

# Indian Penal Code 1861

# Substantive Law VS Procedural Law

- **IPC is substantive law**
- **CrPC is procedural law.**
- **What is the difference between the two?**

# What is an offence? How the **quantum of punishment** is determined?

- An act or omission, punishable under the law
- **Homicide** – Killing / taking life of another human being.
  - **In how many ways Homicide is committed?**
    - **Examples-Let us discuss**
      - ❖ Euthanasia- **Vs** Hanging by a Hangman in a jail?
      - ❖ Motor accident **Vs** a child (<7 years age) stabbing a person to death
      - ❖ A Police taking life of an accused while effecting arrest **VS** Forcing a thief to hang himself in the lockup.
      - ❖ Death of innocent people in an IED blast **VS** A mother throwing her children in a well to death
- In all the examples discussed, what is the **“state of the mind”** of the offender?

Give me examples of homicide and quantum of punishment:

- **What decides** the quantum of punishment in the examples you mentioned?
  - **Mens Rea???**
    - "Guilty mind"
  - "actus non facit reum nisi mens sit rea" means "the **act** is not culpable unless the **mind** is guilty".

# An a Govt. Servant /Public Servant...

- Who is a public Servant?
- What are the legal protection available to a Public servant who caused death of another person while discharging her/his duties?
- How many Sections are there in IPC?
- What is the difference between **Public Order**, Law and Order and **National Security**?
- As Executive Magistrates, you will be issuing preventive detention orders? What do you look for in the police report before issuing the preventive detention orders?

Let us discuss...further...in the next session.