PAGE Test 18 Indian Penal Code (Full Postions) 1 sewanh Section 34 of Indian Penal Code States J. exons in furtherence Not a proper sentence. intention, then all such persons Jointly liable Instead of saying it as '2 or more persons'; use the statutory word 'several persosns' and then explain it in the above-said way. Section my does not execute army specific offence , it makes the offenders jointly and constructively liable with despect to an oppose committed by of them in futherence of any poo- arranged plan vo poios agreement The Diability of Noted. The main accused is constructed upon the all the members. In the landmark case of Mahbus Shah U Empero 8 9 the Relevant landmark case law mentioned. Good! certain guidelines regarding the application of S. 34 It held that: (1) Essence of the application of 5. 34 is contron intention. (2) Common intention is Possent when the act to committed in just herence of 6 prior agreement or pre- arranged Correct.

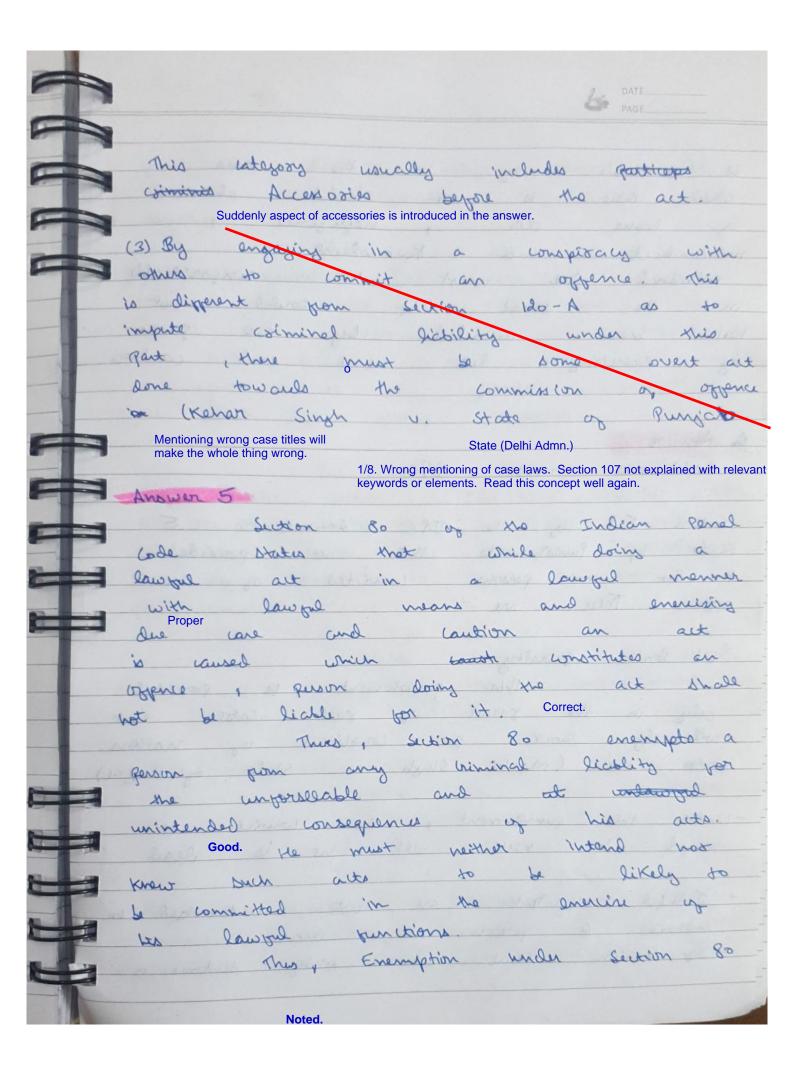
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(3) (3) Offence	must	Se c	omni Had	ayter
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who only	Stand	ana	watch"	Very good!
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Good Attempt. 5/8.

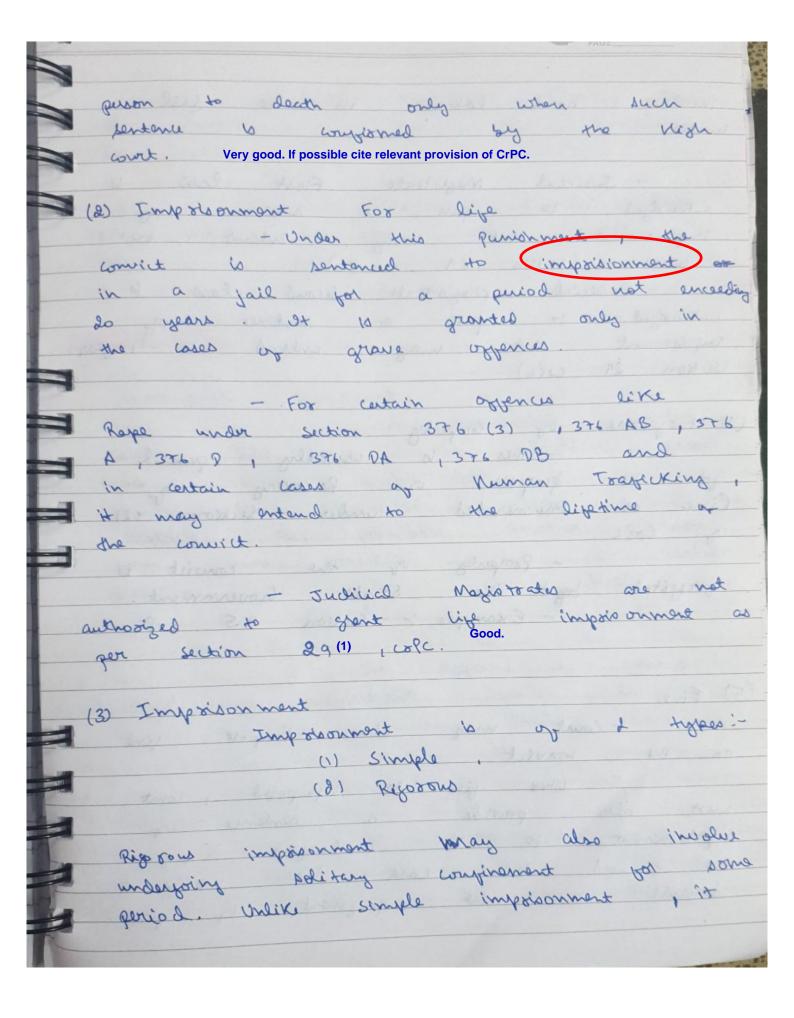
- Elements of Section 34 could have been written or explained in a better way.
 Discussion on Section 33 would have been good.
 Meaning of Common intention could have been explained.
 Any case law (facts) or illustration for section 34 would have been helpful.
 It is good that you have mentioned all relevant case laws.

*
Answer 3
Abetmant The oppose of 'Abet most ' imported
The approx of the who
coinind liability on person who
do not have any active participation
in the commission of a coininal
act , however, commission or such as
act world be impossible without them
or the coincid act might not have
Sean committed without their intergerence.
Good Explanation.
The Non'ble Supreme court held in the
case of Kartar Singh v. State of
trangana that to about means to ald,
to assist, to induce, to provoke, to
convey , to harbour of to consel
or to compel any person to commit
an offence. Noted.
SAT IN MAN CONTRACTOR OF THE PARTY OF THE PA
According to Section lot up the IPC?
a person may able the other juto
committing an oppose in any of
the 3 ways -
Use the word "instigate". Always use the elements as given in the statute.
et includes misleading the
other person to commit an appende
by woongral provocation of wongful
ionicalment of mederial facts.
[Mention it as Explanation appended to Section 107]
Good.

PAGE Inducement may by woods , conduct or any other means by which the abeltox can induce or mislead the person juto committing an offence. In the case of chitresh kuman chorpda v. State (Nex of Dolhi), Non'ble Supreme direct and proximate connection between the inducement and the commission of offence and puch inducement must se made with an intention to dive the other person into committing Do not synonymously use the word "inducement" and instigation" In the auser case of areen v. mobit , approval of an act was held to be an inducement within the meaning of Section 107 and all pursons charting sate mota Ki Jai "Rama, rama!" sucomers a woman to commit sati were coininally liable under tyc. This is not correct. Facts of the case are of Tejsingh And Ors. vs The State - 'Sati mata ki jai' (2) By Aid or Aviet Abettor can about the an oppenie with deliberate aid as assistance to publitate the commission of an offence. So Such som act of aiding or anyting must done with the mans tea to bacilitate the other person in lommittly an act. (Samju v. State of Rejasthern). Is it not state of Madhya Pradhesh? Please check.



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Jail authorities are enjoined by law to impose hard labour on a particular section of the convicted prisoners who were sentenced to rigorous imprisonment. Section 53 of the Indian Penal Code which falls under the Chapter entitled "Of Punishments" vivisects punishments into five categories, of which the category "imprisonment" has been further sub divided into two sub categories as "rigorous" and "simple". Rigorous imprisonment is explained as "imprisonment with hard labour".

State Of Gujarat And	nd Anr vs Hon'Ble High Court Of Gujarat
involves	hard-labour in the jail
houses.	Good.
- 3	Judicial Maylatoate Fiost class &
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27/21	Noted.
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DATE_ PAGE_ - Indicial Maristocka First class may impose a fine not enceding Rs. 10,000. - Judicial Maylo toate second class may impose a fine not enceding Rs. Good Attempt, 6/8. Answer 7 Woonggel Restraint As enumerated under section 339 of the Indian penal code, wronggel Restraint to an oppene which is committed when a person xessits or prohibits another puson from most proceeding in a certain Disoltion in which he has a right to go and. Noted. The oppose of wrong god Restraint o punishable under section 341 up the Indian Penal lode. Good. Woongful Confinent As inumerated under section 340 of the Indian Renal Lode, womsten continement is an offence

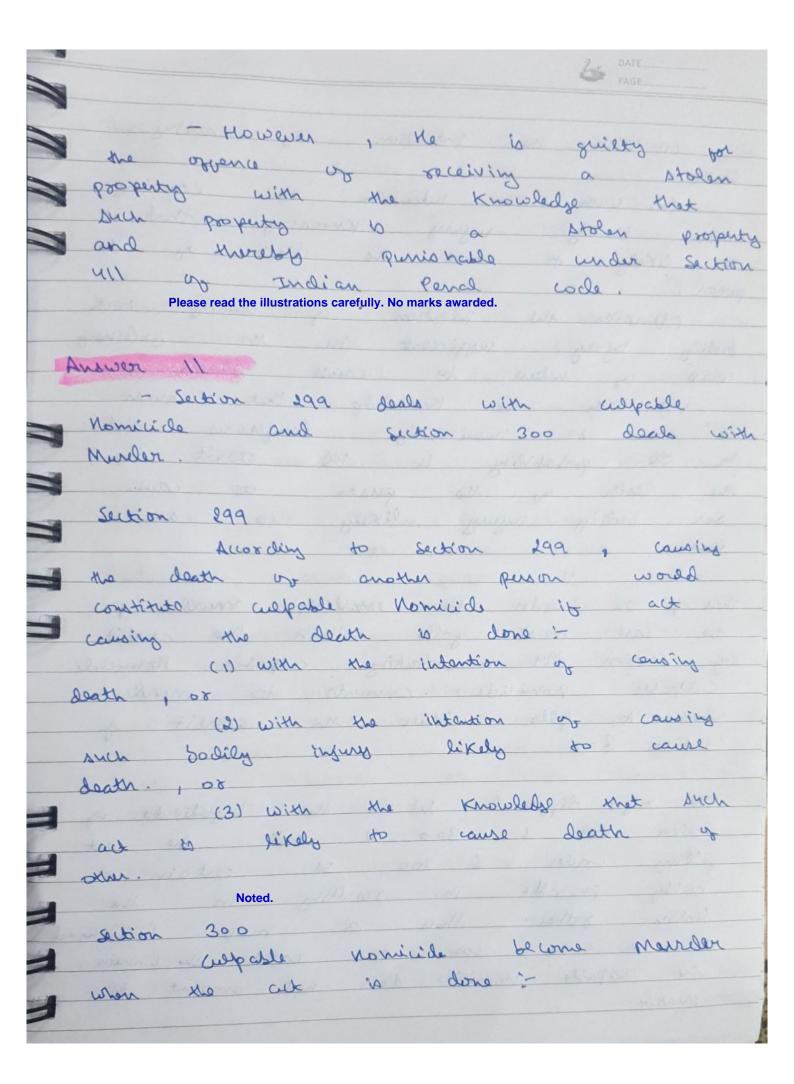
which is committed against a person when he is substitude or prohibited from moving beyond certain circumsca limits. Key words are mentioned. Good. Based on the duration up wrongoul Confinement , menney of committing the offence , Rupose of the Woonsful Confinement and whether been issued for the release of buch person of not, the occurred to punishable under Lections of the Indian Penal Cod From the above discussion , it can be concluded that the oppence up woongood Restraint and Woonaful confinement are Committed against the Personal liberty and Excedom of the individual to move gally. Noted. The only material difference between woonygel Restraint and Woonypul Confinement is that in the latter, the Restraint on The liberty of individual is absolute. He cannot proceed in any disease disaction whereas , in Wrongful restraint such genon is test pained from proceeding in a garticular diserbion on which he has a right to proceed. He is at realto ent his been org of yourself discitions. Good Explanation of the core difference.

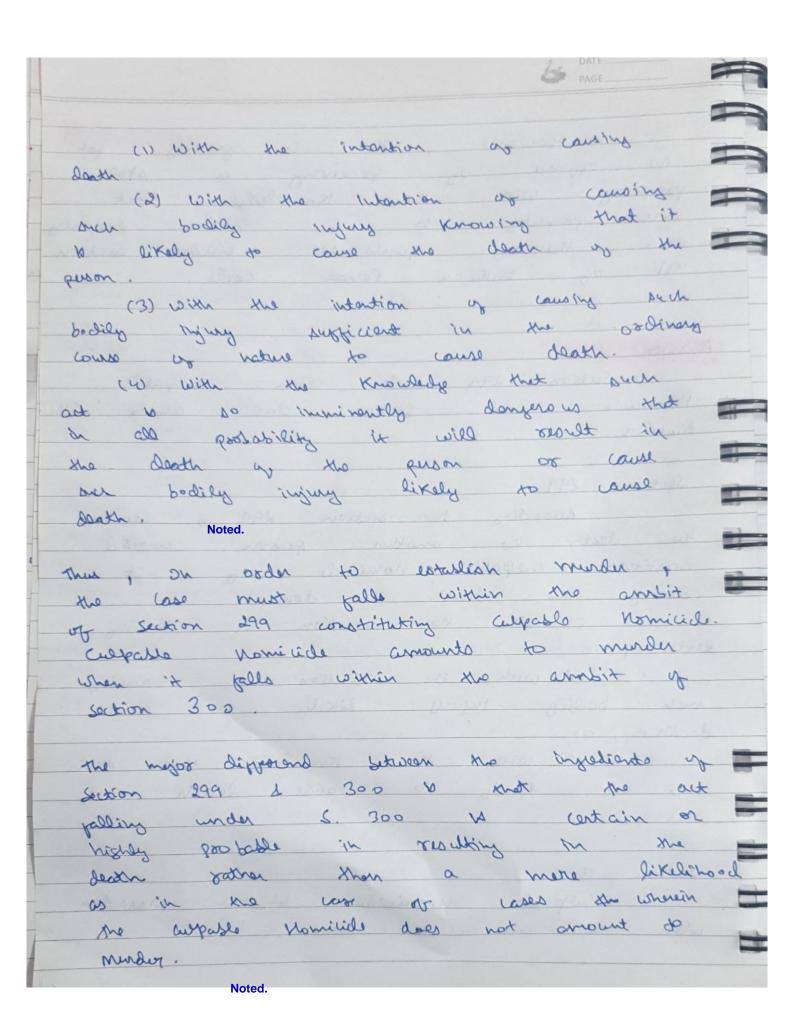
DATE_PAGE Use of Force Mon'ble Supreme court held in the case of Shyam Lal v. State UP that the use of force not necessary to april the of Wrongful Restraint or Wrongful Confinement bufficient is that seasonable apportension is colated the mind of victime that he not at liberty to move an it he attempts to do so Shyam Lal Sharma v State of Madhya Pradesh 1972 4/8. Answer 9 Kidnapping According to Section 359 are 2 kinds of Kidnapping to as per section 360 and (1) Kidnapping Beyond India This Kind of Kidnapping is provided under Section 360 of IPC. This offence to committed when a person is kidnapp convaged beyond the territory re treened aid traticu sibre go without the consent of any person who is lawfully authorized to give consent on his behelf. This offence & Known as Kidnopping from the territory of India.

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A DATE_ Answer 10 ent distoral of about the coloninal lichti liability of A , it is an essential to daternine the opposite committed by Eds Z's wife fixed. Noted. offence committed by Z's wife The out up Z's wife satisfies all the essential ingredients of a theyt as like :is moved the property belonging to Z dishonestly. (2) From 2's possession (3) Without the consent of Z. Therefore , she to guilty for having Too much of confusion. Please check Illustration (o) under Section 378. This is theft by A. Offence Committed by A. A count be said to have ed as tyert of presso and astimumos did not move the growity out of she gorsession of Z - Furthermote of there is no enclance to assume that the act of theyt was wominited in putherone of finally within within the meaning of Section 34 or Indian Renal will. Thus, he count be held gointly liable po the oppense committed by 2's wife.





PAGE Thus , the cases that satisfy the ingredie injudients of s. 000 S. 299 but not 5. 300 fall within the ambit of culpable nomivide not amounting to Murder. Furthermore , there may be lis current arces that satisfy all the injudiants of 5.300 but still do not amount to Murder. Section 300 Empressly provides cortain it curment arress wherein culpable Nomicile de not amount to muder This much of explanation for the question asked. One could have started directly with Exceptions. (1) Growe and sudden Provocation Those cases where the dooth of cnother person is caused by the accessed under while he was depoised of his power of self control on account of goods and Sudden Provocation. The lethal blow must be braced to the provocation and there must be no cooling oft feriod in between . 80 (K.M. Nanavati v. State of Monores Hora). Futurenoso, sun provocation must be southing bought to a justify the This emerginion to not copplicable in calls up your & sudden provocation against

(1) a person acting in the enercise up fight of Private Defence. (11) Private severant acting under the colours by his powers authority. (2) Those cases where a person enercising his + Right of & Private Sopens much his gowers in a good faith and cause the doath of another que without premeditation. Noted. (3) Those cases where a Rublic sewant believing himself to be lawful justified to do so cuts in the encess of his powers and causes the death of any person without any ill will towards such person. Also capplicable to persons acting under the stockions to a public servant, Noted. (4) Those cases where a person causes the death of another person in a sudden gravel without having and advantage over the deceased person so without acting in a coul manner. The accused must be under a heat of gassion on a sydden figut. (5) prose cases where the victim above the age of 18 years gave his consent to suffer the sisk of death or

