

2011

Time : 2½ hours

Full Marks : 150

The figures in the right-hand margin indicate marks.

Answer all questions.

(PROCEDURAL LAWS)

1. What is First Information Report ? What are its objects and its evidentiary value ? Can a stranger file First Information Report ? Can it be filed through e-mail ? Elucidate. 25

OR

What are the different kinds of criminal trials ? What offences are triable only in the Session's Court ? Explain clearly the distinction in trials between Summons Cases and Warrant Cases.

2. Explain the following : 25
(a) Procedure to remove Public Nuisance

- (b) Cognizance of Offence
(c) Abatement of Criminal Proceeding
(d) Powers of Chief Judicial Magistrate
(e) Interlocutory Orders

OR

Draw the distinction between the **two** of the following :

- (i) Plea bargaining and Compounding of Offence
(ii) Preliminary Inquiry and Preliminary Investigation
(iii) Consolidation of cases relating to the same offence and Commitment of a case to the Court of Session
(iv) Bail and Interim Bail
(v) Approver and Accomplice
3. What are the different kinds of presumptions ? Discuss the law relating to irrebutable presumptions in the light of Evidence Act. 30

OR

What do you understand by Privileged Communication ? Can a wife be compelled to give evidence against her husband in a civil or criminal trial ?

4. Write short notes on the following : 20

- (a) Accomplice
- (b) Judge as witnesses
- (c) Conclusive Proof
- (d) Hearsay evidence

OR

- (i) Relevancy of facts
- (ii) Ancient document
- (iii) Impeaching the credit of witness
- (iv) Leading question

5. Answer the following questions : 10×5 = 50

- (a) Draft a model Caveat before an appropriate Court.
- (b) Draft a Petition for Amendment of Plaint under Order VI Rule 17 of CPC.

- (c) Draft a Petition for Restoration of Suit under the Order IX Rule read with Section 151 CPC.
- (d) Draft a Complaint under Section 138 of the Negotiable Instrument Act.
- (e) Draft a Copy Right Agreement between Writer and the Publisher of the Book.

