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19 (III) CRPC 3-2

2017

CRIMINAL PROCEDURE CODE

Paper : 3-2

Full Marks : 80

Time : Three hours

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

1. Choose the correct answer : $1 \times 10 = 10$
- (a) Territorial Divisions of criminal courts are provided under section _____ of the Criminal Procedure Code. (7/8)
- (b) 'Offence' is defined in section _____ of the Criminal Procedure Code. [S.2(c)/S.2(n)]
- (c) A cognizable offence means an offence for which a Police officer _____ . (may arrest without warrant/has no authority to arrest without warrant)

Contd.

(d) Attachment of property of a person absconding can be ordered under section _____ of the Code of Criminal Procedure. (82/83)

(e) A complainant is a person who files _____ (FIR/Complaint)

(f) A person shall be eligible to be appointed as a Public Prosecutor if he has been in practice as an advocate for not less than 5 years. (True/False)

(g) Provisions of Revision are provided in chapter _____ of the Criminal Procedure Code. (XXIX/XXX)

(h) Right to appeal is a statutory right. (True/False)

(i) 'Charge' is defined in section _____ of the Code of Criminal Procedure. [2(b)/2(d)]

(j) "Inquiry" means every inquiry, other than a trial, conducted under Criminal Procedure Code by a Magistrate or Court. (True/False)

2. Write short notes on : 2x5=10

(a) Compoundable offences

(b) Investigation

(c) Charge

(d) Warrant Case

(e) Non-cognizable offence.

3. Discuss in detail, the powers and constitution of various classes of criminal courts as provided under the Code of Criminal Procedure. 12

Or

Discuss the procedure to be followed by a Magistrate to prevent breach of peace arising out of a dispute concerning immovable property. 12

4. Explain First Information Report and its evidentiary value in the trial of an accused person. Cite case laws. 8+4=12

Or

Who are the persons entitled to get order for maintenance? Discuss the power of Magistrate for alteration/cancellation in the maintenance allowance. 8+4=12

5. Define Bail. Under what circumstances a person can claim bail in a non-bailable offence? What is an anticipatory bail? Mention the provisions. 2+6+4=12

Or

What is Complaint ? Elucidate the conditions requisite for initiation of proceeding before a Magistrate. How a complaint is examined and the proceeding commences ?

2+5+5=12

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

Or

Write explanatory notes on : 6+6=12

(a) Trial of Summons Cases

(b) Summary trials.

7. Discuss the procedure of appeal in case of acquittal. Enumerate the circumstances in which there shall be no appeal against an order of conviction. 6+6=12

Or

Write notes on the following :

6+6=12

(a) Power of revision by High Courts

(b) Concept of Plea Bargaining.