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KARNATAKA STATE LAW UNIVERSITY

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No. KSLU/Aca/BOS/2024-25/ **1586**

Date: 26.9.2024

Circular

Sub: Introduction of three new Criminal Laws for 3 years and 5 years LL.B
Programmes from the Academic Year 2024-25

Ref: 1. Board of Studies UG Meeting Proceedings dated 12.9.2024

2. Approval of 102nd Syndicate Meeting dated : 13.9.2024

3. Hon'ble Vice Chancellor's approval date: **26.9.2024**

With reference to the above, the Parliament has passed three new Criminal Laws the "Bharatiya Nyaya Sanhita, 2023" the "Bharatiya Nagarika Suraksha Sanhita, 2023, and the "Bharatiya Sakshya Adhinyam, 2023, replacing the Indian Penal Code (IPC), the Code of Criminal Procedure (Cr PC), and the Indian Evidence Act respectively, which are effective from 1st July 2024. Hence these three new Criminal Laws have to included as subjects to be studied in the place of earlier three Criminal Laws

Hence, this is for the information of all affiliated Law Colleges that, these three new Criminal Laws are introduced from the Academic year 2024-25 for 3 year and 5 year LL.B Programmes replacing the earlier Criminal laws i.e Criminal Law I: Indian Penal Code, Criminal Law II: CRPC, JJ Act Probation of Offenders Act and Law of Evidence The syllabus of three new Criminal laws is appended as below;

1. Syllabus of Criminal Law I : Bharatiya Nyaya Sanhita,2023	Appendix I
2. Syllabus of Criminal Law II :Bharatiya Nagarik Suraksha Sanhita, 2023 Juvenile Justice (Care And Protection Of Children) Act, 2015 & The Probation of Offenders Act, 1958	Appendix II
3. Syllabus of Law of Evidence : Bharatiya Sakshya Adhinyam, 2023	Appendix III

All Principals are informed to note the above changes and to bring to the notice of all teachers and students.


Registrar 27/09/24

To,
The Principals of all Affiliated Law Colleges of
Karnataka State Law University.

CRIMINAL LAW - I
BHARATIYA NYAYA SANHITA, 2023

Objectives:

The course is designed to enable the students to understand the key concepts of crime and criminal liability, methods of controlling crimes, specific offences under the Indian criminal law and to keep them abreast of the latest legislative and judicial developments in the field of criminal law.

UNIT – I

General Principles of Crime; Conceptions of Crime; Distinction between Crime, Morality and other wrongs.

Principles of criminal liability - Actus reus and mens rea and other related maxims, Variations in liability - Mistake, intoxication, compulsion, legally abnormal person; Possible parties to the crime, State obligation to detect/punish.

Historical background, Extent and Operation of Bharatiya Nyaya Sanhita; Definitions and General explanation (Ss 2-3); Trends towards Gender Neutrality, Punishments-Community Services (Ss 4 – 13); Commutation, Amount of Fine, Liability in default of payment of fine, Solitary Confinement, General exceptions (Ss 14 – 44).

UNIT - II

Inchoate Crimes- Abetment, Abetment of offence by a person outside India (Ss 45 – 60); Criminal Conspiracy (S.61); Attempt (S.62);

Offences against women- Rape and other sexual offences, sexual intercourse by employing deceitful means (Ss 63-73), Criminal force and assault against women (Ss 74– 79), Offences relating to marriage-Dowry Death (S.80), Bigamy (S.82) & Cruelty (S.85 & S.86), Kidnapping (S. 87); Offences against child (Ss 91-97).

UNIT - III

Offences against the Human Body - Offences affecting life – Culpable Homicide, Mob lynching (Ss 100, 102, 103, 105, 110), Murder, Hit and Run Cases, causing death by rash or negligent act (Ss 101, 104, 106, 109), Suicide (Ss 107– 108); Organized crimes (Ss 111– 112), Terrorist Act (S.113) ; Hurt, Grievous Hurt resulting in vegetative state or permanent disability (Ss 114 – 125); Wrongful Restraint and confinement (Ss 126–127) ; Criminal force and assault (Ss 128– 136); Kidnapping, including Kidnaping for beggary, abduction, slavery and forced labour (Ss 137–146).

UNIT – IV

Offences against State- Waging or attempting to wage war against the Government of India, Acts endangering sovereignty, unity and integrity of India. (Ss147 -158); Offences relating to elections, Coin, Currency notes etc. (Ss 168 – 188); Offences against public tranquility- Unlawful Assembly, Rioting, Affray, Promoting enmity between groups on the grounds of religion etc., imputations, assertions prejudicial to national integration (Ss189-190); Offences against public justice- False/fabricating evidence, Destruction of evidence, Harboring of Offender (Ss 227– 238); Public Nuisance (Ss.270-273); Mischief and Criminal Trespass (Ss 324-334); Forgery, Offences relating to property marks (Ss. 335 -344).

UNIT - V

Offences against Property- Theft, Snatching (Ss303 – 307), Extortion (S.308), Robbery (S. 309 &S. 313), Dacoity(Ss310 – 312), Criminal misappropriation of property (Ss314–315), Criminal breach of trust (S 316), Receiving stolen property (S.317), Cheating(Ss318 -319); Defamation, Criminal Intimidation, Insult, Annoyance, etc. (Ss 351 – 356).

Prescribed Books :(The latest editions)

1. J.W. Cecil Turner, Kenny's Outlines of Criminal Law, Cambridge University Press.
2. Ratanlal and Dhirajlal, Bharatiya Nyaya Sanhita, LexisNexis (Recent edition with changed title)

Reference Books

1. Bare Act- *Bharatiya Nyaya Sanhita, 2023.*
2. K D Guar, Text Book on The Bharatiya NyayaSanhita, 2023, Universal, LexisNexis
3. K D Gaur, Criminal Law: Cases and Materials , LexisNexis.
4. R C Nigam, Law of Crimes in India (Vol.I) Asia Publishing House.
5. K I Vibhute, P S AchuthanPillai's Criminal Law, LexisNexis.
6. Ratanlal and Dhirajlal's The Indian Penal Code LexisNexis
7. Glanville Williams,Text Book on Criminal Law, Sweet and Maxwell.

Important Note

- The teachers and students have to refer the provisions as amended upto date referring the latest editions of books on the subject.

CRIMINAL LAW -II**BHARATIYA NAGARIK SURAKSHA SANHITA, 2023****JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015****& THE PROBATION OF OFFENDERS ACT, 1958****OBJECTIVES:**

Transition from Code of Criminal Procedure to Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS 2023) is the result of shifted attention from penalty to nyaya. The primary objective of this course is to familiarize the students with the basic procedure relating to investigation and trial of offences along with the procedure of rendering judgments. The students are also expected to appreciate role of technology in different criminal provisions and the importance of time bound remedies.

Unit I: Introduction

Meaning and importance of criminal procedure; Background and salient features of Bharatiya Nagarik Suraksha Sanhita including its Constitutional dimensions; Definitions and classification of offences- Bail, Bail bond, Bond, Audio-Video Electronic Means, Victim, Investigation; Replaced provisions relating to Organisation, Functions, Duties and Powers of Courts, prosecution and Police under BNSS.

Initiation of criminal case- First Information Report, Zero FIR, Investigation powers, Preliminary Inquiry, Complaint; Arrest-Concept, procedure and safeguards, Proclamation, Information regarding arrested persons, Handcuffing.

Unit II: Pre -Trial Process and Commencement of Proceedings

1. Magisterial power to take cognizance and timelines to complete the proceedings;
2. Dismissal of complaints;
3. Commencement of proceedings;
4. Framing of Charge and joinder of charges;
5. Process to compel appearance and production of things- Use of electronic means, securing presence of successor;
6. Preliminary pleas under the Sanhita- Plea of guilt, limitation for taking cognizance of offences;
7. Provisions as to Bail and Bonds.

Unit III – Trial Process

1. Trial before Court of Sessions;
2. Trial of Warrant and Summons cases by Magistrates;
3. Summary Trials – Significance;
4. Evidence and General Provisions as to inquiries and trials;
5. Compounding of offences and Plea bargaining;
6. Concurrent and consecutive running of Sentences;
7. Appeals, Revision and Reference;
8. Security for keeping peace and good behavior;
9. Maintenance – Alteration and Enforcement.

Unit IV: Miscellaneous Procedure

1. Judgment;
2. Transfer of cases;
3. Execution, suspension, remission and commutation of Sentences and Mercy petitions;
4. Disposal of property- photography, videography and time bound release;
5. Preventive action of PSolice;
6. Irregular proceedings;
7. Protection of Victims- Compensation and Treatment.

Unit V: Juvenile Justice and Probation of Offenders

1. *The Juvenile Justice (Care and Protection of Children) Act, 2015*-Salient features, the Juvenile Justice Board –Composition, Powers and Functions; Procedure relating to Children in conflict with Law, Children in need of Care and Protection and their rehabilitation, Child Welfare Committee.
2. *The Probation of Offenders Act, 1958*-Salient features, Power of Court to release certain offenders on probation/ good conduct; Power of Courts to require released offenders to pay compensation and cost; Appeal and Revision.

Prescribed Books:

1. Ratanlal and Dhirajlal's, Bharatiya Nagarik Suraksha Sanhita, Lexis Nexis,(the latest edition comprising the BNSS, 2023)
2. K.N. Chandrashekar Pillai (Revd.), R V Kelkar's Criminal Procedure (Recent Edition), Eastern Book Publication.

Reference Books

1. Bare Act –*Bharatiya Nagarik Suraksha Sanhita, 2023*.
2. K.N. Chandrashekar Pillai (Revd.), R V Kelkar's Lectures on Criminal Procedure (Recent Edition), Eastern Book Publication.
3. Bare Acts -*The Juvenile Justice (Care and Protection) Act, 2015 & The Probation of Offenders Act, 1958*.
4. M.P. Tandon, Criminal Procedure Code, Central Law Agency (latest edition)
5. S C Sarkar, PC Sarkar and Sudipto Sarkar, Sarkar: The Code of Criminal Procedure (Recent Edition), LexisNexis.
6. Ratanlal and Dhirajlal's, The Code of Criminal Procedure, 1973, Lexis Nexis,(Recent Edition).
7. J.K.Verma, Bharatiya Nagarik Suraksha Sanhita, 2023 (Criminal Procedure): A Commentary, Eastern Book Publication.

Important Note

- The teachers and students have to refer the provisions as amended upto date referring the latest editions of books on the subject.

LAW OF EVIDENCE

BHARATIYA SAKSHYA ADHINIYAM, 2023

Objectives:

The course is designed to enable the students to understand how principles of evidence are applied in real world of litigation and advocacy. The course also intends to acquaint the students with the skills of accuracy and reliability in the presentation and evaluation of evidence.

UNIT-I

Introduction: Distinction between substantive and procedural law- Evidence in customary law systems- 'Basic Principles of Evidence'- Evidence under Civil and Criminal Procedures; Salient features of the Bharatiya Sakshya Adhiniyam, Applicability of the Adhiniyam; Central Conceptions in Law of Evidence – Facts - Facts in issue and relevant facts- Evidence- Document- proved, disproved, not proved- May presume, Shall presume, Conclusive proof. Closely Connected Facts- Sections 4 to 14; Admissions- Definition, Relevancy and Admissibility, Privileged admissions, Evidentiary value of Admissions (Sections 15 to 21 & 25).

UNIT-II

Meaning, Forms, Relevancy and Admissibility of Confessions- Evidentiary value of information received from accused in custody- Confession of co-accused (Sections 22 to 24) - Dying declaration- Justification for relevance- Judicial standards for appreciating and assigning evidentiary value under Section 26 (a) with reference to English Law - Other statements by persons who cannot be called as witnesses (Sections 26(b) to (h)), Statement under special circumstances (Sections 28 to 33); Relevance of judgments- General principle –Exceptions (Sections 34to 38); Expert testimony: General principle (Sections 39-45) - Who is an expert- Types of expert evidence – Examiner of Electronic Evidence.

UNIT-III

Character Evidence – Relevance in Civil and Criminal cases (Sections 46- 50); Facts which need not be proved, judicial notice of laws having extra territorial operations (Sections 51-53); Oral Evidence -General principles (Sections 54 & 55); Documentary Evidence - General principles, Primary and Secondary Evidence and their scope, inclusion of electronic and digital records within primary evidence, Cases in which secondary evidence is admissible (Sections 56-60); Framework for admissibility of Electronic or Digital Records (Sections 61-63); Other Rules regarding proof of Documents (Sections 64-93);Exclusion of Oral by Documentary Evidence (Sections 94- 103).

UNIT-IV

Burden of Proof- The general conception of *onus probandi* (Section 104)- General and special exceptions to *onus probandi* (Sections102-109)- The justification of presumption and burden of proof (Sections 110 to 119) with special reference to presumption of legitimacy of child and presumption as to dowry death, Doctrine of judicial notice and presumptions; Estoppel- Scope and rationale (Section 121)- Estoppel distinguished from *Res judicata* - Waiver and Presumption- Kinds of Estoppel- Equitable and Promissory Estoppel- Tenancy Estoppel (Section 122), Estoppel of Acceptor of Bill of Exchange (Section 123).

UNIT-V

Witnesses- Examination and Cross Examination,Competence to testify (Sections 124 to 127), Privileged communications (Sections 128 to 139), General principles of Examination and Cross examination (Sections 140 to 169), Leading questions (Section 146), Approver's testimony (Section 138), Hostile witnesses (Section 157), Compulsion to answer questions (Sections 150, 151 and 156), Questions of Corroboration (Sections 159 to 160), Improper admission of evidence.

Prescribed Books:

1. Chief Justice M Monir, Textbook on The Bharatiya Sakshya Adhiniyam, Universal LexisNexis
2. N.Vijaya Raghavan and Sharath Chandran, Ratanlal and Dhirajlal on The Bharatiya Sakshya Adhiniyam, 2023, Vol.1&2, LexisNexis (the latest edition comprising the Bharatiya Sakshya Adhiniyam, 2023)

Reference Books:

1. Bare Act- *The Bharatiya Sakshya Adhiniyam, 2023*
2. Sudipto Sarkar and V. Kesav Rao, Sarkar on Law of Evidence, Vol.1 & 2, LexisNexis.
3. M. Rama Jois, Legal and Constitutional History of India: Ancient Legal, Judicial and Constitutional System, Universal Law Publishing Co.
4. BatukLal, The Law of Evidence, Central Law Agency.

Important Note

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- The teachers and students have to refer the provisions as amended upto date referring the latest editions of books on the subject.