

Ref No. ....

**Note :** Answers should be given in English only as per ordinance. Otherwise your A/Book will not be evaluated and 00 (Zero) marks will be counted.

**67803**

**LL.M. 3rd Semester (Re-appear)  
Examination–May, 2017**

**HISTORY AND PRINCIPLES OF CRIMINAL  
LAW**

**Paper : (G-II) M-13**

**Time : 3 hours**

**Max. Marks : 80**

Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

**Note:** Attempt all questions in Section A. Each part of the question in Section-A carries 3 marks (3 × 8). Attempt any **four** questions from Section-B. Each question in Section-B carries 14 marks (14 × 4).

67803-150-(P-4)(Q-9)(17) (1)

[ Turn Over

**SECTION – A**

- (a) "Actus me invito factus non est meus actus" (3)
- (b) Good faith (3)
- (c) Joint and constructive liability (3)
- (d) Voyeurism (3)
- (e) Distinction between 'Criminal Force' and 'Assault' (3)
- (f) Distinction between 'Riding and 'Affray'. (3)
- (g) Doctrine of transferred malice. (3)
- (h) What are the different kinds of punishment under IPC ? (3)

**SECTION – B**

- 2. "Crime is a revolt against the whole society and an attack on the civilisation of the day." Explain and discuss the essential elements of crime. (14)
- 3. Define 'Consent' in criminal law and state the cases in which the consent of the harmed or his guardian exempts the person inflicting the harm from criminal liabilities. (14)

67803-150-(P-4)(Q-9)(17) (2)

4. "A person can be prosecuted under clause (1) of Section 300 IPC, only when it is clear that clause 1,2 and 3 of the Section each or all of them fail to suit the circumstances." Examine the above statement with the help of decided cases. (14)
5. What do you understand by the concept of joint liability ? Discuss the concept in relation to the offence of gang rape. Can a woman be prosecuted as joint liability for gang rape ? (14)
6. It is said that in every robbery or dacoity either there is theft or extortion. Explain with illustration and decided cases. (14)
7. Section 304-B and Section 498A-IPC are not mutually exclusive. Comment. (14)
8. A Mohammedan husband makes allegations of unchastity against his wife when pronouncing talak. The wife prosecutes him under Section 500 IPC. The husband claims protection of Exception 9 of Section 499 IPC. Would you convict him ? Give reasons. (14)

9. Discuss fully the essential elements of criminal misappropriation of property and distinguish between criminal misappropriation of property and criminal breach of trust.

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