

CSM : 22

LAW PAPER - II

Time Allowed : 3 hours

Full Marks : 100

*Marks for each question is indicated against it.
Attempt any 5 (five) questions taking not more than 3 (three) questions from each Part.*

PART - A

1. Chapter IV of the Indian Penal Code deals with the general exceptions to criminal liability. Discuss only the following among the exceptions-
 - (a) Mistake of fact (10)
 - (b) Act done by consent (10)
2. 'Murder and culpable homicide appear to be more similar than they are, but they are not interchangeable terms.' - Explain. (20)
3. (a) What do you mean by 'malicious prosecution'? What are the ingredients to be proved by the plaintiff to get damages for malicious prosecution? Discuss. (3+7=10)
(b) Define 'false imprisonment'. Discuss its essential elements. (5+5=10)
4. Explain in brief the essentials of defamation. What are the defences available to the parties to an action for defamation? (20)

PART - B

5. What do you mean by the Doctrine of Supervening impossibility? Discuss the applicability of the doctrine in Indian Law along with its exceptions. (20)
6. "Partnership arises from the contract not from the status". Explain. Can a minor be the partner of a firm? Also, discuss the dissolution of firm by the Court. (8+5+7=20)
7. Discuss the nature and scope of 'public interest litigation' in India. Do you agree that abuse of public interest litigation for private gain can defeat its altruistic purpose? Support your views with the help of suitable cases on the subject. (20)
8. What do you understand by Cyber Security? How far is the Information Technology Act equipped to deal with the Cyber Security issues found in India? (20)