

ARUNACHAL PRADESH PUBLIC SERVICE COMMISSION

Subject : Indian Penal Code, Criminal Procedure Code and Code of Civil Procedure

Time- 3 (Three) Hours

Full Marks- 100

(Group-A is compulsory. Attempt any FOUR questions from Group -B)

Group-A (Compulsory Group)

Q.No.1. Define any 10 (ten) from the following:

(10x2=20)

- a. *Mens rea*.
- b. Criminal conspiracy.
- c. Sedition.
- d. Defamation.
- e. Summon and warrant.
- f. Remand.
- g. Charge.
- h. Anticipatory bail.
- i. Decree.
- j. *Mesne* profit.
- k. Attachment.
- l. *Caveat*.

Group-B (Attempt any four)

Q.No.2. Attempt any 4(four) from the following:

(4x5=20)

- a. State the law relating to 'necessity' as a ground of excuse from criminal liability.
- b. Distinguish attempt from mere preparation to commit an offence.
- c. Whether a private person can be arrested by an individual? Discuss.
- d. What is FIR? How far is it different from Complaint? Discuss.
- e. Explain the principle of Constructive Res-judicata.
- f. What is meant by a 'suit of civil nature'? Discuss.

Q.No.3. Attempt any 4(four) from the following:

(4x5=20)

- a. What is abetment? Who is an abettor? Explain.
- b. Discuss the essential elements of forgery. Can one forge his own signature?
- c. Describe the powers of District Magistrate under section 144 of the Criminal Procedure Code.
- d. Discuss the principles governing the fixation of Place of Trial of offences.

- e. State the circumstances in which a person may be arrested in civil cases and put in prison.
- f. What is Representative Suit? Discuss.

Q.No.4. Attempt any 4(four) from the following:

(4x5=20)

- a. Describe the elements of kidnapping from lawful guardianship.
- b. 'Robbery is either theft or extortion'. Discuss.
- c. What special procedure is adopted in summary trial? Explain.
- d. Describe the procedure for trial of a case before Court of Sessions.
- e. Who is entitle to file a suit as an indigent person? Explain.
- f. When will a second appeal lie? Whether a new plea can be raised in a second appeal? Discuss.

Q.No.5. Attempt any 4(four) from the following:

(4x5=20)

- a. When culpable homicide does not amount to murder? Discuss.
- b. 'Intention is the gist of criminal trespass'. Discuss.
- c. When can bail be claimed as a matter of right? Who can cancel a bail once granted? Explain.
- d. What are contents of charge? When can joinder of charges be allowed by the court? Explain.
- e. What are the modes of execution of a decree? Discuss.
- f. Explain the powers of the court to issue commission.

Q.No.6. "The essence of joint responsibility lies in the common intention to commit the offence actually committed". Discuss citing relevant cases. **(20)**

Q.No.7. Under what circumstances can a wife claim maintenance from her husband? Is a married women entitled to claim maintenance from her father? **(20)**

Q.No.8. what is a written statement? State in detail its contents and other broad features it should contain. **(20)**

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