

PARUL UNIVERSITY**FACULTY OF LAW****I-B.A. LL.B./ I-B.Com. LL.B./ I-B.B.A. LL.B. Winter 2017 – 18 Examination****Semester: 3****Date: 04/12/2017****Subject Code: 17300202****Time: 10:30 am to 1:00 pm****Subject Name: Law of Crime-I [Indian Penal Code]****Total Marks: 60****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed. (1 mark each) (All Compulsory)**Choose the correct option for question no. 1 to 5.****(05)**

1. Liability of a master for the acts of his servant under -----

- (a) Joint liability (b) Legal liability (c) Joint responsibility (d) Vicarious Liability

2. Nothing is said to be done or believed in 'good faith' which is done or believed without --- -----

- (a) due care and attention (b) morality (c) authorization of law (d) none

3. Stages of crime -----

- (a) agreement (b) knowledge (c) planning (d) none

4. Under the law of crime accused is -----

- (a) Sent to jail (b) imposed with fine (c) both (a) and (b) (d) None

5. Dishonestly includes -----

- (a) wrongful loss (b) wrongful gains (c) both (a) & (b) (d) None

State true or false for question no. 6 to 10 and write the answer in the answer book.**(05)**

6. The object of the criminal law is to protect the peace of the society.
7. A wrongful act is an infringement of right in rem.
8. The word 'person' includes artificial or juristic persons.
9. Right of private defence is not available against insane person.
10. Act does not include illegal Omission under the Indian Penal Code.

Define the concept in one sentence for question no. 11 to 15.**(05)**

11. Dishonestly
12. Fraudulently
13. Actus reus
14. Mens rea
15. Attempt

Q.2 A) Write short notes on. (Each of three marks)**(15)**

1. Distinguish between crime and morality.
2. Distinguish between Joint Responsibility and Vicarious Liability.
3. Distinguish between common intention and common object.
4. Distinguish between Reformatory theory of punishment and Deterrent theory of punishment.
5. Distinguish between dishonestly and fraudulently.

Q.3 A) Explain in detail the Stages of Crime with suitable examples.**(08)****OR****A) Distinguish between Crime and Tort; Crime and Breach of Contract****(08)****B) Explain in detail the right of private defence available under Indian Penal Code.****(07)****OR****B) Describe the offences against the Public Tranquility in detail.****(07)**

Q.4 A) Practical problem solving (Answer the question with relevant provision / section of IPC) (07)

1. 'A' is standing on the bank of a tank. 'B' a woman is filling her pitcher. All of a sudden she gets an epileptic fit. 'A' do not try to save her. **Define 'A's liability under IPC.**
2. A purchases a pistol and keeps the same in his pocket duly loaded in order to kill his bitter enemy B, but does nothing more. **What offence A did ?**
3. A, an officer of a Court of justice, being ordered by that court to arrest Y, and after due enquiry, believing Z to be Y, arrests Z, **What offence A committed ?**
4. A is at work with a hatchet; the head flies off and kill a man who is standing by. **Whether A is liable, discuss.**
5. A lays sticks and turf over a pit, with the intention of thereby causing death, or with the knowledge that death is likely to be thereby caused. Z, believing the ground to be firm, treads on it, falls in and is killed. **What offence A has committed?**
6. A, under the influence of passion excited by a provocation given by Z, intentionally kills Y, Z' child. **What is A's liability under IPC ?**
7. A attempts to pull Z' nose. Z, in the exercise of the right of private defence, lays hold of A to prevent him from doing so. A is moved to sudden and violent passion in consequence, and kills Z. **Define A's liability under IPC.**

B) Write short notes on. (Any four) (Each of two marks)

(08)

1. Bigamy
2. Adultery
3. Offences against the State
4. Offences against the Religion
5. Retributive theory of punishment
6. Excusable acts under IPC