

BOARD OF DEPARTMENTAL EXAMINATION
GOVT. OFFICER/OFFICIAL (TEHSILDAR/NAIB-TEHSILDAR)

Session Oct, 2013

PAPER- 5 (Criminal Law and procedure)

TIME ALLOWED: 3 Hours

Max marks: 100

Note:

1. Attempt any five questions in all taking at least one from each part. The answer should be supported with reasons by quoting relevant provisions of law.
2. All questions carry equal marks.
3. Only bare Acts of I.P.C., Cr.P.C and Indian Evidence Act are allowed. No books having short notes is allowed.

PART- I

- Q. No. 1. (a) What do you understand by criminal conspiracy describe in detail and how it is different form abetment ? (10)
- (b) Define an unlawful assembly when does a lawful assembly becomes unlawful. (10)
- Q. No.2 Explain the following:-
- (i) Murder under I.P.C. (10)
- (ii) Culpable homicide not amounting to murder. (10)
- Q. No.3 Write down the short notes on the following:-
- (a) House trespass.
- (b) Distinguish between robbery and dacoity.
- (c) Wrongful restrain & wrongful confinement.
- (d) Defamation under I.P.C.. (5*4= 20)

PART- II

- Q. No. 4 (a) What do you understand by relevancy of facts explain in detail. (10)
- (b) Export opinion under Evidence Act and when it is relevant? (10)

Q. No. 5 Write short notes on the following:-

- (a) Cross examination, examination in chief, Re-examination. (5)
- (b) Extra Judicial confession and its evidentiary value. (5)
- (c) What are the facts for which Court must take Judicial notice? (10)

Q. No. 6 (a) Explain primary evidence and secondary evidence with reference to Indian Evidence Act. (10)

- (b) In What cases the secondary evidence relating to a document may be given? Explain. (10)

PART-III

Q. No. 7 (a) What is FIR and under which section of Cr.P.C. the information is recorded by Police? Give briefly its evidentiary value. (10)

- (b) Can a Police Officer make arrest without Warrant and what are rights available to accused person after arrest? (10)

Q. No. 8 (a) Explain what should constitute in a final report preferred by Police under section 173 Cr.P.C. after completing of investigation? (10)

- (b) What contents are required in a notice issued under section 111 Cr.P.C. by Executive Magistrate in a proceeding under section 107/150 Cr.P.C. Can a Executive Magistrate ask for interim bound during the proceeding under section 107 Cr.P.C. ? (10)

Q. No. 9. Explain the following:-

- (i) Summon case & warrant case.
- (ii) Inquiry and Investigation.
- (iii) Cognizable offence & non-cognizable offence.
- (iv) Hostile witness and its evidentiary value. (5*4=20)

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