

DEPARTMENTAL EXAMINATION OF IAS/ HAS
HIMACHAL PRADESH, AUGUST,2005.

Paper:I

Part-I Criminal law and procedure

Time Allowed: 3.00 hours

Maximum Marks: 100

- Note
1. Attempt any five questions, but at least one from each part.
 2. Bare Act of Indian Penal code Criminal Procedure Code and Indian Evidence Act are allowed in the Examination Hall.
 3. Relevant provisions of law should be quoted failing which suitable Marks shall be deducted.

Part_I INDIAN PENAL CODE

Q.No.I What offence has been committed if any, by 'A' accused in the following cases? Support your answer by giving reasons:-

- (a) 'A' instigate 'B' and caused a grievous hurt. 'B' in consequence gives a grievous hurt to 'X' who dies in consequence. 'A' knew that the grievous hurt was due to cause of death.
- (b) A, in India instigate 'X' a foreigner in Goa to Commit a murder in Goa.

(10+10)

Q.No.2 Distinguish between the following:-

- (I) Adultery
- (II) Kidnapping

(10 + 10)

Q.No.3 What are the reasons for not punishing of culpable homicide so severely

As murder? Support your answer by giving reasons?

(20)

Q.No.4 What are the ingredient to prove an offence for dishonest and fraudulent Or concealment property to defraud creditors u/s 421 of Indian Penal Code to which the prosecution must show?

(20)

P.T.O.

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PART- B

Code of Criminal Procedure

Q.No.5 What is the procedure, where existence of public property is denied, to Prevent the public nuisance?

(20)

Q.No.6 When an inquiry to the truth of information starts in case of Apprehension of breach of peace?

(20)

Q.No.7 What are the distinguishing features of:-

- (a) Case instituted in a police report and a case instituted other than A police report.
- (b) Cognizable and non- cognizable offence.

(10 +10)

Part –C

INDIAN EVIDENCE ACT

Q.No.8 Write a short on:-

- (a) Dying Declaration.
- (b) Hostile Witness and its evidentiary value.

(10 + 10)

Q.No.9 What is Approver? Whether the conviction can be based on the sole Testimony of the Approver?

(20)

Q.No.10 What is a conduct evidence? Whether conduct evidence has any Relevance in a criminal trial?

(20)

Q.No.11 What is estoppel? Illustrate your answer with examples.

(20)

or

Whether the tape recorded statement of the accused made to the police In the course of investigation can be used for any purpose, at the inquiry Or trial in respect of offence under investigation at the time when such Statement was made?