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2 SEM LLB (N) 4 LOCr 1

2012

(July)

LAW OF CRIMES – I

Paper : 204

(New Course)

Full Marks – 80

Pass Marks – 32

Time – Three hours

The figures in the margin indicate full marks for the questions.

Answer any *five* questions.

1. Write notes on the following : $4 \times 4 = 16$
- (a) Tortious liability and criminal liability
 - (b) Harbour
 - (c) Common object
 - (d) Good Faith.

2. Define the term crime. What are the characteristics of crime ? How is the criminality of an act determined ? $8+8=16$
3. Every person has the right of private defence of body and property. Explain with special provisions of law. $8+8=16$
4. (a) What are to be proved to get benefit of Section 300 I.P.C ? Explain with illustration. 8
- (b) Is there any offence under the I.P.C for which there is no other sentence other than death ? Explain, if any, with the help of case law. 8
5. Discuss the law relating to cruelty of a wife by her husband or relatives of husband. What are the punishments under the relevant Sections ? Write your answer with the help of case laws. 16
6. Do the following act constitute offence ? $8+8=16$
- (a) "A", on sudden grave provocation fires a pistol on "B". 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 ?

(b) A man secured employment by giving fictitious name. Has he committed any offence? Explain with reference of law on the subject.

7. Explain criminal misappropriation of property and criminal breach of Trust. Point out the distinction between the two offences.

10+6=16

8. (a) Distinguish between Abetment and Conspiracy. 8

(b) Define wrongful restraint and wrongful confinement. 8

9. (a) Define Bigamy and state exceptions, if any, with the help of Sharla Mudgal case, 1995. 8

(b) Define adultery. Distinguish between adultery and rape. 8