Odisha Judicial Service (Mains) 2017

Law of Crime and Law of Torts · optional paper

3 hours · 150 marks

The figures in the right-hand margin indicate marks. Answer six questions, selecting three from Section A and three from Section B.

Section A

1. (a) The main objective of Juvenile Justice Legislation is rehabilitation and social integration of Juveniles. Discuss the main measures taken in this regard. 15 [25 marks]

(b) Discuss the special offences in respect of Juveniles. 10

2. (a) Discuss the punishment to which offenders are liable under the provisions of the Indian Penal Code. 10 [25 marks]

(b) Where, in a sudden and extreme emergency one or other of two evils is inevitable, it is lawful so as to direct events that the smaller shall occur. Discuss. 15

3. Explain any five of the following: 5 × 5 = 25 [25 marks]

(a) Distinction between Simple and Grievous hurt.

(b) Distinction between Culpable homicide and Murder.

(c) Differentiate between Ss. 34 and 149 of the Indian Penal Code.

(d) Differentiate between Kidnapping and Abduction.

(e) Distinction between theft and extortion.

(f) Good faith.

4. (a) What amounts to grave and sudden provocation ? Explain. 15 [25 marks]

(b) Ingredients of dowry death. Discuss. 10

5. (a) What is robbery ? How does it differ from dacoity ? 15 [25 marks]

(b) Discuss the provisions relating to criminal breach of trust under the Indian Penal Code. 10

6. (a) Acts against which there is no right of private defence. Discuss. 15 [25 marks]

(b) Discuss the law relating to gang rape under the Indian Penal Code. 10

Section B

7. (a) Discuss the essentials of defamation. 15 [25 marks]

(b) Explain Res ipsa loquitur. 10

8. (a) Discuss the rule of Rylands V. Fletcher. 10 [25 marks]

(b) Discuss the exceptions to the rule of Rylands V. Fletcher. 15

9. Explain any five of the following: 5 × 5 = 25 [25 marks]

(a) Injuria sine damno

(b) Volenti non fit injuria

(c) Conversion

(d) Innuendo

(e) Malicious falsehood

(f) False imprisonment

10. With the help of the judicial pronouncements discuss the essentials of negligence. [25 marks]

11. (a) Explain Remedies for trespass to land. 15 [25 marks]

(b) Explain Assault and Battery. 10

12. (a) What is contributory negligence ? How far is contributory negligence a defence ? 15 [25 marks]

(b) Explain'In the Course of Employment'. 10

De Facto IAS