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23 (3) LLM 3.1 (CR1)

2012

LAW OF CRIMES I

Paper : 3.1

Full Marks : 80

Time : Three hours

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

- I. Explain the territorial as well as extraterritorial jurisdiction of Courts in India to try different offences under the Indian Penal Code. Discuss the admiralty Jurisdiction of the Indian Courts.

*Or*

The very definition and concept of crime varies not only according to the values of a particular group and society, its ideals, faith, religious attitudes, customs, traditions and taboos but also a number of other factors. Discuss. 16

2. "There can be no crime large or small without the evil mind." Discuss the above statement and evaluate the position of mensrea in the I.P.C. Explain if there is any exception to it.

8+4+4=16

Or

State and explain the major elements of crime of modern days. Discuss the importance of the elements in respect of socio-economic crimes.

10+6=16

3. Discuss, whether the term 'inchoate crime' is proper or not. Explain in details the laws regarding abetment. Discuss the liability of an abettor, when a different act is done by the abetted person.

4+9+3=16

Or

Distinguish between attempt and preparation. Explain —

8+4×2=16

- (a) Proximity test  
(b) Locus poenitentiae test  
(c) Impossibility test  
(d) Social danger test.

4. Explain the term "irresistible impulse". Would that test produce different results in actual application than the M'Naughten test? Discuss.

6+10=16

Or

What, according to the Supreme Court, are the limitations to the exercise of the right of private defence of body and property? Discuss with the help of recent case laws.

8+8=16

5. What is the rationale behind holding a corporation liable for criminal acts of its agents? Is there any exceptions to it? Discuss. What is sovereign immunity? Is it available for constitutional wrongs? Discuss.

6+4+6=16

Or

Explain the requirements of Section 149 I.P.C. Can a person present in a crowd be liable for the assault committed by another member of the assembly? What are the distinctions between "common intention" and "same or similar intention"? Discuss.

6+4+6=16