

2016

LAW OF CRIMES I

Paper : 3021

1. Define the term 'Crime'. Are crime and tort complementary? Discuss the development of criminal law in India under the British Rule. 16

Or

What is the test of criminality or criminal liability? Explain the tests of criminality, stating traditional and modern approach to crimes. 16

2. Explain *any two* of the following : 16

- a) Proximate Vs Remote cause
- b) Where there is no physical participation at all by the accused
- c) Contributory negligence
- d) Where the participation is superfluous.

Or

Is mens rea necessary in case of all crimes ?
Explain the circumstances when mens rea
may be excluded in fixing criminal liability ?
What is the rationale of punishing a person
for a crime in the absence of guilty mind ?
Discuss. 16

3. What is an inchoate crime ? Mention and
explain different kinds of inchoate crimes
contained in the IPC. How do you evaluate
the justification of the law of attempt to
commit suicide which is punishable under
the IPC ? 16

Or

Define attempt. What are the necessary
conditions that are required to constitute
the offence of attempt ? Why is an attempt
punishable and preparation not punishable ?
Is there any exception to this rule ? Explain
with relevant case laws on provisions as
provided in the penal code. 16

4. State the law relating to intoxication as laid
down in the Penal Code. Is self induced
intoxication a defence to a charge of crime ?
What is the justification for reducing
criminal liability in case of intoxication ? 16

Or

"Nothing is an offence which is done in
exercise of right of private defence" -
Elucidate and explain the object and
purpose of the right to private defence.

What are the limitations to the exercise of
the right of private defence ? Explain with
examples. 16

5. Define Vicarious liability. How do you justify
the liability of a master for acts of his
servant ? Discuss the exceptions to vicarious
liability by citing suitable examples. 16

Or

What do you mean by group liability ? How
far it is justified for imposing criminal
liability for an act committed by another ?
Illustrate your answer with the help of
important case laws. 16