

Roll

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**HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)**  
**SCHOOL OF LAW**  
**JAMIA HAMDARD**  
**B.A.LL.B. END SEMESTER- 3<sup>rd</sup>, EXAMINATION JANUARY- 2024**  
**CRIMINAL LAWS - I**  
**BALLB- 301**

Duration: Three Hours

Maximum Marks: 60 Marks

Write your Roll No. on the top immediately on receipt of this question paper.

**Unit I**

1. "Crime is a wrong against the society and an attack on the civilisation of the day". Elucidate and discuss the essential elements of crime.

**12 Marks**

OR

2. (a) Critically examine the maxim "*Actus non facit reum, nisi mens sit rea*" and state its exception.

(b) A, along with his friends was planning an attack on one of the historical buildings of Allahabad. They started preparing for the attack by arranging some explosive raw materials and brought those to their rented flat. Meanwhile, A's landlord got to know about the conspiracy and he informed the police about the activities going on in his flat. The police raided the flat and arrested all the accused and also seized all the explosive materials, recovered from there. Whether the act of A and his friends is punishable under the ambit of Indian Penal Code 1860.

**12 Marks**

**Unit II**

3. "It is often said that there is a very thin but fine distinction between the offences culpable homicide not amounting to murder and culpable homicide amounting to murder. Because the difference lies in the different degree of probability of death ensuing in the two offences". Examine the correctness of above statement.

**12 Marks**

OR

4. (a) Critically analyse the extent of negligence involved in the offence punishable under Section 304A Indian Penal Code, 1860.

(b) X drives very fast through a crowded road to catch a flight knowing that his act in *all probability* may cause death. Y is killed by his vehicle. Decide the liability of X.

**12 Marks**

### **Unit III**

5. (a) Discuss the essentials of Wrongful confinement and distinguish it with wrongful restraint.

(b) A was on his journey by car from Delhi to Agra. B met him in the way and requested for a lift to Mathura, an intermediate town. A acceded to its request but on reaching Mathura, he did not drop B there in spite of his repeated requests. B was carried over to Agra against his wishes. Discuss the criminal liability of A.

**12 Marks**

**OR**

6. (a) Define Kidnapping and Abduction and distinguish between them, in the light of leading judgements.

(b) A, a girl of 17 years was living with her parents, under their care and protection. She developed intimacy with a shop keeper, running a shop near her house. One day, the girl left the house and went to the shop keeper and asked him to take her away permanently. The shopkeeper took her away to several places. Later on, he was arrested on the complaint of the girl's parents. Decide the liability of shopkeeper in the light of leading case laws.

**12 Marks**

### **Unit IV**

7. "*It is said that in every robbery either there is mensrea present of theft or extortion with threat*" Explain this statement in the light of relevant case laws.

**12 Marks**

**OR**

8. (a) Chalk out the difference between Criminal Misappropriation of property and Criminal breach of trust.

(b) A is a servant of a wealthy man B. At the time of B's death, A removed gold ornaments from B's body. Whether A has committed any offence?

**12 Marks**