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**MANIPUR JUDICIAL SERVICE GRADE - III
MAIN WRITTEN EXAMINATION, 2019**

Subject:- LAW PAPER - II

DURATION: 3 Hrs.

FULL MARKS: 100 MARKS

INSTRUCTIONS:

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MANIPUR JUDICIAL SERVICE GRADE-III EXAMINATION, 2019
LAW PAPER - II

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SECTION A – 25 MARKS
SECTION B – 25 MARKS
SECTION C – 25 MARKS
SECTION D – 25 MARKS

SECTION A – 25 MARKS
(EACH QUESTION CARRIES 5 MARKS)

- Q. 1. Discuss the law relating to exemption from Criminal liability in case of minors.
- Q. 2. What are the essential ingredients of offence u/s 304-B IPC ?
- Q. 3. 'A' instigates 'B' to the commission of an offence by means of a letter sent through post. The letter never reaches 'B'. Whether 'A' has committed any offence ?
- Q. 4. State the circumstances under which culpable homicide amounts to murder. 'A' is lawfully arrested by 'B', a bailiff. 'A' is excited to sudden and violent passion by the arrest and kills 'B'. State what offence 'A' has committed.
- Q. 5. Albert a servant aged about 9 years stole a new 'Titan' watch worth Rs. 5,000/- from table of his employer and sold to John, a student aged about 25 years for Rs. 1,000/- Both Albert and John put on trial. Albert is charged with theft and John is charged for receiving the stolen property. How would you decide the case ?

SECTION B – 25 MARKS
(EACH QUESTION CARRIES 5 MARKS)

- Q. 6. Distinguish between (a) summons case and warrant case, (b) compoundable and non-compoundable offence.
- Q. 7. During the investigation of a case, 'A's statement was recorded under Section 161 Cr.P.C. At the trial, 'A' is not examined as prosecution witness but the accused examines him in his defense. In his cross-examination by the State, the Prosecutor wants to contradict 'A' by reference to his statement recorded under section 161, Cr.P.C. The defence raised objection to it. Decide objection.
- Q. 8. Is delay in registration of an FIR fatal for the prosecution ? Discuss.

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- Q. 9. Discuss briefly the power of sentencing Court to release a convicted person on probation of good conduct.
- Q. 10. Discuss the Power of a Judicial Magistrate to grant bail in cases of non-bailable offences .

SECTION C – 25 MARKS
(EACH QUESTION CARRIES 5 MARKS)

- Q. 11. What Write short notes on the following:-
(a) Hostile Witness
(b) Doctrine of Estoppel
- Q. 12. Write a note on "Exclusion of oral evidence by documentary evidence".
- Q. 13. "The presumption of legitimacy under the Indian Evidence Act can be displaced by a strong preponderance of evidence and not by mere balance of probabilities. "Discuss.
- Q. 14. Section 27 of the Indian Evidence Act, 1872 is in the nature of an exception of Sections 24 to 26 of the Act. Discuss.
- Q. 15. Write a short note on credibility of 'Accomplice Evidence'. The accused was charged with murder of his wife. His friend turned approver who disclosed the accused's intimacy with another girl. The accused had hatched a conspiracy with the help of approver. Discuss whether testimony of approver is admissible.

SECTION D – 25 MARKS
(EACH QUESTION CARRIES 5 MARKS)

- Q. 16. Write short note on the following:-
(a) *Injuria Sine damnum*
(b) *Damnum sine injuria*
- Q. 17. Discuss the concept of "duty of care" in cases of negligence as laid down in the Donoghue V Stevenson, (1932) AC 562.
- Q. 18. Discuss "Rule of Absolute Liability" as laid by the Supreme Court of India in M.C. Mehta v. Union of India, AIR 1987 SC 1086.
- Q. 19. Discuss the circumstances in which master is liable for the acts of servant.
- Q. 20. What is the distinction between 'Tort' and 'Crime' ? Write a short note.
