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SEAT No. _____

No of printed pages-02

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SARDAR PATEL UNIVERSITY

LL.M. CBCS (CRIMINAL LAW) FIRST SEMESTER EXAMINATION

2018

SATURDAY, 27TH OCTOBER

10-00 A.M. TO 01-00 P.M.

PRINCIPAL OF CRIMINAL LAW

PL01ELCR21

TOTAL MARKS: 70

NOTE- A. FIGURES TO THE RIGHT INDICATE FULL MARKS OF THE QUESTIONS

B. EACH QUESTION CARRIES 14 MARKS

C. WRITE CASE LAWS IN SUPPORT OF YOUR ANSWER

Q.1 "Across the globe various experts have attempted to define crime but they failed to find an agreeable definition because the nature of crime is uncertain". Examine the statement giving reasons for this definitional dilemma. 14

OR

Q.1 Difference between the concept of Crime and Tort in Indian Context with relevant case laws. 14

Q.2 Elaborate the statement that the "doctrine of mens rea" is the most celebrated principle of criminal liability. Does intention and motive denote the same meaning? Give illustrations. 14

OR

Q.2 Discuss the Concepts in detail: 14
a. Fraudulently
b. Dishonestly

Q.3 "Ordinarily speaking, a crime is not committed if the mind of the person doing the act in question be innocent." Comment critically. 14

OR

Q.3 What do you mean by Attempt? Discuss various tests propounded by jurists to distinguish between 'Preparation' and 'Attempt'. 14

Q.4 'Intention to carry out the agreement' is essential in Sec. 34 and Sec. 120A but not in Sec. 149 while 'Intention to play some part in carrying out the agreement' is essential in Sec. 34 but is neither essential for Sec. 120A nor for Sec. 149, though all three create joint liability in criminal law. To what extent the statement is correct? Discuss with reasons, illustrations and decided cases. 14

OR

Q.4 What do you understand by the concept of joint liability? Giving justification for joint liability discuss the concept in relation to the offence of gang rape. Can a woman be prosecuted as joint liability for gang rape? 14

Q.5 "An abetment is complete though the act abetted may not have been committed". Explain. 14

OR

Q.5 "Agreement is the gist of offence of conspiracy". Examine the statement with relevant case law. 14

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(P.T.O)