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21(7) CRPC 7-2

2019

## 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) Besides the High Courts and Courts constituted under any law, other than this code, there shall be in every state \_\_\_\_\_ classes of Criminal Courts. (four/ five)
- (b) The amount of fine that can be imposed by a Magistrate of Second Class is \_\_\_\_\_. (Rs. 3000/Rs. 5000)
- (c) F.I.R. u/s 154 of Cr.P.C. is not a substantive piece of evidence. \_\_\_\_\_. (True/False)

Contd.

- (d) A person who is alleged to have committed a non-bailable offence may be released on bail u/s \_\_\_\_\_ (436/437) of Cr.P.C.
- (e) For appointment of a Public Prosecutor, how many years of experience is required as a practicing advocate? (7 years/10 years)
- (f) S-190 Cr.P.C. deals with \_\_\_\_\_. (Cognizance of offences by Magistrate/ Cognizance of offences by Session Judge)
- (g) In every trial before the Court of Session, the prosecution shall be conducted by a \_\_\_\_\_. (Private Attorney/Public Prosecutor)
- (h) The concept of Plea Bargaining was inserted in the Cr.P.C. by the amendment of \_\_\_\_\_. (2005/2006)
- (i) Appeal against conviction can be preferred before any Magistrate. \_\_\_\_\_. (True/False)
- (j) The Session Judge has not got the power of revision under Cr.P.C. \_\_\_\_\_. (True/False)

2. Answer the following : 2×5=10

- (a) Powers of Police
- (b) Search Warrant

- (c) Joinder of Charges
- (d) Summary Trial
- (e) Transfer of Criminal Cases.

3. When Police may arrest a person without warrant? What is notice of appearance before police officer and procedure of arrest of a person and duties of officer making arrest? Discuss the relevant provisions under the Cr.P.C. 4+4+4=12

Or

Explain the powers and jurisdiction of the various classes of Criminal Courts constituted under the Cr.P.C. 12

4. Explain the provisions relating to maintenance of wife, children and parents under the Cr.P.C. with reference to relevant case laws. 12

Or

Discuss in detail, the procedure of police investigation as provided under the Cr.P.C. with reference to relevant case laws. 12

5. Explain the role and functions of Public Prosecutor under the Cr.P.C. 12

**Or**

How a Magistrate deals with a complaint received by him? Explain referring relevant provisions of the Cr.P.C. 12

6. Write notes on : 3×4=12

- (a) Cognizable Offence
- (b) Plea Bargaining
- (c) Trial of Warrant-cases by Magistrates
- (d) Trial of Summons-cases by Magistrates.

**Or**

Discuss the procedure of Trial before the Court of Sessions under Cr.P.C. referring to relevant case laws. 12

7. What do you mean by appeal? Explain the powers of Appellate Courts under the Cr.P.C. 12

**Or**

What is reference under the Criminal Procedure Code? What are the differences between Reference and Revision; Reference and Appeal? Discuss. 6+3+3=12