

LAW OF CRIMES-II

Paper-204

Code of Criminal Procedure

Time allowed : 3 hours]

[Maximum marks : 100

Note : Attempt any one question from Unit-I to IV.

Question No. 9 is compulsory and attempt any four parts in brief. All questions carry equal marks.

Unit-I

1. Discuss the objectives of provision for maintenance of wives in the Criminal Procedure Code. Whether parents and illegitimate children are also entitled for maintenance ? 20
2. Define the term 'Arrest'. When a police officer can arrest a person without warrant ? What are the rights of arrested person ? 20

Unit-II

3. When may a criminal complaint be filed before the Magistrate ? Discuss the powers of Magistrate to decide the criminal complaint. 20

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4. What do you mean by F. I. R. ? In what circumstances a magistrate can make order for investigation of an offence ? 20

### Unit-III

5. Discuss the provisions relating to the procedure for trial before the court of sessions in the Criminal Procedure Code. 20
6. Discuss in brief the general provisions as to inquiries and trials under the Criminal Procedure Code, 1973.

20

### Unit-IV

7. What do you mean by 'Judgement' ? What are the contents of judgement ? Discuss the powers of High Court to confirm the death sentence. 20
8. Examine the law relating to appeal in criminal case. Make a difference between appeal and revision in criminal cases. 20

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## Unit-V

9. Compulsory question : Attempt any four parts in brief:

## Part-I

(a) Powers of Criminal Court.

or

(b) Process to compel the production of things.

## Part-II

(a) Jurisdiction of criminal courts in inquiries and trials.

or

(b) Maintenance of Public order and Tranquility.

## Part-III

(a) Charge

or

(b) Summary Trials

## Part-IV

(a) Reference

or

(b) Anticipatory Bail

**LAW OF CRIMES-II****Paper-204***Time allowed : 3 hours]**[Maximum marks : 100]*

*Note : Attempt any four questions from Units I to IV, selecting one question from each unit. Unit-V consists of a question having eight parts, attempt any four parts.*

**Unit-I**

1. Discuss the constitution of criminal courts as provided in the code of criminal procedure, 1973 and elaborate the powers of these courts.
2. Under what circumstances security for keeping peace can be ordered by a court ? Discuss. How long does such an order remain valid ?

**Unit-II**

3. Discuss the procedure for conduct of investigations of offences in or a place outside India.
4. Under what circumstances proceedings under the criminal procedure code can be initiated for the removal of public nuisance ? Explain in procedure to deal with such cases.

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### **Unit-III**

5. "For every distinct offence of which any person is accused there shall be a separate charge and every such charge shall be tried separately". Discuss.
6. What is meant by Plea Bargaining ? Who can file an application for plea bargaining and what procedure is required to be followed by the court in this regard under the provisions of Code of Criminal Procedure, 1973 ?

### **Unit-IV**

7. What do you understand by anticipatory bail ? Which court can grant anticipatory bail and under what circumstances ?
8. Explain scope of the power of revision of Sessions Judge and High Court in criminal cases as provided in the Code of Criminal Procedure, 1973.

### **Unit-V**

9. Attempt any four parts.
  - (i) Definition of cognizable offence.
  - (ii) Arrest by private person.
  - (iii) Arrest to prevent the commission of cognizable offences.

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**LAW OF CRIMES-II : THE CODE OF CRIMINAL  
PROCEDURE**  
Paper : 204

**[Maximum Marks : 100]**

**Time : Three Hours**

**Note :** Attempt any four questions from unit -I to IV, selecting one question from each unit. Unit-V is compulsory.

**UNIT-I**

1. Write a detailed note on the power of the police to arrest under sections 41 and 42 of the Code of Criminal Procedure ? Can a private person arrest a proclaimed offender ?
2. What are the circumstances in which a person is required to give security for keeping peace ? Explain the procedure for taking such proceedings against a person.

**UNIT-II**

3. What is First Information Report ? Discuss its object and importance. What are the consequences for delay in filing First Information Report ?
4. What do you understand by "Public Nuisance"? Under what circumstances can a magistrate take action for removal of Public Nuisance ?

**UNIT-III**

5. Define charge and discuss its contents. Under what circumstances the court can alter the charge ?

6. With the help of case laws, write a detailed note on Summary Trials.

#### **UNIT-IV**

7. Under what circumstances a person can be released on bail in non-bailable cases ? Can a police officer release a person in non-bailable case ? Can the court which has granted bail cancel that bail ?
8. Write a detailed note on submission of Death Sentence for confirmation.

#### **UNIT-V**

9. Attempt any *four* parts of the following :

- (a) Discuss in brief the process to compel appearance of person with special reference to a Government Servant.
- (b) Write a note on the hierarchy of "Criminal Courts in India".
- (c) Define Investigation.
- (d) Define Complaint.
- (e) What is meant by Plea Bargaining ?
- (f) Distinguish between Trial and Inquiry.
- (g) Write a note on Appeal and Revision.
- (h) Distinguish between Remission and Commutation of Sentence.

**LAW OF CRIMES-II**

(Code of Criminal Procedure)

2015

Paper-204

Time Allowed : 3 Hours]

[Maximum Marks : 100

**Note :** Attempt **five** questions in all, selecting at least **one** question from each Unit. Question No. **9** is compulsory. All questions carry equal marks.

**UNIT-I**

1. Explain the powers of Police officer regarding arrest without Warrant. In which cases Police officer is required to record reasons for making arrest in cognizable offences? Can arrested person be subjected of narco-analysis test without his consent?
2. Examine the concept of maintenance especially in view of the law laid down in the case of Mohd. Ahmed Khan v. Shah Bano Begum AIR 1985 SC 945.

**UNIT-II**

3. What is Investigation? Explain the procedure of investigation. Is Magistrate bound to accept reporting of investigation? If not, what orders can he pass?
4. What is Complaint? Explain the procedure regarding processing of complaints by Magistrate. Can Magistrate entertain second complaint on the same facts?

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UNIT-III

5. Explain the procedure of Trial for a Warrant case before Magistrate. What is the effect of absence of complainant in a Summons case?
6. What do you understand by Plea bargaining? What are the Cases in which plea bargaining is not allowed? Is the order passed by Court in plea bargaining appealable?

UNIT-IV

7. How many types of Appeals are provided under the CrPC? What are the cases in which no appeal lies? Explain the powers of Appellate Court.
8. What is bailable offence? Discuss the provisions of CrPC relating to bail in bailable offences. Can an indigent person be released on personal bond instead of on bail?

UNIT-V

**Compulsory Question**

9. Attempt any four of the following :
  - (a) Explain rights of the arrested person.
  - (b) Define Victim. Examine emerging role of victim in Criminal justice.
  - (c) When can an Executive Magistrate pass conditional order for removal of nuisance?
  - (d) When a person is required to execute bond for keeping the peace?

- (e) *What is the effect of omission in charge? In which cases omission or error in charge can prove fatal to Prosecution?*
- (f) What is tender of pardon to accomplice? What are the cases in which tender of pardon is permissible?
- (g) Explain ingredients of Judgement.
- (h) What are the powers of Hight Court in revision?

**LAW OF CRIMES-II**  
**(Code of Criminal Procedure)**  
**Paper : 204**

> Time : Three Hours] [Maximum Marks : 100

**Note :** Attempt any *four* questions from Unit I to IV, selecting *one* question from each unit. Q. No. 9 (Unit-V) is compulsory. All questions carry equal marks.

**UNIT-I**

1. What types of Criminal courts can be set up under the Code of Criminal Procedure ? Explain the powers of such courts. Can a court of Chief Judicial award sentence of 10 year imprisonment ?
2. What is the object of maintenance under section 125 of the Cr.PC. Can a woman in live-in-relationship claim maintenance under section 125 ? Is daughter, who has independent source of income, bound to pay maintenance to her parents ?

**UNIT-II**

3. Discuss the safeguards provided under section 164 for recording confession. Can accused be convicted on the basis of his confession under section 164 ?

Examine the jurisdiction of Criminal Courts under the Cr.P.C.  
Which court will have jurisdiction to try an Indian citizen  
who commits crime out of India ?

### **UNIT-III**

"For each distinct offence, there shall be a separate charge and every such charge shall be tried separately". Explain the rule relating to joinder of charges in the light of the above statement.

Describe the procedure for trial before Court of Session.  
Explain the law relating to sentence hearing under section 235 of the Cr.PC.

### **UNIT-IV**

What is Anticipatory bail ? Discuss the provisions of Cr.PC relating to Anticipatory bail. What is the duration of Anticipatory bail ?

Write a detailed note on Remission and Commutation of sentences.

### **UNIT-V**

#### **(Compulsory Question)**

Attempt any four of the following :

- Define Complaint.
- Define Cognizable offence.
- When Police officer can make arrest without warrant ?

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *one* question each from unit-I to unit-IV. Question No. 9 in Unit-V is compulsory. All questions carry equal marks.

### **UNIT-I**

1. When can a police officer arrest a person without warrant ? Explain. 20
2. Under what circumstances security for keeping the peace and good behaviour can be demanded ? State the procedure to be followed in such cases. 20

### **UNIT-II**

3. Describe the provisions of Cr. P.C relating to disputes concerning land, water or boundaries when such disputes are likely to cause breach of peace. 20
4. "Every offence shall ordinarily be inquired and tried by court within whose jurisdiction it was committed". Comment. State exceptions to this rule. 20

## **UNIT-III**

5. When it is doubtful to determine what offence is committed,  
how the charges are framed ? Explain. 20
6. What is summary trial ? Explain its grounds. 20

## **UNIT-IV**

7. When bail may be granted to an accused person in non-  
bailable cases ? Discuss. 20
8. Examine in brief, the provisions of the Cr. P.C relating to  
appeals. 20

## **UNIT-V**

9. Explain the following (Any *four* parts) :
- (a) Maintenance.
  - (b) Charge.
  - (c) Summons.
  - (d) Section 144.
  - (e) Plea Bargaining.
  - (f) Police Investigation.
  - (g) Bond.
  - (h) Revision.

$$(4 \times 5 = 20)$$

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LAW OF CRIMES-II  
Paper 204

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *Five* questions in all, selecting at least *one* question from each Unit. All questions carry equal marks.

**Unit I**

Discuss Arrest and when police officer may arrest without warrant ? Arrest how made ? 5+10+5

Discuss summons and warrant of arrest by which a person can be compelled for appearance. 10+10

**Unit II**

1. Discuss the jurisdiction of Criminal Courts in Trials. 20
4. Discuss the powers of police of investigation the cases under Cr. P. C. 20

### **Unit III**

5. Discuss trial of warrant cases by Magistrate.

6. Discuss trial of summon cases by Magistrate.

### **Unit IV**

7. Discuss execution of death sentence and imprisonment.

8. Discuss the Judgement, its language and contents.

### **Unit V**

9. Explain any four of the following :

- (i) Charge
- (ii) Summon
- (iii) Complaint
- (iv) Cognizable Offence
- (v) Police Report
- (vi) Inquiry
- (vii) Difference between Investigation and Inquiry
- (viii) Trials..

$$5 \times 4 = 20$$

Roll No. ....

Total Pages : 52

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LAW OF CRIMES-II

Paper 204

[Maximum Marks : 100]

Time : Three Hours]

**Note :** Unit I to IV wherever contain two questions from each Unit. Candidate required to attempt *one* question from each Unit. Unit V consist one compulsory question divided into 8 parts the student in required to attempt any *four* parts. All questions carry equal marks.

### Unit I

1. "It is the duty of everyone to provide maintenance to his wife, children and parents and if any person neglect to maintain then the court have a power to pass an order for the maintenance of wives, children or parents." Discuss it in the light of latest case law.
2. Explain the circumstances in which an arrest without a warrant can be made. Can a Magistrate issues a warrant for arrest in respect of a cognizable offence before taking cognizance of the offence ?

## **Unit II**

3. Discuss the power of Executive Magistrate to issue order in urgent cases of nuisance or apprehended danger.
4. Write a critical note on First Information Report.

## **Unit III**

5. Can there be a joinder of charge under the following circumstances :  
  
‘A’ commits theft on four occasions in 1996 of which two are punishment u/s 379 IPC and the other U/s 380 IPC.
6. What do you mean by plea bargaining ? Is plea bargaining valid ? Discuss the kinds of plea bargaining.

## **Unit IV**

7. Discuss the revisional powers of High Court under Cr. P. C.
8. Define ‘anticipatory bail’. Discuss in detail the provision relating to anticipatory bail.

## **Unit V**

**9.** Discuss the following :

- (a) Classes of criminal courts
- (b) Summons
- (c) Public Nuisance
- (d) Use of armed forces to disperse assembly
- (e) Charge
- (f) Summary trial
- (g) Appeal
- (h) Remission of Sentence.