

23 (3) LLM 3.1 (CRL)

2011

LAW OF CRIMES I

Paper : 3.1

Full Marks : 80

Pass Marks : 32

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. "The concept of crime seems to have always been changing with the change in social policy, during the evolutionary stages of human society". Explain. 16

Or

Discuss different types of wrongs, such as – moral, civil, criminal, public, social and procedural wrongs with illustrations. 16

2. Distinguish (a) crime from tort
(b) crime from sin:

Describe how offences were treated in ancient India. 16

Contd.

Or

Explain the general rule, which requires certain specific elements to be proved in criminal liability. Is there any exception to it? Explain. 16

Discuss the differences between "Preparation" and "attempt to commit an offence". What are the necessary ingredients of attempt? State when an attempt is said to be physically impossible and legally impossible. 16

Or

Why did the Supreme Court in 1996, overrule its earlier judgement of 1994, in just less than two years declaring "right to suicide" illegal?

Discuss the recent views of the Apex Court in respect of euthanasia. 16

What are the fundamental objections to the "right and wrong test"? Which test according to you would be most appropriate to apply in case of pleading insanity as a defence? What are the differences of legal insanity and medical insanity? 16

Or

What do you mean by Golden Scale, in respect of right of private defence? Explain the tests laid down by the Apex Court to judge as to whether apprehension of danger has arisen or not, in order to justify exercise of the right of private defence. 16

5. What is vicarious liability? Explain the rationale for holding a corporation liable for criminal acts of its agents, instead of holding the concerned officers liable. Why a company or corporation is absolved from criminal liability for certain category of crimes? 16

Or

What are the ingredients of Section 34 and 149 I.P.C.? Can a person be convicted u/s 149 without framing charge u/s. 149? Is there any provisions in the I.P.C. for joint liability? Explain. 16