

# FEDERAL PUBLIC SERVICE COMMISSION



## COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS IN BS-17 UNDER THE FEDERAL GOVERNMENT, 2011

### LAW, PAPER – II

<b>TIME ALLOWED:</b>	<b>(PART-I MCQs)</b>	<b>30 MINUTES</b>	<b>MAXIMUM MARKS: 20</b>
<b>THREE HOURS</b>	<b>(PART-II)</b>	<b>2 HOURS &amp; 30 MINUTES</b>	<b>MAXIMUM MARKS: 80</b>
<b>NOTE: (i) First attempt PART-I (MCQs) on separate Answer Sheet which shall be taken back after 30 minutes.</b>			
<b>(ii) Overwriting/cutting of the options/answers will not be given credit.</b>			

### (PART-I MCQs) (COMPULSORY)

- Q.1.** Select the best option/answer and fill in the **appropriate box** on the **Answer Sheet**. (1 x 20=20)
- (i) A murdered B, C a witness of the case states that he was standing near the two and saw that A pulled a dagger out of his jacket stabbed B twice on his chest as a consequence B fell down on the ground who later died. Will C's evidence be:
- (a) Circumstantial evidence (b) Evidence of fact and law  
(c) Direct evidence (d) None of these
- (ii) Facts which are the occasions, cause or effect, of relevant facts or facts in issue are:
- (a) Relevant (b) Not relevant at all (c) Sometimes relevant (d) None of these
- (iii) Can a Magistrate or Police Officer be compelled:
- (a) To provide information as the commission of any offence.  
(b) They are bound under the law to inform about the commission of any offence.  
(c) They cannot be compelled whence they received information as to the commission of any offence.  
(d) None of these
- (iv) Confession made after removal of impression caused by inducement, threat or promise:
- (a) Becomes relevant (b) Not relevant at all  
(c) Could be relevant with certain other conditions (d) None of these
- (v) Confession made by accused while in the custody of Police:
- (a) Not to be proved against the accused (b) Could be proved against the accused  
(c) Could be proved against accused if made in the immediate presence of a Magistrate (d) None of these
- (vi) Credit of a witness can be impeached:
- (a) By a proof that the witness has been bribed, or has accepted the offer of bribe or has received any other corrupt inducement to give his evidence  
(b) The law does not permit to impeach the credit of a witness at all  
(c) Only the court can impeach the credit of witness (d) None of these
- (vii) Evidence available due to modern devices and techniques:
- (a) Are not acceptable as evidence (b) Only acceptable if court allows to produce  
(c) Acceptable only if recorded before a Magistrate (d) None of these

**LAW, PAPER – II**

- (viii) Movable property include:
- (a) Corporeal property of every description not attached to the Earth
  - (b) Lands and things attached to the Earth
  - (c) Permanently fastened to anything which is attached to the Earth
  - (d) None of these
- (ix) A person is said to have “reason to believe” a thing;
- (a) If he has sufficient cause to believe that thing but not otherwise
  - (b) If he has sufficient cause to believe otherwise
  - (c) If he has slight doubt in believe
  - (d) None of these
- (x) “Dishonest Intention” is a Sine qua non of the offence of:
- (a) Robbery
  - (b) Theft
  - (c) Extortion
  - (d) None of these
- (xi) “Common Intention” and “Common Object” are:
- (a) Not synonymous
  - (b) Synonymous
  - (c) Semi Synonymous
  - (d) None of these
- (xii) “Wrongful Gain” means:
- (a) Gain by unlawful means of property to which the person gaining is not legally entitled
  - (b) Gain by means of customary law
  - (c) Gain with the help of police
  - (d) None of these
- (xiii) The “Injury” according to Penal Code means:
- (a) A lacerated wound on leg
  - (b) Harm on body with dagger
  - (c) Any harm whatever illegally caused o any person, in body, mind, reputation or property
  - (d) None of these
- (xiv) The punishments to which offenders are liable under the provisions of Pakistan Penal Code are:
- (a) Qisas, Diyat and Death
  - (b) Death or Life Imprisonment
  - (c) Qisas, Diyat, Arsh, Daman, Tazir, Death, Imprisonment For Life, Rigorous or Simple Imprisonment, Forfeiture of Property, Fine.
  - (d) None of these
- (xv) “Criminal Conspiracy” takes place:
- (a) When two or more persons agree or cause to be done, an illegal act or an act which is not illegal by illegal means
  - (b) When one person commits an illegal act to take revenge
  - (c) When two persons while having argument suddenly attack on a third person
  - (d) None of these
- (xvi) To an appeal before the Supreme Court in criminal matters the applicable law will be:
- (a) Pakistan Penal Code
  - (b) The Criminal Procedure Code
  - (c) The Constitution of Pakistan
  - (d) None of these
- (xvii) “Cognizable Offence” is:
- (a) An offence in which Police Officer needs warrants to arrest
  - (b) An offence in which Police Officer seeks permission from High Court to arrest the accused
  - (c) An offence in which Police Officer can arrest the accused without warrant
  - (d) None of these
- (xviii) Session Judge can pass:
- (a) Only Death Sentence
  - (b) Only Ten Years Imprisonment
  - (c) Any sentence authorised by law, Death Sentence subject to confirmation by High Court.
  - (d) None of these

**LAW, PAPER – II**

- (xix) Any person accused of any non-bailable offence is arrested without warrant or detained otherwise and is brought before court, he may be released on bail, except in:
- (a) Offences punishable with Death, Imprisonment for Life and Imprisonment for Ten Years
  - (b) Offences punishable with Imprisonment for Seven Years only
  - (c) Offences punishable with Imprisonment for Six Years
  - (d) None of these
- (xx) A person convicted on a trial by an Additional Session Judge may appeal to:
- (a) The Session Judge
  - (b) The High Court
  - (c) The Supreme Court
  - (d) None of these

**PART-II**

**NOTE:**(i) **PART-II** is to be attempted on separate Answer Book.  
 (ii) **Attempt ONLY FIVE questions from PART-II, selecting AT LEAST ONE question from each SECTION. All questions carry EQUAL marks.**  
 (iii) **Extra attempt of any question or any part of the attempted question will not be considered.**

**SECTION – I (QANUN-E-SHAHADAT)**

- Q.2.** Can oral evidence be excluded by documentary evidence? Discuss. **(16)**
- Q.3.** Explain when the confession of an accused be used against the co-accused. Distinguish between confessions and admissions. **(16)**
- Q.4.** Discuss when oral admission as to content of documents are relevant. Explain when Judgements of Courts of Justice become relevant. **(16)**

**SECTION – II (CODE OF CRIMINAL PROCEDURE(CrPC))**

- Q.5.** Can a police officer arrest a person without an order from a Magistrate and without a warrant? What procedure Police Officer has to follow after arrest of an accused? **(16)**
- Q.6.** What is a Summary trial? Explain the procedure of Summary trial as provided in the CrPC. **(16)**
- Q.7.** What is the procedure laid down in the CrPC for recording the confession of an accused person? Is it essential that a confession can only be made before a Magistrate? **(16)**

**SECTION – III (PAKISTAN PENAL CODE (PPC))**

- Q.8.** Under what circumstances and to what extent the right of private defence could be availed? Explain and illustrate. **(16)**
- Q.9.** Explain and distinguish between ‘Wrongful Restraint’ and ‘Wrongful Confinement’. What are the punishments for both of the offences under Pakistan Penal Code? **(16)**
- Q.10.** Write short note on the following: **(04 + 04 + 04 + 04 = 16)**
- (a) Criminal Force.
  - (b) Qatal-e-Khata
  - (c) Abetment
  - (d) Extort

\*\*\*\*\*