

JSM – 21/3

Law of Crime and Law of Torts

Time : 3 hours

Full Marks : 150

The figures in the right-hand margin indicate marks.

*Candidates should attempt **six** questions,
selecting **three** from Section – A
and **three** from Section – B.*

Section – A

1. Write an essay on the doctrine of Mens Rea and the scope of its applicability under the IPC. 25
2. Give an account of the offences relating to cruelty by husband and his relatives. 25
3. Examine insanity as a defence under the Indian Penal Code. 25
4. What are the ingredients of theft ? Can a person commit theft of his own property ? 25

5. Examine the utility of capital punishment of contemporary times. 25
6. Write notes on the following : 5×5 = 25
- (a) Stages of crime
 - (b) Right of private defence
 - (c) Public nuisance
 - (d) Abetment and conspiracy
 - (e) Kidnap and Abduction

Section – B

7. Discuss when defamatory statement does not involve any criminal liability. 25
8. Discuss the principles relating to an action in Tort for malicious prosecution. 25
9. 'Negligence is the complex concept of duty to take care, its breach as consequential damage.'
Comment. 25
10. Referring to leading cases, describe the limitations and scopes of State's Liability for torts committed by its servants or agents. 25

11. Describe, in details, the facts and principles of Law laid down **Donoghue vs. Stevenson** (1932 A. C. 567) and **Raynald vs. Fletcher** 1869 (H. L. 380). 25

12. Write notes on the following : 5×5 = 25

- (a) Vicarious liability
- (b) Damage for nervous and mental shock
- (c) Disability to sue and to be sued
- (d) Torts founded on contract
- (e) **Injuria sine damno**

