

JSM – 13/3

**Law of Crime And
Law of Torts**

Time : 3 hours

Full Marks : 150

The questions are of equal value.

*Answer **six** questions, selecting **three** from
Section – A and **three** from Section – B.*

Section – A

(Law of Crime)

1. When does an act amount to an attempt to commit a Crime ? Is there any difference in this respect between General Section 511 of the IPC on the one hand and Section 307 IPC and Section 308 IPC on the other ? If so explain with reasons.
2. A, a girl student with an age around 18 years and a month developed intimacy with B, a senior student aged about 20 years from the same

college. B on the condition of total secrecy promised to marry her but persuaded her for abortion. Again on the second occasion, B impregnated A and got the child aborted. B however did not marry A even thereafter. A approaches you for your expert advice. Advise.

3. How under IPC 'mistake of law' is no defence but 'mistake of fact' is a good defence ? What exemptions have been given by IPC to minors for an offence under General Exceptions ?
4. What is culpable homicide ? When does culpable homicide becomes murder ? When culpable homicide not amounting murder ?
5. Define and explain Theft. How is Theft different from Extortion ? Under what circumstances Theft becomes Robbery ? Distinguish Theft from Dacoity.
6. Write brief notes on the following :
 - (a) Self Defence

- (b) Sedition
- (c) Conspiracy
- (d) Extortion
- (e) Mens rea

Section – B

(Law of Torts)

7. Tort is a civil wrong different from breach of contract and crime. Explain.
8. What constitute false imprisonment ? Explain various defences available to a defendant in case of false imprisonment.
9. Who are joint-tort feasons ? Discuss the nature of joint-tort feasons of liability with the help of decided cases. What is the law regarding contribution amongst joint-tort feasons ?
10. What is the ratio decidendi of Rylands v. Flecture and M. C. Mehta v. Union of India (Oleum gas leakage) cases ? How both cases are different from each other ?

11. Is there any civil remedy available to the Client against Advocate under Consumer Protection Act, 1986, if the Advocate committed negligence, breach of trust, misappropriation and fraud ? Discuss.
12. Write brief notes on the following :
- (a) Ubi Jus Ibi Remedium
 - (b) Volenti Non Fit Injuria
 - (c) Defences to an action for Nuisance
 - (d) Defences to an action for Defamation
 - (e) Caveat Emptor to Caveat Venditor

