DEPARTMENTAL EXAMINATION OF OTHER GAZETTED OFFICERS OF HP POLICE DEPARTMENT, OCTOBER, 2015

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) Is it always necessary to arrest a person to obtain his specimen handwriting before Magistrate? Describe amendment in law and the clarification issued by PHQ in this regard.

10 Marks.

(b) Discuss protection of members of the Armed Forces from arrest and prosecution as provided in various sections of Cr.P.C.

10 Marks.

Q. No. 2 (a) What is the procedure of making an accused person an approver. Why such a procedure does not amount to influence used to induce disclosure?

10 Marks.

(b) Discuss legal provisions regarding publication of name of juvenile in conflict with law, rape victim and rape trial?

(10 Marks)

Q. No. 3 Under what circumstances in a criminal case, burden of proof lies on accused.

20 Marks.

Q. No. 4 What are the powers and discretion of a Police Officer regarding arrest and bail of accused? What is the purpose of arresting an accused person? What are NHRC directions regarding arrest?

Q. No. 5 (a) What is dying declaration and how it is recorded?

10 Marks.

(b) Explain extra judicial and judicial confession and procedures to be followed in recording them?

10 Marks.

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Q. No.6 (a) What are the powers of a Magistrate when a complaint is made to him of offences which are cognizable and those which are non-cognizable.

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

10 x 2 = 20 Marks.

Q. No. 7 (a) What are the restrictions for calling a person to Police Station? 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?

10 x 2 = 20 Marks.

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