AILET

Legal Aptitude: Importance of Criminal Law for CLAT

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Questions in CLAT and Weight

Each question is a multiple-choice question consisting of a legal proposition/principle which you will need to read, understand and apply to a hypothetical situation, given in the form of a statement/fact in the question, and then arrive at the most logical conclusion which will be the correct answer to the question.

Questions on Law of Crimes are only related to the substantive law aspect of it i.e. based on the given facts and the given principle, you will be asked to determine whether a crime has been committed in the hypothetical situation given in the question based on your understanding of the given legal principle.

No questions involving the procedural law aspect of Law of Crimes are asked in CLAT.

Let us take an example, the following question from Criminal Law was asked in CLAT 2017

Principle: Nothing is an offence which is done in the exercise of right of private defence.

Facts: ‘A’ under the influence of madness, attempts to kill ‘B’. ‘B’ to save his life kills ‘A’.

Options.

1. ‘B’ has not committed any offence.
2. ‘B’ has committed an offence.
3. ‘A’ has not committed an offence because he was mad.
4. ‘A’ has committed the offence of attempt to murder.

Let us analyze the given options.

Option 1 – The fact that B killed A only to save his own life appears to squarely fit within the given legal principle. If B had not retaliated against A’s attack, he might have gotten killed.

Logically, when a person feels a threat to his life, he/she will take all possible measure to protect himself/herself and will act impulsively out of fear and strong emotions, so it is immaterial here whether B should have attacked back only to such extent so as not to kill A but to the limited extent of protecting himself.

So, Option 1 appears correct.

Option 2 – Reading the option carefully, it does not seem to fit into the given legal principle. After all, B only killed to defend himself which is not an offence as per the principle.

Moreover, B did not have the intention to kill but the killing happened as a consequence of B trying to defence himself.

So, Option 2 appears incorrect.

Option 3 – This option is irrelevant in light of the given legal principle because the principle does not mention anything about whether acts done in the course of being mad constitute offence or not.

So, Option 3 appears incorrect.

Option 4 – This option may appear slightly confusing because as per your general understanding, you may be inclined to think that A tried to kill B so an attempt of murder is certainly there.

But, in such cases, stick to the given legal principle and re-analyze such options accordingly. In the present case, *the given legal principle does not talk anything about whether attempt to murder done "in the course of being mad" constitutes offence or not.*

So, Option 4 appears incorrect.

After analyzing the options to the above example, you may be confused between Option 1 and Option 4 as being the correct answer.

However, since Option 1 involves a straight forward application of the given legal principle and Option 4 is also doubtful because of the reasoning given above (underlined part in the Option 4 analysis given above), hence **Option 1 is the correct answer**.

Further, always remember that Logic will always play a very important role in solving questions of legal aptitude in case of all topics including the Law of Crimes. Sometimes, the language of the question may be confusing.

But stick to the fundamental principle of being logical and you will not fail.

For example, the following question from Criminal Law was asked in CLAT 2016:

Principle: Whoever takes away any moveable thing from the land of any person without that person's consent, he is said to have committed theft.

Fact: During his visit to the house of C, A asked B, the son of C, to accompany A to the forest. Neither A nor B informed C in this regard. B accompanied A to the forest.

Options:

1. A committed theft as soon as he entered house of C.
2. A has not committed theft.
3. A has committed theft.
4. A has not committed theft till B did not accompany him.

Now, in this question, the language used in legal principle is "moveable thing" but the facts mention a person B. So, confusion arises as to whether a person can be considered as a movable thing.

According to logic, NO, a person is not a thing at all. Moveable things will include chairs, tables etc. which have to be taken away as they cannot move by themselves. But a person can move by himself so he need not be "taken away" which is also the phrase used in the question.

So, once you focus on the phrase "**takes away**", you will understand that A did not take away any movable thing from C's house.

In this case, the application of legal principle had 2 conditions namely,

(1) taking away moveable thing AND

(2) not taking consent of concerned person whose moveable thing is being taken.

While condition (2) was satisfied since C was not informed, condition (1) was not satisfied because B is not a moveable thing. So, merely because B accompanied A to the forest, A will not be liable for theft and the correct answer is **Option 2: A has not committed theft**.

The importance of the **topic Law of Crimes in CLAT** can be gauged from the below table showing no. of questions on this topic for different years:

S.No	Year	No of questions on Law of Crimes
1.	CLAT 2017	12
2.	CLAT 2016	12
3.	CLAT 2015	8
4.	CLAT 2014	16

From the above table, it is clear that though the no. of questions on Law of Crimes is not substantial in terms of percentage, **10-15 questions are generally asked each year** meaning that they account for **10-15 marks out of 200**.

Since **10-15 marks can make all the difference in a competitive exam**, you need to be good and well-versed in solving questions on this topic. Which now brings us to tips for preparing criminal law well for this part of the CLAT question paper.

Click here to see the official CLAT syllabus.

Tips for aspirants

Practice

The importance of practice cannot be overemphasized. Solve the **previous years' CLAT question papers** to get familiar with the kind of questions asked on Criminal Law.

It may happen that the same/similar questions are asked involving the same legal principle and a similar set of facts. You can practice questions from the mock tests provided to you by IDIA and other coaching institutes.

Try and get your hands on **as many mocks as possible**. If you do not want to enrol for mock tests due to any reason, you may ask your friends to share question papers of mock tests they have attempted and try solving them sincerely.

Read the question carefully

While this applies to all questions, it is important for you to carefully read the question and the given options while attempting the legal aptitude questions.

Though a certain level of speed is advisable when reading questions, it is also important that you do not hurry and take time to reflect on the correct answer.

You will be able to read questions speedily if you have had sufficient practice before the exam.

Attempting the question

While attempting any question on Law of Crimes, always read the question carefully, stick to logic as well as the given legal principle.

Like in the case of Example (1) there may be given options in the question which though appear correct as per logic but do not relate to the given legal principle either completely or in some cases, not as much as any other given option which also appears correct.

In example 1, **option 4 appeared correct but did not relate to the given principle** as much as option 1 which also appeared correct.

So option 1 was the correct answer. I may be repeating myself here again but, in such cases, you will be able to do the required analysis and arrive at the correct answer provided you have had sufficient practise of such questions before the exam.

So, **PRACTICE IS KEY** here.

Click here to learn more about law of crimes.

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