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## UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December 2017

Program: BBA LLB CL/ BBA LLB BFIT  
Subject (Course): LAW OF CRIMES  
Course Code : LLBL211  
No. of page/s: 2

Semester – III  
Max. Marks : 100  
Duration : 3 Hrs

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### Part A (2x5 = 10 Marks)

1. Common Intention
2. Extortion
3. Abatement
4. Kidnapping from India
5. Hurt and grievous hurt

### Part B (2 x 10 =20 Marks)

6. Define theft. Discuss the essentials of theft with the help of leading cases.
7. If two elements:
  - (i) Whether bodily injury found on the body of the deceased person was intentionally inflicted by the accused, and,
  - (ii) If so, were they sufficient to cause death in the ordinary course of nature- are established,  
The offence will be murder irrespective of the fact that the accused did not intended to cause death. Discuss the above statement with the help of leading cases.

### Part C (2x10=20 Marks)

8. A, a rag-picker, collects plastic bags, metal pieces, and scraps from the garbage heaps and areas adjoining factories. The city development authority lodges a complaint of theft of moveable properties from different parts of the city against A. How would you defend A?
9. There is a distinction between 'taking' and allowing a minor to accompany a person. Where a minor leaves her guardian's protection knowing and having capacity to know the full import of what she is doing and voluntarily joins the accused person, in such a case there

is no taking by the accused. Explain the above statement in the light of leading cases as discussed in the classroom.

**Part D (2x25=50 Marks)**

10. A, a girl of 19 years of age ran away with her boyfriend. She was brought to the police station as her father had filed a complaint of abduction against her boyfriend. Sexual Intercourse in the police station between A and Ghanshyam, a police constable was proved. The girl contended that she did not consent to the sexual activity. There was no injury marks on the body of the victim and the accused. Can Ghanshyam be held liable for the offence of rape?
11. On learning about his wife's extra marital affair with his best friend, A went into a state of shock. He did not have food that afternoon and did neither talk to anyone nor watched his favourite TV serial 'F.R.I.E.N.D.S'. In the afternoon he took his wife to a cinema hall, dropped her there, then went to his office and picked his official revolver. Thereafter went to his friends flat and shot him dead. Discuss the liability of A with the help of leading cases.

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### Part A (2x5=10 Marks)

1. Negligence
2. Actus Reus and Mens Rea
3. Dishonestly
4. Grievous hurt
5. Attempt

### Part B (2x10=20 Marks)

6. Discuss the law relating to kidnapping and abduction in India with the help of leading cases.
7. Define Extortion. Distinguish it from Theft and Robbery.

### Part C (2x10=20 Marks)

8. Define and distinguish between culpable homicide amounting to murder and culpable homicide not amounting to Murder.
9. Discuss the law relating to common intention and differentiate between:
  - a. Common intention and similar intention
  - b. Common intention and common object

### Part D (2x25=50 Marks)

10. On learning about his wife's extra marital affair with his best friend, A went into a state of shock. He did not have food that afternoon and did neither talk to anyone nor watched his favourite TV serial 'F.R.I.E.N.D.S'. In the afternoon he took his wife to a cinema hall, dropped her there, then went to his office and picked his official revolver.

Thereafter went to his friends flat and shot him dead. Discuss the liability of A with the help of leading cases.

11. A and B killed C and injured D, when C and D tried to attack the cousin of A. it was held that both had a 'similar' intention and not the common intention to rescue the cousin. The evidence was lacking to show that there was any pre-concerted plan to bring about C's murder. Both, A and B, picked up different individuals to deal with. Discuss the above statement in the light of Mahmud shah v. Emperor [1945]