

GOA UNIVERSITY
G.R. KARE COLLEGE OF LAW
LL.B.(HONS) SEM V
LAW OF CRIMES

APRIL 2013,
APRIL 2012,
OCT 2011,
APRIL 2011,
OCT 2010,
OCT 2009 (P)
APRIL 2009,
OCT 2008 (P),
APRIL 2008 (P),
OCT 2007,
APRIL 2007 (P),
OCT 2006 (P),
APRIL 2006 (P),
OCT 2005 (P),
APRIL 2005 (P),
OCT 2004 (P),
APRIL 2004 (P),
OCT 2003 (P),
APRIL 2003 (P)

LL.B. (Hons.) (Semester – V) Examination, April 2013

LAW OF CRIMES

Duration : 3 Hours

Max. Marks : 75

Instructions: 1) Answer **any four** questions from Q. Nos. 1 to 6 and **any four** from Q. No. 8 to 13.

2) Q. Nos. 7 and 14 are **compulsory**.

1. '*Ignorantia facit excusat, ignorantia juris non excusat*'. Explain this statement with reference to its meaning and exceptions in the Indian Penal Code. **8**
2. Critically examine the following : **8**
 - a) Extortion
 - b) *Doli incapax*.
3. Give a detailed account of the offence of 'Causing of Miscarriage' and 'Injuries to unborn children'. Do these offences amount to Culpable Homicide ? Why ? **8**
4. Write a note on the following : **8**
 - a) Unnatural Offences.
 - b) Rash and Negligent Act.
5. Give an account of the various exceptions to the offence of murder. **8**
6. How is 'Consent' defined in the Indian Penal Code ? Outline the various provisions of this Code in which consent is relevant for the purpose of criminal liability. **8**
7. Answer **any two** of the following giving appropriate reasons : **5**
 - a) 'A' a foreigner commits murder of 'B' an Indian, on a ship sailing in the high seas. Does jurisdiction of the Indian Penal Code extend the act of 'A'.
 - b) 'X', a maid servant, sees a gold ring on the dressing table of 'Y', the land lady. 'X' conceals it from 'Y's' view, in the wood work of the dressing table, intending to take it away once 'Y' has exhausted the search for this ring. Is 'X' an offender ?
 - c) 'P' flings a 21 Jewel Swiss wrist-watch belonging to 'Q' into a river. What is 'P's' offence, if any ?



8. Comment on the following : 8
- a) Criminal Intimidation.
 - b). Limitations to the Right of Private Defence.
9. "Dacoity is perhaps the only offence which the legislature has made punishable at four stages". Explain. 8
10. Give a detailed explanation on how every member of an unlawful assembly is guilty for prosecution of a common object. 8
11. Write a short note on the following : 8
- a) Mock Marriages
 - b) Public Nuisance.
12. Explain the ingredients of the offence of Dowry Death. Add a note on the applicable presumption in this respect. 8
13. Answer the following : 8
- a) Meaning of 'stolen property'.
 - b) Cheating by personation.
14. Answer **any two** of the following giving appropriate reasons : 6
- a) 'A' takes a Cellular Phone belonging to 'Z', out of 'Z's constructive possession, in good faith believing it to be his ('A's) very own. Later on 'A' discovers from the stored information in it, that the phone is in fact belonging to 'Z', yet 'A' keeps the phone for himself. What is 'A's offence, if any ?
 - b) 'X', finds a key of 'Y's house door which 'Y's has lost and 'X' uses this key to enter into 'Y's house in order to commit an offence. Identify the offence that 'X' has committed, if any ?
 - c) 'P' a police officer whose duty it is to prevent the commission of robbery, instigates 'Q' to commit robbery. However, 'Q', does not commit robbery at all. What is 'P's offence and what punishment 'P' is liable for ?

17/4/12 Tuesday .



TNY – 34

LL.B. (Hons.) (Semester – V) Examination, April 2012
LAW OF CRIMES

Duration : 3 Hours

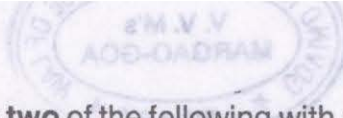
Total Marks : 75

Instructions : a) Answer **any four** questions from Q. No. **1 to 6** and **any four** from Q. No. **8 to 13**.

b) Question No. **7 and 14** are **compulsory**.

SECTION – I (4x8=32)

1. 'To constitute a crime mens rea and actus reus both should come together'.
Elaborate this statement in the light of the most important elements to constitute the crime.
2. 'Criminal law provides compensation to the victim'. Can this theory will be applicable in the present Indian society ? Examine with reasons.
3. Answer the following :
 - a) De minimus non curat lex - with exceptions.
 - b) Voluntary intoxication, is it a defense ? Explain.
4. Analyze the provisions of Penal law, when a person cannot take the defense on the grounds of right of private defense with case law.
5. Write a note on the following :
 - a) Sec. 34 of IPC, 1860 – common intention.
 - b) Necessity as defense under IPC, 1860.
6. 'Unsoundness of mind is a comprehensive term used under Penal Law of India'.
Elucidate in detail the essentials to take the benefit on this ground with the help of court pronouncements.



7. Answer **any two** of the following with reason and authority : (2×3=6)
- a) Mr. Ram was unconscious and he was carried by a tiger. By seeing this Mr. Shyam fired a bullet towards the tiger to save Mr. Ram's life, fortunately the tiger ran away, but the bullet causes injury to Mr. Ram. Mr. Ram filed a case against Mr. Shyam for causing injuries. Is Mr. Shyam liable ? Which provision of penal law protects Mr. Shyam ?
 - b) Mr. Manohar is doing 3rd year engineering gives consent to his friend Mr. Kamat to slap him. Mr. Manohar wants to experience pain. Accordingly Mr. Kamat slapped Mr. Manohar and caused simple injury. Mr. Manohar filed a case against Mr. Kamat. Under which provision of criminal law Mr. Kamat can take defense ?
 - c) A an officer of court of justice, being ordered by that court to arrest Y, and after due enquiry, believing Z to be Y, arrest Z. A did the act without intention in good faith. Which provision of law protects the act of A ?

SECTION – II

(4×8=32)

8. Explain the essential elements required to constitute Extortion and distinguish among theft and extortion.
9. 'Attempt to commit suicide is a cry for help'. Critically analyze the role played by the judiciary in retaining Sec. 309 as valid.
10. Answer the following :
 - a) Kidnapping from lawful guardian
 - b) Discuss Sec. 375 of IPC, 1860 with the clauses specified.
11. 'Homosexuality is an offense under Sec. 377 of the IPC, 1860, there is a need to amend this section in the light of rights of the Delhi High Court pronouncement'. Critically elucidate.
12. Explain the circumstances when culpable homicide not amount to murder with the help of illustrations or court judgments.



13. Write a note on the following :

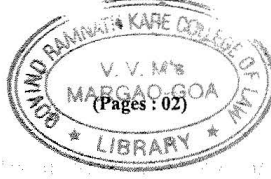
- a) Find out the differences among hurt and grievous hurt.
- b) Differentiate between Robbery and Dacoity.

14. Answer **any two** of the following with reason and authority :

(2×2.5=5)

- a) A became friendly with B a female. One day A involved in the act of sexual intercourse with B, with her consent. At that time A found 'Mangal Sutra' in the neck of B. A continued his act. Has A committed any offense ? If so specify.
 - b) A is the paramour of Z's wife. She gives a valuable property which A knows to belong to her husband Z, and to be such property as she has no authority from Z to give. A had taken the property dishonestly. What offense does A commit ?
 - c) A, fired a gunshot through a window towards B's bed, where B is believed to be sleeping. But unfortunately at that time the bed was empty and B was in another room. Nothing happened to B. Has A committed any offense ? If yes, what offense ?
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21/10/11
(Friday)



B - 466

TNY - 111

[Total No. of Questions : 14]

LL.B. (Hons.) (Semester - V) Examination, October - 2011

LAW OF CRIMES

Duration : 3 Hours

Total Marks : 75

- Instructions : 1) Answer any four Questions from Q. No. 1 to 6 and any four questions from Q. No. : 8 to 13.
2) Question No. 7 and 14 are compulsory.

SECTION - I

[4 × 8 = 32]

- Q1) 'The seed of criminal justice administration started from Kautilya's period'. Explain the development of criminal justice from time to time in India.
- Q2) Elucidate the provisions mentioned under IPC, 1860, when a person can cause the death of another person on the grounds of Right of private defense against body with the help of court judgements.
- Q3) Write a note on the following :
a) Criminal Conspiracy.
b) Mistake of fact as a defense in criminal law with exceptions.
- Q4) 'Judges apply legal insanity but not medical insanity'. Discuss the concept of legal insanity in the light of Mc Naughten's case dealing with unsoundness of mind.
- Q5) Answer the following :
a) Scope and importance of Reformatory theory.
b) Kinds of abetment in India.
- Q6) 'Several persons engaged in commission of a criminal act in furtherance of common intention all are liable for the same punishment'. Analyze this with suitable court judgements.
- Q7) Answer any two of the following with reason and authority : [2 × 3 = 6]
a) Ms. Neha has an inkpot with her. Ms. Nalini's pen was empty, she wants to fill her pen from Ms. Neha's inkpot. Ms. Neha doesn't allow. Anyhow Ms. Nalini managed to fill her pen from the same inkpot. Has Ms. Nalini committed any offence?
b) Rakesh is working as a smith in a village. One day around 12.00 p.m. at night several dacoits entered his house and threatened him to kill. Due to fear of instant death Joseph took his tools and facilitates the dacoits in breaking open the safe for the purpose of dacoity. After wards case was filed against Rakesh for helping the dacoits. Whether Rakesh can take defense under general exception. Advise Rakesh.

P.T.O.

- c) Mohan is attacked by a mob which attempts to kill him. Mohan in exercise of right of private defense fires at the mob killing one of the several children mingled with the mob. Mention under which provision of IPC, 1860 Mohan can take defense.

SECTION - II

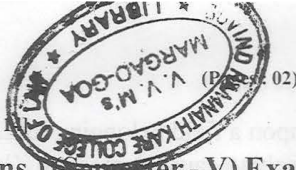
[4 × 8 = 32]

- Q8)** 'Judiciary took nearly a century to find out the differences between Culpable homicide and Murder'. Critically analyze the differences recognized by the Judiciary with suitable illustrations and cases.
- Q9)** 'Sec.302 of Indian Penal Code, 1860 is not violative of Indian constitution'. Examine the role played by the judiciary in upholding the constitutionality of Sec. 302.
- Q10)** Answer the following :
- a) Elucidate the differences among theft and extortion.
- b) Sec. 377 of Indian Penal Code, 1860 and homosexuality-discuss.
- Q11)** "Rape is the beginning of night mare to the female". Mention the various circumstances that will constitute the offense of rape under the Indian Penal law with the help of judicial pronouncements.
- Q12)** 'Either theft or extortion can be converted into robbery'. Mention the elements when theft or extortion can be converted to robbery with illustrations.
- Q13)** Write a note on the following :
- a) Grievous Hurt and its ingredients.
- b) Constitutional validity of Adultery.
- Q14)** Answer any two of the following with reason and authority : [2 × 2.5 = 5]
- a) A, a student wrote a love letter to B an innocent girl. A enter the girls house to deliver the letter. A was a stranger, the girls is not aware of A, she has seen A for the first time. A try to cause annoyance to the girl. For what offense A is liable .
- b) A, voluntarily throws into the Zuari river a diamond ring belonging to Z. A intentionally caused wrongful loss to Z by throwing the ring. Mention the offense committed by A.
- c) A borrowed Rs.50,000 from B and executed a promissory note infavour of B. B in order to defraud A added one cipher, which has no value, with the intention that it may be believed that A executed that promissory note. Mention which provision of IPC, 1860 is applicable against B in this situation.

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G - 209

[Total No. of Questions : 14]



09/4/11
TNY - 111

LL.B. (Hons.) (Semester - V) Examination, April/May 2011
LAW OF CRIMES

Duration : 3 Hours

Total Marks : 75

- Instructions : 1) Answer any four questions from Q. No. 1 to 7 and any four from Q. No. 8 to 13.
2) Question No. 7 and 14 are compulsory.

SECTION - I

[4 × 8 = 32]

- Q1) 'Intention and act must come together to constitute a crime'. Elucidate this concept in the light of the most important elements to constitute the crime.
- Q2) Mention in brief various theories of punishment. Which theory is the most applicable theory in the present society with reasons?
- Q3) Answer the following :
- Ignorantia juris non excusat.
 - Kinds of punishment under IPC, 1860.
- Q4) Concept of private defense and explain the exceptions when a person can not take the defense on the grounds of right of private defense.
- Q5) Write a note on the following :
- Criminal conspiracy.
 - Necessity knows no law.
- Q6) 'Unsound mind person is not liable for the commission of any crime'. Elucidate in detail the essentials to take the benefit on this ground with the help of case law.
- Q7) Answer any two of the following with reason and authority : [2 × 3 = 6]
- A in a house which is on fire, with Z, a child. People below had out a blanket. A drops the child from the house top, knowing that he fall may kill the child, but not intending to kill the child, in goodfaith for the child's benefit. Z suffered with injuries. Is A liable Advise A in this situation.
 - A finds a ring belonging to Z on a table in the house which Z occupies. The ring was in Z's possession, A removed the ring with dishonest intention. Mention the liability of A.

P.T.O.

- c) A, causes cattle to enter upon a field belonging to Z, intending to cause and knowing that he is likely to cause damage to Z's crop. A did the act intentionally to cause loss to Z. For what offence A is liable.

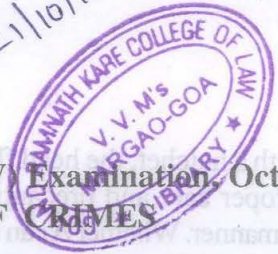
SECTION - II**[4 × 8 = 32]**

- Q8)** Elucidate in detail the essential elements to constitute theft and distinguish between theft and extortion.
- Q9)** 'Judiciary retained death sentence in rarest of rare cases'. Analyze this with the help of case law in retaining death sentence in India.
- Q10)** Answer the following :
- Kidnapping from lawful guardianship.
 - Concept of Abduction.
- Q11)** Critically analyze the differences between culpable homicide and murder under the Indian Penal Code, 1860.
- Q12)** 'Sexual intercourse by a man with a women amounts to rape'. Enumerate the essential ingredients to constitute the offense of rape as mentioned under Sec. 375 of Indian Penal Code, 1860 with cases.
- Q13)** Write a note on the following :
- Ingredients of grievous hurt with illustrations.
 - Differentiate between wrongful restraint and wrongful confinement.
- Q14)** Answer any two of the following with reason and authority : **[2 × 2.5 = 5]**
- A commits house trespass by making a hole through the wall of Z's house, and puts his hand through the aperture for the purpose of committing an offense. For what offense A is liable.
 - A being bound by an oath to state the truth, states that he knows that Z was at a particular place on a particular day, not knowing anything upon the subject. A is not exactly aware about Z on that day. Mention the offense committed by A?
 - A begins to unloose the muzzle of a ferocious dog, intending or knowing it to be likely that he may thereby cause Z to believe that he is about to cause the dog to attack Z. What offense A has committed in this situation.

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21/10/10



TNY - 111

LL.B. (Hons.) (Semester - V) Examination, October 2010

LAW OF CRIMES

Duration : 3 Hours

Total Marks : 75

- Instructions :** a) Answer **any four** questions from Q. No. 1 to 7 and **any four** questions from Q. No. 8 to 13.
b) Question No. 7 and 14 are **compulsory**.

SECTION - I

(4×8=32)

1. 'Administration of criminal justice is not a new thought in India'. Explain in brief the development of criminal law in India.
2. Examine the circumstances in which a person can voluntarily cause the death of other person on the grounds of right of private defense with the help of court judgements.
3. Write a note on the following :
 - a) Concept of mens rea under Indian law
 - b) Reformatory theory - Need of the hour.
4. Principles recognized in Mc Naughten's case are incorporated while drafting Sec. 84 dealing with unsoundness of mind under our Indian Penal Code, 1860. Elucidate.
5. Answer the following :
 - a) Mention the stages in the commission of a crime
 - b) Sedition as an offense - Sec. 124 A.
6. 'Act is done by several persons in furtherance of common intention; all are liable as if the crime is committed by each one alone'. Analyze the statement under Sec. 34 of IPC, 1860.
7. Answer **any two** of the following with reason and authority : (2×3=6)
 - a) A, being bound by an oath to state the truth, states that he believes a certain signature to be the handwriting of Z, when he does not believe it to be the handwriting of Z. Has A committed any offense.

P.T.O.



- b) A is at work with a hatchet, the head flies off and kills a man who is standing by. A has taken proper care and precaution before his work. A was doing lawful work in lawful manner. Whether A can take the benefit? Advice A in this situation.
- c) A makes an attempt to pick the pocket of Z, by thrusting his hand in to Z's pocket. A fails in the attempt in consequence of Z's having nothing in his pocket. Mention the offense committed by A in this problem.

SECTION - II

(4×8=32)

8. Mention the circumstance when culpable homicide leads to murder with suitable illustrations and cases.
9. 'Sec. 309 of Indian Penal Code, 1860 is not violative of Article 21 of Indian Constitution'. Critically examine this with the help of court cases.
10. Answer the following :
- Differences between theft and extortion
 - Concept of Grievous Hurt - Sec. 320 of IPC, 1860.
11. 'Rape is violation of women's right with violence'. Explain the circumstances when a person is liable for the offense of rape under the Indian penal law with the help of judicial pronouncements.
12. 'In all robberies there is either theft or extortion'. Critically elucidate the statement with illustrations.
13. Write a note on the following :
- Kinds of kidnapping explain - Kidnapping from lawful guardian
 - Wrongful confinement.
14. Answer **any two** of the following with reason and authority. (2×2.5=5)
- A, appeared as a witness before Z, a Magistrate, Z says that he does not believe a word of A's deposition, and that A has perjured himself. A is moved to sudden passion by this and kills Z. For what offense A is liable.
 - A, is a warehouse-keeper. Z going on a journey, entrusts his furniture to A, under a contract that it shall be returned on payment of a stipulated sum of warehouse room charges. A dishonestly sells the goods. Mention the offense committed by A.
 - A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z. What offense A is liable?

LL.B. (Hons.) Semester - V Examination, October 2009

LAW OF CRIMES

Duration : 3 Hours

Total Marks : 75

Instructions : a) Answer any four questions from Q. No. 1 to 7 and any four from Q. No. 8 to 13.

b) Question No. 7 and 14 are compulsory.

SECTION - I

(4×8=32)

1. 'Actus non facit reum nisi mens sit rea'. Elaborate this Latin maxim in the light of the most important elements of constitute the crime.
2. 'Compensation to the victim is the present trend'. Do you support this theory is the most appropriate theory in the present society with reasons ?
3. Answer the following :
 - a) Trifling activities with exceptions.
 - b) Voluntary intoxication as defense.
4. Analyze the situation when a person can not take the defense on the grounds of right of private defense with case laws.
5. Write a note on the following :
 - a) Common intention.
 - b) Necessity as defense under IPC, 1860.
6. 'Unsoundness of mind is a disease it requires treatment but not punishment'. Elucidate in detail the essentials to take the benefit on this ground with the help of case law.
7. Answer any two of the following with reason and authority : (2×3=6)
 - a) A believes that his wife possess devil or demon. A hold his wife over fire and scaring her with red hot iron rod. A did this act in bonafide belief, believing that this is a method to remove devil. In that process he killed his wife. Is A liable ? Advice A in this situation.



- b) A abets B through telephone to murder C, but due to some technical defects B could not hear the voice of A. Is A guilty of 'abetment of murder' of C ?
- c) A introduces water into an ice-house belonging to Z and thus causes the ice to melt. He did the act intentionally to cause loss to Z. For what offence A is liable ?

SECTION - II

(4×8=32)

8. Examine the important elements to constitute extortion and distinguish between theft and extortion.
9. Critically analyze the role played by the judiciary in retaining Sec. 309 - attempt to commit suicide as an offense under the Indian Penal Code, 1860.
10. Answer the following :
- Kidnapping from lawful guardian
 - Mention the elements rape.
11. 'Sec. 377 of the Indian Penal Code, 1860 needs to be modified in the light of rights of Homosexuals as recognized by the Delhi High Court'. Discuss.
12. 'All murders include culpable homicide but culpable homicide does not include murder'. Explain the circumstances when culpable homicide not amount to murder.
13. Write a note on the following :
- Differences between hurt and grievous hurt.
 - Differentiate between Robbery and Dacoity.
14. Answer **any two** of the following with reason and authority : (2×2.5=5)
- A was driving the car while he was heavily drunk. B who was coming from opposite direction of car, was also heavily drunk. A's car dashed B and B was killed. Has A committed any offense specify.
 - A is the paramour of Z's wife. She gives a valuable property which A knows to belong to her husband Z, and to be such property as she has no authority from Z to give. A had taken the property dishonestly. What offense does A commits ?
 - A, removes the watch of a dead passenger after a railway accident. Has A committed any offense. If yes, what offense ?

8/4/09

TNY - 111

LL.B. (Hons.) Semester - V Examination, April 2009

LAW OF CRIMES

Duration : 3 Hours

Total Marks : 75

Instructions : a) Answer any four questions from Q. No. 1 to 6 and any four questions from Q. No. 8 to 13.
b) Question No. 7 and 14 are compulsory.

SECTION - I

(4×8=32)

1. 'Criminal justice administration is not a new concept in India'. Mention in brief the development of criminal law in India.
2. Mention the circumstances when a person can cause the death of another person on the grounds of right of private defense with the help of court judgments.
3. Write a note on the following :
 - a) Concept of mens rea under Indian law.
 - b) Reformatory theory of punishment.
4. Analyze the importance of Mc Naughten's case in drafting the principles dealing with unsoundness of mind under our Indian Penal Code, 1860.
5. Answer the following :
 - a) Stages in the commission of a crime.
 - b) Defamation against the State - Sec. 124 A.
6. 'Criminal act is done by several persons in furtherance of common intention ; they are liable of the same punishment'. Analyze the statement in the light of common intention.
7. Answer any two of the following with reason and authority : (2×3=6)
 - a) A in a great fire pulls down the houses in order to prevent the conflagration from spreading. A did it in good faith, saving the life and property and to avoid greater harm. What offenses A is liable. Advise A in this situation.
 - b) A voluntarily joined a gang of dacoits for the fear that he may be killed by his enemies. After joining he was forced by the dacoits to kill one person at the time of committing dacoity. A has taken the plea on the grounds of force. Whether A can take the benefit ?

P.T.O.



- c) A makes an attempt to pick the pocket of Z, by thrusting his hand in to Z's pocket. A fails in the attempt in consequence of Z's having nothing in his pocket. Mention the offense committed by A in this situation.

Total Marks : 75

Duration : 3 Hours

SECTION - II

(4×8=32)

8. Explain the provisions dealing with culpable homicide amount to murder with suitable illustrations and cases.
9. Critically examine the role played by the judiciary in upholding the constitutionality of Sec. 309 of Indian Penal Code, 1860.
10. Answer the following :
- Differences between theft and extortion
 - Define Grievous Hurt.
11. Mention the various ingredients that will constitute the offense of rape under the Indian penal law with the help of judicial pronouncements.
12. 'In all robberies there is either theft or extortion'. Critically elucidate the statement with illustrations.
13. Write a note on the following :
- Kidnapping from lawful guardian
 - Wrongful confinement.
14. Answer **any two** of the following with reason and authority : (2×2.5=5)
- A, is lawfully arrested by Z, a bailiff. A is excited to sudden and violent passion by the arrest, and kills Z. Here provocation was given by a thing done by a public servant in the exercise of his powers. For what offense A is liable ?
 - A, a carrier, is entrusted by Z with property to be carried by land or by water. A dishonestly misappropriates the money. Mention the offense committed by A.
 - A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z. What offense A is liable ?

INY - III

LL.B. (Hons.) (Semester - V) Examination, October 2008
LAW OF CRIMES

Duration: 3 Hours

Total Marks : 75


Instructions : a) Answer **any four** questions from Q.No. 1 to 6 and any four from Q.No. 8 to 13.

b) Question No. 7 and 14 are **compulsory**.

SECTION - I

(4×8=32)

1. Define the concept Crime and mention the most important elements to constitute the crime.
2. Briefly explain various theories of punishment. Which theory is the most applicable theory in the present society with reasons?
3. Answer the following:
 - a) Mistake of law
 - b) Voluntary intoxication.
4. Discuss the importance and the exceptions when a person can not take the defense on the grounds of right of private defense.
5. Write a note on the following:
 - a) Criminal conspiracy
 - b) Necessity as a defense in criminal matters.
6. Mention the various categories of unsound mind person. Elucidate in detail the essentials to take the benefit on this ground with the help of case law.
7. Answer **any two** of the following with reason and authority : (2×3=
 - a) A is attacked by a mob who attempt to murder him. He can not effectually exercise his right of private defense without firing on the mob, and he can not fire without the risk of harming young children who are mingled with the mob. A fire towards the mob and caused harm to children. Is A liable? Advise A in this situation.

- 111 - 777
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- b) A and Z agreed to fence with each other for amusement. This agreement implies the consent of each to suffer any harm which in the course of such fencing, may be caused without foul play and if A, while playing fairly, hurts Z. Mention the liability of A.
- c) A introduces water into an ice-house belonging to Z and thus causes the ice to melt. He did the act intentionally to cause loss to Z. For what offence A is liable?

SECTION - II

(4×8=32)

8. Define the important elements to constitute theft and distinguish between theft and extortion.
9. Critically analyze the role played by the judiciary in retaining constitutionality of death sentence under Indian Penal law.
10. Answer the following:
- a) Dowry death
 - b) Obscenity.
11. Critically analyze the concept kidnapping from lawful guardian as recognized under Indian Penal Code, 1860.
12. Explain the ingredients to constitute the offense of rape as mentioned under Sec. 375 of Indian Penal Code, 1860 with illustrations.
13. Write a note on the following:
- a) Differences between hurt and grievous hurt
 - b) Differentiate between wrongful restraint and wrongful confinement.
- Answer **any two** of the following with reason and authority : (2×2.5=)
- a) A finds the key of Z's house door, which Z had lost and commits house trespass by entering Z's house, having opened the door with that key. For what offense A is liable?
 - b) A is the paramour of Z's wife. She gives a valuable property which A knows to belong to her husband Z, and to be such property as she has no authority from Z to give. A had taken the property dishonestly. Mention the offense committed by A.
 - c) A, a revenue officer, is entrusted with public money as directed by law, under an express contract, with the government to pay into a certain treasury all the public money which he holds. A dishonestly appropriates the money. What offense A has committed in this situation?
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LL.B. (Hons.) (Sem. – V) Examination, 2008
LAW OF CRIMES

Duration : 3 Hours

Total Marks : 75

Instructions: 1) Q.No. 7 and 14 are compulsory.

2) Answer **any four** from Q. No. 1 to 6 and **any four** from Q. No. 8 to 13.

1. "The jurisdiction of Indian Criminal Courts is territorial as well as extraterritorial"
Explain. (4×8=32)
2. Discuss in detail the grounds essential to take defense on the grounds of unsoundness of mind as enumerated under Indian Penal Code, 1860 with suitable cases.
3. Write a note on **any two** :
 - a) Accidents.
 - b) "Actus non facit reum, nisi mens sit rea".
 - c) Criminal Law in ancient India.
4. When a criminal act is done by several persons, in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone. Explain.
5. Answer the following :
 - a) Abetment
 - b) Offenses committed by Child.
6. What is right of private defence ? Discuss the circumstances in which the right of private defence of person is available under the code. Refer leading cases to illustrate your answer.
7. Answer **any two** of the following with reason and authority. (2×3=6)
 - a) A represented himself to be 'B' to a university examination and got hall ticket in B's name. A appeared and signed answer papers with B's name. Discuss the liability of A.
 - b) A in a great fire pulls down houses in order to prevent the conflagration from spreading. A did it in good faith, saving the life and property and to avoid greater harm. What offenses if any, is made out in this case ?

P.T.O.

- c) A woman was standing with an infant in her arms. A man got entered into a quarrel with her and violently struck blows over her head and shoulders. One of the blows fell on the infant's head causing the death of the infant. Of what offence can the man be convicted.

SECTION - II

8. "Except in the cases hereinafter excepted, culpable homicide is murder" What are the excepted cases ? Give illustrations. (4×8=32)
9. Write an essay on offences relating to marriage.
10. Examine the role played by the judiciary in retaining death sentence in Indian context.
11. Write a note on **any two**.
- Wrongful restraint and wrongful confinement.
 - Grievous Hurt
 - Stages of crime.
12. "In all robberies there is either theft or extortion". Substantiate the statement with suitable examples.
3. When a person is liable for kidnapping a person from lawful guardianship examine the ingredients with important judicial pronouncements.
4. Answer **any two** of the following with reason and authority. (2×2.5=5)
- A draws a picture of 'Z' running away with B's watch intending it to be believed that 'Z' stole B's watch. Is A guilty of any offence ?
 - X sees Z committing what appears to X to be murder. X in the exercise to the best of his judgement, exerted in good faith, of the power which the law gives to all persons of apprehending murderers in the act, seizes Z in order to bring Z before the proper authorities. But it turns out that Z was acting in the exercise of his right of self defense. Is X guilty of any offence ?
 - A a shopkeeper adulterated groundnut oil for sale. B who is a regular customer purchased groundnut oil from A and sends the sample for examination. It was found that the oil was slightly adulterated with the standards prescribed. Whether A can take benefit under general exceptions ?

LL.B. (Hons.) (Semester - V) Examination, October 2007

LAW OF CRIMES

Duration: 3 Hours

Max. Marks: 75

Instructions: a) Q. No. 7 and 14 are compulsory.

b) Answer **any four** from Q. No. 1 to 6 and **any four** from Q. No. 8 to 13.

SECTION - I

1. The jurisdiction of Indian criminal court is Territorial as well as extraterritorial. Explain.
2. Define mens rea and discuss to what extent the principle of mens rea has been recognized under the Penal code. Explain your answer with examples.
3. Write a note on **any two**:
 - a) Attempt to commit a crime
 - b) Duress as a defense
 - c) Kinds of punishment.
4. When are the points to be proved by an accused person to succeed in a defence of accident or misfortune.
5. Answer the following:
 - a) Insanity as a defence
 - b) Right of private defence.
6. Examine in detail the various kinds of abetment as mentioned under Indian Penal Code, 1860 with appropriate illustrations. (4×8=32)
7. Answer **any two** of the following with reason and authority: (2×3=6)
 - a) P finds R dropping his purse with money in it. P picks up the purse immediately with the intention of restoring to R. But after having picked it up, he changes his intention and appropriates it to his use. What offence is committed?
 - b) A and B are joint jailors, and as such have the charge of Z, a prisoner alternatively for six hours at a time. A and B intending to cause Z's death, knowingly cooperate in causing that effect by illegally omitting, each during the time of his attendance, to furnish Z with food supplied to them for that purpose, Z dies of hunger. Whether A and B are liable jointly?

P.T.O.

- c) A, intending or knowing himself to be likely permanently to disfigure Z's face, gives Z a blow which does not permanently disfigure Z's face, but which cause Z to suffer severe bodily pain for the space of twenty days. For what offence A is liable ?

SECTION - II

8. Define abduction. Find out the differences between abduction and kidnapping form lawful guardianship with illustration.
9. What is custodial rape ? What changes are made recently to control such crime ?
10. When is a person said to attempt to commit suicide ? Is the offence constitutionally valid ? Discuss.
11. Write a note on **any two** :
- a) Attempt to commit murder
 - b) Criminal breach of trust
 - c) Dowry death.
12. When can a man be guilty of forgery by writing his own name or by putting his own signature ?
13. State the differences between murder and culpable homicide not amounting to murder with illustrations. (4×8=32)
14. Answer **any two** of the following with reason and authority : (2×2.5=5)
- a) A pawns his watch to B and borrows some money from him. Later A takes the watch from the table of B without 'B's consent, and without paying the money due to B. Is A guilty ? Of what offence ?
 - b) The accused, a thief made a hole in the wall of the complainant's house to get into it for committing theft. He, however, found a cross bar on the other side of the hole effectively barring his way. What, if any, is the offence committed by the accused ?
 - c) A and B were hanging on to a plank after a shipwreck. The plank could not bear the weight of both. A kicked B in order to keep himself afloat and thus save his own life. B fell into the water and was drowned. Is A guilty ?

LL.B. (Hons.) (Sem. - V) Examination, 2007
LAW OF CRIMES

Duration: 3 Hours

Max. Marks: 75

- Instructions:** a) Question No. 7 and 14 are compulsory.
b) Answer any four from Q. No. 1 to 6 and any four from Q. No. 8 to 13.

SECTION - I

(4×8=32)

1. Examine in detail the need for administration of criminal justice in India. To what extent British period was useful in administration of justice in the present situation ?
2. Critically analyze the maxim 'Actus non facit reum nisi mens sit rea' with the help of judicial interpretation.
3. Write a note on any two:
 - a) Necessity
 - b) Retributive theory of punishment
 - c) Development of criminal law during British period.
4. Outline the importance of private defense and mention when private defense of body extend to cause death.
5. Answer the following:
 - a) Voluntary intoxication
 - b) Kinds of punishment.
6. Examine in detail the essentials of criminal conspiracy as enumerated under the Indian Penal Code, 1860.
7. Answer any two of the following with reason and authority. (2×3=6)
 - a) A doctor communicated in good faith his opinion to the patient that he cannot survive. Listening to that the patient dies due to heart attack. Specify the offence committed by the doctor.
 - b) A makes a false entry in his shop book for the purpose of using it as corroborative evidence in a Court of justice. What offence A has committed ?
 - c) A and Z agreed to fence each other for amusement. Both are agreed to suffer any harm which may occur in the course of such fencing. While playing fairly A hurts Z. Advise A in this problem.

SECTION - II

8. Enumerate the circumstances in which a person is liable for the offence of culpable homicide not amount to murder. (4×8=32)
9. 'Retention of capital punishment is need of the hour'. Enumerate this in the light of Supreme Court cases.
10. Mention the essential ingredients of grievous hurt. Distinguish hurt and grievous hurt.
11. Write a note on **any two**:
- Criminal misappropriation
 - Assault
 - Dowry death.
12. Outline the ingredients of rape as specified under Sec. 375 of Indian Penal Code, 1860 with Court cases.
13. Mention any three kinds of most the important offences against marriage laid down under Indian Penal Code, 1860.
14. Answer **any two** of the following with reason and authority: (2×2.5=5)
- Mr. A and Ms. B both are lovers. One day Ms. B went to Mr. A and informed him that she is pregnant. Mr. A the lover gave a medicine to Ms. B to cause abortion. After one week when they went to the doctor, the doctor informed that she was not at all pregnant. For what offence is Mr. A liable in this situation ?
 - A finds the key of Z's house door, which Z had lost, and commits house trespass by entering Z's house, having opened the door entered with the key. For what offence A is liable ?
 - A, by falsely pretending to be in the Civil Service, intentionally deceives Z, and thus dishonestly induces Z to let him have on credit goods for which he does not mean to pay. Mention the offense committed by A.

LL.B. (Hons.) (Sem. - V) Examination, October 2006
LAW OF CRIMES

Time: 3 Hours

Marks: 75

- Instructions:** 1) Question No. 7 and 14 are compulsory.
2) Answer **any four** from Q. No. 1 to 6 and **any four** from Q. No. 8 to 13.

SECTION - I

(4×8=32)

1. Outline the importance of punishment and enumerate the importance of reformative theory in the present Indian situation.
2. Specify the need and importance of right of self defense. Mention in detail the exceptions relating to the right of self defense.
3. Write a note on **any two**:
 - a) Extradition with recent examples.
 - b) Development of criminal law during ancient period.
 - c) Concept of good faith.
4. Mention in detail the various kinds of abetment as specified under the Indian Penal Code, 1860.
5. Answer the following :
 - a) Concept of mens rea under Indian law.
 - b) Ignorantia facti excusat with exceptions.
6. Highlight the differences between legal and medical insanity in the light of Mc Naughten's case under Sec. 84 of Indian Penal Code, 1860.
7. Answer **any two** of the following with reason and authority: (2×3=6)
 - a) A and B are fighting physically on the railway platform. At that time no passenger train or even a goods train was supposed to come. Are A and B liable? Advise them.

P.T.O.

- b) A offers a bribe to B, a public authority, as a reward for showing A some favour in the exercise of B's official function. B refuses to accept the bribe. Is A liable ?
- c) Ten dacoits threatened Smith that if he is not taking his tools to facilitate in committing dacoity, they will kill him. Smith took his tools and facilitated in dacoity. Case was filed against Smith. Advise Smith.

SECTION - II

- 8. Analyze the circumstances when a person is guilty for the offence of murder with suitable illustrations and case law. (4×8=32)
- 9. 'Attempt to commit suicide needs treatment but not punishment' analyze this statement with the help of Supreme Court cases.
- 10. Examine the important ingredients of robbery and distinguish between robbery and dacoity with appropriate examples.
- 11. Write short note on **any two**:
 - a) Extortion
 - b) Grievous hurt
 - c) Rash and negligent act.
- 12. Explain the essentials of kidnapping from lawful guardianship. Mention the differences between kidnapping and abduction.
- 13. Specify the important ingredients of rape. Mention the changes introduced by Criminal Law (Amendment) Act, 1983.
- 14. Answer **any two** of the following with reason and authority: (2×2.5=5)
 - a) Mr. A, at time of having sexual intercourse with Mrs. B sees the 'mangalsutra' around her neck. In spite of seeing the mangalsutra Mr. A continued in his act. Sexual intercourse was committed with the consent of Mrs. B. Mr. B filed a case against Mr. A. Mention the offence committed by Mr. A.
 - b) A introduces water into an ice house belonging to Z and thus causes the ice to melt. A did this act with the intention to cause wrongful loss to Z. Is A liable ?
 - c) A incites a dog to spring upon Z, without Z's consent. A intends to cause injury, fear or annoyance to Z. Is A guilty in this situation ?

LL.B. (Hons.) (Semester – V) Examination, 2006
LAW OF CRIMES

Duration : 3 Hours

Marks: 75

Instructions: 1) Question No. 7 and 14 are compulsory.

2) Answer **any four** from Q.No. 1 to 6 and **any four** from Q.No. 8 to 13.

SECTION – I

(4×8=32)

1. Define private defense. When does this right of body extend to causing of death of the attacker ?
2. 'Actus non facit reum nisi mens sit rea' examine this maxim as an essential element of crime with the help of decided cases.
3. Write short note on **any two**:
 - a) Defamation of the State.
 - b) Extra territorial operations.
 - c) Necessity as defense in criminal law.
4. Examine the concept Abettor. Discuss in brief the various kinds of abetment under Indian Penal Code, 1860.
5. Answer the following:
 - a) De minimus non-curat lex.
 - b) Reformatory theory.
6. 'Sec. 84 of the Indian Penal Code, 1860 consist of the principles laid by House of Lords in Mc' Naughten's case' examine the principles with the help of case law.
7. Answer **any two** of the following with reason and authority: (2×3=6)
 - a) Two brothers were quarrelling and abusing each other over a property on a public road in a town and a large crowd gathered and traffic was temporarily suspended. Are they liable ?

P.T.O.

To protect his body A fired towards the mob resulted in the death of an innocent child. Advise A in this situation.

- c) A puts jewels into a box belonging to Z, with the intention that they may be found in that box, and that this circumstances may cause Z to be convicted of theft. For what offence A is liable.

SECTION - II

(4×8=32)

8. 'Attempt to commit suicide is not a crime, it is a disease of mind that requires treatment'. Elaborate this statement with suitable judicial pronouncements.
9. Examine the exceptions laid down under Sec. 300 of Indian Penal Code, 1860 which deals with culpable homicide not amount to murder.
10. Explain the essential elements of theft with illustrations. How does it differ from extortion ?
11. Write short note on **any two**:
- a) Wrongful restraint and its essentials.
 - b) Attempt to commit an offence.
 - c) Criminal breach of trust.
12. Mention the kinds of kidnapping ? Examine the essentials relating to kidnapping from lawful guardian with examples.
13. Define simple hurt and distinguish between simple hurt and grievous hurt with suitable illustration.
14. Answer **any two** of the following with reason and authority: (2×2.5=5)
- a) A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike. Is A liable ?
 - b) A lays sticks and turf over a pit, with the intention of there by causing death, or with the knowledge that death is likely to be caused. Z believing the ground to be firm, walks on it falls in and is killed. For what offence A is liable ?
 - c) A introduced water in to an ice-house belonging to Z, and thus causes the ice to melt intending wrongful loss to Z. Mention the offence committed by A.

(3)

24/10/05

LL.B. (Hons) Sem V - Examination -05 ocl.

Law of Crimes

Duration: 3 Hrs

Marks: 75

Instructions:

1. Question No. 7 and 14 are compulsory
2. Answer any **Four** from Q.No. 1 to 6 and any **Four** from Q.No. 8 to 13

Section - I

(4X8=32)

1. 'Person acting as per common intention all are liable for the same punishment equally' critically examine this in the light of Joint liability with the help of decided cases.
2. Examine the scope, importance of criminal justice administration and its evolution in India during British period
3. Write short note on any **Two**:
 - a. Stages in the commission of a crime
 - b. Mistake of fact
 - c. Affray
4. Examine to what extent voluntary drunkenness is a defense in criminal cases under Indian Penal Code, 1860 with illustrations
5. Answer the following:
 - a. Types of unsound mind persons
 - b. Kinds of abetment
6. 'Right of private defense is not absolute right it is subjected to certain exceptions'. Discuss in detail the exception with cases
7. Answer any **Two** of the following with reason and authority: (2X3=6)
 - a. Z is thrown from his horse, and is insensible. A, a surgeon, finds that Z requires to be trepanned. A not intending Z's death, but in good faith for Z's benefit, perform the trepan before Z recovers his power of judging for himself. Is the surgeon liable?
 - b. A an officer of court of justice, being ordered by that court to arrest Y, and after due enquiry believing Z to be Y, arrests Z. Advise A in this situation
 - c. While entering to Imox theatre the accused was not aware the type of film under exhibition. Immediately after his entry, the police raided the theatre and charge sheeted him as an abettor because a blue film was under exhibition. Advise A in this case

Section - II

(4X8=32)

8. 'Culpable Homicide is genus and Murder is species'. Elaborate this statement in the light of differences between Culpable Homicide and Murder
9. Examine in detail the justification given by various authorities in retention of capital punishment in India with judicial pronouncements
10. Explain the essential elements of Robbery with illustrations. How does it differ from Dacoity?
11. Write short note on any Two:
 - a. Criminal misappropriation and its essentials
 - b. Grievous hurt
 - c. Abduction
12. Mention various essential to constitute rape with judicial pronouncements/illustrations under the penal law of India
13. Examine in detail the most important offences against marriage under Indian Penal Code, 1860
14. Answer any Two of the following with reason and authority: (2X2.5=5)
 - a. A threatens Z, that he will keep Z's child in wrongful confinement, unless Z sign and deliver to A a promissory note binding Z to pay one lakh rupees to A. Z signs and delivers the note. Is A liable?
 - b. A makes an attempt to steal some jewels by breaking open a box, and finds after so opening the box, that there is no jewel in it. For what offence A is liable
 - c. A a student wrote a love letter to an innocent girl. A was a stranger to her. A enter the girl's house to deliver the letter. Mention the offence committed by A

LL.B. (Hon.) Sem – V Examination April 2005
LAW OF CRIMES

Time : 3 Hrs.

Max. Marks : 75

- Instructions : 1) Q.No. 7 and 14 are compulsory.
2) Answer any FOUR from Q. 1 to Q.5 and any FOUR from Q. 8 to Q. 13

SECTION – I

- Q.1 Define crime . Critically examine to what extent reformatory theory can be applied in present situation. (8)
- Q.2 Nothing is an offence which is done by a intoxicated person. Explain this and its exemption to intoxication . (8)
- Q.3 Define the term Abettor . Explain different kinds of abetment under Indian penal code. (8)
- Q.4 What are the limitations on the exercise of right of private defence? (8)
- Q.5 Write a note on : (8)
a) Infancy
b) Accident
- Q.6 Write a note on any TWO: (8)
a) Concept of necessity
b) Stages of crime.
c) Extradition .
- Q.7 Answer any Two of the following with reason and authority. (6)
a) A and B agree to fence each other for amusement. In course of such fencing 'A' without foul play hurts 'B'. What offence 'A' has committed.
b) 'A' officer of a court of Justice , being ordered by that court to arrest 'Y' and after due enquiry, believing 'Z' to be 'Y' , 'A' arrested 'Z'. For what offence 'A' is liable.
c) Fighting takes place between A and B at Railway station platform at a time when no train is due except a goods train.
Can A and B be charged for committing an offence, if any?

SECTION – II

- Q.8 Explain the essential elements of murder with suitable illustrations and case law. (8)
- Q.9 Mention various kinds of kidnapping . Examine in detail kidnapping from lawful guardian. (8)
- Q.10 Define the term 'Grievous Hurt' and distinguish 'Hurt' and ' Grievous Hurt' . (8)
- Q.11 What is rape ? Can a man be guilty of offence of rape against his own wife? (8)

P.T.O.

Q.12 What is robbery ? When does robbery become decoity?

Q.13 Answer the following : (8)

a) Mischief

b) Bigamy

Q.14 Answer any TWO of the following with authority and reasons. (5)

a) 'A', by instigation, voluntarily causes Z, a person under eighteen years of age to commits suicide. Mention the offence caused by 'A'.

b) 'A' finds the key of Z's house door 'Z' had lost and commits house trespass by entering Z's house. Explain A's liability.

c) The superintendent of a jail takes advantage of his position and seduces a female inmate of the jail to have sexual intercourse with him. It is implied that she gave her consent. What offence, if any, is committed?

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LAW OF CRIMES

Time : 3 Hours

Max. Marks : 75

Instructions : 1) Q.No. 7 and 14 are compulsory.

2) Answer any four from Q.No. 1 to 6 and

3) Answer any four from Q.No. 8 to 13.

SECTION - I

1. Explain 'actus non facit reus nisi mensit rea' with case law. 8
2. What is Right of Private Defence ? What are the restrictions provided under the Indian Penal Code against the Right of Private Defence to person ? 8
3. Agreement to commit an offence shall amount to criminal conspiracy. Elucidate your answer with case law. 8
4. Explain the criminal liability of a group of persons for an act done in furtherance of common intention of all. 8
5. Write a note on : 8
 - a) Mischief
 - b) Accident in doing lawful act.
6. Write a note on **any two** : 8
 - a) Development of criminal law during British period.
 - b) 'Necessity' as a defence.
 - c) De minimus non-curat lex.
7. Answer **any two** of the following with reason and authority : 6
 - a) A offers bribe to B, a public servant as a reward for showing A some favour in exercise of B's official function. B refuses to accept the bribe. What offence A has committed ?
 - b) A surgeon, sees a child suffer an accident which is likely to be fatal unless an operation is performed immediately. A performs an operation without the consent of the child in which the child dies. Advise the Doctor.
 - c) A finds a valuable ring not knowing to whom it belongs. A sells it immediately. Decide the liability of A.

P.T.O.

8. Define culpable homicide. 8
9. Define abduction. Find out the differences between kidnapping and abduction. 8
10. "Attempt to commit suicide is a cry for help that requires treatment". Do you agree? Elucidate your answer with case law. 8
11. Examine in brief the offences relating to marriage under the Indian Penal Code. 8
12. Mention in detail the essential ingredients of Grievous Hurt and distinguish it with Hurt. 8
13. Answer the following : 8
- a) Rape
 - b) Extortion.
14. Answer **any two** of the following with authority and reasons : 5
- a) A in order to pick the pocket of B puts his hand into B's pocket and finds nothing. Is A liable ?
 - b) 'A' threatens 'B' that he will kill B's child, unless B will sign and deliver to A a promissory note binding 'B' to pay Rs. one lakh to A. Is A guilty of any offence ?
 - c) In a boxing match, a player hits the referee mistaking him to be his opponent. Has the player committed any offence ?

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LL.B. (Hons.) Semester – V Exam. April 2004
LAW OF CRIMES

Time: 3 Hrs.

Marks. 75

Instructions: 1) *Question No. 7 and 14 are compulsory.*
2) *Answer any FOUR from Q.No.1 to 6 and answer any FOUR from Q.No.8 to 13*

SECTION – I

- Q.1. Define common Intention. Distinguish it from similar intention with court pronouncements. (8)
- Q.2. “The Criminal act and guilty mind should concur to constitute a Crime”. Examine the applicability of this principle under Indian Penal Code. (8)
- Q.3. “Every Person has a right, subject to the restriction contained in Sec.99”. Mention the restrictions in detail under Penal Code. (8)
- Q.4. “Voluntary drunkenness is no excuse for the Commission of a crime”. Critically analyse this statement with exception. (8)
- Q.5. Write a note on : (8)
(a) Kinds of abetment
(b) Offences committed by children
- Q.6. Write a note on any **TWO**. (8)
(a) Stages in the commission of crime
(b) Obscenity
(c) De minimus non-curat lex
- Q.7. Answer any **TWO** of the following, with authority and reasons. (6)
(a) A joined in arms a party of rebels against the State for fear that his house would be burnt and goods spoiled. Can A liable, advice.
(b) A and B, swimming in the sea after a shipwreck, gets hold of a plank not enough to support both A pushes off B, who is drowned . What offence has A committed.
(c) A threatens to set a savage dog at Z, if Z goes along a path which Z has a right to go, Z is thus prevented from going along that path. Is A liable.

P.T.O.

SECTION - II

- Q.8. Discuss 'Grave and sudden provocation' as a circumstance which reduces murder to homicide not amounting to murder. (8)
- Q.9. "Suicide is really a call for help, it requires treatment but not punishment. Do you agree, explain this with Judicial pronouncements. (8)
- Q.10. What are the essentials of kidnapping from lawful guardianship. Differentiate it from abduction. (8)
- Q.11. Examine the law relating to the offence of theft and find out the distinction between theft and extortion. (8)
- Q.12. Explain the important ingredients of Criminal Breach of Trust. Distinguish it from Criminal Misappropriation. (8)
- Q.13. Answer the following:
(a) Grievous Hurts and its essentials (8)
(b) Bigamy
- Q.14. Answer any TWO of the following, with authority and reasons. (5)
- (a) A student wrote a love letter to an innocent girl. The girl was a stranger. A enters the girl's house to hand over that letter. What offence has A committed.
- (b) A meets Z on the high road, shows a pistol, and demands Z's purse. Z in consequence, surrenders his purse. Is A liable.
- (c) A has a letter of credit upon B for Rs. 10,000 written by Z. A in order to defraud B, adds a cipher to the amount and makes the sum Rs. 1,00,000 intending that it may be believed by B that Z so wrote the letter can A be convicted.
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(HONS.) SEM - V EXAMINATION OCTOBER, 2003
LAW OF CRIMES

(33)
Max.Marks :75

Time : 3 hrs.

INSTRUCTIONS:

1. Question no. 7 and 14 are compulsory
2. Answer any FOUR from Q. No. 1 to 6 and answer any FOUR from Q. No. 8 to 13.

SECTION - I

1. 'The guilty act and guilty mind both should concur to constitute a Crime'. Examine the principle with other elements of crime. (8)
2. What are the different kinds of private defence. Explain in detail the restriction laid down for the right of private defence. (8)
3. Define Criminal Conspiracy. Distinguish it from abetment by conspiracy with suitable cases. (8)
4. Examine the scope of "Unsoundness of Mind" as a defence under Indian Penal Code. (8)
5. Write a note on : (8)
 - a) Mistake of fact as a defence
 - b) Concept of Necessity
6. Write a note on any TWO: (8)
 - (a) Extradition
 - (b) Development of Criminal law during British Period
 - (c) Definition of Crime
7. Answer any TWO of the following with reason and authority. (6)
 - (a) A in a great fire, pulls down houses in order to prevent conflagration from spreading. A did this act in good faith to save human life and property. While doing this act A caused injury to B. Is A liable, advice.
 - (b) A puts jewels into a box belonging to Z, with the intention that they may be found in that box, and that this circumstance may cause Z to be convicted of theft. For what offence A is liable.
 - (c) A intentionally pulls up a woman's veil, without her consent, with intention to frighten her. What offence A has committed.

P.T.O.

SECTION - II

Discuss the essentials of the offence of culpable Homicide as mentioned under Sec. 299 of penal code. (8)

“Death penalty as an alternative punishment for murder in Sec. 302 penal code is not unreasonable. Critically analyse this statement with suitable court pronouncements. (8)

“In all robbery there is either theft or extortion elucidate with appropriate illustrations. (8)

“Vexation of a lady who is a victim of rape is normally accepted since she would not tell a lie at her own cost”. Explain this with the help of essentials of rape. (8)

Define Hurt. When a Hurt is designated as Grievous Hurt. (8)

Answer the following :

a) Constitutionality of Sec. 497 of penal code (8)

b) Wrongful restraint and wrongful confinement.

Answer any **TWO** of the following with authority and reasons:

1) A voluntarily throws into a river a ring belonging to Z, with the intention of recovering it by causing wrongful loss to Z. Is A liable. (5)

2) A falsely represented himself to be B at a University examination, got a hall ticket under B's name and headed and signed answer papers to questions with B's name what offence is A committed.

A intended to cause miscarriage to her lover B gave medicine for that purpose. After that she came to know that B was not at all pregnant. Can A be liable.

LL.B. (Hons.) Sem. V Examination, 2003
LAW OF CRIMES

Duration: 3 Hours

Total Marks: 75

- Instructions:** 1) Question No. 7 and 14 are compulsory.
2) Answer **any four** from Q.Nos. 1 to 6 and answer **any four** from question Nos. 8 to 13.

1. Explain actus non facit reum nisi mensist rea with case laws. 8
2. Nothing is an offence which is done by an intoxicated person. Explain this statement with its exceptions. 8
3. Define crime. Critically examine to what extent reformatory theory can be applied in present situation. 8
4. Explain the term abettor in detail. Discuss in brief the kinds of abetment under I.P.C. 8
5. Write a note on: 8
 - a) Mistake of fact.
 - b) Criminal conspiracy.
6. Write a note on **any two**: 8
 - a) Sedition.
 - b) Liability of children.
 - c) Accident as a defence.
 - d) Rioting.
7. Answer **any two** of the following: 6
 - a) A and Z agree to fence each other for amusement. In course of such fencing 'A' without foul play hurts Z. What offence 'A' has committed ?
 - b) 'A' offers bribe to B, a public servant as reward for showing some favour in exercise of official function. B refuses to accept the bribe. What kind of offence A has committed ?
 - c) A makes a false entry in his shop book for the purpose of using it as corroborative evidence in court of justice. What offence A has committed ?

SECTION - II

8. Find out differences between murder and Culpable Homicide. 8
9. Delay in execution of death sentence can be commuted to life imprisonment. Explain with cases. 8
10. Define abduction. Find out differences between kidnapping and abduction. 8

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11. Define adultery and distinguish between adultery and rape. 8
12. Define Robbery. Distinguish between robbery and dacoity. 8
13. Answer the following: 8
- a) Criminal Breach of trust.
 - b) Theft.
14. Answer **any two** with reasons: 5
- a) 'A' finds the key of 'Z's house door which Z had lost and commits house trespass by entering Z's house. Explain A's liability.
 - b) 'X' places men with fire arms at the outlets of a building and tells 'Y' that they will fire at 'Y' if 'Y' attempts to leave the building. What offence 'X' has committed against 'Y' ?
 - c) 'A' finds a rupee on the high road not knowing to whom the rupee belongs. 'A' picks up the rupee. What offence 'A' has committed ?