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21 (7) CPRC 7.2

2018

CRIMINAL PROCEDURE CODE

Paper : 7.2

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) The Criminal Procedure Code came into force on _____ .

(January 1, 1974/April 1, 1974)

(b) 'Victim' is defined in the Code of Criminal Procedure under _____ .

(sec 2(v)/sec 2 (wa))

(c) 'Complaint' means _____ .

(a police report/an allegation, oral/written to Magistrate)

Contd.

- (d) Test identification parade pertains to the field of _____.
(Trial/Investigation)
- (e) For appointment of a Special Public Prosecutor how many years experience is required as a practising advocate? (7 years/10 years)
- (f) Under Sec 315, CrPC _____.
(an accused cannot be a witness/an accused can be called as a witness on his own request in writing)
- (g) If in a criminal appeal an accused dies and his near relatives wish to continue, withing how many days they must apply? _____.
(30 days/15 days)
- (h) Sec 304, CrPC deals with _____.
(free legal aid to accused/withdrawal from prosecution)
- (i) The sentence of death to be submitted by Court of Session for confirmation by _____. (HC/CJM)
- (j) Bail granted to a person who is apprehending arrest is called _____.
(Advance Bail/Anticipatory Bail)

2. Answer the following: 2×5=10
- (a) What is a chargesheet?
- (b) What is a compoundable offence?
- (c) What is a charge?
- (d) What is the result of withdrawal of complaint?
- (e) What is a case diary?
3. How is an Executive Magistrate appointed? What are the powers and functions of Executive Magistrate? 6+6=12
- Or**
- Discuss the powers and constitution of various classes of criminal courts as provided under CrPC. 12
4. What is FIR? What is the evidentiary value of FIR? 5+7=12
- Or**
- What is the stage of issuance of 'process' by the Magistrate? Discuss warrant of arrest including search warrant. 4+8=12
5. When and how is a charge framed? Can charges be joined? Justify. 6+6=12

Or

Define complaint according to CrPC. How will a Magistrate take cognizance of a complaint? 2+10=12

6. Write notes on : 3×4=12

- (a) Anticipatory bail
- (b) Warrant case
- (c) Non-bailable offence
- (d) Summons case

Or

What is Plea Bargaining? Write an elaborate note on the process of plea bargaining.

4+8=12

7. How is a criminal matter transferred from one court to another court? Explain the process in detail. 12

Or

Write, in detail, the powers of criminal revision vis-a-vis the respective courts.

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