

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December 2018

Course: Law of Crimes-I

Course Code: CLCC 2002

Semester: III

Programme: B.A., LLB. (Hons.) Energy/Criminal/Labour/Constitutional Law,

B.Com, LL.B (Hons.),

B.B.A.LL.B.(Hons.) Corporate Laws and BFI/ITIL

Time: 03 hrs.

Max. Marks: 100

Instructions: Follow section wise

SECTION A

(Attempt all questions. Select the correct answer and each question carries 2 Marks)

S. No.		Marks	CO
Q 1(a)	<p>'Wrongful gain' means</p> <p>(i) gain by lawful means of property to which the person gaining is not legally entitled</p> <p>(ii) gain by unlawful means of property to which the person gaining is not legally entitled</p> <p>(iii) gain by unlawful means of property which the person gaining is legally entitled</p> <p>(iv) all the above.</p>		CO1
1. (b)	<p>In cases of apprehension of kidnapping & abduction after assault, the right of private defence extends voluntarily causing</p> <p>(i) any harm other than death</p> <p>(ii) any harm other than death & grievous hurt</p>		CO1

	<p>(iii) any harm including grievous hurt</p> <p>(iv) any harm including death</p>		
1 (c)	<p>A finds a purse with money of Rs 5121/-not knowing to whom it belongs. He afterwards discovers that it belongs to B but appropriated Rs. 2111/- to his own use and gave purse to B. A is guilty of–</p> <p>(i) Theft</p> <p>(ii) Criminal Misappropriation</p> <p>(iii) Cheating</p> <p>(iv) No offence</p>		CO4
1 (d)	<p>Punishment for ‘Grievous Hurt by Acid Attack’ is-</p> <p>(i) Death penalty</p> <p>(ii) Imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, and with fine.</p> <p>(iii) Imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life, and with fine</p> <p>(iv) Imprisonment for a term which shall not be less than three years but which may extend to ten years, and with fine.</p>		CO1
1 (e)	<p>According to Criminal Law (Amendment) Act, 2018, punishment for rape of a girl below 12 years of age is-</p> <p>(i) Imprisonment with minimum seven years and may be extended up to life imprisonment</p> <p>(ii) Imprisonment with minimum Ten years and may be extended up to life imprisonment</p> <p>(iii) Imprisonment with minimum twenty years and may be extended up to life imprisonment, which shall mean imprisonment for the remainder of that person's natural life</p> <p>(iv) imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.</p>		CO1

SECTION B

(Note: Attempt any two questions. Each question carries ten marks)

Q 2	Compare (i) Hurt and Grievous Hurt (ii) Kidnapping and Abduction		CO2
Q 3	Discuss the commencement and continuance of the right of private defence of the body with the help of decided cases.		CO3
Q 4	Discuss the criminal liabilities of an accused for causing death of a person by rash and negligence act with relevant provisions of Indian Penal Code and decided case laws. Also, compare rash with negligent act.		CO2

SECTION-C

(Note: Attempt any two questions. Each question carries ten marks each)

Q 5	Analyse the provisions of Indian Penal Code, which deals with the offence of outraging the modesty of woman. Do you think that these all provisions are sufficient to curb this offence?		CO4
Q 6	Compare culpable homicide amounting to murder with culpable homicide not amounting to murder in the light of relevant provisions of Indian Penal Code and important case laws.		CO3
Q 7	Critically analyse the various provisions related with commission of crimes under influence of intoxication. Also write the importance of legal insanity and medical insanity with the help of decided case laws.		CO3


SECTION-D

(Note: Attempt all questions. Each question carries 25 marks)

Q 8	On 02 November 2017, Babbar Singh gave his Samsung Android mobile to Gabbar Singh Negi for repairing at Clock tower market, Dehradun (Uttarakhand). The repairing charge was Rs. 3000 and Babbar Singh promised to pay by 07 November 2017. Babbar Singh did not pay on due date and requested to extend the time by a week but Gabbar Singh Negi did not agree. He forcefully took back the repaired mobile and retained lawfully as a security for the debt. On 10 November 2017, Babbar Singh visited to the		CO4
-----	---	--	------------

	<p>shop of Gabbar Singh Negi and silently took his mobile when Gabbar Singh Negi was busy with some other customers. Babbar Singh also paid the dues and demanded his mobile but Gabbar Singh Negi was unable to trace his mobile. Now, Babbar Singh demanded Rs. Forty thousand from Gabbar Singh Negi for unable to return his mobile. During investigation, CC TV reveals the fact of taking the mobile by Babbar Singh.</p> <p>(a) Discuss the nature of offence committed by the Babbar Singh under Indian Penal Code.</p> <p>(b) Discuss the rights and criminal liabilities of Babbar Singh and Gabbar Singh Negi.</p>		
Q 9	<p>(a) Describe the essentials for deciding the offence of rape under section 375 of Indian Penal Code.</p> <p>(b) What are the changes brought in offence of rape and provision of its punishment by the Criminal law (Amendment) Act, 2013 and Criminal law (Amendment) Act, 2018?</p>		CO3

Set B

Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2018			
Course: Law of Crimes-I		Course Code: CLCC 2002	
Semester: III			
Programme: B.A., LLB. (Hons.) Energy/Criminal/Labour/Constitutional Law, B.Com, LL.B (Hons.), B.B.A.LL.B.(Hons.) Corporate Laws and BFI/ITIL			
Time: 03 hrs.		Max. Marks: 100	
Instructions: Follow section wise			
SECTION A (Attempt all questions. Select the correct answer and each question carries 2 Marks)			
S. No.		Marks	CO
Q 1(a)	A finds a purse with money of Rs 2989/-and a visa ATM card not knowing to whom it belongs. He afterward discovers that it belongs to B but appropriated Rs. 2111/- to his own use and gave purse to B. A is guilty of– (i) Theft (ii) Criminal Misappropriation (iii) Cheating (iv) No offence		CO 4
1. (b)	Punishment prescribed for ‘Grievous Hurt by Acid Attack’ is- (i) Death penalty (ii) Imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, and with fine. (iii) Imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life, and with fine (iv) Imprisonment for a term which shall not be less than three years but which may extend to ten years, and with fine.		CO1

1 (c)	Define Dishonestly.		CO1
1 (d)	Define Forgery.		CO1
1 (e)	<p>According to Criminal Law (Amendment) Act, 2018, punishment for rape of a girl below 12 years of age is-</p> <p>(i) Imprisonment with minimum seven years and may be extended up to life imprisonment</p> <p>(ii) Imprisonment with minimum Ten years and may be extended up to life imprisonment</p> <p>(iii) Imprisonment with minimum twenty years and may be extended up to life imprisonment, which shall mean imprisonment for the remainder of that person's natural life</p> <p>(iv) imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.</p>		CO1
<p>SECTION B</p> <p>(Note: Attempt any two questions. Each question carries ten marks)</p>			
Q 2	Compare (i) Wrongful restraint and Wrongful confinement (ii) Extortion and Robbery		CO2
Q 3	What do you mean by outraging the modesty of woman? Discuss the provisions of Indian Penal Code, which deals with the offence of outraging the modesty of woman.		CO 2
Q 4	What do you mean by Rash and Negligent? Discuss the criminal liabilities of an accused for causing death of a person by rash and negligence act with relevant provisions of Indian Penal Code and decided case laws.		CO2
<p>SECTION-C</p> <p>(Note: Attempt any two questions. Each question carries ten marks each)</p>			
Q 5	Critically analyse the various provisions related with legal insanity. Also, write the importance of legal insanity and medical insanity with the help of decided case laws.		CO3

Q 6	Analyse the provisions of Indian Penal Code related with the commencement and continuance of the right of private defence of the property with the help of decided cases.		CO3
Q 7	(a) "Consent of woman plays a significant role in deciding the cases of Rape." Discuss. (b) What are the changes brought in offence of rape and provision of its punishment by the Criminal law (Amendment) Act, 2013 and Criminal law (Amendment) Act, 2018?		CO3
SECTION-D (Note: Attempt all questions. Each question carries 25 marks)			
Q 8 (a)	Rinku and Minku you are very close friends studying law together. They used to exchange books and notes. On 10 August 2017, Rinku went to the house of Minku but Minku was not there. He waited for him in his study room and started reading some of the books lying on the table. After some time, he decided to leave but picked up a book on Constitutional law of Seervai that he will return subsequently. Rinku also sought the permission of his mother to take up the book. After some days, Rinku returned some other books of Minku to him with the plan that he will return Seervai's book on Constitutional law sometime later as he found it to be excellent. Neither Rinku returned the book nor Minku enquired about it. Decide the criminal liabilities of Rinku with the help of relevant legal provisions and case laws. (12 Marks)	12	CO4
Q 8 (b)	Mr. Diwakar and Priya who were class fellows from class 10th developed infatuation towards each other. They carried the relationship for six long years until Diwakar did his Masters and got employed in a good multinational firm. They had promised to marry each other and perform to do so knowing fully well that they belong to different castes. On the basis of this promise and the long relationship, they entered into sexual relationship many times. However, finally, when Diwakar disclosed it to his parents, they refuse to do so on the basis of caste. They threatened Diwakar of social ostracism and even consequent into death of both in case they marry. Compelled by these reasons, Diwakar married with another girl. Priya charged Diwakar of having committed rape with her. Decide case with the help of relevant legal provisions and case laws. (13 Marks)	13	CO 4
9	Explain Dowry death. What are the differences between culpable homicide amounting to murder with culpable homicide not amounting to murder in the light of relevant provisions of Indian Penal Code and important case laws.	25	CO3

