

2009

(June)

LAW OF CRIMES

Paper : 204

Full Marks : 80

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer any **five** questions

1. (a) Explain 'Free Consent' with suitable illustration.
 - (b) Distinguish between wrongful restraint and wrongful confinement.
 - (c) Explain the meaning of 'Common object'.
 - (d) What do you understand by the term 'Crimes' and 'Procedure'? 4×4
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2. A person being in a state of intoxication moves about in a public place, conducting himself in such a manner as to cause annoyance to any other person. Has the person committed any offence punishable under the Law? If so, what is the punishment allowable in criminal prosecution? Is the offence triable summarily? 8+4+4

3. (a) What do you mean by the phrase harbouring an 'Offender'? What are the provisions of the Indian Penal Code dealing with harbouring an offender? 4+4

(b) A knowing that B has committed dacoity, knowingly conceals B in order to screen him from legal punishment. What offence has A committed? What is the punishment prescribed for committing the said offence? 4+4

4. What sexual offences do not amount to rape? What is the punishment laid down by IPC for the said offences? 16

5. (a) K knowing that he was suffering from 'Cholera' entered a train as a passenger without informing the Railway Company's servants of his condition. M, knowing of K's condition bought K's ticket and travelled with him. Under what Section or Sections of Law can they be charged? Explain stating the ingredients of the offence. 4+4

(b) A, on grave and sudden provocation fires a pistol at Z, under such circumstances that if he thereby caused death he would be guilty of culpable homicide not amounting to murder. Under what Section of Law A has committed the offence? What is the punishment prescribed for committing the said offence? 4+4

6. Explain clearly any *two* of the following offences : 8+8

(a) House-breaking

(b) Cheating by personation

(c) Death caused by act done with intent to cause miscarriage

7. "Necessity knows no Law." In the light of the statement, discuss the circumstances and limitations under which a man justified in committing acts, which would otherwise be an offence. Answer with illustration. 16

8. (a) What are to be proved to get benefit of Exception 1 to Section 300 IPC? Explain with suitable illustrations. 4+4

(b) Do you know of any offence under the IPC for which there is no other sentence other than death? Explain the offence, if any. 8
