

BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION
FOR TEHSILDARS/NAIB TEHSILDARS

June, 2018

Paper 5 (Criminal Law and Procedure for Tehsildars/NT)

Time allowed – Three hours

Maximum marks – 100

- NOTE:**(1) Attempt any five questions and at least one from each Section.
(2) Questions carry the marks indicated against them.
(3) Relevant provisions of law be quoted in support of answers.
(4) Bare Acts of I.P.C., Cr.P.C., Indian Evidence Act and C.P.C. are allowed.

PART – A

SECTION – i

- Q.1 What are the essential ingredients of the offence of murder? Discuss difference between culpable homicide and murder. (20 marks)
- Q.2 Write short notes on the following:
- (a) Bailable offence and non-bailable offence. (5 marks)
- (b) Wrongful restraint and wrongful confinement. (5 marks)
- (c) Abduction and kidnapping. (5 marks)
- (d) Common intention and common object. (5 marks)

SECTION – II

- Q.3 What is unlawful assembly? Discuss in detail the provisions of the Code of Criminal Procedure dealing with unlawful assembly. (20 marks)
- Q.4 Distinguish between summons case and warrant case. Describe the procedure for trial of summons case. (20 marks)

SECTION – III

- Q.5 What do you understand by confession? How much of confession before a police officer is admissible in a criminal trial? (20 marks)
- Q.6 (a) What do you mean by Burden of Proof? On whom the burden of proof as to particular fact lies. (10 marks)
- (b) What do you mean by judicial notice? What are the facts of which the court must take judicial notice? (10 marks)

P.T.O.

PART - B

SECTION - IV

- Q.7 Write short notes on the following: (5 marks)
- (a) Representative suit (5 marks)
 - (b) Precept (5 marks)
 - (c) Settlement of issues (5 marks)
 - (d) Summons to witnesses (5 marks)
- Q.8 What are the principles for granting relief of temporary injunction? Can it be granted without giving notice to the other party? If so, explain the same with the help of the case law? (20 marks)
- Q.9 Explain the difference between the following: (10 marks)
- (a) Counter-claim and set-off (10 marks)
 - (b) Resjudicata and estoppel