

BOARD OF DEPARTMENTAL EXAMINATION

DEPARTMENTAL EXAMINATION

FOR E.T.I.'s

October, 2016

Paper 1 (Law of Crimes for E.T.I.'s)

Time allowed – Three hours

Maximum Marks-100

NOTE:

1. Attempt any five questions and at least one from each part.
2. All questions carry equal marks.
3. Only bare Acts of I.P.C., Cr.P.C. and Indian Evidence Act are allowed to be consulted.

Part-I

Question No.I.

- a) Discuss, in detail, the relevant provisions of law relating to the information in cognizable as also in non-cognizable cases, and investigation thereof in such cases. **10 Marks**
- b) To what extent the signed statement of a witness made to the police recorded during investigation can be used? Quote the relevant law. **5 Marks**
- c) What is the procedure adopted by a Police Officer-in-Charge of a Police Station when the evidence is sufficient in an investigated case? **5 Marks**

Question No.II.

- a) Elaborate with relevant law the mode of recording evidence in inquiries and trials in the criminal courts. **10 Marks**
- b) Discuss the entire procedure adopted while framing a charge. In what offences can there be a joinder of charges? **10 Marks**

Question No.III.

- a) Discuss the provisions relating to bail and bonds. **10 Marks**
- b) Which irregularities vitiate the proceedings and which do not? Quote the relevant law. **10 Marks**

PART-II

Question No.IV.

What are the circumstances which exculpate a person accused of an offence? Quote the relevant provisions in this behalf. **20 Marks**

Question No.V.

Under what circumstances the right of private defence of the body extends to causing death? Discuss the law, including restrictions, relating to private defence of body and property. **20 Marks**

Question No.VI.

a) Elaborate with illustrations the difference between 'criminal misappropriation of property', and, 'criminal breach of trust'. **10 Marks**

b) What are the necessary ingredients which constitute the offence of 'house trespass' and 'house breaking', and, what is the punishment provided for 'criminal trespass' and 'house breaking' by night in order to commit offence punishable with imprisonment? **10 Marks**

PART-III

Question No.VII.

a) In what cases the opinion of a third person become relevant? **10 Marks**

b) What are the facts of which the court must take judicial notice? **10 Marks**

Question No.VIII.

a) Explain the circumstances in which the statement of a relevant fact by a person who is dead or not traceable is relevant. **10 Marks**

b) Explain with illustration the relevancy of a fact when right or custom is in question and under what circumstances the facts showing existence of state of mind, or, of body, or, bodily feeling become relevant? **10 Marks**

Question No.IX.

a) Quote with relevant section and illustrations the existence of facts which the court may presume. **20 Marks**