing the infliction of grievous hurt, the intention behind the act, and the connection between the grievous hurt and the extortion or coercion.  
  
  
\*\*Conclusion:\*\*  
  
Section 329 of the IPC serves as a vital legal tool in protecting individuals from violent acts aimed at extorting property or compelling them to engage in illegal activities. By specifically addressing the infliction of grievous hurt for these purposes, the section recognizes the severe nature of such offences and provides a framework for holding perpetrators accountable. The stringent punishment reflects society's condemnation of such violent and coercive behavior and serves as a deterrent against those who might contemplate resorting to such tactics. The inclusion of "any person related to him" further strengthens the protection offered by this section, acknowledging that perpetrators might target loved ones to exert pressure on their intended victims.