

HIGH COURT OF BALUCHISTAN
WRITTEN TEST FOR THE POST OF JUDICIAL MAGISTRATE/
CIVIL JUDGE (BPS-18)

SEPTEMBER 04, 2021

PAPER-II (CRIMINAL LAW)

TIME ALLOWED	03: HOURS
TOTAL MARKS:	(100)
NOTE:	Attempt All Questions:

- ✓ Q.No.1 Write a judgment in the following case:
"A stolen television set was recovered from the possession of accused 'A'. At the trial, prosecution has proved that the television set was a stolen property".
(10 Marks)
- ✓ Q.No.2 Write a note on the following:
i). Discharge of an accused
ii). Cancellation of an FIR
iii). Powers of Magistrate to stop criminal proceedings
iv). Rioting
v). Criminal conspiracy
(10 Marks)
- ✓ Q.No.3 Explain *Shajjah, Jaifah, Ghayr Jaifah* and its kinds.
(10 Marks)
- ✓ Q.No.4 (a). Define "an attempt to commit an offence" and quantum of sentence for "an attempt to commit an offence".
(05 Marks)
- (b) What is difference between kidnapping and abduction?
(05 Marks)
- ✓ Q.No.5 On 04.09.2021 accused 'A' prepared a forged document for the purpose of cheating and knowingly used the same as genuine. Frame the charge.
(10 Marks)
- ✓ Q.No.6 (a) Explain the difference between section 154 Cr.P.C and section 155 Cr.P.C.
(05 Marks)

- ✓ (b) Explain the procedure where cognizable offence is suspected. (05 Marks)

✓ Q.No.7 Write a note on the following:

- i) Confessional statement u/s 164 Cr.P.C
- ii) Statement of accused u/s 342 Cr.P.C.
- iii) Statement of accused u/s 340 (2) Cr.P.C.
- iv) Plead guilty

Q.No.8 Explain section 512 Cr.P.C, section 353 Cr.P.C and Article 47 of Qanoon-e-Shahadat Order 1984. *Abettor* *Evidence in presence of accused* (10 Marks)

✓ Q.No.9 (a) What are the principles of criminal liability? (05 Marks)

- (b) What is the liability of an abettor when one act is abetted but different act is done? Give one example. (05 Marks)

✓ Q.No.10 (a) Explain the powers of a Police Officer with relevant provisions to require attendance and examination of witnesses. (05 Marks)

- (b) Explain preconditions to constitute an offence u/s 489-F PPC. (05 Marks)

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SEPTEMBER 03, 2021

PAPER-I (CIVIL LAW)

TIME ALLOWED 03: HOURS

TOTAL MARKS: (100)

NOTE: Attempt All Questions:

Q.No.1 Write a judgment in the following case:

"The plaintiff claimed declaration on the basis of Easement Right against the defendant on the ground that he is entitled to right of way over the land of defendant with the contention that he is enjoying the said right for long. The defendant has contested the suit/claim of the plaintiff. The plaintiff has proved through evidence that he is enjoying the said right for the last ten years.

(10 Marks)

Q.No.2 Define the following:

- ✓ (i) Section 12(1) Civil Procedure Code
- ✓ (ii) Substituted service
- ✓ (iii) Withdrawal of suit
- ✓ (iv) Representative suit
- ✓ (v) Next friend and Guardian Ad litem

(10 Marks)

Q.No.3 Explain the consequences of omission to sue or intentional relinquishment of any portion of his claim by the plaintiff.

(10 Marks)

Q.No.4 Write a note on the following:

- ✓ 1) Powers of Executing Court — 5.42.47
- ✓ 2) Transfer of Decree
- ✓ 3) Amendment of Judgment, Decree or Order
- ✓ 4) Amendment of pleadings

(10 Marks)

✓ Q.No.5 Explain Estoppel, its concept, kinds and essentials. (10 Marks)

- ✓ Q.No.6 a). When opinion of a third person is relevant in evidence? Explain. (05 Marks)
- ✓ b). Explain acceptance or denial of claim on oath. (05 Marks)

✓ Q.No.7 Describe the period of limitation for the following:

- (i) Application for setting aside an ex-parte order
- ✓ (ii) Execution application
- ✓ (iii) Application for restoration of suit dismissed in default
- (iv) For filing an Arbitration Award in Court
- ✓ (v) Application under section 12 (2) Civil Procedure Code (10 Marks)

- ✓ Q.No.8 a). Explain section 13 (6) of the Balochistan Urban Rent Restriction Ordinance, 1959. (05 Marks)
- ✓ b). In which cases the Controller can summarily reject an eviction application? Explain. (05 Marks)

- ✓ Q.No.9 a). Explain the right of preemption. (05 Marks)
- ✓ b). What are the prerequisites to exercise/assert the right of preemption? (05 Marks)

✓ Q.No.10 On what grounds a wife can claim dissolution of marriage without returning dower amount? (10 Marks)

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SEPTEMBER 06, 2021

PAPER-III (ENGLISH)

TIME ALLOWED: 02: HOURS
TOTAL MARKS: (50)
NOTE: Attempt All Questions:

Q.No.1 Write an Essay on any of the following:

- 1) Fair trial
- OR**
- 2) Violence against women

(10 Marks)

Q.No.2 Translate the following into English:

- 1- کیا کھیل کے میدان میں کوئی کھلاڑی ہے؟
- 2- اُسے کھیت میں بہت سے لہڑا اور کھیرے تھے۔
- 3- بچہ مل کرنے میں تقریباً دو گھنٹے تھیں گے۔
- 4- سڑک کے کنارے کوئی درخت نہ تھا۔
- 5- دو میرا ہی بھائی تھا جس نے انعام حاصل کیا۔
- 6- کیا سب بیٹھا پھل ہے؟
- 7- ہر پاکستانی محب وطن ہے۔
- 8- ایک درجن انڈے خراب تھے۔
- 9- کیا سب سوال آسان تھے؟
- 10- دو ہاتھ کی سے ورزش کرتا ہے۔

(10 Marks)

Q.No.3 Punctuate the following:

- 1) Yesterday Sunday was holiday
- 2) On last week I met Naseer my best friend
- 3) Aslam said I love to read books
- 4) What is your schedule tomorrow asked Bashir
- 5) How long is the bus journey to Lahore from Quetta
- 6) Wow Today has been awesome

- 7) John plays four sports Volleyball Soccer and Tennis
- 8) You have two choices finish the work today or lose the contract
- 9) How much paper will they need
- 10) I am very tired she said

(10 Marks)

Q.No.4

Translate the following into Urdu:

Once upon a time two very close friends lived in a village. As time passed their friendship grew thicker and thicker. Now they were grown up men. One day they decided to go and find work. They set off. Before leaving their village, they promised to stand by each other through thick and thin. They took oath of sincerity and assured each other of help in the hour of need. They had to pass through a jungle. They had not gone far into the thick forest when they found themselves face to face with a big bear. The beast began to move towards them. They felt helpless and terrified. One of them knew how to climb a tree. He at once caught hold of a strong branch and swung up the tree. The other could not climb. He had heard that the bear does not eat the dead. So he lay down on the ground and held his breath pretending to be dead. Meanwhile, the bear came to him and sniffed him. The beast left him. When the bear had gone out of sight, the friend on the tree came down. He asked his friend, "Dear friend, what did the bear whisper in your ear?" The other replied quickly, "The bear advised me not to trust a selfish friend."

(10 Marks)

Q.No.5

Define the following legal terms and phrases:

- i) Sine qua non
- ii) Ratio decidendi
- iii) Pro bono
- iv) Per curiam
- v) Mutatis mutandis
- vi) Ex facie
- vii) Coram non judice
- viii) Locus standi
- ix) Audi alteram partem
- x) Ipsa facto

(10 Marks)