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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, May 2018

Program: B.A.,LL.B.(Hons.) EL & B.A., LL.B.(Hons.) CL

Semester – IV

Subject (Course): Law of crimes

Course Code : LLBL211

No. of page/s:

Max. Marks : 100

Duration : 3 Hrs

Section A

(Note: Attempt all questions. Each question carries two marks)

1. Write the correct answer

- (a) Define Abetment.
- (b) What is the minimum punishment, prescribed in I.P.C, for the commission of offence Gang rape?
- (c) Subject matter of Criminal Misappropriation is movable property only
..... Correct/Wrong.
- (d) Which offence of I.P.C. is related with *K.M Nanawati v. State of Maharastra*, AIR 1962 SC 605?
- (e) Define Voyeurism.

Section B

(Note: Attempt any two questions. Each question carries ten marks)

- 2. Describe the essential ingredients for deciding the offence of rape under section 375 of Indian Penal Code. What are the changes brought in offence of rape and provision of its punishment by the Criminal law (Amendment) Act, 2013?
- 3. Discuss the provisions of commencement and continuance of the right of private defence of the body with help of decided cases.

4. Write the differences between
- (a) Wrongful restraint and wrongful confinement
 - (b) Kidnapping and Abduction

Section C

(Note: Attempt any two questions. Each question carries ten marks)

5. “Every robbery is either theft or extortion.” Elucidate.
6. Analyze the provisions of Indian Penal Code, which deal with the offence of outraging the modesty of woman under section 354 and 509 with the help decided cases.
7. Discuss the essentials of Dowry death as laid down in section 304-B in Indian Penal Code. Do you think that the punishment prescribed in the Code, for dowry death is inadequate? Also, compare S. 304-B with 498-A IPC.

Section D

(Note: Attempt all questions. Each question carries 25 marks)

8. Read the following case and answer the given questions-

On 29 April 2017, a party was going on at Tamarind Café and bar, owned by socialite Bina Ramani, at Qutub Colonade, South Delhi wherein Miss Raunika, a 34-year bartender was shot dead by Manu Sharma. Manu Sharma along with his four other friends reached the café at 10:00 P.M and started having wine drinks. At 11:00 P.M, there was announcement for closing of the Bar. Manu Sharma and his friends continued sitting, smoking, drinking and at 11:30 PM they asked Pinku, the waiter, to give two more drinks which Pinku refused to serve as the Bar was already closed. Manu Sharma was already heavily drunk, he started abusing Pinku and misbehaving with other customers also. Pinku reported this matter to Miss Bina Ramani and consequently Miss Bina Ramani advised Manu Sharma and his friends to leave the Bar.

Thereafter, some quarrel took place between Manu Sharma and his friends with Miss Bina Ramani and other staff of the Bar. They refused to leave and at around 00:30 AM on 30 April 2017, Manu Sharma asked Miss Raunika to serve two more drinks to which she straight away denied. Hearing this, Mr. Manu lost his temper and took out his pistol. He shot at Miss Raunika twice at point blank range .The first bullet hit the ceiling of the roof but the second one hit the left eye of Miss Raunika. The accused and his friends thereupon ran away from the site. She was rushed to the hospital, where she was declared dead. On 2 May 2017, Police arrested Manu Sharma and his friends and now, the case is lying in the Court of Session Judge

- (a) Discuss the facts and issues of the above case.

6 Marks

(b) Whether the offence committed by accused is culpable homicide amounting to Murder or Culpable homicide not amounting to Murder. Explain with reference to above case studies and relevant provisions of Indian Penal Code. **10 Marks**

(c) What are the defenses available to Manu Sharma in this case? Discuss with the help of various provisions of Indian Penal Code. **9 Marks**

9. Decide the following

(a) X, finds a diamond ring belonging to Y on a table in the latter's house and puts the same under the carpet there with the dishonest intention of taking it afterwards. The ring still lies there in the house of Y undetected. Y and his family members started asking and searching the ring and consequently he decides not to take out the ring. Later during investigation, the ring was found under the carpet and X confessed that he had kept the ring over there. Discuss the liability of X.

13 Marks

(b) A falsely pretending to be Colonel of Army dishonestly induced B, a shopkeeper, to let him have goods worth Rs. 20,000 in credit from his shop. A has no settled employment or bank balance on the day of transaction. After a week, he gave a crossed cheque of purchased amount to shopkeeper, which got bounced by the bank. Decide Liability of A. **12 Marks**
