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JKPSC
CS (J) (Mains)
Previous Year Paper
(Compulsory) Paper-III
25 Mar, 2019



Total No. of Printed Pages-4

7
Roll No. _____

1(KCSJ)9

COMPULSORY - III

[12]

Time Allowed - **Three Hours**

Maximum Marks-100

INSTRUCTIONS

Please read each of the following Instructions carefully before attempting the paper.

- i) Attempt any **FIVE** questions.
- ii) The number of marks carried by a question is indicated at the end of the question.
- iii) Answers must be written in **ENGLISH** only.
- iv) Word limit, where ever specified, should be adhered to.
- v) Your answer should be precise and coherent.
- vi) Attempts of questions shall be counted in sequential order. Unless struck off, attempt of a question shall be counted even if attempted partly.
- vii) If you encounter any typographical error, please read it as it appears in the text-book.
- viii) Candidates are in their own interest advised to go through the instructions given on the title page of the Question-cum-Answer (QCA) Booklet for strict adherence.
- ix) Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off by putting a cross (×).

1. a) It is said that '*Bail is the Rule and Jail is an Exception*'. Examine the above statement under the J&K Criminal Procedure Code. (8)
- b) What kind of punishments can be passed under the Ranbir Penal Code? In calculating fractions of terms of punishment, how is the imprisonment for life reckoned? (6)
- c) Define *Admission* and distinguish it from *Confession*. Is the confession made to a police person, admissible in evidence? State the rule and exceptions. (6)

2. a) Define Document under the Ranbir Penal Code. Does it include an electronic document? (6)
- b) State the powers of the Police to effect Arrest of persons? When can an arrest be made without warrant? (6)
- c) Define *Expert Evidence*. Illustrate different kinds of expert evidence which may be relevant under the J&K Evidence Act. (8)

3. a) X is at a work with a hatchet; the head flies off and kills a man who is standing by. Discuss the liability of X. Which general exception under the Ranbir Penal Code can be invoked by the defense. (6)
- b) When do the facts not otherwise relevant become relevant? Give suitable illustrations. (6)
- c) Define different modes of service of Summons. How can the summons be served to persons who cannot be found? (8)

4. a) How is the Security from Persons to keep good behavior taken under the J&K Code of Criminal procedure? What are the consequences of breaching such security? (6)
- b) A instigates B to murder D. B in pursuance of the instigation stabs D. D recovers from the wound. Is A guilty of instigating B to commit murder? Discuss the relevant provisions under the Ranbir Penal Code. (6)
- c) Discuss the principle of Estoppel with suitable illustrations. Can Estoppel be pleaded against law? (8)

5. a) Explain the powers of Executive Magistrates to pass conditional orders for removal of Public Nuisance. What are the consequences of disobeying the orders of Executive Magistrates? (8)
- b) A, a landholder, knowing of the commission of a murder within the limits of his estate, willfully misinforms the Magistrate of the district that the death has occurred by accident in consequence of the bite of a snake. What is the offence committed by him? Discuss his criminal liability. (6)
- c) What is Privileged Communication? Under what circumstances can it be claimed? (6)
6. a) Discuss the powers of Magistrates to record Confessions and statements. What is their evidentiary value? (6)
- b) Distinguish between Culpable Homicide and Murder. A without any excuse fires a loaded cannon into a crowd of persons and kills one of them. What is the offence committed by A? Discuss. (8)
- c) Who may testify before a court? Can a child be a competent witness? (6)
7. a) What is a *Private Complaint*? State the powers of police when such a complaint is filed? (6)
- b) Write short notes on the following.
- i) Leading Questions (3)
- ii) Hostile Witness (3)
- c) Write Short Notes on:
- i) Cheating (4)
- ii) Forgery (4)
8. a) What is *Plea bargaining*? What do you mean by '*mutually satisfactory Disposition*' under Section 265-C of the J&K Criminal Procedure Code? (6)
- b) Write Short notes on:
- i) Ancient Documents (3)
- ii) Cross Examination (3)

c) Write Short Notes on:

- i) Insanity as a General exception (4)
- ii) Cruelty and harassment for Dowry (4)

9. a) Explain the recent changes relating to the offence of Rape under the Ranbir Penal Code. (8)
- b) Is FIR necessary for the police to initiate action in a criminal case? Discuss the importance of FIR in criminal prosecution. (8)
- c) What is circumstantial Evidence? Is corroboration always necessary to admit it? (4)