

**BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION
FOR IAS/HAS OFFICERS**

October, 2014

Paper-1 (Criminal Law and Procedure)

Time allowed – Three hours

Maximum marks – 100

NOTE:-

- (1) Attempt any five question 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** (a) What is grievous hurt under the Indian panel code, what is difference between simple hurt and grievous hurt. Explain (10)
- (b) What offence is committed **if** an assault and criminal force is made on public servant to deter him from discharging his official duty. Explain in detail. Whether the offence is cognizable and non-cognizable? (10)
- Q. 2** (a) Whether intercourse by a man with his wife living separately constitute an offence? If yes under which section it is punishable. (5)
- (b) Explain the offence of robbery and dacoity under Indian Panel Code. (10)
- (c) What are the main ingredients to constitute the offence of criminal misappropriation by a public servant? (5)
- Q.3** Explain the following with section of IPC:-
- (a) Act done under sudden and grave provocation.
- (b) Act done by a public servant in discharge of his duty.
- (c) Act done by a minor.
- (d) Act done without consent with a objective to prevent harm. (5x4)

PART- II

- Q.4.** (a) What is difference between summon and warrant under what circumstances the warrants are issued by the courts. (5)
- (b) When search warrant can be issued, can a search warrant be issued to search a place suspected to be having stolen property, forged documents etc. (10)
- (c) Distinguish between summon case and warrant case. (5)
- Q.5** (a) Whether Executive Magistrate can ask to execute a bound under the preventive section to maintain peace in an area until conclusion of enquiry? (5)
- (b) What procedure is to be followed if a Executive Magistrate has to reject surety in a proceedings under the preventive sections. Explain. (5)
- (c) Discuss whether an FIR is substantive evidence if it contains a confession, is it admissible? (10)

(cont. next page)

- Q.6 Write short notes on the following:-
- (a) Investigation and enquiry under the Cr.P.C. (5)
 - (b) Whether an accused can be a competent witness? (5)
 - (c) Discharge and acquittal. (5)
 - (d) Summon case and warrant case. (5)

PART- III

- Q.7 Discuss the following with reference to Indian Evidence Act:-
- (a) Burden of proof.
 - (b) Dying declaration.
- (10x20)
- Q.8 Explain the evidentiary value of:-
- (a) Extra judicial confession:
 - (b) Expert opinion. (20)
- Q.9 Write short notes on the following:-
- (a) Can court may presume existence of certain facts? (5)
 - (b) Examination in chief and cross examination. (5)
 - (c) Relevancy of facts. (5)
 - (d) Hostile witnesses and its evidentiary value. (5)