

2017

LAW

(Law of Crime)

Paper No. 5:4

Full Marks : 100

Pass Marks : 40

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer question no. 1 and any five questions from the rest.

1. Write notes on *any four* of the following: 4x5
 - a) Actus reus non facit reum, nisi mens sit rea
 - b) Valuable security
 - c) Criminal Conspiracy
 - d) Joint Liability
 - e) Police custody and judicial custody

2. The right of Private Defence US 96 and right of Private Defence of body and property provided by Section 97 of IPC is a right of Protection and not of vengeance or aggression. Elaborate. 16

3. What are the different stages of the commission of an offence and how far each of them is punishable? Distinguish between "*preparation to commit an offence*" and "*attempt to commit an offence*". 10+6

(Please turn over)

4. What is criminal trespass? Critically examined the essential ingredients of criminal trespass with special reference to section 441 of IPC. Can an owner himself be guilty of Criminal trespass of his own property? 8+8
5. What do you mean by kidnapping? Distinguish between kidnapping and abduction. 8+8
6. What do you mean by Extortion? When does extortion amount to Robbery? Discuss. 8+8
7. Define "*wrongful Restraint and wrongful confinement*" and distinguish between the two? 16
8. Discuss the law relating to offence of Adultery. Is the present law satisfactory or does it need change in the present day context. 16
9. Distinguish between Simple Hurt and Grievous Hurt. What are the punishments for Simple Hurt and Grievous Hurt? 8+8
10. Write down the facts and principles of law laid down in:- 16

Lohit Chandra Das

vs

State of Assam

(1986) 1 GLR 29
