Madhya Pradesh Civil Judge (Mains) 2017

Paper III · Local Laws, Criminal Laws & Procedure · compulsory paper

3 hours · 100 marks · All questions compulsory

M.P. Accommodation Control Act, 1961

1(a). Under what circumstances defence may be struck out ? What would be the consequence of striking out defence ? [8 marks]

1(b). Enumerate any four grounds on which eviction of tenants from accommodation can be sought under the Act ? [8 marks]

M.P. Land Revenue Code, 1959

2(a). Define 'Holding' ? Discuss elaborately about the partition of holdings ? [8 marks]

2(b). Explain briefly the procedure prescribed to be adopted against a person in unauthorised possession of unoccupied or Abadi land. [8 marks]

Indian Evidence Act, 1872

3(a). “A” tried for murder of “B”. A says to police officer “I have buried the knife with which I committed the murder of “B”. He shows the place where knife was buried. Knife was taken out. Whether the statement 'with which I committed murder of “B”' is admissible ? Discuss. [8 marks]

3(b). Define accomplice. What is the value of its evidence and how for its evidence is admissible. [8 marks]

Indian Penal Code, 1861

4(a). When offence falls under Sec 304 Part (I) and when falls under Sec 304 Part (II) of I.P.C. ? Discuss. [8 marks]

4(b). What do you mean by term Criminal Conspiracy? How is it punishable ? Discuss differences between Criminal liability under section 34 IPC and criminal conspiracy under section 120A IPC. [8 marks]

Criminal Procedure Code, 1973

5(a). “Every offence shall be ordinarily be inquired into and tried by a court within whose local jurisdiction it was committed”. Examine this proposition of law. Do you think there is any exception to this rule ? [8 marks]

5(b). What procedure is followed by a magistrate on receiving a complaint under Code of Criminal Procedure? [8 marks]

Negotiable Instruments Act, 1881

6. Discuss the essential ingredients of offence under S. 138 of Negotiable Instrument Act, 1881. Which defence is not allowed in any prosecution under S. 138? [8 marks]

Mixed

7. Write Short-notes on : - (A) Public Document (B) Standard Rent (C) Unlawful Assembly. [12 marks]