

Law of Crimes
Apr. 2011

Page 21
1743-11.

MT-6275

(3 Hours)

[Total Marks : 100]

Q.1. Answer in not more than two sentences (All are compulsory): - (2 Marks each)

- State the ingredients of Dowry Death.
- Fabricating false evidence.
- State any two ways of housebreaking.
- Can a 5 year old girl be called a woman?
- What is Rioting?
- Give two examples of Public Nuisance.
- What is making of a false document?
- In the offence of voluntarily causing hurt, how is dangerous weapon defined.
- What is gang rape?
- State any two reasons which might make an assembly unlawful.

Q.2. Write Short notes on (Any Four): - (5 Marks each)

- Jurisdiction of the IPC.
- Begging as defined in the IPC.
- Accident.
- Three limitations to the use of the right of private defence.
- Stages of Crime
- Abetment.

Q.3. Solve Any Two: (With reasons) - (6 Marks each)

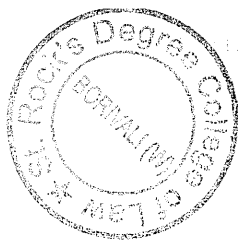
- Shanta, a young girl belonging to the tribal community is called to the police station along with a few family members, for inquiries regarding an offence. Later on the police constable asks her to stay back for further inquiries and tells all her family members to leave. When she is alone, the constable asks her to accompany him to a shed behind the police station. There, he asks her to remove her clothes and has sexual intercourse with her. At no stage Shanta resists or objects to these things. However, after a few days a case of rape is registered against the constable and Shanta states that the intercourse was without her consent.
 - Would the constable be guilty? Give reasons for your answer.
 - Is this problem based on any decided case? Discuss the changes in law which were made after the case?

[TURN OVER

- b) A, B, C, D and E assemble together in an empty shed for stealing a valuable painting from Sheila's house. B and D bring some simple weapons such as a kitchen knife, a hockey stick etc. However, at the last moment B, C, D and E get scared and go back home. A, alone enters the house of Sheila and takes the painting. The watchman sees him taking it and tries to stop him. A punches him and runs away with the painting.
- i) Are B, C, D and E guilty of any offence? Give reasons for your answer?
- ii) What offence is A guilty of?
- c) M a hooligan standing at a bus stop looks at C a college girl and sings an obscene song. He then stands in the way of her brother, who is forced to go around him to follow G. A man standing at the bus stop objects to his behavior and there is a big quarrel and they get into a fight thereby scaring everybody at the bus stop. While going away M throws a big stone at the bus stop causing its roof to crack.
- i) Has M committed an offence against G under S. 354? Please give reasons.
- ii) Name any two offences which M has committed not concerning G?

Q.4. Answer in Detail (Any Four): - (12 marks each)

- (a) What are the types of kidnapping as per the IPC? State the ingredients of the same. How is kidnapping different from abduction?
- (b) Explain the different kinds of punishment in the IPC. Explain in detail the provisions regarding solitary confinement.
- (c) What are the two ingredients of a crime? Discuss in detail with exceptions if any.
- (d) Explain with the help of examples the offences of Theft, Mischief and Dishonest misappropriation of property. What are the words in offences relating to property that denote the mens rea?
- (e) Is preparation to commit an offence punishable under the IPC? What are the provisions regarding Attempt to commit offences?
- (f) All murder is culpable homicide but all culpable homicide is not murder. Comment.



[Time: 3 Hours]

Q.P. Code :11490

Sub - Law of Crimes
Date - 20/11/17 [Marks:100]

Please check whether you have got the right question paper.

- N.B:
1. All questions are compulsory.
 2. Figures to the right indicate full marks.

Q.1 Answer in not more than two sentences (All are compulsory):

20

- a) What is wrongful restraint?
- b) State any two reasons which would make an assembly Unlawful.
- c) What are the cardinal principles of criminal justice?
- d) Define Stalking.
- e) What is Fabricating False Evidence?
- f) What is Sedition?
- g) Define Candidate and Electoral Right.
- h) State any two Offences relating to religion.
- i) What is Adultery?
- j) Define Criminal Intimidation.

Q.2 Write Short notes on (Any Four):

20

- a) Fraudulently
- b) Grievous Hurt.
- c) Offences against the State.
- d) Limitations to the Right of Private Defence.
- e) Abduction.
- f) Bigamy.

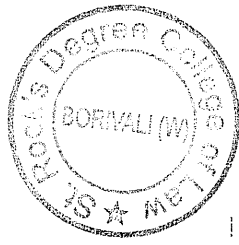
Q.3 Solve any two (with reasons):

12

- a) Ramu is suffering from terminal cancer. He cannot bear the pain any longer. He asks his son Sham to give him poison and allow him to die in peace. Sham out of love and respect gives poison to Ramu. Ramu dies.
 - i. Is Sham guilty of murder?
 - ii. What is the difference in punishment of Murder and Culpabel Homicide not Amounting to Murder?
- b) Suraj instigates Akash a college student to murder Rakesh. However, Akash refuses t do so.
 - i) Is Suraj guilty of any offence?
 - ii) If Akash was a minor would it make any difference?
- c) Ramesh goes to Suresh's house for a party. However, he stays there and abuses several guests. He leaves the house in a drunken state and breaks a street light. He then gets into a fight with some persons and disturbs public peace.
 - i. State any three offences which Ramesh is guilty of.
 - ii. If Ramesh had entered into the house through a window without an invitation, what would have been the offence?

Q.4 Answer in Detail (Any Four):

- a) What are the sources of law? Explain the scope of the subject of law under IPC?
- b) Explain with the help of examples the provisions in the IPC regarding Jurisdiction. Also explain the retributive theory of Punishment.
- c) State with the help of examples the exceptions of Infancy, Insanity and Intoxication.
- d) Forcible sexual intercourse is necessary to constitute the offence of rape under the Indian Penal Code. Discuss.
- e) Define Theft and Extortion. How do Theft and Extortion become Robbery?
- f) What is Defamation? Discuss any five exceptions thereto with the help of examples.



Sem-VI

ABACL
PRELIMINARY EXAMINATION

SUBJECT: - Law of Crimes

DATE: 27/04/2017

TIME: - 3 Hrs.

MARKS:-100

N.B. - All questions are compulsory. Cite relevant sections and authorities wherever applicable. Code refers to the Indian penal Code, 1860.

Q.1) Answer in not more than two sentences

(20 MARKS)

- What is meant by 'Administration of Justice'?
- Define 'Good Faith' as per the Code.
- What do you mean by 'Doli Incapax'?
- State the two cardinal principles of Indian Criminal Justice System.
- Define 'Valuable Security'.
- What is meant by 'Doctrine of Floating Island'?
- Define 'Injury'.
- Explain, 'De Minimis Non Curat Lex' with reference to the Code.
- What is 'Affray'?
- What do you mean by 'Criminal Intimidation'?

Q.2) Write short notes on any four of the following:

(20 MARKS)

- Gang Rape.
- Criminal Breach of Trust.
- Grievous Hurt.
- House-Breaking by Night.
- Barendra Kumar Ghosh v. Emperor (AIR 1925 PC 1)
- Summary of Amendments in the Code after J. Verma report.

Q.3) Answer the following questions: (Any Two)

(12 MARKS)

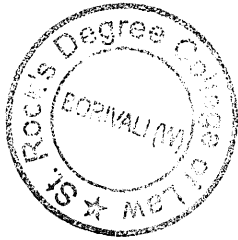
- Sandhya, knowing that Suresh (her friend) has committed dacoity, knowingly conceals him in order to screen him from legal punishment.
 - What punishment does the Code prescribe for 'Dacoity'?
 - Has Sandhya committed any offence? If yes, cite the relevant provision of the Code.
 - What would be Sandhya's criminal liability if she had been Suresh's wife?
- Ashutosh Kumar, a newspaper publisher causes to be published, the name and locality of a rape victim in his newspaper, while reporting the news of the incident of rape in New Delhi.

- a) Has any offence under the Code been committed by Ashutosh Kumar? If yes, under what provision of the Code?
 - b) What is the reason for inclusion of such a provision in the Code?
 - c) In which situations does the Code permit publication of names of rape victims?
- 3) Amar instigates Tushar to commit robbery, but the instigation proves to be futile since the offence is not committed.
- a) What punishment does the Code prescribe for 'Robbery'?
 - b) Has Amar committed any offence? If yes, cite the relevant provision of the Code.
 - c) What punishment is provided for instigation, if offence is not committed? Would the position be different if Amar was a jurisdictional Police Officer?

Q.4) Attempt the following :(Any Four)

(48 MARKS)

1. "All Murders are Culpable Homicides but all Culpable Homicides are not Murders." Explain.
2. Examine fully the law enshrined in the Code in regard to 'Defamation', including its explanations, exceptions, illustrations as well as English and Indian authorities.
3. Discuss the salient features and demerits of all the theories of punishment. Which theory according to you is the most suitable in the present day scenario? Give reasons.
4. "In all Robbery, there is either Theft or Extortion". Critically analyze this statement in the light of relevant provisions of the Code, with the aid of appropriate illustrations and landmark judgments.
5. Fully examine the scope and ambit of the law relating to 'Right of Private Defense', as enshrined in the Code, with the aid of illustrations and case law.
6. Discuss the provisions of the Code dealing with the offence of 'Kidnapping from Lawful Guardianship'. Highlight the important aspects of this offence and give an account of few landmark judgments in this regard. Compare and Contrast 'Kidnapping' with 'Abduction'.



Sem-VI
Sub-Law of Crimes
Date- 15/5/2017

Q.P. Code :11489

[Time: 3 Hours]

[Marks:100]

Please check whether you have got the right question paper.

- N.B:
1. All questions are compulsory.
 2. Figures to the right indicate full marks.

- Q.1** Answer in not more than two sentences (All are compulsory) 20
- a) What is imprisonment in lieu of fine?
 - b) What are the two theories of negligence?
 - c) What is abetment?
 - d) Consent as per Section 90.
 - e) What is Bribery as per section 171B?
 - f) Define Force.
 - g) Give any two examples of mischief.
 - h) What is dishonest Misappropriation of property?
 - i) What is De minimis not curat lex?
 - j) Define stolen property.
- Q.2** Write short notes of (Any Four) : 20
- a) Deterrent theory of Punishment.
 - b) Arguments in favour of death penalty.
 - c) Kidnapping.
 - d) Five Exceptions to Section 300.
 - e) Dacoity.
 - f) Attempt.
- Q.3** Solve any two (With reasons): 12
- a) Kunal standing at a bus stop passes a vulgar comment at Asha. While boarding the bus he rubs up against her. On seeing this, Reena, who is also in the bus takes out her hairpin and pokes Kunal in the face with it. In the bus, Kunal spits on the floor.
 - i. Name any three offences committed by Kunal.
 - ii. Is Reena guilty of voluntarily causing hurt to Kunal?
 - b) Meena a girl from a rural village has gone to the police station to file a complaint. A constable takes her to a shed behind the police station and has sexual intercourse with her. There is no resistance from Meena.
 - i. Can the constable be charged with rape?
 - ii. Is this problem based on any case? If so what was the rule laid down in that case?
 - c) Bob gives his servant Tom Rs.500 to fetch vegetables. Tom's friend Sam tells him that he can buy the same vegetables from the wholesale shop for Rs.400 and pocket the remaining Rs. 100. Tom buys the vegetables from the wholesale shop for Rs.400 and pocket the remaining Rs.100. Tom buys the vegetables from the wholesale shop for Rs.400 and buys a chocolate for himself with the remaining money. He submits a bill of Rs. 500 for the vegetables.
 - i. What offence has Tom committed?
 - ii. Has Sam committed any offence?

Q.4 Answer in detail (Any four):

- a) How is 'mens rea' determined in criminal jurisprudence? Are there any exceptions to the doctrine of 'mens rea'?
- b) Not all situations in which the accused has committed the offence of 'voluntarily causing hurt' will attract same punishment. Comment.
- c) Write a detailed note on the right of Private Defence enumerated in the IPC.
- d) Explain briefly any five offences against women in the IPC.
- e) Explain with the help of examples the offences of Public Nuisance, Mischief, Rioting and Trespass.
- f) Why is the chapter on General Explanation included in the IPC? Explain any five terms defined in the chapter on General Explanations with examples.



Sem-VI
Sub - Law of crimes
Date - 7/11/2016
QP Code : 302902

(3 Hours)

[Total Marks :100

1. Answer in not more than **two** sentences (All are **compulsory**) : -

20

- Define Valuable Security?
- State any two offences which are exceptions to the doctrine of Mens Rea.
- Name any two persons who are exempt from criminal prosecution.
- Define wrongful loss and wrongful gain.
- What is Affray?
- Define Abetment?
- What is fabricating false evidence?
- State the four stages of crime.
- What is the maximum limit to solitary confinement?
- Define Undue Influence at Elections.

2. Write Short notes on (Any **Four**) : -

20

- Distinguish between Civil law and Criminal Law.
- Wrongful Confinement.
- Stolen Property.
- Unlawful Assembly.
- State with examples any two exceptions to Defamation.
- When the right of private defence of the body extends to the causation of death?

3. Solve Any **Two** (With reasons): -

12

- Mohan a married man who is an Indian citizen has sexual intercourse with Sheela a married Indian woman while they were in America. Adultery is not an offence in the America. While returning to India by an Air India flight Mohan is beaten up by a foreigner John.
 - Can Sheela's husband prosecute Mohan in Mumbai?
 - Can John be prosecuted by Mohan in Mumbai?
- Amir trains a monkey to climb up buildings and enter into homes from windows. The monkey takes away valuables and brings them to him. Amir then gives the valuables to Salman who sells them to various customers.
 - Is Amir guilty of any offence?
 - Is Salman guilty of any offence?
- Rohit who is attending a speech by a Minister states that the minister's behavior at such gatherings shows that he is not a decent person.
 - Is Rohit guilty of any offence?
 - If Rohit had said to people of a minority community that the minister is abusive of that community and that they should all gather and beat him up along with his followers. What could be the offence?

[TURN OVER]

4. Answer in Detail (Any Four) :-

- Give a comparative analysis of the various theories of punishment.
- Explain the changes brought about by the Criminal Law (Amendment) Act, 2013.
- All Murder is Culpable Homicide but All Culpable Homicide is not Murder. Elaborate.
- Write a note on the chapter on General Exceptions. Explain any Four Exceptions in detail with examples.
- State various offences relating to Marriage.
- Write a detail note on the provisions relating to Criminal Trespass.

(मराठी रूपांतर)

(3 तास)

(एकूण गुण : १००)

१. दोन ओळीत उत्तरे लिहा. (सर्व प्रश्न सोडवा)

२०

- 'व्हॅल्युएबल सिक्युरिटी' - व्याख्या लिहा.
- 'मेन्स रिमा' तत्वास अपवाद असलेले कोणतेही दोन गुन्हे सांगा.
- गुन्हेगारी खटल्यामधून सूट असलेल्या दोन व्यक्तींची नावे द्या.
- 'चुकीचे नुकसान' आणि 'चुकीचा कायदा' व्याख्या लिहा.
- 'ऑफर' म्हणजे काय?
- अॅबेटमेंट - व्याख्या लिहा.
- खोटा पुरावा रचणे म्हणजे काय?
- गुन्हाच्या चार पायऱ्या सांगा.
- एकांतवासाच्या शिक्षेस जास्तीतजास्त कालावधी किती आहे?
- निबडणुकीमधील अनुचित प्रभाव - व्याख्या लिहा.

२. टिपा लिहा. (कोणत्याही चार)

२०

- दिवाणी कायदा आणि फौजदारी कायदा यांमधील फरक
- चुकीची कनफाइनमेंट
- चोरीची मालमत्ता
- गैरकायद्याची मंडळी
- बदनामीच्या गुन्हाचे दोन अपवाद उदाहरणांसहित
- शरीराच्या स्वरक्षणाचा अधिकार हा ठार मारण्यापर्यंत कधी वाढू शकतो?

[TURN OVER]



Sem- V
Sub - Law of Crimes
Date - 10/5/2016
QP Code : 302900

(3 Hours)

[Total Marks : 100

1. Answer in not more than two sentences (All are compulsory) : -

20

- What is not Consent as per Section 90?
- Define Document.
- Who is a Thug?
- Define Begging as per IPC
- What is the exception of Volenti Non Fit Injuria?
- What is imprisonment in lieu of fine?
- Give the definition of Rioting.
- State any two instances where the right of private defence can extend to the causation of death.
- What is Criminal Breach of Trust?
- Define Public nuisance.

2. Write Short notes on (Any Four) : -

20

- Reformative theory of Punishment.
- Force.
- Dowry Death.
- Sexual harassment.
- House breaking.
- Dacoity.

3. Solve Any Two (With reasons): -

12

- Ankit tells his college friend Seema that if she takes part in ceremony which involves having sexual intercourse with him, she will score good marks in her exams. Seema agrees. Later, on Seema complaints of Rape.
 - Is Ankit guilty of Rape?
 - If Ankit was Seema's teacher, would it have made any difference?
- A, in India, instigates a forienger in Japan to commit murder in Japan.
 - Is A guilty of any crime?
 - What is Admiralty Jurisdiction?
- Babu keeps sending messages and emails to Rita inspite of her telling him not to do so. He later on stands near the college gate not allowing Rita to leave her college and passes indecent comments on her.
 - State three offences committed by Babu?
 - If Babu had forcibly held Sheilas hand what would have been the offence?

[TURN OVER]

4. Answer in Detail (Any Four) :-

48

- Give an/explanation with examples of the doctrine 'Actus non facit reum nisi mens sit rea'?
- Give the pros and cons of Death Penalty as a form of Punishment.
- Write a detailed essay on the provisions in the IPC on Murder.
- Explain in detail the offences relating to elections.
- Describe with the help of examples the offences of Adultery, Bigamy, Voyeurism and Stalking.
- What are the provisions in the IPC regarding joint criminal liability?

(मराठी रूपांतर)

(3 तास)

(एकूण गुण : १००)

१. दोन ओळीत उत्तरे लिहा. (सर्व प्रश्न सोडवा)

२०

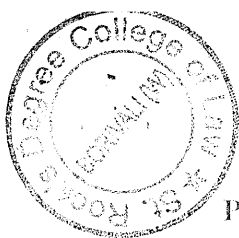
- कलम १० प्रमाणे काय म्हणजे 'संमती' नाही?
- 'दस्तऐवज' व्याख्या लिहा.
- 'ठग म्हणजे कोण?
- भा. दं. वि. संहितेप्रमाणे भिक मागणे म्हणजे काय?
- 'व्हॉलेंट्री नॉन फिट इंजुरिया' चा अपवाद सांगा.
- दंडाच्या ऐवजी कैद म्हणजे काय?
- 'दंगा करणे' - व्याख्या लिहा.
- स्वसंरक्षणाचा अधिकार हा ठार मारण्यापर्यंत वाढू शकतो अशी कोणतीही दोन उदाहरणे लिहा.
- गुन्हेगारी विश्वासघात म्हणजे काय?
- 'सार्वजनिक त्रास' - व्याख्या लिहा.

२. टिपा लिहा. (कोणत्याही चार)

२०

- शिक्षेची सुधारणात्मक विचारसरणी
- फोर्स
- हुंडाबळी
- लैंगिक शोषण
- घरफोडी
- दरोडा

[TURN OVER]



PES Law College
Preliminary Examination March, 2016
Law of Crimes

Seni-VI
Law of Crimes / IPC

Marks: 100

Duration: 3 hours

N.B. 1) Figures to the right indicate maximum marks.

2) 'Code' means the Indian Penal Code, 1860 (45 of 1860).

3) Quote appropriate sections & English &/or Indian authorities wherever necessary.

Q1. Answer in not more than 2 Sentences.

20

- a) What is meant by Extradition?
- b) What are the four stages of a crime?
- c) Explain—De Minimus Non Curat Lex.
- d) What is meant by Adultery?
- e) What is Criminal Intimidation?
- f) What is meant by Stolen Property?
- g) What is meant by Dowry Death?
- h) Give any four examples of Public Servants.
- i) Define Injury.
- j) Mention any two offences against Public Health and Safety.

Q2. Write Short Notes (any four)

20

- a) Criminal Conspiracy
- b) Offences relating to Elections.
- c) Nirbhaya case.
- d) Unlawful Assembly
- e) Wrongful Confinement and Wrongful Restraint
- f) Right of Private Defence.

Q3. Attempt any TWO:

12

a) Amar abets the commission of a robbery. However the offence is not committed.

1. Is Amar liable for any offence under the Code? If yes, what is the punishment provided for the abetment?

2. If Amar is a police-officer, what would be the extent of his criminal liability?

b) Frank makes a hole through the wall of Arshad's house and puts his hand through the aperture.

1. What offence has been committed by Frank?

2. Does the gravity of the offence and the punishment differ according to the time at which it is committed? If yes, How?

c) Kumar gives false evidence in court, intending thereby to cause Sukhbir to be convicted for the offence of Murder.

1. Explain Kumar's criminal liability under the Code. What is the offence popularly referred to as?
2. If Sukhbir is convicted on the basis of the false evidence rendered by Kumar and is sentenced to death and the sentence be executed and it is later discovered that he was innocent, what punishment is Kumar liable for?

Q4. Essay type Questions (any four)

48

- a) Enumerate the various theories of punishments. Discuss them in detail.
 - b) Define Theft and Extortion. When does Theft or Extortion amount to Robbery under the Code.
 - c) "All Murders are Culpable Homicides but all culpable homicides are not murders." Discuss with the aid of provisions and case law in light of the Doctrine of Rarest of rare cases.
 - d) Which are the offences under the Code for which Capital Punishment is prescribed? What are the arguments in favour of and against Capital Punishment?
 - e) Discuss in detail Defamation as explained in the Code along with the ten exceptions as well as Case Law.
 - f) Enumerate the Offences against the State as listed in the Code. Explain SEDITION in detail with the aid of Case law and in light of the recent JNU incident and its repercussions throughout the nation. What are your views on the same?
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Sem- VI

Sub- Law of Crimes

Date- 27/10/2015

QP Code : 23563

(3 Hours)

Total Marks :100

1. Answer in not more than two sentences (All are compulsory):- 20
- State any **one** definition of crime by an eminent jurist.
 - Mention the Various theories of punishment.
 - Who is a woman according to IPC?
 - What is the exception of Infancy.
 - Define wrongful restraint?
 - What is cheating by personation?
 - Define Criminal trespass.
 - State any two offences relating to religion.
 - State any two acts which might amount to mischief.
 - What is criminal intimidation?
2. Write Short notes on (Any Four):- 20
- Necessity
 - Wrongful restraint and Confinement
 - Begging.
 - Forgery.
 - Criminal Breach of trust.
 - Attempt to commit an offence.
3. Solve Any Two (With reasons):- 12
- Shanta, a young tribal is called to the police station along with family, for inquires. When she is alone, the constable takes her to a shed behind the police station. There, he asks her to remove her clothes and has sexual intercourse with her. Shanta does not object. After a few days Shanta files a case of rape against he constable.
 - Would the constable be guilty? Give reasons
 - Is this problem based on any decided case? What were the changes made in law accordingly?
 - Aamir gives a bottle of poison to Salman a minor and asks him to put it in Adil's tea. Salman does so and Adil dies.
 - What is the liability of Salman?
 - What is the liability of Aamir?

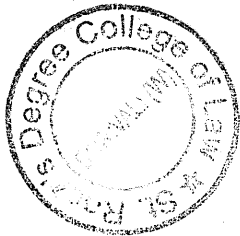
- (c) A, B, C, D and E gather together in an empty shed for stealing from Sheila's house. B and D bring weapons such as a knife, hockey stick etc. However, at the last moment B, C, D and E get scared and go back home. A, alone enters the house of Sheila and takes the painting. The watchman sees him taking it and tries to stop him. A punches him and runs away with the painting.
- (i) What offence is A guilty of ?
- (ii) Are B, C, D and E guilty of any offence? Give reasons

4. Answer in Detail (Any Four):-

12

- (a) How far is motive relevant for determination of guilt under criminal law? Explain briefly the two theories of negligence.
- (b) Give a historical view of the different kinds of punishment in India. What are your views on solitary confinement?
- (c) Explain with the help of examples the exceptions to Murder.
- (d) Explain briefly the offences relating to Public Health, Safety, Convenience, Decency and Morals.
- (e) What is defamation? Give any 4 exceptions thereto with examples.
- (f) Explain briefly any 4 offences against women under IPC.

[TURN OVER]



Law of Crimes

Sem VI

IPC

24th April 2015

Q.P. Code : 13061

(3 Hours)

[Total Marks : 100

1. Answer in not more than two sentences (All are compulsory) : -

20

- (a) Name any two members of the Commission that drafted the IPC.
- (b) What is Mischief?
- (c) What are the cardinal principals of criminal justice?
- (d) Define Assault
- (e) What is Forgery?
- (f) What is Adultery?
- (g) Define Stolen property
- (h) What is De Minimis Non Curat Lex?
- (i) What is Sexual Harassment according to IPC?
- (j) What is Undue Influence at Elections?

2. Write Short notes on (Any Four):

20

- (a) Punishment for rape.
- (b) Offences relating to religion.
- (c) Cheating
- (d) When theft becomes robbery.
- (e) Five exceptions to Murder
- (f) Stalking

3. Solve Any Two (With reasons):

12

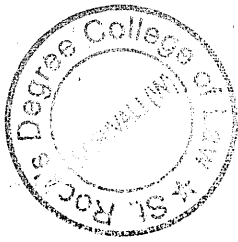
- (a) A who wishes to go to Goa for vacation cannot get a ticket. His friend B has a ticket but is unable to go. A travels by the train on B's ticket. In the train, A finds a mobile phone left behind by somebody and keeps it in his bag. At a station A urinates on the railway platform. At night he tears off a part of the seat cushion and uses it as a pillow.
 - (i) Has A committed any offence by travelling on B's ticket?
 - (ii) Is A guilty of any other offences?

- (b) Jay enters the house of Mr. Shah through the bedroom window at night. In the darkness Jay tries to open the cupboard in the bedroom. Mrs. Shah in the darkness mistakes Jay for her husband and invites him over to bed. Jay has sexual intercourse with Mrs. Shah in the darkness and leaves the house quietly.
- (i) Mrs. Shah has filed a case of rape. Is Jay guilty?
 - (ii) Is Jay guilty of any other offence?
- (c) Shree hides behind the curtains and clicks pictures of Seema, a model when she is changing clothes during a fashion show.
- (i) Is Shree guilty of any offence?
 - (ii) If Shree was Seema's boyfriend and she willingly allowed him to take pictures, and he later on shows it to his friends. What would be your answer?

4. Answer in Detail (Any Four) :

48

- (a) What are the two essential ingredients of a crime? Explain in detail with examples?
 - (b) No single theory of punishment can work in isolation. Explain.
 - (c) Write a note on the provisions relating to Abetment, Criminal Conspiracy and Unlawful assembly. Give illustrations of each.
 - (d) Explain the crime of causing hurt and the various factors which aggravate the offence.
 - (e) Explain the provisions relating to False Evidence. State some of the offences against public justice.
 - (f) Explain the Right of Private Defence with all the limits given thereto?
-



Sem- VI
Law of Crimes

PES LAW COLLEGE
PRELIMINARY EXAMINATION

SUBJECT: - Law of Crimes

DATE: 26/03/2015

TIME: - 3 Hrs.

MARKS:-100

N.B. - All questions are compulsory. Cite relevant sections and authorities wherever applicable. Code refers to the Indian penal Code, 1860.

Q.1) Answer in not more than two sentences

(20 MARKS)

- a) What is meant by 'Administration of Justice'?
- b) Define 'Good Faith' as per the Code.
- c) What do you mean by 'Doctrine of Rarest of rare cases'?
- d) State the two cardinal principles of Indian Criminal Justice System.
- e) Define 'Valuable Security'.
- f) What is meant by 'Doctrine of Floating Island'?
- g) What is meant by 'Stalking'?
- h) Explain, 'De Minimis Non Curat Lex' with reference to the Code.
- i) What is meant by Extradition and Deportation?
- j) What do you mean by 'Criminal Intimidation'?

Q.2) Write short notes on any four of the following:

(20 MARKS)

- 1) Gang Rape.
- 2) Criminal Breach of Trust.
- 3) Grievous Hurt.
- 4) House-Breaking by Night.
- 5) Adultery.
- 6) Sedition.

Q.3) Answer the following questions: (Any Two)

(12 MARKS)

- 1) Sandhya, knowing that Suresh (her friend) has committed dacoity, knowingly conceals him in order to screen him from legal punishment.
 - a) What punishment does the Code prescribe for 'Dacoity'?
 - b) Has Sandhya committed any offence? If yes, cite the relevant provision of the Code.
 - c) What would be Sandhya's criminal liability if she had been Suresh's wife?
- 2) Ashutosh Kumar, a newspaper publisher, causes to be published, the name and locality of a rape victim in his newspaper, while reporting the news of the incident of rape in New Delhi.

- a) Has any offence under the Code been committed by Ashutosh Kumar? If yes, under what provision of the Code?
 - b) What is the reason for inclusion of such a provision in the Code?
 - c) What provision does the Code make for permitting publication of names of rape victims, who are either dead or are of unsound mind?
- 3) Amar instigates Tushar to commit robbery, but the instigation proves to be futile since the offence is not committed.
- a) What punishment does the Code prescribe for 'Robbery'?
 - b) Has Amar committed any offence? If yes, cite the relevant provision of the Code.
 - c) What punishment is provided for instigation, if offence is not committed? Would the position be different if Amar was a jurisdictional Police Officer?

Q.4) Attempt the following :(Any Four)

(48 MARKS)

1. "All Murders are Culpable Homicides but all Culpable Homicides are not Murders." Explain.
2. Examine fully the law enshrined in the Code in regard to 'Defamation', including its explanations, exceptions, illustrations as well as English and Indian authorities.
3. Discuss the salient features and demerits of all the theories of punishment. Which theory according to you is the most suitable in the present day scenario? Give reasons.
4. "In all Robbery, there is either Theft or Extortion". Critically analyze this statement in the light of relevant provisions of the Code, with the aid of appropriate illustrations and landmark judgments.
5. Fully examine the scope and ambit of the law relating to 'Right of Private Defense', as enshrined in the Code, with the aid of illustrations and case law.
6. Discuss the provisions of the Code dealing with the offence of 'Kidnapping from Lawful Guardianship'. Highlight the important aspects of this offence and give an account of few landmark judgments in this regard. Compare and Contrast 'Kidnapping' with 'Abduction'.



Law of Crime

QP Code : CY-2478

(3 hours)

Sem-VI

Total Marks : 10

May 2016

1. Answer is not more than two sentences (All are compulsory) : -

- Define woman as per IPC.
- State two offences which are an exceptions to the doctrine of mens Rea.
- What is Admiralty Jurisdiction ?
- Define Abetment
- What is a dangerous weapon as per section 324 ?
- What is forgery ?
- What is dishonest misappropriation of property ?
- Define stolen property.
- What is Affray ?
- What amounts to Criminal Intimidation ?

2. Write short notes (any four) : -

- Injury
- Greivous Hurt
- Attempt to Commit Suicide
- Bigamy
- General Exception of Insanity
- Arguments in favour of Capital Punishment.

3. Solve any two : -

- Arif while waiting for a bus at a bus stop, scratches the bench at the bus stop with his pen and spits on the ground. Later, he whistles at a girl standing at the bus stop and sings as obsence song. On board the bus, he rubs up against a woman.
 - Name any two offences which Arif is guilty of. Give reasons for your answer.
 - If Arif looks intensely at the woman and twirls his mustache, scaring her without touching her, would he be guilty of any offence ?
- Mr. Alex who is the consul General of a foreign county in India, is in the habit of stealing things belonging to visitors at the consulate. He passes off the stolen things to his servant Ramu, who sells the stuff and hands over the money to Alex after retaining his cut.
 - Discuss the liability of Alex
 - Discuss the liability of Ramu.
- A says of a book published by Z- "The book is foolish and indecent. Z must be a weak man". B says-"The book is foolish and indecent, for Z is a weak man".
 - Discuss with reasons the criminal Liability of A
 - Discuss with reasons the criminal Liability of B.

[TURN OVER

4. Answer in detail (any four) : -

- What are the different types of punishment as per IPC. Which theory of punishment do these punishments indicate ? Write a detailed note on solitary confinement.
- Discuss the offence of murder in detail.
- Discuss the offences of Theft, Extortion and Robbery.
- Give a comparative analysis regarding the law relating to Rape, before and after the amendments of 2013.
- Discuss the offence of Criminal Trespass and its variations in detail.
- Offences relating to elections.

(मराठी रुपांतर)

(३ तास)

[एकूण गुण : १००]

१. दोन ओळित उत्तरे लिहा (सर्व प्रश्न सोडविणे अत्यावश्यक) : -

२०

- भा. दं. वि. संहितेप्रमाणे 'स्त्री' ची व्याख्या लिहा.
- 'मेन्स-रिया' या तत्त्वप्रणालीला अपवाद असलेले कोणतेही दोन गुन्हे लिहा.
- आरामारावरील अधिकारक्षेत्र म्हणजे काय ?
- 'प्रोत्साहन देणे' - व्याख्या लिहा.
- कलम ३२४ प्रमाणे घातक शस्त्र म्हणजे काय ?
- बनावटीकरण म्हणजे काय ?
- मालमत्तेचा अप्रामाणिक अपहार म्हणजे काय ?
- 'चोरिची मालमत्ता' - व्याख्या लिहा.
- मारामारी-दंगल म्हणजे काय ?
- काय म्हणजे फौजदारी धाकटपटशा.

२. टिपा लिहा (कोणतेही चार) : -

२०

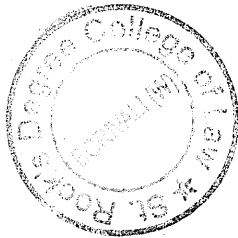
- इजा
- गंभिर दुखापत
- आत्महत्येचा प्रयत्न करणे
- पती किंवा पत्नी हयात असताना पुन्हा विवाह करणे
- विवेकभ्रष्टतेचा सर्वसाधारण अपवाद
- मृत्युदंडाच्या शिक्षेच्या बाजूने युक्तिवाद.

३. कोणतेही दोन प्रश्न सोडवा : -

१२

- अरीफ बसस्टँडवर बससाठी वाट पाहत असताना बसस्टॉपवर बाकाला त्याच्या पेनाने त्याने ओरबाडले आणि जमिनिवर थुंकला. नंतर त्याने बसस्टँडवर उभ्या असलेल्या मुलीला शिट्टी मारली आणि अशिल्ल गाणे गाऊ लागला. बसमध्ये चढल्यावर तो एका बाईला घासून गेला.
(१) अरिफ दोषी असलेल्या कोणत्याही दोन गुन्ह्यांची नावे लिहा. तुमच्या उत्तराची कारणे द्या.
(२) जर अरिफने त्या बाईला टक्करून पाहिले आणि तिला स्पर्श न करता मिशी पिळून दाखविली तर तो कुठल्या गुन्ह्यांचा दोषी ठरेल का ?

[TURN OVER]



1. Answer in not more than two sentences :- 20
 - (a) What is criminal conspiracy?
 - (b) Write any two General exceptions of crime.
 - (c) What is Public Nuisance?
 - (d) Define Document.
 - (e) What are the various punishments available under the IPC.
 - (f) What Criminal Trespass?
 - (g) Define Mischief?
 - (h) Give two instances of Grievous Hurt.
 - (i) What is wrongful confinement.
 - (j) State any two amendments to the law relating to rape in the year 2013.

2. Write Short notes on (Any four) :- 20
 - (a) Custodial Rape
 - (b) Abduction
 - (c) Bigamy
 - (d) Hurt
 - (e) Dacoity
 - (f) Offences relating to election.

3. Write Short notes on (Any four) :- 12
 - (a) Mangesh a married man who is a citizen of India has sexual intercourse with Julie a married European woman in France.
 - (i) If Adultery is not an offence in France can Mangesh be found guilty in India?
 - (ii) Can Julie be held guilty of Adultery in India?
 - (b) Tipu a 15 year old boy is unhappy in his parents' home at Pune. He is promised by Irfan that if he comes with him to Mumbai he will be well taken care of. Tipu willingly goes with Irfan to Mumbai. There Irfan maims him and puts him to begging.
 - (i) What offence is Irfan guilty of?
 - (ii) If Tipu was an orphan would the answer have been any different?
 - (c) A enters the house of B through an open window at 8 pm. He leaves a threatening letter on the dining table in the name of B stating that if B does not give him 5 lakh rupees within a week his house will be burnt down.
 - (i) What are the offences A is guilty of?
 - (ii) If A did the same act to leave behind a birthday card for B would he be guilty of any offence?

4. Answer in Detail (Any four): -

45

- What are the five stages of crime? Give illustrations and explain the provisions in the IPC for that.
- What theory of punishment does Capital punishment adhere to? Explain with reasons your view on the abolition of death penalty.
- Explain the offences relating to religion in the IPC. Do you think these offences are sufficient in the present day context. Suggest changes if any.
- What are the ingredients of the offence of kidnapping from lawful guardianship. How is it different from Abduction?
- What is dishonestly and fraudulently? Write short notes on any five offences relating to property.
- What are the Offences mentioned in the chapter on the Offences Relating to Marriage in the IPC. Explain

(३ तास)

[एकूण गुण : १००]

१. दोन ओळीत उत्तरे लिहा.

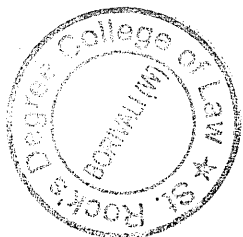
२०

- गुन्हेगारी कट म्हणजे काय ?
- गुन्हेगारी कोणतेही दोन सर्वसाधारण अपवाद लिहा.
- सार्वजनिक उपद्रव म्हणजे काय ?
- दस्तऐवजाची व्याख्या लिहा.
- भा.दं.वि. संहितेमध्ये कोणत्या वेगवेगळ्या शिक्षा आहेत ?
- गुन्हेगारी अतिक्रमण म्हणजे काय ?
- 'आगळीक' व्याख्या लिहा.
- गंभीर दुखापतीची दोन उदाहरणे द्या.
- गैर परिरोध म्हणजे काय ?
- बलात्काराच्या कायद्यासंबंधी सन २०१३ मधिल कोणत्याही दोन दुरुस्त्या सांगा.

२. टिपा लिहा (कोणत्याही चार)

२०

- कोठडीतील बलात्कार
- अपहरण
- द्विभार्या
- दुखापत
- दरोडा
- निवडणूकीसंबंधित गुन्हे



(3 Hours)

Law of Crimes
April 2013
NG-7399
Sem - VI

[Total Marks : 100

1. Answer in not more than two sentences. (all are compulsory) 20
- What is Bigamy ?
 - State any two offences in the IPC other than murder which are punishable with Death.
 - What is Affray ?
 - Define Rioting.
 - What are the limits to Solitary Confinement ?
 - What is Criminal Breach of Trust ?
 - State any two acts which amount to begging as per IPC.
 - What is Criminal Conspiracy ?
 - Define Woman as per I.P.C.
 - State any two offences relating to Religion.
2. Write Short Notes (Any four) :- 20
- House Breaking
 - Unlawful Assembly
 - Main Limitations to the Right of Private Defence
 - Grievous Hurt
 - Any five exceptions to Defamation
 - Adultery.
3. Solve any two (With reasons) :- 12
- Sunil and his friend go to a dance bar. There they get into a sudden fight with another group of persons over a dance. During the fight, Sunil grabs a beer bottle and hits it on the head of another person. That person suffers head injuries and dies in the hospital.
 - What will be the crime for which Sunil will be tried ?
 - Would it be any different if the other group was from a rival gang and Sunil and his friends had come to the bar deliberately on hearing that they were present there. If so, what would be the effect on the probable punishment ?
 - Amar while travelling by train, pulls out his pen and digs holes in the seat of the train. He then makes vulgar gestures at a woman travelling in the same compartment. When another passenger intervenes he gets into a fight with him and scares all other passengers.
 - State with reasons, two offences which Amar is guilty of.
 - If Amar spits in the train compartment can be punished of any crime ?

[TURN OVER

- (c) Sridhar has not received his election voting card. His brother who looks similar to him has gone out of town. So he goes and votes using his brothers voting card. The local MLA promises him that he shall help him in his son's school admission if he votes for his party.

- (i) What offence is Sridhar guilty of ?
(ii) Is the local MLA guilty of any offence ?

4. Answer in detail (Any four) :-

48

- (a) What is Rape according to the IPC ? What are the provisions in the IPC regarding the punishment for Rape ? Also state trends in India regarding punishment for rape.
(b) Explain the offence of kidnapping from lawful guardianship. Distinguish it from Abduction.
(c) Explain in detail the doctrine 'Actus Non facit Reum Nisi Mens sit Rea'.
(d) Write a note on the chapter on General Exceptions in the IPC. Explain any five.
(e) Explain the provisions in the IPC with regard to the offences of Theft, Extortion and Dacoity.
(f) Give a comparative analysis of the various theories of punishment.

(मराठी रूपांतर)

(३ तास)

[एकूण गुण : १००]

१.

दोन वाक्यात उत्तरे लिहा :-

२०

- (अ) द्विभार्या म्हणजे काय ?
(ब) आय.पि.सी. मधील मृत्युदंडाची शिक्षा असलेले खुनाच्या गुन्ह्याव्यतिरिक्त कोणतेही दोन गुन्हे सांगा.
(क) मारामारी-दंगल (अॅफ्रे) म्हणजे काय ?
(ड) दंगा या गुन्ह्याची व्याख्या लिहा.
(इ) एकांतवासाच्या शिक्षेसाठीची बंधने सांगा.
(फ) फौजदारीपात्र न्यायभंग म्हणजे काय ?
(ग) आय.पि.सी. प्रमाणे कुठल्याही दोन कृती सांगा की जी कृती म्हणजे भिक मागणे होय.
(ह) फौजदारीपात्र कट म्हणजे काय ?
(य) आय.पि.सी. प्रमाणे महिला या शब्दाची व्याख्या लिहा.
(ज) धर्मविषयक कुठलेही दोन गुन्हे लिहा.

२. टिपा लिहा (कोणत्याही चार) :-

२०

- (अ) घरफोडी
(ब) बेकायदेशिर जमा
(क) स्वसंरक्षणाच्या अधिकाराविषयक मुख्य अटी
(ड) जबर दुखापत
(इ) अब्रुनुकसानीच्या गुन्ह्याचे कोणतेही पाच अपवाद
(फ) परगमन.



Letter of (Notice)
Nov 2012

NM-7947

[Total Marks : 100

Answer in not more than two sentences (all questions are compulsory).

20

- (a) Give any two examples of Mischief.
- (b) Define Force.
- (c) How is Bribery defined in the IPC ?
- (d) What is Criminal Intimidation ?
- (e) State any two differences between Abduction and Kidnapping.
- (f) Explain the exception contained in the maxim 'De minimis non-Curat lex'.
- (g) Define Mischief.
- (h) State any two offences relating to Religion.
- (i) What is Criminal Breach of Trust ?
- (j) What is cruelty as per section 498A ?

2. Write short notes (any four) :—

20

- (a) Offences Relating to Elections
- (b) House Breaking
- (c) Tukaram Vs. State of Maharashtra (Mathura's case)
- (d) Attempt to commit an offence
- (e) Necessity
- (f) Offences relating to weights and measures.

3. Solve any two (with reasons) :—

12

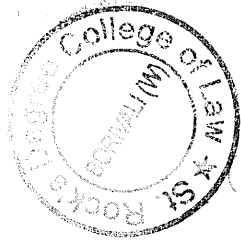
- (a) Rex a married man has sexual intercourse with an unmarried woman, Anna and a married woman, Tina. Julie the wife of Rex and John the husband of Tina, have proof of this fact. Discuss —
 - (i) Julie wants to file a case of Adultery under IPC against Anna. Can she ?
 - (ii) John wants to file a case against Tina for Adultery. Can he ?
- (b) A circus performer, Ramu trains his pet monkey to climb buildings and enter homes through windows in order to take away things lying on the table and bring them to him, Ramu has a friend Rahim who owns a second hand goods store. He receives such articles from Ramu at a cheap rate and sells them.
 - (i) Is Ramu guilty of any offence ? Give reasons.
 - (ii) Is Rahim guilty of any offence ? Give reasons.
- (c) Shyam, a 20 years old boy and Sheela a 17 years old girl are in love. Her parents find out and send Sheela away to her uncles house in another town. Sheela abandons her uncles home and comes to another place and calls Shyam. She asks him to meet her there. Shyam goes there and they stay together at a hotel for a few days. They are found there by the police.
 - (i) Is Shyam guilty of kidnapping ? Give reasons.
 - (ii) Is this problem based on any Case Law ?

[TURN OVER

4. Answer in detail (any **four**) :—

- (a) Explain in detail the scope of jurisdiction of the Indian Penal Code.
 - (b) What are the special provisions in the IPC regarding Dacoity ? Explain the statement “Robbery is not an independent offence.”
 - (c) Explain with examples the offences of Affray, Public Nuisance and Unlawful Assembly.
 - (d) What is the difference between Civil and Criminal Law ? What are the cardinal principles of Criminal Justice ? Give reasons.
 - (e) Discuss instances where a person may have caused the death of the victim but will not be considered guilty of ‘Murder’.
 - (f) How does the IPC take care of a man’s right to defend himself ? Discuss in detail.
-

Con. 3263-12.



(3 Hours)

Law of Crimes
May 2012

MR-4217

[Total Marks : 100

1. Answer in not more than two sentences (All are compulsory) : - (2 Marks each)

- a. What is wrongful confinement ?
- b. State any two examples of 'public servant' according to the chapter of General Explanations.
- c. What is sedition ?
- d. Define Document.
- e. When is a person guilty of committing affray ?
- f. Define Hurt.
- g. State any two exceptions to the Offence of Murder.
- h. What is Forgery ?
- i. State any two offences relating to elections.
- j. Name the two theories of Negligence.

2. Write Short notes on (Any Four) : - (5 Marks each)

1. Criminal Breach of Trust.
2. Criminal Intimidation.
3. Custodial Rape.
4. Reformatory theory of punishment.
5. Insanity.
6. Strict Liability.

[TURN OVER

3. Solve Any Two (With reasons)

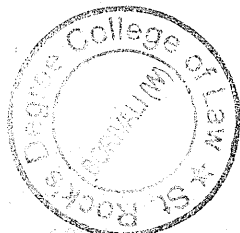
- (6 Marks each)

- a) Rukma Bai has a son, Hansraj, who is suffering from a rare kind of cancer. He is suffering with severe pain and his condition is deteriorating everyday. Doctors have informed that he will not survive for many days. Hansraj unbearable with pain requested his mother to give him poison and kill him. Persuaded by him repeatedly, Rukma Bai gave poison to Hansraj and as a consequence he dies.
 - i) What offence Rukma Bai committed if any? What can be the maximum and minimum sentence of punishment that can be awarded to her ?
 - ii) If Hans Raj had not asked Rukma Bai to kill him and she has given the poison on her own. What would be your answer ?
- b) Pappu a 6 year old boy visits his friend Chotus house. He waits till Chotu is outside his room and slowly takes away a video game belonging to Chotu.
 - i) What offence if any is Pappu guilty of?
 - ii) Would the answer be any different if Pappu was 11 years old ?
- c) Mohan who is married to Sheela, marries Meera on 15 January, 2011.
 - i) What offence is Mohan guilty of? Will it make any difference if he has hidden the fact of his earlier marriage from Meera.
 - ii) If Sheela had got lost in Kumbh mela in the year 2002 and nothing has been heard of her since then, then what would be the position?

4. Answer in Detail (Any Four) :

- (12 marks each)

- (a) All Murder is Culpable Homicide but All Culpable Homicide is not Murder. Explain.
- (b) What are the various Offences in the Indian Penal Code that are punishable with the Death Penalty. Should Death penalty be abolished?
- (c) Define Greivous Hurt and Dangerous weapon. What is the importance given to provocation in the chapter relation to hurt and why?
- (d) Explain in detail all the variations to the offence of committing Criminal Trespass.
- (e) Describe with example the General Exceptions of Necessity and Insanity. Cite two landmark judgements connected with these exceptions and the ration in these cases.
- (f) Describe in detail with illustrations the offences of Criminal Force, Assault, Wrongful Restraint and Wrongful confinement and their various forms.



3 Hours)

Law of Crimes
Oct. 2011

FR-1003

[Total Marks : 100]

- a. Define Wrongful Loss and Wrongful Gain.
- b. Give any two examples of Mischief.
- c. Who is a Thug?
- d. What are the limits to solitary confinement?
- e. What is cheating by personation?
- f. Give any two exceptions mentioned in Section 300.
- g. What is stolen property?
- h. State any two exceptions to defamation.
- i. What is Affray?
- j. What are the two theories of negligence?

1. Exemption from Criminal Liability.
2. Where the right to private defence can extend to the causation of death.
3. Distinction between Civil wrongs and Crimes.
4. Insanity.
5. Greivous hurt.
6. Attempt to commit suicide.

a) Vicky and Viru are having liquor at a dance bar. Their friend Guru joins them and orders a soft drink. Vicky adds hard liquor in Gurus drink without his knowledge. Suddenly a fight erupts between a group sitting on the opposite table and Viru. Viru picks up a bottle and strikes it to the head of a man from the other group, who dies instantly. Guru who is not used to drinking liquor is high, he therefore thrashes a waiter with a chair.

- i. Would Viru be guilty of murder?
- ii. Would Guru be punishable of any offence?

TURN OVER

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2

- b) Asif a bank officer is the neighbor of Munna, a fifteen year old boy, in Satara. Munna's parents are given to drinking, drugs and all sorts of vices. Asif has been taking care of Munna since last few years since he is a totally neglected child. Asif gets a transfer order to Mumbai. Munna is very sad when he hears this and he pleads to Asif to take him away with him. Asif takes Munna with him without informing the parents.
- Is Asif guilty of Kidnapping? Give reasons.
 - What would be the position if Munna was seventeen years of age?
- c) Amar invites Jay to his house for tea. They have a quarrel and Amar asks Jay to leave. Jay stays back and calls him a cheat. Jay exits the gate of the house. He hears Amar tell the watchman to go file a complaint against him. Jay stands at the gate of the house and prevents the watchman from leaving the house. Later, when Amar's sister is leaving the house Jay passes dirty comments at her. He finally openly urinates near the gate and leaves.
- Has Amar committed criminal trespass to Jays house? Give reasons.
 - Name any three offences Amar has committed?

Q.4. Answer in Detail (Any Four):**-(12 marks each)**

- Do you think that the offence of rape should be punishable with death? Define Rape.
- Discuss Unlawful assembly, Common Intention and Conspiracy.
- Is it permissible in India for a man to give consent to his own death? State any recent developments in India regarding Euthanasia. Discuss the pros and cons of the various theories of punishment.
- Are there any exceptions to the doctrine of Mens Rea in criminal jurisprudence? How is mens rea determined?
- Explain in general the chapter of offences relating to property. Discuss any three such offences in detail with illustrations.
- Discuss the offences of Bigamy, Adultery, Cruelty and Dowry Death.