

LAW OF CRIMES-II

Time:3 Hours

Maximum Marks: 50

Answer **ALL** questions. Each question carries **TEN** marks.

(5x 10=50)

- I. (a). "The residuary of culpable homicide after the special characteristics of murder have been removed from it, is culpable homicide not amounting to murder (Section 300 Exceptions 1 to 5)". Bring out the differences between culpable homicide and murder under the Indian Penal Code, 1860.

OR

- (b). X gives a kick to Y, who had an enlarged spleen, and as a result of the kick the spleen ruptured and Y died. What offence can X be charged with? What difference does knowledge of X of the diseased condition of Y makes, in him being charged differently? Distinguish between the offences of hurt and grievous hurt under the Indian Penal Code.

- II. (a). "The essential difference between theft and mischief is that when a person commits mischief he only causes loss to another but does not gain anything himself, while in theft he makes a wrongful dishonest gain of property at the expense of the victim." [Gajadhar vs. State (1971) Cr LJ 1361 (UP)]. Discuss in detail the offence of theft and its punishment under the Indian Penal Code. How is it different from the offence of mischief?

OR

- (b). Arihant meets Kumar and his son near their house. Arihant takes the child and threatens to fling him down the precipice unless Kumar delivers his valuables. Kumar is forced to deliver all his valuables to Arihant. What offence has Arihant committed? What are the ingredients of the offence of robbery under the Indian Penal Code, 1860? When does
(a) Theft become robbery (b). Extortion become robbery

- III. • (a). A puts jewel into a box belonging to B with the intention that they may be found in that box, and that this circumstance may cause B to be convicted of theft. What offence has A committed? Analyse the ingredients of the offence.

OR

- (b). Examine the various offences involving negligence under the Indian Penal Code, 1860.

- IV. (a). "Every state has the right of self-preservation similar to that of its subjects. Accordingly laws have been enacted to safeguard and preserve state's existence since time immemorial." Discuss the offences against state as provided for in the Indian Penal Code.

OR

- (b). "Sedition laws in India seem to be vaguely worded and arbitrarily applied". Critically examine the sedition laws in India.

- V. (a). Examine in detail the offence of dowry death under Indian Penal Code, 1860 with relevant case laws.

OR

- (b). "The scope of adultery as an offence under IPC is limited to adultery committed with a married woman, and the male offender alone has been made liable to be punished with imprisonment which may extend up to five years, or with fine or with both." Critically examine adultery laws in India.
