



# KPK, PUBLIC SERVICE COMMISSION

Subject:

COMPETITIVE EXAMINATION FOR THE POST OF CIVIL JUDGES /  
JUDICIAL MAGISTRATE (B-18) IN LAW DEPTT: (ADVT: NO. 07/2015)

## CRIMINAL LAW

Time Allowed: 03 Hours

Total Marks= (100)

**Note:** *Attempt any five (05) questions in all attempting in ENGLISH / URDU. Two questions from Part-I and Part-II each and one question from Part-III. All questions carry equal marks.*

### PART-I

**Q. No.**

1. Some stolen property was recovered from "T". Later, it was found that he himself was the thief. He was convicted and sentenced for both the offences. Is it proper? Legal Justification?
2. One "F", by false imprisonment (personation), deceived the Deputy Commissioner and thus procured a certificate from him, that one "G" was a resident of a certain city intending thereby to enable "G" to get admission to a college against one of the reserved seats for each city. What offence, if any, has been committed by "F"? Reasons.
3. A surety and an attesting witness entered wrong description of themselves on a bail bond and got an order of release. Have they committed any offence? If so, what? Under which provisions?

### PART-II

4. "L" succeeded in gaining discharge, from prison, as a result of connivance of prison officials entrusted with his custody. Can a police officer arrest him without reference to a Magistrate? Under what Law and what Justification?
5. Civil proceedings, in respect of a property, are pending before a civil court. Can proceedings, with respect to the same property, be initiated, under section 145 Cr.P.C, against persons not party to civil proceedings? Reasons?
6. "Y" and "Z" were charged and tried for an offence, under section 325 P.P.C, alongwith the principal offenders, by application of Section 34 P.P.C. The appellate court found them not guilty on that court. Can the appellate court convict them for an offence under section 323 P.P.C. when the charge under Section 325 P.P.C. does not include facts of offence under Section 323 P.P.C? How?

### PART-III

7. Define and differentiate between "HADD" and "TAZIR". Enumerate the cases of "HADOOD" as provided by Islamic Criminal Law.
8. Write Elaborative Notes On:
  - i. Punishment of theft Liable to "HADD"
  - ii. Cases in which "HADD" shall not imposed.
  - iii. Cases in which "HADD" shall not enforced.
  - iv. Proof of theft Liable to "HADD"

**NOTE:**

THE BOOKS PROVIDED TO YOU BY THE PUBLIC SERVICE COMMISSION MUST BE RETURNED TO THE INVIGILATORS WITH NO MARKS OVER THESE.