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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MID TERM EXAMINATIONS

Sem & AY: Odd Sem 2019-20

Course Code: LAW 110

Course Name: INDIAN PENAL CODE

Program & Sem: BA/BBA/B.Com & V

Date: 21.10.2019

Time: 9.30 AM to 11.30 AM

Max Marks: 60

Weightage: 30%

Instructions:

- (i) All questions are compulsory
 - (ii) Read the questions carefully and answer accordingly
 - (iii) Write legibly
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Part A [Memory Recall Questions]

Answer all the Questions. Each Question carries four marks. (5Qx4M=20M)

1. Write Short Notes on the following [20] (C.O.NO.1,2) [Knowledge]
 - a. Section 133 of Indian Penal Code
 - b. Object of Law of Crime
 - c. Mistake of Fact as a general exception
 - d. Ingredients of Section 124A
 - e. Procedural Law as House-Maid

Part B [Thought Provoking Questions]

Answer both the Questions. Each Question carries seven marks. (2Qx7M=14M)

2. What is Hurt? How is it different from Grievous Hurt? Explain with relevant case laws?
(C.O.NO.1,2,3) [Comprehension]
3. The McNaughton Rule played an important role in the understanding of Section 84 of Indian Penal Code. Explain in detail
(C.O.NO.2,3,4) [Comprehension]

Part C [Problem Solving Questions]

Read the Problem and answer all the Questions. Each Question carries Thirteen Marks. (2Qx13M=26M)

PROBLEM1-Sahil and Meeta are happily married for the past 07 years. But of late Meeta is not happy with her marriage as Sahil is really busy and hardly gives her any time. Sahil has a well-paying job where he keeps travelling out of country for work. Meeta is a homemaker and loves doing social work. Meeta while doing her social work meets Jordan who is a Soap Opera actor. The both instantly develop a liking towards each other and start an affair. The affair lasts for about Six months, after which Meeta realizes her mistake and ends the affair and starts working to give a fresh start to her marriage with Sahil.

Jordan on the other hand is furious with Meeta to end things on such a note, so he approaches Sahil and tells her all about their affair. Sahil gets really mad and furious with Meeta and plans to take revenge. Sahil along with Jordan plans to kill Meeta.

Sahil and Jordan make a plan that when Sahil is out with his friends that would be an appropriate time to kill Meeta as Sahil will have an alibi. Sahil hands over a spare key of the service door to their apartment to Jordan which is kept for the servants to enter and exit. Sahil tells Jordan that Meeta returns home every night at 7 PM, by 7.15 she enters the kitchen to get something to eat. He asks Jordan to enter the house before that and hide in the kitchen and when she comes to the kitchen at 7.15, Sahil will make a call to their landline which is fixed in the kitchen, as soon as Meeta takes the phone call, Jordan will attack her from behind and kill her, he also insists that Jordan should not cut the phone and let Sahil listen to her screams and pain and enjoy every bit of it.

Sahil and Jordan agree upon the same and Sahil agrees to Pay 50 lakhs to Jordan for the same, he pays an advance of Rs. 5 Lakhs the same day. The day arrives and Sahil goes out with his friends. As agreed by him and Jordan, he calls up his house at 7.15 PM. As soon as Meeta picks up the call, someone attacks her from behind, and Sahil keeps hearing as Meeta screams.

Sahil cuts the call feeling delightful as his revenge has been successful. He reaches home by 8.30 PM. The moment he opens his Apartment door, he sees his wife bruised badly, sitting in the corner in a state of shock with a knife in her hands full of blood. To Sahil's surprise Meeta was still alive but she was hurt. Sahil asked her what happened, to which she points out to the kitchen. Sahil hurriedly rushes to the kitchen and see a masked man lying in the pool of blood. Sahil quickly frisks him and takes out the spare key that he had given to Jordan. He finds the key and puts it in his pocket. He also takes out the mask of the Dead Body and to his shock and surprise the dead body is not of Jordan.

He immediately rushes and with the help of a screw driver brakes the lock of the Service Door of his apartment, to make it look as a forced entry, and after removing his finger prints from the screw driver Sahil, hides the screw driver in the dead man's pocket. While doing so, he has foot marks all over the kitchen covered in blood. By this time the police were on their door who were informed by Meeta a while back.

4. All Murders are Culpable Homicides but all Culpable Homicides are not Murders Support your answers based on the above Problem 1? (C.O.NO.1,3,4) [Application]

PROBLEM 2: Cersei lives in a student flat with three other students who all share the kitchen. Cersei is becoming increasingly annoyed by the fact that someone else in the flat has been taking her food without asking, and she decides to teach this person a lesson. She grates ten laxative pills and mixes them into a new packet of muesli before placing the packet in a kitchen cupboard. She supposes that whoever eats the muesli might suffer some pain and discomfort, but hopes that it will not lead to anything too serious.

Tyrion, one of Cersei's flat-mates, helps himself to a bowl of Cersei's muesli. Tyrion quickly develops diarrhoea, and since he suffers from Irritable Bowel Syndrome, his symptoms are particularly severe. Tyrion's other flat-mates, Arya and Sansa, start to become worried about him after he continues to be violently ill and is unable to attend University to submit his coursework. Cersei resolves not to help Tyrion, since she thinks he has got what he deserves, and refuses to get involved when Arya and Sansa suggest that they call a doctor. Arya and Sansa decide that if Cersei cannot be bothered to get involved then neither can they, since they are not even on the same course as Tyrion and hardly know him. Eventually, three days after ingesting the pills, Tyrion speaks to his mother on the phone. Tyrion's mother is so worried that she calls an ambulance which takes Tyrion to hospital. After a further week in hospital Tyrion recovers, but his Irritable Bowel Syndrome is aggravated by the episode and he is left having to take medication to control the condition for the foreseeable future. The doctors suggest that had Tyrion received treatment when he first became ill, he would have suffered no long-term ill-effects.

5. Discuss the criminal liability of Cersei, Arya and Sansa based on the above problem 2.

(C.O.NO.1,3,4) [Application]



SCHOOL OF MANAGEMENT

Semester: Odd Sem 2019-20

Course Code: LAW110

Course Name: Indian Penal Code

Date:

Time: 2 Hours

Max Marks: 60

Weightage: 30%

Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (%age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type	Thought provoking type	Problem Solving type [Marks allotted]	Total Marks
			[Marks allotted] Bloom's Levels	[Marks allotted] Bloom's Levels		
			K	C	A	
1	1,2	1,2, Law of Crimes	5Qx4M			20
2	2,3,4	2,3 Abetment, Criminal Conspiracy		7		7
3	2,3,4	2,3 Abetment, Criminal Conspiracy		7		7
4	1,3,4	2,3,4, Abetment, Culpable Homicide, Criminal Conspiracy, Mens Rea			13	13
5	1,3,4	2,3,4 Abetment, Culpable Homicide, Criminal			13	13

		Conspiracy, Mens Rea				
	Total Marks					60

K =Knowledge Level . C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines. [Swati Sharma]

Reviewer's Comments:

Annexure- II: Format of Answer Scheme



SCHOOL OF LAW

SOLUTION

Semester: Odd Sem 2019-20

Course Code: LAW110

Course Name: Indian Penal

Date:

Time:

Max Marks: 60

Weightage: 30

Part A

(5Q x4 M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	Short Notes on a. Substantive law as mistress b. 3 objectives of law c. Abeting Mutiny	5Qx4M	5-7 Min Each

	<p>d. Ingredients of Sedition</p> <p>e. General Exception of judicial act</p>		
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Part B

(Q x M = Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
2	Insanity- mental and legal insanity to be explained	7	20
3	3 types of abetment to be explained	7	20

Part C

(Q x M = Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
4	Criminal Liability of Jordan, Sahil and Meeta	13	20
5	Case Analysis between section 299 and 300 to be done	13	20



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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

END TERM FINAL EXAMINATION

Semester: Odd Semester: 2019 - 20

Course Code: LAW 110

Course Name: INDIAN PENAL CODE

Program & Sem: BA/BBA/B.Com., & V Sem

Date: 26 December 2019

Time: 1:00 PM to 4:00 PM

Max Marks: 80

Weightage: 40%

Instructions:

- (i) Read the all questions carefully and answer accordingly.
- (ii) All Questions are compulsory

Part A [Memory Recall Questions]

Answer all the Questions. Each Question carries 1 mark.

(10Qx1M=10M)

(C.O.No.1,2,3,4 & 5) [Knowledge]

1. True/False or Fill in the Blanks

- a) Section 299 = Section 300 + _____
- b) House Breaking during day time has less punishment as compared to House Breaking at night(True/False)
- c) All Wrongful Restraint are equal to Wrongful Confinement but all Wrongful Confinement are not equal to Wrongful Restraint. (True/False)
- d) Mock Marriage is a type of marriage which is performed by Muslims. (True/False)
- e) In England Slander is a _____ wrong.
- f) Battery is another term used for Assault (True/False)
- g) In case of Abduction the punishment is _____.
- h) Under Custodial Rape the burden of proof is on the _____.
- i) Ignorance of fact is excusable when done under good faith. (True/False)
- j) Preventing Enmity Between Two Groups is defined under Section 291 (True/False)

Part B [Thought Provoking Questions]

Answer all the Questions. Each Question carries 10 marks.

(4Qx10M=40M)

(C.O.No.2, 3) [Comprehension]

- 2. Wonder Woman and Iron Man fall in love and decide to get married, Iron Man's father Captain America and Wonder Woman's Father Batman are against this alliance, so Iron Man elopes with Wonder Woman and goes to a temple, the temple doors are closed and there is no one present there, Iron Man cuts his finger with a knife and put a tika on Wonder Woman's forehead and shouts "you are mine and I am yours love, we will stay forever till eternity". After this they start staying together as husband and wife. Captain America finds out about this act of Iron Man and files a complaint against him. Will Iron Man be liable in this case?

3. Akshay, a senior Police Officer, one day invited three of his junior officers to his house to have sexual intercourse with his wife Tina. The junior officers at first were reluctant but were persuaded that Akshay's invitation was intended to be taken seriously. Once they arrived, Akshay gave them contraceptives to wear. They went to the bedroom where Tina was sleeping, she was awakened from her sleep, her husband and other men dragged and carried her into another room which contained a double bed. She struggled and screamed and shouted to her son to call the police, but none came to her rescue. All men one after the other had intercourse with her in turn finishing with the husband. Immediately afterwards Tina drove to the hospital and complained that she had been raped. The three junior officers were charged with rape and Akshay was charged for aiding and abetting rape. The defence given by the men was that they had got the consent from Akshay. Discuss the liability of Akshay and the other three junior officers if any?
4. Defamation is a concept already present in law of torts, then why has it been incorporated in Indian Penal Code as well? Explain in detail with necessary case laws/ examples.
5. When sleeping beauty was unconscious, Mr. David inserted a needle into her arm and extracted two pints of rare blood from her body, and sold each pint for Rs. 2000 each to Mr. Shahid who used the blood for transfusion into his body, Shahid knew how the blood was extracted. What offence/offences have been committed here?

Part C [Problem Solving Questions]

Answer both the Questions. Each Question carries 15 marks.

(2Qx15M=30M)

(C.O.No.3,4) [Analysis]

5. Malti was a 13 years old school going girl staying with her mother Pooja. Her parents Pooja & Naman were going through a divorce, the main issue regarding child custody was still pending in court to be decided. One day while returning from school Naman picked Malti up from school. Upon asking him Naman told Malti, that her mother Pooja had some work so she asked him to come and pick her up. Naman gave her some biscuits to eat, after which Malti fell unconscious. Naman took her to the International Airport and they boarded the Air India flight flying off to Canada. He passed through the security check by making Malti sit on a wheelchair and telling the authorities at the airport that she was sick. The flight took off and they reached Canada. In fear of being caught Naman took Malti to one of his Colleague Pritam's Place and they stayed there for a week. One of the days when Naman was out, one of the house helps in Pritam's house Bella took Malti to her house and hid her there by giving her a sleeping injection. She then called two men Bala & Raka who used to deal in Child Trafficking. Bella sold Malti to Bala & Raka for 50,000 Dollars. The men took Malti and forced her into child prostitution. Back in Pritam's house when Naman came back he madly looked for Malti but resisted going to the police as he knew that he got Malti to Canada by using illegal means. Discuss the Liability of all the people involved in this case. In the meantime Pooja filed a missing Complaint of her daughter Malti. Kindly Advise Pooja as to what are the legal options available to her.

6. P, Q, R, S, T and U are all unemployed friends who travel to Mumbai in search of jobs from their village. P and Q get a job with the local goon in Mumbai, who deals in illegal arms. R and S get jobs as construction workers for a building and T and U remain unemployed. It is difficult for all friends to make ends meet so they all decide to rob a nearby bank. They take help from P and Q in arranging of two revolvers just as a precaution. T and U arrange for a second hand vehicle from a nearby garage, all friends chalk out the plan as to how they will rob the bank and how the plan should be executed. P and U have disagreements on certain aspects where they even get into a fistfight but are stopped by the other friends. As the day arrives, all of them take the vehicle and drive off to the bank, once they reach the bank, T gets nervous and asks everyone to go back and not to go ahead with the plan, but is snubbed by everyone. T gets out of the car and says "I cannot be a part of this plan" and runs off, the remaining ones go inside the bank, U waits by the vehicle keeping the engine running. They enter the bank and show the revolvers and shout "No one should move or else we will kill you". P and Q goes to the Manager's room, shows him the revolver and forcefully takes him to the bank's safe, the manager opens the safe door, and P and Q start looting all the money inside the bank. While looting is going on R and S are keeping an eye on the people, when they see a man moving towards the exit door, so they hold him and hit him brutally. By this time P and Q come out and fire a bullet in that man's head. They all run outside where U is waiting for them. And they all drive off. Analyze the problem and decide upon individual and joint liabilities of all the people involved.



SCHOOL OF LAW

END TERM FINAL EXAMINATION

Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (% age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type [Marks allotted] Bloom's Levels	Thought provoking type [Marks allotted] Bloom's Levels	Problem Solving type [Marks allotted]	Total Marks
			K	C	A	
1	1,2,3,4	1,2,3,4,5,6	K(1 mark each)			10
2	2,4	4,5,6,7		C (10 Mark Each)		
3				C (10 Mark Each)		
4				C (10 Mark Each)		
5				C (10 Mark Each)		40
6	3,4	5,6,7			A (15 Mark Each)	
7					A (15 Mark Each)	30
Total Marks			10	40	30	80

K =Knowledge Level C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines.

Faculty Signature:

Reviewer Comment:

Format of Answer Scheme



SCHOOL OF LAW

SOLUTION

Semester: Odd Semester: 2019 - 20

Course Code: LAW411

Course Name: water law

Program & Sem: SOL Vth SEM

Date: 26 Dec 2019

Time: 1PM-4PM

Max Marks: 80

Weightage: 40 %

Part A

(10Q x 1M = 10Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	<ol style="list-style-type: none">1. True2. 7yerars + Fine3. Accused4. True5. False6. NAM7. False8. False9. False10. Civil	10	15 Min

Part B

(4Q x 10M = 40 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
2	Rape problem to be answered with section 375	10	15
3	Mock Marriage, offence related to marriage	10	15
4	Theft case offences related to property to be discussed	10	15

5	Section 499 and 500 to be discussed along with Case Laws and examples	10	15
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Part C

(2Q x 15M = 30Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
5	Kidnapping outside India case, to be analyzed	15	30
6	Robbery, and Dacoity case, offences related to property to be discussed	15	30

