


Name: Enrolment No:			
<p style="text-align: center;">UPES End Semester Examination, May 2025</p>			
Course: The Bharatiya Nyaya Sanhita 2023 Semester: II Program: LL.B (Hons.) Course Code: CLCC 2044			
		Time : 03 hrs. Max. Marks: 100	
Instructions:			
<p style="text-align: center;">SECTION A (5Qx2M=10Marks)</p>			
S. No.		Marks	CO
Q 1	The term ' <i>injury</i> ' is defined under BNS 2023.	2	CO1
Q 2	' <i>Community service</i> ' as a punishment may be awarded under Sanhita for the offence involving a - a) Theft value less than ₹5000 b) mischief c) Assault d) Causing simple hurt.	2	CO1
Q 3	Offence of abetment by any person (including a foreigner) who while being outside India abets the commission of an offence in India is made punishable under Section of BNS 2023.	2	CO1
Q 4	Define Snatching as provided under BNS 2023.	2	CO1
Q 5	Organized crime is defined under BNS 2023.	2	CO1
<p style="text-align: center;">SECTION B (4Qx5M= 20 Marks)</p>			
Q 6	Write a note on the concept of enhanced punishment as provided under BNS 2023.	5	CO2
Q 7	Write a note on ' <i>criminal breach of trust</i> ' as provided under BNS 2023.	5	CO2
Q 8	Write a detailed note on 'Voyeurism'.	5	CO2

Q 9	Discuss the concept of sexual intercourse by a person in authority as defined under BNS 2023.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	“There is a presumption that <i>mens rea</i> is an essential ingredient in a statutory offence, but this presumption is liable to be displaced either by the words of the statute creating the offence or by the subject-matter with which it deals.” Elaborate this statement with the help of decided cases.	10	CO3
Q 11	X, who was drunk at his friend’s birthday party, ravished a girl of 4 years of age and, in aid of the act of rape, he placed his hand upon her mouth to stop her from screaming, at the same time pressing his thumb upon her throat with the result that she died of suffocation. Drunkenness was pleaded as a defence. Discuss with the help of relevant provisions and case-laws.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q12	<p>Ravi, Suraj, and Dinesh were co-workers at a construction site. One evening, after consuming alcohol at a nearby tea stall, an argument broke out between Ravi and another worker, Nitin, over the distribution of wages. The argument escalated when Ravi, in a drunken state, pushed Nitin, causing him to fall. Suraj and Dinesh, both mildly intoxicated and supportive of Ravi, began assaulting Nitin with fists and kicks. Ravi, enraged and provoked by insults Nitin had hurled at him, picked up a heavy iron rod lying at the site and struck Nitin twice on the back. Nitin started bleeding and lost consciousness. Panicked, all three fled the scene.</p> <p>Nitin was taken to the hospital by other workers but was declared dead due to internal injuries caused by blunt force trauma. Post-mortem reports indicated that while the injuries were serious, timely medical aid might have saved his life.</p> <p>All three were arrested and charged under the Bharatiya Nyaya Sanhita, 2023, for murder. During trial:</p>		CO4

	<ul style="list-style-type: none"> Ravi claimed he acted under grave and sudden provocation and had no intention to kill. Suraj and Dinesh claimed they only engaged in a minor scuffle, unaware Ravi would use a rod. The prosecution argued all three shared a common intention to cause grievous harm resulting in death. <p>1. Whether the act committed by Ravi amounts to murder or culpable homicide not amounting to murder under the BNS, 2023. Explain with the help of relevant provisions and case-laws.</p> <p>2. Whether Suraj and Dinesh can be held liable for murder under the doctrine of common intention, or if their actions amounted to a lesser offense.</p>	<p>15</p> <p>10</p>	
Q 13	<p>Raman, a 35-year-old schoolteacher, lived in a semi-urban colony. One night, at around 1:30 am, he heard unusual noises coming from his backyard. Suspecting a theft, he quietly stepped out with an iron rod he kept for safety. In the dim light, he saw two intruders climbing into his kitchen through the back window.</p> <p>One of the intruders jumped down and attacked Raman with a sharp knife. In the struggle that followed, Raman struck intruder on the head with the rod. An intruder collapsed on the spot. The second intruder fled the scene. Soon after the incident, Raman immediately called the police. By the time police arrived, the intruder who suffered injury on his head died. Later, it was found that both intruders were habitual offenders, and several theft cases were pending against them. The post-mortem revealed a single blow caused intruder's death due to skull fracture.</p> <p>Raman was arrested and charged under the Bharatiya Nyaya Sanhita, 2023 for murder. He claims protection under the right of private</p>		CO4

	<p>defence, arguing that he acted to protect his life and property from intruders in the dead of night.</p>		
	<p>1. Whether Raman's act of causing intruder's death is protected under the right of private defence of body and property under the Bharatiya Nyaya Sanhita, 2023.</p>	15	
	<p>2. How the law under BNS, 2023 distinguishes between lawful self-defence and exceeding the right of private defence, particularly when death is caused.</p>	10	