

HIGH COURT OF TRIPURA
MAIN WRITTEN EXAMINATION FOR DIRECT RECRUITMENT TO
GRADE-III OF TRIPURA JUDICIAL SERVICE, 2021

LAW PAPER-II

100 Marks

[Duration: 3 Hours]

Part-I

The Indian Penal Code

Question No.1. Attempt any two of the following questions: **10 x 2 = 20 Marks**

- (i) What is culpable homicide? Explain the difference between culpable homicide amounting to murder and culpable homicide not amounting to murder.
- (ii) Explain the difference between criminal misappropriation and criminal breach of trust.
- (iii) Explain the right of private defence with reference to the relevant provisions of Indian Penal Code.
- (iv) Explain the difference between the offence of theft and the offence of extortion. Under what circumstances theft and extortion would constitute the offence of robbery?

Question No.2. Answer briefly any one of the following: **5 x 1 = 5 Marks**

- (i) Explain the difference between common intention and common object.
- (ii) Explain what is mens rea and its importance in criminal law.

Part-II

The Code of Criminal Procedure, 1973

Question No.3. Answer any two of the following questions: **10 x 2 = 20 Marks**

- (i) What are the powers of a Magistrate for granting maintenance under Section 125 of Criminal Procedure Code? Under what circumstances maintenance so fixed can be altered?
- (ii) Powers of a Sessions Court to grant and to cancel bail.
- (iii) Write a short note on the Police Officer's power to investigate cognizable case and the procedure for such investigation.
- (iv) What is the importance of charge in a criminal trial? What should be the contents of the charge and what will be the effect of error in framing the charge?

Question No.4. Answer briefly any one of the following: **5 x 1 = 5 Marks**

- (i) What is summary trial and the procedure to be followed in such summary trials?
- (ii) Write a short note on compounding of offences.

Part-III
The Evidence Act, 1872

Question No.5. Attempt any two of the following:

10 x 2 = 20 Marks

- (i) Explain what is Dying declaration and its evidentiary value.
- (ii) What is a presumption? Explain the difference between rebuttable and irrebuttable presumptions.
- (iii) Write a note on admissibility of electronic records and how the contents of electronic records can be proved?
- (iv) Write a note on examination and cross-examination of witnesses.

Question No.6. Answer briefly any one of the following:

5 x 1 = 5 Marks

- (i) What is a leading question? When can leading questions be asked?
- (ii) Write a short note on burden of proof.

Part-IV
The Law of Torts

Question No.7. Attempt any two of the following questions:

10 x 2 = 20 Marks

- (i) What is vicarious liability? Ordinarily the principle of vicarious liability applies in civil cases and not in relation to criminal acts. Are there any exceptions to this rule? If yes, give examples.
- (ii) Explain the principle of res ipsa loquitur.
- (iii) What are the principles of strict liability and in which type of cases strict liability would arise?
- (iv) Explain the principle of negligence and contributory negligence in Law of Torts.

Question No.8. Answer briefly any one of the following:

5 x 1 = 5 Marks

- (i) Write a short note on medical negligence.
 - (ii) What is defamation? What are the civil remedies of a person who is defamed?
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