

HP Board of Departmental Examination
Fatehgarh Shimla - 171012.
-- --

Departmental Examination of other Gazetted officers of HP Police Department, October, 2014.

Paper 3: Police (Procedural Law)

Max.Marks:100

Time 3 Hours.

- Note: A) All questions carry equal marks.
B) Attempt any five questions
C) Only bare acts are allowed.
D) Relevant sections of law may be quoted wherever required.

Q.No.1: a) What are the powers of Magistrate when a complaint is made to him of offences which are cognizable and those which are non-cognizable.

b) Discuss provisions in Cr.P.C. and the Supreme Court judgement regarding victim compensation. (10x2= 20 Marks)

Q.No.2 a) Discuss the powers of Executive Magistrate to issue order in urgent cases of nuisance or apprehended danger. What action can be taken under IPC and Cr. P.C. for non compliance of such order ?

b) How a final report is submitted after completion of investigation ? What are the types of final report a Police officer can submit ? How further investigation can be conducted after submission of the final report. (10x2= 20 Marks)

Q.No.3. a) What is extra judicial confession and how is it relevant ? (7 Marks)

b) What are public documents and private documents ? How they can be proved during trial ? (7 Marks)

c) What is burden of proof ? Under what circumstances in a criminal cases burden of proof lies on accused ? (6 Marks.)

(Contd. page-2)

Q.No.4. a) What are the restrictions for calling a person to Police Station as a witness? Describe the process of recording the statement of woman victim under section 164 Cr.P.C. and the evidentiary value of that statement.

b) What is the procedure to be followed if witness is unable to speak or unable to communicate verbally in the court. (10x2=20 Marks)

Q.No.5. a) Discuss provision in the Evidence Act for prosecution of Police Officers for custodial death, and custodial intercourse.

b) What are the legal provisions and directions of the Supreme Court to prove the handwriting of a person in the Court? Is it necessary to arrest a person to obtain his specimen handwriting? (10x2=20 Marks)

Q.No.6. a) Discuss the procedure of making an accused person an approver. Why such a procedure does not amount to influence used to induce disclosure.

b) Write a note on procedure laid down in Cr.P.C. when the dispute concerning land or water is likely to cause breach of peace. (10x2=20 Marks)

Q.No.7: a) Discuss provision and procedure for taking security for good behavior from habitual offenders.

b) Discuss protection of members of armed forces from arrest and prosecution as provided in various sections of Cr.P.C. (10x2=20 Marks)