

**LAW, PAPER-II**

**FEDERAL PUBLIC SERVICE COMMISSION  
COMPETITIVE EXAMINATION FOR  
RECRUITMENT TO POSTS IN BPS-17 UNDER  
THE FEDERAL GOVERNMENT, 2009**

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S.No.	
R.No.	

<b>TIME ALLOWED:</b>	<b>(PART-I) 30 MINUTES</b>	<b>MAXIMUM MARKS:20</b>
	<b>(PART-II) 2 HOURS &amp; 30 MINUTES</b>	<b>MAXIMUM MARKS:80</b>

- NOTE:** (i) First attempt **PART-I (MCQ)** on separate **Answer Sheet** which shall be taken back after **30 minutes**.  
(ii) **Overwriting/cutting of the options/answers will not be given credit.**

**PART – I (MCQ)**  
**(COMPULSORY)**

- Q.1. Select the best option/answer and fill in the appropriate box on the Answer Sheet. (20)**
- (i) Non-Cognizable Offence is:  
(a) an offence in which a police officer can arrest without warrant  
(b) an offence in which a police officer cannot arrest without warrant  
(c) an offence in which a police officer cannot arrest an accused person  
(d) None of these
- (ii) A Justice of Peace appointed under the Code of Criminal Procedure (V of 1898) for the purpose of making an arrest has the power of:  
(a) a Magistrate (b) a Judicial Magistrate  
(c) a Police Officer (d) None of these
- (iii) A Magistrate First Class can try:  
(a) all offences punishable with death (b) all offences not punishable with death  
(c) all offences punishable with imprisonment of 6 months (d) None of these
- (iv) A police officer is bound to bring a person arrested by him before the court:  
(a) within 24 hours (b) within 36 hours  
(c) as soon as possible (d) None of these
- (v) A person convicted on a trial held by an Additional Sessions Judge may appeal to:  
(a) the Sessions Judge (b) the High Court  
(c) the Supreme Court (d) None of these
- (vi) After a charge has been framed against an accused person, he may be:  
(a) discharged (b) acquitted  
(c) either (a) or (b) (d) None of these
- (vii) A Cognizable Offence is:  
(a) an offence in which a police officer can arrest without warrant  
(b) an offence in which a police officer cannot arrest without warrant  
(c) an offence in which a police officer cannot arrest an accused person  
(d) None of these
- (viii) A was driving at a normal speed on a highway. Suddenly a child ran before his car to cross the road. A could not stop and, consequently, the boy was killed. He should be prosecuted for:  
(a) Murder (b) Negligence  
(c) Culpable Homicide (d) None of these
- (ix) A saw an armed person entering his house in the mid-night who abruptly opened fire on A. A also opened fire on him and killed him. He has committed:  
(a) Murder (b) Culpable Homicide  
(c) Negligence (d) None of these
- (x) An anonymous person informed A, a very wealthy smuggler of wheat, on telephone that his minor son was in his custody and if A does not donate Rs.500,000/- to the local "sateemkhana" he would break his son's legs. The caller committed which of the following offence:  
(a) no offence (b) Kidnap (c) Extortion (d) None of these
- (xi) When five or more persons, by fighting in a football ground, disturb the public peace, they are said to commit the following offence:  
(a) Affray (b) Rioting (c) Unlawful Assembly (d) None of these
- (xii) When five or more persons armed with deadly weapons, enter some one's house, they are said to commit the following offence:  
(a) Affray (b) Rioting (c) Criminal Trespass (d) None of these

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- (xiii) A private person may arrest another person, who in his view has committed a:  
(a) non-bailable offence (b) cognizable offence (c) both (a) & (b) (d) None of these
- (xiv) A warrant of arrest must be issued by:  
(a) an A.S.P. of Police (b) the Home Secretary  
(c) the presiding judge of the court issuing the warrant (d) None of these
- (xv) A lunatic who is not prevented by his lunacy from understanding the questions put to him is:  
(a) a competent witness  
(b) is not a competent witness  
(c) is not a competent witness if has not attained the age of majority  
(d) None of these
- (xvi) A person who has been convicted for perjury is:  
(a) is not a competent if has not attained the age of majority  
(b) a competent witness  
(c) a competent witness provided the court is satisfied that he had repented and mended his ways  
(d) None of these
- (xvii) In which of the following an accomplice is not a competent witness:  
(a) offences punishable with death (b) offences punishable with *hadd*  
(c) offences punishable with confiscation of property (d) None of these
- (xviii) In criminal cases previous good character is:  
(a) irrelevant  
(b) relevant  
(c) relevant if proved with oath  
(d) None of these
- (xix) In criminal cases previous bad character is:  
(a) irrelevant  
(b) relevant  
(c) relevant only when accused provides evidence of his good character  
(d) None of these
- (xx) The contents of a document may be proved?  
(a) only by primary evidence (b) by primary as well as secondary evidence  
(c) only by secondary evidence (d) None of these

## PART – II

<b>NOTE:</b>	<p>(i) <b>PART-II</b> is to be attempted on the separate <b>Answer Book</b>.</p> <p>(ii) Attempt <b>ONLY FIVE</b> questions from <b>PART-II</b> selecting at least <b>ONE</b> question from <b>EACH SECTION</b>. All questions carry <b>EQUAL</b> marks.</p> <p>(iii) Extra attempt of any question or any part of the attempted question will not be considered.</p>
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### SECTION – I (Qanun-e-Shahadat Order)

- Q.2.** Imam Bakhsh against whom a trial for theft was going on once went to the mosque of the local Police line for reading zuhar prayer. The imam of the mosque, Rahmat Ullah Shah, was a very kind and pious person. Imam Bakhsh while talking to the imam sahib confessed that he had committed the theft. **Is the confession relevant? Why or why not? Discuss in details:** (16)
- Q.3.** Discuss and differentiate between Admission and unilateral confession by giving examples. (16)
- Q.4.** Briefly state the cases in which secondary evidence relating to documents may be given. (16)

### SECTION – II (Code of Criminal Procedure)

- Q.5.** A, an accused of murder, was convicted to death sentence by a Session Judge. When the judgment of the Session Judge was submitted to the High Court for confirmation the High Court annulled the judgment of the Session Judge and sentenced the accused to 14 years rigorous imprisonment. **Is the High Court empowered to do so? Why or why not? Discuss in details by referring to the relevant provisions of the Code of Criminal Procedure.** (16)
- Q.6.** Discuss and differentiate between F.I.R. and Complaint by giving examples. (16)

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**Q.7.** Suppose you are a Session Judge, who has sentenced an accused person to the death sentence. The death sentenced has been got confirmed by the High Court and the warrant of the execution of the sentence has properly been issued. One day before the execution of the sentence the family of the accused as well as of the deceased person file an application in your court informing that they have entered a compromise and they request that the death sentence should be annulled. **Are you, as a Session Judge empowered to annul the sentence? Why or why not? Discuss in detail by referring to the relevant provisions of Code of Criminal Procedure.** (16)

**SECTION – III (Pakistan Penal Code)**

**Q.8.** Salamat Khan, who was invited by his close friend, Sharafat Khan to a dinner had about three glasses of *lasi*. Just to play a joke with Salamat Khan his friend Sharafat Khan had secretly mixed in the *lasi* some locally made wine. In result of drinking that *lasi* Salamat Khan was fully under the effect of that intoxicant. While he was walking back to his locality late in night he severely needed some cigarettes but unfortunately the shops were closed. In the way he found a super store and he expected to find some cigarettes there. Since it was late in night and there was no body around, therefore, he smashed the window and picked a box of Gold Leaf. But unfortunately while he was getting out of the store a police patrol party arrested him. Salamat Khan has committed: (16)

- (a) Trespass only.
- (b) Theft plus Trespass
- (c) Decoity only
- (d) No offence

**Which of the above statement is correct support your choice with arguments and state the relevant principal of law.**

**Q.9.** Discuss and differentiate between Wrongful Restraint and Wrongful Confinement and by giving examples. (16)

**Q.10.**A, who was in a severe need of money, waited in an alley until another person, B walked by on the street. Then, stepping out of the alley, he stuck his hand in his pocket with his finger thrust forward and said, “*I’ve got a gun in this pocket.*” Snatching B’s purse with his other hand, he ran away because B thought that he had a gun, he did not attempt to stop him. Select the offence of which A is most likely to be properly convicted. (16)

- (a) Cheating
- (b) Decoity
- (c) Robbery
- (d) Extortion

**Which of the above statement is correct support your choice with arguments and state the relevant principal of law.**

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