

BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION
FOR IAS/HAS OFFICERS
October, 2012

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) All questions carry equal marks.
(3) Relevant provision of law must be quoted in support of answers.

PART – I

- Q.1 When the offence of 'rape' is complete and what is the punishment prescribed for the same? Are you in favour of prescribing 'death penalty' for the 'rapist'? (20 marks)
- Q.2 What is the difference between:
(a) Culpable homicide and murder (5 marks)
(b) Grievous hurt and simple hurt (5 marks)
(c) Theft and extortion (5 marks)
(d) Cheating and forgery (5 marks)
- Q.3 What is defamation? What are the exceptions in a case of defamation? (20 marks).

PART – II

- Q.4 Under what circumstances a Magistrate may demand security for keeping peace and good behaviour on conviction or otherwise? Explain with illustrations. (20 marks)
- Q.5 (a) Define FIR? What is the evidentiary value of First Information Report? (10 marks)
(b) Whether a police officer can arrest a person without warrant? What rights are available to an accused person on arrest? (10 marks)
- Q.6 Distinguish between summons case and warrant case. Describe in brief the procedure for trial of summons case. (20 marks)

PART – III

- Q.7 What is meant by 'dying declaration'? What are the essential requirements of recording 'dying declaration'? (20 marks)
- Q.8 What do you understand by confession? Whether confession before a police officer leading to recovery of weapon of offence is admissible in a criminal trial? (20 marks)
- Q.9 Discuss the importance of oral and documentary evidence under the Indian Evidence Act? Discuss their respective evidentiary value? (20 marks)