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19 (III) CRPC 3-2

2019

**CRIMINAL PROCEDURE CODE**

Paper : 3-2

Full Marks : 80

Time : Three hours

**The figures in the margin indicate full marks for the questions.**

1. Fill in the blanks by choosing the correct answer : 1×10=10.
  - (a) The Code of Criminal Procedure came into force on 1st day of April, ———. (1973/1974)
  - (b) Bail is a matter of ———. (Law/Right)
  - (c) Complaint has been defined in Criminal Procedure Code under section ———. [2(a)/2(d)]
  - (d) Section 125 of the CrPC deals with ———. (maintenance *Pendente lite*/ maintenance of wives, etc.)

Contd.

(e) An order under section 144 CrPC can be promulgated by \_\_\_\_\_.

(District Judge/District Magistrate)

(f) Warrant cases can be tried by the \_\_\_\_\_.

(Judicial Magistrate/Sessions Judge)

(g) Removal of Nuisance is provided under section \_\_\_\_\_ of the CrPC.

(133/134)

(h) Summary trial is provided under chapter \_\_\_\_\_ of the CrPC.

(XXI/XXII)

(i) Pre-arrest bail cannot be granted by the \_\_\_\_\_. (Chief Judicial Magistrate/ Sessions Court / High Court)

(j) Provisions of Revision are provided in chapter \_\_\_\_\_ of the Criminal Procedure Code. (XXIX/XXX)

2. Answer the following : 2×5=10

(a) Distinguish between Cognizable and Non-cognizable offence.

(b) Constitution of Criminal Courts under CrPC.

(c) Jurisdiction of Criminal Courts in cases by Juveniles.

(d) Search warrant.

(e) Define charge.

3. What recourse can be made when there is dispute with regard to possession of immovable property ? Discuss in the light of section 145 and 146 of the Criminal Procedure Code. 12

**Or**

Explain under what circumstances, a Magistrate can take action for removal of Public Nuisances. 12

4. What is First Information Report ? Who can file an FIR ? Evaluate evidentiary value of First Information Report. 5+2+5=12

**Or**

What is the meaning of Bail ? What are different kinds of bails ? Discuss the circumstances in which court can grant bail in a non-bailable offence. 4+2+6=12

5. Explain the different steps to be taken for filing complaints to Magistrates. 12

**Or**

What is a charge ? Describe the contents of a charge. What do you understand by joinder of charges ? 2+6+4=12

6. Discuss the procedure of trial of Warrant case instituted otherwise than on a police report. 12

**Or**

Write notes on : 6+6=12

- (a) Trial of Summons cases  
(b) Summary trials.

7. What is meant by Appeal ? When shall an Appeal lie ? Mention the offences from conviction against which appeal lies. 3+4+5=12

**Or**

What do you mean by Revision ? State under what circumstances revisional powers are exercised. Discuss the bar of revision under CrPC. 4+5+3=12