

**H.P.BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION OF OTHER GAZETTED OFFICERS/
OFFICIALS OF HIMACHAL PRADESH SESSION, SEPTEMBER, 2008**

PAPER-3 POLICE (PROCEDURAL LAW)

Time Allowed. 3 Hours.

Maximum Marks:100

Note:- A) All question carry equal marks.

B) Attempt any Five Questions.

C) The Relevant Sections of Cr.P.C. and Evidence Act to be quoted with Court Judgement, if 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 the procedure of making an accused person an approver. Why such a Procedure does not amount to influence used to induce disclosure.

(10 x 2 = 20

Marks)

- Q.No.2 a) What is the procedure to be followed as per Cr.P.C. and as per NHRC Guidelines in the case of custodial death.
b) Discuss amendment in Indian Evidence Act in the case of custodial death and custodial rape.

(10 x 2 = 20

Marks)

- Q.No.3 a) What are public documents and private documents. How they can be proved During trail.
b) What are the provisions in Indian evidence act regarding presumption with respect to rape and dowry death.

(10 x 2 = 20

Marks)

- Q.No.4 a) Discuss the procedure to be followed when dispute concerning land or water is

Likely to cause breach of peace.

- b) Discuss special provisions for women in Cr.P.C. with respect to granting of bail, service of Summons and releasing on probation of good conduct.

(10 x 2 = 20

Marks)

- Q.No.5 a) discuss the legal provision for negligent act in causing death due to drunken Drunken drinking.

(6

Marks)

- b) Discuss the procedure to be followed in proclamation of person absconding and
and also for attachment of property of person absconding.

(8

Marks)

- c) Discuss the power of Executive Magistrate to issue order in urgent cases of

nuisance or apprehended danger. What action can be person taken under IPC and Cr.P.C. for non- compliance of such order. **(6 Marks)**

Q.No.6 a) What is extra judicial confession and how is it relevant. **(7 Marks)**

b) How do you prove the handwriting of a person in the court. **(7 Marks)**

c) What is burden proof, on whom does the burden of profiles? **(6 Marks)**

Q.No.7 a)what is the purpose of arresting a person. Discuss the powers of SHO to release

An accused arrested under non- bailable offences. What is the procedure to be Followed for noncompliance of conditions of bail by the accused. **(15 Marks)**

b) Discuss the provisions for taking security for good behaviour from habitual Offenders. **(5 Marks)**