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III Semester 3 Year LL.B./VII Semester 5 Year B.A.LL.B. (Maj.-Min.)/

VII Semester 5 Year B.A.LL.B./B.B.A.LL.B.

Examination, June/July 2018

(Old and New Batch)

**CRIMINAL LAW – II : Cr.P.C, JJ Act and P.O. Act**

Duration : 3 Hours

Max. Marks : 100

**Instructions :** a. Answer question No. 9. Answer **any five** of the remaining.

b. Q. No. 9 carries **20** marks and the remaining questions carry **16** marks each.

c. Answers should be written completely either in **English** or **Kannada**.

- మూడನేగళు :**
- ప్రత్యే న్ను మత్తు లుళదవుగళల్లి ఐదక్కె లుత్తరిసిరి.
  - ప్రత్యే 9 క్కె 20 అంకగళు మత్తు లుళదవుగళిగె తలా 16 అంకగళు.
  - లుత్తరవను సంపూర్ణవాగి ఇంగ్లీష్ నల్లి అథవా కన్నడదల్లి లుత్తేరిసచేచు.

Q. No. 1. Explain first information report and what amounts to first information and when it cannot ? state its significance. Marks : 16

ప్రథమ వఫ్ఫమాన వరదియన్న ఏవరిసి. యావుదను ప్రథమ వఫ్ఫమాన ఎందు హేళబహుదు మత్తు యావుదు ప్రథమ వఫ్ఫమానవాగువుదిల్ల ? ఇదర ప్రాముఖ్యతెయన్న తేలిసి.

Q. No. 2. Explain the provisions relating to trial before magistrate in a non bailable offences. Marks : 16

జామీనురహిత ఆపరాధగళల్లి మ్యాజిస్ట్రేట్ న్నాయాలయద ప్రత్యేయీయల్లి సంబంధిసిద లుపబంధగళన్న ఏవరిసి.

Q. No. 3. Explain the term bail and state when bail may be granted in non-bailable offences ? Marks : 16

జామీనిన పదవన్న ఏవరిసి హగొ జామీనురహిత ఆపరాధగళల్లి యావాగ జామీనన్న నీడబహుదు ? తేలిసి.

Q. No. 4. State and explain the provisions for keeping peace and to enforce security for good behaviour from suspected persons and habitual offenders. Marks : 16

శాంతి సురక్షత మత్తు ఒళీయ నడతేగాగి శంకిత వ్యక్తిగళు మత్తు రూధాపరాధిగళు నేడిరువ భద్రతెయన్న జారిమాడలు ఆభివేషిరువ లుపబంధగళన్న తేలిసి మత్తు ఏవరిసి.

P.T.O.



**Q. No. 5. Discuss the powers of the court to release offenders on probation of good conduct.** Marks : 16

ಅಪರಾಧಿಗಳನ್ನು ಒಕ್ಕೆಯ ಪಡತೆಯ ಅಧಾರದ ಮೇಲೆ ಬಿಡುಗಡೆ ಮಾಡಲು  
ನ್ಯಾಯಾಲಯಕ್ಕೆ ಇರುವ ಅಧಿಕಾರಗಳನ್ನು ಚರ್ಚಿಸಿ.

**Q. No. 6. When police can arrest a person without warrant ? State the circumstances in which a private person can arrest and the procedure to be followed by him after such arrest.** Marks : 16

ವಾರಂಟ್ ಇಲ್ಲದೆ ಹೋಲಿಸರು ಯಾವಾಗ ವ್ಯಕ್ತಿಯನ್ನು ಬಂಧಿಸಬಹುದು ? ಒಬ್ಬ  
ಖಾಸಗಿ ವ್ಯಕ್ತಿ ಯಾವ ಸಂದರ್ಭದಲ್ಲಿ ಬಂಧಿಸಬಹುದು ಮತ್ತು ಬಂಧನದ ನಂತರ  
ಆತನು ಪಾಲಿಸಬೇಕಾದ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ತಿಳಿಸಿ.

**Q. No. 7. "For every distinct offence there is a separate charge and tried separately". State the exception if any.** Marks : 16

"ಪ್ರತಿಯೊಂದು ದೋಷಾರೋಪಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿದ್ದು ಮತ್ತು ಪ್ರತ್ಯೇಕ ವಿಚಾರಕೆ ನಡೆಸುತ್ತದೆ." ಈ ತತ್ವಕ್ಕೆ ಯಾವುದಾದರು ಅಪವಾದಗಳಿದ್ದಲ್ಲಿ ತಿಳಿಸಿ.

**Q. No. 8. Write a short note on any two of the following :** Marks : 8+8=16

a) Appeals in cases of acquittals.

b) Compounding of offences.

c) Investigation.

ಈ ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡಕ್ಕೆ ಲಘು ಟಿಪ್ಪಣಿ ಬರೆಯಿರಿ:

a) ಖಾಲಾಸೆ ವಿರುದ್ಧ ಮೇಲ್ಮೈ.

b) ಅಪರಾಧಗಳ ರಾಜಿ ಮಾಡುವಿಕೆ

c) ತನಿಖೆ.

**Q. No. 9. Solve any two of the following problems :** Marks : 10+10=20

ಈ ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡು ಸಮಸ್ಯೆಗಳನ್ನು ಬಿಡಿಸಿ :

a) More than two years ago 'A' was sentenced to death but the sentence has not been executed so far. 'A' moves to the court that his death sentence be commuted to imprisonment for life as there was under delay in the execution of death sentence.

Decide.

'A' ಎಂಬುವವನಿಗೆ ಸುಮಾರು ಎರಡು ವರ್ಷದ ಹಿಂದೆಯೇ ಮರಣದಂಡನೆಗೆ ಗುರಿಯಾಗಿದ್ದನು, ಆದರೆ ಅದನ್ನು ಜಾರಿಗೊಳಿಸಿರುವುದಿಲ್ಲ. ನಂತರ ಆತನು ಜಾರಿ ವಿಳಂಬ ಕಾರಣದ ಮೇಲೆ ಮರಣದಂಡನೆಯನ್ನು ಜೀವವಾದಿ ಶಿಕ್ಷೆಗೆ ಪರಿವರ್ತಿಸಲು ನ್ಯಾಯಾಲಯಕ್ಕೆ ಅಜ್ಞ ಹಾಕುತ್ತಾನೆ. ತೀವ್ರಾನಿಸಿ.



- b) 'A' commits an offence in 'Agra' but makes a confession before the Judicial magistrate at 'Lucknow', who has no power to try case, but he did not sign the confessional statement recorded by the magistrate. Is confession is valid ? Decide.

'A' ಎಂಬುವವನು 'ಆಗ್ರಾ'ದಲ್ಲಿ ಅಪರಾಧವೆಸಗುತ್ತಾನೆ ಆದರೆ ಆತನು ಅಧಿಕಾರವಿಲ್ಲದ ಲಕ್ಷ್ಯ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ತಪ್ಪೊಪ್ಪಿಗೆ ಹೇಳಿಕೆಯನ್ನು ನೀಡುತ್ತಾನೆ ಆದರೆ ನ್ಯಾಯಿಕ ದಂಡಾಧಿಕಾರಿ ಮುಂದೆ ನೀಡಿದ ಹೇಳಿಕೆಗೆ ಸಹಿ ಹಾಕಿರುವುದಿಲ್ಲ. ಈ ತಪ್ಪೊಪ್ಪಿಗೆಯು ಉಜ್ಜೀವತವೇ ? ತೀಮಾರ್ಚನಿಸಿ.

- c) 'A' is an accused was charged under Section S. 19(f) of the Indian Arms Act for possessing a revolver without a licence and was acquitted as the prosecution could not prove that he was in possession of the revolver. In a subsequent trial of the accused on the charge of Murder. Whether can prosecution be permitted to prove possession of revolver and murder case against 'A' ? Decide.

'A' ಎಂಬ ಅಪರಾಧಿಯ ವಿರುದ್ಧ ಭಾರತೀಯ ಶಾಸ್ತ್ರೀಕಾರ್ಯ ಕಾರ್ಯೋ ಕಲಂ S.19(f) ಅಡಿಯಲ್ಲಿ ಅನುಮತಿ ಇಲ್ಲದೆ ಬಂದೂಕು ಹೊಂದಿದ್ದಾನೆ ಎಂದು ನ್ಯಾಯಾಲಯದಲ್ಲಿ ವಿಚಾರಣೆಗೊಳಿಸಿಸುತ್ತಾರೆ. ಆದರೆ ಆತನ ವಿರುದ್ಧ ಪ್ರಾಸಿಕ್ಕೂಫ್‌ರವರು ಬಂದೂಕು ಹೊಂದಿದ್ದ ಅನ್ನು ಪುದನ್ನು ಸಾಧಿಸಲು ವಿಫಲರಾಗುತ್ತಾರೆ. ಪರಿಣಾಮವಾಗಿ ಆತನು ಖಿಲಾಸೆಯಾಗುತ್ತಾನೆ. ತದನಂತರದ ಆತನ ವಿರುದ್ಧ ಕೊಲೆ ಅಪರಾಧದ ವಿಚಾರಣೆಯಲ್ಲಿ ಬಂದೂಕು ಹೊಂದಿದ್ದ ಎಂದು ಪ್ರಾಸಿಕ್ಕೂಫ್‌ರವರು ಪುನಃ ಸಾಧಿಸಲು ಅನುಮತಿ ನೀಡಬಹುದೇ? ಮತ್ತು ಆತನ ವಿರುದ್ಧ ಕೊಲೆ ದಾವೆಯನ್ನು ನಡೆಸಲು ಆಗುತ್ತದೆಯೇ? ತೀಮಾರ್ಚನಿಸಿ.