

**H.P.BOARD OF DEPARTMENTAL EXAMINATIONS
DEPARTMENTAL EXAMINATIONS OF EXCISE AND TAXATION
INSPECTORS OF HIMACHAL PRADESH SESSION MAY- JUNE, 2009.**

PAPER-1 (LAW OF CRIMES)

Time Allowed: 3 Hours

Maximum Marks: 100

- Note:-** 1) Attempt any five questions in all and at least one from each part.
2.) All questions carry equal marks.
3.) Relevant Provision of law should be quoted failing which suitable marks Will be deducted.
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PART-1

- Q.No.1 Define and explain the following:-
a) Public servant b) Good faith c) Unlawful assembly d) Common object e) Common intention. **(5 x 4 = 20 marks)**
- Q.No.2 a) If a public servant framing an incorrect record or writing with intent to save Person from punishment or property from forfeiture, can he be prosecuted? If So, for what offence? What is the maximum imprisonment provided in the IPC? **(10 marks)**
b) Define and explain.
1. Distinguishes between legal insanity and medical insanity? **(5 marks)**
2. A Government officer removes a file to his room, makes it available to an Outsider and then return it after three days. Has he committed theft? **(5 marks)**
- Q.No.3 Answer the following:-
A a) A Child of 6 years commits a theft, can he be tried under the Indian Penal Code?
b) What are the ingredients of kidnapping under IPC. Can a thirty year old woman be kidnapped? **(5 x 2 = 10 marks)**
B a) Criminal breach of trust and criminal misappropriation.
b) Abetment and criminal conspiracy. **(5 x 2 = 10 marks)**

PART-II

- Q.No.4 a) State briefly the circumstances under which the anticipatory bail can be Granted or refused
b) How the search of closed premises can be affected? What are the necessary Precaution to be taken at that time? **(10 x 2= marks)**
- Q.No.5 Discuss the classification of different criminal courts under the code of Criminal procedure. What are their power to try and sentence offences under the Code? **(20 marks)**

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- Q.No.6 a) What are the powers of Executive Magistrate in dealing with a dispute Concerning immovable property when the dispute is likely to cause breach of Peace?
b) What is compoundable offence? What is the legal effect of composition? State difference between Composition and Withdrawl of a case?
(10 x 2= 20 marks)

PART-III

- Q.No.7 a) What do you understand by confession? Whether confession before a police Officers leading to discovery of equipments for making of illicit liquor is A criminal trial? **(15 marks)**
b) Who is hostile witness? **(5 marks)**
- Q.No.8 a) What do you mean by burden of proof? On whom does the burden of proof lie As to a particular fact? **(10 marks)**
b) What do you mean by Judicial Notice? What are the facts of which the courts must take judicial notice? **(10 marks)**
- Q.No.9 Define primary and secondary evidence. Discuss the situations under which Secondary evidence relating to documents is permissible. **(20 marks)**
