

International Islamic University Chittagong

Department of Law

Continuous assessment on 'Law of Crimes (substantive)', Autumn-2020

Program: LL.B (Hons.), Semester: 6th

Course Code: Law-3203 (4 CH)

Total Marks: 30

Total Time: 4.30+30=5 Hours Maximum

Answer the following problems with mention relevant laws, case references and with legal reasoning. Figures in right margin indicate marks.

1. X (local leader of ruling party) and Y (age of 70+ years) are neighbours and had a long enmity on a disputed land. On the day, they were quarrelling and at a sudden, the great son of X entered into that disputed land, cut few trees and claimed it their own. Y, also entered in it to evict N and on the course N gives a push and a simple blow to Y and he dies in spot in consequence. Successor of deceased (Y) lodged an FIR against N and X under section 302 of the Penal Code, 1860.

In order to deal with the fact, what would be your stand on the following issues? [10]

- i. Would it be 'murder' as the death was caused by simple injury like a blow/push?
 - ii. Whether N will be liable for murder or culpable homicide in absence of specific intention to kill?
 - iii. Whether X will be liable as abettor considering his 'silence mode' in crucial time?
 - iv. Can Y withdraw the case after mutual compromise?
2. (a) A comes to the house of B and says- "your nephew is in custody of my gang, and will be put to death unless you give tk ten lac. What is the offence done by A or/and his gang? [3+3+4]
- (b) Before solemnization of marriage, the father of bridegroom demands a car, 20 gm gold and a refrigerator from groom's father. Can u take any legal action against anyone?
- (b) **KHAN Builders Ltd** is a construction company and erecting a multi-stored building beside crowded road without taking safety measures (like fencing, net etc). On a sudden a piece of brick fell down on the head of a person accidentally. Is the company liable for that unintentional injury?
3. (a) Z, a girl, committed suicide keeping a note saying that-"X and Y are accountable for my death due to sexual harassment". Mr. S, a news reporter, covers the news in his Daily disclosing all facts, identity and with clear image of the victim. Suggest the State side for necessary legal measures. [3+7]
- (b) R was caught with 200 gm ganja. According to his statement, Police drives a search at his house and recovered 10 gm LSD, few counterfeited currencies, an unlicensed short-gun from almirah at his bed room. Few papers proving money transfer to abroad were also recovered. What are the appropriate legal measures do you suggest against R?