

Law Optional Test Series No – 05
De Facto IAS

Total Time Allotted: 3 Hours

Total Marks : 250

Question Paper Specific Instructions

- Please read each of the following instructions carefully before attempting questions.
- There are EIGHT questions divided in two sections.
- A candidate has to attempt FIVE questions in all.
- Questions no 1 and 5 are compulsory and out of the remaining, THREE are to be attempted choosing at least ONE from each section.
- The number of marks carried by a question /part is indicated against it.
- Word limit in questions, wherever specified should be adhered to.
- Attempts of questions shall be counted in chronological order. Unless struck off, attempt of a question shall be counted even if attempted partly. Any page or portion of the page left blank in the answer book must be clearly struck off.

NOTE: Please take a printout of the answer Booklet and give answers in stipulate time. So that actual examination scenario is stipulated.

Name: ARJIT KUMAR
Subject: Criminal law
Phone: [REDACTED]

3 hrs 08 mins

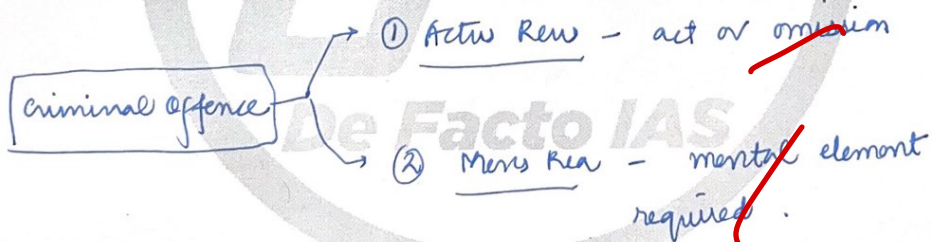
Teacher's Remark

Section - A

Q.1(a). "Intention and the act both must concur to constitute a crime." Explain (10 Marks, 150 words)

"Actus non facit Reum, nisi mens sit Rea"

the act alone does not constitute a crime but must be accompanied by a guilty mind. This is the basic idea of criminality in criminal law.



How is intention deciphered?

① From the wordings of the statute - knowingly, intentionally etc.

② From the intention of legislature - strict liability offences.

Malum / Intentiones

When can 'intention (mental element)' be ruled out?

- 1) Sherras v. D. Rutzen - Mental element can be ruled out if the statute specifically provides for.
- 2) State of Maharashtra v. M.H. George - held that the statute ~~was~~ was clear that no element of mens rea was required. Hence accused was held guilty.
- 3) strict liability offences : "Swastika Oil Industries" case where mens rea was not required as storage of oil beyond permissible limit was held liable.

J. Spence says that general principle of ~~mens rea~~ 'mens rea' is irrelevant in modern day when statutes clearly capture "unintentional elements" -
ex: knowingly, intentionally, etc.

Q.1(b). Distinguish between: Abduction and kidnapping; (10 Marks, 150 words)

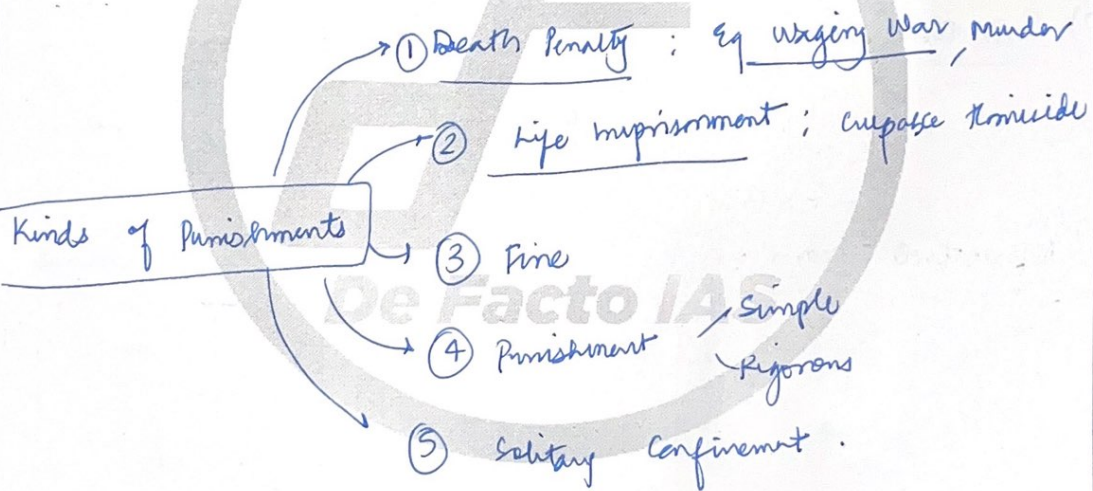
Section 361^{of IPC} defines Kidnapping whereas Section 363 defines offence of abduction. Both offences are offence against human body.

Basis	Kidnapping	Abduction
Section :	Section 361 of IPC	Section 363 of IPC
Definition :	Two types - Kidnapping outside India - Kidnapping outside lawful guardianship	It means using force to move a person from one place to another.
Minor/Major	① Applies only to a child person and minor person	① Applies to any person.

Basis	Kidnapping	Abduction
<u>Essence:</u>	means <u>enticing or taking</u> away a <u>child</u> ^{unsound person} from lawful guardianship of guardians.	① Means moving a person from one place to another <u>due to force</u> .
<u>Element of force:</u>	<u>Not present.</u>	① Element of force is present
Kind of offence	① Substantive offence. punishable <u>per se</u>	① It is a <u>continuing</u> offence. ~~has to be~~ committed with other offences.
In <u>S. Vardhanan v. State of Madras</u>, Court dwelled on question of kidnapping & held it to be a <u>strict liability offence</u>.		

Q.1(c). What are various theories of punishment and their Ingredients. (10 Marks, 150 words)

Section 53 of Indian Penal Code 1860 or
Section 3(4) of Bharatiya Nyay Sanghita provides
various kinds of punishment that can be inflicted
on the offender.



Theories of Punishment

- 1) Retributive Theory : ① Accused is ~~prosecuted~~ punished for retribution.

- ① Retribution demands that offender must be punished.
- 2) Deterrent Theory : ① where it ~~can~~ deter others to commit crimes.
- ① It sets an example so that others don't commit crime. ex: Death Penalty to Nirbhaya Rape Case Offenders.
- 3) Restorative Theory : ① Restorative justice provides for fine to be taken from offender and compensation to victim.
- 4) Reformatory Theory : To provide chance to the criminal to repent over his/her acts and reform the criminal.

Various theories of punishment try to oppose the cause of justice and maintain social order in society.

Q.1(d). In all robbery, there is either theft or extortion. Explain. (10 Marks, 150 words)

Section 390 of IPC defines the offence of Robbery.

Robbery is aggravated form of theft or extortion.

Thrift	Robbery
When	Robbery is Thrift

- 1) When in doing the act of thrift or attempting to commit thrift, the offender - puts any person in immediate threat of injury / fear / wrongful restraint or attempts to put the person in immediate threat of injury / fear / death / wrongful restraint.
- 2) In such cases thrift amounts to robbery.

When Extortion is Robbery

- 1) When extortion is committed by the ~~same~~ person committing extortion is sufficiently close to the person so put in fear to deliver the property or valuable security.
- 2) In such cases, Extortion → amounts to Robbery.

Robbery is an aggravated form of theft or extortion and is a menace for society.

Hence Section 390 of IPC punishes the same.

Q.1(e). "The word 'Voluntary' as used in the Indian Penal Code is very significant and it does not mean willingly but knowingly or intentionally." Explain. (10 Marks, 150 words)

Section 2 of BNS defines the term "voluntary" which is same as definition provided in IPC.
The term "voluntarily" means "knowingly or intentionally" which signifies the mental element involved in attributing criminal liability to an offender.

Voluntary : meaning knowingly or intentionally

1) Means knows the consequence of his Act :

① Voluntarily signifies that the accused is
→ aware of the ~~intention~~ consequences of his acts.
= Intention

2) Means accused does the act "intentionally" -

→ ① implies that the act committed was
with necessary intention to have desired outcome.

Implication of Voluntary meaning Intentionally / knowingly

① Helps in affixing criminal liability

① since a man is presumed to know the consequences of his act.

② Ex: Section 300 of IPC uses the words "knowingly & intentionally" to fix criminal liability.

② Help in determining "Mens Rea" -

① Mens Rea is an important part of criminal liability. It helps in determining the same.

② Ex Section 304-B uses the word "voluntarily".

Voluntary thus plays a very important role to help courts determine criminal liability of accused.

Q.4(a). What are the 'Civil Rights' as defined by the Protection of Civil Rights Act, 1955? Enumerate the offences prescribed under the Act. (20 marks)

Section 2(a) Civil Rights Act, 1955 defines civil rights as rights that accrue to any person by reason of abolition of untouchability under ~~Section~~ Article 17 of the Indian Constitution,

offences Prescribed under the Act

① Prohibiting entry into any religious place of
Worship [Section 3, CRA]

① Whoever discriminates any person of in entry
into any religious dominion and providing
religious ceremonies - is guilty.

① eg: Sabimala judgment.

2) Prohibition of entry into public shops etc [Section 4]

① If anyone subjects entry of any person into any public shops, use of wells, then it's an offence.

② If separate utensils being used - then also offence.

In Lakshar v. State of UP - held that prohibition to use private well was not covered under the act.

3) Prohibiting entry into hospitals / Educational institutions [Sec 5]

① Hospitals / Educational institutions shall be free for access to all.

4) Subjecting any person to Manual Scavenging [Section 7A]

① If any person is subjected to ~~forced~~ manual scavenging or dealing with "hide skin" of animals - shall be punishable.

⑤ Promoting / Justifying Untouchability on any grounds.

- ① If anyone tries to justify untouchability on any grounds - shall be liable.

⑥ Subjecting any person to injury / harassment [Section 7]

- ① If women are assaulted or anyone from SC community is harassed or injured, it is an offence as per the act.

Mechanism for Enforcing the above offences

① Public servant not implementing such right / doing proper investigation is liable

① This ensures proper investigation in cases of breach of any rights conferred by the Act.

② burden on proof on the accused that he/she is not guilty :

This ensures that rights of marginalised are adequately protected.

Benefits of Protection
of Civil Rights
Act

- ① Protects marginalised
- ② Burden of proof is on accused
to prove that he is not guilty
- ③ True Meaning and effective implementation of Article 17.
- ④ Promotes social justice

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Protection of Civil Rights Act is thus an important provision to realise the objectives enshrined in Constitution.

Q.4(b). "Mere medical insanity is not a valid defence under the Indian Penal Code but legal insanity is". Discuss. (15 marks)

Section 85 of Indian Penal Code defines the offence of "insanity". However courts in India have repeatedly held that courts are concerned with legal insanity & not medical insanity.

Defence of Insanity : Explained

Nothing is an offence done by a person who :

Elements of
Insanity
as a
defence

- ① At the time of commission of offence
- ② is incapable forming any judgment
- ③ as to the nature or consequences of the act

was not known to be

Factors to determine insanity:

- ① Capable of forming intention - whether accused was able to understand consequence of act. [A. Ahmed v Emperor]
- ② State of mind prior to the act
- ③ Acts after commission of crime → are all relevant factors which court considers.

Courts concerned with only legal insanity ~~not mental insanity~~

① Insane impulses not a defence:

Queen Empress v. Burra - It was held that what needs to be looked at is state of mind not merely insane impulses. Whether the accused capable of knowing the nature/consequences of acts..

③ Courts concerned with legal insanity:

Queen Empress v. Fatteh Arora Khan → It was held that

legal insanity means the "state of mind" at the time of commission of offence. It only will and ~~cognition~~ conditions are affected - it not amount to insanity.

③ "State of consciousness / cognitive^{or} abilities" need to be impaired to establish defence of insanity

MCN with only

Legal insanity > medical insanity where only emotions and will is affected. Hence the defence is valid only on limited grounds

Q.4(c). What is meant by 'extortion'? Explain its ingredients and distinguish between 'theft' and 'extortion'. (15 marks)

Section 383 ^{of IPC} defines the offence of extortion. It is a middle ground between theft and robbery. It uses violence as a means to achieve its ends. It essentially implies the delivery of any property by the victim (who is put under fear) to the offender.

Ingredients of Extortion (Section 383)

- ① Whoever puts any person under fear or injury
- ① Fear/injury/violence is necessary.
- ① Injury may be to the person (victim) himself or to some other person.

② So as to ^{dishonestly} induce the person to put in fear to deliver and property or valuable security

① The person put in fear is dishonestly induced;

① To deliver any property (moveable or immovable)
OR any valuable security.

Illustration: 'A' puts another per 'B' in fear by threatening him or gun point to handover his wallet. 'A' commits extortion.

Basis	Theft	Extortion
<u>Section :</u>	① Section 373	① Section 383.
<u>Definition :</u>	Whoever <u>dishonestly</u> ① intending to take any <u>moveable property</u> ② out of possession ③ takes out/moves that property.	Whoever <u>dishonestly</u> ① ~~induces~~ puts any person in fear/injury ② induces to deliver any property or valuable security.

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Basis	Theft	Extortion
Type of Property.	① Movable	① either movable or immovable
Violence involved	① No	① Yes
Consent Taken	① No	① No proper consent taken <u>but putting person in fear.</u>

In KM Ray v. State of Rajasthan, it was held that mere movement of property is theft. Extortion is aggravated form of theft where violence is involved.

Q.5(a). "Compensation to the victims of crime in India is the vanishing point of criminal jurisprudence." Comment. (10 Marks, 150 words)

Theory of "Restorative Justice" emphasises on compensating the victim. It requires imposition of heavy fine/penalty on the offender ~~and~~ which is then used to compensate the victims.

Compensation to Victims : Vanishing Point of ^{Criminal} Jurisprudence

① Crises against Principle of Criminal Law Jurisprudence

① Punishment to Criminal (Retributive Theory) is violated

① Deterrent theory is violated

② No Offence against the State

① Criminal law presumes "Offences" as offences against society at large.

- ① However compensation to victims dilutes this concept. It changes nature of criminal law.
- ② Boundary between Criminal Law & Tort diluted
 - if compensation becomes the only remedy for public offences.
- ④ Crime becomes a private wrong & not a public wrong

When Compensation may be justified

- ① Economic offences
- ① Where victim is a woman [Section 326A - Acid Attack victims]
- ① When victim belongs to marginalised section
 - women
 - old
 - SC/ST

In some cases compensation to victims is justified. But this should not change the nature of criminal law.

Q.5(b). . Examine as to whether a person who causes death of a pregnant woman is guilty of committing one homicide or two. (10 Marks, 150 words)

Offence of culpable homicide is defined in Section 299 of the ~~Act~~ Indian Penal Code.

As per Explanation to Section 299 → causing death of a ~~person~~ child inside womb of a pregnant woman is not homicide.

However if any part of the child is outside the womb and the child is alive, causing the death of such child will amount to culpable homicide.

So → one homicide or two?

- 1) It is committing one homicide only - because explanation to section 299 does not cover it.

- 2) It may amount to two # homicide if
the child or any part of it is outside
the pregnant woman's womb and ~~the~~ the
child is alive.

~~Thus~~ -> Thus causing death of the pregnant
woman has to be satisfied ~~at~~ the above
circumstances. only then can a decision be arrived
at.

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Q.5(c) Distinguish between Misappropriation of property and Criminal Breach of trust under IPC. (10 Marks, 150 words)

Section 403 IPC defines Criminal Misappropriation.

Whoever dishonestly misappropriates or converts for his own use any moveable property commits criminal misappropriation. Whereas section 405 defines criminal Breach of trust.

↓
Ans see LHM 14

Basis	Criminal Misappropriation	Criminal Breach of Trust
<u>Elements:</u>	① <u>dishonest misappropriation or conversion for own use</u>	① entrustment of property and <u>dishonest</u> ~~conversion~~ misappropriation or conversion or disposal <u>in breach of trust</u> .
<u>Nature of Property</u>	① <u>moveable property</u>	① <u>moveable or immovable property</u> .

Basis	Criminal Misapp.	Criminal Breach of Trust
How is property in possession	① by chance property comes in possession of accused.	① property entrusted in trust
Relationship	① No relationship between accused & victim. ① Not includes criminal breach of Trust	① Contractual Relationship ① Includes criminal misappropriation within itself.

Illustration: 'A' finds a ^{purse} ~~money~~ on highway which has address on it. But 'A' keep it with itself. S
A commits criminal misappropriation.

Illustration: 'A' is entrusted with 1000 from B. A absconds. A has committed criminal breach of Trust.

Q.5(d). The difference between Death by negligence and culpable homicide is fine but overlooking it could cause grave injustice. Comment (10 Marks, 150 words)

Culpable Homicide is defined in Section 299 of IPC whereas "Death by Rash/Negligence Act" is defined under Section 304-A of IPC

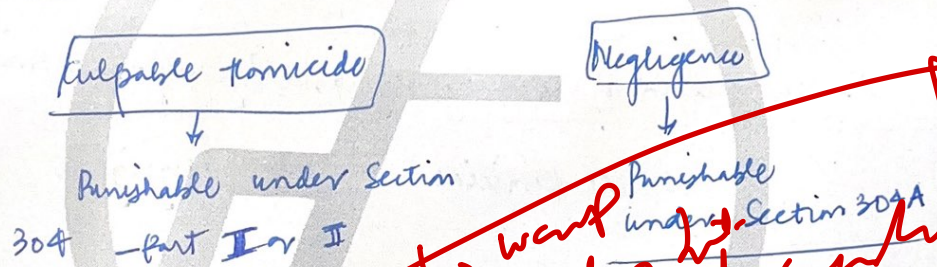
Difference between Death by Negligence & Culpable Homicide

Culpable Homicide	Negligence
1) Intention is relevant	1) No intention to cause death ~~but to~~ ~~body~~ ~~De Facto~~
2) Death is with knowledge/ intention to cause death.	2) Death is the direct result of rash/negligent act
<u>Anda vs. State of Rajasthan</u> - where intention was held important element of Section 299.	(<u>Kurban Hussein</u> v) <u>State of Maharashtra</u>)

How not seeing difference cause injustice

① Because no "mens rea" in cases of negligence -
this violation of criminal law principle of
"mens rea"

② Difference in punishment



Hence the courts must see the difference
and account for liability accordingly.

Q.5(e). Can less than five persons be charged, tried and convicted for the offence of unlawful assembly? (10 Marks, 150 words)

Section 141 of IPC defines the offence of Unlawful Assembly.

Elements of Unlawful Assembly

When 5 or more persons assemble with the common object to :

- ① Disrupt any process of law
- ② overawe by criminal force any the Parliament / Central Govt / State Govt.
- ③ Resist the execution of law / legal process
- ④ commit mischief / trespass
- ⑤ by criminal force take possession of property / deprive other of property.
- ⑥ compel a person to do something

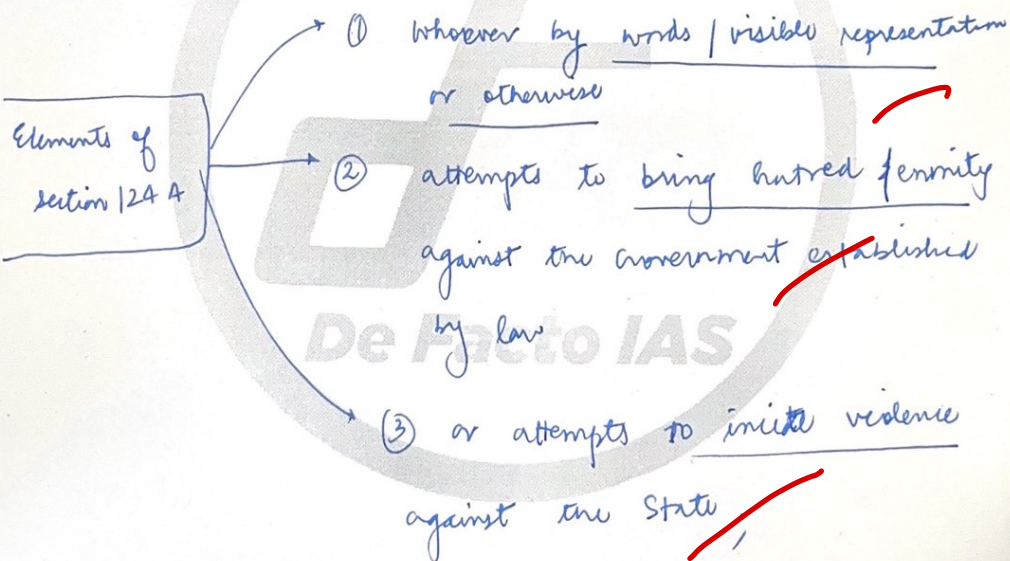
Can there be Unlawful Assembly < 5 members?

- ① Unlawful Assembly requires minimum 5 members [Section 141 IPC]
- ② Muti Das v. State of Bihar - requirement of 5 members is prima facie requirement.
- ③ An assembly ~~must be~~ at inception may not be unlawful but subsequently may become unlawful [Explanation I to Section 141]
- ④ Emperor v. Kabil → ① 5 members are required.
① Accused was not part of assembly once he retired from it

Thus it is clear that requirement of 5 members is a must for offence of unlawful assembly under section 141 of IPC.

Q.7(a). "Section 124A of the IPC dealing with sedition is ultra-vires of the Constitution insofar as it seeks to punish merely bad feelings against the Government. Discuss in light of decided Cases its constitutional validity. (20 marks)

Section 124A of IPC is a colonial law which provides punishment for spreading hatred against the government of India.



shall be punishable for Sedition against State.

Constitutional Validity of Section 124A

① It is constitutionally valid :

- ① In Kedar Nath v State → the Supreme Court of India upheld the constitutional validity of Section 124A of IPC.
- ② Section 124A is reasonable restriction under Article 19(2) of the Indian Constitution.
- ③ It amounts to sedition if it incites violence or disrupts public order.
- ④ In Balashankar v. State of Karnataka → it was held that though sedition is constitutional there must be limits to it.

Recent Developments wrt Sedition & limits to it

① Supreme Court decisions :

① In Balashankar v. State of Karnataka - Court held that there must be limits to sedition law.

② Criticism of Government does not amount to
to sedition.

③ Criticisms of people holding power in Government does
not amount to sedition :

Illustration : Any political party if criticised for its policies, it is not sedition.

④ It is sedition only when it incites violence or
disrupts public order

⑤ Must be exercised on limited grounds.

(6) Law commission Reports :

- ① Law Commission in its working paper has clearly called for repeal of the ~~death~~ section.

(7) Recently enacted BNS Act

- ① BNS Act restricts the "Sedition" for limited criteria such as - "threatens sovereignty, unity and integrity of nation, promote separatist/secessionist movements or armed rebellion"

Law of sedition, though constitutional, must be used sparingly and only in limited contexts. We must remember that it's a colonial law and has no fruitfulness in a "Welfare State"

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Q.7(b). "The question as to how is a court to determine as to whether a bodily injury intentionally inflicted by an accused is likely to cause death or not depends on many factors." Discuss. (15 marks)

Section 299 (2) of IPC and Section 300 (2) and
Section 300(3) provides the offence of culpable
homicide and murder respectively. Whether an
offence amounts to murder or culpable homicide
depends upon the many factors.

Factors considered
by Courts

- ① Nature of Weapon used
- ② Part of body on which
force used injury inflicted
- ③ Force used
- ④ Intention of the accused
to commit the particular
injury.

Depending upon the factors considered by court, the liability of the offender / accused may vary:

① When bodily injury caused death amounts to murder

② Section 302 (2) requires that body injury caused by an accused caused death which the offender knows is likely to cause death of the person to whom the injury was inflicted. [Anda v. State of Rajasthan]

③ As per section 302(3) - if bodily injury caused is sufficient in ordinary course of nature to cause death. [Virsa Singh v. State of Punjab]

Held: once the bodily injury intended to be inflicted is proved, rest of the inquiry is purely objective - i.e. whether the bodily injury was sufficient in ordinary course to cause death. if not

② When Bodily injury causing death may amount to
Culpable homicide (Section 299(2))

① In State of AP v. Punnaya → it was held that
death must be caused due to "bodily injury".

② It involves ^{not} mere possibility but higher degree of
probability.

③ When death may be caused and it amounts to
Grievous hurt

① In Re Gurukul Case → accused snatched nose ring from
nostrils of deceased. It was held that accused
had no intention to cause death. Hence only
liable for grievous hurt.

By carefully analysing the offence, court may
accord different punishment to accused.

Q.7(c). Critically examine the concept of 'plea bargaining and evaluate its scope in India. (15 marks)

Plea bargaining is a pre-trial negotiation between an accused and the prosecution. It was introduced by amendment to CrPc, 1973 in year 2005 by inserting Chapter XXIA.

It is a negotiation where the accused accepts guilty for less serious charges and the prosecution drops the more serious charges against the accused.

Origin & Need of Plea Bargaining

- ① Hussainara Khatoon v. State of Bihar - where right of speedy justice was recognised as several under trials were languishing in jail.

② Overwhelmed capacity of prisons in India :

① huge number of "under-trials" in India.

Benefits of Plea Bargaining

① Reduces latches and delivers quick justice

② Benefits to victim - as she/he can see the
offender getting punished and justice being done.

③ Reduces cost of litigation

④ Reduces existing burden on courts

⑤ Speedy remedy to ~~both~~ victim.

⑥ Finality of decision - Hence decision cannot be
appealed once passed in favour of accused with
lesser imprisonment.

Critical Analysis of Plea Bargaining

- ① Against basic principle of "Criminal Justice System"
- ② Element of threat (if police is involved) in negotiation.
- ③ No guarantee of satisfaction of victim.
- ④ Accused may not fully understand its implications
Ex: He will be held guilty for crimes he accepts.
- ⑤ Not trying to solve root cause problems.

Status of Plea Bargaining in India

- ① Accused not aware of his/her rights
- ② ~~Police~~ Prosecution not giving a fair opportunity.
- ③ Not addressing structural problems of (delays) ~~as~~ in
• Indian Criminal Justice System

An overhaul of existing system can
only bring true justice to undertrials.

Q.8(a). "Section 34 is incorporated in the Indian penal Code to deal with the cases where it is very difficult to distinguish precisely the part taken by each individual in criminal act." While examining the rationality of this Section, support the answer with the help of decided cases. (20 marks)

Section 34 defines liability for crimes done by several persons in furtherance of a common intention. Section 34 is rule of "joint liability" where all those who have taken part in crime are held equally liable.

rationale

London - 1998

Rationality of Section 34

- ① Because courts cannot go into the exact role played by each person, :

Tukaram v. State of Maharashtra → Accused helped the others by providing the keys of godowns to commit theft. Held all were liable - even though accused was standing far from scene of theft.

② Because Act was done in furtherance of common intention:

~~Mahabub~~ Mahabub Shah V. Emperor → court distinguished between 'common intention' and 'similar intention'.

Section 34 is only applicable when act is done in furtherance of common intention.

③ To bring all those are guilty to justice

① So that all those who were involved in crime cannot claim any exemption and justice is done.

② Lakhi Singh V. State → Dacoity was committed and one of the accused killed a villager while running with booty. Held: all liable as act done in furtherance of common intention i.e. to commit dacoity.

④ Matter of Justice for Victim

- ① To ensure that victim is satisfied that all those who were involved against him/her are brought to justice.

⑤ Matter of Evidence :

- ① Because court faces immense difficulty to ascertain which offender played exactly what role in commission of the offence.

Implication of Section 34

- ① Ensures that all those who are part of a crime are equally punished / held liable

Eg: Vishu Singh v. State of Punjab all were held liable

② In Canila Vaz v. State of Goa - where several people assaulted using cycle chains, etc. Common liability was imposed on them under section 34 of the Act.

Common liability is thus very essential to secure justice to victims and to ensure that all those who are guilty are brought to justice!

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Q.8(b). Explain dowry death under IPC. What are major ingredients in proving dowry death. Cite Relevant Cases. (15 marks)

Section 304 B provides the offence for dowry death. It provides punishment for causing death for demand of dowry.

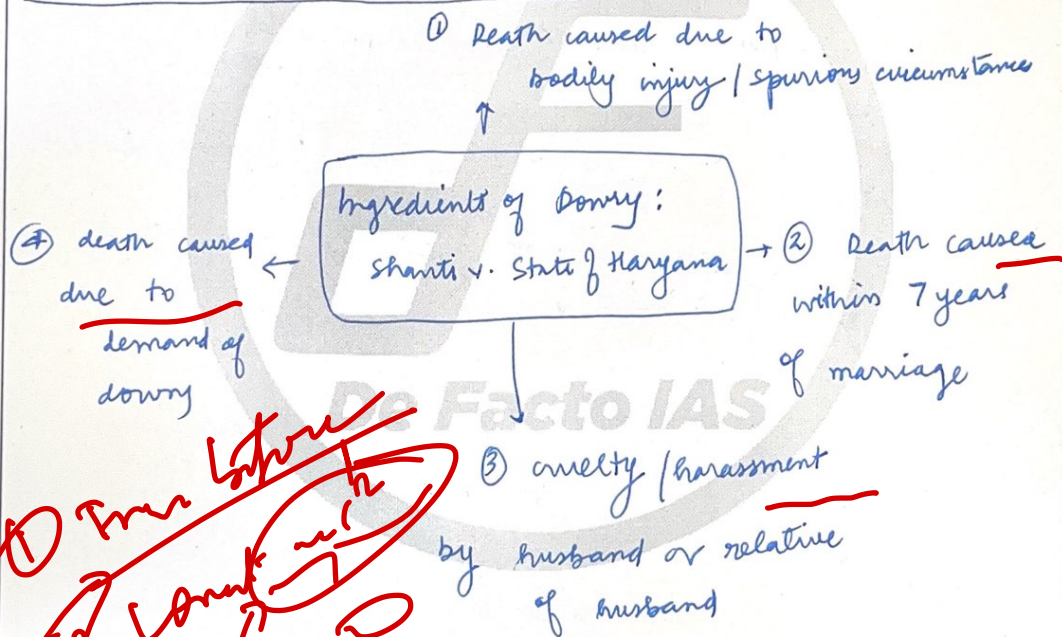


Fig : Ingredients of Dowry .

- ① Death caused due to Burns / Bodily Injury
(Spurious circumstances)

In Shanti v. State of Haryana → since death was caused due to burns, it was held as death for demand of dowry.

- ② Death caused within 7 years of marriage

In Rinku v. State of UP → since 7 years had elapsed - held cannot hold for dowry death.

~~Immunity given~~

- ③ Cruelty / Harassment for demand of dowry by
Husband / Relative

In Ashok Kumar v. State of Haryana - it was held that "cruelty / harassment" is essential element.

Definition of cruelty can be imputed from Section 498A of IPC

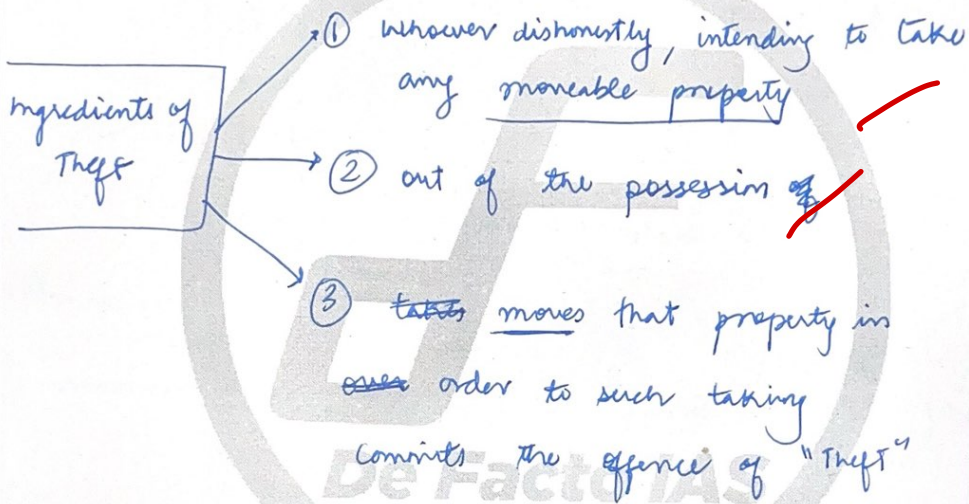
(4) Death caused due to demand of dowry

In Satyajit Singh v UOI - question was ~~whether~~ when suicide attempted by women - what was proper provision to apply. Held that since death caused due to demand of dowry - Section 304-B is proper provision.

Dowry death is a menace for Indian
society where women are seen as burden for family.
~~society~~ they must be protected and awareness
must be generated in this regard.

Q.8(c). Define Theft Under IPC. What are its major ingredients? Explain with the help of case laws. (15 marks)

Section 378 of Indian Penal Code, defines the offence of Theft.



Ingredients of theft: Detail

- ① Dishonest intention: meaning causing wrongful loss to another & wrongful gain to himself.

Illustration: "Z takes book from his library to return later commits no offence as no dishonest intention"

② Movable Property : Illustration : A property may not be moveable but may become moveable once severed from earth. eg: crops cut from field.

③ Out of the possession :

① does not necessarily has to be the owner of the property

① Illustration : "If an owner of watch dishonestly takes his own watch ~~out~~ out of watch shop commits theft"

④ Move moving of property is offence

KN Ray v. State of Rajasthan - where ~~the~~ aeroplane ~~from~~ was moved and later returned - was held offence of theft.

⑤ Need not be permanent deprivation but temporary

Illustration:

Ryarelal Bhargava v. State of Rajasthan -

office files were removed temporarily. But
accused was still found to be guilty.

The court through its expansive interpretation
has ~~satisf~~ satisfied all ingredients of offence.

All these ingredients must satisfy in order to
constitute the offence of theft.