

2015

**CRIMINAL PROCEDURE CODE**

Paper : 7-2

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate answer given in the brackets:  $1 \times 10 = 10$ 
  - (a) For appointment of an advocate as Assistant Public Prosecutor the required period of practice is \_\_\_\_\_.  
(five years / not prescribed)
  - (b) For appointment of a Special Public Prosecutor the required period of practice is \_\_\_\_\_.  
(seven years/ten years)
  - (c) Under the Code of Criminal Procedure, 1973 Revisional jurisdiction is conferred on \_\_\_\_\_. (both High Court and Court of Sessions / High Court only)

Contd.

(d) An Additional District Magistrate \_\_\_\_\_ to the District Magistrate. (shall be subordinate / shall not be subordinate)

(e) The Investigating Officer is under \_\_\_\_\_ to investigate the causes of injury of the accused. (a duty / no duty)

(f) It is \_\_\_\_\_ to mention every minute detail in the First Information Report. (necessary/not necessary)

(g) The Code of Criminal Procedure, 1973 has come into effect from \_\_\_\_\_.  
(April 1, 1973/April 1, 1974)

(h) The provisions of the Code of Criminal Procedure, 1973 as amended as per the Criminal Laws (Amendment) Act, 2013, would be effective from \_\_\_\_\_.  
(February 3, 2013/March 2, 2013)

(i) A Charge is framed by the \_\_\_\_\_ (Public Prosecutor / Sessions Judge or Magistrate)

(j) The Code of Criminal Procedure, 1973 replaces the \_\_\_\_\_ (Code of Criminal Procedure, 1898 / Code of Criminal Procedure, 1861)

2. Write short notes on: 2×5=10

(a) Officer in charge of a Police Station

(b) Police Station

(c) Bailable offence

(d) Offence

(e) Victim.

3. Discuss the procedure to be followed by an Executive Magistrate in cases where dispute concerning land or water is likely to cause breach of peace. 12

Or

Discuss the powers of executive magistrates to deal with urgent cases of public nuisance or apprehended danger. 12

4. What do you mean by "arrest"? What are the rights of an arrested person? Explain. 12

Or

On receiving the information as to the commission of a cognizable offence, what is the investigative procedure to be followed by an Officer in charge of Police station? Explain. 12

5. Discuss the meaning and importance of charge in a criminal trial. When is charge altered? What is the procedure that should be followed after altering the charge? 12

**Or**

What is a complaint? What procedure is to be followed by a Magistrate on receiving a complaint? 12

6. Discuss the salient features of a summary trial under the Code of Criminal Procedure, 1973. 12

**Or**

Distinguish between the procedures laid down by the Code of Criminal Procedure, 1973 in cases of trial of Summons and Warrant cases. 12

7. What is an "appeal"? Enumerate the circumstances in which there shall be no appeal against an order of conviction. What are the circumstances in which an appeal shall lie to the Supreme Court, High Court & Sessions Court? 2+5+5=12

**Or**

Write explanatory notes on: **(any three)**

4×3=12

(a) Medical Examination of a victim of rape;

(b) Compounding of offences

(c) "Case-Diary"

(d) Tender of Pardon to Accomplish