Gujarat Civil Judge (Mains) 2012

PAPER - I (Criminal) · compulsory paper

Date : 22nd July, 2012, Sunday · Time: 10.00 a.m. to 1.00 p.m. · Total Marks : 100

NOTE :

(1) Answer to Short Note should not exceed 250 words.

(2) Answer to each question must be written in separate particular answer book.

(3) Please hand over all the answer-books before leaving Examination-room.

1. Write a note on the right of private defence. **[10 marks]**

OR

Write a note on abetment of an offence.

2. Write short notes on any Two of the following : **[10 marks]**

(1) Voluntarily causing grievous hurt.

(2) Dowry death.

(3) Public nuisance.

(4) Causing death by negligence.

3. Write a note on Magistrate's power of granting bail. **[10 marks]**

OR

Explain briefly the procedure of trial of warrant cases by Magistrate.

4. Write short notes on any Two of the following : **[10 marks]**

(1) Powers of a Magistrate to grant maintenance under Section 125 of the Code of Criminal Procedure.

(2) Under what circumstances maintenance fixed by the Magistrate under Section 125 of the Code of Criminal Procedure be altered ?

(3) Summary trial.

(4) Explain the difference between cognizable and non-cognizable offences.

5. Write a note on - confession by an accused - how far relevant. **[10 marks]**

OR

Write a note on expert evidence.

6. Write short notes on any Two of the following : **[10 marks]**

(1) Hostile witness.

(2) Leading questions.

(3) Presumption as to abetment of suicide by a married woman.

(4) Facts of which Court should take judicial notice.

7. Write short notes on the following: **[10 marks]**

(1) Offence of dishonour of cheque.

OR

(1) Offence of dishonour of cheque by a Company.

(2) Domestic violence.

OR

(2) Power of a Magistrate to pass custody orders under the Protection of Women from Domestic Violence Act.

8. Write short notes on any Two of the following: **[10 marks]**

(1) Duties of a Probation Officer under the Probation of Offenders Act, 1958.

(2) Prohibition of determination of sex of a foetus.

(3) Juvenile Justice Board and its powers.

(4) Explain the terms "Juvenile" and "Juvenile in conflict with law".

9. State whether the following statements are True or False. **[20 marks]**

(1) Section 304A of the Indian Penal Code prescribes punishment for offence of culpable homicide not amounting to murder.

(2) Offence of causing grievous hurt is cognizable and bailable.

(3) Offence punishable under Section 498A of the Indian Penal Code is exclusively triable by Court of Sessions.

(4) Offence of criminal breach of trust by public servant, by banker etc. punishable under Section 409 of the Indian Penal Code is triable by a Magistrate of First Class.

(5) Power to grant anticipatory bail is only with the High Court.

(6) Offence of cheating punishable under Section 420 of the Indian Penal Code is cognizable and warrant triable offence.

(7) Confession made by an accused to a police officer in presence of a Magistrate is admissible in evidence.

(8) Dying declaration is admissible in evidence, only if it is made before a Magistrate.

(9) Extra judicial confession of an accused, under no circumstances is admissible in evidence.

(10) Under the Protection of Women From Domestic Violence Act, 2005 a Magistrate has no power to grant ex parte ad-interim order.