

## **B.A.LL.B. SIXTH SEMESTER**

### **SYLLABUS AND COURSE COMPONENT**

#### **SIXTH SEMESTER: [COURSE CODE 108]**

PAPER 1081. :	JURISPRUDENCE
PAPER 1082. :	LABOUR AND INDUSTRIAL LAWS - II
PAPER 1083. :	FAMILY LAW-II (MOHAMMEDAN LAW)
PAPER 1084. :	PUBLIC INTERNATIONAL LAW-II
PAPER 1085. :	LAW OF CRIMES – I (INDIAN PENAL CODE – I)

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## **PAPER 1081:**

### **JURISPRUDENCE**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- |                          |   |                       |
|--------------------------|---|-----------------------|
| (a) Written paper        | — | 70 marks              |
| (b) Internal examination | — | 30 marks<br>(15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

### **OBJECTIVES OF THE COURSE:**

Jurisprudence in its etymological sense means the science of law. It is the foundation on which the entire edifice of law is structured. It is therefore imperative to have a clear understanding of jurisprudence as it is sine-qua-non for the study of any law subject. The subject acquaints the students with the complexities of laws and introduces them to the means of solving them based on sound jurisprudential principles. In spite of there being several schools of thought on this subject, there is a general convergence of the fundamental principles. The study of this subject will help the students in the analysis of legal concepts, sharpen his technique of logical thinking and ultimately aid in understanding the assumptions upon which a statute rests.

### **UNIT - I**

#### **Introduction:**

Definition, Nature, Scope and Importance: Salmond, Austin, Holland and Julius Stone

Sources of Law: Legal and Historical Sources: Legislation: Definition, Classification and Principles of Statutory Interpretation, Codification: Advantages and Disadvantages of Codification; Precedent: Definition, Theories and Kinds of Precedent: Stare Decisis; Ratio Decidendi and Obiter Dicta; Custom: Definition and Kinds of Custom, Requisites of a Valid Custom, Custom and Prescription: Relative Merits and Demerits of Legislation, Judicial Precedent and Custom as a Source of Law;

## **UNIT - II**

### Schools of Jurisprudence:

Analytical Positivism: John Austin, Hans Kelsen and H.L.A. Hart; Historical: Von Savigny and Henry Maine; Sociological: Ihering, Ehrlich, Roscoe Pound; Natural Law School: Relation between Law and Morality; American Realism: Justice Holmes and Oliver Crona; Feminism: Radical Feminism; Desire Dominance Theory; Cultural Feminism;

## **UNIT - III**

### Rights and Duties:

Nature & Characteristics: Theories of Rights: Kinds of Legal Rights: Wesley Newcomb Hohfeld's Analysis of Legal Rights: Cognate Concepts like Liberty, Power, Immunity, Privilege etc. Duties, Nature & Characteristics; Classification of Duties: Correlation of Rights and Duties; Concept of Property; Definition and Kinds; Negligence; Civil and Criminal Liability;

## **UNIT - IV**

### Ownership and Possession:

Meaning of Ownership; Kinds, Definition of Ownership by Austin and Salmond, Relation between Ownership and Possession; Importance of Possession; Elements of Corporeal Possession and Problems; Acquisition and Theories of Possession: Possession in Law & Possession in Fact; Salmond and Savigny;

## **UNIT - V**

### Concept of Person:

Person: Definition and Nature of Personality: Legal Status of Unborn Children, Minor, Lunatic, Drunken and Dead Persons, Legal Status of Animals: Legal Persons: State and Corporate Personality; Theories of Corporate Personality; Obligation and Liability: Definition and Nature of Obligation and Liability: Sources of Obligation and Liability; Kinds and Theories of Liability: General Conditions of Liability; Theories of Punishment: Retributive, Deterrent, Expiatory, Reformatory, Rehabilitative Theory; Constitutionality of Capital Punishment;

### LEADING CASES:

- 1) Bengal Immunity Co. v. State of Bihar, AIR 1955 SC 561
- 2) Kesavananda Bharthi v. State of Kerala, AIR 1973 SC 1476
- 3) Maharaja Shree Umaid Mills Ltd. v. Union of India, AIR 1963 SC 953
- 4) Maneka Gandhi v. Union of India, AIR 1978 SC 597
- 5) Minerva Mills v. Union of India, AIR 1978 SC 1789
- 6) Smt. Indira Nehru Gandhi v. Raj Narain, AIR 1975 SC 2299
- 7) Navtej Singh Johar & Ors. v. Union of India AIR 2018 SC 1933
- 8) Naz Foundation v. Government of N.C.T. of Delhi 111 DRJ 1 / 160 Delhi Law Times 277 (2009) Delhi High Court

**SUGGESTED READINGS:**

- i. Bodenheimer Jurisprudence; The Philosophy and Method of Law, Harward University Press, 2020
- ii. Dias, Jurisprudence, 5th ed., Lexis Nexis Publication, 2013
- iii. H.L.A. Hart, The Concepts of Law, Oxford, Clarendon Press, 1970.
- iv. Michael Freeman (Ed). Lloyd's Introduction to Jurisprudence (1994), Sweet & Maxwell
- v. Paton G.W., Jurisprudence (1972) Oxford, Clarendon Press.
- vi. P.S. Atchuthen Pillai, Jurisprudence & Legal Theory 2016 Reprint (3rd Edition), Eastern Book Company, Lucknow.
- vii. Roscoe Pound, Introduction to the Philosophy of Law, Re-Print, Universal, Delhi, 1998
- viii. Salmond on Jurisprudence, Tripathi, Bombay, 1999
- ix. V.D. Mahajan, Jurisprudence and Legal Theory, Eastern Book Company, 2018
- x. W. Friedman, Legal Theory, Universal Law Publishing Co., Delhi, 1999.

## **PAPER 1082:**

### **LABOUR AND INDUSTRIAL LAWS - II**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- |                          |   |           |
|--------------------------|---|-----------|
| (a) Written paper        | — | 70 marks  |
| (b) Internal examination | — | 30 marks  |
|                          |   | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

#### **OBJECTIVES OF THE COURSE:**

The twenty-first century witnessed the development of Industrial jurisprudence in the country. This course is an attempt to study the laws relating to labour jurisprudence, industrial relations, social security, wages, health and working conditions of workers in various shops and commercial establishment in the country and to impart the students with an overview of judicial perspective on the recent labour legislations and finally it deals with the latest trend and developments in the Labour Laws.

#### **UNIT - I**

Employment of Children Act, 1938: Need, Importance, Objectives; Definition, Concept, Key features of the Act, Offences, Penalties and Procedure; and Judicial Responses;

The Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 (including the Amendment Act, 2016):

Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Prohibition of Employment of Children In Certain Occupations And Processes; Regulation of Conditions of Work of Adolescents; Miscellaneous; Offences, Penalties and Procedure;

#### **UNIT - II**

Minor Legislations:

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:

Need, Importance, Objectives; Definition, Concept, Key Features of these Acts, Offences, Penalties and Procedure; and Judicial Responses;

The Employees' Compensation Act, 1923 (including the Amendment Act, 2017): Need; Importance; Objectives; Definitions; Concept; Key Features of the Act(s); Penalties & Procedures;

### **UNIT - III**

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013: [Limited to Basic Overview] Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

### **UNIT - IV**

The Factories Act, 1948: Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; the Inspecting Staff; Health; Safety; Provisions Relating to Hazardous Processes; Welfare; Working Hours of Adults; Employment of Young Persons; Annual Leave With Wages; Special Provisions; Penalties And Procedure;

### **UNIT – V**

The Unorganized Workers Social Security Act, 2008: Need; Importance; Objectives; Definitions; Concept; Key Features of the Act; Social security benefits; National Social Security Board for unorganized workers; State Social Security Board for unorganized workers; Registration; Miscellaneous;

### **LEADING CASES:**

- 1) Air India v. Nargesh Meerza, AIR 1981 SC 1830.
- 2) Alembic Chemical Works v. Its workman, AIR 1961, SC 647.
- 3) Balmer Lawrie Workers Union Bombay v. Balmer Lawrie & Co. Ltd. 1984 I. L.L. J. 314 SC
- 4) Bandhua Mukti Morcha v. Union of India AIR 1984 SC 802.
- 5) D. S. Nakara v. Union of India A. I. R. 1983 SC 130.
- 6) Express Newspaper Ltd. & others v. Union of India & others. AIR 1958 SC 578.
- 7) Jay Engineering Work Ltd. v. State of West Bengal AIR 1968 Cal. 406.
- 8) Rural Litigation and Entitlement Kendra Dehradun v. State of U.P. AIR 1985 S.C. 652.
- 9) Workmen of M/S Firestone Tyre and Rubber Co. of India v. Management AIR, 1973 SC 1227
- 10) Bangalore Water-Supply & Sewerage Board, Etc. v. R. Rajappa & Others 1978 SCR (3) 207

### **SUGGESTED READINGS: (Subject To The Applicability of Latest Amendments):**

- Government of India: Report of the Committee on Labour Welfare, 1970.
- Public Interest Litigation (with Model PIL Formats), Dr. B.L. Wadhwa, Universal Law Publishing 2014
- D.D. Seth, Commentaries on Industrial Dispute Act, 1947, Jain Book Agency, 6th Ed., 2016

- J. K. Soonavala, Supreme Court on Industrial Law, Lexis Nexis, 4th Ed.,2017
- Meenu Paul, Labour and Industrial Law, Allahabad law agency, New Delhi, 9<sup>th</sup>Ed.,2014
- O.P. Malhotra, Law of Industrial Disputes , ,7th Ed., Lexis Nexis, 2015
- S.C. Srivastva, Social Security and Labour Laws, 1985, EBC
- S. N. Mishra; An Introduction of Labour and Industrial Law, 29th Edition Central Law Publication, 2019
- Ministry of Labour and Employment: List of Enactments in the Ministry:  
<https://labour.gov.in/list-enactments-ministry>

**PAPER 1083:**

**FAMILY LAW – II**  
**(MOHAMMEDAN LAW)**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- |                          |   |           |
|--------------------------|---|-----------|
| (a) Written paper        | — | 70 marks  |
| (b) Internal examination | — | 30 marks  |
|                          |   | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

**OBJECTIVES OF THE COURSE:**

The subject of family law is important to understand those rights and obligations, to regulate the family matters through the law and thus to minimize conflicts within the family this subject is also important to understand the various reliefs in family disputes. This course involves the student with the introduction of Muslim law as it affects property relations. It primarily covers the concept of Marriage, Divorce Pre-emption, will etc., the provisions relating to intestate and testamentary succession applicable to persons of all denominations and other provisions relating to Wakf etc. in the law.

**UNIT - I**

Mohammedan Law:

History and Origin, Development, Sources, Schools, Application, Interpretation and Conversion;

**UNIT - II**

Marriage: Definitions, Nature of Marriage, Essentials of Marriage; Prohibitions of Marriage, Khyar-ul-bulugh, Matrimonial Stipulation, Kinds of Marriage and Effects of Marriage.

Muslim Women (Protection of Rights on Marriage) Act, 2019:

Need, Importance, Objectives; Definition, Concept, Key features of the Act; Judicial Responses;

Maintenance: Persons entitled to Maintenance, Principles of Maintenance;

Mahr: Meaning, Nature, Kinds, Object and Subject-Matter. Wife's rights on non-payment of dower; Judicial Responses;

### UNIT - III

Dissolution of Marriage: By Death of either party, By Act of either party, By Mutual Consent, By Court – Section 2 of the dissolution of Muslim Marriage Act, 1939 (including amendments if any); Legal effects of divorce, Iddat, Hiba-e-Muddat, Legal Status of Triple Talaq, Concept of Halala; Judicial Responses;

The Muslim Women (Protection of Rights on Divorce) Act, 1986: Need, Importance, Objectives; Definition, Concept, Key features of the Act; Judicial Responses;

Pre-emption:

Meaning, Nature and Classification of Haq Shufa (Pre-emption); Rights of pre-emption, when Conflict of Laws, Subject matter and Formalities of Pre-emption, Legal Effects of pre-emption, Devices for evading pre-emption; Judicial Responses;

### UNIT - IV

Gift: Meaning and requisites to gift (Hiba); Gift of Musha, Conditional and Future Gifts, Life Estate, Life Interest, (Hiba-bil-Ewaj, Hiba-ba-Shartul-Ewaj); Judicial Responses;

Will (Vasiyat): Competence of Testator and Legatee, Valid subjects of Will; Testamentary Limitations, Formalities of a Will and Abatement of Legacy; Judicial Responses;

Death Bed Transactions: Meaning and Effect of Marz-ul-Maut;

Legitimacy and Acknowledgement: Legitimacy and Legitimation, Presumption of Legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, 1872 Conditions of a Valid Acknowledgement; Judicial Responses;

### UNIT - V

Wakf: Meaning, Essentials and Kinds, Beneficiaries of Wakf; The Mussalman Wakf Validating Act, 1913, The Wakf Act, 1955: Need, Importance, Objectives; Definition, Concept, Key features of the Acts; Judicial Responses.

Formalities for Creation of Wakf; Wakf of Musha; Muslim religious institution and officers; Administration of Wakf; Mutawalli; The Wakf (Amendment) Act, 2013: Need, Importance, Objectives; Definition, Concept, Key features of the Amendment; Judicial Responses;

Inheritance: General Principles, Doctrines of Aul and Radd under Hanafi and Shia Law;

### LEADING CASES:

1. Danial Latifi v. Union of India (2001) 1 SC 740
2. Habibur Rahman v. Altaf Ali (1921) 42 IA 114
3. M/s Shabnam Hashmi v. Union of India AIR 2014 SC 1281
4. Maina Bibi v. Choudhary Wakil Ahmed, (1923) 52 IA 145
5. Mohd. Ahmed Khan v. Shah Bano Begum, AIR (1985) SC 945
6. Moonshree Buzul-ul-Rahim v. Lateefunnisa, (1861) 8, MIA 379.
7. Shabana Bano v. Imran Khan, AIR (2010) SC 305
8. Shayara Bano v. Union of India and Ors., (2017) 9 SCC 1

**SUGGESTED READINGS:**

- i. Amer Ali, Mohammedan Law, Vol. I and II, Eastern Book Company, Luknow.
- ii. Aqil Ahmed : Mohammedan Law
- iii. Asaf A AFyzee, Outline of Muhammadon Law, Oxford University Press, New Delhi.
- iv. Fyzee : Mohammedan Law
- v. Mulla, Principles of Mohammedan Law, LexisNexis, Nagpur
- vi. Muslim Women (Protection of Rights on Marriage) Act, 2019
- vii. Poonam Pradhan Saxena, Family Law Lectures: Family Law II, LexisNexis, New Delhi.
- viii. Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi.
- ix. The MussalmanWakf Validating Act, 1913
- x. The Wakf Act, 1955
- xi. The Wakf (Amendment) Act, 2013.

**PAPER 1084:**

**PUBLIC INTERNATIONAL LAW – II**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- |                          |   |           |
|--------------------------|---|-----------|
| (a) Written paper        | — | 70 marks  |
| (b) Internal examination | — | 30 marks  |
|                          |   | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

**OBJECTIVES OF THE COURSE:**

In present International scenario develop as well as developing Nations are interacting with each other for the fulfillment of their national interests but some IGO's as well as NGO's are controlling and guiding the behaviour of these Nation in International environment, so the objective of this course is to provide the knowledge to students about the origin, nature and functioning of various International Institutions.

**UNIT - I**

*Individuals under International Law:*

Position of Individuals; Nationality and Citizenship; Diplomatic Agents; Powers and Functions; Theories and Immunities; Asylum; Extradition; Relationship and difference between Extradition and Asylum;

**UNIT - II**

*International Institutions:* Meaning and Features; League of Nations: Origin, Organs, Role and Causes for Failure; United Nations: U.N. Charter, Features and Provisions; U.N. General Assembly: Composition, Functions and Powers, Uniting for Peace Resolution; U.N. Security Council: Composition, Voting Procedure, Functions and Powers; Limitations and Demands of U.N. Security Council;

### **UNIT - III**

Contribution of U.N. Security Council in the Maintenance of Peace and Security; (By Peaceful Means) Contribution of U.N. Security Council in the Maintenance of Peace and Security; (By Forceful Methods) Economic and Social Council: Composition, Functions and Role; International Courts of Justice: Composition, Jurisdiction, Powers and Functions; Contribution of International Court of Justice in Settlement of International Disputes;

### **UNIT-IV**

Specialized Agencies: International Labour Organization (ILO); International Monetary Fund (IMF); World Health Organization (WHO); International Criminal Court (ICC); United Nations Educational, Scientific and Cultural Organization (UNESCO) World Intellectual Property Organization (WIPO): (Basic Overview limited to History, Objectives, Key Features and Functions);

### **UNIT-V**

#### Human Rights:

Meaning, Concept, Classification, Historical Evolution and Theories; Basic Components of Human Rights: Value, Dignity, Equality, Justice, Morals, Ethics and Significance; International Bill of Human Rights (UDHR, ICCPR, ICESCR): Nature And Significance; Human Rights of Vulnerable and Disadvantaged Groups; Enforcement Mechanism of International Human Rights Commissions: Constitution, Powers and Functions; Human Rights Enforcement in India: The Protection of Human Rights Act, 1993; Judicial Responses;

### **LEADING CASES:**

- 1) Colombia v. Peru 1950 ICJ 6 (Asylum Case) International Court of Justice.
- 2) North Sea Continental Shelf Case, ICJ Report 1969, P. 39
- 3) Nuremberg Trial - The International Military Tribunal – Nuremberg, 1946 41 AJL 1947, P. 12.
- 4) United Kingdom v. Norway (Anglo-Norwegian Fisheries Case (ICJ Report) (1951) 116
- 5) Zamora Case (1916) 2 AC 77

### **SUGGESTED READINGS:**

- i. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
- ii. H.O. Agarwal, International Law & Human Rights, 1st Ed. (Rep) Central Law Agency 2014
- iii. James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013.
- iv. Landmark Cases in Public International Law, Editor(s): Eirik Bjorge, Cameron Miles, 1st ed., Bloomsbury Publishers, 2017
- v. L. F. L. Oppenheim's International Law (9th Edition): Volume 1 Peace; Edited by Robert Jennings, Arthur Watts KCMG QC, Oxford University Press, 2008.

- vi. Mark Villiger, “The Factual Framework: Codification in Past and Present”, in Customary International Law and Treaties, Mark Villiger, pp.63-113, The Netherlands: Martinus Nijhoff, 1985
- vii. R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
- viii. Shaw, International Law, Cambridge University Press, 2008 (6th ed.)
- ix. Sharma Satyendra Kumar, Law of Sea and Exclusive Economic Zone, Taxmann Publications, 2017.
- x. S.K Kapoor, International Law & Human Right 18th Ed., Central Law Agency, 2018
- xi. Starke, Introduction to International Law, Oxford University Press, 2013.
- xii. UN Specialized Agencies: <https://www.un.org/en/about-us/specialized-agencies>

**PAPER 1085:**

**LAW OF CRIMES – I**  
**(Indian Penal Code – I)**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- |                          |   |           |
|--------------------------|---|-----------|
| (a) Written paper        | — | 70 marks  |
| (b) Internal examination | — | 30 marks  |
|                          |   | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

**OBJECTIVES OF THE COURSE:**

The primary objective of criminal law is to maintain law and order in the society and to protect the life and liberty of people. It is for this reason that the people place their ultimate reliance on this branch of law for protection against all injuries that human conduct can inflict on individuals and institutions. This paper has been so designed as to generate critical thinking among the students about the stated objectives of criminal law and enable them to scrutinize the recent developments and changes that have taken place in the field including the major amendments made to the Code in the years 2013 and 2018. Hence, to achieve the above, The Indian Penal Code, 1860 has been divided under two parts – Indian Penal Code –I and Indian Penal Code–II.

**UNIT - I**

Nature and Definition of Crime; Crime and Offence; Crime and Tort; Criminal Law and Criminal Science; Principle of Criminal Liability: Et Actus Non Facit Reum Nisi Mens Sit Rea; Applicability of this Principle in India; Burden of Proof on the Prosecution: Presumption of Innocence of Accused; Interpretation of Penal Statutes; Theories of Punishment: Retributive, Expiatory, Deterrent, Preventive and Reformative; Protection in Respect of Conviction for Offences (Article 20, Constitution of India); Protection Against Arrest and Detention in Certain Cases (Article 22, Constitution of India);

## **UNIT - II**

Stages of Crime: (1) Mental, (2) Preparation, (3) Attempt and (4) Completion; Mental Stage Generally not Punishable; Preparation Generally Not Punishable; But when is a preparation punishable?; Inchoate Crime: Meaning and Contents; Attempt: (1) Impossible, (2) Possible; Impossible Attempt: Impossible Attempt to Body Offence Generally Not Punishable but Impossible Attempt to Property Offences Generally Punishable; Possible Attempt: Mainly Sections 307 and 309; Possible Attempt Generally Punishable; Constitutionality of Attempt of Commit Suicide (Section 309);

## **UNIT-III**

Title and Extent of Operation of the Indian Penal Code (Section-1); Territorial Jurisdiction (Sections 2, 3, 4); Certain Laws not to be affected by the Indian Penal Code (Section 5) General Explanations (Sections 6 to 52–A, Except Section 34 to 38); Punishments (Sections 53, 54, 55, 55–A, 57, 60, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75);

## **UNIT - IV**

General Exceptions (Sections 76, 79, 84, 85, 86, 96, to 106); General Exceptions (Sections 77, 78, 80, 81, 82, 83, 87, 88, 89, 90, 91, 92, 93, 94, 95); Abetment and Abettor (Mainly Sections 107, 108, 108–A, 111, 113, 305 306, 109 and 114);

## **UNIT - V**

Joint Liability, Constructive Liability, Vicarious Liability (Sections 34, 35, 36, 37, 38, 141, 142, 143, 145, 146, 147, 148, 149, 153–A, 153–B, 159, 160); Criminal Conspiracy (Sections 120–A, 120–B); Difference between Criminal Conspiracy and Abetment by Conspiracy;

### **LEADING CASES:**

1. Bachan Singh v. State of Punjab AIR 1980 SC 898.
2. Independent Thought v. Union of India AIR 2017 SC 4904.
3. Joseph Shine v. Union of India AIR 2018 SC 4898.
4. K. M. Nanavati v. State Maharashtra AIR 1962 SC 605.
5. Laxmi v. Union of India & Ors. (2015) 2014 SCC 2 427.
6. Mahbub Shah v. Emperor AIR 1945 PC 115.
7. Navtej Singh Johar v. Union of India AIR 2018 SC 4321.
8. Reg. v. Govinda (1876) 1Bom.342.
9. State (N.C.T. of Delhi) v. Navjot Sandhu 2005 Cr.L.J. 3950 SC
10. Virsa Singh v. State of Punjab AIR 1958 SC 465.

### **SUGGESTED READINGS:**

- i. Hari Singh Gaur, Penal Law of India (4 volumes), EBC.
- ii. J.W. Cecil Turner, Kenny's on Outlines of Criminal Law, 19th Ed, Cambridge University Press, 1966
- iii. K.D. Gaur, Commentary on Indian Penal Code 3rd Ed 2019, Central Law Publication
- iv. K.N. Chndranshekhhar Pillai, Essay's on Indian Penal Code, Indian Law Institute, 2015

- v. Principles of Criminal Law by R.C. Nigam, Law of Crimes in India, Vol. I, Asia Publishing House, New York, 1965.
- vi. P.S.A. Pillai's Criminal Law, 13th Ed. Revised by K.I. Vibhute, LexisNexis, New Delhi, 2018.
- vii. Ratanlal and Dhirajlal, The Indian Penal Code, Wadhwa and Company, Nagpur, 2018
- viii. S.K. Savaria, R. A. Nelson's Indian Penal Code (4 Volumes), LexisNexis Delhi, 2019
- ix. Smith and Hogan, Criminal Law, Oxford University Press, 2018
- x. Stephen, A History of Criminal Law of England, Vol. III (Last Chapter on Indian Penal Code), London, Macmillan, 1883
- xi. T. Bhattacharyya Indian Penal Code, 10th Ed. Central Law Agency, 2020