



BRAINWARE UNIVERSITY

Term End Examination 2019 - 20

Programme – Bachelor of Law

Course Name - Law of Crimes

Course Code – LLB105

(Semester – 1)

Time allotted: 2.5 Hours

Full Marks: 60

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group –A

(Multiple Choice Type Question)

20 x 1 = 20

1. *Choose the correct alternative from the following (Answer any Twenty)*
 - (i) Section 82 of IPC provides that nothing is an offence which is done by a child under:
 - a. 6 years of age
 - b. 7 years of age
 - c. 8 years of age
 - d. 9 years of age
 - (ii) Right to private defence is:
 - a. Available under all circumstances.
 - b. Available where there is time to have the recourse to the protection of public authorities.
 - c. Available where there is no time to have recourse to the protection of public authorities.
 - d. All of the above.
 - (iii) All about 'intention' is true except one:
 - a. It is a state of mind.
 - b. It is an objective element.
 - c. Rarely susceptible to proof.
 - d. Always a matter of inference.
 - (iv) Which of the following Section of the IPC deals with solitary confinement?
 - a. Section 71
 - b. Section 72
 - c. Section 73
 - d. Section 74
 - (v) 'Sedition' as offence was held constitutionally valid in *Kedar Nath v. State of Bihar*, AIR 1962 SC 955 is dealt under-
 - a. Section 124A of IPC
 - b. Section 128 of IPC
 - c. Section 136 of IPC
 - d. Section 145 of IPC

- (vi) Z is thrown from his horse and is insensible. A, a surgeon, finds out that Z requires to be trepanned. A, not intending Z's death, but in good faith for Z's benefit, performs the trepan before Z recovers his power of judging for himself.
- A has committed offence.
 - A has committed no offence.
 - A has committed culpable homicide.
 - both (a) and (c)
- (vii) A demand or request for sexual favour from a woman is punishable offence under Indian Penal Code, 1860, under:
- Section 354A
 - Section 354B
 - Section 354C
 - Section 354D
- (viii) 'Voluntarily' has been defined as an effect caused by means whereby a person intended to cause it or by means, at the time of employing those means, know or had reason to believe to be likely to cause it under:
- Section 39
 - Section 38
 - Section 40
 - Section 41
- (ix) Under section 45 of IPC, life denotes:
- life of a human being
 - life of an animal
 - life of human being and of an animal both
 - life of either human being or animal.
- (x) General exceptions are contained in:
- Chapter III of IPC
 - Chapter IV of IPC
 - Chapter V of IPC
 - Chapter VI of IPC
- (xi) Under section 79, nothing is an offence which is done by a person who is justified by law or who by reason of mistake of fact in good faith believes himself to be:
- Bound by law to do it.
 - Justified by law to do it.
 - Bound by morality to do it.
 - All the above.
- (xii) Accident as an exception has been dealt with in:
- Section 77
 - Section 78
 - Section 80
 - Section 79
- (xiii) Under section 80, the exception of accident is available when an offence is committed while:
- Doing a lawful act in a lawful manner by lawful means.
 - Doing a lawful act in any manner by any means.
 - Doing a lawful act in a lawful manner by any means.
 - All the above.
- (xiv) Literally, mens rea means:
- guilty mind
 - a guilty or a wrongful purpose
 - a criminal intent, a guilty knowledge and willfulness
 - All of the above

- (xv) Under which section of the IPC a person irrespective of his nationality can be held guilty and is liable to punishment for any offence within India?
- Section 2 of IPC
 - Section 5 of IPC
 - Section 4 of IPC
 - Section 12 of IPC
- (xvi) False statement in connection with elections is dealt under-
- Section 171 G of IPC
 - Section 170 H of IPC
 - Section 170 I of IPC
 - Section 170 K of IPC
- (xvii) For abduction abducted person should be:
- Below 16 years of age
 - Below 18 years of age
 - Insane person
 - Person of any age
- (xviii) In case of non-payment of fine, if a part of the fine is paid, such sentence:
- Shall be reduced proportionally.
 - Shall not be reduced in direct proportion to the fine paid.
 - Shall be reduced but subject to the discretion of the court as to the quantum of reduction.
 - All of the above.
- (xix) In kidnapping, the consent of a minor is:
- Wholly material
 - Partially immaterial
 - Partly material
 - None of these
- (xx) The subject matter of theft:
- Can be movable property.
 - Can be immovable property.
 - Both (a) and (b)
 - Either (a) or (b)
- (xxi) The causing of death of child in the mother's womb is not homicide under:
- Indian law only
 - English law only
 - Both English and Indian law
 - None of these.
- (xxii) X gave poisoned halva to Y with an intention to kill him. Y ate one morsel and kept it on the side of Z who picked it up and ate it. Z died.
- X is guilty of murder of Z.
 - X is guilty of only culpable homicide not amounting to murder.
 - X is not guilty of murder.
 - X is guilty neither of murder nor of culpable homicide as he never intended to kill Z.
- (xxiii) Where the offender is himself in possession of the property and subsequently dishonestly converts it to his own use, the offence committed is a:
- Theft
 - Robbery
 - Criminal Misappropriation
 - Dacoity
- (xxiv) Rape is an offence against:
- Property
 - Human body
 - Political body
 - Social body

(xxv) Intoxication as defence is contained in:

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| a. section 85 of IPC | b. section 86 of IPC |
| c. section 87 of IPC | d. Both a and b |

Group – B

(Short Answer Type Questions)

4 x 5 = 20

Answer any *four* from the following

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| 2. Explain with examples the stages of a crime. | 5 |
| 3. Explain Actus Reus? Explain with illustrations. | 5 |
| 4. Identify the right of private defense as an exception under Chapter IV of IPC. | 5 |
| 5. Enumerate the different modes of abetment? Explain in brief. | 5 |
| 6. Explain the concepts of Consent, Goodwill and Compulsion as general exceptions under IPC. | 5 |
| 7. State the difference between Culpable Homicide and Murder. | 5 |

Group – C

(Long Answer Type Questions)

2 x 10 = 20

Answer any *two* from the following

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| 8. (a) Define criminal Conspiracy and mention its important ingredients. | 5 |
| (b) Supplement your answer with relevant case laws. What is the punishment for criminal conspiracy? | 2.5+2.5 |
| 9. Enumerate your views on the amendment of Section 497 of the Indian Penal Code taking reference of relevant cases and forming a timeline. | 10 |
| 10. Explain in detail the amendments brought in Rape Law in IPC under the Justice Verma Committee in 2013. | 10 |
| 11. Define the essential ingredients of Defamation. State the exceptions. | 10 |
