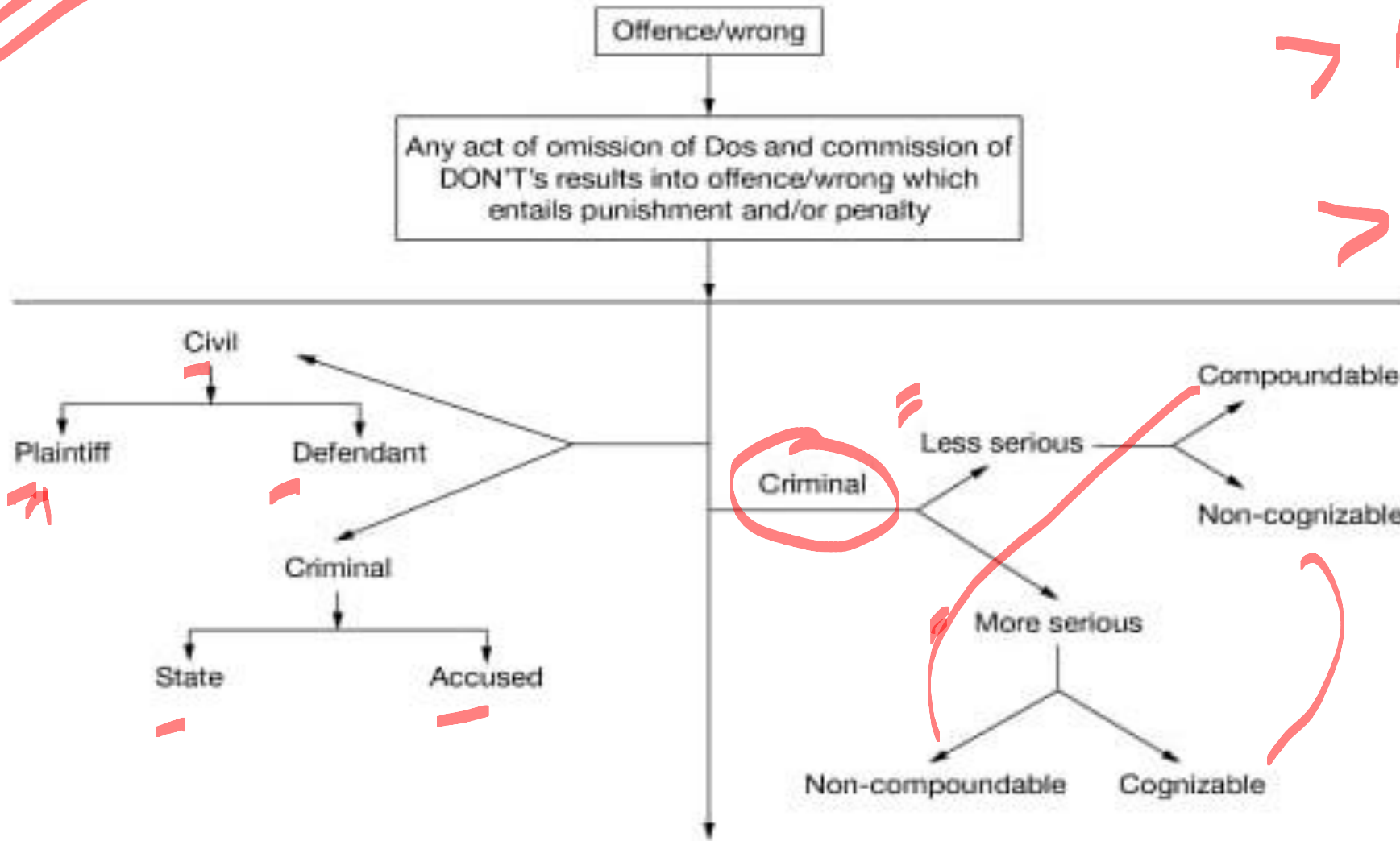




SAFALTA CLASSTM

An Initiative by **अमरउजाला**

NLU



Advocate X
C & PC
CPC
IPC

Difference Between (Bailable) and (Non-bailable):

FR
21, 22

FR
24 HRST

Court

CrPc-
437

Bailable offences are offences of a less serious nature and in these cases an accused has a right to get bail, but in **Non-bailable Offences, It Is Up To The Court To Decide Whether To Grant Bail Or Not.**

मोबैल सेट



Difference Between Cognizable and Non-cognizable Offences:

Sec. 2(c) ← गैरज्ञेय → 2(e) (गैरज्ञेय)

CrPC.
Sch-1

Cognizable offences are offences for which a police officer can arrest without a warrant, whereas **In Non-cognizable Offences Police Has No Authority To Arrest An Offender Without A Warrant From The Court.**

Compromise ✓

Difference Between Compoundable and Non-compoundable Offences:

A compoundable offence is an offence which is punishable with imprisonment for two years or less than two years as laid down under Section 320 CrPC.

Whereas offences other than those mentioned in Section 320 Cr. P.C are non-compoundable.

Sec
320

19 (2)

← Art- (Consd.)

A compromise can be made in case of compoundable offences, but in non-compoundable offences the parties can not be allowed to strike a compromise.

Sec

Four Stages of Crime:

1. Intention
2. Preparation
3. Attempt
4. Commission



GENERAL EXCEPTIONS: (A B)

Sections 76–106 of IPC lay down seven important heads of exceptions as under:]

1. Mistake of fact, viz., act of a person (Sections 76, 79)
2. Judicial acts, viz., act of a judge (Sections 77, 78)
3. Accident: Section 80

4. Absence of criminal intention (Sections 81–86, 92–94)

(a) Act done to avoid other harm: Section 81

(b) Act of a child

(i) under 7: Section 82

(ii) above 7 and under 12 of immature understanding: Section 83

(c) Act of a lunatic: Section 84

UNKNOWN

(d) Act of an intoxicated person: Sections 85–86

(e) Bonafide act for another's benefit: Section 92

(f) Communication made in good faith: Section 93

**(g) Act done under compulsion or threat:
Section 94**

5. Act done by consent: Sections 87–91

6. Trifling Acts: Section 95

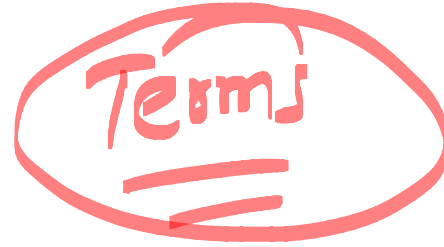
7. Right of private defence

(i) of body: Sections 96–102, 104 and 106

(ii) of property: Sections 96–99, 101 and 103–105

FIR:

An FIR is the first information report given to the police.



Arrest:

The term 'arrest' of an individual indicates that he is deprived of his personal liberty so that he becomes available during the trial of any offence to which such person is associated.

Bail:

Bail means to procure the release of a person from legal custody by undertaking that he shall appear at the time and place designated and submit himself to the jurisdiction and judgment of the court.

✓
Anticipatory Bail:

FR^x
Before Arrest

Section 438 of the Criminal Procedure Code empowers the high courts and the courts of session to grant anticipatory bail, i.e. a direction to release a person on bail issued even before the person is arrested.

Charge:

→ charge sheet

A charge is the précis formulation of the specific accusation made against a person, who is entitled to know its nature at the earliest stage.

Act

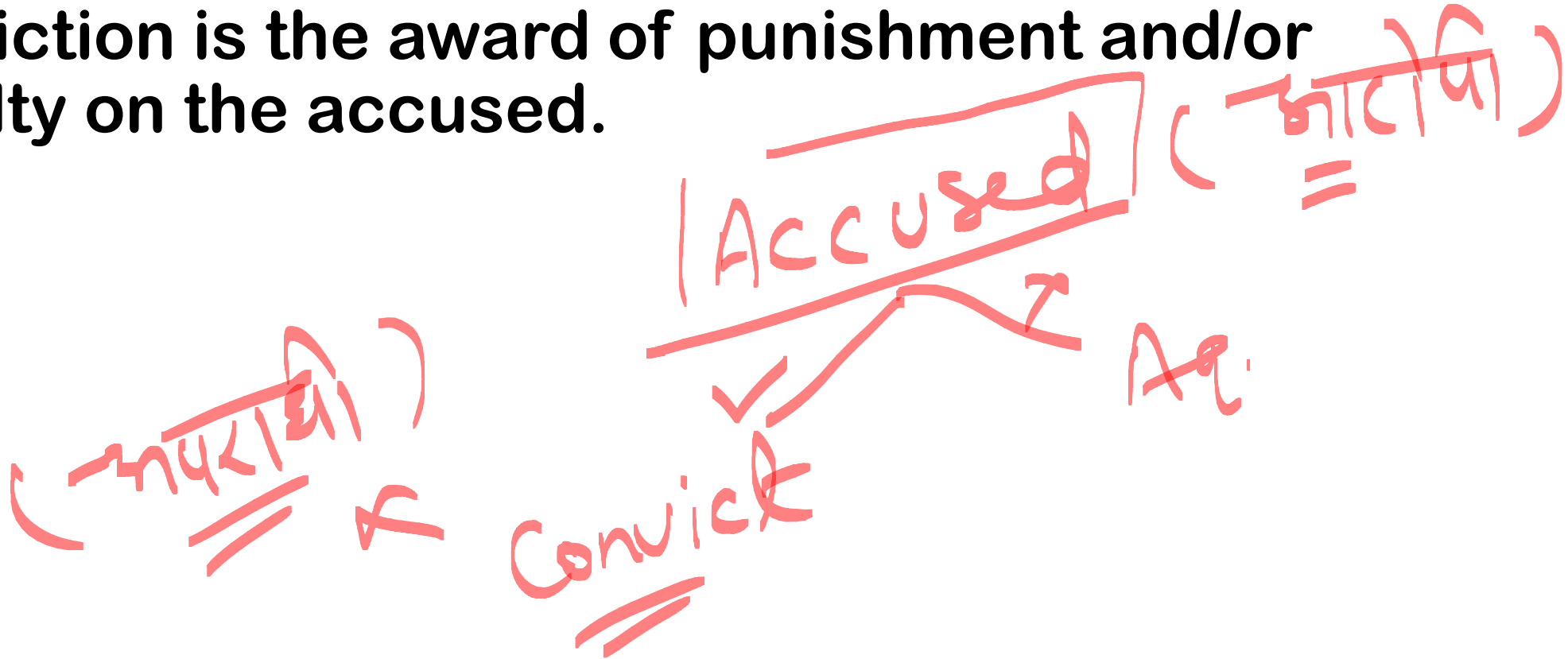
According to Section 2(b) of Cr.P.C., 'Charge' includes any head of charge when the charge contains more heads than one.

Cognizance:

Taking the judicial knowledge of the charge framed against the accused is known as cognizance.

Conviction:

Conviction is the award of punishment and/or penalty on the accused.



Acquittal:

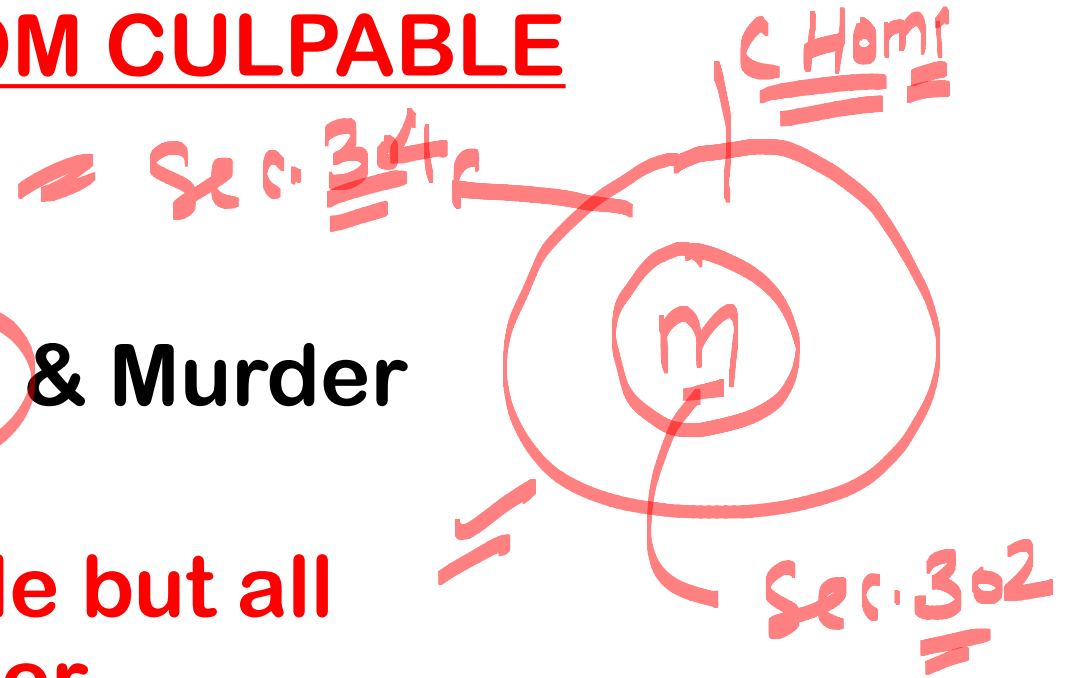
Setting free the accused from all the acquisitions giving him/her the benefit of doubt.

MURDER DISTINGUISHED FROM CULPABLE HOMICIDE

Culpable Homicide (Section 299) & Murder (Section 300) :

All murders are culpable homicide but all culpable homicides are not murder.

Culpable homicide will amount to murder under the circumstances mentioned Below:



1. Culpable homicide may amount to murder or it may not amount to murder.

2. Culpable homicide is a less serious offence than murder.

3. It is punishable with imprisonment for life, whereas, murder is punishable with death or imprisonment for life.

Question No: 1

Principle:

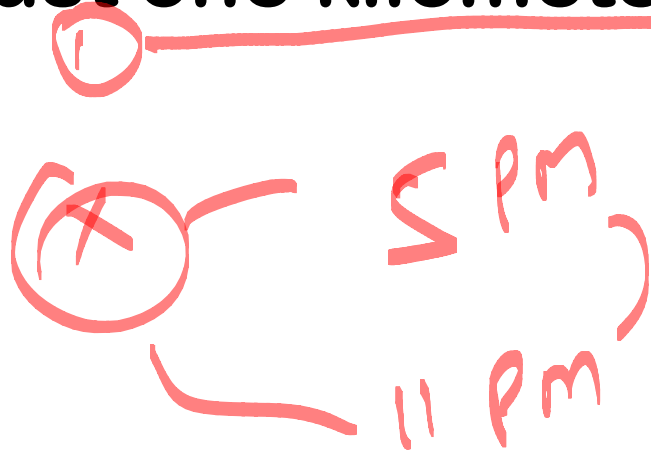
Everyone has the right of private defence to defend his body and property by use of reasonable force unless that person had time to have recourse to protection of public authorities.

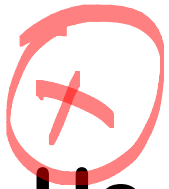
Question No: 1

Facts: ✓✓

X receives information at 5.00 pm that Y along with few friends is planning to burn his crop at midnight which is ready to be harvested.

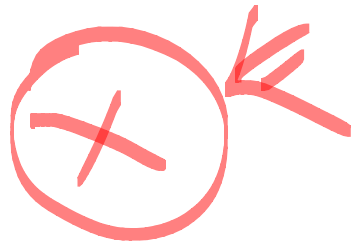
He does not inform the village Police Station which was just one kilometer away.





He gathers his family members and directs them to collect some weapons in the form of swords and lathis to protect his field/crop.

At around 11.00 pm Y and his aides attack the crop and a severe fight ensues wherein Y is seriously injured.



Question No: 1

(a) X is not liable as he was exercising his right of private defence

(b) X and his family are not liable for the injuries caused as they were exercising the right of private defence

(c) X is liable



(d) X and his family is liable as they have not informed the police

Principle:

Anyone who induces or attempts to induce a voter to vote in a particular manner on the ground that the voter will face divine displeasure, shall be guilty of offence of interfering with free exercise of right to vote.

Question No: 2

Facts:

During election campaign period one candidate X told the voters that if they do not vote for her, voters will be cursed because the election candidate is the God's own child and those who do not vote for her, they will not be liked by God.

Question No: 2

✓ (a) X has committed an offence

✗ (b) X has not committed an offence because she only narrated what she felt

✗ (c) X has not committed an offence because she has freedom of speech and expression

✗ (d) X has not committed an offence because she did not compel anyone to vote for her

Question No: 3

Principle:

Killing is not murder, if it is committed in a sudden fight without ~~pre-meditation~~ in a heat of passion upon a sudden quarrel.

Question No: 3

Facts:

X and Y were buying liquor from a liquor shop at 7 pm. Y abused X and there was quarrel between them.

X told Y that he will not spare him and Y shouted that his house is adjoining the shop only and if X had the guts, he can come anytime.

X went back to his shop which was nearby, procured a knife and went to Y's residence at 9 pm and stabbed him to death.

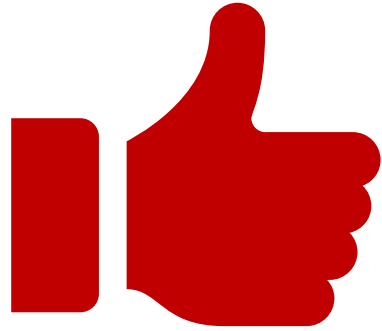
Question No: 3

(a) X has committed murder

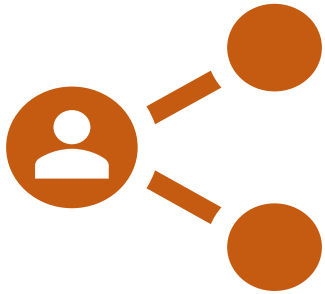
(b) X has not committed an offence of murder since it was committed in sudden fight in a heat of passion

(c) X has not committed murder of Y because he had no enmity with Y

(d) X has committed no offence



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