



LHA – 1014

LL.B. (Hons.) (Semester – IX) Examination, April 2014

CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

SECTION – I

Instructions : 1) Answer any four from Q. No. 1 to 6.

(8×4=32)

2) Answer to Q. No. 7 is compulsory.

(2×3=6)

1. Explain the real role of the public prosecutor while representing the state in a criminal trial.
2. Discuss the meaning and importance of the first information report and examine the procedure for recording the FIR.
3. Discuss briefly the rules as to deciding the territorial jurisdiction of a criminal court for inquiry into or trying any offence.
4. What is anticipatory bail ? Under what circumstances can such bail be granted ?
5. Explain the procedure for trial of summons case by Magistrate.
6. Elucidate the rule that 'for every distinct offence there should be a separate charge and each such charge should be tried separately' and briefly explain the exceptions to the above rule.
7. Answer any two of the following :
 - a) Cognizable and non-cognizable offence
 - b) Inquest
 - c) Transfer of cases.



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SECTION – II

Instructions : 1) Answer **any four** from Q. No. 8 to 13.

(4×8=32)

2) Answer to Q. No. 14 is **compulsory**.

(2×2.5=5)

8. Explain the procedure for withdrawal from prosecution and withdrawal of complaint.
9. What is the importance of Plea Bargaining and explain the procedure for plea bargaining under Criminal Procedure Code ?
10. What are the powers of executive magistrate with regard to removal of public nuisance under Sec. 133 of Criminal Procedure Code ?
11. Under what circumstances children and parents claim maintenance ? Which court will have jurisdiction to entertain such application ? Is there any limitation period for maintenance claim ?
12. Discuss critically the basic considerations for prescribing periods of limitation for taking cognizance of an offence.
13. Explain briefly the powers of a court of revision and general principles to be followed while exercising these powers.
14. Answer **any two** of the following :
 - a) A was arrested by police party from his house and kept in a secluded building for 3 days, without informing any person about the arrest or the place of detention. For all these days A was neither told about the reasons or grounds of his arrest not permitted to contact any person. After three days A was released and informed that he was free to go anywhere. What are the illegalities in the above arrest process ?
 - b) A filed a petition before a Magistrate on 1-7-2008 alleging that on 1-6-2008 B had forcibly dispossessed him from land which was in his possession. After enquiry, Magistrate found that A was in possession of property till he was dispossessed by B. He also found that A had no title to the property but B had a valid and subsisting title. What should the Magistrate do ?
 - c) A is accused of cheating B at a given time and place. However the charge has not set out the manner in which A cheated B. A wants to challenge the charge. Advise.