

PARUL UNIVERSITY
FACULTY OF LAW
LL.B Winter 2018 – 19 Examination

Semester: 1
Subject Code: 17100104
Subject Name: Law of Crimes –I

Date: 01/12/2018
Time: 10:30 am to 1:00 pm
Total Marks: 60

Instructions:

1. All questions are compulsory.
2. Start new question on new page.

Q.1 Answer the following questions: (Each of One mark)**(15)**

1. Good faith has been defined under:

(a) Sec. 52	(b) Sec. 39
(c) Sec.107	(d) Sec. 32
2. Voluntarily has been defined in the IPC under:

(a) Sec. 52	(b) Sec. 39
(c) Sec.107	(d) Sec. 32
3. A, a priest solemnizes and officiates an illegal marriage, knowing that the man was already married to another woman. Is the priest guilty of abetment?

(a) Yes	(b) No
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4. Criminal conspiracy is defined under section

(a) 120-A	(b) 120-B
(c) 120-C	(d) 120-D
4. A person may be held guilty of sedition under section 124-A, if he brings hatred towards the Government

(a) established by law	(b) established by people
(c) established by contract	(d) established by any means
6. X with a view to murdering 'Y' enters 'Y's' bedroom at night when 'Y' is out of station. X is guilty of

(a) murder	(b) cheating
(c) attempt to murder	(d) no offence
7. A, a public servant is authorized by warrant from court of justice to apprehend z. B, knowing that fact and also that C is not Z, willfully represents to A that C is Z and thereby cause A to apprehend C. How does B abet?

(a) By way of instigation	(b) By way of conspiracy
(c) By way of aiding	(d) By way of supporting
8. Defence under section 84 is available to a person if

(a) he is insane	(b) he is insane at the time of doing the act
(c) he is insane, before, after or at the time of doing the act	(d) None of the above
9. Right of private defence is not available

(a) against an insane	(b) against a child
(c) when there is time to recourse the public authorities	(d) all of the above
10. A cuts down a tree on B's land with the intention of dishonestly taking the tree out of B's possession, without B's consent. A has committed which offence?

(a) Criminal misappropriation	(b) Criminal breach of trust
(c) Extortion	(d) Theft
11. A leaves with B, his agent, a cheque signed by A, without inserting the amount and authorizes B to fill up the cheque of an amount not exceeding ten thousand rupees. B fraudulently fills up the cheque with twenty thousand rupees. Has B committed the offence of forgery?

(a) Yes	(b) No
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12. A, having joint property with Z in a horse, shoots the horse, intending thereby to cause wrongful loss to Z. A had committed the offence of:

(a) Murder	(b) Mischief
(c) Grievous Hurt	(d) No offence

13. Ankit, pretending to be Raja XY, the Maharaja of Zullur, deceives Ashok, a businessman of 10 crore rupees. Has Ankit committed the offence of 'cheating by personation', even when there is no place named Zullur?
 (a) Yes (b) No, as Zullur does not exist
14. A, in good faith, believing a watch belonging to Z to be A's own property, takes the watch out of B's possession. Later on, A discovers his mistake, but dishonestly appropriates the property to his own use. Is A guilty of theft?
 (a) Yes (b) No
15. A with an intention to kill B, buys poison and mixes it in a box of sweets. B on tasting the sweets, dislikes the same and throws it out of the window, where C, a homeless child eats them and dies. Is A guilty of the offence of murder of C whose death he neither intends nor knows himself to be likely to cause the child's death.
 (a) Yes (b) No

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

(15)

1. Criminal misappropriation and Criminal breach of trust
2. Theft and Extortion
3. Mistake of fact bound by law and justified by law
4. Wrongful restraint and Wrongful confinement
5. Common intention and Common object

Q.3 A) "In the scheme of the IPC culpable homicide is genus and murder its species. All murder is culpable homicide but not vice-versa." Discuss with relevant provisions of the IPC.

(08)

Ankur with intent to cause severe bodily injuries on the arms and legs of Sham gave him fifteen injuries on the arms and legs with a heavy stick which resulted in multiple fractures and internal bleeding. Sham died after three days from the date of the incident. Sham is tried under Section 302 IPC. Discuss the criminal liability of Ankur.

OR

A) "Kidnapping, unlike abduction, is not a continuing offence." Discuss in light of the relevant provisions in the IPC.

Ankita, a 17 year old girl from Delhi elopes with her lover Ankit to Jaipur. They are caught by the Police. Ankita tells the police of her love and her trip to Ankit to Jaipur, out of her own free will. Has Mohit committed any offence? If yes, what are the relevant provisions from the IPC that ascertains the criminal liability?

B) Conflicting moralities often question the validity of certain legislations. With the State's duty in protecting individual rights and liberties, discuss the same in reference to the recent developments pertaining to Sec. 497 of the IPC with relevant case laws.

(07)

OR

B) "Law as a tool for social engineering, gains significance when the law conflicts with the existing morality". Discuss the same in reference to Sec. 377 of the IPC, highlighting the intersection of crime, law and morality with relevant case laws.

Q.4 A) Mohit, a senior student called some juniors to his room for ragging and commanded that they should never fail to obey the orders of their seniors and any violation of his command will come with serious consequences. Observing Raj, a junior student, not listening, Mohit orders Raj to run the whole ground of the college in fifteen minutes without any rest. He made it clear to Raj that if he fail to obey the command he would be given severe beating. Raj informed Mohit that he was suffering from serious depression and liver disorder. He further informed Mohit that he has been advised by his doctors not to run and as far as possible, take rest. Mohit did not listen and forced Raj to run as directed. Raj ran as directed but collapsed and died, Discuss the criminal liability of Mohit.

(07)

B) Write a brief note on: (Any FOUR) (Each of two mark)

(08)

1. Doctrine of transferred malice
2. Principle of reasonable foresight.
3. Actus non facit reum nisi mens sit rea.
4. Grave and sudden provocation as an exception to the offence of murder.
5. Is marital rape an offence in India? If yes, to what extent.