

Total No. of Printed Pages—4

PAR/CCM-37/13

2014

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) *Doli incapax*
 - (b) Unlawful assembly
 - (c) Good faith
 - (d) Marital rape
 - (e) Capital punishment
 - (f) Fraudulently

14T—400/111

(Turn Over)

2. What do you mean by 'general exceptions'? Discuss elaborately on 'mistake of fact' as a ground of general defence with suitable illustrations. 25
3. Discuss with the help of leading judgements of the Supreme Court of India, the tests evolved by the court to distinguish between 'attempt' and 'preparation'. Do you think that the distinction is the most challenging task for the court? 25
4. "All murders are culpable homicide, but all culpable homicides are not murders." Explain this and state the circumstances when culpable homicide amounts to murder. 25
5. Define 'criminal misappropriation of property' and enumerate its essentials. Trace out the differences between 'criminal misappropriation of property' and 'criminal breach of trust'. 25
6. Answer the following giving reasons : 25
 - (a) A intentionally pulls up a woman's veil without her consent. What offence A has committed? Does it make any difference if the woman is of easy virtue?

- (b) A knowing that his property X is about to be taken in execution in order to satisfy a debt due from him to Z, destroys that property with the intention to prevent Z from obtaining satisfaction of the debt and thus caused damage to Z. What offence A has committed?

GROUP—B

(Criminal Procedure Code)

7. "A trial in order to be fair should be fair both to the prosecution and the accused. With a view to making the trial fair, certain rights in favour of the accused have been recognised by the code of criminal procedure." Discuss those rights of the accused at the trial. 25
8. What is summary trial? State its objectives. What offences may be summarily tried and by whom? Enumerate the basic provisions under Criminal Procedure Code for summary trial. 25
9. What is anticipatory bail? Discuss when and under what circumstances and by which court anticipatory bail can be granted. 25
10. Enumerate the provisions under Criminal Procedure Code for maintenance of wives, children and parents. 25

(7)

11. Discuss when a court subordinate to the High Court is required to make a reference to the High Court. What are the conditions to be satisfied? Examine the general principles regarding revision and discuss the power of revision by the High Court and the Court of Sessions.

25

12. Write notes on the following :

5×5=25

- (a) First information report
- (b) Warrant-case
- (c) Plea bargaing
- (d) Public prosecutors
- (e) Investigation

14T-400/111

PAR/CCM-37/13