

B. A., LL.B. (HONS.) (5 Years)

SEMESTER-IV

LAW OF CRIMES – I (BHARATIYA NYAYA SANHITA)

Marks- 100

Credit-04

OBJECTIVE OF THE SUBJECT: This paper aims to familiarize the students to a new area of law called crimes. Here the students will learn about offences, element and punishment thereof.

MODULE-I: Elements and Stages of Offences, Definition Clause and Joint Liability for Common Intention.

MODULE-II: Punishments and its kinds

MODULE-III: General Exceptions

- a. Mistake of Fact
- b. Misconception of Fact
- c. Act or Order of the Court
- d. Accident or Act to Prevent Other Harm
- e. Necessity
- f. *Doli In capax* and Qualified Immunity
- g. Unsoundness of Mind
- h. Voluntary or Involuntary Intoxication
- i. Act Done in Good Faith
- j. Consent
- k. Exclusion of acts which are Offences Independently of Harm Caused
- l. Communication in Good Faith
- m. Act under Compulsion of Threat
- n. Act Causing Slight Harm
- o. Private Defence of Body and Property

MODULE-IV:

- a. Abetment- Instigation, Conspiracy and Intentional Aid
- b. Criminal Conspiracy
- c. Attempt to Commit Offence

MODULE-V: Offences Against Women and Children

- a. Sexual Offences
- b. Criminal Force and Assault Against Women
- c. Offences Relating to Marriage, Dowry Death, Bigamy, Cruelty
- d. Offences of Causing Miscarriage, Injuries to Unborn Children, Exposure of Infants, Concealment

MODULE-VI: Offences Affecting Human Body

- a. Offences Affecting Life
- b. Organized Crime, Petty Organized Crime, Terrorist act
- c. Wrongful Restraint and Wrongful Confinement
- d. Criminal Force and Assault
- e. Kidnapping, Abduction, Slavery and Force Labour

MODULE-VII: Offences Against the State

MODULE –VIII: Offences Against Public Tranquility- Unlawful Assembly, Riot, Affray

MODULE- IX: False Evidence and Offence Against Public Justice

MODULE X: Offences Relating to Religion

MODULE XI: Offences Against Property

- a. Theft, Snatching, Extortion, Robbery, Dacoity
- b. Criminal Misappropriation, Criminal Breach of Trust, Dishonestly Receiving Stolen Property, Cheating, Mischief, Criminal Trespass

MODULE XII: Criminal Intimidation, Insult, Annoyance

MODULE XIII: Defamation

******Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught. All books are to be read in the current edition.**

RECOMMENDED READINGS

****** All books are to be read in the current edition.**

1. Ratanlal and Dhirajlal, Bharatiya Nyay Sanhita, 2023, LexisNexis.
2. K.D. Gaur, Text book on The Bharatiya Nyay Sanhita, 2023 LexisNexis

3. S.N. Mishra, Bharatiya Nyay Sanhita, 2023, Central Law Publication
4. Y P Bhagat and Kumar Keshav, Bhagat's Commentary on Bharatiya Nyay Sanhita, 2023, Whitesmann Publishing.

SEMESTER-V

LAW OF CRIMES - II

Marks- 100

Credit- 04

OBJECTIVE OF THE SUBJECT: The students are now familiar with the substantive part of criminal law. However, there is a process to punish the offence committed which will be taught in this subject.

MODULE-I: Object and Purpose of the Bharatiya Nagarik Suraksha Sanhita

MODULE-II: Definitions (Sec. 2)

MODULE-III: Constitution and Powers of Criminal and Executive Courts (Sec. 6-29)

MODULE-IV: Arrest of Persons (Sec. 35-62)

MODULE-V: Process to Compel Appearance and Production of Things and Reciprocal Arrangements. (Sec. 63-111)

MODULE-VI: Preventive and Precautionary Measures of Security Proceedings (Sec.125-143, 148-172)

MODULE-VII: Maintenance of Wives, Children and Parents (Sec.144-147)

MODULE-VIII: Information to the Police and their Powers to Investigate (Sec.173-196)

MODULE-IX: Jurisdiction of the Criminal Courts in Inquiries and Trials (Sec.197-209)

MODULE-X: Cognizance of Offences and Commencement of Judicial Proceedings (Sec.210-233)

MODULE-XI: Charge (Sec.234-247)

MODULE-XII: Trial before Various Courts:

- a) Court of Sessions (Sec.248-260)
- b) Warrant Cases by Magistrates (Sec.261-273)
- c) Summons Cases by Magistrates (Sec.274-282)
- d) Summary Trial (Sec.283-288)

MODULE-XIII: Plea Bargaining (Sec.289-300)

MODULE-XIV: Mode of Taking and Recording Evidence and General Provisions as to Inquiries and Trials (Sec.301-391)

MODULE-XV: Judgment (Sec.392-406)

MODULE-XVI: Appeals (Sec.413-435)

MODULE-XVII: Reference and Revision (Sec.436-445)

MODULE-XVIII: Provisions as to Bails and Bonds (Sec.478-496)

MODULE-XIX: Irregular Proceedings (Sec.506-512)

MODULE-XX: Limitation for Taking Cognizance (Sec.513-519)

MODULE-XXI: The Probation of Offenders Act, 1958

MODULE-XXII: The Juvenile Justice (Care and Protection of Children) Act, 2015

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RECOMMENDED READINGS

****** All books are to be read in the current edition.**

1. Ratanlal and Dhirajlal, Bharatiya Nagrik Suraksha Sanhita, Lexi Nexis.
2. S.N. Mishra, Bharatiya Nagrik Suraksha Sanhita, 2023, Central Law Agency
3. J.K. Verma, Bharatiya Nagrik Suraksha Sanhita, 2023 (Criminal Procedure) A Commentary, EBC

Dr. Ashok K. Jain, Bharatiya Nagrik Suraksha Sanhita (BNSS) (Criminal Law II), Accent Publication

SEMESTER – VIII

LAW OF EVIDENCE (BHARATIYA SAKSHYA ADHINIYAM)

Marks- 100

Credit- 04

OBJECTIVE OF THE SUBJECT: The students are by now familiar with the procedures but trial is incomplete unless proper evidence is adduced and appreciated. This subject will introduce the students to the world of evidence.

MODULE-I: Nature, Functions, Object, History, Salient Features, Application and Non-application of the Bhartiya Sakshya Adhiniyam

MODULE-II: Definitions-Section 2

MODULE-III:

1. Relevancy of Facts (Sections 3 to 50)
2. Evidence of Facts in Issue and Relevant Fact-Section 3
3. Doctrine of Res Gestae-Section 4
4. Occasion, Cause or Effects of Facts in Issue-Section 5
5. Motive, Preparation and Conduct-Section 6
6. Introductory or Explanatory Facts-Section 7
7. Conspiracy-Section 8
8. Inconsistent Facts-Section 9
9. Damages-Section 10
10. Right or Custom-Section 11
11. State of mind, Body or Bodily Feeling-Section 12
12. Accidental or Intentional Acts-Section 13
13. Existence of Course of Business-Section 14
14. Admission and Confession-Section 15 to 25
15. Statements by Persons who cannot be called as Witnesses-Section 26
16. Statements made under Special Circumstances-Section 28 to 33
17. Extent of proving a Statement-Section 33
18. Relevancy of Judgments-Sections 34 to 38
19. Opinion of Third Persons-Sections 39 to 45
20. Relevancy of Character-Section 46 to 50

MODULE-IV:

1. On Proof (Sections 51 to 103)

2. Facts which need not be proved -Sections 51 to 53
3. Oral evidence -Sections 54 to 55
4. Documentary Evidence-Sections 56 to 73
5. Public and Private Documents-Sections 74 to 77
6. Presumptions as to Documents-Sections 78 to 93
7. Exclusion of Oral by Documentary Evidence-Sections 94 to 103

MODULE-V:

1. Production and Effect of Evidence (Sections 104 to 169)
2. Burden of Proof-Sections 104 to 120
3. Estoppel-Sections 121 to 123
4. Witnesses-Sections 124 to 139
5. Examination of Witnesses-Section Sections 140 to 168
6. Improper Admission and Rejection of Evidence-Section 169

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RECOMMENDED READINGS

****** All books are to be read in the current edition.**

1. M. Monir, Text book on the Bharatiya Sakshya Adhiniyam, 2023, LexisNexis
2. Ratanlal and Dhirajlal, Bharatiya Sakshya Adhiniyam, 2023, LexisNexis
3. C.K. Takwani, Bharatiya Sakshya Adhiniyam,
4. Justice M.L.Singhal and Yashpal Pullani, Sarkar's The Bharatiya Sakshya Adhiniyam, 2023, Pullani and Pullani
5. Dr. Absar Kidwal -The Bharatiya Sakshya Adhiniyam, 2023.