

2007

(January '08)

LAW OF CRIMES

Paper : 204

Full Marks : 80

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer Question No. **1** and *any four* from the rest

1. Write short notes on any *four* of the following : 5×4=20

(a) Judge

(b) Document

(c) 'Wrongful Gain' and 'Wrongful Loss'

(d) Mens Rea

(e) Crime

(f) Dishonestly

2. Write a note on the mistake of fact and mistake of law as laid down in Section 76 and 79 of Indian Penal Code.

15

3. State what offences if any has been committed by A in the following cases (any three) : $5 \times 3 = 15$

(a) A, a soldier, fires on a mob by the order of his superior officer, in conformity of command of the law.

(b) A, an officer of a Court of Justice; being ordered by the Court to arrest Y and after due enquiry, believing Z to be Y, arrests Z.

(c) A meets Z on the highway, shows a pistol and demands Z's purse. Z in consequence surrenders his purse.

(d) A took off the girl's clothes, threw her down on the ground and then sat down besides her and neither said nor did any thing to her.

(e) A, falsely represented herself to be Z at University Examination and wrote answer papers in Z's name.

4. Distinguish between any two of the following : $7\frac{1}{2}+7\frac{1}{2}=15$

(a) Criminal misappropriation and Criminal breach of trust

(b) Intention and Motive

(c) Theft and Extortion

5. Explain the law on Adultery. What is punishment for the offence? $10+5=15$

6. What is 'Culpable Homicide'? When would culpable homicide amount to murder? Give the illustration. $7\frac{1}{2}+7\frac{1}{2}=15$

7. "Where, on a sudden and extreme emergency, one or other of two evils is inevitable; it is lawful so to direct events that the smaller shall occur."

Explain and illustrate it with reference to the relevant provision of the Indian Penal Code. 15

8. Define 'Dowry Death'. What are the provisions laid down in IPC for prohibition of dowry death? $7\frac{1}{2}+7\frac{1}{2}=15$

5×3=15

9. Explain (any three) :

- (a) Criminal trespass
- (b) House trespass
- (c) Lurking house-trespass
- (d) Lurking house-trespass by night

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