# IPC Section 394: Voluntarily causing hurt in committing robbery.

## Section 394 of the Indian Penal Code: Voluntarily Causing Hurt in Committing Robbery  
  
Section 394 of the Indian Penal Code deals with the aggravated form of robbery where the offender voluntarily causes hurt to another person while committing the robbery or in attempting to commit robbery, or in committing theft and being caught runs away, or attempting to run away, causes hurt to a person trying to apprehend him. This section essentially elevates the offence of robbery from a simple property offence to one involving violence against a person, thereby attracting a more severe punishment.  
  
\*\*Understanding the elements of Section 394:\*\*  
  
To establish an offence under Section 394, the prosecution must prove the following essential ingredients:  
  
1. \*\*Voluntarily causing hurt:\*\* The first crucial element is the voluntary causing of hurt. "Hurt" is defined under Section 319 of the IPC as "bodily pain, disease or infirmity." This encompasses a wide range of physical injuries, from minor bruises to serious wounds. The hurt caused must be “voluntary,” meaning the offender intended or knew that his actions were likely to cause hurt. Accidental or unintentional injury will not suffice. The degree of hurt need not be grievous; simple hurt is sufficient to attract this section.  
  
2. \*\*Commission of Robbery:\*\* The second element involves the commission of robbery, as defined under Section 390 of the IPC. Robbery is essentially "theft" accompanied by the use of force or threat of force. Section 390 defines five specific situations constituting robbery:  
 \* Extortion by putting a person in fear of instant death, hurt, or wrongful restraint.  
 \* Extortion by putting a person in fear of instant death, hurt, or wrongful restraint of any person in whom that person is interested.  
 \* Extortion accompanied by wrongful restraint of a person or any person in whom that person is interested.  
 \* Attempted extortion when the offender causes wrongful confinement, puts any person in fear of hurt, or attempts to put any person in fear of hurt.  
 \* Theft when the offender, for that end or in committing theft, voluntarily causes or attempts to cause to any person death or hurt or wrongful restraint, or fear of instant death, of hurt, or of wrongful restraint.  
  
3. \*\*Nexus between Hurt and Robbery:\*\* There must be a direct link between the act of causing hurt and the commission of robbery. The hurt must be caused \*while\* committing the robbery, \*in attempting\* to commit robbery, or \*in furtherance\* of the robbery. The hurt cannot be incidental or unrelated to the robbery.  
  
4. \*\*Hurt during escape after theft:\*\* Section 394 also covers situations where theft has been committed, and the offender, in attempting to escape after being apprehended, voluntarily causes hurt to the person apprehending him. This extends the scope of the section beyond robbery to include instances where the initial offence is theft, but the subsequent escape involves violence. The essential ingredient here is that the hurt must be caused during the attempt to escape after being discovered committing theft.  
  
\*\*Punishment under Section 394:\*\*  
  
Section 394 prescribes rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine. The punishment is considerably harsher than that prescribed for simple robbery (Section 392 – imprisonment up to ten years and fine) or for voluntarily causing hurt (Section 323 – imprisonment up to one year, or fine up to ₹1,000, or both). The enhanced punishment reflects the gravity of the offence, which combines the elements of property crime and personal violence.  
  
  
\*\*Distinction from other related sections:\*\*  
  
\* \*\*Section 390 (Robbery):\*\* Section 394 is an aggravated form of robbery defined under Section 390. While Section 390 covers various forms of robbery involving force or threat of force, Section 394 specifically deals with cases where hurt is voluntarily caused during the commission of robbery or subsequent escape after theft.  
  
\* \*\*Section 392 (Robbery):\*\* This section prescribes the punishment for robbery generally, while Section 394 specifies the punishment for the aggravated form of robbery involving hurt.  
  
\* \*\*Section 397 (Robbery, or dacoity, with attempt to cause death or grievous hurt):\*\* This section deals with a more serious form of robbery where the offender attempts to cause death or grievous hurt. The punishment under this section is more severe than under Section 394. The key difference lies in the \*intention\* of the offender. In Section 397, the intent must be to cause death or grievous hurt, whereas in Section 394, the offender only needs to \*voluntarily\* cause hurt.  
  
\* \*\*Section 323 (Voluntarily causing hurt):\*\* This section deals with the basic offence of causing hurt. Section 394 incorporates this offence but adds the context of robbery or escape after theft, thereby escalating the gravity and punishment.  
  
\*\*Illustrative Example:\*\*  
  
A snatches a gold chain from B's neck. B tries to resist, and A punches B in the face, causing him a nosebleed. A then flees with the chain. A can be charged under Section 394 as he voluntarily caused hurt to B while committing robbery.  
  
\*\*In Conclusion:\*\*  
  
Section 394 of the IPC addresses the specific scenario of robbery accompanied by the voluntary infliction of hurt. It aims to deter the use of violence during the commission of property offences and provides for a stricter punishment for those who choose to resort to such methods. The section's scope extends beyond the actual commission of robbery to include situations where hurt is caused during an attempt to commit robbery or while escaping after committing theft. A clear understanding of the essential ingredients of this section is crucial for its proper application and to ensure that the appropriate punishment is meted out to offenders.