

SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)
JAMIA HAMDARD, NEW DELHI
End Semester Theory Backlog Examination, May/June 2024
B.A.LL.B. IVth Semester
Subject: Criminal Law- II (BALLB- 401)

Time: 3 Hours

Maximum Marks: 60

Instructions

- I. Write your Roll Number on the top immediately on receipt of this question paper.*
II. Attempt five questions selecting one from each Unit. All questions carry equal marks.

Unit I**(12 Marks)**

1. "The purpose of criminal justice is to punish the wrong doer. There is difference of opinion as to the object and purpose of punishment". In the light of this statement critically examine various theories of punishment.

OR

2. Write a note on different forms of punishment under the Indian Penal Code 1860. Whether in your opinion the capital punishment should be eradicated as a form of punishment from Indian criminal justice system? Discuss in the light of decided cases.

Unit II**(12 Marks)**

3. What is the right of private defence of a person? Are there any limitations or restriction on these rights? When the right of private defence of the body extends to causing death?
 A, an officer of a Court of Justice, being ordered by that Court to arrest Y, and without conducting due enquiry, believing Z to be Y, arrests Z. Is A liable? Decide with reasons.

OR

4. "A lesser evil may be preferred to avoid greater evil". Elucidate the observation with the help of relevant provisions and decided

cases.

Unit III**(12 Marks)**

5. Discuss the law relating to unsoundness of mind as a defence from criminal liability. Refer to suitable illustration and decided cases in your answer.

OR

6. "Nothing is an offence which is done by any person who is, or who by reason of mistake of fact and not by reason of mistake of law in good faith believes himself to be bound by law to do it." Elucidate.

Unit IV**(12 Marks)**

7. "Any member of the unlawful assembly can be prosecuted for the criminal act; it need not to be proved that he had committed an overt act". Explain

OR

8. Define Criminal Conspiracy. Discuss its essential components in the light of decided cases. Also differentiate between abetment and criminal conspiracy.

Unit V**(12 Marks)**

9. Discuss the law relating to offences against the state in the light of decided cases.

OR

10. Can a person defame without writing words? Are there any exceptions to the offence of defamation? Explain them briefly.
