

MANIPUR JUDICIAL SERVICE GRADE-III EXAMINATION 2014-15

LAW PAPER – II

Section A – 25 marks.

Section B – 25 marks.

Section C – 25 marks.

Section D – 25 marks.

Total marks : 100

Duration : 3 hours.

SECTION – A

(Each question carries 5 marks)

1. When culpable homicide is not murder – Write a short note.
2. In case of Robbery is there an element of theft or extortion. If yes, explain in which case theft is robbery and in which case extortion is robbery.
3. What is the difference between “Common Intention” and “Common Object”. Answer with reference to Section 34 and Section 149 of the Indian Penal Code.
4. Write a note on “Kidnapping” and “Abduction”. Is there any difference? If yes, what is the difference?
5. An accused gives one blow with a pair of scissors on the chest of the deceased without any intention to cause death. What offence the accused commits and why?

SECTION – B

(Each question carries 5 marks)

1. When information is given to an Officer-in-Charge of a Police Station of the Commission within limits of such station of a non-cognizable offence, what procedure is to be followed by such officer-in-charge of the police station.
2. When police may arrest without warrant? Write a note.
3. Is there any scope of further investigation once report after completion of investigation is forwarded to a Magistrate empowered to take cognizance. If yes, under what circumstances?
4. Can a person not being an accused be proceeded against by the Court in course of an inquiry or trial of an offence. If yes, under what circumstances.
5. When a Magistrate on receipt of a complaint of an offence of which he is authorised to take cognizance finds that the offence complained of is triable exclusively by the Court of Session, what procedure such Magistrate shall follow and under which provision of Code of Criminal Procedure?

SECTION – C

(Each question carries 5 marks)

1. Under Section 90 of the Indian Evidence Act, 1872, what is presumption as to documents which are thirty years old?
2. What is Estoppel? When the Rule of Estoppel cannot be invoked?
3. Write a short note on “Primary Evidence” and “Secondary Evidence”. In which case, Secondary Evidence relating to documents be given ?
4. Write a short note on “Public Documents” and “Private Documents” with examples.
5. Opinion as to hand writing, when relevant ? Write a short note.

SECTION – D

(Each question carries 5 marks)

1. Write a short note on applicability of “Malfeasance”, “Misfeasance” and “Non-feasance”.
2. What is the difference between “LIBEL” and “SLANDER” ?
3. In an action for malicious prosecution what the plaintiff is required to prove.
4. What is the distinction between a “Contract” and a “Tort” ? Write a short note.
5. What is the difference between “Fraud” and “Deceit”.