

OR	iii.	Discuss the concept of private defence as provided under the BNS. How does it apply differently to the defence of body versus property?	8	3	1	1
Q.4	i.	What is the legal definition of rioting? Discuss the difference between riots and affray.	3	1	1	1
	ii.	Define unlawful assembly and discuss its elements as per the BNS.	7	1	1	1
OR	iii.	(a) Dhanilal encourages her friend Rita to commit a theft, which he eventually does. How would Rita's actions be treated under the concept of instigation, and what legal consequences might she face?	7	4	3	1
	(b)	Kamlesh helps his friend commit a crime by providing him with the necessary tools. Explain how his actions constitute abetment and what legal liabilities he might face.				
Q.5	i.	"In all robbery, there is either theft or extortion." Explain.	4	3	1	1
	ii.	In a busy city, two separate incidents of missing persons are reported:	6	3	1	1
	(a)	Incident 1: A 14-year-old teenager, Anand, is walking home from school when a man in a car offers him a ride, claiming to be a family friend. Ravi reluctantly gets in, and the man drives him to a distant location. Once they reach, the man tells Ravi that he will be held for ransom. However, Ravi manages to escape after a few hours and returns home unharmed.				
	(b)	Incident 2: A well-known businessman, Mangal, is abducted from her office by a group of masked men. They forcibly take him to a hideout and demand a large sum of money from his family. He remains captive for two days before being rescued by the police.				

Total No. of Questions: 6

Total No. of Printed Pages:4

Enrollment No.....



Faculty of Law  
End Sem Examination Dec 2024

LW3CO34 Bhartiya Nyaya Sanhita

Programme: LL.B. (Hons.)

Branch/Specialisation: Law

Duration: 3 Hrs.

Maximum Marks: 60

Note: All questions are compulsory. Internal choices, if any, are indicated. Answers of Q.1 (MCQs) should be written in full instead of only a, b, c or d. Assume suitable data if necessary. Notations and symbols have their usual meaning.

			Marks	BL	PO	CO	PSO
Q.1	i.	Section 152 of Bharatiya Nyaya Sanhita replaces which controversial law?	1	2	2	1	
	(a)	Adultery Law					
	(b)	Defamation Law					
	(c)	Sedition Law					
	(d)	Marital Rape Law					
	ii.	What new provision has been introduced regarding community service?	1	2	2	1	
	(a)	As an alternative to imprisonment					
	(b)	As an additional punishment					
	(c)	For juvenile offenders only					
	(d)	For white-collar crimes only					
	iii.	Ravi, while intoxicated, unknowingly causes harm to someone. He was intoxicated after someone secretly mixed alcohol into his drink. According to Section 23 of the Bharatiya Nyaya Sanhita, what is Ravi's liability for the harm caused?	1	3	3	1	
	(a)	Ravi is not liable because he was intoxicated without his knowledge.					
	(b)	Ravi is liable because intoxication is not a valid defence.					
	(c)	Ravi is liable for hurt.					
	(d)	Ravi is liable for the harm caused because he should have known better.					

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- iv. According to Section 21 of the Bharatiya Nyaya Sanhita, 2023, which of the following age groups is not held liable for an offence due to a lack of sufficient maturity or understanding to judge the nature and consequences of his conduct?  
 (a) Children under seven years of age  
 (b) Children under seven years of age who lack sufficient maturity  
 (c) Children under fourteen years of age  
 (d) Children under the age of eighteen
- v. Imputations and assertions prejudicial to national integration is an offence under which section of the Bharatiya Nyaya Sanhita, 2023?  
 (a) Section 175 (b) Section 197  
 (c) Section 205 (d) Section 225
- vi. According to Section 61 of the Bharatiya Nyaya Sanhita, how many persons are required to constitute a criminal conspiracy?  
 (a) Two or more  
 (b) Three or more  
 (c) Four or more  
 (d) Five or more
- vii. Under Section 114 of the Bharatiya Nyaya Sanhita, hurt is defined. Which of the following is incorrect?  
 (a) Causing bodily pain  
 (b) Causing disease  
 (c) Causing infirmity  
 (d) Causing mental distress
- viii. Under Section 303 of the Bharatiya Nyaya Sanhita, in cases of theft where the value of the stolen property is less than what amount, and the person is convicted for the first time, the punishment may include community service upon return of the stolen property or its value?  
 (a) 1,000 rupees (b) 2,500 rupees  
 (c) 5,000 rupees (d) 10,000 rupees

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- ix. Under which section of the Bharatiya Nyaya Sanhita is a false promise of marriage punishable?  
 (a) Section 69 (b) Section 70  
 (c) Section 71 (d) Section 98
- x. The punishment for committing rape on a woman under twelve years of age is provided under which section of the Bharatiya Nyaya Sanhita?  
 (a) Section 55  
 (b) Section 67  
 (c) Section 65  
 (d) Section 64
- Q.2 i. Define any two:  
 (a) Dishonestly  
 (b) Injury  
 (c) Wrongful gain & Wrongful loss
- ii. What are the elements of crime? Define and differentiate between actus reus and mens rea in the context of criminal liability.
- OR iii. Mention the punishments to which offenders are liable under the Bharatiya Nyaya Sanhita, 2023?
- Q.3 i. "Legal insanity is different from Medical insanity" Discuss this statement.
- ii. Under the Bharatiya Nyaya Sanhita, 2023, several general exceptions exempt individuals from criminal liability in specific circumstances. Discuss the general exceptions provided for necessity & infancy. For each exception, explain the legal rationale behind its application, provide relevant illustrations, and analyze any limitations or conditions imposed on the use of these defences. How do these exceptions balance the administration of justice with the recognition of human fallibility and exceptional circumstances in criminal law?

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In light of the incidents described above, how would the actions of the perpetrators in each case be classified under the Bharatiya Nyaya Sanhita, 2023, with regard to kidnapping and abduction? Define the terms "kidnapping" and "abduction" as per the BNS and analyze whether the legal elements of each offence are met in the given scenarios.

OR    iii.    What is culpable homicide? When does it amount to murder, and when does it not amount to murder?    **6**    1    1    1

Q.6        Attempt any two:

i.        Discuss the law relating to "Rape" as laid down in the Bharatiya Nayaya Sanhita, 2023. Discuss the various amendment in rape laws in India with relevant case laws.    **5**    2    1    1

ii.        Write short notes on any two:    **5**    1    1    1  
(a) Voyeurism  
(b) Stalking  
(c) Assault or use of criminal force for outraging the modesty of women

iii.        Write an essay on sexual harassment with the help of the relevant case law.    **5**    1    1    1

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**Marking Scheme**  
**LW3CO34 Bhartiya Nyaya Sanhita**

Q.1	i)	c)	1
	ii)	a)	1
	iii)	a)	1
	iv)	a)	1
	v)	b)	1
	vi)	a)	1
	vii)	d)	1
	viii)	c)	1
	ix)	a)	1
	x)	c)	1
Q.2	i.	Define any two: a) Dishonestly <b>2M</b> b) Injury <b>2M</b> c) Wrongful gain & Wrongful loss <b>2M</b>	<b>4</b>
	ii.	What are the elements of crime? <b>3M</b> Define and differentiate between actus reus and mens rea in the context of criminal liability. <b>3M</b>	<b>6</b>
	OR iii.	Mention the punishments to which offenders are liable under the Bharatiya Nyaya Sanhita, 2023?	<b>6</b>
Q.3	i.	"Legal insanity is different from Medical insanity" Discuss this statement.	<b>2</b>
	ii.	Under the Bharatiya Nyaya Sanhita, 2023, several general exceptions exempt individuals from criminal liability in specific circumstances. <b>4M</b> Discuss the general exceptions provided for necessity & infancy. For each exception, explain the legal rationale behind its application, provide relevant illustrations, and analyze any limitations or conditions imposed on the use of these defences. How do these exceptions balance the administration of justice with the recognition of human fallibility and exceptional circumstances in criminal law? <b>4M</b>	<b>8</b>
OR	iii.	Discuss the concept of private defence as provided under the BNS. <b>4M</b>	<b>8</b>

How does it apply differently to the defence of body versus property? **4M**

Q.4	i.	What is the legal definition of rioting? <b>1.5M</b> Discuss the difference between Riots and Affray. <b>1.5M</b>	<b>3</b>
	ii.	Define unlawful assembly and discuss <b>4M</b> elements as per the BNS. <b>3M</b>	<b>7</b>
	OR iii.	a. Dhanilal encourages her friend Rita to commit a theft, which he eventually does. How would Rita's actions be treated under the concept of instigation, and what legal consequences might she face? <b>3.5M</b> b. Kamlesh helps his friend commit a crime by providing him with the necessary tools. Explain how his actions constitute abetment and what legal liabilities he might face. <b>3.5M</b>	<b>7</b>
Q.5	i.	"In all robbery, there is either theft or extortion." Explain.	<b>4</b>
	ii.	In a busy city, two separate incidents of missing persons are reported: (a) <b>Incident 1:</b> A 14-year-old teenager, Anand, is walking home from school when a man in a car offers him a ride, claiming to be a family friend. Ravi reluctantly gets in, and the man drives him to a distant location. Once they reach, the man tells Ravi that he will be held for ransom. However, Ravi manages to escape after a few hours and returns home unharmed. <b>3M</b> (b) <b>Incident 2:</b> A well-known businessman, Mangal, is abducted from her office by a group of masked men. They forcibly take him to a hideout and demand a large sum of money from his family. He remains captive for two days before being rescued by the police. <b>3M</b> In light of the incidents described above, how would the actions of the perpetrators in each case be classified under the Bharatiya Nyaya Sanhita, 2023, with regard to kidnapping and abduction? Define the terms "kidnapping" and "abduction" as per the BNS and analyze whether the legal elements of each offence are met in the given scenarios.	<b>6</b>
	OR iii.	What is culpable homicide? <b>3M</b>	<b>6</b>

[2]

When does it amount to murder, and when does it not amount to murder? **3M**

[3]

Q.6

**Attempt any two:**

- i. Discuss the law relating to "Rape" as laid down in the Bharatiya Nyaya Sanhita, 2023. **2.5M**  
Discuss the various amendment in rape laws in India with relevant case laws. **2.5M**
- ii. Write short notes on any two: **5**
  - a. Voyeurism **2.5M**
  - b. Stalking **2.5M**
  - c. Assault or use of criminal force for outraging the modesty of women **2.5M**
- iii. Write an essay on Sexual harassment with the help of the relevant case law. **5**

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