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# END TERM EXAMINATION

SIXTH SEMESTER [LLB] APRIL - MAY 2019

Paper Code: LLB-304

Subject: Code of Criminal Procedure-II

(Batch upto 2014)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

(5x5=25)

- Q1 Write short notes on the following:-
- Discuss the difference between trial of summons cases and trial of warrant cases.
  - 'A person once convicted or acquitted not to be tried for the same offence'. Explain.
  - Discuss the difference between compounding of the offence and withdrawal from prosecution.
  - What is Reference? Which court is having the power to entertain Reference?
  - Discuss the law relating to grant of conditional pardon to any person accused of any offence.

## PART-B

### UNIT-I

- Q2 'For every distinct offence of which a man is accused, there shall be a separate charge, and every such charge shall be tried separately.' Explain the above statement and exceptions to it. (12.5)
- Q3 What are the procedures to be followed by the courts during inquiry or trial if the accused is found of unsound mind. Cite relevant case laws. (12.5)

### UNIT-II

- Q4 Discuss in detail the procedure that is followed in trial of case before a Court of Session. Enumerate the Statutory and Constitutional provisions which must be adhered to during the trial process. Cite relevant case laws in support of your answer. (12.5)
- Q5 Discuss the provisions relating to Compensation to victims of Crime under Cr.P.C. Discuss the scheme for victims' compensation in view of the Code of Criminal Procedure (Amendment) Act, 2008. (12.5)

### UNIT-III

- Q6 Discuss the provisions relating to appeal against conviction and appeal for enhancement of Sentence. What are the powers of the appellate court while considering the above appeals? Cite relevant case laws. (12.5)
- Q7 Discuss the power of High Court on Revision. Can the High Court in its revisional jurisdiction convert a finding of acquittal into one of conviction? Discuss with case laws. (12.5)

### UNIT-IV

- Q8 Who may claim maintenance under Section 125 of Cr.P.C. Enumerate the grounds on which a wife is not entitled to maintenance u/s 125 Cr.P.C? Discuss the procedure with regard the alternation in allowances under Section 127 Cr.P.C. Cite relevant case laws. (12.5)
- Q9 Discuss the procedure for the power of transfer of cases by the Supreme Court of India and the High Courts. Cite relevant case laws. (12.5)

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# END TERM EXAMINATION

SIXTH SEMESTER [LLB(H)] APRIL - MAY 2019

Paper Code: LLB-304

Subject: International Law

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Theory of Monism
  - (b) Exclusive Economic Zone
  - (c) International Law Commission
  - (d) Universal Jurisdiction
  - (e) Importance of Security Council Resolutions

## PART-B

### UNIT-I

- Q2 How did Oppenheim define the terms "International Law" in the year 1905? Has the definition changed today? (12.5)
- Q3 Is the individual granted legal personality under international law? Discuss with the help of case laws. (12.5)

### UNIT-II

- Q4 "Custom is one of the most important conventional sources of international law as enshrined in the Charter of the United Nations." Explain. Elucidate the constituent elements of international custom. Discuss the different types of international customs with the help of case laws. (12.5)
- Q5 Define the term "treaty" as provided in the Vienna Convention on the Law of Treaties, 1969. How many types of treaties are there? Give examples. How does a treaty become a source of international law? (12.5)

### UNIT-III

- Q6 What do you mean by the terms "territorial waters"? What are the rights and duties of a coastal state over the 'territorial waters'? (12.5)
- Q7 Distinguish between 'de facto' and 'de jure' recognition. What are the effects of de facto and de jure recognition? Discuss with the help of case laws. (12.5)

### UNIT-IV

- Q8 What do you understand by the expression, 'Prohibition of the use of Force'? State and explain the universally acceptable exceptions to 'Prohibition'. (12.5)
- Q9 How has the principle of 'Responsibility to Protect' emerged under international law? Discuss its relevance by citing some of the recent examples. (12.5)

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# END TERM EXAMINATION

SIXTH SEMESTER [LLB(H)] MAY-JUNE 2018

Paper Code: LLB-304

Subject: Code of Criminal Procedure-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

(5x5=25)

- Q1 Write short notes on the following:-
- Stages in a summary trial.
  - How and when is a death sentence submitted for confirmation?
  - Discuss the provisions related to transfer of criminal cases under the Cr.P.C.
  - When can proceedings under Cr.P.C. be said to be irregular.
  - How is evidence taken in Enquiries and trials?

## PART-B UNIT-I

- Q2 What is a 'charge' and how are charges framed? Discuss the form and joinder of charges. (12.5)
- Q3 List out and discuss the general provisions as to Enquiries and trial using case laws. (12.5)

## UNIT-II

- Q4 List out the difference between trial in a summons case and trial in a warrants case. How does a magistrate conduct a trial on a complaint?(12.5)
- Q5 Discuss the provisions related to execution, suspension, remission and commutation of sentences under the Cr.P.C. with the help of decided case laws. (12.5)

## UNIT-III

- Q6 "The right of revision is available only to those who do not have a right to appeal". Use case law to elaborate this statement. (12.5)
- Q7 Where does an appeal lie from acquittal and what are the powers of an appellate court under the Cr.P.C.? In what circumstances can a victim file an appeal? (12.5)

## UNIT-IV

- Q8 Write a note on maintenance of wives, children and parents under the Cr.P.C. Discuss with landmark judgements. (12.5)
- Q9 Discuss the limitations on the power of magistrate to take cognizance.(12.5)

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# END TERM EXAMINATION

SIXTH SEMESTER [LLB(H)] MAY-JUNE 2018

Paper Code: LLB-304

Subject: International Law

[Batch 2014 Onwards]

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 which is compulsory.  
Select one question from each unit.

- Q1 Write short notes on the following:- (5x5=25)
- (a) Condition of statehood
  - (b) Status of individual under International Law.
  - (c) Juristic work as the source of International law.
  - (d) Continental shelf
  - (e) Legality of surgical strikes

## UNIT-I

- Q2 "International law is vanishing point of jurisprudence". How far do you agree with the statement? Elucidate. (12.5)
- Q3 "Since, law is a unified field of knowledge, no matter whether it applies to individuals, states or other entities, International Law and State law are intimately connected with each other." Explain the relationship of international law and municipal law in the light of the above statement. (12.5)

## UNIT-II

- Q4 "The sources of International Law are not hierarchical, but are necessarily complementary and interrelated." Explain the sources of International law in the light of the above statement. (12.5)
- Q5 "Article 38 of the Statute of International Court of Justice provides four grounds as sources of International law. However Article 38(2) provides that these provisions.... shall not prejudice the power of the court to decide a case ex aequo et bono". Explain the importance of equity and justice as the source of International Law in the light of the above statement. (12.5)

## UNIT-III

- Q6 "In recognizing a State as a member of International Community, the existing States declare that in their opinion the new state fulfils the conditions of statehood as required under International law". Critically examine the major theories of recognition in the light of the above statement. (12.5)
- Q7 What is the nature of control over exclusive economic zone by the coastal State? Elucidate with the help of relevant international convention and decided case law on the subject. (12.5)

## UNIT-IV

- Q8 "The whole body of International law has been constituted for the purpose of avoiding the use of force by individual state entities. However, use of force continues to be valid under International law". Critically examine with reference to relevant international conventions on the subject. (12.5)
- Q9 Critically examine the adequacy of measures as to collective self-defence, by citing provisions for the same under public international law. (12.5)

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# END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-306

Subject: Property Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Transfer to an unborn person
  - (b) Transfer by Ostensible Owner
  - (c) Once a mortgage always a mortgage.
  - (d) Sale and Agreement to Sell
  - (e) Vested and Contingent Interest

## PART-B

### UNIT-I

- Q2 "Property of any kind may be transferred, except as otherwise provided by this Act, or by any other law". Elucidate with relevant provisions. (12.5)
- Q3 No one can approbate and reprobate at the same time. Explain with case laws. (12.5)

### UNIT-II

- Q4 Elucidate the Rule of *Lis Pendens* in detail. (12.5)
- Q5 "In India the equity of part-performance is a passive equity; it can be used only as shield not as a sword." Explain. (12.5)

### UNIT-III

- Q6 What is Mortgage? Explain the relation between mortgagor and mortgagee. (12.5)
- Q7 Define 'Charge' with its kinds. How Charge is extinct. (12.5)

### UNIT-IV

- Q8 What are the constituents of Lease? Discuss with case laws. (12.5)
- Q9 What is Gift? Discuss essential ingredients of a valid Gift? When the gift is complete? Explain. (12.5)

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# END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE-2018

Paper Code: LLB-308

Subject: Investment and Competition Law

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the following: (5x5=25)
- (a) Capital Account Transactions
  - (b) Merchant Banks v. Investment Banks
  - (c) Special Economic Zones
  - (d) Dematerialisation and fungibility of Securities
  - (e) Anti-Competitive Agreements

## PART-B

### UNIT-I

- Q2 Discuss the role played by Securities Exchange Board of India (SEBI) in regulating the securities market. Also, discuss the powers and functions of SEBI. (12.5)
- Q3 Discuss the concept of "Delisting of Securities" under Securities Contract (Regulation) Act, 1956. What are the different modes of delisting? (12.5)

### UNIT-II

- Q4 "The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 has helped in strengthening the financial discipline and reduce burden of NPA's on banks and financial institutions". Discuss. (12.5)
- Q5 What is the significance of the concept of "Securitisation" and "Reconstruction of Financial Assets" under SARFAESI Act, 2002? Also, discuss the regulations of SARFAESI Act, 2002 with respect to Asset Reconstruction Companies. (12.5)

### UNIT-III

- Q6 (a) Discuss the highlights of the latest foreign trade policy framed by Central Government under Section 5 of the Foreign Trade (Development & Regulation Act, 1992). (7.5)
- (b) Write a short note on joint ventures and foreign collaborations in India. (5)
- Q7 (a) "FEMA replaced FERA because the economy needed to shift from regulation to management of foreign exchange". Discuss. (7.5)
- (b) Write a short note on 'Foreign Direct Investments in India' considering the latest FDI Policy. (5)

### UNIT-IV

- Q8 What do you understand by the term "abuse of dominant position" and what are the factors taken into consideration by the Competition Commission of India while deciding the same. Discuss with the help of relevant cases. (12.5)
- Q9 Discuss the evolution of Competition Law in India starting from MRTP Act, 1969 to Competition Act, 2002 and highlight the significance of judicial pronouncements in shaping competition law in India. (12.5)

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# END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-312

Subject: Jurisprudence-II ( Upto 2014)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select four questions from Part B.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Requisites of Valid Custom.
  - (b) Doctrine of *Stare Decisis*
  - (c) Nature and functions of Law
  - (d) Perfect and Imperfect Right
  - (e) Distinguish between Constructive and Adverse Possession.

## PART-B

- Q2 Examine various theories regarding the origin and evolution of state. (12.5)
- Q3 Critically examine Austin's theory of sovereignty. (12.5)
- Q4 (a) Distinguish between Custom and Usage.  
(b) Examine Salmond's distinction between material and formal sources as sources of Law. (12.5)
- Q5 Explain precedent as a source of law. Enlist the circumstances which destroy the binding force of judicial precedents. (12.5)
- Q6 Discuss Hohfeld's concept of Right and explain jural correlatives and jural opposites with suitable illustrations. (12.5)
- Q7 Explain different kinds of Ownership. What are the different modes of acquisition of Ownership? (12.5)
- Q8 Write short notes on the following:- (12.5)
- (a) Absolute liability
  - (b) Immunity

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