

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