



BALBA – 2217

B.A. LL.B. (Semester – VIII) Examination, April 2017
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks : 75

Instructions : 1) Answer **any eight** from Q. No. 1 to 12. (8×8=64)

2) Answer to Question No. 13 and 14 are **compulsory**. (6+5=11)

1. "The public Prosecutor as a representative of the State and not of the Police, is expected to discharge his duties fairly and fearlessly". Explain the provisions relating to Public Prosecutor and Directorate of Prosecution under Criminal Procedure Code.
2. "Summons is a process to compel appearance of a person". Explain the procedure prescribed for serving the summons to accused and witnesses under Criminal Procedure Code.
3. Explain the concept of remand and describe the rules relating to remand under Sec. 167 of Criminal Procedure Code.
4. "The object of providing for maintenance under Sec. 125 Criminal Procedure Code is to prevent starvation and vagrancy in the society which may lead to commission of crime by those who are unable to maintain themselves". Explain the provisions relating to maintenance of Wife and Children under the Code.
5. Explain the Constitution and Powers of Criminal Courts under Criminal Procedure Code.
6. Describe the provisions relating to procedure for Removal of Public nuisance under Criminal Procedure Code.
7. Explain the provisions relating to Complaint to Magistrate and Commencement of proceedings before Magistrate under Criminal Procedure Code.
8. Describe the procedure of trial to be adopted by the Court of Sessions under Criminal Procedure Code.
9. "Plea bargaining is a method of Alternative Dispute Resolution system in Criminal Jurisprudence". Explain the provisions relating to Plea Bargaining under Criminal Procedure Code.

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10. Explain the provisions relating to period of limitation for taking cognizance of certain offences under Criminal Procedure Code.
11. "As a matter of general policy, bail should be granted as far as possible instead of being rejected". Explain under what circumstances granting of Bail is mandatory.
12. Explain the procedure prescribed for hearing of Appeal under Criminal Procedure Code.
13. Answer **any two** of the following : (2×3=6)
 - a) Inquest
 - b) Inherent powers
 - c) Compoundable and Non compoundable offence.
14. Answer **any two** of the following : (2×2.5=5)

Instruction – Refer appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning.

 - a) A is accused of a theft on one occasion and of causing grievous hurt on another occasion. Can A be tried jointly for theft and grievous hurt ?
 - b) A, B and C are charged by a Magistrate of the first class with and convicted by him of robbing D. Can A, B and C, may after words be charged with and tried of dacoity by Court of Session on the same facts ?
 - c) The wife was subjected to physical torture when she was pregnant at margao and she had to be taken to her parental home at Panaji. Due to beating (at Margao), Miscarriage took place palace at Panaji. Can the Court at Panaji had jurisdiction to try the offence ?