

Departmental Examination for Excise and Taxation Inspector

October 2010

Paper No. 1 : Law of crimes

Time allowed : 3 Hrs

Max. Marks :100

- Note :
1. Answer any five questions, atleast one question from each part.
 2. All questions carry equal marks.
 3. Quote relevant provisions of law

PART A

- Q.1
- a) Explain the concept of "wrongful gain" and wrongful loss".
 - b) A person demolished the structure of his neighbour because it was an encroachment on public street. Will it amount to wrongful loss?
 - c) Distinguish between 'fraudulently' and 'dishonestly'.
- Q.2
- a) Explain in detail "common intention" as prescribed in I.P.C.
 - b) Is it necessary that an accused person sharing the common intention must be physically present at the scene of occurrence?
 - c) Is 'common intention' distinct from 'common object'?
- Q.3. Explain the followings: -
- a) Act done in good faith
 - b) Act done with a view to prevent other harm
 - c) Act of person of unsound mind.
 - d) Act done by consent causing death or grievous hurt but not intended to do so.
 - e) Act done in private defence

PART B

- Q.4 Explain in detail the process through which a person can be compelled to the production of things.
- Q.5
- a) What is F.I.R. Discuss the concept in detail?
 - b) It has been said that when any information disclosing a cognizable offence is laid before the officer in charge of the Police Station, he has no option but to register the case on the basis thereof. Do you agree? Discuss the

complainant where
various options before the ~~complaint~~ of the S.H.O. refuses to register a complaint.

- Q.6 Discuss in detail the procedure for custody or release of an accused when the investigation can not be completed within twenty four hours.
- Q.7 Where a person is convicted of offences against public tranquility, what precautionary measures can the magistrate take against such person? What are such offences which are stated to be against public tranquility?

PART C

- Q.8 Discuss the followings: -
(i) Fact (ii) Relevant (iii) Document (iv) May presume (v) Conclusive proof
- Q.9 Explain the concept of "Estoppel".
- Q. 10. What are the limitations in asking a question during 'examinations in chief' and during "cross examination"? Can court decide when question shall be asked and when witness can be compelled to answer? Discuss.

PART B