Total Time Alloted: 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: ABHISHEEL JAISWAL

Subject: CRIMINAL LAW

Phone: [redacted]

Criterion	Average	Good	Best
Presentation			
Content			
Structure			

Teacher's Remark

→ Structure shd needs improvement
→ philosophical ques → more depth needs to be written

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(Section -A)

Q.1(A). Explain and illustrate distinction between 'motive', 'intention and ' knowledge' **(10 Marks) [150 words]**

The Court in various cases to decide the criminal liability of an individual has marked a sharp distinction between the three words: IPC has not given any definition for these words but in various cases the courts have explained the meaning of these words. In Niharendu Dutt v. Emperor, for the first time a clear distinction was laid viz:-

⇒ **Motive**:- it is an ulterior act that one want to achieve some result.

Illustration :- X being in constant tension with Y, decided to teach him lesson by punishing him ⇒ this is motive where X has not told what course of action viz. murder, grievous hurt, etc. he would do.

⇒ **Intention**:- it is the mental element which wants to achieve desired consequences.

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In criminal law, it is called as mens rea. The court in (Moti Singh v. State), has explicitly called that mens rea is essential for fixing criminal liability

illustration: X ~~wants~~ to intend to kill Y, procured a poison and mixed in his food. Hence here intention is to murder. It is explicit.

→ Knowledge: it is awareness about the desired consequences of the act which may not be intended to bring.

illustration: X had knowledge that if he will mix poison in food of Y, then it will cause sudden death. Here only knowledge about act is there.

Thus, the thin line between the three helps court in deciding criminal liability where provisions uses "knowingly", "intentally", etc.

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Q.1(B). Justify Sudden fight as a partial defence under s. 300 IPC. (10 Marks, 150 words)

S. 300 of IPC deals with culpable homicide amounting to murder and have 4 explanations attached to it.

Exception :- However, there are exceptions also and one of exception is sudden fight. If an accused has not given provocation and in lieu of it if he apprehends that death can be caused or by sudden fight causes death of the person without intending to bring death of the person, then it would not amount to culpable homicide amounting to murder.

Illustration :- A was standing by side and B all of a sudden attacked A. Hence in

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reliance of A in private defence not intending or knowing that his act would cause death, causes death of the person then it would not amount to culpable homicide amounting to murder. However, it would be culpable homicide not amounting to murder.

In (Joginder Singh v. State of Punjab), where accused only chased the deceased in a sudden fight but deceased jumped into well, it was held culpable homicide not amounting to murder.

Similarly, in (Nathan v. State), where accused beaten up deceased in a sudden fight without intending to cause death was held that it merely amount to culpable homicide not amounting to murder.

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Q.1(C). Distinguish theft from 'robbery' and 'extortion'. [10 marks, 150 words]

S. 380 of the Indian Penal code deals with extortion & S. 378 of IPC deals with theft.

Theft	Extortion
1. Here accused takes out of possession an movable property.	1. Here accused exerts & takes any property movable or immovable or valuable security.
2. Here thing is moved without being it in knowledge of victim.	2. Here thing is extorted in front of the victim.
3. The property is moved simply & per se criminal.	3. Here it must be done with intention to put victim in fear of causing hurt or bodily injury to him or anyone to deliver property.
ill:- A came to B home & took a gold chain kept on table.	ill: A said B if you won't give Rs. 10000, I will kill your child.

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S. 390 of the IPC says that in every robbery there is theft or extortion

Theft	Extor Robbery
1. It is done without knowledge of victim.	1. Can be done with or without knowledge.
2. It leads to removal of movable property out of possession.	2. It can be either movable or immovable property.
3. It does not intend to harm the victim.	3. Intention to harm if any impediment in Commission
4. Act of single person or few	4. Same but in concerted manner to keep victim or anyone in fear of death or grievous hurt or any bodily injury.

ill:- A being incharge of the Department took a file for intending to sell it to B. B knew it t purchased. A committed theft.

ill:- A in roadside by showing knife asked B to deliver purse. It is robbery.

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Q.1(D). Victim compensation is the vanishing point of criminal jurisprudence. Elucidate [10 marks] [150

In criminal law, the main intention of the criminal jurisprudence is to punish the criminal so as to take revenge on behalf of the society.

As per Sutherland, there are 3 kind of stakeholder involved in criminal law viz.

- State/society : who wants to take revenge for commiting most serious offence.
- Accused : One who has committed offence.
- Victim : One who is suffering.

Hence, only State & accused are primary & victim is secondary component in criminal law on behalf of him & society, State takes revenge from accused.

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Victim Compensation

But changing contour of law, has now started providing relief to victim also. Such as S. 357-A of CrPC aims to provide Victim Compensation Scheme so as to provide restorative & compensatory justice to victim of crime.

However, unlike torts, compensation here is not paid by ~~victim~~ accused but by state from its own fund. Further, Criminal Law Amendment, 2009 further empowers victim under S. 309 CrPC to file an appeal if state does not file.

Hence, compensation to victim is merely a secondary component and vanishing point in criminal jurisprudence.

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1(E). Conspiracy is something more than an abetment." Discuss with illustrations. [10 marks, 150 words]

S. 120-A of the IPC deals with **Criminal conspiracy.**

Essential Ingredients :-

i) Agreement between two or more persons
ii) to do an unlawful act or lawful act by unlawful means.
is criminal conspiracy.

Explanation :- ~~Criminal~~ Existence of (agreement) is per se criminal conspiracy except when explicitly demands an overt act.

Illust :- X & Y planned to kill Z. Here conspiring to kill Z is per se offence. as they have agreement and may also move in further.

However, it is absolutely not required that all person must be knowing each other.

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Recently, in (Jakia Zafri V. State of Gujarat) the Supreme Court said that if some high officials does not take action that does not mean they conspired in riot.

Abetment

S. 107 of the IPC deals with abetment.

Essential agreement:-

1. instigating or abeting or conniving with any person to do an act.
2. Conspiring with person to do an act to ~~do~~ do an overt act to bring consequence.

Hence in abetment, some overt act must be done apart from conspiracy.

illustn: X conspired with Y to abet Y to kill Z. Here, X has abet offence of murder. But until, Y proceeds with any overt act it is not abetment by Conspiracy.

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Q.2(A) What are the different stages of crime? How do you distinguish 'preparation' from 'attempt' ? (20 Marks, 300 Words)

In a crime there are 4 stages for commission

i) intention to commit crime which is still in mind

ii) preparation to commit crime by doing some overt act.

→ it is not a crime

iii) attempt to commit crime which if not have been disturbed led to accomplishment

iv) Crime i.e. bringing the desired result by accomplishment of it

→ it is a crime.

intention → preparation → attempt → crime → Result.

(still in mind) (still in mind) (actus reus mens rea) (actus reus mens rea).

Stages →

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Preparation :- It is an act of accused through which it aims to being desired result, however he still does not mens rea to go ahead for bringing the desired result.

Hence, mens rea is there but actus reus is not there at present.

illustⁿ :- A in order to kill B, started having his activity and made a full proof plan of site of murder, timing, etc. This is only still in his mind and there is no actus reus on his part to bring desired result.

Thus, it is mere preparation.

In (Mohd. Yakub v. State), an accused was trying to smuggle certain banned goods out of country, however the excise

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department caught them ~~bef~~ in wharf when they were trying to move. The court held that it was not mere preparation but an attempt as if the excise dept. would have not reach they would have accomplished the crime.

Attempt :- In this an accused proceeds towards commission of crime from preparatory stage and now along with mens rea there is actus reus also. However, due to certain uncertain event which was not part of preparation, accused failed in accomplishing the intended consequence.

S. 511 of IPC gives an illustration of an attempt, that X wanted to steal a jewel from box & he arranged all

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means to break open box and take jewel. till this stage it is mere preparation. Hence, X here went ahead, break open box but it was empty. Hence, this was an attempt which could not get fulfilled.

Similarly, if under S. 307 of IPC, attempt to murder is an offence.

Illustration : A wanted to kill B & shot him with mortal wound. However, due to proper treatment B recovered. Hence, here accused could not bring desired result & it was a mere attempt.

(4) Term of duty attempt? Seen but not answered

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Q. X is attacked by Z, a person of unsound mind, who has come in the house in order to murder X. X strikes Z with a stick in reasonable apprehension of his life and kills Z. Decide with the help of relevant provision whether X commits any offence.

Sec 84 of the IPC explicitly mentions that "nothing is an offence which is done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law." Hence, under Section 84, people who are of unsound mind if commits any act and at time of commission of offence they are not capable of understanding the nature, such act is not an offence.

The rule was first propounded in the Vaughan's case, where Mr. Vaughan, who was of unsound mind tried to take life of PM of Britain believing him to be someone else. The court

held that "law does not aim to punish those who are punished by nature".

Defence

But under S. 98 of IPC if person of unsound mind causes any bodily injury then any person in right of private defence can also use their rights including of causing death.

The Court, however, cleared in (Virsa Singh v. State), that use of such force must be proportionate as mentioned in Section 99 of the IPC.

Thus, in the instant case the facts of the case are that if A

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was in fear that Z due to unsoundness of mind may kill A, then he is well within exception to use force against Z to kill Z if no other means is possible.

However, if A has attacked Z disproportionate to harm caused or he had recourse to public servant under S.100 to seek help then such an act would amount to culpable homicide amounting to murder and exception of right of private defence can't be available.

Hence, in the instant case A didn't intend to cause death of Z and also by mistake hit on head and hence well within exception.

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Q.2(C). Delay in execution of death Sentence may be violative of Fundamental right. Discuss with relevant case law. (15 Marks, 250 Words)

Section 53 of the Indian Penal Code describes "death penalty" as one of the sentence in the Indian Penal Code.

However, such death sentence is given only in heinous offences like:-

i) waging war against Govt. of India (S.121)
ii) Murder (S.302)
iii) Robbery with murder (S.396), etc.

Delay in execution of death sentence

In (Maneka Gandhi v. UOI 1977 SC), the Supreme Court declared that the law must be just, fair & reasonable & must be having due process followed.

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On this basis, in (Bachan Singh v. State of Punjab 1983SC), the constitutionality of death penalty was challenged & was upheld believing on just desert theory.

Later, the court in (Machhi Singh v. State), cleared that it must be given in rarest of rare cases after taking balancesheet of aggravating & mitigating circumstances.

However, when such death sentence is pronounced, and not executed then 'Sword of Damocles' keep on hanging on accused which affects his right to life as held by the Court in (Epuru Sudhakar v. State of A.P).

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Thus, the Supreme Court in many cases like (Kehar Singh v. State of Punjab, (Yakub v. State of Maharastra), etc. has held that sentencing must be expeditie and if the state does not want to give commutation or pardon, and all remedies have been exhausted then accused must be executed without delay.

Hence cases like (Jeiveni ben v. State of Gujarat), which fixed timeline of 2 years was not good in law & delay must not be too much. &

The study, found by Project 39 A of NLU Delhi, has found that such people are in complete agony due to delay in execution

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Q) Establishment of an overt act is not a requirement of law to allow section 34. It gets attracted when a criminal act is done in furtherance of a common intention of all. Explain (20 marks, 300 Words)

Section 34 of the IPC deals with joint liability of accused in case and fixes criminal liability of participatory also in the offence.

Essential Ingredients :-

i) two or more persons
ii) does an act in furtherance of common intention of all
iii) all person in such case if would be liable.

The Court in (Mahboob Shah v. Emperor) held that Section 34 is not a substantive offence but a rule of evidence.

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Hence, even if a person is involved in offence, then it can be used to fix criminal responsibility of all.

In Barendra Kumar Ghosh v. Emperor, the accused went to Shankari Tola Office & one of them was guarding at gate & others went inside to loot. However, accused was caught. The court held that even if the accused didn't do any overt act but was mere guarding, still he is liable as robbery was done in furtherance of common intention of all & the different actors were doing different roles to accomplish the crime.

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Hence, in Section 34, mere making common intention does not lead to fixing of criminal liability as it is merely a rule of evidence to fix liability of co-criminals.

Rather, some overt act, however small, must be committed in furtherance of common intention of all to achieve desired result & there must be active participation of all.

Common intention V. similar intention

In case of similar intention, where overt act has been done but was not in furtherance of common intention of all, then in such case S.34 would not be attracted.

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In (Lehna v. State), where an accused with his wife was working in a field & hundreds of men came to evict them of field. It was held that all hundreds were not having common intention but rather similar intention. Hence not all will be guilty in same manner.

Thus, Section 34 affixed liability of criminals as a rule of evidence & in case if either of the accused is held not guilty then it may also help others in getting acquitted.

Footnote ⇒ Explain that as well

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Q.3(B). "The Indian Penal Code gives protection to one who does an act in good faith for the benefit of another." Discuss. (15 Marks, 250 Words)

The Chapter IV of IPC dealing with general exceptions provides immunity from criminal liability to person who in "good faith" does any act towards benefit of other.

Some of such exceptions are:-

i) Act of saving life in good faith with consent of person or guardian [section 87, 88]

ii) Act of saving life when in good faith when no recourse to consent is available [S. 91]

iii) Act of saying any fact in good faith as an act of benevolance [S. 93]

iv) Causing harm but in good faith to prevent death or bodily injury [S. 90, 91, 92].

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Act of Saving Life

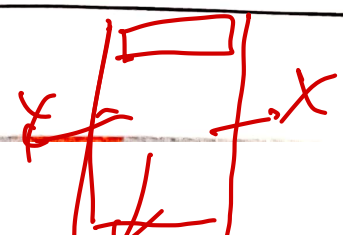
Under Section 87, if a person saves life of another who is suffering from bodily injury or pain without having intention to cause death or grievous hurt, in good faith, saves life or causes harm then it is not offence.

illustⁿ → A seeing Z in suffering, being a doctor, operates him with consent. However if death is caused to Z and A was not in fault then it is not offence.

↓

→ Similarly, A under Section 93 will not be held guilty if there was no recourse to seek consent of A and he was unconscious & A operated on him.

⇒ Similarly, A can operate a minor, a lunatic in good faith under Section 88 if his



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parents or lawful guardian gives consent for such purpose:

Act of telling fact

Under section 94, if nothing is offence which has said in, good faith, to victim so as to make him aware of the desired fact.

Illustration: A, being Dr, told B that he is suffering from cancer & listening it B died. A is not guilty if he has communicated this in good faith.

Thus, law protects those people who in good faith does something so as to protect humanity.

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Q.3(C). 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. Comment with case law **(15 Marks, 250 Words)**

Section 124-A of the Indian Penal Code is draconian provision which is commonly known as sedition and punishes with ~~death~~ life imprisonment or punishment upto 10 years.

colonial relic

Essential ingredients :-

i) attempting to ~~incite~~, provoke,
ii) people against the ~~government~~ established by law
iii) to overawe by force the said government

Explanation I :- It is not sedition if it is mere criticism of the government based on certain facts.

Explanation II :- It is not sedition if its endeavour is to criticise policy or action of the government

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In (Kedarnath Singh v. State 1962 SC), for the first time constitutional validity of the S. 124-A was challenged for being ultra-vires as it affects fundamental right of free speech & expression under Article 19(1)(a).

The court in this case held accused not guilty who used bad words against Vinoba Bhave & some government officials. However, it was held that S. 124-A aims to keep harmony between liberty & social control and hence well within Art 19(2).

However, it has been seen that many a times, state uses this provision to punish people with process of law whereas in

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86-1. cases it leads to acquittal as it was not meant to incite the feeling against the State as held in (Rajat Sharma V. Vol 2019 SC)

The 'Stay' of S-124-A

Recently, the Supreme Court in (Editors Guild of India V. Vol 2022 SC), said S-124-A would be kept in abeyance till the time center files reply on whether it seeks to repeal it. It also directed States not to proceed with any pending criminal proceeding under same section & also to not lodge any new cases. This would be beneficial for free speech & to overcome British legacy to silence dis

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Q.5(A). Can Less than five person be charged, tried and convicted for the offence of unlawful assembly? [10 Marks, 150 Words]

S. 141 of the Indian Penal Code defines unlawful assembly.

Essential ingredients.

1. 5 or more persons.
2. sharing common object under Section 149
3. Aims to achieve either of 5 objects.

i) → overawe by criminal force the Govt. or Parliament.
ii) → prevent the process of law to get executed
iii) → commits theft, mischief or criminal trespass.
iv) → causes injury to any person by use of force
v) → instigate any person to do an act which he was not bound to legally or vice versa.

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The case

Thus, 3 facts are in the present case:

Charged:- police can wrongfully charge an assembly as unlawful assembly even if it is short of 5 people.

Tried:- the court in order to find the fact of matter can also try to find veracity of truth.

Convicted:- But they cannot be convicted as S.141 explicitly mentions presence of 5 or more person & any short of it would lead to acquittal of all as held in (Tajuddin v. State of Assam) 2019 SC.

[Hence, less than 5 person cannot be convicted for unlawful assembly. yes no/maybe]

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Q.5(B). Act by child is a defense. Explain the Scope [10 marks, 150 Words]

The general principle of law is governed by maxim doli incapax i.e. child is immature to form any intention and commit an act. in Indo Pacific

In fact, special laws like Juvenile Justice Act uses term "child in conflict with law" not accused for such children.

Act by child : Defence

Under Section 82 of the IPC, if an act is committed by child of person below 7 years of age, then such child is completely immune from process of law.

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In R v. Prince, when accused took away a child from custody of parents it was held that child does not understand the nature of act & age of child then becomes immaterial.

Partial Protection

Under section 83 of the IPC, however children between 7 to 12 years of age has partial protection if they are of not of understanding or enough maturity to understand nature of crime.

Thus, law does not punish those who does not have intention or knowledge of the act they are committing.

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Q.5(C). A cheque is issued by 'X' on his bank having the knowledge about insufficient funds in his account. What offence, if any he commits? **[10 marks, 150 Words]**

S. 403 of the IPC deals with Criminal misappropriation of the movable or immovable property.

Essential Ingredients.

i) accused knowingly or intendedly
ii) misappropriate any property.
iii) which he knows or reason to believe of its not his own
iv) done some act towards commission of such misappropriation.

not correct

Hence, it when further compounded with deception under S. 415 of the IPC to deliver such property by deceiving person

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knowingly then it amounts to cheating.

Essential Ingredients:-

i) knowingly deceives a person to
ii) to deliver which is not known own
iii) any by such deception causes loss to that person.

Hence in the present case person is guilty under cheating as per S.415 as he has tried to (deceive) bank knowingly to deliver such property or valuable security which he knows that it does not belong to him.

Hence, deception is main cause which distinguish it from misappropriation & makes a case of cheating. 3

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Q.5(i)). "Nothing is an offence which is done by a person who is bound by law to do it." Discuss. [10 Marks, 150 Words]

Section 76 of the IPC incorporates maxim "ignorantia juris non excusat, ignorantia factum excusat"; that ignorance of law is not excuse but ignorance of fact is excused.

Exceptions

Essential ingredients

i) done by person believing him to be bound by law

ii) in good faith

iii) not as a matter of mistake of law but as a matter of mistake of fact.

Illustration:- A, a constable was ordered by his superior to fire on violent mob. A believing himself to be bound by order of his

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staff superior, not as a matter of mistake of law but as a matter of mistake of fact, shoots on mob. A is well protected within exception.

In Ram Asrey v. State, when a accused was held guilty of firing indiscriminately against a mob, the court held that the police officer is well within exception as he was bound by law to protect law & order & use his discretion.

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Q.5(E). Distinguish Between Criminal Breach Of Trust And Cheating. [10 Marks, 150 Words]

S.405 of the IPC deals with the Criminal Breach of Trust.

Essential Ingredient:

i) whoever in trust of position & in possession of.
ii) misuse this position to voluntarily cause loss
iii) by misappropriating property and use it for own purpose.

commits criminal breach of trust.

illustⁿ: A, was given possession of some gold plates by his owner to keep it safe. A kept it but later sold it to earn money. A has committed criminal breach of trust.

S.415 of the IPC deals with Cheating.

Essentials:

i) knowingly decieves a person.

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ii) to take dishonestly any property
iii) and such deception causes loss to person is cheating.

illustn: A counterfeit product by sticking sticker of superior trademark & sold spurious product to B. A has cheated B.

Cheating	Criminal Breach of Trust.
1. Deception is key ingredient.	1. Person does not deceive but breaks trust.
2. Person is not in possession of goods.	2. Person is in possession of property & misappropriate it.
3. Person may be completely stranger.	3. Person is well known & given authority by victim.
4. It is done with intention to induce/ seek & deceive mind.	4. This is done without knowledge of victim of crime.

5

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Q.6(A). A, B, C, D and E all members of an unlawful assembly decided to attack X, who was member of a rival political party. Each one of them was explained that the attack should not exceed to cause the death. While all of them went on one night to attack X, on reaching D and E found that Mr. X is the same person who has deprived than earlier of some rightful claim, hence they decided to take revenge from him X, while A, B and C attacked X by using hockey sticks, D and E had hidden pistol, they directly shot X dead.

Can A, B, C, D and E be held guilty under Section 149 of Indian Penal Code. Explain your answer. **[300 words, 20 Marks]**

Section 149 of the IPC deals with constructive criminal liability where accused sharing common object can be punished as a form of imputed liability.

Essential ingredients.

i) 5 or more person being part of unlawful assembly as per S.141.

ii) sharing common object.

iii) to do or cause to be done some unlawful act

iv) all person will be liable as they are part of one unlawful assembly.

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Section 149, unlike Section 34, is substantive offence and not a rule of evidence. Hence, if they have common object to achieve certain result & more in that direction or even part of such unlawful assembly they are guilty under S149.

The ~~Case~~ Law

In (Thimappa v. State of Tamil Nadu 2021SC), an accused with 4 of his friend went to 'teach a lesson' to victim who used to harass them. ~~He~~ They first beaten him & then 2 of friend told to leave. However, Thimappa killed

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are victim. The issue before the court was whether other friends would be held guilty for murder. The court held that other friends didn't share common object and hence are not guilty for murder.

The Case

In present case, A, B, C can only be held under Section 324 for causing grievous hurt but not for committing murder as they did not share common object of killing X.

DFE, by arranging weapon in the instant case did not share common object of unlawful assembly

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rather they had common intention under section 34 to bring desired result & hence they would be held guilty for murder as per dictum of Barendra Kumar Ghose v. Emperor - 14

De Facto IAS

Q.6(B). Explain which if overloc

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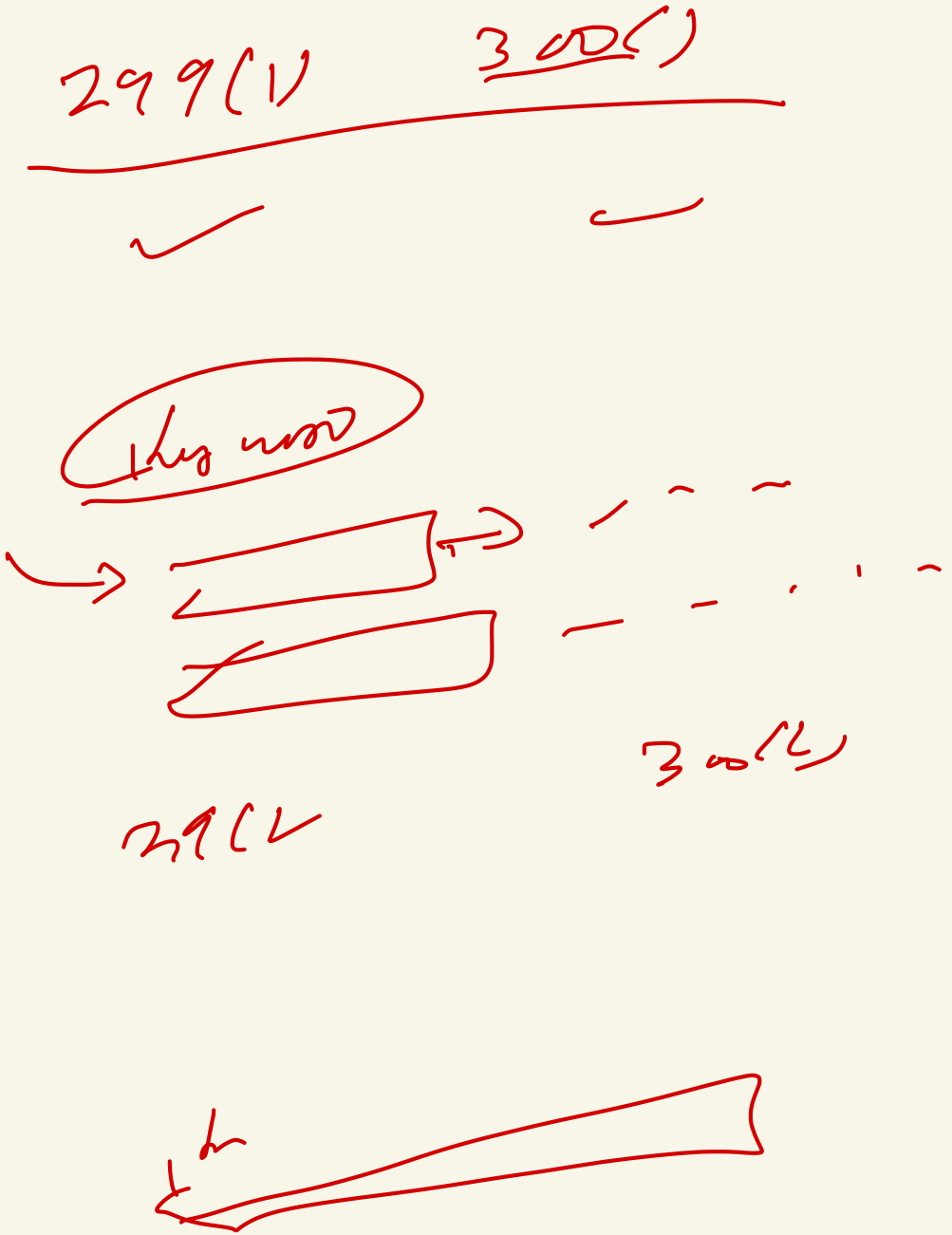
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Q.6(B). Explain with the help of decided cases, fine distinction between culpable homicide and murder, which if overlooked can cause grave injustice [250 words, 15 Marks]

Every murder is culpable homicide but every culpable homicide is not murder.

Culpable homicide when is added with intention then it amounts to murder.

Culpable homicide —+intention→ murder

Culpable Homicide	Murder.
1. Section 299.	1. Section. 300
2. Culpable homicide :-	2. Murder :-
i) intention of causing death	i) intention of causing death
ill^n : X shot y to cause his death. This is culpable homicide & murder as intention	ill^n :- A mixes poison in food of B & it is eaten & B died. A committed murder.

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was to cause death.

ii) intention to cause such bodily injury as it would aggravate to death

ill^n :- A knowing B suffering from a serious disease gave a mortal wound such that A cannot recover from such injury.

iii) knowledge that in ordinary circumstances it would lead to death

ill^n :- A gave a shot on B's arm that

ii) Explanation I :- Cause such bodily injury as it would aggravate death with intention

Explanation II :- such bodily injury as it would in ordinary circumstances cause death as per knowledge.

iii) Exceptions :- of his makes it remove error of grave injustice as intention is missing here.

Exception I :- grave & sudden provocation

Exception II :- Right to private defence.

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by mistake & he had knowledge that his act would cause death.

ill^n :- A gave a blow on face of B which he had no knowledge of causing death ordinarily. It is culpable homicide not amounting to murder.

Exception III :- Consent of the victim.

ill^n :- A & B agreed to play a fight & if there is no foul play & A cause death of B then it is not murder.

Exception IV :- Sudden fight.

ill^n :- A was standing & B attacked A. Hence A also attacked & killed B. It is not murder as it was not having mens rea.

The above distinction was upheld & explained by the court in R. V. Govinda & it is 'intention' on part of accuse which distinguish murder from culpable homicide.

vote this answer

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Q.6(C). Discuss the Ambit of legal doctrine Respondeat Superior Under Section 154 and 155 of IPC [250 words, 15 Marks]

Respondeat Superior means 'let superior be answerable to act of junior's'. Common law

Section 154 & S.155 of IPC deals with maintenance of law & order & when in maintenance of it, any act is committed by inferior on order of the superior, then inferior won't be held liable.

Thus, it leads to better following of command. & conduct

2

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