



CRIMINAL LAW: CASES AND MATERIALS (2005). By K.D. Gaur. Lexis Nexis Butterworths, New Delhi. Pp xli + 827. Price Rs. 450/-.

HUMAN SOCIETY had never been a world without crime. The constituent elements of criminal justice system remained in flux and covered “including the law, the offender, the types of crime, the enforcement and judicial administration, custody and punishment and treatment and corrections”. This multiple structure of crime and ways of its elimination create a worthwhile area of study and research because it raises relevant and basic questions about the rights and liabilities of the people.¹ Present cultural invasion in guise of liberalisation, modernisation and globalisation is making the way for a growing violent society in India. The deviant behaviour of children, adolescent and adults is gaining increasing strengths by the day. The organised economic crimes not only threaten the security environment but also lead to the crumbling of the economic edifice of the nation. The way the media portrays crime and criminals lends acceptabilizing and respectability to the perpetrators.

Present work² of the author is an extensively updated significant treatise on criminal law enumerating the latest innovations. The draft of Indian Penal Code had been authored by Lord Macaulay and was based on common law of England but Indians made their own contribution in the subsequent development and growth of the criminal law. The present monumental work of the author can aptly be described as substantial contribution to the literature on criminal jurisprudence.

The book under review is now in its fourth edition. It has achieved a laudable object of presenting the law of crimes and punishments and related matters. The book is divided into three segments, namely, an outline of Indian Penal Code; part I and part II. The first segment of the book includes the historical development of criminal law in India. The author traces the roots of criminal jurisprudence in the writings of Manu and lays down that “the administration of justice was the concern of common people in their various association”.³ The system of ancient era was replaced by a comparative new one in the wake of Muslim rule in India. Author’s appraisal of the connotation of crime in medieval period is that “the concept of sin, crime, religion, moral and social

1. Ram Ajiya, *Criminology* 1(2000).

2. K.D. Gaur, *Criminal Law: Cases and Materials* (2005).

3. *Id.* at 1 (f.n.2).



obligation are blended in the concept of duty, which varied according to relative importance of the subject matter.”⁴ The Muslim rule did not bring uniformity in the administration of criminal justice. The chaotic state of legal affairs prevailing at that time paved the way for extensive reforms in the justice system giving emergence to modern criminal law. This historical background is followed by an exposition of the general principles of criminal law.

Part II of the book under review keeps focus on specific offences. Legal provisions regarding the offences against state, army, navy and air force, offences against public tranquillity, public servants and offences relating to election have also been explained in adequate detail. The work also encompasses the law pertaining to the contempt of lawful authority of public servants. The attainment of the purpose of administration of justice can be hampered by the abuse of the process of the court.⁵ Therefore, law provided measures to control and mitigate the tendencies of fabricating false evidence and impersonation. The author has made a thorough appraisal of the law relating to false evidence and offences against public justice and legal provisions against offences relating to public ethics and morality. Environment is one of the major contemporary issues that we face today and the author has devoted a chapter to this important issue.

The book is a significant work in the field of criminal law and provides an insight into the nuances of criminal law by an indepth study of leading cases both Indian and foreign. Incorporation of latest amendments, tabular classification of various offences and punishments; the table of cases; the detailed subject index and succinct posers at the end of every chapter and list of abbreviations enhance the utility of the book and make it informative and useful for the lawyers, law-teachers and students.

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4. *Id.* at 2.

5. *Id.* at 739.

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