



## **FACULTY OF JURIDICAL SCIENCES**

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**SUBJECT NAME- LAW OF CRIMES**

**COURSE NAME- LLB, Ist Sem**

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# **LECTURE-1**

# **[I] CRIME- MEANING, DEFINITION,ELEMENTS AND STAGES OF CRIME**

## **Definition and Meaning of Crime**

A law that relates to a crime is known as criminal law. In these laws, punishment is used as a bearer torch. This is done to prevent and prohibit the citizens to avoid them from unsocial and wild behavior or conduct. Also, this law ensures that the citizens of India are safe. Crime definition in India is defined using the criminal law.

## **Crime Definition through Criminal Law**

This law perhaps is also known as the penal law. It consists of punishment which is to be given for various crimes like trying, charging and imprisonment of the criminals. Also, this law regulates how a person is charged, investigated, and tried.

## **Mens rea**

In men's rea, your mind accepts the fact that you have committed a crime and that you are wrong. Also, this condition refers to the mental state of the person who is guilty. Thus, this concept is applicable only when a person is believed to have committed a crime voluntarily and knowingly. So, in terms of the law, this is forbidden.

In this scenario, the mental condition of a person is checked when he committed the crime. Also, whether that person has committed the crime voluntarily or was forced to act in that way is checked in this matter.

Furthermore, to know more about men's rea, you can refer to the Latin maxim, where its principle of doctrine is mentioned. Under this act, the person is not guilty unless his/her mind is also termed guilty.

## **Example**

Suppose a person X unknowingly puts on the shoes of a person Y. So, should the person X be deemed guilty? No, the person Y is not termed as guilty. Although he commits a crime of taking the shoes of person Y without consent, there is no proof that he did it on purpose.

Thus, the person X had no intention of taking the shoes from Y. In this case, men's rea is applicable. Men's rea is acceptable throughout the globe. But there are extents to which this law can be applied.

There are some laws like factories act of 1948, essential commodities act of 1955, etc that ignores the presence of this law completely. There are exceptions provided under chapter 4 of section 76 of IPC which states that a person can be liberated for any crime as fact but not as a law.

### MCQs-

**i. In which of the following death sentence is awarded?**

- A. Waging war against the Government of India
- B. Abetting mutiny actually committed
- C. Murder
- D. All of them

**ii. Which of the following is true about imprisonment?**

- A. it is characterised by hard labour
- B. it is characterised by confinement to jail
- C. is subject to the kind of imprisonment
- D. all of them

**iii. Abetment of an offence, punishable with death or imprisonment for life if an act, which causes harm to be done in consequence of the abetment is dealt under-**

- A. Section 115 of IPC
- B. Section 116 of IPC
- C. Section 117 of IPC
- D. Section 118 of IPC

**iv. Abetting the commission of an offence by the public or by more than ten persons is dealt under-**

- A. Section 117 of IPC
- B. Section 118 of IPC
- C. Section 119 of IPC
- D. Section 120 of IPC

**v. What is the minimum term of imprisonment in case of, at the time of attempting robbery or dacoity, the offender is armed with any deadly weapon, he is punished with imprisonment of not less than:**

- A. four years under Section 397, IPC
- B. five years under Section 397, IPC
- C. six years under Section 397, IPC
- D. seven years under Section 397, IPC