

LAW PAPER I – TEST 1 OF CP 2020 OF LAWXPERTSMV**TIME ALLOWED: 90 MINUTES****MAXIMUM MARKS : 150 MARKS****Question Paper Specific Instructions***Please read each of the following instructions carefully before attempting questions:**There are FOUR questions in all and printed ONLY in ENGLISH.*

- Candidate has to attempt **THREE** questions in all.
- Question no. **1 is compulsory** and out of the remaining, TWO are to be attempted.
- The number of marks carried by a question /part is indicated against it.
- Answers must be written in the medium authorized in the Admission Certificate which must be stated clearly on the cover of this **Question-cum- Answer (QCA)** Booklet in the space provided.
- No marks will be given for answers written in a medium other than the authorized one.
- Word limit in questions, wherever specified, should be adhered to.
- Attempts of questions shall be counted in sequential order. Unless struck off, attempt of a question shall be counted even if attempted partly. Any page or portion of the page left blank in the question-cum-Answer Booklet must be clearly struck off.

VIRTUAL INSTRUCTIONS:

- Kindly write the answers within the stipulated time. Be honest with yourself.
- Upload it in the portal given below as per the instructions shown there.
- Once the answer- sheet is uploaded, we will take cognizance of that and the solutions will be mailed personally.
- By waiving the right to attempt, you can get the solution right away.

Q1. Answer the following in about 150 words each :**10x5=50**

- a) Explain the various circumstances under which a 'public servant' is said to commit the offence of "Criminal Misconduct" under "The Prevention of Corruption Act".
- b) Define civil rights. Whether enforcing social and religious disabilities tantamounts to offence under Protection of Civil Rights Act?
- c) Whether stage of Preparation of crime is punishable under Indian Penal Code.
- d) Nothing is an offence merely by reason of its being done with the knowledge that it is likely to cause harm, if it be done without any criminal intention to cause harm, and in good faith for the purpose of preventing or avoiding other harm to person or property. Comment.

Q2. Answer the following :

- a) Explain : mens rea in statutory offences **(20m)**
- b) Define Attempt in the context of Indian Penal Code. Explain the rules/doctrine under the Attempt. **(15m)**
- c) **Explain the following in brief : 5 marks each (15 marks)**
 - i. Constitutionality of death Penalty
 - ii. Judicial Innovation to replace Death Penalty
 - iii. Imprisonment for life.

Q3. Answer the following :

- a) Define Crime. Discuss the constituent elements of crime. **(25m)**
- b) "India has seen several pieces of legislation enacted for the express purpose of deterring caste-based violence. Untouchability under Article 17 of the Constitution, was abolished, with statutory enforcement under *Protection of Civil Rights Act (PCR)*, 1955. The PCR Act was still not effective in protecting SCs from caste violence. Then came the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989* (SC/ST POA Act) with recent amendment of 2016". Would it help as a deterrent against the continuing atrocities against the members of Scheduled Castes (SCs) and Scheduled Tribes (STs)? **(25m)**

Q4. Answer the following :

- a) What do you understand by "Private defence". Explain the settled general principles on the exercise of right of private defence (20m)
- b) India, in line with UNCAC, to bring the Prevention of Corruption Act, 1988 with current international practices introduced the Prevention of Corruption (Amendment) Bill, 2013. Explain the key features of this amendment bill. (15m)
- c) "When a crime is done by several persons together, who intended to commit that crime, they are all liable as though they had committed the crime in their individual capacities." Comment. (15m)