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5 SEM LLB 1 CrPC

2009

(JUNE)

**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
for the questions.*

Answer Question No. 1 and any four from the rest.

1. Answer the following questions with reasons :

4×4

(a) A is tried for causing grievous hurt to B and convicted. B dies afterwards. Can A be tried for culpable homicide of B ?

(b) A is charged before the Court of Sessions and convicted of the culpable homicide of B. Can A be tried on the same facts for the murder of B afterwards ?

(c) A, B and C are charged with and convicted of robbing D. Can they be tried for dacoity afterwards on the same facts ?

(d) A is charged with and convicted of theft of property from the person of B. Can A be subsequently charged with and tried for robbery on the same facts ?

2. (a) When police may arrest any person without warrant and without an order from a Magistrate ?

(b) Can arrest be made by a private person ? If so, what is the procedure on such arrest ?

10+6

3. (a) Under what circumstances can search warrant be issued under Section 93 of the Cr. P. C. ?

(b) Distinguish between the provisions of Section 93 and Section 94, Cr. P. C. 10+6

4. Can maintenance ordered under Section 125 Cr. P. C. be altered, varied or cancelled ? If so, under what grounds ?

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5. Define charge. What particulars should a charge contain ? Can a court alter or add to any charge ?
4+8+4
6. What conditions may be imposed by the High Court or the Court of Sessions granting anticipatory bail under section 438 Cr. P.C. ? What are the other conditions which may be imposed under section 437(2), Cr. P. C. ?
8+8
7. (a) What are the irregularity which do not vitiate the proceedings ?
(b) Mention *eight* irregularities which vitiate the proceedings.
8+8
8. (a) Can there be appeal when the accused pleads guilty ?
(b) Is there provision of appeal in petty cases ?
6+10
9. What are the powers of Court to release certain offenders on probation of good conduct under the Probation of Offenders Act, 1958 ?
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10. What are the orders that may be passed regarding juveniles under the Juvenile Justice (Care and Protection of Children) Act, 2000 ?
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