

BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION
FOR IAS/HAS OFFICERS
April, 2014

Paper 1 (Criminal Law and Procedure)

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 – I

- Q.1 When does a statement amount to defamation under the Indian Penal Code? What are the exceptions in a case of defamation? (20 marks)
- Q.2 (a) Explain the essential elements of wrongful confinement and distinguish it from wrongful restraint. (10 marks)
(b) Explain the ingredients of offence of theft and distinguish it from extortion. (10 marks).
- Q.3 What are the essential ingredients of the offence of murder? Discuss the difference between culpable homicide and murder. (20 marks)

PART – II

- Q.4 What is unlawful assembly? Discuss in detail the provisions of the Code of Criminal Procedure dealing with unlawful assembly. (20 marks)
- Q.5 Explain the provisions of the Code of Criminal Procedure for keeping peace for the purpose of preventing offences and briefly discuss the procedure for the same. (20 marks)
- Q.6 Define public nuisance. Discuss its essentials and state the procedure which a magistrate may adopt in dealing with public nuisance. (20 marks)

PART – III

- Q.7 What is secondary evidence? When secondary evidence relating to documents may be given. (20 marks)
- Q.8 What do you understand by confession? How much of confession before a police officer is admissible in a criminal trial? (20 marks)
- Q.9 (a) What do you mean by Burden of Proof? On whom the burden of proof as to particular fact lies. (10 marks)
(b) What do you mean by judicial notice? What are the facts of which the court must take judicial notice? (10 marks)