

Roll No.

67803

LL. M. 3rd Semester

Examination – November, 2016

HISTORY AND PRINCIPLES OF CRIMINAL LAW

Paper : (G-II) M-13

Time : Three Hours]

[Maximum Marks : 80

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

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

SECTION – A

1. Explain the following : 3 × 8
- (a) Quod necessitas non habet legem.
 - (b) Reason to believe.
 - (c) Cheating by personation.
 - (d) Distinction between culpability and liability.

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- (e) Injury.
- (f) Strict liability.
- (g) Delirium tremens.
- (h) Distinguish between obscenity and vulgarity.

SECTION – B

2. Discuss origin and development of Crime. 14
3. Can Irresistible impulse be a ground of defence under Section - 84 of IPC ? Discuss it in the light of both Indian law and English law. 14
4. Explain and discuss the distinction between clause (2) of Section - 299 and clause (3) of Section - 300 with the help of illustrations and decided cases. 14
5. When does an act amount to an attempt to commit a crime ? Is there any difference in this respect between the general Section 511 of the IPC on the one hand and Section 307 IPC and Section 308 IPC on the other ? If yes, elucidate with reasons. 14
6. X being executor of the will of a deceased person, contrary to the terms of the will, gave a part of the property to his own son. What offence, if any, has X committed ? 14

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7. There can be no case of robbery which does not fall within the definition of Theft or Extortion but in practice it will perpetually be a matter of doubt whether a particular act is Theft or Extortion. Explain the above statement and bring out clearly the distinctive features of Theft, Robbery and Extortion. 14
8. Point out distinction between 'Kidnapping from lawful guardianship and 'Abduction'. Can a person kidnap his own child? 14
9. "It is not necessary to the commission of the offence of abetment by conspiracy that abettor should concert the offence with the person who commits it. It is sufficient if he engages in the conspiracy in pursuance of which the offence is committed." Explain. 14
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