



## **FACULTY OF JURIDICAL SCIENCES**

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**SUBJECT NAME- LAW OF CRIMES**

**COURSE NAME- LLB, Ist Sem**

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## **LECTURE-7**

## Preventive Theory

This theory has used a restraint that an offender if repeats the criminal act is culpable for death, exile or imprisonment. The theory gets its importance from the notion that society must be protected from criminals. Thus, the punishment here is for solidarity and defense.

The modern criminologists saw the preventive theory from a different view. They first realized that the social and economic forces should be removed from society. Also, one must pay attention to individuals who show anti-social behavior. This is because of psychological and biological handicaps.

## Reformative Theory

Deterrence and retributive are examples of classical and non-classical philosophies. The reformative theory was born out of the positive theory that the focal point of crime is positive thinking. Thus, according to this theory, the objective of punishment needs to be reformation by the offender.

So, this is not a punishment virtually but rather a rehabilitative process. Thus, this process helps in making a criminal a good citizen as much as possible. Furthermore, it makes the citizen a meaningful citizen and an upright straight man.

## MCQs-

**i.** A male teacher during examination, while conducting search, put his hands in the pocket of the pant of a girl candidate thinking her to be a boy. Here the teacher, under the Penal Code, has committed the offence under Section-

- (A) 354
- (B) 323
- (C) 509
- (D) No offence

**ii.** The case of *Bachan Singh V/s State of Punjab* is concerned with-

- (A) Capital punishment in India
- (B) Custody of under trial prisoners
- (C) Prosecution for attempted suicide
- (D) None of the above

**iii.** In which of the following cases the Privy Council made a distinction between 'common intention' and 'similar intention'?

- (A) *Barendra Kumar Ghosh V/s Emperor*
- (B) *Mahboob Shah V/s King Emperor*
- (C) *Srinivasmal Barolia V/s Emperor*
- (D) *Bannu Mal V/s Emperor*

**iv.** In connection with the right of a private defence of body give the correct response-

- (A) This right is not available against an unsound person.
- (B) This right is not available against a person below 7 years of age
- (C) This right is available against any person
- (D) This right is not available against parents

**v.** A and B both are of 16 years of age. A entices B for marriage and takes her to another city. What offence has been committed by A?

- (A) A has committed kidnapping
- (B) A has committed no offence as B has gone with her own consent
- (C) A has committed abduction
- (D) A is himself minor. Hence A has committed no offence