

2017

LAW OF CRIMES-I

Paper : 3021

Full Marks : 80

Time : Three hours

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

All questions are of equal value.

1. What is valid consent under the Criminal Law ? Discuss the relevant provisions of the IPC in this respect. How does it relate with negligence ? Discuss.

Kenny, p-395

OR

"Theoretically, ignorance of fact being an excuse equally well should ignorance of law be an excuse for both negative the existence of guilty mind."

Explain the above statements stating the reason for the same.

2. "There can be no crime large or small without the evil mind."

Discuss the above statement and evaluate the position of mens rea in the IPC.

Explain if there is any exception to it.

Or

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

3. State the reasons of calling certain offences as Preliminary Crimes. How do you think that the government is abetting the terrorist organisations by negotiating with them, even after commission of heinous crimes ?

Discuss with relevant provisions of law.

4+9+3=16

Or

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

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

According to the Supreme Court, what are the limitations to the exercise of the right of private defence of body and property ?

Discuss with the help of recent case laws.

5. What is the rational 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 wrong ? Discuss.

16

Or

What are the differences between vicarious liability and strict liability in the criminal law ? State the reasons behind the imposition of such liabilities. State also the distinctions between the secs. 154 and 155 of the IPC.