

BOARD OF DEPARTMENTAL EXAMINATION
GOVT. OFFICER/ OFFICIAL (TEHSILDAR/ NAIB-TEHSILDAR)

APRIL/ 2011
Paper 5 (Criminal law and procedure)

TIME ALLOWED: 3 HOURS

Max marks: 100

Note:

- 1) Attempt any five questions in all and at least one from each part.
- 2) All questions carry equal marks.

PART-I

- Q.1 a) Describe the procedure and powers of Executive Magistrate for asking security for keeping and maintaining peace in the area under his jurisdiction. (10)
- b) Under which provisions of Cr.PC a Executive Magistrate can ask to execute a bond for maintaining peace before the completion of inquiry? (5)
- c) What is the procedure for rejecting surety furnished to maintain peace and tranquility in the area. Discuss? (5)
- Q.2 a) How the search of a closed premises can be effected? What are the necessary precautions to be taken at the time of search? (10)
- b) Describe the procedure of inquiry by a Magistrate into the cause of death and to hold inquests. (10)
- Q.3 Write short notes on the following:
- i) Inquiry and investigation under the Cr.PC. (5)
 - ii) Cognizable offence and non- cognizable offence. (5)
 - iii) Summon case and a warrant case. (5)
 - iv) Report of Police Officer on completion of investigation. (5)

PART-II

- Q.4 a) What is confession and when it is admissible. Explain with reference to Indian Evidence Act? (10)
- b) Distinguish between Primary and Secondary evidence. (10)
- Q.5 a) What do you understand by dying declaration under Evidence Act, when it relates to cause of death. Explain? (10)
- b) What are the facts which Court must take judicial notice? (10)
- Q.6 a) Which documents are considered public document. Explain? (5)
- b) Under which Section of Evidence Act, Court can presume the commission of offence of dowry death. (5)
- c) What is the mode of proof of public documents and other official documents? (5)
- d) Can Court may presume existence of certain facts comment briefly? (5)

P.T.O.

PART-III

- Q.7.a) What is theft under the Indian Penal Code. Explain by giving Section of law? (10)
Explain. (10)
- b) Describe difference between theft and extortion. (10)
- Q.8.a) What do you understand by culpable homicide under the Indian Penal Code. (10)
Explain in detail? (10)
- b) In what cases the right of private defence of property extends to causing of death? (10)
- Q.9. Write short notes on the following:
- i) Mischief. (5)
 - ii) Criminal trespass. (5)
 - iii) Dowry death under IPC. (5)
 - iv) Assault and Criminal Force. (5)
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