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295

2011

LAW

FIRST PAPER

Full Marks : 200

Time : 3 hours

*The figures in the margin indicate full marks  
for the questions*

Answer **any four** questions from each Group

GROUP—A

( Indian Penal Code )

1. Write short notes on any *five* : 5×5=25
- (a) Public servant
  - (b) Document
  - (c) Public tranquility
  - (d) Joint and constructive liability
  - (e) Forgery
  - (f) Attempt to commit offences

12T—300/103

( Turn Over )

2. Explain the basis of the right of private defence. Discuss briefly the scope and exceptions of this right as incorporated in the Indian Penal Code. 25
3. Define and explain defamation. Discuss the exceptions which may be set against a charge of defamation. 25
4. "There is a golden rule under English law that an act without guilty mind does not make a person liable to punishment." Explain in detail. Is this golden rule applicable to the Indian legal system? 25
5. Answer the following :
  - (a) A owes money to Z for repairing his watch. Z retains the watch lawfully as a security for debt. Whether Z commits any offence? Give reasons.
  - (b) If A takes the watch out of Z's possession with the intention of depriving Z of the property as a security for his debt, whether A commits any offence? Give reasons. 25
6. Discuss the various theories of punishment. 25

GROUP—B

( Criminal Procedure Code )

7. What do you mean by an FIR and the power of the police to dispose it? Discuss the evidentiary value of an FIR and when and how it can be used. State the difference between an FIR and a complaint. 25
8. When can police arrest person(s) without the order of a Magistrate and without warrant? Whether Magistrate can arrest a person and how many hours can the police detain a person? Discuss fully. 25
9. What do you mean by confession? Who can record confession and statement of witnesses?  
What is retracted confession? State the value of retracted confession. 25
10. Discuss the procedure for trial of warrant cases by the Magistrate.  
Discuss when a Magistrate can pass an award of compensation for accusation without reasonable cause. 25

11. Write notes on the following :

5×5=25

- (a) Public nuisance
- (b) Complaint
- (c) Double jeopardy
- (d) Anticipatory bail
- (e) Search warrant

12. "The matter regarding grant or refusal of bail calls for judicious exercise of discretion by the Court." Elucidate your answer with the help of decisional laws.

25

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