

**PARUL UNIVERSITY****FACULTY OF LAW****B.A. LLB./ B.Com. LL.B./ B.B.A. LL.B. Winter 2018 – 19 Examination****Semester: 3****Date: 24/10/2018****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.****[MCQ` True or False, Definitions, Explain terms ][1 marks each, All Compulsory]****(15)**

1. The Fundamental principle of criminal liability is embodied in the maxim "actus non facit reum nisi mens sit rea". The maxim was developed by:
  - (a) Equity Court
  - (b) Common Law Court
  - (c) SadarNizamat Court
  - (d) none of the above.
2. When a criminal act is done by several persons in furtherance of the common intention of all.
  - (a) each of such person is liable for that act in the same manner as if it were done by him alone
  - (b) each of such person is liable for his own overt act
  - (c) each of such person shall be liable according to the extent of his participation in the crime
  - (d) both (b) & (c).
3. Which one of the following is not essential for an offence?
  - (a) intention
  - (b) motive
  - (c) prohibited act
  - (d) punishment for act.
4. Section 76 provides that nothing is an offence which is done by a person who is or who by reason of
  - (a) mistake of fact in good faith believes himself to be bound by law to do it
  - (b) mistake of law in good faith believes himself to be bound by law to do it
  - (c) mistake of fact believes himself to be bound by morals to do it
  - (d) all the above.
5. Bonafied Intention means
  - (a) Good Faith Intention
  - (b) Malafide Intention
  - (c) Similar Intention
  - (d) Common Intention
6. Under section 79, nothing is an offence which is done by a person who is justified by law or by reason of mistake of fact in good faith believes himself to be
  - (a) bound by law to do it
  - (b) justified by law to do it
  - (c) bound by morality to do it
  - (d) all the above.
7. Men's Rea is
  - (a) good faith
  - (b) bonafide intention
  - (c) bad faith
  - (d) guilty mind

8. There are four elements of crime.  
 (a) True (b) False
9. Minimum number of persons required to commit an affray is 2.  
 (a) True (b) False
10. Nothing is an offence committed by child below seven years of age.  
 (a) True (b) False
11. Sexual intercourse by a man with a woman even with her consent is a rape if she is below age of 18 years.  
 (a) True (b) False
12. Define Crime.
13. Define Abetter.
14. Define Extortion
15. Define doli incapax

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

1. Elements of Crime.
2. Stages of Crime
3. Theories of Crime.
4. Joint Responsibility and Vicarious Liability.
5. Criminal conspiracy.

**Q.3 A. Discuss adultery in the light of the recent judgment passed by Supreme Court also give your opinion on the same? (08)**

**OR**

Discuss difference Unlawful Assembly and Affray? (08)

**B. What is private defense? When does the right of private defense of the body extend to cause death? (07)**

**OR**

State the circumstances when culpable homicide does not amount to murder? (07)

**Q.4 A. 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 is committed. Discuss in detail with essential ingredient of that offence. (07)**

**B. Write note on (Any four, each of two mark)**

1. Theft
2. Kidnapping
3. Grievous Hurt (08)
4. Criminal Intimidation
5. Bigamy
6. Sale of adulterated drugs