

**Himachal Pradesh
Board of Department Examination
April, 2017**

Paper-1 (Criminal Law and Procedure for IAS/HAS officers)

Time allowed-Three hours

Maximum Marks-100

- NOTE:** (1) Attempt any five questions and at least one from each part.
(2) Questions carry the marks indicated against them.
(3) Relevant provisions of law be quoted in support of answers.

PART-1

- Q.1** What are the essential ingredients of the offence of murder? Discuss the difference between culpable homicide and murder. (20 marks)
- Q.2** Define common intention. Explain the points of difference between common intention and common object. (20 marks)
- Q.3** Write short notes any four on the following:
- (a) Simple hurt and grievous hurt. (5 marks)
 - (b) Wrongful restraint and wrongful confinement. (5 marks)
 - (c) Abduction and kidnapping. (5 marks)
 - (d) Theft (5 marks)
 - (e) Dacoity. (5 marks)

PART-II

- Q.4** Distinguish between summons case and warrant case. Describe the procedure for trial of summons case. (20 marks)
- Q.5** Write Short Notes on:
- | | | | |
|--------------------------|--------------|-------------------|--------------------------|
| (a) Reference | (b) Revision | (c) Proclamation | (d) Attachment |
| (e) Complaint | (f) Charge | (g) Investigation | (h) Withdrawal of Pardon |
| (i) Interlocutory orders | (j) Inquiry | | |
- (2 marks each)
- Q.6** (a) What is the procedure given in the Cr.P.C. when the investigation of criminal case cannot be completed in 24 hours? Explain in detail. (10 marks)
- (b) When a police officer can make an arrest without warrant? What are the rights available to accused person after arrest? (10 Marks)

PART-III

- Q.7** What do you understand by confession? Whether confession before a police officer leading to recovery of weapon of offence is admissible in a criminal trial? (20 marks)
- Q.8** Write Short Notes on:
- | | | | |
|----------------------------------|------------------------|----------------------|-----------------------|
| (a) Admission | (b) Estoppel | (c) Hostile Witness | (d) Refreshing Memory |
| (e) Burden of Proof | (f) An Expert witness | (g) Primary evidence | |
| (h) Impeaching credit of witness | (i) Secondary evidence | (j) Onus probandi | |
- (2 marks each)
- Q.9** What is 'a dying declaration'? What are essential requirements for recording 'dying declaration'? (20 marks)

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