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SCIENCES**

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COURSE NAME- BBA LLB, Vth Sem
SUBJECT NAME- LAW OF CRIMES

SUBJECT CODE-BBL-504

LECTURE-18

Object of Chapter IV

Every offence is not absolute, they have certain exceptions. When IPC was drafted, it was assumed that there were no exceptions in criminal cases which were a major loophole. So a separate Chapter IV was introduced by the makers of the Code applicable to the entire concept.

In short, the object of Chapter IV includes:

- Exceptional circumstances in which an individual can escape liability.
- Making Code construction simpler by removing the repetition of criminal exceptions.

Burden of Proof

- Generally, Prosecution has to prove its case beyond reasonable doubt against the accused.
- Before the enforcement of the Indian Evidence Act 1882, the prosecution had to prove that the case does not fall under any exception, but section 105 of Evidence act shifted the burden on the claimant.
- But in exceptions, as per [Section 105](#) of Evidence Act, a claimant has to prove the existence of general exception in crimes.

The fabric of Chapter IV

- **Section 6 of IPC**

“Throughout this code, every definition of offence, every penal provision and every illustration of every such definition or penal provision, shall be understood subject to exceptions contained in the chapter titled General Exceptions”.

MCQs-

i. For a defence of intoxication, to escape criminal liability, the intoxication:

- A. can be self-administered
- B. administered against his will or knowledge
- C. should not be self-administered

D. all the above.

ii. In cases where the act involves a specific mens rea, in cases of intoxication under section 86 of IPC:

A. the existence of mens rea is presumed

B. the specific mens rea is not presumed

C. the specific mens rea depends upon the attending circumstances & the degree of intoxication

D. none of the above.

lii. he doctrine 'volenti nonfit injuria' is contained in:

A. section 87 of IPC

B. section 88 of IPC

C. section 89 of IPC

D. all the above.

iv. The defence of 'consent' applies to:

A. private wrongs

B. public wrongs

C. both (a) & (b)

D. neither (a) nor (b).

v. The defence of 'consent' is restrictive in its applicability in cases involving:

A. alienable rights

B. inalienable rights

C. both (a) &(b)

D. neither (a) nor (b).