

NATIONAL HIGH COURT EXAMINATIONS

Roll Number _____

**5TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT & SESSIONS JUDGES-2020**

**CRIMINAL LAW-II
(PROCEDURAL)**

TIME ALLOWED: 15 MINUTES **MAXIMUM MARKS: 20**

**MCQs
(COMPULSORY)**

Q.No.7. Mark only the correct answer.

- (i) If a woman sentenced to death is found to be pregnant, the High Court shall:-
- a) Acquit the accused.
 - b) Execute the sentence.
 - c) Order the execution of the sentence to be postponed.
- (ii) Where an accused person has pleaded guilty and has been convicted on such plea there shall be:-
- a) No appeal.
 - b) No appeal except to the extent or legality of the sentence.
 - c) Appeal with the leave of the court.
- (iii) If the accused is convicted of an offence punishable with death and the court sentences him to any punishment, other than death, the court:-

sentence of death was not passed.

- b) is not duty bound to state such reason.**
- c) shall punish the accused to death and not to any punishment other than death.**

(iv) Where in any trial any party intimates to the court that he intends to make an application for the transfer of the case the court shall:-

- a) Adjourn sine die the case.**
- b) Pronounce the judgment as there is no injunctive order.**
- c) Not pronounce its final judgment.**

(v) When a person is charged with an offence and facts are proved which reduce it to a minor offence, he may be:-

- a) Acquitted.**
- b) Convicted of the minor offence, although he is not charged with it.**
- c) Convicted with the imposition of fine only.**

(vi) No Judge or Magistrate shall be compelled to answer any question as to his own conduct in court as a Judge or Magistrate except upon the special order of:-

- a) High Court.**
- b) Supreme Court.**
- c) Some court to which he is a subordinate.**

- a) **Shall not refresh his memory.**
- b) **May refresh his memory.**
- c) **May refresh his memory with the permission of the court.**

(viii) Burden of proving that case of accused comes within exceptions is:-

- a) **On the prosecution.**
- b) **On the accused.**
- c) **Dependent upon the circumstances of the case.**

(ix) A person who has not been heard by those who would naturally have heard him for the last:-

- a) **Five years.**
- b) **Six years.**
- c) **Seven years**

shall be presumed to be dead.

(x) The court shall presume the genuineness of power of attorney if it has been executed before, and authenticated by:-

- a) **A Police Officer.**
- b) **A Revenue Officer.**
- c) **A Notary Public.**

(10x2=20 Marks)

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LAHORE HIGH COURT LAHORE

6TH DEPARTMENTAL EXAMINATION OF ADDITIONAL DISTRICT & SESSIONS JUDGES-2020

CRIMINAL LAW-II (PROCEDURAL)

TIME ALLOWED: 20 MINUTES

MAXIMUM MARKS: 20

MCQs (COMPULSORY)

Q.No.7. Tick only the correct answer.

- (i) In making an arrest the police officer or other person making the same shall--
- a) handcuff the person to be arrested.
 - b) actually touch or confine the body of the person to be arrested.
 - c) detain the person to be arrested in the lock up of police station.
- (ii) Whenever it is necessary to cause a woman to be searched, the search shall be made by--
- a) a police officer.
 - b) any person.
 - c) another woman.
- (iii) The evidence shall ordinarily be taken down in the form of--
- a) narrative.
 - b) question answer.
 - c) in any form.

- a) movable property.
- b) estate.
- c) immovable property.

(v) A public prosecutor may appear and plead before any court--

- a) without any written authority.
- b) with written authority of the state.
- c) with written authority of the complainant.

(vi) The competence of a person to testify and the number of witnesses required in any case shall be determined--

- a) In accordance with injunctions of Islam as laid down in the Holy Quran and Sunnah.
- b) by a court.
- c) by a party.

(vii) No confession made to a police officer shall be--

- a) admissible.
- b) proved.
- c) relevant.

(viii) The contents of documents may be proved by--

- a) primary evidence.
- b) secondary evidence.
- c) either by primary or by secondary evidence.

not earlier than the expiration of six lunar months from the date of the marriage, or within two years after dissolution, the mother remaining unmarried shall--

- a) be conclusive proof that he is the legitimate child of that man.
- b) not be a proof that he is legitimate child of that man.
- c) be a proof that he is legitimate child of that man.

(x) Where a party refuses to produce a document which he has had notice to produce he--

- a) afterwards can produce the document as evidence.
- b) cannot afterwards produce the document as evidence without the consent of the other party or the order of the court.
- c) can afterwards produce the document as evidence subject to payment of costs.

(2x10=20 Marks)

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LAKHORE HIGH COURT LAKHORE

**6TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT & SESSIONS JUDGES-2020**

**CRIMINAL LAW-II
(PROCEDURAL)**

Time Allowed: 2 Hours & 40 Minutes

Maximum Marks: 80

Note: (i) Attempt four questions: two questions each from Part "A" and Part "B".

(ii) Question No.7 on a separate paper with separate marks and timeline is compulsory.

PART-A

(THE CODE OF CRIMINAL PROCEDURE, 1898)

Q.No.1. Who are competent to file appeal against acquittal and the period of limitation for filing such appeal and what is the procedure if such an order of acquittal is passed in any case instituted upon complaint?

(20-Marks)

Q.No.2. Can sessions court take cognizance of any offence as a court of original jurisdiction and what is the procedure of prosecution for contempt of lawful authority of public servants and for offences against the state?

(20 Marks)

Q.No.3. Under what circumstances and under which provisions of law a criminal court may order restoration of possession of immovable property and movable property?

(20-Marks)

Q.No.4. Discuss scope, leeway and extent of privileged communications with reference to the relevant provisions of law.

(20-Marks)

Q.No.5. How much information received from accused may be proved and what is the intrinsic value of a retracted confession?

(20-Marks)

Q.No.6. Write a short note on the following:-

- a) **Who may testify?**
- b) **Accomplice.**
- c) **Public documents.**
- d) **Burden of proof.**

(4X5: 20 Marks)

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**THE 7TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT & SESSIONS JUDGES-2021**

**CRIMINAL LAW-II
(PROCEDURAL)**

Time Allowed: 2 Hours & 40 Minutes

Maximum Marks: 80

Note: (i) Attempt four questions: two questions each from Part "A" and Part "B".

(ii) Question No.7 on a separate paper with separate marks and timeline is compulsory.

**PART-A
(THE CODE OF CRIMINAL PROCEDURE, 1898)**

Q.No.1. Discuss powers of appellate court in disposing of appeal within the contemplation of Cr.P.C.

(20-Marks)

Q.No.2. How a court will deal with an accused who at the time of commission of the offence with which he/she has been charged or during inquiry or trial was of unsound mind and consequently incapable of making his/her defence.

(20 Marks)

Q.No.3. Write a short note on the following:-

- a) record of evidence in absence of accused.
- b) disposal of case property.
- c) irregularities which vitiate proceedings.
- d) grounds for cancellation of bail.

PART-B

(THE QANUN-E-SHAHADAT ORDER, 1984)

Q.No.4. Enumerate the facts of which court must take judicial notice.
(20-Marks)

Q.No.5. Discuss relevant facts within the scheme of The Qanun-e-Shahadat Order 1984.

(20-Marks)

Q.No.6. Write a short note on the following:-

- a) estoppel
- b) extra judicial confession.
- c) hostile witness.
- d) conclusive proof.

(4X5: 20 Marks)

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DISTRICT & SESSIONS JUDGES-2021

CRIMINAL LAW-II
(PROCEDURAL)

TIME ALLOWED: 20 MINUTES

MAXIMUM MARKS: 20

MCQs
(COMPULSORY)

Q.No.7. Tick only the correct answer.

- (i) **Any private person may arrest any person--**
- a) who in his view commits murder.
 - b) who in his view commits a non bailable and cognizable offence.
 - c) who in his view commits an offence punishable upto ten years imprisonment.
- (ii) **Notwithstanding the absence of the complainant a complaint shall proceed--**
- a) where the offence with which the accused is charged is heinous.
 - b) where the offence with which the accused is charged stands within prohibitory clause of section 497 Cr.P.C.
 - c) where the offence with which the accused is charged is either cognizable or non compoundable.
- (iii) **The court shall summon and examine or recall and re-examine any person--**
- a) if his evidence appears to it essential to the just decision of the case.
 - b) if his evidence is relevant to the decision of the case.
 - c) if his evidence is permissible under the law.

officer presiding in any court is empowered to issue a summons or warrant, is present in such court, such officer may--

- a) pass appropriate order for his appearance in such court.
- b) order the arrest of such person if the offence with which he has been charged is non-bailable.
- c) require such person to execute a bond, with or without surety, for his appearance in such court.

(v) Where an accused is sentenced for a period of less than one year the court shall--

- a) execute the sentence.
- b) not execute the sentence if the accused furnishes bail to the satisfaction of the court for his appearance at such time and place as the court may direct.....
- c) suspend the execution of the sentence.

(vi) An information received from accused of any offence may be proved if--

- a) corroborated by other evidence.
- b) the information is plausible.
- c) discovery is made in consequence of that information.

(vii) Confession of one accused may be proved against other accused if it is--

- a) self exculpatory.
- b) Self inculpatory.
- c) explicit.

(viii) The court shall presume that--

- a) the message forwarded from a telegraphic office corresponds with the message delivered for transmission at the office from which the message purports to be sent.

(ix) An accomplice shall be a competent witness against an accused person except--

- a) in financial matter.
- b) in case entailing capital punishment.
- c) in case of an offence punishable with hadd.

(x) No one shall be permitted to give any evidence derived from unpublished official records relating to any affairs of State except with the permission of--

- a) the officer of the heads of the department.
- b) President of Pakistan.
- c) Prime Minister of Pakistan.

(2x10=20 Marks)

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8TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT & SESSIONS JUDGES-2021.
CRIMINAL LAW-II

Total Marks:100

Time Allowed: 3 Hours.

NOTE : Attempt five questions.

All questions carry equal marks .

Q.NO.1. What is the concept of Dying Declaration? How it is admissible. What is the procedure to record such statement.

(20 Marks).

Q.NO.2. Describe and explain the procedure of trial before High Court and Court of Session.

(20 Marks).

Q.NO.3. What are revisional powers of High court and Sessions court in what circumstances these can be exercised

(20 Marks).

Q.NO.4. i) At what stage an accused can be examined under Section 342 Cr.P.C. and which kind of questions/material should be put in such examination .

ii) Whether any inference may be drawn if an accused under trial takes contradictory and false stance.

iii) If an accused refuses to lead evidence in his defense and also to get himself examined under section 340 (2) Cr.P.C. then what would be inference of the court.

iv) If on one hand an accused leads evidence in his defense but does not succeed to establish his stance whereas on the other hand prosecution also fails to discharge its duty then what would be fate of the case.

(5x4=20 Marks).

Q.NO.5. Write a note on the following:-

a) Confession and Admission.

b) Inculpatory and Exculpatory statements/confessions.

d) Retracted confession and its evidentiary value

(6+7+7=20 Marks).

Q.NO.6. i) What is the criteria for establishing of circumstantial evidence, leading to conviction of an accused.

(10x2=20 Marks).

Q.NO.7. Define Qatl-e-amd liable to qisas, Qatl-e-amd liable to tazir and Qat-e-amd in which qisas is not applicable.

(20 Marks).

Q.NO.8. Write short note on the following:-

a) Who is competent to testify, explain in reference to Qanun-e-Shahadat Order 1984.

b) What is the evidentiary value of the statement of accomplice/approver.

d) Define the concept of Res gestae.

(6+7+7=20 Marks)

Q.NO.9. Write a note on self defence and private defence. To what extent such right can be exercised. When such right extends to causing the death.

(20 Marks).

LAHORE HIGH COURT LAHORE

9th DEPARTMENTAL EXAMINATION OF ADDITIONAL DISTRICT AND SESSIONS JUDGES 2022

(PAPER-II)

CRIMINAL LAW-II (PROCEDURAL)

Total Marks: 100

Time Allowed 3 Hours

Attempt five (5) questions.

All questions carry equal marks.

- Q. No. 1. Describe the eventualities which may arise during the trial of a lunatic and the procedure to be adopted by a court of sessions.
- Q. No. 2. What do you understand about the term of "interested witness"? How would their depositions become capable of sustaining conviction?
- Q. No. 3. Write a note as to the raising of objections on the attachment of property of the absconding accused and disposal of the same.
- Q. No. 4. Define "admission" and differentiate between "admission" and "confession".
- Q. No. 5. Define "Charge", its particulars, effect of errors in charge, amendment of charge, and procedure to be adopted thereafter.
- Q. No. 6. Write a short note on the following: -
- a). Arrest by private person and procedure on the such arrest.
 - b). Cognizance of offence by Courts of Session.
 - c). Dispensation of personal attendance of the accused.
(Please quote the relevant laws).
 - d). estoppel. (Marks 4X5=20)
- Q. No. 7. Who is competent to file an appeal against acquittal and the period of limitation for filing such an appeal? What is the procedure if such an order of acquittal is passed in any case instituted upon complaint?
- Q. No. 8. What are the revisional powers of the High Court and Sessions court in what circumstances these can be exercised?

LAHORE HIGH COURT, LAHORE

10TH DEPARTMENTAL EXAMINATION FOR ADDITIONAL DISTRICT & SESSIONS JUDGES, 2023

CRIMINAL LAW--II

TOTAL MARKS:100

TIME ALLOWED 3 HOURS

NOTE: Attempt all questions, which carry equal marks.

1.Explain any four of the following: -

- i. Circumstances and requirements for recording Dying declaration.
- ii. The provision and situation under which an accused can be examined on oath by a court.
- iii. Procedure by the police, when during investigation no evidence is found, against an accused.
- iv. Quantum of sentence which can be passed, by a court, against an accused, in case of default in payment of fine.
- v. Procedure, when no possibility of conviction of an accused, in any case is smelted out, by a court.
- vi. Mode of proof of previous conviction or acquittal.

2. Write a short note on any four of the following:

- i. Sentences, which may be passed by an Assistant Sessions Judge.
- ii. Alteration of charge.
- iii. Withdrawal of complaint and prosecution, with consequences for the accused.
- iv. Powers of Appellate Court.
- v. Place, where youthful offenders, after conviction should be confined.
- vi. Double Jeopardy.

3. Describe any four of the following: -

- i. "Falsus in uno, Falsus in omnibus" and "Sifting grain from the Chaff".
- ii. Habeas Corpus.
- iii. When a court should consider ^{manifestly} false or frivolous pleas, raised by an accused.
- iv. Hostile witness and his treatment, by a court.
- v. How and when, statement of a witness, before police can be used.
- vi. Evidentiary value of reports of "Chemical Examiner", "Serologist" and "Forensic Agency".

(2)

4. Differentiate any four of the following: -

- i. Direct evidence, Circumstantial evidence and Hearsay evidence.
- ii. Public document and Private document.
- iii. Judicial confession and Extra Judicial confession.
- iv. Judgement and Order.
- v. Revision and Appeal.
- vi. Misjoinder and Non-joinder of charges.

5. Answer any four of the following:

- i. If an unlawful assembly does not disperse on order of a magistrate, then what should be done by him.
- ii. For which purpose attendance of a prisoner in a criminal court is required.
- iii. Under which circumstances, re-examination of a witness may be requested and allowed by a court.
- iv. During which type of evidence, leading questions may be put to a witness and permitted by a court.
- v. What is Privilege communication and can a person be compelled to disclose such a communication.
- vi. Who is competent to tender pardon to an under trial accused and for which purpose.

LAHORE HIGH COURT, LAHORE

11TH DEPARTMENTAL EXAMINATION FOR ADDITIONAL DISTRICT & SESSIONS JUDGES, 2024

CRIMINAL LAW—II (PROCEDURAL)

TOTAL MARKS:100

TIME ALLOWED 3 HOURS

NOTE: Attempt all questions, which carry equal marks.

QNo.1: Write note on following:

- a). How much of information received from accused may be proved?
- b). Consideration of proved confession affecting person making it and other jointly tried for same offence.

Q.NO.2 Accused namely, A , B, C, D, and F, all armed with different kind of lethal weapons having pre planning and meditation, attacked at G, H, I and J; consequently, G died at the spot, whereas H, I and J , received Shajjah-i-damigha (337-A vi PPC), Jurh Jaifah (337-D PPC) and Jurh-Ghayr-Jaifah-Mudihah (337F-iv PPC) respectively; challan, via area Magistrate and Sessions Judge has reached in your court; you have already completed the pre-trial proceedings. Please frame charge, against the accused.

Q.NO.3. Answer any four of the following: -

- i. Which procedure is required, before issuance of proclamations, for appearance of an accused.
- ii. Which procedure is to be adopted for service of proclamations.
- iii. What are the coercive measures, through which attendance of an accused, before a court may be ensured.
- iv. What is the period, during which, investigation should be completed, and report of police officer should be prepared and forwarded to Magistrate.
- v. How a report of suicide shall be inquired by the police.
- vi. If an investigation is not completed within twenty-four hours, then what should be done by the investigating officer.

Q.NO.4. Write short note on any four of the following: -

- i. Grounds for filing an appeal, against conviction.
- ii. Grounds under which sentence of an accused may be suspended.
- iii. Circumstances, in which no appeal lies.
- iv. Procedure, through which previous conviction, of an accused is proved.
- v. When to award enhance punishment, previous conviction of an accused is to be set up.
- vi. Circumstances under which despite compromise, waiving and compounding of an offence an accused may be convicted and sentenced.

Q.NO.5. Describe any four of the following: -

- i. Facts which need not be proved.
 - ii. Questions which cannot be asked during examination-in-chief.
 - iii. The facts regarding which, court must take judicial notice.
 - iv. The ways, by which credit of a witness may be impeached.
 - v. Presumption of documents thirty years old and their certified copies.
 - vi. Estoppel - Accomplice.
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LAHORE HIGH COURT, LAHORE

**12TH DEPARTMENTAL EXAMINATION FOR ADDITIONAL
DISTRICT & SESSIONS JUDGES, 2024**

**CRIMINAL LAW—II
(PROCEDURAL)**

TOTAL MARKS:100

TIME ALLOWED 3 HOURS

NOTE: Attempt all questions.

All questions carry equal marks.

Q.NO.1. Attempt two of the following: -

- i. Describe the procedure for examination of a witness by the police.
- ii. What will be the ordinary place of inquiry and trial.
- iii. Who is competent to order for trial of cases, in different Sessions division.

Q.NO.2. Answer two of the following: -

- i. Whether a court of Sessions and High Court can directly take cognizance of an offense.
- ii. Can a court, directly take cognizance of offenses relating to :-
 - a. Contempt of lawful authority of public servant;
 - b. Offences against public justice;
 - c. Documents given in evidence;
- iii. Narrate the procedure for taking cognizance, in respect of offences, against the state and criminal conspiracy.

(2)

Q.NO.3. Describe two of the following: -

- i. Criteria for cognizance of offence of Zina, Qazf and Fornication.
- ii. Procedure by the appellate court, when material error in charge, against convicted appellate is found.
- iii. Stage, when a court may alter or add already framed charge.

Q.NO.4. Write note on two of the following: -

- i. Requirements for a valid judgement.
- ii. Revisional powers of High Court and Court of Sessions.
- iii. Grounds for pre-arrest and post-arrest bail.

Q.NO.5. Define five of the following: -

- i. Accomplice.
 - ii. Estoppel.
 - iii. Confession.
 - iv. Burden of proof.
 - v. Primary evidence.
 - vi. Public documents.
 - vii. Circumstantial evidence.
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