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19 (III) IPC 3-1

**2020**

( Held in 2021 )

**INDIAN PENAL CODE**

Paper : 3-1

Full Marks : 56

Time : 2½ hours

(Both groups are compulsory)

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

**GROUP-A**

1. Choose the correct option : 1×7=7

(a) Section 34 of the Indian Penal Code  
———. (creates a substantive  
offence/ is a rule of evidence)

(b) Under section 45 of the Indian Penal  
Code, "life" denotes ———. (life of a  
human being / life of an animal / life of  
both human and animal)

Contd.

(c) The Indian Penal Code provides for \_\_\_\_\_ types of punishments.

*(three/six/five)*

(d) In case of an offence punishable under the Indian Penal Code with fine only, an offender who is sentenced to pay a fine exceeding Rs. 100/-, the imprisonment in default of payment of fine shall not exceed \_\_\_\_\_.

*(four months/six months)*

(e) General exceptions to criminal liability under the Indian Penal Code are contained in \_\_\_\_\_. *(chapter III/ chapter IV).*

(f) Accident as an exception under the Indian Penal Code has been dealt with in \_\_\_\_\_. *(sec 77/sec 82/sec 80).*

(g) Assault or use of criminal force on a woman with intent to outrage her modesty is provided under section \_\_\_\_\_ of the Indian Penal Code.

*(355/344/354)*

2. Answer the following questions :

(a) What do you mean by — “Actus non facit reum, nisi mens sit rea”? 2

- (b) Define dowry death under the Indian Penal Code. 2
- (c) Define assault under the Indian Penal Code. 3
3. Discuss briefly common object and common intention under the Indian Penal Code. 7

**Or**

Explain briefly the concept of private defence under the Indian Penal Code.

4. Discuss briefly the law relating to 'Rioting' and 'Promoting' enmity between different classes. 7

**Or**

Discuss briefly the law relating to hurt and grievous hurt under the Indian Penal Code.

### **GROUP-B**

5. (i) A and B commit the murder of C but there was no prearranged plan between them in this regard. Can A and B be convicted for the murder of C under sections 302/34 of IPC. Give reasons and mention case law. 7

**Or**

Z, under the influence of madness attempts to kill A . Has A the same right of private defence which he would have if Z were sane ? Give reasons and mention case law.

- (ii) A instigates B to cause C a grievous hurt by means of a spear, but instructs him not to kill C. B in attempting to cause hurt kills C. Whether A can be convicted ? Give reasons for your answer and mention case law. 7

**Or**

A puts jewels into a box belonging to Z with the intention that they may be found in that box and that this circumstance may cause Z to be convicted of theft. What offence, if any has been committed by A ?

6. (i) X was driving a car containing stolen property. It was detected by Y, a police officer, who managed to hang to the car while it was being furiously driven by X. Eventually, Y was thrown off in the middle of the road and was run over by another car causing fatal injuries. Y died. X is charged with the

offence of murder of Y. His contention is that he had no intention either to cause any serious injury to Y or to kill him. What offence, if any has been committed by X ? Give reasons for your answer and mention case law. 7

**Or**

A threw acid on the face of B, a young girl. What offence, if any has been committed by A under the Indian Penal Code ?

- (ii) A causes cattle to enter upon a field belonging to Z, intending to cause and knowing that he is likely to cause damage to Z's crop. What offence, if any has been committed by A under the Indian Penal Code ? 7

**Or**

A says of a book published by Z, "Z's book is foolish. Z must be a weak man. Z's book is indecent. Z must be a man of impure mind." What offence, if any has been committed by A under the Indian Penal Code ?