

H.P.BOARD OF DEPARTMENTAL EXAMINATION

Paper Name:- E.T.I. Paper No.1
Law of Crimes

August, 2005

Time Allowed: 3 Hours.

Max. Marks: 100.

Note:

- 1. All questions carry equal marks.**
- 2. Attempt five questions in all taking at least one question from each part. The answer should be supported by reasons by quoting relevant provisions of law.**
- 3. Only bare acts of Cr. P. C., I.P.C. and Indian Evidence Act are allowed to be consulted. No book having short notes is allowed.**

Part-I

Q.No.1 What do you understand by the following terms.

- | | |
|-----------------------|-------------------------------------|
| a) Abetment. | b) Conspiracy. |
| c) Common intention | d) good faith. |
| e) fraudulent conduct | f) Unlawful assembly. |
| g) Mistake of fact | h) Mistake of law. |
| i) Valuable Security | j) Wrongful gain and wrongful loss. |

2 x 10= 20.

Q.No.2 What Offence has been committed in each of the following:

- a) A Cut a women with a sword several times and spread hay round her when she was almost in unconscious state and set fire to the hay which resulted in the death of the woman and pleaded that he was under a divine influence which made him do the act for the purpose of removal of devil possessed by the woman.
- b) Where an unwilling friend, deceased who did not know swimming was put into the deep fast river by his friends with the common intention of causing wrongful restraint for amusement but had also thought of saving him in an emergency and they attempted to save but failed.
- c) Where there was no animosity between A- an accused and B deceased who attempted to intervene in the dispute between A and B person and A blow with iron rod attempted on other person by A fell on B and proved fatal.

Contd/p-2

- d) 'A' serving as CHAWKIDAR in a Govt. owned rest house received money as rent from various visitors and put the same to his own use instead of depositing the same in the proper place. The act of his defalcation was discovered by his superior with in 15 days of receipt and 'A' immediately refunded the amount.

4 x 5 = 20

Q.No.3 What is a false document. Is it distinct from forged document? Under what Circumstances a person can be prosecuted for commission of offence of Forgery. 20.

PART-II

Q.No.4 Write short notes on any four of the following.

- a) First Information Report.
- b) Anticipatory bail.
- c) Retracted Confession
- d) Cognizable Offence.
- e) Examination –in-Chief and Cross- examination.
- f) Further investigation.

4 x 5 = 20

Q.No.5

- a) When can a trial Magistrate discharge the accused? 10
- b) What are the Pre- requisites of tender of pardon to accomplice 10

Q.No.6.

- a) What is the procedure for giving legal aid to accused at state expenses. 10
- b) What are the powers and what procedure has to be followed by the investigating Officer while making search and seizure.

PART-III

Q.No7 State the cases in which statement of relevant fact by person who is dead or can Not be found is relevant.

-20-

Q.No.8

- a) What is the mode of proof of Official documents? -10-
- b) What is the presumption as to the documents thirty years old. -10-

Conte/p-3

Q.No.9 Write short notes on any four of the following:-

- a) Privileged Communication.
- b) Hostile witness.
- c) Expert opinion.
- d) Dumb Witness.
- e) Conclusive proof.
- f) Rebutable Presumption

5 x 4 = 20
