



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester II, 2017/2018 Academic Session

Final Examination Question Paper

Course Code : SD 2202
Course Name : Criminal Law II
Course Level : Higher National Diploma
Time : 3 hours

Reference allowed:

Penal Code (Cap.22)

Notes:

1. Answer any **four** of the following questions.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

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QUESTION 1 (15 Marks)

(a) How can a person be said that he has the intention to kill?

(7 marks)

(b) Lutfah has left her newborn baby at the garbage area because she was embarrassed that her boyfriend had left her.

Elaborate her liability under the Brunei Penal Code (Cap 22) supported with relevant cases.

(8 marks)

QUESTION 2 (15 Marks)

(a) State the differences between kidnapping and abduction.

(6 marks)

(b) Awang Syukri had parked his motorbike at the shopping mall parking area among other motorbikes. After shopping, he then rode the bike back to his home. He later found out that he had ridden someone else's bike instead of his. He told the police only after a week had passed. Advise whether Ahmad can be charged for the offence of theft.

(9 marks)

QUESTION 3 (15 Marks)

(a) Explain the elements for the offence of culpable homicide. Support your answer with decided cases.

(6 marks)

(b) Abdul sent his minor daughter to live with her paternal grandmother who got her married to a person of her choice. Abdul is unhappy with this development. So he is intending to file a complaint of kidnapping of his daughter against his own mother. Advise Abdul as to his chances of success in the court of law. Will your answer be

different if his daughter had gone out of her own choice with a male neighbour and married him?

(9 marks)

QUESTION 4 (15 Marks)

(a) Explain the differences between theft and criminal misappropriation of property.
(8 marks)

(b) Awang Afiq hates to see teenage girls loitering at the Mall wearing sexy clothes. For him, they are the culprits of social ill in the country. He then approached one of them and showed his disgust against her with the sign of his middle finger. The girl felt her dignity was outraged. Discuss the liability of Awang Afiq, if any, under the Brunei Penal Code (Cap. 22).

(7 marks)

QUESTION 5 (15 Marks)

(a) Discuss briefly any TWO of the followings:

- i. Unnatural offence
- ii. Sexual intercourse with a girl under 14 years of age
- iii. Attempt to commit suicide

(9 marks)

(b) A teenage girl was locked in her room by her mother to prevent her from meeting her boyfriend. Is the mother liable for such act under the Brunei Penal Code (Cap. 22)?

(6 marks)

بالتوفيق والنجاح