

B.A., LL.B. (Hons.) DEGREE THIRD SEMESTER EXAMINATION,

DECEMBER 2020

Law of Crimes II

Duration: 10.00am - 1.45 pm

Question carry Ten marks

Module 1 (Time 10 a.m-10.45 a.m (35 minutes for writing and 10 minutes for uploading)

1. a) "Kidnapping is a continuing offence whereas abduction is not." Analyse the correctness of this statement and bring out the distinction between the two under the Indian Penal Code.

OR

- b) The line demarcating culpable homicide amounting to and not amounting to murder is very thin and so closely intertwined with the factual matrix of the case at hand. Elaborate.

Module 2 Time 10.45 a.m-11.30 a.m (35 minutes for writing and 10 minutes for uploading)

2. a) "Section 405 IPC requires doing of something with respect to property which would indicate either misappropriation or conversion or its use or disposal in contravention of any legal contract, express or implied. A mere dispute of civil nature will not attract this section." Elaborate on the offence mentioned in the statement with its ingredients.

OR

- b) Elaborate on the offences of theft, extortion and robbery by bringing about the common ingredients as well as differences.

Module 3 (Time 11.30 a.m-12.15 p.m (35 minutes for writing and 10 minutes for uploading)

3. a) How does the Indian Penal Code, 1860 deal with offences related to the homicide of unborn or newborn child?

OR

- b) Elaborate on the offences involving negligence and their punishments under the Indian Penal Code, 1860.

Module 4(Time 12.15 p.m-1.00 p.m (35 minutes for writing and 10 minutes for uploading)

4. a) “The Indian Penal Code has incorporated the common law concept of preservation of State and has provided for severe punishments for such offences with death, life imprisonment and fine.” Critically examine offences under Chapter VI of IPC for its vagueness and prospects of misuse.

OR

- b) In Kedar Nath Singh v. State of Bihar, a Division Bench of the Supreme Court of India had laid down the criterion stressing that a necessary component of sedition involves rebellion or use of arms, in conjunction with demand for separation from or dismemberment of India. The draconian nature of this law—non-bailable, non-cognizable and punishment that can extend for life— has a strong deterrent effect on dissent even if it is not used. Elaborate.

Module 5(Time 1.00 p.m-1.45 p.m (35 minutes for writing and 10 minutes for uploading)

5. a) How does IPC deal with offences against marriage? Critically examine the statement that marriage-related offences in IPC exhibit an undesired inclination towards morality-based conservatism.

OR

- b) Examine in detail the offence of criminal defamation through statutory provisions and landmark cases.
