

BOARD OF DEPARTMENTAL EXAMINATION
Govt. Officer/Official (Tehsildar/Naib-Tehsildar)
APRIL/2014

Paper No 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 1

Q.no 1) Define the following :-

- 1) unlawful assembly
- 2) public servant
- 3) Greivous Hurt
- 4) Good faith
- 5) legal insanity and medical insanity (4x5)

Q.no2) 1) Discuss the exception to the right of private defense of the body and property. When does the right of private defense of the body extend to causing death ? (15)

2). What is forgery? What is the punishment provided under the IPC for using as genuine document which is known to be forged? (5)

Q.NO3 What are the essentials of the offence of criminal misappropriation of property? Explain with illustrations.

(20)

(cont. Page-2-)

Part Two

Q.NO4) a) How the search of a closed premises can be effected? What are the necessary precautions to be taken at that time.

b) What is required to be done in case the search is to be made outside the territorial jurisdiction of the court issuing the search warrant?

(15,5)

Q.NO5) Write short notes on:-

A) Discharge and Acquittal.

b) Cognizable and Non cognizable offences.

c) Summons and Warrant trial.

d) Enquiry and investigation

(5x4)

Q.NO6) Define "Arrest". Under what circumstances a police officer can arrest a person without Warrant? Can a police send notice to the suspect of cognizable offence where the police do not want to arrest him to appear before them for interrogation. Explain?

(20)

Part three

Q.NO7) a) What do you mean by Burden of Proof in a criminal trial? On whom does the burden of proof

lies as to the particular fact, especially on the accused to prove right of private defence?

(20)

Q.NO8) a) Define the following:

1) Expert evidence 2) Hearsay evidence 3) Estoppel 4) Demeanour 5) Public documents

(2x5)

b) How much of the information received from an accused can be proved under section 27 of the Evidence Act?

(10)

Q.NO 9) a) Distinguish between primary evidence and secondary evidence. (10)

b) How the Public documents are proved in the court, describe in detail? (10)