

**H.P.BOARD OF DEPARTMENTAL EXAMINATION  
DEPARTMENTAL EXAMINATION FOR IAS/ HAS OFFICERS OF HIMACHAL  
PRADESH SESSION MAY- JUNE, 2009**

**PAPER NO.-2 (CRIMINAL CASE)**

**Time Allowed: 3 Hours.**

**Maximum Marks: 100**

**Note:- Attempt both the questions.**

**Questions carry equal marks indicated against them.**

Q.No.1 a) On the Statement of injured Smt. Bhardwaj FIR No.30 dated 27-07-2003 (A-1) Was registered in Police Station Dhalli under sections 341, 323, 504, 506 IPC. Thereafter investigation was carried out and the challan (A-2) was presented Against accused Ram Lal in the court of Ld. Judicial Magistrate Ist Class, Shimla. The investigation papers are (A-3) to (A-9) of accusation against the Accused on the basis of FIR and the challan. **(15 Marks)**

b) Accused Ram Lal pleaded not guilty to the notice of accusation and he was tried by the Ld. Judicial Magistrate Ist Class. The prosecution examined eight witnesses (A-10 to A-17) and then statement of accused was recorded under section 313 of Cr.P.C. (A- 18). No defence was led by the accused. Write a reasoned judgement of the basis of evidence and material on record. **(35 marks)**

Q.No.II a) On the basis of the statement of Shanker Dass (B-1) enquiry was conducted Police presented Kalandra under sections 107 and 150 Cr.P.C. (B-2) against Madan Lal, Jitender Kumar, Nek Ram and Paras Ram before Ld. S.D.M. Nadaun, District Hamirpur alongwith enquiry papers (B-3 to B-7) recorded During enquiry. On the basis of ofoesaid record draw a notice under section 111 Cr.P.C. against Madan Lal, Jitender Kumar, Nek Ram and Paras Ram. **(15 marks)**

b) On the basis of the above record of the police Ld. S.D.M. issued show cause notice under section 111 Cr.P.C. to Madan Lal, Jitender Kumar, Nek Ram and Paras Ram, who did not admit the substance of the notice as per reply B-8. Thereafter Ld. S.D.M. recorded the statements (B-9 to (B-12). Write the Reasoned order on the basis of the statements recorded and the material on Record. **(25 marks)**

© Whether there is any statutory period during which the enquiry is to be Completed by the Executive Magistrate in cases under section 107/ 150 Cr.P.C? If so, what is statutory period. Whether this period can be extended And if so under what circumstances? **(10 Marks)**