

67803

LL.M. 3rd Semester (Old Scheme Non CBCS)

Examination, May-2018

HISTORY AND PRINCIPLES OF CRIMINAL LAW

Paper-G-IV (M-13)

Time allowed : 3 hours]

[Maximum marks : 80

- Note :** (i) *Attempt four questions from Section-A. Each question in this section carries 14 marks (14×4). Section-B is compulsory. Each part of the question in Section-B carries 3 marks (3×8).*
- (ii) *Students are required to give their answer only in English Language. Otherwise answer book will not be evaluated and counted as zero marks.*

Section-A

1. "Crime is a revolt against the whole society and an attack on the civilization of the day." Elucidate and discuss the essential elements of crime.
2. "Nothing is an offence which is done in the exercise of right of private defence." Elucidate and explain the object and purpose of the right of private defence.

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[P.T.O.]

3. Distinguish between the ingredients of section 34 of Indian Penal Code and section 120 A of the Indian Penal Code. Cite case law.
4. When is an act considered as an "accident" so as to be covered under section 80 of the Indian Penal Code, 1860 ?
5. Discuss unsoundness of mind as a defence to criminal liability. How is legal insanity different from medical insanity ? Refer to case law.
6. What is meant by Mens Rea ? Explain the dictum "Actus Non Facit Reum Nisi Mens Sit Rea." How far a motive necessary for determining a crime ? Are there any exceptions to the dictum of mens rea ? Illustrate your answer.
7. "The distinction between 'murder' and 'culpable homicide' not amounting to murder is very fine but real." Explain.
8. There can be no case of robbery which does not fall within the definition of theft or of extortion but in practice it will perpetually be matter of doubt whether a particular act is theft or extortion.' Explain fully the above statement and bring out clearly the distinctive features of offence of theft, extortion and robbery.

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Section-B

9. Explain the following :

- (a) Good faith
- (b) Intimidation
- (c) Abduction
- (d) Vicarious liability
- (e) Expiatory theory
- (f) Fraudulently
- (g) Obscenity
- (h) Affray

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