

**BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION
FOR TEHSILDAR/N.T OFFICERS**

October, 2014

Paper-5 (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) Explain the provision made in Indian Penal Code with regard to culpable homicide not amounting to murder and causing death by negligence. (10)
- (b) Explain in detail common intention as prescribed in IPC. Is common intention distinct from common object? (10)
- Q. 2 (a) What do you understand by criminal trespass. Explain. (5)
- (b) Distinguish between rioting and affray. (5)
- (c) What is dowry death. Explain with reference to punishment provided in IPC for the offence. (10)
- Q.3 Explain the following:-
- (a) Act done in private defence..
- (b) Act done by causing death or grievous hurt not intended to do so.
- (c) Act of person of unsound mind.
- (d) Act done in good faith. (5x4)

PART- II

- Q.4. (a) What is FIR. Discuss the concept in detail. (10)
- (b) It has been said that when any information disclosing a cognizable offence is made before the officer in-charge of Police Station, he has no option to register the case. Do you agree? Discuss various option before the complainant where the SHO refuse to register a complaint. (10)
- Q.5 (a) What do you understand by confession, discuss with reference to evidence Act. Explain. (10)
- (b) Can a Police Officer arrest with out warrant and what are the rights available to the accused. Explain. (10)
- Q.6 Write short notes on the following:-
- (a) Trial of summon case and warrant case, provided under Cr.P.C. (5)
- (b) What contents are required in a notice issued under section 111 Cr.P.C. by an Executive Magistrate in a proceeding under section 107/150 Cr.P.C? (5)
- (c) What should constitute in a final report prepared by Police under section 173 Cr.P.C.. (5)
- (d) Cognizable and non-Cognizable offences. (5)

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PART- III

- Q.7 (a) How much of the information received from an accused can be proved under section 27 of evidence Act. . (10)
(b) How the official documents are proved in the court, describe in detail. (10)
- Q.8. (a) What do you mean by judicial notice and what are the facts on which the court must take judicial notice? (10)
(b) Expert opinion under the evidence Act and when it is relevant. Explain. (10)
- Q.9. Write short notes on the following:-
(a) Fact in issue? (5)
(b) Conclusive proof. (5)
(c) Hostile witnesses and its evidentiary value. (5)
(d) Dying declaration. (5)