

**Write the following information in the first page of Answer Script before starting answer**

ODD SEMESTER EXAMINATION: 2020-21

Exam ID Number \_\_\_\_\_

Course \_\_\_\_\_ Semester \_\_\_\_\_

Paper Code \_\_\_\_\_ Paper Title \_\_\_\_\_

Type of Exam: \_\_\_\_\_ (Regular/Back/Improvement)

**Important Instruction for students:**

1. Student should write objective and descriptive answer on plain white paper.
2. Give page number in each page starting from 1<sup>st</sup> page.
3. After completion of examination, Scan all pages, convert into a single PDF, rename the file with Class Roll No. **(2019MBA15)** and upload to the Google classroom as attachment.
4. Exam timing from 10am – 1pm (for morning shift).
5. Question Paper will be uploaded before 10 mins from the schedule time.
6. Additional 20 mins time will be given for scanning and uploading the single PDF file.
7. Student will be marked as ABSENT if failed to upload the PDF answer script due to any reason.

**LLB**  
**THIRD SEMESTER (REPEAT)**  
**INDIAN PENAL CODE**  
**LLB-301**

(Use separate answer scripts for Objective & Descriptive)

**Duration : 3 hrs.**

**Full Marks : 80**

( **PART-A : Objective** )

**Time : 30 min.**

**Marks : 30**

***Choose the correct answer from the following:***

***1X10=10***

1. Punishment for offence of committing Forgery is provided in
  - a. Section 463, IPC
  - b. Section 464, IPC
  - c. Section 465, IPC
  - d. Section 466, IPC
2. Under section 45 of IPC:
  - a. Creates a substantive offences
  - b. Is a rule of evidence
  - c. Both a and b
  - d. Neither a nor b
3. Under section 45 of IPC, life denotes:
  - a. Life of human being
  - b. Life of an animal
  - c. Life of human being and of an animal both
  - d. Life of either human being or animal
4. In case of an offence punishable with fine only, imprisonment for non-payment of fine:
  - a. Has to be rigorous
  - b. Has to be simple
  - c. Can be rigorous or simple
  - d. Can be partly rigorous and partly simple
5. If an offender is sentenced to imprisonment for a term exceeding one year, the term of solitary confinement shall not exceed:
  - a. One month
  - b. Two months
  - c. Three months
  - d. Six months
6. Section 76 and 79 of IPC provides the general exceptions of:
  - a. Mistake of law
  - b. Mistake of fact
  - c. Both mistake of law and fact
  - d. Either mistake of law or of fact
7. Section 79 of IPC extends the right of private defence of property, to the offence of:
  - a. Cheating
  - b. Misappropriation
  - c. Theft & robbery
  - d. Criminal breach of trust
8. "X", a police officer, has a warrant of arrest for "Y". He asked "Z" as to the identity of "Y", "Z" knowingly tells "X" that "M" is "Y" and consequently "X" arrests "M".
  - a. Z is guilty of abetment of instigation
  - b. Z is guilty of abetment of aiding
  - c. Z is guilty of abetment of false presentation
  - d. Z is guilty of abetment of mischief
9. The causing of death of child in the mothers womb is not homicide under:
  - a. Indian law only
  - b. English law only
  - c. Both English and Indian law
  - d. None of these
10. Section 73 of IPC provides for the maximum limit of solitary confinement to be:
  - a. One year
  - b. Two years
  - c. Three months
  - d. Six months

***Answer the following: (Use descriptive answer sheet)***

**2X10=20**

1. Define the term Culpable homicide not amounting to murder.
2. What do you mean by attempt to murder? Is it punishable?
3. Mention two differences between section 76 and 78 under the code 1860.
4. Define the term unlawful assembly. What is the minimum number of persons required to form an unlawful assembly?
5. Define gang rape under section 376D of IPC.
6. Write two differences between section 372 and section 373 of IPC.
7. Define mistake of fact and mistake of law under IPC 1860.
8. Define the term Indian Penal Code 1860. Write two lines on its importance in the society.
9. Mention two differences between kidnapping and abduction.
10. Define extortion. State the grounds when murder amounts to culpable homicide.

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**( PART-B : Descriptive )**

**Time : 2 hrs. 30 min.**

**Marks : 50**

**[ Answer the following questions ]**

1. Discuss the important provisions of general exceptions under IPC from section 76 to 100 of the code 1860. 10  
Or  
"Act of a person incapable of judgment by reason of intoxication caused against his will". Explain the above quoted lines under section 85 of the code with relevant case laws. 10
2. Discuss the provisions relating to section 83 of the Indian Penal Code. Explain its essential elements with illustrations. 10  
Or  
"Murder includes culpable homicide, but a culpable homicide may or may not amount to murder." Discuss with case laws. 10
3. Discuss the provisions relating to "culpable homicide not amounting to murder". Explain the differences between culpable homicide and murder. 5+5=10  
Or  
"The right of private defence of property extends to causing of death ". Explain the judicial provisions under the above mentioned quote with relevant case laws. 10
4. Define the term criminal conspiracy. Discuss critically the various provisions relating to criminal conspiracy under IPC 1860 with case laws. 10  
Or  
"Husband or relations of husband of a women subjecting her to cruelty". Explain the penal provisions available under IPC. 10
5. Describe the provisions on the crime "rape" under the code of 1860. Explain the various amended laws in relation to its present situation. 10  
Or  
Discuss five recent case laws on "rape" with its facts and judgments. State your suggestions to it. 10

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