

**2011**

*Time : 2½ hours*

*Full Marks : 150*

*The figures in the right-hand margin indicate marks.*

*Answer all questions.*

**(PROCEDURAL LAWS)**

1. What is First Information Report ? What are its objects and its evidentiary value ? Can a stranger file First Information Report ? Can it be filed through e-mail ? Elucidate. 25

**OR**

What are the different kinds of criminal trials ? What offences are triable only in the Session's Court ? Explain clearly the distinction in trials between Summons Cases and Warrant Cases.

2. Explain the following : 25  
(a) Procedure to remove Public Nuisance

- (b) Cognizance of Offence  
(c) Abatement of Criminal Proceeding  
(d) Powers of Chief Judicial Magistrate  
(e) Interlocutory Orders

**OR**

Draw the distinction between the **two** of the following :

- (i) Plea bargaining and Compounding of Offence  
(ii) Preliminary Inquiry and Preliminary Investigation  
(iii) Consolidation of cases relating to the same offence and Commitment of a case to the Court of Session  
(iv) Bail and Interim Bail  
(v) Approver and Accomplice
3. What are the different kinds of presumptions ? Discuss the law relating to irrebutable presumptions in the light of Evidence Act. 30

**OR**

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What do you understand by Privileged Communication ? Can a wife be compelled to give evidence against her husband in a civil or criminal trial ?

4. Write short notes on the following : 20

- (a) Accomplice
- (b) Judge as witnesses
- (c) Conclusive Proof
- (d) Hearsay evidence

**OR**

- (i) Relevancy of facts
- (ii) Ancient document
- (iii) Impeaching the credit of witness
- (iv) Leading question

5. Answer the following questions : 10×5 = 50

- (a) Draft a model Caveat before an appropriate Court.
- (b) Draft a Petition for Amendment of Plaint under Order VI Rule 17 of CPC.

AJ – 2/2

( 3 )

( Turn over )

- (c) Draft a Petition for Restoration of Suit under the Order IX Rule read with Section 151 CPC.
- (d) Draft a Complaint under Section 138 of the Negotiable Instrument Act.
- (e) Draft a Copy Right Agreement between Writer and the Publisher of the Book.



AJ – 2/2 (2,200)

( 4 )

ASPP-2/11 — Proc.  
Laws