

Roll No.
SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online Supplementary Semester Examination, Dec 2020

Course: ...Law of Crimes
Programme: B.A.,LL.B.CL/LL/CI, BBA LL.B. Corp
Law, /ITIL/BFIL , B.COM. LL.B. /B.A.LL.B. EL

Course Code:...CLCC 2002.....
Semester:....III.....

Time: 03 hrs.

Max. Marks: 100

SECTION-A

- 1. Each Question carries 5 Marks**
- 2. Attempt all the questions**

| S. No. | Questions | Marks | CO |
|--------|---|-------|-----|
| 1 | Define Principal of legality | 5 | CO1 |
| Ans. | | | |
| 2 | Define Stalking | 5 | CO1 |
| Ans. | | | |
| 3 | Ignorantia Facti Excusat and Juris Non Excusat. Explain the legal maxim with the help of illustrations. | 5 | CO2 |
| Ans. | | | |
| 4 | Explain the maxim 'Actus Me Invito Factus Non Est Meus Actus' | 5 | CO1 |
| Ans. | | | |
| 5 | Explain the term 'Offence' under IPC. | 5 | CO1 |
| Ans. | | | |
| 6 | Explain Expiatory theory of punishment | 5 | CO1 |
| Ans. | | | |

SECCTION-B

- 1. Each Question carries 10 Marks**
- 2. Attempt all the questions**

| S. No. | Questions | Marks | CO |
|--------|--|-------|-----|
| 7 | A, the captain of a steam vessel, suddenly, and without any fault or negligence on his part, finds himself in such a position that, before he can stop his vessel, he must inevitably run down a boat B, with twenty or thirty passengers on board, unless he changes the course of his vessel, and that, by changing his course, he must incur risk | 10 | CO3 |

| | of running down a boat C with only two passengers on board, which he may possibly clear. Decide on the basis of relevant provisions of the code and your opinion the nature of offence committed by A if he alters his course without any intention to run down the boat C and in good faith for the purpose of avoiding the danger to the passengers in the boat B, though he may run down the boat C. | | |
|--|--|-------|-----|
| Ans. | | | |
| 8 | <p>“Common Intention means meeting of mind which requires prior concert”. In lieu of the given statement decide the below given case with the help of land mark cases.</p> <p>‘A’ along with three other persons was returning from Bazar to his village on the day of Holi festival. 14 people were sitting at the house of ‘B’ variously armed with weapons. At the instigation of ‘B’ all 14 of them encircled ‘A’ and his companions and killed ‘A’. Somehow, the friends of A managed to escape. Defence pleaded that the accused should be tried for their individual actions as there was no prior concert or meeting of minds amongst the 14 accused and there was no evidence that they knew that he would be returning at that time through that path.</p> | 10 | CO2 |
| Ans. | | | |
| 9 | A, in good faith, for his child's benefit without his child's consent, has his child cut for the stone by a surgeon knowing it to be likely that the operation will cause the child's death, but not intending to cause the child's death. Applying the relevant provisions of the code decide the nature of the offence committed by A. | 10 | CO3 |
| Ans. | | | |
| 10 | A, intending to cause a theft to be committed, instigates B to take property belonging to Z out of Z's possession. A induces B to believe that the property belongs to A. B takes the property out of Z's possession, in good faith, believing it to be A's property. Applying the relevant provisions of the code decide the liability of A & B. | 10 | CO4 |
| ANS. | | | |
| 11 | Z strikes B. B is by this provocation excited to violent rage. A, a bystander, intending to take advantage of B's rage, and to cause him to kill Z, puts a knife into B's hand for that purpose. B kills Z with the knife. Applying the relevant provisions of the code decide the nature of the offence committed by B and A. | 10 | CO4 |
| Ans. | | | |
| SECCTION-C | | | |
| <p>1. Each Question carries 20 Marks 2. Attempt all the questions</p> | | | |
| S. No. | Questions | Marks | CO |
| 12 a) | Critically examine the law relating to sedition with the help of case laws. | | |
| b) | A attempts to pull Z's nose. Z, in the exercise of the right of private defence, lays hold of A to prevent him from doing so. A is moved to sudden and violent passion in consequence, and kills Z. Applying the relevant provisions of the code decide the nature of offence committed by A. | 20 | CO4 |

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| Ans. | | | |
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