

Departmental Examination for Excise and Taxation Inspector

April, 2011

Paper No. 1 : Law of crimes

Time allowed – 3 Hrs.

Max. Marks : 100

- Note: 1. Answer any five question, at least one questions from each part.
2. All questions carry equal marks.
3. Quote relevant provisions of law.

PART-A

- Q.1. a) Explain the concept of 'Theft', 'Robbery' and 'dacoity'.
b) Whether there are any situations where though the owner is disposed of his property without his consent/knowledge but still it does not amount to theft. Discuss.
- Q.2. Explain the followings: -
a) Act done under sudden and grave provocation.
b) Act done by a public servant in discharge of his duty.
c) Act done by a minor.
d) Act done without consent with an objective to prevent harm.
- Q.3. Distinguish between "hurt" and "grievous hurt".

PART-B

- Q.4. What is the difference between 'Summon' and 'Warrant'? Under what circumstances the warrants are used.
- Q.5. Discuss in detail the primary jurisdiction of 'Judicial Magistrate' and 'Distt Magistrate'. Also elaborate the provisions relating to Appellate jurisdiction of a Distt. Judge.
- Q.6. Discuss procedure for grant of bail. Can bail be granted in 'non-bailable' offence? Discuss.
- Q.7. A Magistrate directed closer of 'liquor vends' situated in Mandi town during 'Shivratri fair' apprehending "law and order" problem due to some clashes between local groups.

Can he do so? If yes, under what provisions and to what extent he can go in such eventuality. Discuss.

Q.8. Discuss the followings: -

(i) Burden of proof (ii) Dying declaration (iii) Primary evidence

Q.9. Explain the evidentiary value of: -

(i) Extra judicial concession (ii) Expert opinion

Q.10. Discuss the concept of 'relevancy of fact' and 'fact in issue'. Give some examples to elaborate the concept.