

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2019

Course: Law of Crimes-I

Semester: III

Programme: B.A., LLB. (Hons.) Energy/Criminal/Labour/Constitutional Law,
B.Com, LL.B (Hons.),
B.B.A.LL.B.(Hons.) Corporate Laws and BFI/ITIL
B.Sc. LL.B (Hons.)

Course Code: CLCC2002

Time: 03 hrs.

Max. Marks: 100

Instructions: Attempt all questions of section A & D. Attempt any four question of section B and any two questions from section C

SECTION A
(Attempt all questions. Each question carries 2 Marks)

S. No.		Marks	CO
Q 1	Write the correct answer (a) Which section of I.P.C defines Stalking? (b) What is the minimum punishment, prescribed in I.P.C, for the commission of offence Gang rape? (c) Define Extortion. (d) Give a factual example of the offence of abetment of abetment. (e) Which offence of I.P.C. is related with <i>Arnesh Kumar v. State of Bihar</i> , AIR 2014 SC 2756?	2X5	CO1

SECTION B
(Note: Attempt any four questions. Each question carries five marks)

Q 2	Compare common intention with common object	5	CO2
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Q 3	Compare Kidnapping with Abduction	5	CO2
Q 4	Discuss the commencement and continuance of the right of private defence of the body.	5	CO2
Q 5	State any three differences between s. 354 and s, 509 IPC	5	CO2
Q 6	Define the term cheating by personation	5	CO1
SECTION-C (Note: Attempt any two questions. Each question carries ten marks each)			
Q 7	Discuss the various classification of persons of <i>non composes mentis</i> and their criminal liabilities as mentioned in Indian Penal Code 1860.	10	CO3
Q 8	How can you decide that a homicide is a murder or culpable homicide not amounting to murder or caused death by rash and negligence act? Justify your response in the light of relevant provisions of Indian Penal Code and important case laws.	10	CO3
Q 9	What are the changes brought in offence of rape and provision of its punishment by the Criminal law (Amendment) Act, 2013 and Criminal law (Amendment) Act, 2018 in I.P.C.?	10	CO2
SECTION-D (Note: Attempt all questions)			
Q 10	<i>“An act is not an offence if caused harm but done without criminal intent, and to prevent or avoid greater harm to person and property.”</i> Explain this statement with the help of provisions of I.P.C. and decided cases. Whether this principle is applicable in India?	12	CO4
Q 11	<i>“The Indian Penal Code not only punishes the actual perpetrator of a crime but also a person who instigates another or engages with him in any conspiracy or intentionally aids him to commit a crime.”</i> Critically examine this statement.	13	CO4
Q 12	Harish and Robert are very close friends studying law together from a NLU . They used to exchange books and notes. On December 23, 2018, Harish went to the house of Robert but he was not there. He waited for him in his study room and started reading some of the books lying on the table. After some time, he decided to leave but picked up a book ‘Theory of Justice’ authored by John Rawls with the intention to return after a week. Harish sought the permission of the father of Robert to take up the book. After	25	CO4

some days, Harish returned some other book of Jurisprudence to Robert with the intention that he will return John Rawls's book sometime later as he found it to be interesting. But neither Harish returned the book nor Robert enquired about it. After passing six month, one day the father of Robert informed to Robert about the book taken by Harish. Annoyed with the behavior of Harish, he with his two friends Anil and Mohshin, have beaten Harish causing fracture in his left thumb and taken away the gold chain of Harish in consideration of the book. Harish has lodged FIR in the police station against Robert, Anil and Mohshin.

(a).Decide the criminal liabilities of Harish with the help of relevant provisions of Indian Penal Code (10 Marks)

(b) Whether act of beating by Robert to Harish will be held lawful? If not, state the offence committed by him. (8 marks)

(c) Determine the criminal liabilities of Anil and Mohshin in the above incident. (7 marks)