

July, 2021

DEPARTMENTAL EXAMINATION OF IAS/TCS - Gr. II OFFICERS

Sub: Criminal Law and Procedure (Law Paper I) (Without Books)

Time Allowed: 3 (Three) Hours

Full Marks: 100

Figures in the margin indicate full marks

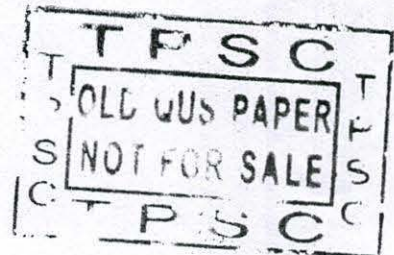
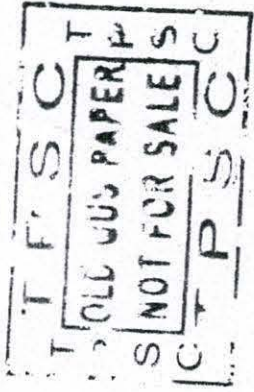
Answer Question No. 1 of Group A, 6 (six) questions from Group B
and 5 questions from Group C

(Group A)

1. Answer the following questions: (2X10)

(Answer to the questions shall be only in the form of either 'Yes' or 'No'.
Elaborate answer should not be given)

- (i) An Assistant Sub-Inspector of Police made a request to a Medical Practitioner for medical examination of a person arrested on the charge of committing an offence. Is it lawful for the Medical Practitioner to examine the person?
- (ii) 'P', a six years six months old boy steals an article from possession of 'S', a shop keeper. Can 'P' be prosecuted for committing the offence of theft?
- (iii) Can a Police officer superior in rank to an officer-in-charge of a Police Station exercise the same powers, throughout the local area to which he is appointed, as may be exercised by such officer within the limits of his station?
- (iv) 'A' is at work with a hatchet, the head flies off and kills a man who was standing by, despite caution on the part of A. Has A committed any offence?



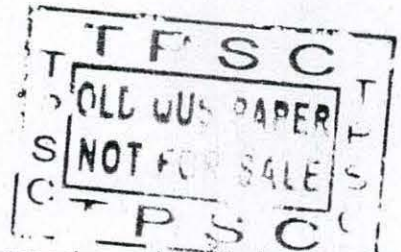
- (v) Is it consent, if such consent is given by a person under fear of injury or under misconception of fact?
- (vi) Is a 'Chowkider', appointed for keeping watch on public property as engaged by the Police Administration, is a public servant?
- (vii) Shall a Court presume a 'power-of-attorney' as to have been executed before a Notary Public was properly authenticated?
- (viii) In a great fire, 'A' pulls down houses in order to prevent conflagration spreading. Has 'A' committed any offence?
- (ix) An Arbitrator is legally authorized to take evidence. Is it a Court within the meaning of the Indian Evidence Act?
- (x) Are the records maintained by the Ward Office of Municipal Corporation public document?

(GROUP - B)

[Answer any 6 (six) questions]

6X5=30

- 2. When armed forces can be used to disperse unlawful assembly?
- 3. Is an Executive Magistrate authorized to pass an injunction order pending inquiry under section 133 of the Code of Criminal Procedure, 1973? Discuss citing the relevant provisions of law.
- 4. Describe the procedure to be followed by police upon seizure of property under the provisions of Code of Criminal Procedure, 1973?
- 5. What do you mean by the term 'voluntary' as defined in the Indian Penal Code? Give an illustration.



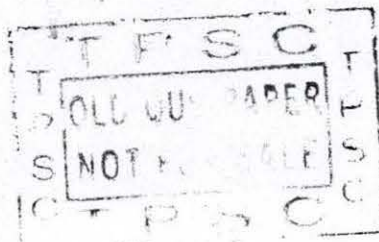
6. When the right of private defense of property extends to causing death?
7. Define the term 'criminal conspiracy'. What is the punishment prescribed for criminal conspiracy in the Indian Penal Code?
8. What are the provisions relating to taking presumption in case of 'dowry death' under the provisions of the Indian Evidence Act?
9. Whether a witness can be excused from answering on the ground that the answer would incriminate him? Discuss relevant provisions of law available in the Indian Evidence Act.

(GROUP C)

[Answer any 5 (five) questions]

10x5=50

10. How arrest is made? What is the special procedure to be followed for causing arrest of woman? - Discuss.
11. When an Executive Magistrate can exercise his power to attach subject of dispute and to appoint receiver? When and what order is to be passed in exercise of such power?
12. What are the laws relating to prohibition in carrying arms in procession or mass drill or mass training with arms under the Criminal Procedure Code, 1973?
13. Define the term 'Document' as provided in the Indian penal Code.
14. What do you mean by 'giving false evidence'? Discuss with illustration as provided in the Indian Penal Code.



15. What are the restrictions regarding making disclosure of professional communications in giving evidence as provided in the Indian Evidence Act? - Discuss.
16. What do you mean by 'leading question'? When leading question may or may not be asked and by whom? - Discuss.

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