

2020**LAW****Law of Crimes–I (Penal Code)****Paper : 4.3****[OLD SYLLABUS]**

Full Marks : 80

Time : 3 Hours

*The figures in the right-hand margin indicate full marks.**Candidates are required to give answers in their own words as far as practicable.**Illustrate the answers wherever necessary.*Answer any **five** questions.

1. a) Define the term “Crime”. What is the difference between Crime and Tort?
b) How far the doctrine ‘actus non facit reum nisi mens sit rea’ is applied in Indian Penal Code?
8+8=16
2. a) What is abetment? Discuss and explain briefly the important provisions of the Indian Penal Code relating to the abetment of offences.
b) Who is an abettor? 12+4=16

3. “All murders are culpable homicides but all culpable homicides are not murders.”—Comment. 16
4. a) Is there any difference or similarity between robbery and dacoity?
b) What are the necessary ingredients of the offence of criminal breach of trust?
8+8=16
5. What do you understand by ‘Dowry Death’? Can husband or his relative be punished for subjecting a woman to cruelty? 16
6. Discuss and explain the essential ingredients of robbery. When does robbery amount to dacoity? What will happen if it causes the death of any person? 16
7. Write short notes on any **four** of the following:
4×4=16
 - i) Mens rea;
 - ii) Wrongful Loss and Wrongful Gain;
 - iii) Dishonestly;
 - iv) Doli incapax;
 - v) Common Intention;
 - vi) Mischief.

[Turn over]

8. a) What is the offence of defamation?
b) What are the exceptions provided in Indian Penal Code when the act will not amount to defamation? Discuss with illustrations.

8+8=16

9. a) Write a note on common intention. How is common intention to be distinguished from common object? Answer with the help of decided cases.
b) What is the extent of guilt of a member of unlawful assembly? What do you understand by unlawful assembly?

8+8=16

10. Distinguish between any **four** of the following:

4×4=16

- a) Kidnapping and Abduction;
b) Rioting and Affray;
c) Rape and Adultery;
d) Cheating and Forgery;
e) Wrongful Restraint and Wrongful Confinement;
f) Theft and Extortion.
