

Board of Departmental Examination  
Departmental Examination  
FOR IAS/ HAS Officers  
**November, 2019**

Paper:1 (Criminal Law and Procedure & Code of Civil Procedure for IAS/ HAS)

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 each of 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-1**

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

**Part -II**

- Q.3 (a) Whether a private person is competent to arrest any person? If so, under what circumstances. Refer the relevant section of law? (10 marks)
- (b) Whether more than one offence can be tried together? If so, under what circumstances? Explain in detail with relevant section of law. (10 marks)
- Q.4. Write short notes on the following:
- (a) Bailable offence and non-bailable offence (5 marks)
  - (b) Cognizable offence and non-cognizable offence (5 marks)
  - (c) Summons case and warrant case (5 marks)
  - (d) Inquiry and Investigation. (5 marks)

- Q.5. (a) Whether public is bound to assist the Magistrate and police? If so, under what circumstances? Explain in detail with relevant section of law. (10 marks)
- (b) Whether public is bound to give information of commission or design of any offence to any Magistrate or police? If so, under what circumstances? Explain in detail with relevant section of law. (10 Marks)

### Part –III

- Q.6 (a) What is evidentiary value of the entries in public record made during the performance of official duty? Explain in detail with relevant section of law. (10 marks)
- (b) What are the facts which need not to be proved under Indian Evidence Act? Explain in detail with relevant section of law. (10 marks)
- Q.7 (a) Discuss in detail the relevancy of confession before Police, confession before a private person and confession before a Magistrate by giving example in support of your answer? (10 marks)
- (b) What is secondary evidence? Under what circumstances secondary evidence can be led to prove a document? Explain in detail with relevant section of law. (10 marks)

### Part –IV

- 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 case law. (20 marks)
- Q.9 (a) What is the procedure for suits by or against Government or public Officer in their official capacity? Explain in detail with relevant provision of law. (10 marks)
- (b) What is the procedure for settlement of dispute outside the Court? Explain in detail with relevant provisions of law. (10 marks)