

Total number of printed pages-7

19 (III) IPC

2019

INDIAN PENAL CODE

Paper : 3-1

Full Marks : 80

Time : Three hours

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

1. Choose the correct answer : $1 \times 10 = 10$
- (i) Extra-territorial jurisdiction in Indian Penal Code is contained in _____.
(section 4/section 7)
- (ii) In the Indian Penal Code, the word 'woman' denotes _____.
(a major woman/a woman of any age)

Contd.

- (iii) Which of the following provisions is based on the maxim 'de minimis non curat lex'? (section 82/section 95)
- (iv) Abetment of suicide of child is punishable under _____ of IPC.
(section 305/section 306)
- (v) Section 149 of IPC _____.
(is a rule of evidence/
creates a distinct offence)
- (vi) Punishment for rioting under the IPC is _____.
(for two years only/
for two years or fine or both)
- (vii) During the fight between the two ladies, 'A' and 'B', 'A' pulls 'B' by hair and removes some of her hair. 'A' is guilty of an offence of causing _____.
(hurt/grievous hurt)
- (viii) Assault cannot be caused by _____.
(mere words/mere gestures)

- (ix) 'A' in good faith believing property belonging to 'Z' to be A's own property, takes that property out of B's possession. Here 'A' _____.
(commits theft/does not commit theft)
- (x) Extortion is _____, when it is committed under fear of instant hurt.
(robbery/dacoity)
2. Answer the following questions : **(any five)**
2×5=10
- (a) What are the stages of crime ?
- (b) Write a short note on — 'doli incapax'.
- (c) What is affray ?
- (d) Explain the offence of dowry death.
- (e) 'A' threatens to publish a defamatory libel concerning 'Z' unless 'Z' gives him money. He does induce 'Z' to give him money. Whether 'A' has committed any offence.

(f) What is the difference between robbery and dacoity?

3. What is meant by *mens rea*? Explain the dictum — *Actus non facit reum nisi mens sit rea*. How far a motive necessary for determining a crime? Are there any exception to the dictum of *mens rea*? Illustrate your answer. $3+4+3+2=12$

OR

Define and explain the following expressions — $3+3+6=12$

- (a) Dishonestly and Fraudulently
(b) Wrongful gain and Wrongful loss
(c) Common intention and Common object.
4. 'Necessity knows no law.' In the light of the statement, discuss the circumstances limitations under which a man is justified in committing acts, which would otherwise be an offence. 12

OR

Define abetment and abettor. What are its kinds? State what punishment is provided if the act abetted is committed in consequence of abetment. Write a few lines on distinction between abetment and criminal conspiracy. $3+3+3+3=12$

5. What do you mean by offence against public tranquillity? Name *at least three* offences which are included in offence against public tranquillity. When does a lawful assembly become unlawful? What is the liability of a member 'X' of an unlawful assembly which committed an offence, but 'X' did not take part in the commission of the offence?

$3+3+3+3=12$

OR

Explain the term 'Sedition' as given in the IPC. Do you not feel that public leaders are liable for this offence at the time of addressing public meetings? Discuss the recent development in this regard.

4+4+4=12

6. What is hurt? Explain the circumstances under which hurt become grievous hurt. Write few lines on voluntarily causing hurt by dangerous weapons or means.

2+8+2=12

OR

What is kidnapping from lawful guardian? How does it differ from abduction? What are sources of the aggravate forms of this offences? Explain.

4+4+4=12

7. Give a comparative analysis of the offences of theft, extortion, robbery and dacoity as per law laid down in IPC. 12

OR

What is criminal misappropriation of property? How does it differ from criminal breach of trust? 'A' finds a rupee on the high road, not knowing to whom the rupee belongs. 'A' picks up the rupee. Here, criminal misappropriation has been committed by 'A' or not. Explain.

3+6+3=12

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2018

INDIAN PENAL CODE

Paper : 3-1

Full Marks : 80

Pass Marks : 36

Time : Three hours

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

1. Choose the correct answer: $1 \times 10 = 10$

(a) The Indian Penal Code, 1860 came into enforcement on _____.

(January 1, 1862/January 1, 1860)

Contd.

- (b) The fundamental principle of criminal liability is embodied in the maxim *actus non facit reum nisi mens sit rea*. This maxim was developed by _____.
(Common Law Courts/Equity Courts)
- (c) Section 76 and Section 79 of IPC provide the general exception of _____.
(mistake of law/mistake of fact)
- (d) Section 84 of the Indian Penal Code is based on the _____.
(M'Naghten Rule/Proximity Rule)
- (e) Conspiracy to wage war against Government of India has been dealt with under _____ of IPC.
(section 121A/section 120A)
- (f) Minimum number of persons required to commit an 'Affray' is _____.
(two/five)
- (g) Culpable homicide has been defined under section _____ of IPC.
(299/300)

- (h) The distinction between sections 299 and 300 of IPC was made clear by _____.
(Marshall, J in R vs Govinda/
Melvill, J in R vs Govinda)
- (i) When by putting any person in fear of injury, he is dishonestly induced by another to deliver property, it is _____.
(Dacoity/Extortion)
- (j) Robbery is an aggravated form of _____.
(Theft and Extortion/
Dacoity and Extortion)

2. Answer the following questions : 2×5=10

- (a) Definition of 'Offence' as per the Indian Penal Code.
- (b) Distinguish between Abetment and Conspiracy.
- (c) When an unlawful assembly becomes a riot?

(d) Examine the concept of 'dowry death' under the IPC.

(e) Essential elements of criminal misappropriation of property.

3. 'Offence does not happen all of a sudden, it passes through some stages.'

— Discuss and point out the distinction between preparation to commit offence and an attempt to commit an offence. Whether 'preparation' is punishable under IPC?

10+2=12

Or

The fundamental principle of penal liability is that — 'An act alone does not amount to crime, it must be accompanied by a guilty mind.' — Discuss and illustrate. 12

4. What is the difference between self-defence, private defence and defence of necessity under the IPC? Explain in detail, the right

of 'private defence' against property, its commencement continuance and its extent to cause death.

4+8=12

Or

Write a brief note on the nature of burden of proof on an accused who takes plea of 'insanity' under the IPC. Do you think that fairness demands that burden on prosecution should not be heavier? Point out the differences between medical insanity and legal insanity.

7+2+3=12

5. What is Unlawful Assembly? What is the difference between unlawful assembly and rioting? Who can be said to be a member of an unlawful assembly? What punishment is provided for being a member of unlawful assembly?

2+4+3+3=12

Or

What do you understand by sedition? Critically comment on the way the courts have interpreted the section 124-A of the

IPC. What is the difference between sedition and treason? $2+7+3=12$

6. Describe in your own words, the differences between Murder and Culpable Homicide not amounting to Murder. When does culpable homicide become murder? Explain and illustrate. $6+6=12$

Or

Define the offence of 'Defamation'. What are its essentials? Point out the difference between Civil and Criminal Defamation. What are the exceptions for 'Defamation'? $2+2+2+6=12$

7. Distinguish between: $6+6=12$

- (i) Robbery and Dacoity
(ii) Criminal Misappropriation of Property and Criminal Breach of Trust.

Or

Define the term 'theft'. Explain the essential ingredients to constitute offence under section 378 of IPC. How 'theft' is different from 'extortion'? $2+4+6=12$

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19 (III) IPC 3.1

2017

INDIAN PENAL CODE

Paper : 3.1

Full Marks : 80

Time : Three hours

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

Answer Q. nos. 1 & 2 and any five from the rest.

1. Choose the correct options in the blanks :
1×10=10
- (a) Preparation is the _____ of crime.
(stage/elements)
- (b) Wrongful gain has been defined under section _____ of the IPC. (22/23)
- (c) Nothing is an offence which is done by a child under _____ years of age.
(six/seven)
- (d) Accident in doing a lawful act is excused under section _____ of the IPC. (80/81)

Contd.

(e) To constitute the offence of affray there must be at least _____ persons.
(two/three)

(f) Sedition is an offence against _____.
(public tranquility/state)

(g) The causing of the death of child in the mother's womb _____ homicide.
(is/is not)

(h) Sexual intercourse by a man with the consent of the woman under _____ years of age is treated as Rape.
(16/18)

(i) The subject matter of 'theft' must be _____ property. (movable/immovable)

(j) Dacoity has been defined in section _____.
(390/391)

2. Write the following : 2×5=10

(a) White Collar Crime

(b) *Doli incapax*

(c) Affray

(d) Cruelty to married woman

(e) Robbery.

3. Define Crime. What are the different elements of criminal liability? 4+8=12

Or

What do you mean by Common Intention? Distinguish between Common Intention and Common Object with the help of decided case laws. 4+8=12

4. Discuss in detail about the Right to Private Defence under IPC. When the right of private defence of property extends to causing death of a person to protect property? 8+4=12

Or

What do you mean by Abetment? Explain the law relating to abetment under IPC. 4+8=12

5. Write notes on : 4×3=12

(a) Sedition

(b) Unlawful assembly

(c) Rioting.

Or

Enumerate the provisions of Indian Penal Code with regard to 'waging of war against the Government' and sedition with the aid of case laws.

6+6=12

6. What is Hurt? Explain the circumstances under which hurt becomes grievous hurt.

4+8=12

Or

Write notes on the following :

4×3=12

(a) Kidnapping

(b) Wrongful confinement

(c) Dowry death.

7. What is criminal misappropriation of property? How does it differ from criminal breach of trust?

4+8=12

Or

Define Theft. Discuss the ingredients of the offence of extortion.

6+6=12

Total number of printed pages-4

19 (Sem-III) IPC 3-1

2016

INDIAN PENAL CODE

Paper : 3-1

Full Marks : 80

Time : Three hours

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

Answer Q. Nos. 1 & 2 and **any five** from the rest.

1. Choose the correct answer : $1 \times 10 = 10$
- (a) Indian Penal Code was drafted by _____ . (Maclaury/Stephen)
- (b) *Mens-rea* has no place in _____. (statutory offence/traditional crime)
- (c) Mistake of fact is excused under section _____ of the IPC. (78/79)
- (d) Sedition has been defined in section _____ of IPC. (124A/125)

Contd.

- (e) Affray is one of the offences against _____ . (Public tranquility/Social ecology)
- (f) Suicide _____ an offence. (is/is not)
- (g) Murder committed under grave and sudden provocation _____ treated as murder. (is/is not)
- (h) There is no limit of private defence _____ . (a false statement/a true statement)
- (i) Robbery has been defined in section _____ (390/391) of IPC.
- (j) For commission of dacoity, there should be at least _____ persons. (five/six)
2. Write the following : 2×5=10
- (a) Elements of criminal liability
- (b) Criminal Conspiracy
- (c) Unlawful Assembly
- (d) Sexual assault
- (e) Criminal misappropriation of Property.

3. Discuss the salient feature of the Indian Penal Code. Whether it is general penal law or special one. Answer. 10+2=12

Or

Explain the difference between crime and offence. What are the stages of crime. Discuss them? 4+8=12

4. What is insanity? Distinguish between Medical insanity and legal insanity with a explanatory note how far it is valid defence in criminal liability. 4+8=12

Or

Write an exhaustive note on Criminal Conspiracy. Refer *at least two* cases of criminal conspiracy committed in society during the beginning of 21st century. 8+4=12

5. Enumerate the offences against state with case laws. 12

Or

Explain the offences against public tranquility referring case laws. 12

6. What is unlawful homicide? Points out the difference between culpable homicide amounting to murder and culpable homicide not amounting to murder. 4+8=12

Or

Write an essay on Defamation. 12

7. What are the offences listed in IPC against property. Discuss them briefly. 12

Or

Distinguish between : 6+6=12

(i) Dacoity and Robbery

(ii) Theft and Extortion.

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19 (3-III) INPC 3-1

2015

INDIAN PENAL CODE

Paper : 3-1

Full Marks : 80

Time : Three hours

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

Answer Q. Nos. 1 & 2 and any Five from the rest.

1. Choose the correct options in the blanks :
1×10=10
- (a) Inter-territorial operation of the code deals in Section _____. (2/3)
- (b) The germ of criminal jurisprudence came into existence in India from the time of _____. (Kautilya/Manu)
- (c) Private persons assisting police u/s 42 Cr.P.C. will be protected under Section _____ of the Indian Penal Code. (78/76)

Contd.

- (d) Voluntary drunkenness is a factor to be considered at least in _____ (three/two) types of cases.
- (e) To constitute a conspiracy under section 121A it is _____ that any act or illegal omission shall take place in pursuance thereof. (necessary/not necessary)
- (f) The offences against the public tranquility may be classified into _____ Groups. (three/four)
- (g) The Criminal Law (amendment) Act 2005 was assented by President on _____. (11-1-2005/11-1-2006)
- (h) In case of murder, evidence of discovery of the sword at the instance of accused, could be based for _____ (conviction/non-conviction)
- (i) In order to constitute theft _____ factors are essential. (four/five)
- (j) The criminal breach of trust has been defined in Section _____. (403/405)

2. Write notes on : 2×5=10
- (a) Origin of Criminal Law
- (b) Private defence
- (c) Sedition
- (d) Suicide
- (e) Criminal misappropriation of Property.
3. Discuss the maxim "actus non facit reum nisi mens sit rea" in relation to crime. 12

Or

Write the following with suitable examples. 6+6=12

- (a) Common intention
- (b) Common object.
4. When a person can take plea of private defence? Discuss with its justification and limits. 6+6=12

Or

Discuss and illustrate — "Nothing is an offence which is done by a child".

5. Discuss the provisions with regard to offences relating to the State. 12

Or

Explain the offences against public tranquility.

6. Define hurt. How will you determine grievous hurt? Discuss the hurt designated as grievous one under IPC fully. 4+8=12

Or

What are the exceptions of defamation. Write them briefly with essentials of defamation. 12

7. Write a note on offences against property as found in the Indian Penal Code. 12

Or

Write the following : 6+6=12

(a) Criminal breach of Trust

(b) Dacoity.

2014

INDIAN PENAL CODE

Paper : 3.1

Full Marks : 80

Time : 3 hours

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

1. Choose the correct answer : 1×10=10

(a) The maxim 'actus non facit reum, nisi mens sit rea' is developed by

- (i) Common Law Courts
- (ii) Equity Courts
- (iii) Sardar Nizamat Courts
- (iv) None of the above

(b) The Indian Penal Code was drafted by

- (i) John Stephen
- (ii) Lord Macaulay
- (iii) John Salmond
- (iv) All of them

(2)

- (c) The Penal Code is
- (i) procedural law
 - (ii) adjective law
 - (iii) substantive law
 - (iv) Both (i) and (ii)
- (d) Section 34 of the Indian Penal Code
- (i) is a rule of evidence
 - (ii) creates a substantive offence
 - (iii) Both (i) and (ii)
 - (iv) Neither (i) nor (ii)
- (e) Under Section 45 of the Indian Penal Code, life denotes
- (i) both life of human being and animal
 - (ii) life of a human being
 - (iii) life of an animal
 - (iv) life of either human being or animal
- (f) Abettor is a person
- (i) who is innocent
 - (ii) who commits offence
 - (iii) who instigates the commission of offence
 - (iv) against whom the offence is committed

(3)

- (g) Sedition has been defined in
- (i) Section 124 A
 - (ii) Section 124
 - (iii) Section 141
 - (iv) Section 121
- (h) Grievous hurt has been defined in
- (i) Section 319
 - (ii) Section 320
 - (iii) Section 321
 - (iv) Section 324
- (i) The subject matter of theft
- (i) can be intellectual property
 - (ii) can be immovable property
 - (iii) can be movable property
 - (iv) All of the above
- (j) Sex with a girl through fraudulent consent amounts to
- (i) rape
 - (ii) simple physical assault
 - (iii) molestation
 - (iv) attempt to rape

(4)

2. Write short notes on the following : $2 \times 5 = 10$
- (a) Attempt
 - (b) Abetment by criminal conspiracy
 - (c) Ingredients of Section 299
 - (d) Dacoity
 - (e) Assault

3. Define 'crime'. What are the stages involved in the commission of crime? Briefly state them. $4 + 8 = 12$

Or

"Crime is a revolt against the whole society and attack on the civilization of the day."
Elucidate the statement. 12

4. What do you mean by administration of justice? Write different theories of punishment in this context. $4 + 8 = 12$

Or

Distinguish between Common intention and Common object with the aid of decided cases. 12

(5)

5. Define 'necessity'. In which cases necessity may be pleaded? Discuss. 12

Or

Write an essay on right of private defence as a ground for exemption from criminal liability.

6. What are the explanations to Section 299 of the Indian Penal Code and when does culpable homicide amount to murder? Discuss. 12

Or

Distinguish between the following : $6 + 6 = 12$

- (a) Kidnapping and Abduction
- (b) Wrongful restraint and Wrongful confinement

7. What is criminal misappropriation of property? Distinguish it with criminal breach of trust. $6 + 6 = 12$

Or

Distinguish between the following : $6 + 6 = 12$

- (a) Theft and Extortion
- (b) Robbery and Dacoity
