

2019

LAW

(Law of Crimes)

Paper No. 5:4

DIMAPUR LIBRARY
Hill View Colony
Dimapur : Nagaland

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) Valuable Security
 - b) Wrongful restraint and wrongful confinement
 - c) Criminal Conspiracy
 - d) Police custody and judicial custody
 - e) Sedition
 - f) Punishments

2. Distinguish between: (*Any two*) 8+8
 - a) Unsoundness of mind and Intoxicating
 - b) Threat and Criminal Intimidation
 - c) Criminal misappropriation and criminal Breach of trust

3. What are the different stages of crime? What is an attempt to commit an offence? What do you mean by attempt to commit murder? Whether without causing injury can a person be held guilty of attempt to commit murder? 4+4+4+4

4. Define the right of Private Defence? When does a person not have this right? When does this right extend to causing death? When does this right start and when does it end. 4+4+4+4
5. How far is mistake of fact, accident, act of child, insanity and intoxication a good defence Under IPC? Please explain how is mistake of law no defence but mistake of fact is a good defence under IPC? 8+8
6. Explain in detail the concept of "*Actus non facit, reum nisi mens sit rea*" in criminal law? How is the intention of a criminal determined in a criminal case? 8+8
7. What do you understand by unlawful Assembly? What are the essential ingredients of unlawful assembly? How is a member of unlawful assembly prosecuted? Distinguish between section 34 and section 149 of the IPC. 4+4+4+4
8. What is rash and negligent Act? Discuss the law relating to causing death by negligence as provided in Indian Penal Code. Does causing death by negligence amount to murder or homicide not amounting to murder. Discuss. 4+6+6
9. Explain the doctrine of Doli Incapax as provided in section 83 of IPC. Discuss common intention as provided in section 34 of the IPC. 'A' the licensee of a petrol pump and his 9 year old brother were caught adulterating petrol in an underground storage. What offence is committed by 'A' and his 9 year old brother? 4+4+8
10. Write down the facts of the case and principles of law laid down in:- 16

Purnima Baruah
vs
Union of India
(1991) I.G.L.R. 375

