

Please write your Exam Roll No.)

Exam Roll No.



END TERM EXAMINATION

FIFTH SEM SIXTH SEMESTER (LLB) JUNE- 2024

Paper Code: LLB-310/305

Subject: Code of Criminal Procedure

Time: 3 Hours

Maximum Marks: 75

Note: Attempt all questions as directed. Internal Choice is indicated.

(5x5=25)

Attempt all questions from this part:

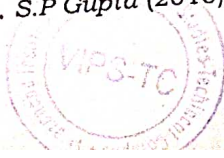
1. (a) In a case under S 307, IPC in respect of shooting in court premise, the accused was sentenced to 10 years rigorous imprisonment and 3 years rigorous imprisonment for offences punishable under S 25 and 27 of Arms Act. According to provisions of CrPC, whether both the sentences should be ordered consecutively or concurrently. Why?
- (b) In *Satender Kumar Antil v. CBI* 2023 Live Law (SC) 233, Supreme Court expressed concerns at the large number of undertrials languishing in jails and issued elaborate guidelines. Briefly write the key findings and guidelines issued in the case.
- (c) X was alleged to have given poisonous substance to the deceased and was facing investigation under S 302 read with S 120B of IPC. He was declared absconder and proclamation under S 82 Cr.P.C. was issued for his presence. X applied for grant of anticipatory bail in Court of Session. Whether the sought relief should be granted under S 438, CrPC or not?
- (d) Station officer S.I Virendra Tomar on detecting that his service revolver was stolen started the investigation. He suspected a constable named Parmeshwar Singh. Mr. Tomar went to Parmeshwar Singh's house and searched his person. The revolver was recovered from the folds of Mr. Singh's dhoti. In trial, the said search was contested on the ground that the personal search was done in absence of two independent and respectable inhabitants of locality as requires under Section 100(4) Cr.P.C. Will the contention be accepted by the court or not?
- (e) In a complaint case, a Magistrate ordered police investigation under S 202, CrPC. There was a delay in filing the police report. Meanwhile, the Magistrate considered the material on record and without waiting for the police report issued the process against the accused on the ground of him being satisfied that *prima facie case* is been made out. The accused approached the High Court contending the issues of process bad in law. Decide the validity of order of Magistrate of issuing process to the accused and can it be quashed on this ground?

UNIT-I

2. Whether it is permissible for the court to award consecutive life sentence based on series of murders in which the convict was tried in a single trial? Discuss the law on this point as has been settled by the Supreme Court by overruling its previous decisions in *Muthuramalingam v. State* (2016) 8 SCC 313. (12.5)

OR

3. Discuss the power of Public Prosecutor or Assistant Public Prosecutor to withdraw from prosecution of any person either generally or in respect of anyone or more of the offences for which he is tried. What were the important tenets of law pertaining to withdrawal from prosecution answered by the Hon'ble Supreme Court in *V.L.S Finance Ltd. v. S.P Gupta* (2016)3 SCC 736? (12.5)



LLB-310

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UNIT-II

4. (a) On what grounds a complaint can be dismissed by the magistrate under S 203, CrPC? What is the legal position of such dismissal acting as a bar on fresh complaint made on the same facts? (6.25)
- (b) How the Supreme Court has interpreted the words "sufficient ground for proceeding" In S 204, CrPC for issuing the process to the accused? On what grounds process issued to the accused can be quashed by the Court? (6.25)

OR

5. Discuss the trajectory of law on anticipatory bail as developed by the Supreme Court by way of issuing guidelines and directives in various landmark decisions ranging from *Gurbaksh Singh Sibbiav. State of Punjab 1980* to *Siddhram Satlingappa Mehtrev. State of Maharashtra 2011* to *Sushila Aggarwalv. State 2020*. (12.5)

UNIT-III

6. On 18th February 2022 at about 1.30 a.m., Tara Muni Kumari, aged about 12 years, came out of her house to answer the call of nature. Her neighbour, Tarkeshwar Sahu at that time forcibly took her to his Gumti for committing illicit sexual intercourse with her and asked her to lie down at which the prosecutrix raised an alarm, and immediately thereafter several persons including Ram Charan, the informant and the father of the prosecutrix, Deonandan Sahu the Sarpanch of the village came from the adjoining houses and caught the appellant before he could ravish her. Tarkeshwar Sahu was charged under Section 376 read with 511, IPC only. The offence under the aforesaid charge was not proved and the accused was convicted under S 354 (Outraging the modesty of a woman) and S 366 (Procuration of minor girl for illicit intercourse). The said conviction has been challenged to be set aside in the appellate court on the grounds that the conviction under S 354 and 366 is bad in law because charges were not framed under these provisions. Decide whether the plea of the accused is sustainable. (12.5)

OR

7. Whether the appropriate government is permitted to grant remission under Sections 432/433, CrPC after the parallel power was exercised under Art. 72 by the President or under Art. 161 by the Governor of the State? Whether there can be two appropriate governments under Section 432(7) of the Code? How the expression consultation has been interpreted by the Hon'ble Supreme Court where the power of remission are to be exercised by the State government to which the executive power of the central government also extends? (12.5)

UNIT-IV

8. What do you understand by the Inherent power of the Court as given in the Code of Criminal Procedure? Under what circumstances the High Court can quash or refuse such quashing in exercise of its inherent power under Art. 226 of the Constitution of India/S 482, CrPC? (12.5)

OR

9. The Code of Criminal procedure empowers different courts to transfer the case. Discuss the circumstances in which Supreme Court, High Court and Sessions Court can transfer cases. Elaborate the procedure for the same. (12.5)

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END TERM EXAMINATION

SIXTH SEMESTER [LLB] JULY 2023

Paper Code: LLB-310/305/306 Subject: Code of Criminal Procedure

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No1 which is compulsory.
Select one question from each unit.

PART-A

- Q1 Write short note on:- (5x5=25)
- (a) Doctrine of *Autrefois* acquit and *Autrefois* convict
 - (b) Proclamation
 - (c) Inherent power of High Court
 - (d) Compounding of Offences
 - (e) Police Report

PART-B UNIT-I

- Q2 Define Scope, Object and Purpose of Code of Criminal Procedure. (12.5)
- OR
- Q3 Give an account of hierarchy and power of Criminal Courts established under the Code. (12.5)

UNIT-II

- Q4 Discuss the law relating to Anticipatory Bail in the light of *Sushila Aggarwal v State (NCT of Delhi) 2020 5 SCC 1*. (12.5)
- OR
- Q5 "The existence of the power to arrest is one thing and, the justification for exercise is another"- Elucidate the statement in the light of statutory provisions and relevant cases. (12.5)

UNIT-III

- Q6 (a) What is the scope and ambit of an order of discharge passed by a Special Judge under section 227 of the Code? (6)
- (b) Difference between summon and warrant trial. (6.5)
- OR
- Q7 (a) Under what circumstances can an accused be convicted of an offence even though he was not charged with it? Elaborate with the illustrations. (6.5)
- (b) P commits a theft on five occasions in 2018 of which two are punishable under section 379 and three are punishable under section 380. Can there be a Joinder of charges in a trial? (6)

UNIT-IV

- Q8 Examine why in certain cases the Code does not provide for an Appeals. (12.5)
- OR
- Q9 Explain the power of High Court and Court of Session in regard to Revision. (12.5)

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END TERM EXAMINATION

SIXTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-310

Subject: Code of Criminal Procedure

(Batch 2014 onwards)

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions. All questions carry equal marks.

- Q1 Define Complaint. Discuss the restrictions on the power of the Judicial Magistrate of taking cognizance of the complaints. How a Magistrate proceeds in cases where complaint is made to him regarding commission of a cognizable offence?
- Q2 Elaborate the grounds on which a search warrant can be issued. Discuss the power of the police officer for conducting search with and without warrant. How the illegal search and evidence so procured impacts the validity of the trial. Cite the relevant cases.
- Q3 Explain the amendments of 2008/10/13 in provisions regarding power of police officers to arrest without warrant for not only ensuring proper care to be exercised during arrest but also to avoid unnecessary arrest. How the judicial pronouncements have complemented the aforesaid amendments made after 2008?
- Q4 (a) Discuss by citing the relevant provisions and case laws the grounds on which bail can be cancelled regarding bail granted in bailable and non bailable offences.
(b) Describe the pre-requisites for granting anticipatory bail. Citing the relevant legal position decided by the apex court describe the tenure for which anticipatory bail can be granted and the appropriate court where such application can be made.
- Q5 (a) Duty of Public Prosecutor and his power to withdraw from criminal proceedings.
(b) Difference between Summons Case and Warrant Case on police report and otherwise than on Police Report.
- Q6 (a) Enumerate the circumstances under which the charges can be joined and altered.
(b) X, Y and Z are charged by a Magistrate, and convicted by him of robbing S and D. X, Y and Z are afterwards charged and tried for dacoity and house trespass at night on the same facts. Will an appeal against the decision of the Magistrate succeed? Under what circumstances an accused person may be convicted of an offence which is not specified in the charge-sheet.
- Q7 What led to the introduction of plea bargaining in the Indian criminal justice system? Discuss the power of courts in plea bargaining and state the difference between plea bargaining, tender of pardon and compounding given under the Code?
- Q8 What is the difference between reference and revision? Discuss the powers of Court of Session and High Court in revision under the Code. How the courts have evolved the law regarding differentiation of interlocutory and final orders?

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END TERM EXAMINATION

SIXTH SEMESTER [LLB] APRIL - MAY 2019

Paper Code: LLB-310

Subject: Code of Criminal Procedure

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

- Q1 Write short notes on the following:- (5x5=25)
- Distinguish between Bailable and Non-Bailable offences.
 - Explain the phrase 'Taking cognizance of an offence'. Who can take cognizance under the Cr.P.C?
 - Discuss the scope of 'Inherent powers of the High Court' enshrined under Cr.P.C.
 - Doctrine of "autrefois acquit" and "autrefois convict".
 - Explain the circumstances under which Reference can be made under Cr.P.C.

PART-B

UNIT-I

- Q2 (a) Differentiate between Investigation, Inquiry and Trial. (6.5)
(b) Write an explanatory note on Complaint and Police Report. (6)
- Q3 Enumerate the hierarchy of criminal courts under Cr.P.C. Discuss their powers to pass the sentences and try the offences. (12.5)

UNIT-II

- Q4 Discuss the circumstances under which a person accused of the commission of non-bailable offence can be released on bail. Whether bail once granted can be cancelled? If so, state the circumstances. (12.5)
- Q5 (a) State the circumstances under which police officer is empowered to arrest without warrant. (6)
(b) Explain the rights of arrested person with the help of relevant case laws. (6.5)

UNIT-III

- Q6 "For every distinct offence of which any person is accused there shall be a separate charge and every such charge shall be tried separately". Comment and state exceptions if any. (12.5)
- Q7 Write an explanatory note on:- (6)
(a) The provisions regarding the Submission of Death sentences. (6)
(b) Compare and contrast the salient features of Summons trial and Warrant trial. (6.5)

UNIT-IV

- Q8 Write a detailed note on the powers of appellate court. Can such court take additional evidence? (12.5)
- Q9 Explain the powers of the Supreme court of India and High Courts to transfer cases and appeals. Can the Supreme Court transfer cases pending in the courts in the state of Jammu and Kashmir to other states? Support your answer with the case laws. (12.5)

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END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-310

Subject: Code of Criminal Procedure

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.



PART-A

(5x5=25)

- Q1. Write short notes on the following:-
- (a) Differentiate between Summons case and Warrant case.
 - (b) When can an Anticipatory Bail be granted?
 - (c) Explain the circumstances under which Reference can be made under Cr.P.C.
 - (d) Plea bargaining
 - (e) State the powers of the Government regarding the commutation of sentences.

PART-B UNIT-I

- Q2. (a) Distinguish between Investigation, Inquiry and Trial. (6.5)
(b) Write an explanatory note on Cognizable and Non-Cognizable offences. (6)
- Q3. What are the various classes of Criminal Courts mentioned under the Code of Criminal Procedure, 1973? Enumerate their powers to pass the sentences and try the offences. (12.5)

UNIT-II

- Q4. What do you understand by the term 'Arrest'? Explain the procedure of arrest mentioned under the Code of Criminal Procedure, 1973. Mention a brief account of the rights of arrested persons. (12.5)
- Q5. (a) What do you understand by Taking cognizance of an offence? Who is empowered to take cognizance under the Code and under what circumstances? (6)
(b) Discuss the circumstances and the manner in which the Magistrate can issue process against the accused person. (6.5)

UNIT-III

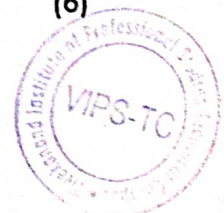
- Q6. What is Charge? Enumerate the contents of the charge? What is the effect of error in the charge? Under what circumstances a charge can be altered? (12.5)
- Q7. (a) Explain the procedure of trial before the Courts of Session. (6.5)
(b) Explain the procedure of Summary trial with the help of relevant provisions. (6)

UNIT-IV

- Q8. "No appeal shall lie from any judgment or order of a Criminal Court except as provided by the Code of Criminal Procedure." Explain the statement with the help of relevant provisions. (12.5)
- Q9. Write explanatory notes on:-
(a) Power of the Supreme court of India to transfer of Criminal Cases. (6.5)
(b) Explain the scope of 'Inherent Powers of the High Court' mentioned under Cr. P.C with the help of case laws. (6)



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END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-2017

Paper Code: LLB-310

Subject: Code of Criminal Procedure

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q.No 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

Q1 Write short notes on the following:

(5x5=25)

- (a) Enlist the functionaries under Criminal Procedure Code
- (b) Rights of an arrested Person.
- (c) Differentiate between 'Reference' and 'Revision'
- (d) Discuss the scope of 'Inherent powers of the High Court' enshrined under Criminal Procedure Code.
- (e) Compounding of offences under Cr. P.C.

PART-B

UNIT-I

- Q2 (a) Distinguish between Investigation, Inquiry and Trial. (6.5)
(b) Distinguish between Cognizable and Non Cognizable offences. (6)

Q3 What are the various types of criminal courts as mentioned under the Criminal Procedure Code. State the extent of the sentence which may be passed by them. (12.5)

UNIT-II

Q4 What do you understand by 'Bail'? Under what circumstances Bail can be granted in case of Non-Bailable offence? Differentiate between Anticipatory Bail and Regular Bail. (12.5)

- Q5 (a) Explain the phrase 'Taking cognizance of an offence'. Who can take cognizance under the Code and under what circumstances? (6)
(b) What is meant by commencement of complaint proceedings? When can a complaint be dismissed? (6.5)

UNIT-III

Q6 "For every distinct offence of which any person is accused there shall be a separate charge and every such charge shall be tried separately". Explain the statement with the help of relevant legal provisions. (12.5)

Q7 Write an explanatory note on:-

- (a) Salient Features of Trial before Session Court (6.5)
- (b) What offences can be tried summarily and by whom? (6)

UNIT-IV

Q8 Elucidate the circumstances under which an Appeal can be filled under Cr. P.C. What are the powers of appellate court? Can such court take additional evidence? (12.5)

Q9 Write explanatory notes on:-

- (a) Power of the High Courts and Court of Session to transfer Criminal Cases. (6.5)
- (b) Procedures of Plea Bargaining (6)

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MERCY CHANCE EXAMINATION

FIFTH SEMESTER [LLB] FEBRUARY-MARCH 2016

Paper Code: LLB-303

Subject: Code of Criminal Procedure - I

Time: 3 Hours

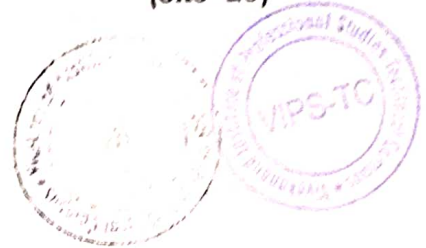
Maximum Marks: 75

Note: Attempt any five questions including Q.No1 of Part A which is compulsory. Select one question from each unit of part B.

PART-A

(5x5=25)

- Q1 Write short note on:-
- Evidentiary value of the statements made to the police.
 - Rights of an arrested person.
 - Hierarchy of Criminal Courts and their powers.
 - Search warrant.
 - Procedure for the investigation of non-cognizable cases.



PART-B

UNIT-I

- Q2 State the procedure of investigation in cognizable cases. Discuss the circumstances under which a police officer may decide not to investigate. (12.5)
- Q3 What is the procedure for prosecuting the offences against marriage? Upon whose complaint, the court shall take cognizance of offence under section 498A of Indian Penal code? (12.5)

UNIT-II

- Q4 Discuss the principles laid down by the Supreme Court in the matter of grant of bail in non-bailable offences and also the considerations which should be taken into account by a court, if subsequently an application for cancellation of bail already granted to an accused is filed. (12.5)
- Q5 Highlight the salient features of the Code of Criminal Procedure (Amendment) Act, 2008 and discuss the provisions related to arrest and rights of the arrested person in the same. (12.5)

UNIT-III

- Q6 "Proclamation and attachment proceedings is a process to compel appearance"- Discuss. (12.5)
- Q7 When can a Magistrate take cognizance of any offence? State the procedure to be followed when magistrate takes cognizance of an offence on complaint. (12.5)

UNIT-IV

- Q8 Write short notes:-
- Seizure
 - Search of places suspected to contain stolen property.
- Q9 Examine the relevance of Directorates of Prosecution. Discuss its functions and relationship with other investigation agencies. (12.5)





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END TERM EXAMINATION

FIFTH SEMESTER [LLB] NOVEMBER - DECEMBER 2016

Paper Code: LLB-303

Subject: Code of Criminal Procedure - I

(REAPPEAR)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1. of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

(5x5=25)

Q1 Answer the following:-

- Differentiate between cognizable and non-cognizable offence.
- Public prosecutor in criminal proceedings.
- Warrant for arrest.
- Differentiate between investigation, inquiry and trial.
- Special provisions regarding women during arrest and investigation.

PART-B

UNIT-I

Q2 Under what circumstances a person can be arrested without warrant by a police officer? What are the rights available to the arrested person on or after such arrest? (12.5)

Q3 Discuss with the help of the relevant provisions the arrest procedure to be followed by the police officer. What are the powers available to such police officer in order to effectuate the arrest? (12.5)

UNIT-II

Q4 Discuss with the help of relevant provisions in Cr.P.C., various processes which can be issued by the court for compelling the presence of the person so requires before the court. (12.5)

Q5 Discuss various circumstances as provided in the Code in which search warrants can be issued for searching a thing or document required under any investigation, inquiry and trial. When a search can be conducted even without such warrants? (12.5)

UNIT-III

Q6 What is first information report? When and how it is to be recorded? What are the latest changes that have been introduced after the recent amendment and judicial pronouncements? What is the evidentiary value of this document before the court? (12.5)

Q7 Explain the procedures for recording the statements u/ss. 161 and 164 of Cr.P.C. What is the evidentiary value of both the documents? (12.5)

UNIT-IV

Q8 Enumerate the powers of a metropolitan magistrate to grant bail in cases of non-bailable offences. When is it mandatory to grant bail in non-bailable offences? Discuss the circumstances in which bail can be cancelled. (12.5)

Q9 What is anticipatory bail? Which courts are competent to grant anticipatory bail? Discuss the evolution of law in this regard in detail. (12.5)

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END TERM EXAMINATION

FIFTH SEMESTER [LLB] DECEMBER-2015

Paper Code: LLB 303

Subject: Code of Criminal Procedure-I

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions including Q no.1 of part A which is compulsory. Select one question from each unit of part B.

Part-A

- Q1. a) Differentiate between cognizable and non-cognizable offense? What is the procedure to determine whether an offense is cognizable or not if the offense committed is not under the ambit of IPC? (5)
- b) Rights of an arrested person? (5)
- c) Grounds for Cancellation of Bail. (5)
- d) In what manner in the statements under section 161 Cr.P.C. can be used at a criminal trial by the prosecution, defense and the court. (5)
- e) What is 'petty offence' under Cr. P.C.? (5)

Part-B

UNIT-I

- Q2. What is an FIR? What recourse does an informant have when police officer refuse to register an FIR in a cognizable offense? (12.5)
- Q3. a) Write the hierarchy of criminal courts under Cr. P.C. and also enumerate the powers of the courts and their jurisdictions? (6)
- b) A has committed a cognizable and non-bailable offense within the district of Dilshad Garden and hence the jurisdiction to try the said case is vested in the court of Dilshad Garden. But the State Government directs that the case may be tried in some other Session Division. Decide the validity of the State Government's order? (6.5)

UNIT-II

- Q4. Examine the circumstances in which a person accused of the commission of any non-bailable offense can be released on bail. (12.5)
- Q5. What are the provisions for search of an arrested person? Does search becomes illegal where no grounds of arrest are given to the accused?(12.5)

UNIT-III

- Q6. Discuss the situations in which anticipatory bail can be granted? Under what circumstances anticipatory Bail may be cancelled and warrant of arrest may be issued? (12.5)
- Q7. Briefly examine the process of 'Proclamation and attachment' under Cr. P.C. (12.5)

UNIT-IV

- Q8. A Magistrate takes cognizance of an offense under section 190(1)(c) of Cr. P.C. and decides the matter without informing him that he is entitled to have the case tried by another magistrate. Is the proceeding legal? (12.5)
- Q9. Elaborate the procedure when a complaint is made to the magistrate? Is magistrate required to give reasons for dismissing the complaint? (12.5)

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END TERM EXAMINATION

FIFTH SEMESTER [LLB] DECEMBER 2014

Paper Code: LLB-303

Subject: Code of Criminal Procedure-I

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no. 1 of Part A which is compulsory. Select one questions from each unit in Part B.

PART-A

- Q1 (a) Discuss briefly the classification of offences.
(b) Define Complaint. State the difference between FIR and complaint?
(c) What are the conditions prescribed under Section 438 Cr.P.C for granting anticipatory bail?
(d) Discuss briefly the role of Public Prosecutors in the criminal justice administration.
(e) What are the procedures to be followed in executing a warrant beyond the jurisdiction of the court which issued it? (5x5=25)

PART-B

UNIT-I

- Q2 Briefly explain the provisions regarding the constitution of Criminal courts and offices under the relevant provisions of the Cr.P.C. 1973. (12.5)
- Q3 Write short notes on the following:- (6.5)
(a) Distinguish between Inquiry, trial and Investigation. (6)
(b) Differentiate between Summan case and warrant case.

UNIT-II

- Q4 Discuss the parameters of Section 161(2) Cr.P.C and the scope and ambit of Article 20(3) of the Constitution of India in view of the judgment in Nandini Satpathy v.P.L.Dani 1978 (2) SCC 424. (12.5)
- Q5 Registration of F.I.R for a cognizable offence is mandatory as per Section 154 'Cr.P.C'. Explain this statement in view of the recent judgment of the Supreme Curt of India. Discuss the legislative changes introduced by the Criminal Law Amendment Act, 2013 for disobedience of this provision. (12.5)

UNIT-III

- Q6 When a warrant against an accused is not executed, what is the next step for compelling his appearance before the court? Discuss in detail the procedure for proclamation and attachment of the property of the accused. Can a person having an interest over the property attached claim it? (12.5)
- Q7 Discuss the provision relating to the circumstances under which search warrants are issued by the court? Discuss briefly the procedure for conducting search generally with relevant case laws. (12.5)

UNIT-IV

- Q8 What are the preliminary procedures for initiating action under Section 107 to 110 Cr.P.C? (12.5)
- Q9 Is the magistrate bound to take cognizance of an offence on the basis of the final report filed by the police under Section 173 (2) Cr.P.C. Is there any restriction in taking cognizance by the magistrate? Discuss with case laws. (12.5)

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SUPPLEMENTARY EXAMINATION

FIFTH SEMESTER [LLB] SEPTEMBER 2014

Paper Code: LLB-303

Subject: Code of Criminal Procedure-I

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Part A which is compulsory.
Select four questions from Part B.

PART-A

Q1 Discuss the following:-

(5x5=25)

- (a) Difference between Cognizable and Non-Cognizable offence.
- (b) Police report
- (c) Difference between Investigation, Inquiry and Trial.
- (d) Role of a Public Prosecutor
- (e) Inquest proceedings.

PART-B

Q2 Discuss the territorial division of Indian Territory for the purpose of establishing criminal courts under Cr.P.C. What are the powers given to each court as regards passing of sentences for offences tried? (12.5)

Q3 Discuss the rights of arrested person in light of latest amendments in the Code and also various Apex Court decisions. (12.5)

Q4 Discuss the meaning and importance of the First Information Report (FIR). In what way is the evidentiary value of FIR greater than that of any statement recorded by the police in the course of investigation? (12.5)

Q5 Describe the procedure which a judicial magistrate is expected to follow in recording confessions made in the course of the investigation? What is the evidentiary value of such recorded confessions? What difference in evidentiary value will it make if the procedure is not followed by the magistrate? (12.5)

Q6 Explain the circumstances in which a search warrant of a place can be issued? What are the consequences of illegal search? (12.5)

Q7 What is the significance of classifying offences as bailable and non-bailable? Examine the nature and scope of judicial discretion in granting bail. Is the discretion given to the Court of Session or the High Court in granting bail unlimited? (12.5)



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SUPPLEMENTARY EXAMINATION

FIFTH SEMESTER [LLB] SEPTEMBER-OCTOBER 2013

Paper Code: LLB-303

Subject: Code of Criminal Procedure-I

Time : 3 Hours

Maximum Marks :75

Note: Part A is compulsory. Attempt any five questions from Part - B.

PART-A

- Q1 a) Define Offence. Discuss briefly the classification of offences.
- b) Can a warrant of arrest be executed in any place in India? What are the procedures to be followed for executing a warrant beyond the jurisdiction of the court which issued it?
- c) Proclamation and attachment of property.
- d) Define Complaint. What is the difference between a complaint and a First Information Report?
- e) Case diary.

(5 x 5= 25)

(10 x 5=50)

PART-B

- Q2. Discuss the provision relating to the circumstances under which search warrants are issued by the court? Discuss briefly the procedure for conducting search generally. Cite relevant case laws.
- Q3. Investigation regarding the commission of a cognizable offence starts with the registration of the F.I.R. Is registration of FIR in a non cognizable offence mandatory? Discuss in view of the judgment of the Supreme Court in *Ramesh Kumari v. NCT of Delhi* (2006) 2 SCC 677 and *Lalitha Kumari v. Govt of U.P* AIR 2012 SC 1515.
- Q4. Discuss about the arrest procedure in Cr.P.C. with relevant case laws. Explain the rationale for the distinction between arrest with warrant and arrest without warrant.
- Q5. What are the preliminary procedures for initiating action under Section 107 to 110 Cr.P.C.
- Q6. Is the magistrate bound to take cognizance of an offence on the basis of the final report filed by the police under Section 173(2) Cr.P.C. Is there any restriction in taking cognizance by the magistrate? Discuss.
- Q7. Discuss the power to use orders in urgent cases of nuisance or apprehended danger.
- Q8. What is anticipatory bail? What are the factors to be taken into consideration while granting anticipatory bail as per *Gurbaksh Singh Shibia v. State of Punjab*, 1980 (2) SCC 565. Can anticipatory bail be granted for limited period? Discuss with the help of recent case laws.
- Q9. Discuss the various stages of investigation with relevant case laws.

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(Please write your Exam Roll No.)

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END TERM EXAMINATION

FIFTH SEMESTER [LLB] DEC 2011 - JAN 2012

Paper Code: LLB-303

Subject: Criminal Procedure Code-I
(Batch 2004-2009)

Time : 3 Hours

Maximum Marks : 75

Note: Part A is compulsory. Attempt any five questions from Part B.



PART - A



(5X5=25)

- Q1. (a) Differentiate between warrant cases and summon cases?
(b) Explain the procedure for inquest?
(c) What are the grounds for invoking legal aid?
(d) What action can be taken by the executive magistrate against any person for breach of peace and disturbance to public tranquility?
(e) 'Bail and not jail is the rule' explain.

PART - B

(5x10=50)

- Q2. Examine various grounds for making an arrest. What are the rights of an arrested person?
- Q3. "Writing of case diary while investigating the matter is the duty of police officials, therefore, not writing the same amounts to misconduct". In the light of the statement discuss the significance and role of a police diary.
- Q4. What are the general provisions relating to search? Under what circumstances the magistrate may direct search in his presence.
- Q5. Briefly examine the procedure to be followed when there is a complaint case and police investigation in respect of the same offence. How a case is committed to the Court of Session.
- Q6. "There is also a strong need felt for a complete review of the bail system keeping in mind the socio-economic condition of the majority of our population." Comment. What are the grounds for refusing bail?
- Q7. Elaborate various modes of proclamation. What purpose does the attachment of property of the absconder serve?
- Q8. What is the hierarchy of criminal courts mentioned under the Code of Criminal Procedure? Also mention the powers of criminal courts.
- Q9. What is the procedure to be followed in the trial of a summon case? Can trial of summon case begins without plea recording?





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Please write your Exam Roll No.

Exam Roll No.

END TERM EXAMINATION

FIFTH SEMESTER [LLB(II)] DECEMBER -2008

Paper Code: LLB 303

Subject: Criminal Procedure Code-I

Paper Id: 35313

(Batch 2002-2004)

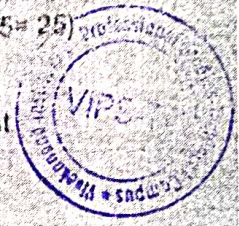
Time : 3 Hours

Maximum Marks : 75

Note: Part A is compulsory. Attempt any five questions from Part B.

PART-A

- Q1 Explain briefly the following: (5x5= 25)
- (a) Dismissal of complaint
 - (b) Hierarchy of criminal courts
 - (c) Consequence of non-compliance with the provisions relating to arrest
 - (d) When it is mandatory for the Court to grant bail.
 - (e) Search can be made without warrant.



PART-B

- Q2 Explain the meaning of "arrest" and under what circumstances a person can be arrested without warrant. (10x5=50)
- Q3 Explain the nature and scope of the power of the investigating police officer to require attendance of witnesses and to examine them. To what extent can the statements recorded by the investigating police officer be made use of in evidence?
- Q4 Discuss what is meant by "taking cognizance of an offence by a magistrate? Under what circumstances can a Magistrate take cognizance of an offence? Are there any limitations imposed by the Code?
- Q5 What is "Anticipatory Bail"? Under what circumstances can such bail be granted?
- Q6 State giving illustrations, the rules as to the contents of a charge and explain how alterations or additions can be made to a charge. What steps should the court take following the alterations or additions to the charge?
- Q7 Discuss the provisions of Cr. P.C. relating to the security for keeping the peace and good behaviour.
- Q8 Discuss the provisions regarding compelling the person to present before the Court.
- Q9 Distinguish between
- (a) FIR and complaint
 - (b) Bailable and non-bailable offence.



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END TERM EXAMINATION

FIFTH SEMESTER [LLB] DECEMBER 2009

Paper Code: LLB-303

Paper ID: 38303

Time: 3 Hours

Subject: Criminal Procedure Code-I

(Batch: 2002-2004)

Maximum Marks: 75

Note: Part A is compulsory. Attempt any five questions from Part B.

Part - A

(5x5=25)

- Q1. (a) Do you find any functional significance in classifying offences as cognizable and non-cognizable?
(b) Write a note on role of public prosecutor.
(c) What is arrest? Does arrest differ from custody?
(d) Write a short note on search warrants.
(e) How do you see the distinctive features of investigation, inquiry and trial?

Part - B

(5x10=50)

- Q2. Write an explanatory note on the hierarchy of criminal courts constituted under the Code of Criminal Procedure.
- Q3. Discuss rights of arrested person and examine the consequences of non-compliance with the provisions relating to arrest without warrant by the police officer.
- Q4. What is summons? What is the form of summons? Who can serve summons? How does it differ from warrant?
- Q5. Illustrate those circumstances in which the Magistrate may require a person or persons to give security for keeping peace and also explain the procedure to be followed in taking such proceedings.
- Q6. (a) Under what circumstances, a wife is not entitled to get maintenance? Is a Hindu wife who left the house of her husband by her own will-entitled to get maintenance? In which condition an ex-parte maintenance order may be restored?
(b) (i) 'A', a Hindu wife married 'B' who is already the husband of 'C'. 'B' neglected 'A'. 'A' filed an application under Section 125 of Cr. P.C.
(ii) 'A', a Muslim wife divorced by her husband orally. 'A' filed an application under Section 125 of Cr. P.C.
Are the above applications maintainable?
- Q7. Write short notes on any two of the following:-
(a) First Information Report (FIR) U/S - 154 of Cr. P.C.
(b) Evidentiary value of statements made to police
(c) Joinder of charge
- Q8. Distinguish between complaint and FIR. Explain the procedure and proceedings in complaint case. Can a complaint before Magistrate be filed in offence of rape? Discuss.
- Q9. What is 'anticipatory bail'? How a bail in non-bailable offences is granted?

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END TERM EXAMINATION

FIFTH SEMESTER (LLB) DECEMBER-2008

Paper Code: LLB303

Paper Id-38303

Time: 3 Hours

Subject: Criminal Procedure Code-I
(Batch: 2005-2008)

Maximum Marks: 75

Note: Q.1 is compulsory. Attempt any five questions from Part-B.

PART-A

- Q1 (a) What do you understand by "Warrant Case"?
- (b) Define 'Charge'.
- (c) Right of arrested person.
- (d) Distinguish between "Bailable and non-Bailable offences".
- (e) How you will differentiate between investigation, inquiry and trial? (5x5=25)



PART-B

Attempt any five questions:-

(5x10=50)

- Q2 What are the various classes of Criminal Courts under Cr.P.C.?
- Q3 Critically examine the role of Public Prosecutor.
- Q4 What is a "Search Warrant"? Describe the procedure to be followed by the police-officer while making the search of a place without warrant.
- Q5 Distinguish between 'complaint and F.I.R'. What is the procedure for taking cognizance by a Magistrate of an offence on complaint? Explain.
- Q6 What is 'arrest'? Briefly describe the circumstances where under a police-officer and a private person may arrest a person without warrant.
- Q7 Give a critical account of the broad principles regarding grant of bail in criminal cases. Can a bail be demanded as a matter of right? In the light of this statement discuss the new principles of law propounded by the courts.
- Q8 Distinguish between "Summons and Warrants". When can warrant be issued by a court in lieu of summons?
- Q9 Who is a 'Proclaimed offender'? When can a proclamation for an absconding person be issued by a court? How shall such proclamation be published?

