

Subject: Bharatiya Nyay Sanhita 2023

Designation of Course	B.B.A.LL.B & B.A.LL.B. Sem V 5 year & LLB Sem I 3 year		
Teaching Scheme:	Examination Scheme:	Marks	Credits Allotted
Core Course (Theory): - 6 Hours/ Week	University Examination	60	05
	Internal Examination	40	
	Total	100	05

Course Objectives	<ul style="list-style-type: none"> • To introduce students to the fundamentals of the principles of Indian criminal justice system and its efficacy • To lend them expertise in criminal law and the theories pertaining to the Indian criminal justice system • To give them a thorough understanding of Adversarial and Inquisitorial systems of adjudication • To inculcate a fair understanding of the common law and civil law and its impact on criminal justice system in India
Course Outcomes	<ul style="list-style-type: none"> • Students should be able to defend their clients successfully - those who are accused by the legal system of the country - based on the principle of 'Justice must be served, though heaven falls' • Students should be able to deal firmly with basic principles of law of crimes • Students should be able to understand the procedures involved in dispensing the criminal justice system successfully and efficiently • Students should be able to demonstrate a high level of understanding both in theory and practice of the crucial fundamental principles involved in the practice of criminal law in courts

Unit I: Concept of Crime and Criminal Liability and Punishment under the Criminal Law	
(10 Hrs)	
a)	Development of Criminal Law in India
b)	Concept of Crime and Criminal Liability - Doctrine of Mens Rea, Elements of Criminal Liability
c)	Stages in Crime - Guilty Intention, Preparation, Attempt and Commission of Crime
Unit II: General Exceptions under Bharatiya Nyay Sanhita	
(10 Hrs)	
a)	Mental Incapacity – Minority, Insanity, Medical and Emotional Insanity, Intoxication
b)	Private Defenses
c)	Necessity
d)	Mistake of Fact
e)	Act Done in Good Faith
f)	Act Done by Consent

Unit III: Liability	(6 Hrs)
<ul style="list-style-type: none"> a) Vicarious Liability b) Group Liability and Preliminary Crimes c) Abetment and Criminal Conspiracy 	
Unit IV: Offences against Woman and Child (Sec. 63 to 99)	(6 Hrs)
<ul style="list-style-type: none"> a) Rape - Marital Rape, Gang Rape b) Insulting the Modesty of a Women and Assault or Criminal Force with Intent to Outrage the Modesty of a Women c) Fraudulent Conduct in Marriage, Bigamy d) Kidnapping and Abduction of child 	
Unit V: Offences against Human Body (Sections 100 to 146)	(9 Hrs)
<ul style="list-style-type: none"> a) Causing Death of Human Being – Culpable Homicide, Murder, Distinction between Culpable Homicide and Murder, Specific Mental Element and Justifying Situations b) Organised Crime c) Terrorist Act d) Hurt - Grievous and Simple e) Assault and Criminal Force f) Wrongful Restraint and Wrongful Confinements, Kidnapping and Abduction g) Lynching 	
Unit VI: Offences Against State	(7 Hrs)
<ul style="list-style-type: none"> a) Waging war against Govt. of India b) Assaulting President , Governor Etc. 	
Unit VII: Offences against Public Tranquility	(10 Hrs)
<ul style="list-style-type: none"> a) Unlawful Assembly b) Rioting c) Affray d) Promoting enmity between two different groups 	
Unit VIII: Offences Against Public Servants	(8 Hrs)
<ul style="list-style-type: none"> a) Public servant disobeying law b) Public servant unlawfully engaging in trade c) Personating a public servant 	
Unit IX: Offences Against Property and Documents	(5 Hrs)
<ul style="list-style-type: none"> a) Theft, Extortion, Robbery and Dacoity b) Cheating, Criminal Misrepresentation and Criminal Breach of Trust, Mischief, Receiving of Stolen Property, Criminal Trespass c) Forgery 	

Unit X: Offences Affecting Reputation (4 Hrs)

- a) Offences Relating to Intimidation Insult and Annoyance (Sec.351 to 355)
- b) Defamation (Section. 356)

Assignments

1. Study of the offence of dowry death and subjecting a wife to cruelty with relevant case laws
2. Critical analysis of differences between Theft, Extortion, Robbery and Dacoity
3. Comparative study of the meaning and definition of rape before and after the Criminal (Amendment) Act, 2013
4. Eve teasing and the study of the offences of stalking, voyeurism, and sexual harassment

Reference Books

1. Taxman's – New Criminal Major Acts
2. Ratanlal & Dhirajlal – The Indian Penal Code (34th Edition) (Lexis-Nexis)
3. Prof. S.N. Misra – Indian Penal Code (Central Law Publications)
4. K.D. Gaur – Textbook on Indian Penal Code (Universal Law Publishing Company)
5. B.M. Gandhi – Indian Penal Code (Third Edition) (Eastern Book Company)
6. Prof. N.V. Paranjape – Indian Penal Code (Central Law Publications)

Unit Test:

Unit Test	20 Marks
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Project Based Learning Topics:

Sr. No.	Topics
1.	Prison visit
2.	In case of non-cognizable offences how police deals with the first offenders and juvenile
3.	Visit to Bharosa Cell

Subject: Bharatiya Nagarik Suraksha Sanhita 2023, Juvenile Justice Act & Probation of Offenders Act

Designation of Course	B.A.LL.B.,BBA LL.B Sem VIII 5 year & LLB Sem IV 3 year		
Teaching Scheme:	Examination Scheme:	Marks	Credits Allotted
Core Course (Theory): - 6 Hours/ Week	University Examination	60	05
	Internal Examination	40	
	Total	100	05

Course Objectives	<ul style="list-style-type: none"> • To give students a basic understanding of Criminal Procedure • To acquaint them with the meaning, definitions, scope and applicability of Bharatiya Nagarik Suraksha Sanhita. • To help them understand hierarchy of criminal courts and their powers • To discuss the various stages of criminal trial procedure like investigation, inquiry, appeals, reference, review and revision • To know the various amendments in the field in recent years
Course Outcomes	<ul style="list-style-type: none"> • Students will understand the procedure for filing of FIR, and also the investigation procedure • They will understand the difference between investigation, inquiry and trial • They will be able to understand the procedure for commission of cognizable and non-cognizable offences • They will understand various stages of trial, and where appeal is to be made after the pronouncement of judgment

Part A. Bharatiya Nagarik Suraksha Sanhita

Unit I: Rationale of Criminal Procedure and Functionaries under the Sanhita (6 Hrs)

- a) The Rationale of Criminal Procedure - Importance of Fair Trial, Constitutional Perspective under Arts. - 14, 20 and 21, Classification of Offences Under the Sanhita
- b) Constitution of Criminal Courts and Offices and Powers of Criminal Courts (Sections 6 to 29)

Unit II: Arrest of Persons and Process to Compel Appearance and Production of Things (6 Hrs)

- a) Arrest of Persons Without Warrant and Rights of Arrested Persons (Sections 35 to 62)
- b) Issuance of Summons, Warrant, Proclamation and Attachment of Property (Sections 63 to 93)
- c) Process to Compel Production of Things (Sections 94 to 110)

Unit III: Order for Maintenance of Wives, Children, and Parents (7 Hrs)

- a) Order for Maintenance of Wives Children and Parents (Section 144)
- b) Procedure for Filing of Application for Maintenance (Section 145)
- c) Alteration of Allowance and Enforcement of Order of Maintenance (Sections 146 and 147)

Unit IV: Information to Police and their Powers to Investigate (Sections 193 to 196)**(7 Hrs)**

- a) FIR:
 - What is FIR
 - Who May Lodge FIR
 - Evidentiary Value of FIR
 - E-FIR
 - Zero FIR
- b) Procedure for Investigations
- c) Inquiry on Custodial Deaths and Suicides

Unit V: Jurisdiction of Criminal Courts in Inquiries and Trials (Sections 197 to 209)**(6 Hrs)**

- a) Ordinary Place of Inquiry and Trial
- b) Place of Trial for Offences Triable Together
- c) Offence Committed Outside India

Unit VI: Conditions Requisite for Initiation of Proceedings (Sections 210 to 222)**(6 Hrs)**

- a) Who May Take Cognizance, Grounds on Which Cognizance May Be Taken
- b) Cognizance by Court of Sessions
- c) Limitations for Taking of Cognizance

Unit VII: Complaints to Magistrate and Commencement of Proceedings Before Magistrate (Sections 223 to 233)**(7 Hrs)**

- a) Examination of Complainant and Witnesses
- b) Dismissal of Complaint
- c) Issue of Process

Unit VIII: The Charge and Trials (Sections 234 to 288)**(6 Hrs)**

- a) Content of Charge
- b) Alteration of Charge
- c) Joinder of Charge
- d) Warrant Trial Before Court of Sessions and Magistrate
- e) Summons Trial
- f) Summary Trial

Unit IX: Appeal, Review and Revision (Sections 413 to 445)**(6 Hrs)**

- a) Form of Appeal
- b) Appeal Against Conviction and Acquittal
- c) Appeal in Other Cases
- d) Powers of High Court and Session Judges of Revision

Unit X: Provisions as to Bail And Bonds**(6 Hrs)**

- a) Bail in bailable offences
- b) Bail in non-bailable offences
- c) Anticipatory bail

Part B. Probation of Offenders Act & Juvenile Justice Act

Unit XI: Probation of Offenders Act	(6 Hrs)
a) Historical Background of the Probation Act	
b) Powers & Procedure of Court to Release Offenders	
c) Probation Officer and his Functions	

Unit XII: Juvenile Justice Act	(6 Hrs)
a) Meaning of Juvenile Delinquency	
b) Treatment of Juveniles under the Act	
c) Powers and Functions of Juvenile Court	

Assignments
1. Presentation of a case on behalf of prosecution or accused
2. To visit the police station to observe stages of investigation and work of police

Reference Books
9. R.V. Kelkar - Outline of Criminal Procedure (Eastern Book Company)
10. Ratanlal & Dhirajlal - Criminal Procedure Code. (Wadhawa, Nagpur)
11. D.D. Basu - Criminal Procedure Code (Prentice - Hall, Calcutta)
12. Taxman's – New Criminal Major Acts

Unit Test-

Unit Test	20 Marks
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Project Based Learning Topics–

Sr. No.	Topics
1.	To visit the police station and observe and procedure of filling of FIR and investigation
2.	To visit the court to observe court proceedings in inquires and trials. And observe the role of an advocate in court .

SUBJECT: BHARATIYA SAKSHYA ADHINIYAM, 2023

Designation of Course	B.A.LL.B.,BBA LL.B Sem VIII 5 year & LLB Sem IV 3 year		
Teaching Scheme:	Examination Scheme:	Marks	Credits Allotted
Theory:-	University Examination	60	04
Core Course (Theory):	Internal Examination	40	
	Oral/Practical Examination	--	
	Total	100	04

Course Objective	<ul style="list-style-type: none"> • To provide students a thorough understanding of the concepts pertaining to the laws of evidence, their historical account, the evidence law in the British period and subsequent amendments. • To make them understand the problems of applicability of Evidence Act in various adjudication systems like tribunals and arbitration matters. • To help them learn about the fundamentals of evidence law, concepts like admission, confession, expert opinion, etc. • To develop a legal sense and responsibility among students, so that they learn to appreciate finer details involved in producing evidence. • To give them a clear understanding of important aspects like primary and secondary evidence, circumstantial and hearsay evidence. • To make them understand the challenges faced and significant role played by law of evidence in determining the guilt of the accused, and generally, in the Indian criminal justice system.
Course Outcomes:-	<ul style="list-style-type: none"> • Students will get an insight into law of evidence and its significance in the Indian criminal justice system. • They will learn about the importance of the various kinds of evidence and their applicability. • They will be able to draft legal documents required to produce potential evidence in both civil and criminal matters. • They will be able to possess a thorough understanding of circumstantial evidence, confession law, admission law and the procedure pertaining to the same. • They will be able to understand the complex structure of the criminal law system in the country and the significance of evidence in it. • They will be able to demonstrate a high level of understanding in learning the concepts like Presumption of Guilt, how to produce evidence effectively during the trial, etc.

Unit I: General Principles I:-

10 (Hrs)

<ul style="list-style-type: none"> a) The principal items of judicial evidence - Facts in issue, Evidence - Testimony witness, Admissible hearsay statements, Documents, Things, relevant facts. b) The principal classifications of judicial evidence - Direct and circumstantial evidence, Primary and Secondary evidence, oral and documentary evidence, and Evidence contained in electronic form. c) Facts must generally be proved, evidence: proved, disproved, and Not Proved. d) May Presume, Shall Presume and Conclusive Proof.
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Unit II: General Principles II:-	10 (Hrs)
<ul style="list-style-type: none"> a) The Doctrine of Res Gestae, (Sec - 4,5,6 & 8), Evidence of Common intention (Sec - 8), b) The Problems of Relevancy of otherwise Irrelevant facts (Sec. - 9), Relevant facts for proof of custom (Sec - 11) Facts concerning bodies and mental state (Sec 12 & 13), c) Facts necessary to explain or introduce fact in issue or relevant facts (Sec 7) and Facts necessary to determine number of damages in suit for damages (Sec 10). 	

Unit III: General Principles III (Admission & Confession) :-	10 (Hrs)
<ul style="list-style-type: none"> a) General principles concerning admission (Sec. 15-21). Difference between "Admission" and "Confession". b) The problems of non-admissibility of confessions caused by any inducement, threat or promise (Sec - 22), c) Confession made before Police officer (Sec 23) d) Confession by co-accused (Sec - 24) e) Admission and Estoppel (Sec 25) 	

Unit IV: Admissibility of Statements and Witnesses :-	9 (Hrs)
<ul style="list-style-type: none"> a) Dying Declaration - The justification for relevance of dying declaration (Sec - 26). b) Judicial standards for appreciation of evidentiary value of dying declaration, General Principles c) Statement made under special circumstances - entries in books of account, statement in maps, charts, plans, public record and Law books. d) Relevance of judgment of Court of Justice - General Principles (Sec 34 - 35) - Admissibility of Judgment in Civil and Criminal matters framed in fraud or collusion (Sec - 38). e) Relevancy of Opinions of Third Party - General principles (Sec - 39-45), who is an expert ? Types of Expert Evidence, Opinion on relationship especially proof of marriage (Sec - 54), The problems of judicial defence to expert testimony. f) Relevance of Character in Civil and Criminal Cases – when it is relevant? Character affecting damages. 	

Unit V: Oral and Documentary Evidence :-	9 (Hrs)
a) General principles concerning oral Evidence (Sec - 54-55), documentary Evidence (Sec – 56- 60 and Sec 63 - 72) and Electronic Evidence	
b) Public documents - Meaning, Kinds, Proof of documents.	
c) Presumptions as to Documents.	
d) General principles regarding exclusion of Oral evidence by Documentary Evidence.	
Unit VI: Examination:-	9 (Hrs)
a) Estoppel : Principle of estoppel under Sec. 121	
b) Witnesses: Competency to testify Evidence as to the affairs of State (Sec 129), Professional Privileges (Sec 132 - 133) & Approver's testimony (Sec. 138).	
c) Chief - Examination and Cross – Examination: General Principles of Examination in Chief, Cross and Re - Examination. Leading Questions.	
d) Compulsion to answer question put to witness (Sec. 150, 156).	
e) Hostile witness (Sec 157). Impeaching credit of witness (Sec 158)	
f) Refreshing the memory of witnesses (Sec 161).	
g) Concept of Burden of Proof and Onus of Proof.	
Unit VIII: Recent advancement in Forensic Science and the Laws:-	9 (Hrs)
a) Narco Analysis, Brain Mapping, Polygraph, Forensic DNA Fingerprinting and its admissibility before Court.	
b) Mode of Collecting Electronic Evidences	
c) The Criminal Procedure (Identification) Act, 2022	

Assignments
<ol style="list-style-type: none"> 1. Report of Visit to the Court in Civil Suit 2. Report of Visit to the Court in Criminal Trial 3. Report of Visit to the Forensic Laboratory in Pune

Reference Books
Ratanlal & Dhirajlal - Law of Evidence.(Wadhawa, Nagpur)
Venkat Subbarao - Law of Evidence. (Eastern Book Company)
V. Sarthi - Law of Evidence. (Eastern Book Company)
P.S. A. Pillai - Law of Evidence. (Eastern Book Company)
Law Commission Report
Cross - Law of Evidence. (Sweet & Maxwell)

Unit Test -

Unit Test-I	20 Marks
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Project Based Learning Topics –

Sr. No	Topics
1	Court Visit and observe the Chief, Cross and Re examination of the witness in Civil Suit
2	Court Visit and observe the Chief, Cross and Re examination of the witness in Criminal Trial
3	Visit to Forensic Laboratory in Pune