

## 1. MENS REA

**R Vs. Prince**

**Queen vs. Tolson**

:- Requirement of mens rea is to be construed even if it is not expressly mentioned as ingredient.

**State of Maharashtra Vs. M.H. George AIR 1965 SC 722**

:- Mens rea is necessary ingredient unless either expressly or necessary implication excludes it.

**Nathu lal vs. State of M.P. AIR 1996 S.C. 43**

**Sherras vs. De Rutzen**

## 2. Section 21

**R.S. Nayak vs. A.R. Antulay 1984 Cri. L.J. 613(S.C.)**

:- MLA is not public servant.

**A.R. Puri vs. Stalt: - 1988 Cri.L.J. 311(Delhi)**

:- Insurance Surveyor is not public Servant.

## 3. Section 34

**Lallan vs. State of Bihar**

act denotes' series of act as a single act.

**Mahboob Shah vs. Emperor**

1. Common intention :- Implies pre-arranged plans- prior meeting of minds.

2. Common intention different from same intention.

**Barendra Kumar Gosh V Emperor**

52 I.A. 40 :- Post Master

Those who wait and watch also does an act.

**Sewa Ram Vs. State of UP 2008**

**Suresh Vs. State of UP 2001 Cri.L.J.(1462)(S.C.)**

**Pandurang Vs. State of Hyderabad**

:- Difference between same intention and common intention.

**Rishi Deo Pandey Vs. State of UP**

:- Common intention may develop on the spot.

J.M. Desai Vs. State of Bombay

:- Physical presence and action participation when necessary. Generally in crime involving physical violence, physical pressure necessary but not in crimes which can be done at different place & time.

Maina Singh Vs. State of Rajasthan AIR 1976 SC 1084

can there be conviction of one & acquittal of others.

Yes, when participation is not disputed but problem in identification.

Participation vs Identification

#### 4. **Section 52 :- Good Faith**

- a) Sukaroo Kabiraj Vs. Express.
- b) Ram Bahadur Thapa AIR 1960 Cut 88

#### 5. **Section 53**

Bachan Singh Vs. State of Punjab 1980 Cri.L.J. 636(S.C)

rarest of rarer case for death Penalty

Attorney General of India Vs. Lachma Devi 1986 Cr. L.J. 364 (S.C.)

Public hanging violence of Article 21

G.V. Godse vs. State AIR 1961 SC 600

Life imprisonment means remaining period of convicted person's natural life.

#### 6. **Section 76**

- a) R vs. Tolson 1889
- b) R Vs. Princes
- c) R Vs Wheat & Stocks
- d) Sandford Vs. Bed
- e) Sheras Vs. De Rutzen
- f) Cundy Vs. Le Cocq

7. **Section 79**

State of Orissa Vs. Bhagaban Barik.

8. **Section 80:-**

Jageshwar Vs. Emperor

Sukhdev Singh vs. Delhi State (Government of NCT of Delhi)

R Vs. Walker

Mohammed Bux Vs. State

9. **Section 81:-**

Browning Vs. State

R. Vs. Dudley & Stephen

Bishambhar Vs. Roomal

Dhaina Daji

10. **Section 84 :-**

R vs. Arnold (Wild beast test M'Naghten rules)

Hadfield case → Insane Delusion Test

Bowler's case → Right & Wrong criteria

M'Naghnauthan case 1843 → M'Naughten Rules

R Vs. Haynes

Durhum Vs. United States -> Durhum Rule

Chagan Vs. State

Shrikant Anand Rao Bhosale Vs. State of Maharashtra

State of Maharashtra Vs. Govind Mhalatausa Shinde

S.K. Nair Vs. State of Punjab

Phulabai Vs. State of Maharashtra

**11. Section 85**

Director Public Prosecution vs. Beard

*Delirium tremens- person reaches to unsoundness of mind because of excessive drinking*

**12. Section 86**

R Vs. Meade

Basudev Vs. State of PEPSU

Dasa Kandha Vs. State of Orissa

**13. Section 90**

Misconception of fact

Poonai Fattemah case

(Snake charmer misconception of fact)

R Vs. Flattery

(Girl consent for operation carnal intercourse)

Fraud

R Vs. Beneth

R Vs. Williams

**14. Section 94**

Person doing abetment of murder protested u/s 94

Bachan law Vs. State AIR 1957 All 184

**15. RPD**

Section 96

Pammi Vs. State of MP AIR 1998 SC 1985

No right of private defense against act of self defense.

97 Section

Sikar Vs. State 2003 cr

Munshi Ram Vs. Delhi Administration AIR 1968 SC 702

RPD need not be pleaded if it can be inferred from facts.

Section 99

Ajodhia Prasad Vs. State of UP

Section 100

Gulingappa Shidramappa

Abduction

Viswanath Vs. State of UP AIR 1960 SC 67

Nankan Vs. State 1977 Cri.L.J.

16. 103

Trespass

Jassa Singh Vs. State of Haryana

17. 105 (Amjad khan Vs. State) AIR 1952 SC 165

Similar to Haryana Jat reservation row

### **18. Section 107 : Abetment**

Raghunath Dass (1920)

advice per se does not amount to instigation. It may amount to instigation if it was meant actively to suggest or stimulate commission of an offence.

Queen Vs. Nimchand

Queen Vs. Mohit (Sati case) chanting of ram ram

Emp. Vs. Ram Lal Aid by act

### **19. Section 120-A**

Yogesh alias Sachin Jagdish Joshi Vs. State of Maharashtra

For conspiracy meeting of mind of two or more is sin qua non

State of Tamil Naidu vs. Nalini

Bhimdhkar Pradhan Vs. State of Orissa

State of NCT of Delhi Vs. Navjot sandhu 2005Cri.LJ 3950

(afzal guru, parliament attack case)

CBI Vs. V.C. Sukhla.

**20. Section 121**

Waging war :- State(NCT of Delhi) Vs. Navjot Sandhu

**21. Section 124-A**

State vs Kedar Nath Singh's

Bal Gangadhar Tilak (1867)

**22. Ch-8- offences against public tranquility**

**Section 146**

Raghunath Rai

Munna Chanda Vs. State of Assam

**Section 149**

Ram Dulai Rai Vs. State of Bihar

Common object is different from common intention as it does not require prior concert and prior meeting of minds before attack.

State of Karnataka Vs. Chikkohtappa alias varade Gowda & others

Kartar Singh Vs. State of Punjab.

**153-A** Vishambar Dayal Tripathi vs Emperor

**Section 191** Ranjit Singh v State AIR 1959 SC 843

**Section 201** Palvinder kaur vs State of Punjab

**Section 212** Sanjiv kumar v State of Himchal Pardesh

Section 228 Daroga singh vs B K Pandey

Section 228A State of Karnataka vs Puttarja

Section 292-

Hicklin's Test –test of obscenity based on subjective parameters and isolation to surrounding facts and circumstances.

Ranjit D Udeshi vs State 1965

Avneek Sarkar v State of west Bengal (2015)

**Community standard test-**

background of the person

Background of the materials

All surrounding circumstances

Section 293 Deepa vs SI of police

**Section 299 – Culpable homicide**

Gabbar Pandey case

Knowledge is a strong word & imports a certainty and not merely a probability

Luxman Kalu case

Sreenaryan case

Sobha case

**DIFFERENCE B/N SECTION 299 N SECTION 300**

R v Venkalu

R v Govinda

Augustine Saldanha vs State of Karantaka

Sarbjit singh v State of Uttar Pardesh

Emperor vs Dhirajia

### **CASES ON SPECIAL EXCEPTIONS OF MURDER**

EXCEPTION 1 – Grave n Sudden Provocation

KM Nanavati vs State of Maharashtra

Provocation must be Sudden n Grave both

Jamaluddin case

EXCEPTION 4 – Gapoo Yadav vs State of MP

EXCEPTION 5- Dasrath Paswan vs state of Bihar

Poonai Fatemah v State of Bihar (snake charmar section 300 exception 5 r/w 90, Consent under misconception of Fact)