

**Prof. N. V. PARANJAPE**

# **CRIMINOLOGY PENOLOGY**



**Central Law Publications**

# CRIMINOLOGY AND PENOLOGY

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## PREFACE TO THE TWELFTH EDITION

The present book has entered thirty-second year of its publication since its first edition was taken out way back in 1973. The successful survival of the book for over three decades speaks in itself of its immense popularity among the readers. The author has great pleasure and satisfaction in placing this revised and enlarged Twelfth Edition of the book in the hands of readers who are genuinely interested in deeper study of this fascinating branch of legal knowledge.

The author has endeavoured to bring out this edition in a thoroughly revised form with all the relevant statutory amendments and authoritative decisions on the subject. At places, the whole text has been recast, rewritten and expanded for updating the contents. The relevant statutory enactments have been incorporated in the Appendix and references given under appropriate topics in the body of the book. An attempt has been made to evaluate the latest developing trends in criminology and penology taking stock of contemporary changes of the 21st century which are taking place in other parts of the globe, notably, Britain and United States without, however, losing sight of the Indian perspective.

The authorities, both Indian and foreign, that have been relied upon and used as a source material, have been referred to and acknowledged in the footnotes. A select Bibliography and Table of cases incorporated in the book shall be found useful by the more inquisitive readers.

The author expresses his gratitude and thanks to Messrs Central Law Publications, Allahabad for their keen interest in publishing the book in the elegant form in shortest possible time.

It is sincerely hoped that like the preceding editions, this edition of the book would also be found very useful not only by the students, researchers and the teachers of law, but by the lawyers, Judges and criminal law administrators as well.

All helpful suggestions offered by the readers for the improvement of the book shall be gratefully received.

26th January, 2005

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BHOPAL—16

**Dr. N.V. Paranjape**

## PREFACE TO THE FIRST EDITION

With the introduction of Criminology as a subject for Legal Studies in Indian Universities, there has been a pressing demand for a comprehensive text book on this subject from the student community. It is well known that criminology is a socio-legal subject and with the modern improvised techniques of handling criminals, a summarisation of criminological findings for the students of this branch of knowledge has become all the more necessary. The author has endeavoured to achieve this purpose in the present book.

For the sake of convenience, the entire subject-matter of the book has been split into two parts. Part I deals with the origin and development of criminal science. The causation of crime has also been elaborately discussed in this part of the book. Part II contains information regarding penology and modern techniques of penal science. The subject has been approached in a legal perspective with emphasis on recent developments in correctional field of penology.

The author feels greatly indebted to the works of eminent criminologists and penologists, particularly those of Sutherland and Cressey, J.L. Gillin, G.B. Vold, Donald Taft, Barnes and Teeters, Curtis Bok, Allen Francis, Dr. P.K. Sen, K.S. Pillai and others which have been a source of information and guidance in the compilation of this book. The author also acknowledges his grateful thanks to Late Professor Narendra Singh, Head & Dean, Faculty of Law, University of Jabalpur, who wrote a foreword to this edition. Thanks are also due to Shri Krishna Vinayak Rudra for typing the manuscript neatly within shortest possible time.

The author also wishes to express his thanks to publishers, for bringing out this book in the present form.

Bhopal  
June, 1973

**Dr. N.V. Paranjape**

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## LIST OF ABBREVIATIONS

AC	... Appellate Court
AIR	... All India Reporter.
AIR SCW	... All India Reporter Supreme Court Weekly
All Cr C	... Allahabad Criminal Cases.
All Cr R	... Allahabad Criminal Rulings.
All ER	... All England Reporter
All LJ	... Allahabad Law Journal.
All LR	... Allahabad Law Reports.
An LT	... Andhra Law Times.
An LT (Cri)	... Andhra Law Times (Criminal)
An Pra LJ	... Andhra Pradesh Law Journal.
An WR	... Andhra Weekly Reports.
Assam LR	... Assam Law Reports.
AWC	... Allahabad Weekly Cases.
BBCJ	... Bihar Bar Council Journal.
Bih LJ	... Bihar Law Judgments.
Bih LJR	... Bihar Law Journal Reports.
Bom CR	... Bombay Cases Reporter.
Bom LR	... Bombay Law Reporter.
CHN	... Calcutta High Court Notes.
Cal WN	... Calcutta Weekly Notes.
CC Cases	... Chandigarh Criminal Cases.
CLR	... Chandigarh Law Reporter.
Cr AR (SC)	... Criminal Appeals Reporter (Supreme Court).
Cri LJ	... Criminal Law Journal.
Cr LR (SC & MP)	... Criminal Law Reporter (Supreme Court and Madhya Pradesh).
Cr LR (Guj)	... Criminal Law Reporter (Gujarat).
Cr LR (Mah)	... Criminal Law Reporter (Maharashtra).
Cr LR (Raj)	... Criminal Law Reporter (Rajasthan).
Cr LT	... Criminal Law Times.
Crimes	... Crimes.
Cr LC	... Criminal Law Cases.
C Cr J	... Current Criminal Judgments.
Cur LJ	... Current Law Journal.

Cut LR (Cr)	... Cuttack Law Reports (Criminal).
Cut LT	... Cuttack Law Times.
Cut WR	... Cuttačk Weekly Reporter.
Del LT	... Delhi Law Times.
East Cr C	... Eastern Criminal Cases.
ER	... England Reports.
ILR	... Indian Law Reports.
ITR	... Income Tax Reporter.
Jab LJ	... Jabalpur Law Journal.
JCC	... Journal of Criminal Cases (Del).
JT (SC)	... Judgments Today (Supreme Court).
Kant LC	... Karnataka Law Chronicle.
Kar LJ	... Karriataka Law Journal.
Kash LJ	... Kashmir Law Journal.
Ker LJ	... Kerala Law Journal.
Ker LT	... Kerala Law Times.
L & SL	... Local & Special Laws
LW (Cr)	... Law Weekly (Criminal).
MP LJ	... Madhya Pradesh Law Journal.
MLJ	... Madras Law Journal.
MLJ (Cr.)	... Madras Law Journal (Criminal).
QBD	... Queen's Bench Division.
Raj Cr C	... Rajasthan Criminal Cases.
RLR	... Rajdhani Law Reporter.
Recent Cr R	... Recent Criminal Reports.
SC	... Supreme Court.
SCALE	... Supreme Court Almanac.
SCC	... Supreme Court Cases.
SCC (Cr)	... Supreme Court Cases (Criminal).
SCC (Supp)	... Supreme Court Cases (Supplement).
SC Cr R	... Supreme Court Criminal Rulings.
SCJ	... Supreme Court Journal.
SCR	... Supreme Court Reports.
SCWR	... Supreme Court Weekly Reporter.
US	... United States
WLC	... Western Law Cases (Raj).
WLN.	... Weekly Law Notes.
WLR	... Weekly Law Reports.

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**PART I**

**CRIMINOLOGY**

## PREFACE TO THE TWELFTH EDITION

The present book has entered thirty-second year of its publication since its first edition was taken out way back in 1973. The successful survival of the book for over three decades speaks in itself of its immense popularity among the readers. The author has great pleasure and satisfaction in placing this revised and enlarged Twelfth Edition of the book in the hands of readers who are genuinely interested in deeper study of this fascinating branch of legal knowledge.

The author has endeavoured to bring out this edition in a thoroughly revised form with all the relevant statutory amendments and authoritative decisions on the subject. At places, the whole text has been recast, rewritten and expanded for updating the contents. The relevant statutory enactments have been incorporated in the Appendix and references given under appropriate topics in the body of the book. An attempt has been made to evaluate the latest developing trends in criminology and penology taking stock of contemporary changes of the 21st century which are taking place in other parts of the globe, notably, Britain and United States without, however, losing sight of the Indian perspective.

The authorities, both Indian and foreign, that have been relied upon and used as a source material, have been referred to and acknowledged in the footnotes. A select Bibliography and Table of cases incorporated in the book shall be found useful by the more inquisitive readers.

The author expresses his gratitude and thanks to Messrs Central Law Publications, Allahabad for their keen interest in publishing the book in the elegant form in shortest possible time.

It is sincerely hoped that like the preceding editions, this edition of the book would also be found very useful not only by the students, researchers and the teachers of law, but by the lawyers, Judges and criminal law administrators as well.

All helpful suggestions offered by the readers for the improvement of the book shall be gratefully received.

26th January, 2005  
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**Dr. N.V. Paranjape**

## PREFACE TO THE FIRST EDITION

With the introduction of Criminology as a subject for Legal Studies in Indian Universities, there has been a pressing demand for a comprehensive text book on this subject from the student community. It is well known that criminology is a socio-legal subject and with the modern improvised techniques of handling criminals, a summarisation of criminological findings for the students of this branch of knowledge has become all the more necessary. The author has endeavoured to achieve this purpose in the present book.

For the sake of convenience, the entire subject-matter of the book has been split into two parts. Part I deals with the origin and development of criminal science. The causation of crime has also been elaborately discussed in this part of the book. Part II contains information regarding penology and modern techniques of penal science. The subject has been approached in a legal perspective with emphasis on recent developments in correctional field of penology.

The author feels greatly indebted to the works of eminent criminologists and penologists, particularly those of Sutherland and Cressey, J.L. Gillin, G.B. Vold, Donald Taft, Barnes and Teeters, Curtis Bok, Allen Francis, Dr. P.K. Sen, K.S. Pillai and others which have been a source of information and guidance in the compilation of this book. The author also acknowledges his grateful thanks to Late Professor Narendra Singh, Head & Dean, Faculty of Law, University of Jabalpur, who wrote a foreword to this edition. Thanks are also due to Shri Krishna Vinayak Rudra for typing the manuscript neatly within shortest possible time.

The author also wishes to express his thanks to publishers, for bringing out this book in the present form.

Bhopal  
June, 1973

**Dr. N.V. Paranjape**

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## LIST OF ABBREVIATIONS

AC	... Appellate Court
AIR	... All India Reporter.
AIR SCW	... All India Reporter Supreme Court Weekly
All Cr C	... Allahabad Criminal Cases.
All Cr R	... Allahabad Criminal Rulings.
All ER	... All England Reporter
All LJ	... Allahabad Law Journal.
All LR	... Allahabad Law Reports.
An LT	... Andhra Law Times.
An LT (Cri)	... Andhra Law Times (Criminal)
An Pra LJ	... Andhra Pradesh Law Journal.
An WR	... Andhra Weekly Reports.
Assam LR	... Assam Law Reports.
AWC	... Allahabad Weekly Cases.
BBCJ	... Bihar Bar Council Journal.
Bih LJ	... Bihar Law Judgments.
Bih LJR	... Bihar Law Journal Reports.
Bom CR	... Bombay Cases Reporter.
Bom LR	... Bombay Law Reporter.
CHN	... Calcutta High Court Notes.
Cal WN	... Calcutta Weekly Notes.
CC Cases	... Chandigarh Criminal Cases.
CLR	... Chandigarh Law Reporter.
Cr AR (SC)	... Criminal Appeals Reporter (Supreme Court).
Cri LJ	... Criminal Law Journal.
Cr LR (SC & MP)	... Criminal Law Reporter (Supreme Court and Madhya Pradesh).
Cr LR (Guj)	... Criminal Law Reporter (Gujarat).
Cr LR (Mah)	... Criminal Law Reporter (Maharashtra).
Cr LR (Raj)	... Criminal Law Reporter (Rajasthan).
Cr LT	... Criminal Law Times.
Crimes	... Crimes.
Cr LC	... Criminal Law Cases.
C Cr J	... Current Criminal Judgments.
Cur LJ	... Current Law Journal.

Cut LR (Cr)	... Cuttack Law Reports (Criminal).
Cut LT	... Cuttack Law Times.
Cut WR	... Cuttack Weekly Reporter.
Del LT	... Delhi Law Times.
East Cr C	... Eastern Criminal Cases.
ER	... England Reports.
ILR	... Indian Law Reports.
ITR	... Income Tax Reporter.
Jab LJ	... Jabalpur Law Journal.
JCC	... Journal of Criminal Cases (Del).
JT (SC)	... Judgments Today (Supreme Court).
Kant LC	... Karnataka Law Chronicle.
Kar LJ	... Karnataka Law Journal.
Kash LJ	... Kashmir Law Journal.
Ker LJ	... Kerala Law Journal.
Ker LT	... Kerala Law Times.
L & SL	... Local & Special Laws
LW (Cr)	... Law Weekly (Criminal).
MP LJ	... Madhya Pradesh Law Journal.
MLJ	... Madras Law Journal.
MLJ (Cr.)	... Madras Law Journal (Criminal).
QBD	... Queen's Bench Division.
Raj Cr C	... Rajasthan Criminal Cases.
RLR	... Rajdhani Law Reporter.
Recent Cr R	... Recent Criminal Reports.
SC	... Supreme Court.
SCALE	... Supreme Court Almanac.
SCC	... Supreme Court Cases.
SCC (Cr)	... Supreme Court Cases (Criminal).
SCC (Supp)	... Supreme Court Cases (Supplement).
SC Cr R	... Supreme Court Criminal Rulings.
SCJ	... Supreme Court Journal.
SCR	... Supreme Court Reports.
SCWR	... Supreme Court Weekly Reporter.
US	... United States
WLC	... Western Law Cases (Raj).
WLN	... Weekly Law Notes.
WLR	... Weekly Law Reports.

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