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3 SEM LLB CRPC 2(N)

**2017**

( December )

**LAW**

Paper : 3-2

**(Criminal Procedure Code)**

Full Marks : 80

Time : Three hours

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

1. Choose the correct answers from the following questions :  $1 \times 10 = 10$

(a) Complaint is an allegation which is made -

(i) Orally

(ii) In writing

(iii) either (i) or (ii)

(iv) none of the above.

(b) The term 'Judicial Proceeding' includes —

- (i) Inquiry
- (ii) Trial
- (iii) both (i) and (ii)
- (iv) Investigation.

(c) Magistrate may take cognizance of any offence —

- (i) Under Sec 198 of Cr. P.C.
- (ii) Under Sec 192 of Cr. P.C.
- (iii) Under Sec 190 of Cr. P.C.
- (iv) Under Sec 197 of Cr. P.C.

(d) In a bailable offence, the bail is granted as a matter of right —

- (i) by the Police Officer
- (ii) by the Court
- (iii) both (i) & (ii)
- (iv) either (i) or (ii).

(e) Court may use Case Diary maintained by the Police Officer during investigation —

(i) as an evidence in the case

(ii) not as an evidence in the case

(iii) to aid it in inquiry or trial

(iv) both (ii) & (iii).

(f) Report of Police Officer on completion of investigation deals with —

(i) Sec 170

(ii) Sec 173

(iii) Sec 171

(iv) Sec 172.

(g) Execution of sentence of death passed by High Court deals with —

(i) Sec 413

(ii) Sec 415

(iii) Sec 414

(iv) Sec 406.

(h) Who among the following can move the court for plea bargaining ?

(i) the Police Officer

(ii) the Complainant

(iii) only the accused

(iv) both (ii) & (iii).

(i) The personal attendance of the accused can be dispensed with —

(i) Under Sec 207 of Cr. P.C.

(ii) Under Sec 206 of Cr. P.C.

(iii) Under Sec 205 of Cr. P.C.

(iv) Under Sec 208 of Cr. P.C.

(j) A Magistrate has power to deal with urgent cases of apprehended danger or nuisance under —

(i) Sec 133

(ii) Sec 144

(iii) Sec 145

(iv) Sec 107.

2. Answer the following : 2×5=10

(a) Inquiry precedes trial and trial follows inquiry.

(b) Content of chargesheet.

(c) Summon Case.

(d) Evidentiary Value of F.I.R.

(e) Joinder of Charge.

3. Discuss the powers of different criminal court under Cr. P.C. 12

**Or**

Discuss in detail the powers of Police Officers under the Code of Criminal Procedure.

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4. What is F.I.R. ? What are the ingredients of an F.I.R. ? What is the effect of delay in filing a F.I.R. ? 4+4+4=12

**Or**

When a wife is not entitled to maintenance from her husband ? 12

5. What is charge ? Under what circumstances a charge can be altered ? What is the effect of altering charge on the trial ?

4+4+4=12

**Or**

Discuss the commencement of proceedings of complaint cases before the Magistrate under the Cr.P.C. 12

6. Give the procedure for trial of warrant cases by Magistrate in respect of cases instituted otherwise upon a police report. 12

**Or**

Discuss in brief the commissions for examination of witnesses. 12

7. What is 'Criminal Revision' ? What courts can exercise the powers of revision and upon what grounds ? 12

**Or**

Discuss in detail the power of High Court to transfer of cases and appeals. 12

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