

## **LL.B. IV Term**

### **Paper : LB - 5033 – Criminology**

#### **Prescribed Readings:**

1. Harry Elmer Barnes and Negley K. Teeters, *New Horizons in Criminology* (3rd ed., 1959)
2. George B. Vold, Thomas J. Bernard, Jeffrey B. Snipes, *Theoretical Criminology* (5th ed. 2002)
3. Ahmad Siddique, *Criminology Problems & Perspective* (5th ed., 2007)
4. N.V. Paranjape, *Criminology and Penology* (13th ed., 2008)
5. S. S. Srivastava, *Criminology and Criminal Administration* (3rd ed., 2007)
6. J.P.S. Sirohi, *Criminology and Penology* (6th ed., 2007)

#### **Topic 1 : Theoretical and Historical Perspectives of Criminology**

- (i) Perspective of Crime and Criminal – Sin, Wrong and Crime – Changing concept of crime in varying social formations – Crime viewed through consensus or conflict perspectives
- (ii) Relationship between Criminal Policy, Criminal Law and Criminology

#### **Readings:**

1. Donald R. Taft and Ralph W. England, “Crime and Criminology”, *Criminology* 3-17 (1964) 01
2. David Garland, “Of Crimes and Criminals: The Development of Criminology in Britain”, in Mike Maguire, Rod Morgan, Robert Reiner (ed.), *The Oxford Handbook of Criminology* (2nd ed., 1997) 09
3. Nicola Lacey, “Criminology, Criminal Law and Criminalization”, in Mike Maguire, Rod Morgan, Robert Reiner (ed.), *The Oxford Handbook of Criminology*, (2nd ed., 1997) 24

#### **Topic 2 : Crime causation generally and in the context of specific offenses such as White Collar Crimes, Crime against Women and Children, Terrorism etc.**

- (i) Prominent criminological thought currents – Classicalism, Positivism and Radicalism
- (ii) Learning Theories of Causation – Differential Association Theory of Sutherland
- (iii) Social Disorganization Theories – Durkheim, Merton
- (iv) Psychodynamic Theory - Freud
- (v) Economic Theory of Crime

#### **Readings:**

1. Harry Elmer Barnes and Negley K. Teeters, “The Eternal Quest for the Causes of Crime”, *New Horizons in Criminology* 116-119 (3rd ed., 1959) 35
2. George B. Vold, Thomas J. Bernard, Jeffrey B. Snipes, “Classical and Positivist Criminology”, *Theoretical Criminology* (5th ed., 2002 ) 38

3. Edwin H. Sutherland and Donald R. Cressey), “A Sociological Theory of Criminal Behavior”, *Criminology* (10th ed.). 47
4. Katherine S. Williams, , “Anomie, Strain and Juvenile Subculture”, *Textbook on Criminology*, 343-367 (3rd ed., 1997) 53
5. George B. Vold, Thomas J. Bernard, Jeffrey B. Snipes, “Durkheim, Anomie and Modernization”, *Theoretical Criminology*, (5th ed. 2002) 61
6. Geilbert Geis and Colin Goff, “The Problem of White Collar Crime”, Edwin H. Sutherland, *White Collar Crime* ix-xxxiii, 3-10 (1983)

### **Topic 3 : The Indian Crime Reality**

- (i) Organized Crimes  
 (a) Cyber Crime  
 (b) Trafficking  
 (c) Narcotic Trade  
 (d) Money Laundering  
 (ii) Privileged Class Deviance

#### **Reading:**

B.B. Pande, “Privileged Class Deviance – Nature and Dimensions”, *The Other Side of Development* (1987)

### **Topic 4 : Juvenile Delinquency**

- (i) Concept of Juvenile Delinquency  
 (ii) Legal Position in India

#### **Readings:**

1 The Juvenile Justice (Care and Protection of Children) Act, 2000 as amended by THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) AMENDMENT ACT, 2006 (No, 33 OF2006)

2 B.B. Pande , “

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|---|-----|
| 1. <i>Ragbir v. State of Haryana</i> , AIR 1981 SC 2037               | 73  |
| 2. <i>Sanjay Suri v. Delhi Administration</i> , AIR 1988 SC 414       | 78  |
| 3. <i>Pratap Singh v. State of Jharkhand</i> 2005 (1) SCALE 763       | 82  |
| 4. <i>Sudesh Kumar v. State of Uttarakhand</i> (2008) 3 SCC 111       | 101 |
| 5. Union of India (UOI) and Ors. Vs. Ex-GNR Ajeet Singh (2013)4SCC186 | 108 |

### **Topic 5 : Punishment and its Justifications**

- (i) Theories of Punishment – Retribution, Deterrence, Reform and Prevention
- (ii) Kinds of Punishment – with a special emphasis on Capital Punishment.
- (iii) Probation as a form of Punishment

**Readings:**

1. Andrew Ashworth, “Sentencing” in Mike Maguire, Rod Morgan, Robert Reiner (ed.), *The Oxford Handbook of Criminology* (2nd ed. 1994) 117
2. B.B. Pande, “Face to Face with Death sentence: The Supreme Court’s Legal and Constitutional Dilemmas” (1979) 4 SCC 714
3. S.S. Srivastava, “Capital Punishment”, *Criminology and Criminal Administration* (2nd ed. 2002) 89-99 123
4. Bushan Tilak Kaul, “Criminal Law”, XXXVIII *Annual Survey of Indian Law* 181-226, 195-20 (2002)
6. *Essa @ Anjum Abdul Razak Memon vs. The State of Maharashtra* (2013)3SCALE1 128
5. Lewis Diana, “What is Probation?”, in Robert M. Carter, Leslie & T. Wilkins (eds.), *Probation and Parole* (1970) 138
- 6.S.C.Raina, *Probation, Philosophy, Law and Practice* (1996)
- 7.The Probation of Offenders Act, 1958

**Death Penalty:**

7. *Bishnu Deo Shaw v. State of West Bengal*, AIR 1979 SC 964 135 154
8. *Bachan Singh v. State of Punjab*, AIR 1980 SC 898 145 164
09. *Macchi Singh v. State of Punjab*, AIR 1983 SC 957 170 189
- 10 *Allauddin Mian v. State of Bihar*, AIR 1989 SC 1456 175
11. *Mohd. Chaman v. State* (2001) 2 SCC 28
12. *Lehna v. State of Hanrayana* (2002) 3 SCC 76 181 200
13. *Dhananjay Chaterjee v. State of West Bengal*, JT 2004 (4) SC 242
14. *Sharaddhananda v. State of Karnataka*, AIR 2008 SC 3040

**Probation:**

15. *Jogi Nayak v. State*, AIR 1965 SC 106
16. *Abdul Qayum v. State of Bihar*, AIR 1972 SC 214 190 209
17. *State v. Bhola* (2003) 3 SCC 1
18. *Dalbir Singh v. State of Haryana* (2000) 5 SCC 82 193 212
19. *M.C.D. v. State of Delhi* (2005) 4 SCC 605 196 215
20. *Chhanni v. State of U.P.* (2006) 5 SCC 396 203 222

### **Topic 6 : Female Criminality and victimity**

- (i) Female Criminality as an aspect of Marginal Criminality
- (ii) Female Victimity and Victimology

**Readings:**

S.S. Srivastava, "Female Criminality and Victimhood in Indian Context: Women and Crime",  
*Criminology and Criminal Administration* 89-99 (2nd ed., 2002) 224

**Topic 7 : Restitutive Justice**

- (i) The Concept of Restitutive Justice  
(ii) Legal Position in India

**Readings:**

1. Lucia Zender, "Victims", in Mike Maguire, Rod Morgan, Robert Reiner (ed.),  
*The Oxford Handbook of Criminology*, (2nd ed. 1997)  
2. S.P. Singh Makkar and Paul C. Friday (eds.), *Global Perspectives in Victimology*  
147-163 (1993)  
3. S.C. Raina, "Rights of Victims", in Renu Ghosh (ed.), *Branded* (2001) 213 233
21. *State of Punjab v. Ajaib Singh*, AIR 1995 SC 975 222 241  
22. *Dr. Jacob George v. State of Kerala* (1994) 3 SCC 430 226 245  
23. *Chairman, Railway Board v. Chandrima Das*, AIR 2000 SC 988 232 251  
24. *Rachhpal Singh v. State of Punjab*, AIR 2002 SC 2710 238 257

**Topic 8 : Indian Police and Prison System**

- (i) Reforms in Police System  
(ii) Reforms in Prison System

25. *Prakash Singh v. Union of India* (2006) 8 SCC 1 242 261  
26. *Rama Murthy v. Karnataka*, AIR 1997 SC 1739 253 272

**IMPORTANT NOTE:**

- The students are advised to read only the books prescribed above along with legislations and cases.
- The topics, cases and materials mentioned above are not exhaustive. The teachers teaching the course shall be at liberty to add new topics/cases.
- The students are required to study the legislations as amended up-to-date and consult the latest editions of books.
- The Question Paper shall include one compulsory question consisting of five parts out of which four parts will be required to be attempted. The question papers set for the academic years 201 -08 and 2008-09 are printed below for guidance.

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**LL.B. IV Term (Supplementary) Examinations, July-August 2011**

- Attempt any *four* of the following :-
  - Modern concept of criminology.
  - Trafficking as organized crime.

- (iii) Cyber crime and its contours
  - (iv) Concept of Anomic and its application to present Indian Conditions.
  - (v) Female victimity
2. Italian school of criminology attributes criminality to physical, anthropological and environmental factors. Discuss.
  3. “Bongers theory of relation of crime and poverty is an extension of the Marxian approach to crime.” Comment.
  4. (a) Define Juvenile Delinquency. Discuss legal regime which governs Juvenile Delinquency in India.  
(b) Mr. X as an compliance with Y and Z was charged of the offence of dowry death. The offence was committed on 1-11-1999 when the age of X was 16 years and 2 months. The trial continued upto 1-05-2001. He along with his lawyer pleaded for the benefit of Juvenile Justice (Care and Protection of Children) Act of 2000. Decide whether his plea can be entertained or not by the court of Law. Give reasons.
  5. 35<sup>th</sup> Law Commission’s views received support from Supreme Court in Bachan Singh v. State of Punjab favouring the retention of death penalty. Comment.
  6. (a) “Probation as a community based treatment of offenders is the suitable alternative to imprisonment in India.” Critically analyse the above statement.  
(b) Mr. X, who has committed an offence under Section 394 (Voluntary causing hurt in robbery) of IPC, the punishment for which is imprisonment of life or rigorous imprisonment for a term which may extend to 10 years and fine, pleads for the grant of probation on the basis that the offence is punishable with 10 years rigorous imprisonment as an alternative to life imprisonment. Advice Mr. X about the success of his case as per the provision of P.O. Act. 1958.
  7. The existing compensatory jurisprudence in India has further been cemented by latest amendments in Criminal Procedure Code 1973 (Amendments of 2009). Elaborate.
  8. Indian prisons stink from the top as that like a fish and are in need of drastic reforms. Discuss the reforms if any and their sufficiency carried till date.