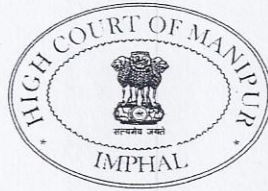


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MANIPUR JUDICIAL SERVICE GRADE – III EXAMINATION, 2017

Subject:- Law Paper - II

DURATION: 3 Hrs.

FULL MARKS: 100 MARKS

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1. Immediately after the commencement of the examination, you should check that this question booklet does not have any unprinted or torn or missing pages. If so, get it replaced by a complete new question booklet.
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MANIPUR JUDICIAL SERVICE GRADE-III EXAMINATION, 2017

LAW PAPER - II

TOTAL MARKS: 100

DURATION: 3 HOURS

SECTION A – 25 MARKS

SECTION B – 25 MARKS

SECTION C – 25 MARKS

SECTION D – 25 MARKS

SECTION – A

(EACH QUESTION CARRIES 5 MARKS)

1. X, the accused had gone to a police station to lodge a complaint about robberies in the area but he found the constable on duty was sleeping. A picked a handcuff mainly with a view to handing it over to the higher authorities in support of his grievance against police laxity and lack of sense of duty. Can X be successfully prosecuted for theft?
2. A motor truck was being driven by 'X' who had no license for driving. 'Y' who was the driver of the truck was sitting by the side of 'A'. The truck, while being thus driven, struck a telegraph pole and hit a passerby, whose one leg got crushed and had to be amputated to save his life. What offence if any has been committed by 'X' and 'Y'?
3. Discuss the law relating to exemption from Criminal liability in case of minors.
4. 'A' administers, strong dose of medicine to procure abortion to B a woman not pregnant at all, having no foetus to be removed. Has any offence been committed by A?
5. What are the essential ingredients of offence u/s 304-B IPC?

SECTION – B

(EACH QUESTION CARRIES 5 MARKS)

1. Distinguish between (a) summons case and warrant case, (b) compoundable and non – compoundable offence.
2. 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 defenser raised objection to it. Decide objection.
3. What are grounds on which a bail already granted can be cancelled?
4. Describe briefly the basic features of a fair trial in criminal jurisprudence.
5. Is delay in registration of a FIR fatal for the prosecution? Discuss.

SECTION – C
(EACH QUESTION CARRIES 5 MARKS)

1. Write short notes on following:-
 - a. Hostile Witness
 - b. Doctrine of Estoppel
2. An accused, whilst in police custody, gives information to the Investigating officer that he purchased the murder weapon from a dealer, and takes the Investigating Officer to the place of the dealer and points him out. Whether the information given by the accused is admissible?
3. The girl's last letter to her father was written a few hours before her death by burning in which she had described in elaborate details the series of incidents concerning dowry demands. Is such letter admissible evidence under Section 32(1) of Indian Evidence Act, 1872? Discuss.
4. Write a note on "Exclusion of oral evidence by documentary evidence".
5. "The presumption of legitimacy under Indian Evidence Act can be displaced by a strong preponderance of evidence and not by mere balance of probabilities." Discuss.

SECTION –D
(EACH QUESTION CARRIES 5 MARKS)

1. Write short notes on following:-
 - a. *Injuria sine damnum*
 - b. *Damnum sine injuria*
2. X, a music teacher had sexual intercourse with a girl student of 16 years of age under the pretext that his act was an operation to improve her voice. During trial for rape X pleaded *Volenti non fit injuria*. Decide.
3. Discuss the concept of "duty of care" in cases of negligence as laid down in the *Donoghue V Stevenson, (1932) AC 562*.
4. What is the distinction between 'Tort' and 'Breach of Contract'? Write a short note.
5. Discuss "Rule of Absolute Liability" as laid by the Supreme Court of India in *M. C. Mehta v Union of India, AIR 1987SC 1086*.