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 **Presidency University**

**Bengaluru**

 **SCHOOL OF LAW**

**MAKEUP EXAMINATION SEP 2023**

**Course Code**: LAW 110

**Course Name**: INDIAN PENAL CODE

**Program & Sem**: B.A.LLB, B.COM LLB, BBA

**Date**: 30/SEP/2023

**Time**: 9.30A.M-12.30P.M

**Max Marks**: 100

**Weightage**: 50%

 **Instructions:**

1. *Read the question properly and answer accordingly.*

**Answer All questions. Each question carries ten mark. (10Q\*10M=100)**

1. The abetment of the illegal omission of an act may amount to an offence although the abettor may not himself be bound to do that act – Elaborate with the help of suitable illustrations.
2. *"It is an ill thing to knock against a deaf-mute, an imbecile, or a minor. He that wounds them is culpable, but if they wound him, they are not culpable."* In the light of the statement discuss the liability of an insane person under IPC with relevant provisions.
3. Strict liability is an exception to mens rea. Do you agree with the statement? If yes, explain with reasons.
4. "Incidental observations without concentration on the sentencing criteria", adding "Judgments are not Bible for every line to be venerated.” Discuss the aggravating and mitigating factors that the Hon’ble Supreme Court has laid down in various case laws regarding to granting of punishment under IPC.
5. Write a short note on:
6. Nullem crimen sine lege and nulla poena sine lege
7. Ignorantia juris non excusat
8. “With all respect, this rationale regrettably perpetuates one of the most insidious of the old myths about women that women, wittingly or not, are seductive sexual objects.” In the light of this statement discuss the offence of adultery with recent developments.
9. X was standing facing Y. Z came from behind of Y and hit him with a sword but X did not alert Y to move away to escape from the attack. The victim succumbed to injuries. X and Z were charged and convicted u/s 302/34 of IPC. X has appealed in the High Court against the decision of the trial court. As a judge of High Court, decide the appeal with the help of decided cases.
10. X was brutally raped by an unidentified person. Since the time of incident, the victim has been in mental trauma. She only speaks about getting justice and often narrates that the only hope of her recovery is when the accused will be adequately punished by the court of law. There was no witness of the crime. However, a person was arrested in connection with the crime. The victim was aware of the trial and she showed some positivity in her attitude and her mental condition had been improving from the date she came to know arrest was made and the matter was taken up by the court. However, the accused has been acquitted due to lack of evidence. The accused successfully pleaded alibi. The victim is not aware of the judgement of acquittal rather the concerned person has informed that the accused has been convicted of the crime. The condition of victim has actually improved drastically and she is trying to follow the ordinary pursuits of life from the day of communication of judgement of conviction. The victim has a legal right to know the outcome of the case. Later on, she came to know that the accused was acquitted. She filed a case against the person who wrongly communicated the decision. The concerned person (communicator) has taken the plea of necessity u/s 81 of IPC. Decide the matter with the help of relevant provisions and precedent.
11. Ram was in possession of a piece of land and planted crops. Shyam claimed the ownership of the land through a civil suit. The case was decided in favour of Shyam and the court declared that Shyam is exclusively entitled for the land along with crops and other things attached with it. Ram was aware of the judgement but didn’t hand over the possession of land to Shyam. Further, he cut the crops which he planted and sold them. A case is filed against Ram u/s 379/447 of the IPC. Ram took the plea that he acted in good faith and argued that the crops belonged to him. Decide the case.
12. Raghav Ram, a film actor was returning from a party past midnight when he dozed off and the car that he was driving ran over two persons sleeping on the pavement killing them and thereafter rammed into a pole. He was jolted out of sleep by the impact of the accident when his car hit the pole. Tests confirmed high dosage of alcohol in his blood. You, as a lawyer, discuss the liability of the accused for the death of two persons.