

Roll No.

This question paper contains 3 printed pages]

0(KCS-J)9

Paper : III

Compulsory Paper

Time Allowed : 3 hours]

[Maximum Marks : 100

- Note :** (i) Candidates are required to answer *five* questions in all. Question No. 1 is compulsory. Attempt four questions from Parts – B, C, and D, choosing one, at least, from each Part.
- (ii) Candidates are required to give reasons and mention relevant provisions and case laws in support of their answers.
- (iii) Use of Bare Acts is not allowed.
- (iv) The answer to each question or part thereof should begin on a fresh page.

PART – A

1. (a) Define kidnapping from lawful Guardianship and distinguish it from abduction. 5
- (b) Explain the concept of 'Plea bargaining'. 5

P. T. O.

- (c) Distinguish between 'Cognizable' and 'Non-cognizable' offences. Give appropriate illustrations. 5
- (d) What is the extent of discretion of Magistrate in issuing 'Process' ? When can a revision court interfere ? 5

PART - B

2. (a) What are objects of summary trials ? What offences may be summarily tried and by whom ? Give a brief account of general provisions relating to Summary Trial. 10
- (b) Define 'Charge' and enumerate the contents of charge. Is a defective charge necessarily fatal to conviction ? Can a Court alter charge? If yes how and upto what stage ? 10
3. (a) Explain the concept of 'Pair Trial'. Examine how far the code of Criminal procedure contains this concept. 10
- (b) Explain the provisions regarding maintenance. In what respect the provisions relating to maintenance, differ from similar provisions in family laws in India. 10

PART - C

4. (a) What is fact in issue ? Distinguish between fact in issue and relevant fact. Illucidate your answer. 10

- (b) 'A' is put on trial for the murder of 'B', his wife, by poisoning. Evidence is led to show that : 10
- (i) 'A' is of bad character
 - (ii) a former wife of 'A' had died of poisoning

5. (a) Who is an accomplice ? Under what circumstances a conviction can be based on the testimony of an accomplice ? 10

(b) Distinguish between 'Admission' and 'Confession'. 10

PART - D

6. "Homicide is genus, murder is a species". Explain. Discuss the degrees of punishment in cases of homicide. 20

7. (a) Define theft and extortion. When theft or extortion becomes robbery ? Support your answer with decided cases. 10

(b) What is criminal breach of trust ? Illustrate your answer. 10