

**DEPARTMENTAL EXAMINATION FOR TEHSILDARS/ NAIB- TEHSILDARS.
FEBRUARY-2007**

Time allowed: 3 Hours

Maximum Marks: 100

PAPER-5

(CRIMINAL LAW AND PROCEDURE)

Note: 1. All questions carry equal marks.

**2. Attempt five questions in all taking at least one question from each part.
The answer should be supported with reasons by quoting relevant
Provisions of law.**

**3. Only Bare Acts of Cr.P.C.IPC and Indian Evidence Act are allowed to be
Consulted. No book having short notes is allowed.**

PART-A

Q.No.1 a) When can a Police officer arrest without a warrant and what are the rights
Available to the arrested person? (10)

b) Discuss whether an 'FIR' is substantive evidence. If it contains a confession,
then is it admissible? (10)

Q.No.II a) what is cross- examination? What kind of questions can be put to a witness
During cross- examination? (10)

b) What do you know about Test Identification Parades and their evidentiary
Value? (10)

Q.No.III Write short notes on the following:

a) Compensation for groundless arrest

b) Death in Police Custody.

c) Trial of summons/ warrant cases

d) Charge sheet by the court. (5x 4=20)

PART-B

Q.No.IV

a) What do you understand by confession? (10)

b) What is the difference between primary and secondary evidence? (10)

Q.No.V

a) Discuss if an accused in a murder can be a competent witness at this own trial. (10)

b) How and when are opinions of third persons relevant in a trial? (10)

Contd.p-2

Q.No.VI. Write short notes on any four of following:

- a) Presumption as to documents.
- b) Burden of proof.
- c) Cross examination of witnesses.
- d) Relevancy of motive, intention and conduct.
- e) Facts which need not be proved.

(5x 4 = 20)

PART C

Q.No.VII Distinguish the following:-

- a) Restraint and confinement.
- b) Force and criminal Force.
- c) Abduction and Kidnapping.
- d) Theft and Extortion.
- e) Robbery and decoity.
- f) Common intention and common object.

(3 x 5=15)

(5)

Q.No.VIII

- a) Define and unlawful assembly. When does a lawful assembly become Unlawful
- b) Distinguish between rioting and affray.

(10 x 2= 20)

Q.No.IX Discuss the exceptions to the right of private defense of the body and Property. When does the right of private defense of the body extend to Causing death?

(20)
