

**ASP – 2/14**

**Procedural Laws**

*Time : 2½ hours*

*Full Marks : 150*

*The figures in the right-hand margin indicate marks.*

*Answer all questions.*

1. Explain the procedure for appointment of Public Prosecutors and Asst. Public Prosecutors. State the classes of Public Prosecutors and the role of Directorate of Prosecution. 25

**OR**

State the requisites of a valid warrant of arrest. Discuss the enforceability of a warrant which bears a returnable date.

2. Write explanatory notes on the following : 5×5 = 25
  - (a) Examination of a person accused of rape by medical practitioner
  - (b) Restoration of attached property

- (c) Reciprocal agreements regarding processes
- (d) Muslim Women's (Protection of Rights on Divorce) Act, 1986, Vis-a-vis Section 125 of Cr. P. C.
- (e) Mode of recording confession

**OR**

Distinguish between the following :

- (i) Acquittal and Discharge
  - (ii) Alteration of charge and Alternative charge
  - (iii) Confinement and Confiscation
  - (iv) First offender and Habitual offender
  - (v) Charged jointly and Joinder of charges
3. Define admission and explain the different kinds of admission. Is admission a conclusive proof? Explain. 30

**OR**

What are the different types of opinions that become relevant in court ?

4. Write short notes on the following : 4×5 = 20

- (a) Estoppel
- (b) Circumstantial evidence
- (c) Death in custody
- (d) Identification parade
- (e) Electronic records

OR

- (i) Judicial confession
- (ii) Leading questions
- (iii) Best evidence rule
- (iv) Standard of proof
- (v) In articulo mortis

5. Answer the following questions : 10×5 = 50

- (a) Draft a model of anticipatory bail application to be submitted before the Hon. High Court of Orissa.
- (b) Draft an application on behalf of the complainant for his absence in a warrant case.

- (c) Draft an application for transfer of a civil case supported by an affidavit.
- (d) Prepare a plaint under Order I, Rule III for joinder of defendants.
- (e) Draft an agreement for mutual transfer of movable property for immovable property. The agreed value is Rs. 6,00,000 and Rs. 5,00,000 respectively.

