

Universitatea Babeș-Bolyai Cluj-Napoca
Facultatea de Drept
Examen

Numele studentului:

BAREM

ID: VARIANTA 1

Drept penal. Partea generală (I)

Data examinării: 2022-02-14 00:00:00

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Varianta de test:

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Zona de antrenament

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Atentie!

- Nu incercati pixul si nu faceti nici un fel de insemnari in afara zonei de antrenament, in special in afara zonei delimitate de cercurile groase!
- Nu uitati sa marcati varianta de test. Altfel testul nu se poate evalua!

Universitatea Babeș-Bolyai Cluj-Napoca
Facultatea de Drept
Examen

Numele studentului:

BAREM

ID: VARIANTA 2

Drept penal. Partea generală (I)

Data examinării: 2022-02-14 00:00:00

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Varianta de test:

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Zona de antrenament

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DREPT PENAL. PARTEA GENERALĂ I.

BAREM

Speța 1 – 3 pct.

1.	
Pentru X:	
este raport de cauzalitate, nu este risc culpabil	0.50
nu este caz fortuit, există culpă	0.25
Pentru Y:	
Este raport de cauzalitate, nu este risc permis	0.50
Este culpă cu prevedere, nu dă prioritate virând stânga	0.50
2.	
Pentru X:	
Legea nouă e lege de dezincriminare, apreciere <i>in concreto</i>	0.50
Pentru Y:	
Fapta rămâne infracțiune și pe legea nouă	0.25
Legea penală mai favorabilă în funcție de orientarea instanței	0.50
Spre minim – noua lege	
Spre maxim – vechea lege	

Speța 2 – 3 pct.

1.	
Sușineri T	
Nu e LVCM – nu vb. de o faptă praeterintenționată - fiindcă victima împotriva căreia a acționat intenționat nu este cea care a decedat	0,50
Nu e exces neimputabil – atacul era epuizat	0,50
Sușineri Y	
Nu e legitimă apărare – nu e atac injust (dreptul de corecție al părinților asupra copiilor minori)	0,50
2.	
Soluție T	
Condamnare pentru tentativă de omor – intenție directă (zona vizată, obiect casant), repentină	0,50
Condamnare pentru ucidere din culpă (culpă fără prevedere)	0,25
- ip. de <i>aberratio ictus</i>	0,25
Condamnare pentru distrugere din culpă (culpă fără prevedere)	0,25
- ip. de <i>aberratio delicti</i>	0,25
