



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

Faculty of Shariah and Law
Semester II, 2022/2023 Academic Session

Final Examination Question Paper

Course Code : LS3303
Course Name : Fiqh of Crimes
Course Level : Bachelor of Laws (LL.B) & Bachelor
of Shariah Law (BSL)
Time : 3 hours

Notes:

1. Answer any **four (4)** of the following questions.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 Marks)

Please discuss the following:

- (a) The meaning of crime from the Islamic perspective. (4 marks)
- (b) The sources of Islamic Criminal Law. (4 marks)
- (c) The classification of crimes under Islamic Criminal Law. (7 marks)

QUESTION 2 (15 Marks)

Please discuss in detail the elements of crime under the Islamic Criminal Law.

QUESTION 3 (15 Marks)

Please explain the following:

- (a) Murder by mistake. (3 marks)
- (b) Murder equivalent to mistake. (3 marks)
- (c) Indirect murder. (3 marks)
- (d) Intentional hurt. (3 marks)
- (e) Hurt by mistake. (3 marks)

QUESTION 4 (15 Marks)

- (a) Please explain the meaning of adultery (*zina*). Why is it prohibited in Islam? (3 marks)
- (b) Please discuss the elements of adultery (*zina*). (4 marks)
- (c) What is the punishment of adultery (*zina*) for a non-married person. (3 marks)
- (d) How to prove the crime of adultery (*zina*)? (5 marks)

QUESTION 5 (15 Marks)

Please explain whether theft (*sariqah*) can be established in the following circumstances:

- (a) Ahmad stole an antique clock at a museum. (3 marks)
- (b) Ali took away 20 boxes of strawberries from a stall while the owner went for prayer at a nearby mosque. (3 marks)
- (c) Out of love and care, Tarmizi hid 5 cartons of cigarettes from Abu who had smuggled it from Limbang. (3 marks)
- (d) Stealing due to burden of unsettled debts and unemployment. (3 marks)
- (e) Siti took her father's expensive watch and threw it into a river. (3 marks)

QUESTION 6 (15 Marks)

(a) What are the types of murder in Islamic Criminal Law? Differentiate them clearly by providing the definitions, methods of proving and punishments.

(7.5 marks)

(b) Please discuss the conditions of intentional murder.

(7.5 marks)

بالتوفيق والنجاح