

**2021****LAW****( Law of Crime )**

Paper No. 5:4 (NEW COURSE)

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.*

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| <p>1. Write notes on any four of the following: <b>4x5</b></p> <p>a) Actus reus non facit reum, nisi mens sit rea<br/>b) Criminal Intimidation<br/>c) Criminal conspiracy<br/>d) Sedition<br/>e) Doli Incapax</p>  | <p>4. Discuss and compare the principle of joint liability for criminal act done in furtherance of Common Intention and the principle of joint liability for offence committed in prosecution of Common object. <b>16</b></p>            |
| <p>2. When does the right of private defence commence and till when does the right continue? What are the acts against which there is not right of Private defence? Under what situation does the right extend to the voluntary causing of death? <b>6+6+4</b></p> | <p>5. Distinguish between: (any two) <b>8+8</b></p> <p>a) Mistake of fact and Mistake of Law<br/>b) Unsoundness of mind and Intoxication<br/>c) Robbery and Dacoity</p>  |
| <p>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". <b>8+8</b></p>  | <p>6. The right of private defence under section 96 and right private defence of body and property provided by section 97 of the IPC is a right of protection and not of vengeance or aggression. Elaborate the concept. <b>16</b></p>   |
|  | <p>7. Explain the offence of criminal breach of trust with the help of the explanation and illustrations as laid down in the IPC. <b>16</b></p>  |
|  | <p>8. What are the essential ingredients to constitute defamation? What are the exceptions to the rule? <b>10+6</b></p>  |
|  | <p>9. What is rash and negligent act? Discuss the law relating to causing death by negligence that is provided in the IPC. Does causing death by negligence amount to murder or homicide not amounting to murder? Discuss. <b>16</b></p> |
|  | <p>10. Write down the facts and principles of law laid down in:- <b>16</b></p> <p style="text-align: center;"><i>Khandu</i><br/>vs<br/><i>Emp.,;</i><br/>(1890) 15 Bom 194</p>   |

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(Please turn over)