



**PRESIDENCY UNIVERSITY,
BENGALURU**

SCHOOL OF LAW

MID TERM EXAMINATION

Odd Semester: 2018-19

Date: 23 October 2018

Course Code: LAW 110

Time: 2 Hours

Course Name: Indian Penal Code

Max Marks: 60

Branch & Sem: BBA/BA/B.Com., LL.B.(Hons.) V Sem

Weightage: 30%

Instructions:

- (i) **All parts of the questions are compulsory**

Part A

Kindly write short notes on the following. **Each question carries four marks** (5x4=20)

1. "Ignorantia Facti Excusat"
2. Object of Indian Penal Code
3. Sedition
4. Punishment under Section 133 of IPC
5. Wrongful Restraint

Part B

Answer **all** the Questions. **Each question carries seven marks.** (2x7=14)

6. What is Hurt? How is it different from Grievous Hurt? Explain with relevant case laws?
7. Under Indian Penal Code if a case falls under General Exceptions, then there is no punishment, Throw some light on the above mentioned statement by explaining Insanity and Intoxication and how do they fall under General Exception

Part C

Answer Question No. 8 & 9 based on the problem given below. **Each question carries Thirteen Marks** (2x13=26)

Michael and Gwyneth are happily married for the past 10 years. But of late Gwyneth is not happy with her marriage as Michael is really busy and hardly gives her any time. Michael is a business tycoon and keeps travelling out of country for work. Gwyneth is an Art Collector and a Socialite. Gwyneth once goes to an art exhibition and meets Alan who is an upcoming artist. The both instantly develop a liking towards each other and start an affair. The affair lasts for about Six months, after which Gwyneth realizes her mistake and ends the affair and starts working to give a fresh start to her marriage with Michael.

Alan on the other hand is furious with Gwyneth to end things on such a note, so he approaches Michael and tells her all about their affair. Michael gets really mad and furious

with Gwyneth and plans to take revenge. Michael along with Alan plans to kill Gwyneth and plan the whole thing.

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

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

Michael cuts the call feeling delightful as his revenge was 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 Michael's surprise Gwyneth was still alive but she was hurt. Michael asked her what happened, to which she points out to the kitchen. Michael hurriedly rushes to the kitchen and see a masked man lying in the pool of blood. Michael quickly frisks him and takes out the spare key that he had given to Alan. 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 Alan.

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 Michael, 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 Gwyneth a while back.

8. Analyze the case and discuss the Criminal Liability of Alan, Michael and Gwyneth?
9. All Murders are Culpable Homicides but all Culpable Homicides are not Murders Support your answers based on the above Example?