

11(LL.B)H

5 Yr.B.A.LL.B(H)4th Sem/403 /24

2024

LAW

Law of Crimes–I
(Indian Penal Code)

Paper : 403

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give answers in their own words as far as practicable.

Answer Question no. 1 and any five from the rest.

1. Answer any **ten** questions: 2×10=20
- i) The word 'Fraudulently' is defined in which section of Indian Penal Code?
 - ii) How many persons are required for the offence of criminal conspiracy?
 - iii) 'Lunacy' as an exception has been provided under which section?
 - iv) What do you mean by the term 'Trifling'?
 - v) What do you mean by criminal conspiracy?
 - vi) Is Affray is an offence under Indian Penal Code?
 - vii) What do you mean by sedition?

[Turn Over]

- viii) Explain the term 'fabricating false evidence'.
 - ix) Define criminal intimidation.
 - x) Explain the term 'Stalking' in reference with Indian Penal Code.
 - xi) What are the essential elements of Grievous hurt?
 - xii) Define the term 'private defence'.
2. a) What do you mean by Abetment? Explain with decided case law, what are the points of difference between abetment and criminal conspiracy?
- b) A and B conspire to poison Z. A in pursuance of the conspiracy, procures the poison and deliver it to B in order that he may administer it to Z. B in pursuance of the conspiracy administer the poison to z, in absence of A. What offences did A and B committed?
- 4+4+4=12
3. What do you mean by offences against women? Discuss with examples various offences relating to outraging modesty of women.
- 4+8=12
4. a) Discuss the essential ingredients of Rape. Discuss the concept of Custodial Rape and Gang Rape after 2013 CRIMINAL LAW Amendment Act.
- b) Distinguish between consent in rape and connivance in adultery law.
- 3+6+3=12

- e'5. a) Explain the concept 'culpable homicide amounting to murder'. What are the essential characteristics of culpable homicide?
- b) Define when culpable homicide does not amounting to murder. $4+2+6=12$
6. a) "It is not an offence when the act is done by a person who by reason of mistake of fact believes that the act is done because he is bound by law to do it or he is justified by law in doing it."—Discuss.
- b) Define the term '*Doli Capax*'. $8+4=12$
7. What do you mean by offences against marriage? Discuss various provisions with prescribed punishment. $4+8=12$
8. Analyse any **three** problems: $4 \times 3 = 12$
- a) M, child of 9 years of age stole a gold necklace and immediately sold it to the accused. What offence M has committed?
- b) R, is intoxicated with alcohol. He takes a large knife and is going along the road. B, tried to pacify him, but R declares his intention to kill him, follows him and inflict injuries on B of which he died. —What offence R has committed?

- c) X attacks Z under such circumstances of grave provocation that his killing of Z would be only culpable homicide not amounting to murder. B, having ill-will towards Z, and intending to kill him and not having been subject to the provocation, assists A in killing Z.—Explain.
- d) A, a surgeon, knowing that a particular operation is likely to cause the death of Z, who suffers under painful complaint, but not intending to cause Z's death, and intending, in good faith, for Z's benefit, performs the operation with Z's consent. – Explain.

9. Write short notes on (any **three**): 4×3=12

- a) Public servant
 - b) Unlawful assembly
 - c) Outraging the modesty of women
 - d) Dacoity
 - e) Criminal Trespass
 - f) Mock Marriage.
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