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5 SEM LLB 1 CrPC

2008

(June–July)

**CRIMINAL PROCEDURE CODE, JUVENILE
JUSTICE ACT AND PROBATION OF
OFFENDERS ACT**

Paper : 501

Full Marks : 80

Time : Three hours

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

Answer *any five* questions.

1. Write short notes on *any four* of the following :
4×4=16
- (a) F. I. R.
 - (b) Complaint
 - (c) Investigation and inquiry
 - (d) Discharge and acquittal

(e) Judicial Proceeding

(f) Summary trial.

2. Who is a Public Prosecutor ? State the provisions laid down in the Criminal Procedure Code for appointment of public prosecutors. 4+12=16

3. Describe the procedure of inquiry in cases in which an executive magistrate is satisfied that a dispute likely to cause a breach of peace exists concerning any land or water or boundaries thereof. Can a proceeding be initiated u/s 145 Cr. P.C. regarding the same disputed property for which civil proceedings are pending ?

12+4=16

4. What would be the places of trial in the following cases ? 4×4=16

(i) A, a resident of Tinsukia, entrusted his truck to B for sale at Calcutta. B sold the truck and returned to Tinsukia ; but did not pay the sale-proceeds.

(ii) A, who is a citizen of India, commits murder in Nepal and arrested in India.

- (iii) A is wounded within the local limits of jurisdiction of the court of Sibsagar and dies within the local limits of the court of Tinsukia.
- (iv) A kidnapped a girl who was on her way back home after school at Jorhat town and kept her concealed in a house at Dibrugarh.
5. Describe the procedure of trial in a summons case. What are the main points of difference between procedures of trial of a summons case and a warrant case ? $12+4=16$
6. What is bail ? What are the provisions made in the Criminal Procedure Code for granting bail to a person apprehending arrest in a non-bailable case ? $4+12=16$
7. What do you understand by 'appeal' ? State the provisions for appeal against acquittal. Who can prefer such appeal ? $4+10+2=16$
8. Define "Child in need of care and protection". Describe briefly the provisions made in the Juvenile Justice (Care and Protection of Children) Act, 2000, for such children. $4+12=16$

9. Discuss the importance of Probation to Society. What are the duties and functions of a Probation Officer ? When an offender is placed under his supervision ? 8+8=16
10. State the facts, points of law decided and reasons thereof in the case of 16

Md. Ahmed Khan

Vs

Shah Banu Begum

(AIR 1985, SC 945)