

Total number of printed pages—4

21 (7) CRPC 7-2

2017

**CRIMINAL PROCEDURE CODE**

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 : 2×5=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.