



Roll No.

**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MIDTERM EXAMINATION

Even Semester: 2018-19

Course Code: LAW 109

Course Name: Criminology & General Principles of Criminal Law

Programme & Sem: B.A./B.B.A./B.Com.,LL.B. (Hons.) & IV Sem

Date: 25 March 2019

Time: 2 Hours

Max Marks: 60

Weightage: 30%

Instructions:

- (i) All questions are compulsory
- (ii) Read the questions carefully and answer accordingly
- (iii) Write legibly

Part A

Answer **both** the Questions. **Each** question carries **five** marks.

(2Qx5M=10)

1. Match the following
 - a. Garofalo (i) *Mala-in-se*
 - b. King Divine (ii) Criminologie
 - c. Climate & Topography (iii) Pre-classical
 - d. Inherent Wrong (iv) Fair Implication
 - e. Exception to *Mens Rea* (v) Geographical
2. Write Short Note on:
 - a. Clinical School
 - b. Sergeant Stephen's Definition of Crime

Part B

Answer **both** the Questions. **Each** question carries **ten** marks.

(2Qx10M=20)

3. The year is 1810. Meena is a 14 Year old girl who has been married off to a 40 Year old Zamindar Shri. Panchanand Sahai. Sahai only after 8 months of marriage falls seriously ill and dies. After the death of Shri. Sahai, Meena finds out that she is pregnant. The family comes together and decides that as a part of their custom, along with the last rites of Shri. Sahai, Meena will also be a Sati and will be burned alive along with her Husband Panchanand. Meena informs them about her pregnancy but they refuse to listen and Meena agrees to be Sati. In deciding between Morality and Crime in the above situation which one would survive in the above case? Give reasons for your answer.

4. Different aspects once and when combined together makes an absolute concept. Crime is no different than the above. Many aspects related together makes a crime. Discuss those various elements?

Part C

Answer **both** the Questions. **Each** question carries **fifteen** marks. (2Qx15M=30)

5. The concept of Criminology is all about studying the various types of crimes, for the purpose of which a lot of thinkers have come up with their specific classifications of various types of crimes. Discuss at length.
6. Explain in detail the various schools of Criminology?



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**PRESIDENCY UNIVERSITY
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END TERM FINAL EXAMINATION

Even Semester: 2018-19

Course Code: LAW 109

Course Name: Criminology & General Principles of Criminal Law

Program & Sem: BA/B.Com/BBA.,LLB. & IV Sem

Date: 20 May 2019

Time: 3 Hours

Max Marks: 80

Weightage: 40%

Instructions:

- (i) All questions are compulsory
- (ii) Read the questions carefully and answer accordingly
- (iii) Write legibly

Part A

Answer **all** the Questions. **Each** question carries **two** marks.

(10Qx2M=20M)

1. Fill in the Blanks

- i. The four elements of crime are Mens Rea, _____, Human Beings and _____.
- ii. Crime= Actus Reus+ Mens Rea+ _____ + Causation + Result - _____.
- iii. An act wrong in itself is called _____ whereas an act prohibited by law is called _____.
- iv. "Acts which come in _____ with societal norms are labelled as _____.
- v. According to Webster Criminology is the scientific study of _____ and _____.
- vi. According to Illiot/Meritt the two types of crimes are _____ and _____.
- vii. The exceptions pertaining to Indian Penal Code are mentioned between section _____ to section _____.
- viii. Benjamin Mendelsotin derived the word Victimology from the Latin term _____ and the Greek word _____.
- ix. As per Cesare Lombroso the three kinds of criminals are Born Criminals, _____ and _____.
- x. The first open prison was started in India in _____ in the year _____.

Part B

Answer **all** the Questions. **Each** question carries **five** marks. (4Qx5M=20M)

2. Certain acts even if done comes under justifiable exceptions and no punishment could be given for the same? Explain in detail
3. Point out the key differences between mistake of fact and mistake of law?
4. "Study shows that a lot of prisoners respond positively towards the concept of open prisons" explain the concept of open prisons? What importance do open prisons hold in a country like India?
5. Explain the various theories of compensation for compensating the victims?

Part C

Answer **all** the Questions. **Each** question carries **ten** marks. (4Qx10M=40M)

Problem 1:

There are 5 members present in a gang whose names are Gagan, Irfan, Manish, Chetan and Sunny. Gagan is a bus driver for a private bus operator. Sunny is the Cleaner of the bus who is also a minor. Irfan is a friend of Gagan. Manish and Chetan are cousins of Gagan. Together all of them plan to take Gagan's bus (which he drives) for a drive around the city, give ride to people and rob them off their precious belongings. In this case Gagan's job is to just drive the bus, Sunny calls out to passengers and a couple gets on to the bus. After the bus gains speed Irfan starts passing lewd comments on the woman, the Man who is with her starts to have a heated argument with Irfan, meanwhile Manish and Chetan come and grab the woman and drag her to the back side of the bus and rape her. Irfan starts beating up the man mercilessly. Gagan keeps driving the bus and Sunny starts recording the video of both the Man and the Woman. Manish and Irfan take away all their belongings and leave them in a secluded area. The man and the woman register a complaint in the nearby police station. And within a week's time all the culprits are caught. Gagan and Sunny decide to become witnesses. Manish and Chetan do not regret anything they did and tell the police it is their way of taking revenge from the society. Irfan realizes his mistake and asks for pardon from the court.

6. Based on the facts mentioned above explain in what rights would all the perpetrators have even though they are behind bars?
7. The various theories of punishment and under which theory the culprits would fall under? Give reasons for your answer.

Problem 2:

Prabhat was a Second Year Graduation student who had a crush on one of his classmates Nisha. On Valentine's day Prabhat approached Nisha with a bouquet of roses and a box of chocolates and expressed his feelings for her, but Nisha bluntly refused his proposal and told him not to ever bother her again as she already is engaged to someone else. Prabhat could not take no for an answer and got very furious. He decided to get back at Nisha. After a week, when Nisha was waiting for an auto rickshaw outside the college gate, Prabhat came on his bike with a friend and threw acid on Nisha's face. Nisha suffered second degree burns on her face and neck, including some parts of her hands. Prabhat immediately rushed off from the scene. Nisha's father filed a police complaint against Prabhat. Prabhat was caught and put behind bars. This case became a sensational piece of news overnight and the talk of the town. RAKSHA is an NGO which works for the betterment and upliftment of the acid attack survivors have been following the Nisha Acid Attack case very closely and decided to help out Nisha in getting the justice.

8. You are an officer working with RAKSHA and have been assigned to provide any assistance required by Nisha during the ongoing investigation and trial. What different rights must be provided to Nisha in this case?
9. Explain all the necessary Provisions in detail provided by United Nations in the "UN Convention on Justice & Support for Victims of Crime and abuse of power"

