

**Himachal Pradesh  
Board of Departmental Examination  
April, 2016  
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**Paper No. 1 (Criminal Law & Procedure for IAS/HAS officers)**

**Time allowed- Three hours**

**Maximum marks- 100**

- NOTE:** (1) Attempt any five questions and at least one from each part.  
(2) Questions carry the marks indicated against them.  
(3) Relevant provisions of law be quoted in support of answers.  
(4) Only Bare Acts are allowed.

**PART-I**

Q.1 What are the essential ingredients of the offence of murder ? Discuss the difference between culpable homicide and murder. **(20 marks)**

Q. 2 Define the following:  
(1) Assault. (2) Criminal force. (3) Kidnapping. (4) Extortion.  
(5) Common intention. (6) Rioting. (7) Affray (8) Criminal conspiracy.  
(9) Criminal breach of trust. (10) Common object. **(2 marks each)**

Q.3 Write short notes on the following:

- (a) Simple hurt and grievous hurt.
- (b) Wrongful restraint and wrongful confinement.
- (c) Abduction and kidnapping.
- (d) Common intention and common object.

**(5 marks each)**

**PART-II**

Q.4 What is an unlawful assembly? Discuss in detail the provisions of the Code of Criminal Procedure dealing with unlawful assembly. **(20 marks)**

Q.5 Write short notes on:

- a) Complaint and police report.
- b) Cognizable and Non cognizable offences.
- c) Summons and Warrant trial.
- d) F.I.R.

**(5 marks each)**

Q. 6

- a) What contents are required in a notice issued under section 111Cr. P.C. by Executive Magistrate in a proceeding under section 107/150 Cr.P.C. Can a Magistrate ask for interim bond during the proceeding under section 107 Cr. P.C.
- b) Can a Police Officer make arrest without Warrant and what are the rights available to accused person after arrest?

**(10 marks each)**

**PART-III**

Q.7 (a) What is secondary evidence? When secondary evidence relating to documents may be given.

(b) What is a 'dying declaration'? What are essential requirements for recording 'dying declaration'?

**(10 marks each)**

Q.8 Define the following:

- 1) Extra judicial confession., 2) Fact in issue, 3) Hostile witness, 4) Estoppel, 5) Conclusive proof.

**(4 marks each)**

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