

Con. 5384-11.

IPC - Nov. 2011

FR-1003

(3 Hours)

[Total Marks : 100]

Q.1. Answer in not more than two sentences (All are compulsory): - (2 Marks each)

- a. Define Wrongful Loss and Wrongful Gain.
- b. Give any two examples of Mischief.
- c. Who is a Thug?
- d. What are the limits to solitary confinement?
- e. What is cheating by personation?
- f. Give any two exceptions mentioned in Section 300.
- g. What is stolen property?
- h. State any two exceptions to defamation.
- i. What is Affray?
- j. What are the two theories of negligence?

Q.2. Write Short notes on (Any Four):**- (5 Marks each)**

1. Exemption from Criminal Liability:
2. Where the right to private defence can extend to the causation of death.
3. Distinction between Civil wrongs and Crimes.
4. Insanity.
5. Grievous hurt.
6. Attempt to commit suicide.

Q.3. Solve Any Two (With reasons)**- (6 Marks each)**

- a) Vicky and Viru are having liquor at a dance bar. Their friend Guru joins them and orders a soft drink. Vicky adds hard liquor in Gurus drink without his knowledge. Suddenly a fight erupts between a group sitting on the opposite table and Viru. Viru picks up a bottle and strikes it to the head of a man from the other group, who dies instantly. Guru who is not used to drinking liquor is high, he therefore thrashes a waiter with a chair.
 - i. Would Viru be guilty of murder?
 - ii. Would Guru be punishable of any offence?

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- b) Asif a bank officer is the neighbor of Munna, a fifteen year old boy, in Satara. Munna's parents are given to drinking, drugs and all sorts of vices. Asif has been taking care of Munna since last few years since he is a totally neglected child. Asif gets a transfer order to Mumbai. Munna is very sad when he hears this and he pleads to Asif to take him away with him. Asif takes Munna with him without informing the parents.
- Is Asif guilty of Kidnapping? Give reasons.
 - What would be the position if Munna was seventeen years of age?
- c) Amar invites Jay to his house for tea. They have a quarrel and Amar asks Jay to leave. Jay stays back and calls him a cheat. Jay exits the gate of the house. He hears Amar tell the watchman to go file a complaint against him. Jay stands at the gate of the house and prevents the watchman from leaving the house. Later, when Amar's sister is leaving the house Jay passes dirty comments at her. He finally openly urinates near the gate and leaves.
- Has Amar committed criminal trespass to Jays house? Give reasons.
 - Name any three offences Amar has committed?

Q.4. Answer in Detail (Any Four):

- (12 marks each)

- Do you think that the offence of rape should be punishable with death? Define Rape.
 - Discuss Unlawful assembly, Common Intention and Conspiracy.
 - Is it permissible in India for a man to give consent to his own death? State any recent developments in India regarding Euthanasia. Discuss the pros and cons of the various theories of punishment.
 - Are there any exceptions to the doctrine of Mens Rea in criminal jurisprudence? How is mens rea determined?
 - Explain in general the chapter of offences relating to property. Discuss any three such offences in detail with illustrations.
 - Discuss the offences of Bigamy, Adultery, Cruelty and Dowry Death.
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