

BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION
FOR IAS/HAS OFFICERS
Year – 2014 (Session October 2014)

Paper-2 (Criminal case)

Time allowed – Three hours

Maximum marks – 100

- NOTE:- (1) Attempt both the questions.
(2) Questions carry the marks indicated against them.

Q.1 (a) That on 12.08.2007 complainant Santosh Kumari wife of Nand Lal got recorded her statement under Section 154 Cr.P.C. with ASI Mahender Singh to the effect that on 12.08.2007 at about 4.45 P.M. she and one Raksha Devi wife of Raj Pal were returning back from Ghumarwin-after carrying out "Tulla of Raksha Devi's son". They saw Sanju son of Daljeet Singh who caught hold of her son Arun Kumar from hairs and dragged him upto the water and were saying that why he had released water. When they tried to stop them Sanju gave a blow to her sister-in-law over her left arm and blood started oozing out, whereas, Daljeet gave her a blow of wooden item on her arm. This occurrence was witnessed by Summan and his father Bhagirath. On the basis of statement of Smt. Santosh Kumari FIR under section 341, 323 r/w section 34 was registered against accused Daljeet Singh and Sanju. The contents of FIR is at page 1 & 2 Annexure-A. After investigation a challan under section 451, 341, 323, 325 r/w section 34 of IPC was put up in the court of JMIC Ghumarwin against accused Daljeet Singh and Ajay Kumar.

Please prepare charge against the aforesaid accused under section 451, 341, 323, 325, r/w section 34 IPC (10)

(b) Accused pleaded not guilty to the charge and was tried by Judicial Magistrate Ghumarwin. The prosecution examined 12 witnesses in support of the case their statements are recorded at Annexure-B page 1 to 18.

Please write statement of accused recorded under section 313 Cr.P.C. (10)

(c) Both the accused put the defence of detail of occurrence in their statement recorded u/s 313 Cr.P.C. Write down a reasoned judgement on the basis of statement recorded in the court i.e. Annexure- page 1 to 18. (30)

Q.2 (a) That on 05.06.2013 Smt. Suman Sharma filed a complaint before the S.P. Shimla stating therein that my husband is having land dispute with one Sh. Gopal Krishan. Sons of Sh. Gopal Krishan namely Abhishek and Anand threatened my husband with dire consequences for withdrawing the case against them. It is also alleged by the complainant that these aforesaid persons had openly said that they will put my family behind the bars, and as such she apprehends threat of life from them. The complainant further requested to take appropriate action under the law. The complaint of Smt. Summan Sharma is

(Contd. Page-2)

Annexure-C page-1. On the above information Police Station of Dhali prepared a Kalandra u/s 107, 150/145 Cr.P.C. after recording the statement of Smt. Ram Pyari Sharma and Sh. Ajay Sharma. Kalandra is Annexure-D. Statements of witnesses are Annexure-E Page 1 & 2.

- Please draw a notice u/s 111 Cr.P.C. against respondent Gopal Sharma and others on the basis of Annexure - D as above. (15)
- (b) On the basis of statement of witnesses namely Smt. Ram Pyari and Ajay Sharma of (Annexure-E page 1 & 2). Write a detailed order believing these statements to be taken as true and ask for the bound for maintaining good behaviour and peace from the respondents for a period of one year with one surety in the like amount. (25)
- (c) Describe the procedure whether the Executive Magistrate may ask interim bound till the conclusion of enquiry by mentioning the relevant provisions of Cr.P.C. (10)