



BRAINWARE UNIVERSITY

Term End Examination 2022

Programme – LL.B.-2020/LL.B.-2021/LL.B.-2022

Course Name – Law of Crimes I/LAW OF CRIMES I

Course Code - LLB105

(Semester I)

Full Marks : 60

Time : 2:30 Hours

[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)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Select the correct chapter for General exceptions
- | | |
|-----------------------|----------------------|
| a) Chapter III of IPC | b) Chapter IV of IPC |
| c) Chapter V of IPC | d) Chapter VI of IPC |
- (ii) Infer the liability of A in the given case -A shoots Z with the intention of killing him. Z dies in consequence.
- | | |
|---|-------------------------------------|
| a) A has committed murder | b) A is guilty of culpable homicide |
| c) Both A has committed murder and A is guilty of culpable homicide | d) None of these |
- (iii) Identify if A, surgeon, in good faith communicates to a patient his opinion that he cannot live. The patient dies in consequence of the shock.
- | | |
|--|--|
| a) A is guilty as he should have withheld the communication. | b) A is not guilty as he rightly discharged his duties. |
| c) A is not guilty as he did not give any false hopes. | d) Both A is not guilty as he rightly discharged his duties. And A is not guilty as he did not give any false hopes. |
- (iv) In the context of the exception of grave & sudden provocation, choose the correct option
- | | |
|---|--|
| a) provocation should not be voluntarily provoked by the offender | b) lawful exercise of the right of private defence does not give provocation |
| c) lawful exercise of powers by a public servant in obedience to the law does not amount to provocation | d) all of these |
- (v) Illustrate WhenThe consent is not a valid consent under section 90
- | | |
|---|---|
| a) if given under a fear of injury or misconception of fact | b) if given by a person of unsound mind |
| c) if given by a child below 12 years of age | d) all of these |

- (vi) Express the legal liability of X and Y in the following situation- X with intention of murdering Z, instigates Y, a child below 7 years, to do an act which causes Z's death. Y in the absence of X in consequence of abetment does the act and thereby causes Z's death.
- a) Y is liable for murder and X is liable for abetment
 b) Y is not liable for murder being wholly incapax, but X is liable for abetment
 c) X & Y both are liable under section 302/304, IPC
 d) X & Y both are liable for conspiracy to murder of Z.
- (vii) Choose the correct option For rioting
- a) actual force or violence must be used
 b) mere show of force is sufficient
 c) mere possession of deadly weapon is sufficient
 d) all of these
- (viii) Analyze the situation if X, a police officer, has a warrant of arrest for Y. He asks Z as to the identity of Y. Z knowingly tells X that M is Y and consequently X arrests M.
- a) Z is guilty of abetment by instigation.
 b) Z is guilty of abetment by aiding.
 c) Z is guilty of abetment by false representation.
 d) Z is guilty of abetment of any kind only of mischief
- (ix) Choose the following that shall not be an unlawful assembly within the meaning of section 141 of IPC:
- a) an assembly of five or more persons with the common object of only maintaining possession
 b) an assembly of five or more persons to vindicate a supposed right of one or all, by show of force
 c) an assembly of five or more persons to prevent arrest of a person, by the court under the orders of the court
 d) an assembly of five or more persons with common object of taking possession of property.
- (x) Define the essential ingredients of a crime
- a) Motive, mens rea, and actus reus.
 b) Motive, intention and knowledge.
 c) Actus reus, mens rea
 d) Knowledge, intention and action.
- (xi) Choose the section dealing with the offence -Robbery.
- a) Section 391 of IPC
 b) Section 392 of IPC
 c) Section 395 of IPC
 d) Section 396 of IPC
- (xii) Identify the correct option where Accident is an exception
- a) Section 77
 b) Section 78
 c) Section 80
 d) Section 79
- (xiii) Justify merits of public performance in the context of exception under defamation.
- a) First exception
 b) Second exception
 c) Third exception
 d) Fifth exception
- (xiv) Select the correct option if X, a police officer, has a warrant of arrest for Y. He asks Z as to the identity of Y. Z knowingly tells X that M is Y and consequently X arrests M.
- a) Z is guilty of abetment by instigation.
 b) Z is guilty of abetment by aiding.
 c) Z is guilty of abetment by false representation.
 d) Z is guilty of abetment of any kind only of mischief
- (xv) Define Animal
- a) any living creature including human being.
 b) Any living creature other than a human being.
 c) Any creature lives or dead.
 d) Either any living creature including human being. Or c. Any creature lives or dead.

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Illustrate the essential ingredients of Sedition.

(3)

3. Write a note on section 124 which talks about 'Assault on High officials. (3)
4. Examine the concept of "Custodial rape" along with the punishment prescribed for the same. (3)
5. Express the terms 'Wrongful gain' and 'wrongful loss' as provided in IPC. (3)
6. Justify the situation where there is same offence with concealment of former marriage from person with whom subsequent marriage is contracted. (3)

OR

Create differences between murder and culpable homicide. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Discuss the nature and purpose of sound mind for entering into any contract. (5)
8. Illustrate the meaning of these terms 'Wrongful gain' and 'wrongful loss' as denoted in IPC. (5)
9. Write the differences between the words common intention and common object as used in IPC. (5)
10. Evaluate the differences between Robbery and Dacoity. (5)
11. Evaluate the concept of "Custodial rape" along with the punishment prescribed for the same. (5)
12. Distinguish the nature of section 498A and 306 IPC. (5)

OR

Argue in reference to the penal provision that whoever marries again during lifetime of husband or wife. what will be the effect and punishment? (5)
