

CHANAKYA NATIONAL LAW UNIVERSITY, PATNA

**Criminal Law – I Indian Penal Code, 1860, The Sexual Harassment of Women at
Workplace (Prevention, Prohibition and Redressal) Act, 2013 & The Prevention of
Corruption Act, 1988**

Semester III Academic Year 2020-21

COURSE OUTLINE

Course Teacher: Ms. Preety Anand, Assistant Professor (Law)

Total Number of Hours: 60 hours

Course Objectives:

Criminal Law is one of the basic and traditional areas of law that moulds one's understanding about the entire legal system. This is an area of law that every single member of the society can relate to in some way or the other. This is an introductory course on criminal law designed to develop the ability to understand the meaning of crime and the essential principles of criminal liability and apply the same to factual life situation. It is designed to cover the relevant principles and provisions of the Indian Penal Code, 1860. The course aims to equip students to be able to read legal text and apply them to factual situations and to scrutinize certain areas of criminal law critically to develop ideas for reforming the present criminal justice system. It is designed to discuss the relevant amendments and judgments to acquaint the students with the recent developments in the field.

Syllabus:

Module No.	Description	No. of Hours
1.	Introduction 1.1 Crime: Meaning and Definition, Difference between crime and other wrongs 1.2 Elements of crime: <i>mens rea</i> and <i>actus reus</i> 1.3 Stages of crime 1.4 Extent and Scope of application of IPC 1.5 Important Definitions 1.6 Joint and Constructive Criminal Liability: Common Intention and Common Object 1.7 Punishment	11

	1.7.1 Why punish? (R v Dudley and Stephens) 1.7.2 Theories of Punishment 1.7.3 Types of Punishment under the IPC 1.7.4 Constitutionality of Death Penalty.	
2.	General Exceptions 2.1 Mistake of Fact & Judicial Acts 2.2 Accident and Misfortune, 2.3 Necessity 2.4 Infancy 2.5 Insanity or Mental Abnormality 2.6 Intoxication 2.7 Consent and Compulsion 2.8 Trivial Act 2.9 Good Faith 2.10 Right of Private Defence of Body and Person	10
3.	Inchoate/ Preliminary Offences 3.1 Introduction 3.2 Possible Parties to a Crime 3.3 Inchoate Offences under IPC 3.3.1 Abetment 3.3.2 Criminal Conspiracy 3.3.3 Attempt (506-511)	5
4.	Offences against Human Body 4.1 Culpable Homicide and Murder 4.2 Criminalisation of Attempt to Suicide 4.3 Constitutional Validity of Section 303 4.4 Hurt and Grievous hurt 4.5 Wrongful Restraint and Wrongful confinement 4.6 Criminal Force and Assault 4.7 Kidnapping and Abduction 4.8 Sexual Offences: Rape and Unnatural Offences	12
5.	Offences against Property 5.1 Theft, Extortion, Robbery & Dacoity 5.2 Criminal misappropriation of Property & Criminal Breach of Trust 5.3 Receiving of stolen property 5.4 Cheating 5.5 Mischief 5.6 Criminal trespass	10
6.	Offences against Marriage 6.1 Mock Marriage	3

	6.2 Bigamy 6.3 Constitutionality of the offence of Adultery 6.4 Cruelty	
7.	Offences against Women 7.1 Obscenity and Women (s. 292, 294) 7.2 Dowry Death (s. 304B) 7.3 Miscarriage (s. 312-316) 7.4 Acid Attacks 7.5 Assault or criminal force to outrage the Modesty of a Woman (s. 354) 7.6 Sexual Harassment, Voyeurism, Disrobing a woman, Stalking (354 A- D) 7.7 Rape (s. 375, 376) 7.8 Cruelty (s. 498A) 7.9 Insult the modesty of a woman (s. 509) 7.10 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.	6
8.	The Prevention of Corruption Act, 1988	3

Prescribed Legislations:

1. The Indian Penal Code, 1860.
2. The Code of Criminal Procedure, 1973.
3. The Constitution of India, 1950.
4. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
5. The Prevention of Corruption Act, 1988.
6. The Juvenile Justice (Care and Protection of Children) Act, 2000.

Suggested Books:

1. Glanville Williams, *Text Book of Criminal Law*, Universal Law Publishing Co., New Delhi, 2012.
2. Ratanlal and Dhirajlal, *The Indian Penal Code*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
3. K I Vibhuti, *P S Achutham Pillai's Criminal Law*, Lexis Nexis, Butterworths Wadhwa, Nagpur, 2012
4. K. D. Gaur, *A Textbook on the Indian Penal Code*, Universal Law Publishing Co., New Delhi, 2012.

5. J. W Cecil Turner, *Kenny's Outlines of Criminal Law*, 18th ed, Cambridge University Press, 1962.
6. Andrew Ashworth, *Principles of Criminal Law*, Oxford University Press, US, 2009.
7. Dr. H.S. Gaur, *Penal Law of India*, Law Publishers, Allahabad, 2013.

Important Cases:

1. *Abyanand Misra v State of Bihar* AIR 1961 SC 1698.
2. *Amjad Khan v State* AIR 1952 SC 165.
3. *Arjun v State of Maharashtra* AIR 2012 SC 2181.
4. *Bablu @ Mabarik Hussain v State of Rajasthan* AIR 2007SC 697.
5. *Bachan Singh v State of Punjab* AIR 1980 SC 898, (1980) 2 SCC 684.
6. *Barendra Kumar Ghosh v King Emperor* AIR 1925 PC.
7. *Basdev v Stat of Pepsu* AIR 1956 SC 488.
8. *Bodhisattwa Gautam v Subhra Chakrabarty* AIR 1996 SC 922.
9. *Butta Singh v State of Punjab* AIR 1991 SC 1316.
10. *Cherubin Gregory v State of Bihar* 1964 AIR 205, 1964 SCR (4) 199.
11. *Chirangi v State* 1952 CrLJ 1212 (MP).
12. *Darshan Singh v State of Punjab* AIR 2010 SC 1212.
13. *Dasrath Paswan v State of Bihar* AIR 1958 Pat. 190.
14. *Deelip Singh v State of Bihar* AIR 2005 SC 203.
15. *Ediga Anamma v State of Andhra Pradesh*, 1974 AIR 799.
16. *Emperor v Dhirajia* AIR 1940 All. 486.
17. *Gian Kaur v State of Punjab* AIR 1996 SC 946.
18. *Gyarsibai v State*, AIR 1953 MP 61.
19. *Hansa Singh v State of Punjab*, AIR 1977 SC 1801.
20. *Haradhan Chakrabarty v Union of India* AIR 1990 SC 1210.
21. *Independent Thoughts v Union of India*, 2017.
22. *Jacob Mathew v State of Punjab* AIR 2005 SC 3180.
23. *Jagmohan Singh v State of Uttar Pradesh* AIR 1973 SC 947.
24. *Jai Lal v Delhi Administration* AIR 1969SC 15.
25. *Jaidev v State of Punjab* AIR 1963 SC 612 (617).
26. *Jashanmal Jhamatmal v Brahmanand Sarupanand* AIR 1944 Sind. 19.
27. *Joseph Shine v Union of India*, 2018.
28. *K.M. Nanavati v State of Maharashtra* AIR 1962 SC 605.
29. *K.N. Mehra v State of Rajasthan* 1957 AIR 369.
30. *Kanwar Singh v Delhi Administration* AIR 1965 SC 871.
31. *Kehar Singh v Delhi Administrator* AIR 1988 SC 1883.
32. *Lakshmi v State* AIR 1963 All 534.
33. *Lily Thomas v Union of India* AIR 2000 SC 1650.
34. *Machchi Singh v State of Punjab* AIR 1983 SC 957.

35. *Mahboob Shah v Emperor* AIR 1945, PC 118.
36. *Mithu v State of Punjab* AIR 1983 SC 473.
37. *Mubarak Ali v The State of Bombay* AIR 1957 SC 857.
38. *Mukesh & Anr vs State For NCT of Delhi & Ors*, 2013.
39. *Munney Khan v State of Madhya Pradesh* AIR 1971 SC 1491.
40. *Narinder Kumar v State of Jammu and Kashmir* AIR 2010 SC 3015.
41. *Navtez Singh Johar v Union of India*, 2018.
42. *Naz Foundation v Government of NCT of Delhi*, (2009) 160 DLT 277
43. *P. Rathinam v Union of India* AIR 1994 SC 1844.
44. *Pandurang Tukia v State of Hyderabad*, AIR 1955 SC 216.
45. *Paras Ram v. State of Punjab* (1981) 2 SCC 508.
46. *Pramatha Nath Talukdar v Saroj Ranjan Sarkar* AIR 1962 SC 876.
47. *Puran Singh v State of Punjab* AIR 1975 SC 1674.
48. *Pyarelal Bhargava v State of Rajasthan* 1963 AIR 1094.
49. *R v Dudley & Stephens* [1884] 14QBD 273.
50. *R v Govinda* (1876), Bom 342.
51. *R v Prince* LR 2 CCR 154.
52. *R v. Daniel McNaughten*, 1843.
53. *R v. Hudson & R v. Taylor* [1971] 2 All ER 244.
54. *Ram Rattan Singh v State of Uttar Pradesh* AIR 1977 SC 619.
55. *Ram Tahal v State of UP* AIR 1972 SC 254.
56. *Ratan Lal v State of Madhya Pradesh* AIR 1971SC 778.
57. *Sakshi v Union of India and Others* AIR 2004 SC 3566.
58. *Sarla Mudgal v Union of India* AIR 1995 SC 1531.
59. *Sheikh Haider v Issa Syed* AIR 1938 Nag. 235.
60. *Sheralli Wali Mohammed v State of Maharashtra* AIR 1972SC 2443.
61. *Siddhartha Vashisht @ Manu Sharma v State (NCT of Delhi)* (2010) 6 SCC 1.
62. *Sowmithri Vishnu v Union of India* AIR 1985 SC 1618.
63. *State of A.P. v R. Punnayya* 1977 Cr LJ 1(SC).
64. *State of Haryana v Raja Ram* AIR 1973 SC 819.
65. *State of Madhya Pradesh v Ahmadulla* AIR 1961SC 998.
66. *State of Madras v Vardarajan* AIR 1965 SC 942.
67. *State of Maharashtra v Mohd. Yakub* AIR 1980 SC 1111.
68. *State of Maharashtra v M H George* AIR 1965 SC 722.
69. *State of Punjab v. Gurmit Singh* – AIR 1996 SC 1393
70. *State of Tamil Nadu (CBI/SIT) v Nalini* AIR 1999SC 2640.
71. *State of West Bengal v. Shew Mangal Singh* AIR 1981 SC 1917.
72. *Suresh Kumar Koushal and another v NAZ Foundation and others* (2014) 1 SCC 1
73. *Tukaram v State of Maharashtra* AIR 1979 SC 185.
74. *United States v Holmes* (1842) 26 Fed Case 360.

75. *V Revathi v Union of India* 1988 SCR (3) 73.
76. *Veeda Menezes v Yusuf Khan Haji Ibrahim Khan* AIR 1966 SC 1773.
77. *Virsa Singh v State of Punjab* AIR 1958 SC 465.
78. *Vishaka and Others. v State of Rajasthan and Others.* AIR 1997 SC 3011.
79. *Vishwanath v. State of Uttar Pradesh* AIR 1960 SC 67.
80. *Yeshwanth Rao v State of Madhya Pradesh* AIR 1992 SC 1683.
81. *Yogendra Morarji v State of Gujarat* AIR 1980 SC 660.
82. *Yusuf Abdul Aziz v. State of Bombay*, 1954 SCR 930.

Learning Outcomes:

After completing the course, the students shall be able to:

1. Have a basic understanding of the general principles, concepts and the key elements in the area of law of crimes.
2. Understand that this area of law is quite vast and dynamic and keep abreast with latest developments.
3. Exhibit the ability to read and interpret the Indian Penal Code, 1860 and evaluate judgments in the area of law of crimes critically.
4. Critically examine the prevailing criminal law and propose reformative ideas.

IMPORTANT NOTES:

- The topics, legislations and cases mentioned above are not exhaustive in nature. The course teacher shall be at liberty to add, remove or make modifications to the same throughout the semester.
- The number of hours allotted to each module is subject to modification in peculiar circumstances by the course teacher.
- The number of hours allotted to each module shall include class discussion sessions notified by the course teacher.