



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A., LL.B (HONS.) FYIC

DETAILS OF COURSE OFFERED

ODD SEMESTER (III) – ACADEMIC YEAR :.....

SL. NO	COURSE CODE	COURSE TITLE	L	T/P	CR	CH
1	BL306	LAW OF CRIMES: PENAL CODE	4 PER WEEK	1 PER WEEK	4	

- A. CODE AND TITLE OF THE COURSE: BL306, LAW OF CRIMES:
PENAL CODE**
- B. COURSE CREDIT: 4 (TOTAL MARKS : 200)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: MS. NIKITA BAROOAH , ADJUNCT
FACULTY OF LAW**
- E. COURSE INSTRUCTOR: MS. NIKITA BAROOAH , ADJUNCT
FACULTY OF LAW**

1. COURSE OBJECTIVES

The main purpose of law is establishing standards, maintaining order, resolving disputes and protecting the rights and liberties of the people. Criminal law is that branch of law that relates to crime and its importance lies in the fact that mankind relies on it as the greatest protection against injuries inflicted on it by individuals and institutions. It maintains law and order by inflicting punishment on the ones that do not abide by it which is different from civil law where the prescription is compensation or damages. *Indian Penal Code, 1860* is the comprehensive Code in India that covers all the substantive aspects of criminal law in the country and is a general Penal Code for India.

To conclude these objectives in more precise form which are as follows:

- i. To introduce a general understanding of the underlying principles and significance of Criminal law *vis-a-vis The Indian Penal Code, 1860*.
- ii. To familiarize students with the general principles of crime, offences and the punishments provided for each offence in *The Indian Penal Code, 1860*.
- iii. To identify offences and punishments and apply appropriate precedents and case laws to them.
- iv. To enable the students to critically examine case-laws and ^[L]_{SEP}discourses on law related to the offenses in *The Indian Penal Code, 1860*.
- v. To develop the skill to organize thoughts coherently and present them in a persuasive manner.
- vi. To study the basics of criminal law and enhance their ability to reflect on few issues that need to be studied beyond definitions.
- vii. To enable the students to have a profound understanding of offences and thereby interpreting the provisions and applying them to real life situations and practice in Courts.
- viii. Critically analyse complex issues arising out of the provisions in *The Indian Penal Code, 1860*.

2. TEACHING METHODOLOGY

The teaching methodology shall comprise of Lecture method, Discussion and Assignments. This aims at involving the students in class discussions on offences, punishments, legal principles and precedents. Assignments shall be allotted and the topic of the project or the assignment shall be informed in advance to the students. The list of authorities is not exhaustive and they are encouraged to research independently and avail other sources for enhancing the quality of work. The students shall present orally the topic of their assignment and the teacher shall summarize the same and forward critical reflections if any.

3. EXPECTED OUTCOMES OF THE COURSE

At the completion of the course it is expected that the students shall :

1. Understand the nuances of the various offences and punishments in the *The Indian Penal Code, 1860*.
2. Develop critical thinking and articulate opinions on the significant, controversial and current provisions of *The Indian Penal Code, 1860*.
3. Be able to interpret the provisions and apply them to real life situations so that they can enhance their skills for building a career in criminal litigation .
4. Acquire the skill of analytical in-depth research with respect to the provisions of *The Indian Penal Code, 1860* in order to publish articles.
5. Understand the offences and the legal control mechanisms to combat such offences thereby making them skilled in interpreting the provisions and applying them in criminal cases.

4. COURSE EVALUATION METHOD

The course shall be assessed for 200 marks. The Evaluation scheme would be as follows:

Internal assessment: 70% (140 marks)

Semester End Examination: 30% (60 marks)

Sl. No.	Marks Distribution	
1	Project Work	40 marks
2	Seminar/Group Discussion	20 marks

3	Assignment/Assessment	30 marks
4	Mid-Semester Test	40 marks
5	Attendance in class	10 marks
6	Semester End Examination	60 marks

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)

MODULE I

Concept of Crime:

- Concept of Crime; Definition of Crime; Elements of Crime .

Principles of Criminal Liability:

- Actus Reus; Mens Rea: Knowledge, Intention, Motive, Negligence and Recklessness; Mens Rea in the Indian Penal Code.

Crimes of Strict Liability

Vicarious Liability

- Liability under the Indian Penal Code; Liability of Corporations.

Joint Liability

- Common Intention (Sections 34 IPC)
- Common Object (Section 149 IPC)
- Unlawful Assembly (Section 141 IPC)
- Rioting (S.146)

MODULE II

Stages of Crime

- Intention, Preparation, Attempt, Commission.

Inchoate Crime

- Criminal Attempt,
- Abetment,

- Criminal Conspiracy;
- Tests for determining what constitutes Attempt.

Salient Features of the Indian Penal Code

Punishments (Sections 53 -75)

MODULE III

General Exceptions.

- Mistake of Fact (S. 76, 79),
- Accident (S.80), Infancy (S. 82-83)
- Insanity (S.84), Intoxication (S. 85-86)
- Judicial Act (S.77, 78)
- Necessity (S.84)
- Consent (S.87-89; S. 92)
- Communication (S.93)
- Duress (S.94)
- Triviality (S.95)
- Private Defence (S.96-106)

Offences against Human Body

- Hurt (S.319 - 326; S. 326A - 326B IPC)
- Culpable Homicide (S.299),
- Murder (S.300)
- Death by Rash or Negligent Act (S. 304 A)
- Suicide (S. 309)
- Being Thug (S. 310).

Offences Affecting Freedom and Dignity of a person

- Wrongful restraint (S. 339)
- Wrongful confinement (S.340)
- Criminal force (S. 350)
- Criminal Assault (S.351)
- Kidnapping (S. 359- 361)
- Abduction (S. 362 IPC)

MODULE IV

Offences Against Women

- Assault or Criminal force with intent to outrage modesty (S.354, 354A- 354D IPC)
- Trafficking (S. 370-370A IPC)
- Rape (S. 375-376, 376A-376E IPC)
- Dowry Death (S. 304B IPC)
- Cruelty by husband or his relatives (498A IPC)

Offences Against Property

- Theft (S. 378-382 IPC)
- Extortion (S. 383-389 IPC)
- Robbery (S. 390 IPC)
- Dacoity (S. 391 IPC)
- Criminal Misappropriation of Property (S. 403-404 IPC)
- Criminal Breach of Trust (S. 405 IPC)
- Cheating (S. 415-420 IPC)
- Mischief (S. 425-426 IPC)
- Criminal Trespass (S. 441,447 IPC)
- House Trespass (S.442, 448-452 IPC);
- Lurking House Trespass(S.443-444, 453 IPC)
- House breaking (S.445-462 IPC).

6. PRESCRIBED READINGS

- KI Vibhute, *PSA Pillai's Criminal Law*, (13th edn, Lexis Nexis, 2017)
- Ratanlal & Dhirajlal *The Indian Penal Code* (36th edn, LexisNexis, 2020)
- K.D. Gaur, *Criminal Law -Cases and Materials* (9th edn. LexisNexis, 2019)
- R.C. Nigam, *Law of Crimes In India* (Vol 1 London: Asia Pub. House, 1965)
- K.D. Gaur, *Textbook on the Indian Penal Code* (7th ed. LexisNexis, 2020)

- S.N. Mishra, *Indian Penal Code (With the Criminal Law (Amendment)Act, 2018*, (21st edn, Central Law Publishers 2018).
- Prof. N.V. Paranjape, *Criminology & Penology With Victimology* ,16th edn (Rep) Central Law Publications 2014)
- **NOTE:** Students are required to read the latest journals, periodicals, reports and articles to keep abreast with the developments in this area of law.

Law Commission of India Reports

- 29th Report (1966) on “Proposal to include certain Social and Economic Offences in the Indian Penal Code
- 35th Report (1966) on “ Capital Punishment.”
- 42nd Report (1971) on “ Indian Penal Code .”
- 47th Report (1972) on “The Trial and Punishment of Social and Economic Offences .”
- 84th Report on “ Rape and allied offences- some questions of substantive law, procedure and evidence.”
- 91st Report on “Dowry deaths and law reform: Amending the Hindu Marriage Act, 1955, the Indian Penal Code, 1860 and the Indian Evidence Act, 1872 .”
- 172nd Report on “Review of Rape laws ”
- 202nd Report on “Proposal to amend Section 304-B of the Indian Penal Code .”
- 210th Report (2008) on “ Humanisation and Decriminalisation of Attempt to suicide”
- 226th Report (2009) on “ Inclusion of Acid attacks as Specific offences in the Indian Penal Code and a law for Compensation for Victims .”
- 241st Report (2012) on “ Passive Euthanasia .”
- 243rd Report (2012) on “ Section 498-A Indian Penal Code (IPC).”
- Report of Justice Verma Committee on the Criminal Law Amendments.

Statutes

Indian Penal Code, 1860

The Criminal Law (Amendment) Act, 2013

The Criminal Law (Amendment) Act 2018

Protection of Women from Domestic Violence Act, 2005

Protection of Children from Sexual Offences Act, 2012

The Dowry Prohibition Act, 1961

Cases^[1]_{SEP}:

State of Maharashtra v. Mayor Hans George AIR 1965 SC 722

Nathulal v. State of Maharashtra AIR 1966 SC 43

Chairman, Railway Board v. Chandrima Das (2000) 2 SCC 465

Ravula Hari Prasad Rao v. State AIR 1951 SC 204

Union Carbide Corporation v. Union Of India AIR 1992 SC 248

PandurangTukia v. State of Hyderabad AIR 1955 SC 216

Shiv Prasad v. State of Maharashtra AIR 1965 SC 264

BanwariLal v. State of U.P. AIR 1962 SC 1198

Mahboob Shah v. Emperor AIR 1945 PC 118

RasodeoPande v. State of U.P. AIR 1955 SC 334

Moti Das v. State of Bihar AIR 1954 SC 657

Barendra Kumar Ghosh v. Emperor AIR 1925 PC 1

Musakhan v. State of Bihar (1977)1 SCC 733

MuthuNaicker v. State of Tamil Nadu (1978) 4 SCC 385

RanbirYadav v. State of State of Bihar 1995 (4) SCC 392

Bachan Singh v. State of Punjab (1980) 2 SCC 684

Machhi Singh v. State of Punjab (1983) 3 SCC 470

Modi Ram v. State of M.P. (1972) 2 SCC 630

Sunil Batra v. Delhi Aministration (1978) 4 SCC 494

Mohd. Munna v. Union of India (2005) 7 SCC 417

DhananjoyChatterjee v. State of West Bengal (1994) 2 SCC 220

M.H. Hoskot v. State of Maharashtra (1978) 3 SCC 544

FagunaKantaNath v. State of Assam AIR 1959 SC 673

State (NCT of Delhi) v. NavjotSandhu (2005) 11 SCC 600

GianKaur v State of Punjab (1996) 2 SCC 648

Gurbachan Singh v. Satpal Singh (1990) 1 SCC 445

BimbadharPradhan v. State of Orissa AIR 1956 SC 469

Sarju Prasad v. State of Bihar AIR 1965 SC 843

Sunil Kumar v. NCT of Delhi (1998) 8 SCC 557

Om Prakash v. State of Punjab AIR 1961 SC 1782

SubodhTewari v. State of Assam 1988 CrLJ. 228

State of W. B v. ShewMangal Singh (1981)4 SCC 2

Gogaraju v. State of A.P. (1981) 3 SCC 132

Raj Kapoor v. Laxman (1980) 2 SCC 175

Patreswar v. State of Assam 1989 Cr.L J 196 (Gau)

KatchariaVenkata Sunil v. Dr. VenguruSheshumamba 2008 CrLJ 853 (AP)

Nathulal v. State of M.P. AIR 1966 SC 43

State of Maharashtra v. Mayer Hans George AIR 1965 SC 722

HiralalMalick v. State of Bihar (1977) 4 SCC 44

Dayabhai v. State of Gujarat AIR 1964 SC 1563

State of M.P. v. Ahmadulla AIR 1961 SC 998

Basdev v. State of Pepsu AIR 1956 SC 488

Babu @ Mubarak Hussain v. State of Rajasthan AIR 2007 SC 697

Harpal Singh v. State of Himachal Pradesh (1981)1 SCC 560

Veeda Menzes v. Yusuf Khan AIR 1966 SC 1773

Laxman Singh v. Poonam Singh AIR 2003 SC 3204

Krishna v. State AIR 2007 SC 2452

DeoNarain v. State of U. P. (1973) 1 SCC 347

KashmiraLal v. State of Punjab 1996 (10) SCC 471

Amjad Khan v. State of Madhya Pradesh AIR 1952 SC 165

Gajanand v. State of U.P. AIR 1954 SC 695

Kartar Singh v. State of Punjab AIR 1961 SC 1787

Krishnan v State of Tamil Nadu 2006 CrLJ 3907 SC

Yogendra Moraji v State of Gujarat (1980) 2 SCC 218

State of A.P. v. RayavarapuPunnaya (1976) 4 SCC 382

Mahesh Balmiki v. State of Madhya Pradesh (2001) 1 SCC 319

Kashmira Singh v. State of Madhya Pradesh AIR 1952 SC 159

Jayaraj v. State of Tamil Nadu (1976) 2 SCC 788

Syed Akbar v. State of Karnataka (1980) 1 SCC 30

Jacob Mathew v. State of Punjab (2005) 6 SCC 1

EdigaAnammav v. State of A.P. (1974) 4 SCC 443

Keshub Mahindra v. State of M.P. (1996) 6 SCC 129

AnwarulHaq v. State of U.P. (2005) 10 SCC 581

RajuPandurangMahale v. State of Maharashtra (2004) 4 SCC 371

Ram Das v. State of Bengal AIR 1954 SC 711

ChandrikaRao v. State of Bihar AIR 1967 SC 170

ThakorLal v. State of Gujarat (1973) 2 SCC 413

Parkash v. State of Haryana (2004) 1 SCC 339

Vishwanath v. State of Uttar Pradesh AIR 1960 SC 67

Jacob George (Dr.) v. State of Kerala (1994) 3 SCC 430

State of Punjab v. Major Singh AIR 1967 SC 63

RajuPandurangMahale v. State of Maharashtra (2004) 4 SCC 371

Ram Murti v. State of Haryana (1970) 3 SCC 21

Madho Ram v. State of U.P. (1973)1 SCC 533

Ramesh v. State of Maharashtra AIR 1962 SC 1901

State of H.P. v. Asha Ram (2005) 13 SCC 766

KameshPanjiyar v. State of Bihar(2005) 2 SCC 388

Shanti (Smt) v. State of Haryana (1991) 1 SCC 371

Satvir Singh v. State of Punjab (2001) 8 SCC 633

ArunVyas v. Anita Vyas (1999) 4 SCC 690

Girdhar Shankar Tawade v. State of Maharashtra (2002) 5 SCC 177

Naz Foundation v. Govt. of NCT of Delhi & Others (2009)160 DLT 277

Suresh Kumar Koushal v. Naz Foundation (2014) 1 SCC 1

Navtej Singh Johar v. Union of India (2018) 10 SCC 1

K.N. Mehta v. State of Rajasthan AIR 1957 SC 369

Gursharan Singh V. State of Punjab (1996)10 SCC 190

Harish Chandra v. State of U. P. (1976) 2 SCC 795

ShyamBehari v. State of U.P. AIR 1957 SC 320

Indian Oil Corporation. V. NEPC India Ltd. (2006) SCC 736

Sardar Singh v. State of Haryana (1977) 1 SCC 463

VeljiRaghavji Patel v. State of Maharashtra AIR 1965 SC 1433

State of Kerala v. A. P. Pillai (1972) 3 SCC 661

Suryalakshmi Cotton Mills v. Rajvir Industries Ltd (2008) 13 SCC 678

Mubarik Ali Ahmed v. State of Bombay AIR 1957 SC 857

Keshub Mahindra v State of M.P. (1996) 6 SCC 129

Olga Tellis v. Bombay Municipal Corpn. (1985) 3 SCC 545

Vidhyadharan v. State of Kerala (2004) 1 SCC 215

Brij Mohan v. State of Rajasthan (1994) 1 SCC 413

SarlaMudgal v. Union of India (1995) 3 SCC 635

L. Obulamma v. L. VenkataReddi (1979) 3 SCC 80

Joseph Shine v. Union of India (2019) 3 SCC 39