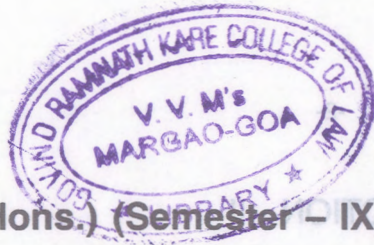


GOA UNIVERSITY
G.R. KARE COLLEGE OF LAW, MARGAO, GOA
LL.B. (HONS) SEM IX
CRIMINAL PROCEDURE CODE

APRIL 2013,
OCT 2012,
OCT 2011,
APRIL 2011,
OCT 2010,
OCT 2009,
APRIL 2009,
2008 (Probably APRIL),
OCT 2007,
APRIL 2007(P),
OCT 2006,
APRIL 2006 (P),



16/4/13

TNY - 118

LL.B. (Hons.) (Semester - IX) Examination, April 2013

CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

SECTION - I

Instructions : 1) Answer any four Q. No. 1 to 6.

2) Answer to Q. No. 7 is compulsory.

3) Question 1 to 6 carry 8 marks each (4x8=32) and Q. 7 carries 6 marks (2x3=6).

1. Discuss the provisions relating to remand of an accused person prescribed in Sec.167 of Criminal Procedure Code.
2. Define FIR and explain its importance.
3. What are various classes of Criminal Courts under Criminal Procedure Code and explain their powers ?
4. Explain the basic rule regarding territorial jurisdiction and provisions relating to alternative avenues.
5. Explain the meaning and purpose of arrest. Discuss the rights of the arrested person.
6. Explain the object of Bail and elucidate under what circumstances bail is mandatory.
7. Write short notes on any two :
 - a) Cognizable and non-cognizable offence
 - b) Inherent powers
 - c) Plea bargaining.

P.T.O.



SECTION - II

Instructions : 1) Answer any four Q. No. 8 to 13.

2) Answer to Q. No. 14 is compulsory.

3) Question 8 to 13 carry 8 marks each ($4 \times 8 = 32$) and Q. 14 carries 5 marks (2×2.5).

8. Explain the provisions relating to maintenance of wife under Criminal Procedure Code. Can a magistrate alter an order of maintenance ?
9. What are the specific provisions prescribing eligibility criteria for filing complaint as limitation for the recognized principles of "Any person may set the criminal law in motion".
10. Explain the provisions of criminal procedure code relating to "Joinder of charges" as exceptions for basic rule "for every distinct offence there must be a separate charge and a separate trial for each charge".
11. Explain the procedure for trial of summons case under the code of Criminal Procedure Code.
12. It is a fundamental Principle of criminal jurisprudence that no person should be vexed twice for the same offence. Explain Autrefois acquit and Autrefois Convict.
13. What are powers of the executive magistrate with regard to disputes concerning land and water which is likely to cause breach of peace under Sec. 145 of Criminal Procedure Code ?



14. Answer **any two** :

- a) An accused is arrested in a bailable offence and he is released on bail. During trial, he absconds and non-bailable warrants are issued against him. The police arrest him and produce him before the court. The defence counsel pleads for his release on bail under Sec. 436 (1). Cr.P.C. which provides that a person accused of a bailable offence shall be released on bail. Can the court, in such circumstances, refuse to release him on bail ?
 - b) A abducted B from place X. Then she was taken to place Y and then to place Z. In which court (territorial jurisdiction) the offence of kidnapping can be tried ?
 - c) A is charged with by a Magistrate of the second class with and convicted by him of theft of property from the person of B. Can A subsequently be charged with and tried for robbery on the same facts by Judicial Magistrate First Class.
-



TNY - 118

LL.B. (Hons.) (Semester - IX) Examination, October 2012
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks : 75

SECTION - I

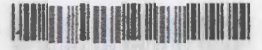
Instructions : 1) Answer any four from Q. No. 1 to 6.

2) Answer to Q. No. 7 is compulsory.

3) Questions 1 to 6 carry 8 marks each ($4 \times 8 = 32$) and Q. 7 carries 6 marks ($2 \times 3 = 6$).

1. What are the different courts exercising jurisdiction under Criminal Procedure Code ?
2. Discuss the rights of the arrested person.
3. State the provisions regarding Removal of public nuisance under Criminal Procedure Code.
4. Explain the procedure for recording confessions under Criminal Procedure Code.
5. What is Charge ? State the contents of Charge. Can a charge be altered ?
6. Explain the conditions for granting maintenance to wife under Criminal Procedure Code.
7. Write a short notes on any two :
 - a) Public Prosecutor
 - b) Bailable and non-bailable offence
 - c) Case Diary.

P.T.O.



SECTION - II

Instructions : 1) Answer **any four** from Q. No. 8 to 13.

2) Answer to Q. No. 14 is **compulsory**.

3) Questions 8 to 13 carry 8 marks each ($4 \times 8 = 32$) and Q. 14 carries 5 marks ($2 \times 2.5 = 5$).

8. What is complaint ? Explain the procedure to be followed by Magistrate on receiving complaint.
9. "Every offence shall be ordinarily be inquired into and tried by a court within whose local jurisdiction it was committed" – Elucidate this principle of territorial jurisdiction with exception.
10. Explain the procedure to be followed by Court of Session in a warrant case.
11. Explain the Principle of Double Jeopardy (Autrefois acquit and Autrefois convict) in the concept of Criminal Procedure Code.
12. What is anticipatory bail ? Under what circumstances can such bail be granted ? Can a blanket order be granted for Anticipatory Bail ?
13. Answer **any two** of the following :
 - a) Withdrawal from prosecution
 - b) Conditional pardon to an accomplice
 - c) Plea Bargaining.
14. Answer **any two** of the following :
 - a) A is accused of a theft one on occasion and of causing grievous hurt on another occasion. Can he be charged and tried jointly for these offences ?
 - b) An accused has been convicted by a court of session without being informed of his right under Sec. 304 of Criminal Procedure Code. Is the conviction valid ? Give reasons citing any case law.
 - c) Renuka has obtained divorce on the ground of cruelty. After obtaining divorce, she is residing separately with her parents. Can she claim maintenance from her divorced husband ?

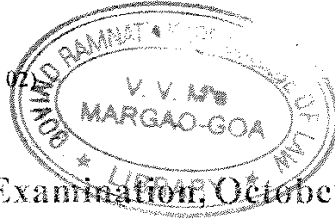
2/10/11
Friday

B - 473

(Pages : 02)

TNY - 118

[Total No. of Questions : 14]



L.L.B. (Hons.) (Semester - IX) Examination, October - 2011
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

- Instructions :*
- 1) Answer any four from Q.No. 1 to 6.
 - 2) Question No. 7 is compulsory.
 - 3) Answer any four from Q.No. 8 to 13.
 - 4) Question No. 14 is compulsory.

SECTION - I

- Q1)** What are the different courts exercising jurisdiction under the code? What sentences can they pass? **[8]**
- Q2)** Discuss meaning, importance and procedure for recording of FIR and explain the effect of delay in lodging FIR. **[8]**
- Q3)** "Every offence shall ordinarily be inquired into and tried by a court within whose local jurisdiction it was committed" - explain. What are rules relating to alternative venues for try the cases in Criminal Procedure Code. **[8]**
- Q4)** What is meant by taking cognizance of an offence by a magistrate. Explain the limitations imposed by the code on powers of magistrate to take cognizance of offences. **[8]**
- Q5)** Write a note on: **[8]**
- a) Conditional pardon to accomplice.
 - b) Public Prosecutors.
- Q6)** What is "anticipatory bail"? Under what circumstances can such bail be granted? By which court can such bail be granted? **[8]**
- Q7)** Answer any two of the following: **[2 x 3 = 6]**
- a) Cognizable and Non-cognizable offence.
 - b) Plea Bargaining.
 - c) Inherent Powers.

P.T.O.

SECTION - II

- Q8)** Elucidate the rule that 'for every distinct offence there should be a separate charge and each such charge should be tried separately' and briefly explain the exceptions to the above rule. [8]
- Q9)** Discuss the procedure to be followed by a magistrate in a trial of summons case. [8]
- Q10)** What is the procedure to be followed while dealing with and disposing of an appeal? [8]
- Q11)** What are the powers conferred on the Executive Magistrates for the removal of Public Nuisances? Under what circumstances can these powers be exercised? What is the procedure to be followed in such cases? [8]
- Q12)** Under what circumstance can wife claim maintenance from her husband? Is a married woman entitled to claim maintenance from her father. [8]
- Q13)** Define Summons. Explain procedure for serving summons to Accused and Witnesses under Criminal Procedure code. [8]
- Q14)** Answer any two of the following: [2 x 2.5 = 5]
Refer to appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning.
- X lodges a complaint that his wife Y had been defamed by the imputation of unchastity to her. Can Y lawfully compound the offence without the consent of X?
 - A is kidnapped from Margao and is recovered from a house at Mapusa. Which of the courts shall have Jurisdiction to try the case?
 - The North Goa Sessions Court Convicted Mr.X with imprisonment of 3 months. He wanted to file an appeal against Conviction. Advise.



G - 216



TNY - 118

[Total No. of Questions : 14]

LL.B. (Hons.) (Semester - IX) Examination, April/May 2011

Criminal Procedure Code

Duration : 3 Hours

Total Marks : 75

- Instructions :**
- 1) Answer any four from Q.No. 1 to 6.
 - 2) Question No. 7 is compulsory.
 - 3) Answer any four from Q.No. 8 to 13.
 - 4) Question No. 14 is compulsory.

SECTION - I

[4 × 8 = 32]

- Q1)** Who is a Public Prosecutor? Explain the role of Public Prosecutor while representing the State in a criminal trial.
- Q2)** Explain meaning and purpose of Arrest. Explain the circumstances in which a police officer can arrest without warrant.
- Q3)** Discuss the mode of Service of Summons and Warrant.
- Q4)** Describe the procedure which a Judicial Magistrate is expected to follow in recording confessions made in the course of the investigation.
- Q5)** Write a note on :
- a) Commitment of case to the Court of Session.
 - b) Consolidation of cases relating to same offence.
- Q6)** What is the significance of classifying offences as bailable and non-bailable offences? Examine the nature and scope of judicial discretion in granting bail in non-bailable offence.
- Q7)** Answer any two of the following : [2 × 3 = 6]
- a) Power of Supreme Court to transfer of Cases.
 - b) Discharge and Acquittal.
 - c) Inherent Powers.

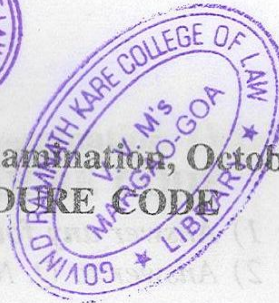
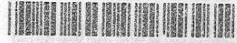
P.T.O.

SECTION - II

[4 × 8 = 32]

- Q8) Explain the meaning and importance of charge in a criminal trial. Discuss the rules as to the contents of a charge, and explain how alterations can be made to a charge.
- Q9) Explain the Salient features of a trial before a court of session.
- Q10) What are periods of limitation prescribed by the code for taking cognizance of offences? When does the period of limitation commence? Can any period be excluded while computing the period of limitation?
- Q11) Discuss the circumstances in which there shall be no appeal against an order of conviction. What is the procedure to be followed while dealing with and disposing of an appeal?
- Q12) What are the preventive measures which can be taken in respect of dispute concerning land or water if such dispute is likely to cause a breach of peace?
- Q13) Under what circumstances can parents and children claim maintenance. Is a married woman entitled to claim maintenance from her father.
- Q14) Answer any two of the following : [2 × 2.5 = 5]
Instruction :- Refer to appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning.
- A is tried by a Court of session and he is convicted. The Court passes a sentence of imprisonment for two months and Rs. 200 as fine. A wants to file an appeal in the High Court against the conviction. Advice.
 - A is accused of criminal breach of trust and also of falsification of accounts punishable under section 409 and 477A of Indian Penal Code. Can A be tried jointly for both the offences.
 - An accused has been convicted by a court of session without being informed of his right under sec.304 of Criminal Procedure code. Is the conviction valid? Give reasons citing any case law.





19/10/2010
(Tuesday)

TNY - 118

LL.B. (Hons.) (Semester - IX) Examination, October 2010
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks : 75

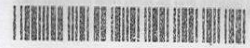
SECTION - I

Instructions : 1) Answer any four from Q. No. 1 to 6. (8×4=32)

2) Answer to Q. No. 7 is compulsory. (2×3=6)

1. Write a note on :
 - a) Judicial Magistrate First Class and Chief Judicial Magistrate
 - b) Public Prosecutor and Assistant Public Prosecutor.
2. What are provisions of Criminal Procedure Code with regard to rights of arrested person and safeguards formulated by the judiciary to prevent police atrocities ?
3. Explain the procedure when investigation cannot be completed within twenty four hours.
4. "Every offence shall ordinarily be inquired into and tried by a court within whose local jurisdiction it was committed," – Explain the basic consideration for local jurisdiction of courts and provisions for alternative venues in Criminal Procedure Code.
5. Any person may set the criminal law in motion by filing a complaint – Discuss this basic principle for taking cognizance of offence with limitations.
6. Explain the meaning of bail and discuss the circumstances in which release on bail is mandatory.
7. Answer any two of the following : (2×3=6)
 - a) Legal Aid
 - b) Case Diary
 - c) Plea Bargaining.

P.T.O.



SECTION - II

Instructions : 1) Answer any four from Q. No. 8 to 13.

(4×8=32)

2) Answer to Q. No. 14 is compulsory.

(2×2.5=5)

8. Elucidate the rule that "for every distinct offence there should be a separate charge and each such charge should be tried separately" and briefly explain the exception to the above rule.
9. Explain the salient features of trial of procedure in summons cases and examine how far they satisfy the essential requirements of a fair trial.
10. Write a notes on :
 - a) Withdrawal from prosecution
 - b) Withdrawal of complaint.
11. Explain briefly the powers of a court of revision, and the general principles to be followed while exercising these powers.
12. What are the powers of the Executive Magistrates to issue orders under Section 144 of the Cr. P.C. ? What procedure is to be followed in issuing such orders ? What remedies if any are available against such orders ?
13. Under what circumstances can wife claim maintenance from her husband ? Which court will have jurisdiction to entertain such an application ? What is the procedure for the enforcement of an order granting maintenance ?
14. Answer **any two** of the following : *(2×2.5=5)*

Instructions : Refer to appropriate statutory provisions and judicial decisions.

Emphasis must be on reasoning :

- a) A is prosecuted for the offence of murder. Before the pronouncement of judgement, the Public Prosecutor seeks permission from the sessions judge for withdrawal from prosecution. Is the Sessions judge bound to give consent to the Public Prosecutor for withdrawal from prosecution ?
- b) In the case mentioned, A is only charged with theft. It appears that he committed the offence of criminal breach of trust, or that of receiving stolen goods. Can he be convicted of criminal breach of trust or of receiving stolen goods for which he was not charged ?
- c) A is charged before the Court of Session and convicted of the culpable homicide of B. Can A be tried on the same facts for the murder of B ?

LL.B. (Hons.) (Semester - IX) Examination, October 2009

CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

SECTION - I

*Instructions: 1) Answer any four from Q. No. 1 to 6. (4×8=32).**2) Answer to Q. No. 7 is compulsory (2×3=6).*

1. Explain the following :

a) Inquest

b) Compoundable and non-compoundable.

2. "The public prosecutor is not a protagonist of any party". Comment.

3. What is summons ? What is the form of summons ? Discuss the procedure for the service of summons.

4. Discuss the meaning and importance of the First Information Report and examine the procedure for recording FIR. Can a Police Officer refuses to record FIR ? What is the remedy available to the aggrieved person by such refusal ?

5. Discuss what is meant by cognizance of offence by a magistrate. Under what circumstances can a magistrate take cognizance of an offence ? Explain briefly limitations imposed by the code on the powers of magistrate to take cognizance of offences.

6. Explain the meaning and importance of charge in a criminal trial. State the rules as to the contents of a charge. Is it essential to frame a formal charge in every criminal trial ?

7. Answer any two of the following :

a) Reference

b) Legal Aid in Cr.P.C.

c) Chief Judicial magistrate.



SECTION - II

Instructions : i) Answer any four from Q. No. 8 to 13 (4×8=32)

ii) Answer to Q. No. 14 is compulsory (2×2.5=5)

8. Short cuts in procedure in criminal cases are not without risks; but in view of the safeguards provided as to summary jurisdiction is justifiable. Explain the procedure to be followed in a summary trial.
9. Discuss the law relating to grant of conditional pardon to any person accused of any offence.
10. Explain the scope and ambit of the power of Supreme Court and high court to transfer a case or an appeal. What are the safeguards against a frivolous or vexatious application for a transfer of case.
11. What are the provisions for the dispersal of unlawful assemblies ? What is the nature and scope of protection against prosecution for acts purporting to be done for such dispersal.
12. What are the preventive measures which can be taken in respect of a dispute concerning land or water if such dispute is likely to cause a breach of peace ?
13. What is objective and significance of making provisions in the criminal procedure code for maintenance of certain persons ? Which court will have jurisdiction to entertain such an application ? Can such monthly rate of allowance be altered ? If so under what circumstances ? Is there any limitation period for claiming maintenance.
14. Answer **any two** of the following :
 Refer appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning.
 - a) A is arrested on the charge of committing an offence. The arresting officer, reasonably believing that his medical examination would afford evidence, takes him to a registered medical practitioner. A refuses the examination on the ground of his right under Article 20(3) of constitution of India. Decide.
 - b) An accused was acquitted due to lack of evidence. He was again prosecuted for the same offence, additional evidence was supplied and he was convicted by magistrate. Examine the legality of the order.
 - c) A and B were married at Calcutta. They last resided together at Delhi. A came on transfer to Jaipur leaving B with her brother at Delhi. A neglected and refused to maintain B. At what place application for maintenance can be filed ?

8/4/09

TNY - 118

LL.B. (Hons.) (Semester - IX) Examination, April 2009

CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks : 75

SECTION - I

Instructions : 1) Answer any four from Q. No. 1 to 6.

2) Answer to Q. No. 7 is compulsory.

3) Questions 1 to 6 carry 8 marks each (4×8=32) and

Q. 7 carries 6 marks (2×3=6).

1. Define and distinguish between :
 - a) First Information Report and Complaint
 - b) Discharge and Acquittal.
2. Explain Public Prosecutor and outline their powers under Criminal Procedure Code.
3. Explain the procedure when investigation can't be completed in 24 hours as provided under Sec. 167 of Criminal Procedure Code.
4. What are the specific provisions prescribing eligibility criteria for filing complaint as limitations for the recognised principles of "Any person may set the criminal law in motion" ?
5. Bail is a matter of right if the offence is bailable. But it can only be a matter of discretion in case of non-bailable offence. Explain the factors to be considered while granting bail in non-bailable offence. When bail is mandatory in Criminal Procedure Code ?
6. Explain the provisions of Criminal Procedure Code relating to "Joinder of Charges" as exceptions for basic rule "For every distinct offence there must be a separate charge and a separate trial for each charge".
7. Answer any two of the following :
 - a) Police Report
 - b) Legal Aid
 - c) Compoundable and non-compoundable offence.

P.T.O.



SECTION - II

Instructions : 1) Answer any four from Q. No. 8 to 13.

2) Answer to Q. No. 14 is compulsory.

3) Questions 8 to 13 carry 8 marks each (4×8=32) and Q. 14 carries 5 marks (2×2.5=5).

8. Explain the procedure for trial of warrant cases by magistrate in cases instituted otherwise than on police report.
9. "The object of making provision for and putting bar of limitation on prosecution in certain cases is to prevent parties from filing belatedly false or vexatious cases against persons and to protect them from unnecessary harassment". Explain the provisions relating to period of limitation under Criminal Procedure Code.
10. What are the conditions to be satisfied for filing a Revision? Explain powers and procedures of provisional courts and distinguish revision with appeal.
11. Answer the following :
 - a) Sec. 144 of Cr.P.C.
 - b) Reference.
12. What are the provisions under Criminal Procedure Code relating to disputes relating to immovable property?
13. "Provisions of Sec. 125 Criminal Procedure Code should be liberally construed in favour of weaker class i.e. wives, children and parents". Explain the provisions relating to maintenance of wife.
14. Answer any two of the following – (refer appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning).
 - a) A is accused of criminal breach of trust and also of falsification of accounts punishable under Sec. 409 and 477 A of IPC. Can he be tried jointly for both offences?
 - b) Immediately after arrest, A is admitted in a hospital on account of his illness. He is discharged from the hospital after 20 days. On demand by the police, the Judicial Magistrate orders for remand of A for a period of 10 days exercising power under Section 167 Cr.P.C. Explain legality of remand order.
 - c) A an M.L.A. was granted anticipatory bail by the Chief Judicial Magistrate, North Goa, as A was apprehending arrest in a murder case. Discuss the validity of the order.



LL.B. (Hons.) (Semester – IX) Examination, 2008
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

Instructions: 1) Answer any four from Q. No. 1 to 6.

2) Q. No. 7 is compulsory.

3) Q. No. 1 to 6 carries 8 marks each ($4 \times 8 = 32$) and Q. 7 carries 6 marks ($2 \times 3 = 6$).

SECTION – I

1. Discuss (i) powers of the police to arrest without warrant and (ii) Arrest by private person and procedure on such arrest.
2. Which are the different courts constituted under the code of criminal procedure ? Discuss the power of the sessions court to award death sentence.
3. Discuss bailable and non bailable offences. What are the principles for granting bail in non bailable offence to an accused person ?
4. Discuss the preventive measures which can be taken under code of criminal procedure in cases where dispute concerning land or water is likely to cause breach of peace.
5. 'Any person may set the criminal law in motion' – discuss the statement and state the exceptions to this rule".
6. What is a summons case ? Discuss the procedure to be followed by the magistrate in trial of summons case.
7. Write note on any two :
 - a) Cognizable and non-cognizable offence
 - b) Reference to High court
 - c) Legal Aid



SECTION - II

Instructions : 1) Answer **any four** from Q. 8 to 13.

2) Q. No. 14 is compulsory.

3) Q. No. 8 to 13 carries 8 marks each ($4 \times 8 = 32$) and Q. No. 14 carries 5 marks ($2 \times 2.5 = 5$).

8. With the help of case law discuss provisions relating to the maintenance of aged parents, wives and children.
9. Discuss the provisions relating to suspension, remission and commutation of sentences.
10. Define charge, explain provisions relating to framing of charge and joinder of charges.
11. Discuss provisions relating to "transfer of cases" under Sec. 406, 407, 408.
12. Discuss the provisions dealing with appeal in case of conviction, acquittal and inadequacy of sentence. Explain procedure in appellate court.
13. Discuss the provisions relating to "period of limitation" for taking cognizance of offence.
14. Answer **any two** :
 - a) Aslam is charged with cheating the magistrate frames the charge but omits to state the date, time and exact manner in which Aslam has committed the offence of cheating. During the trial Aslam defends himself, calls witnesses and gives his own account of the transaction. At the conclusion of the trial can Aslam challenge the framing of the charge as erroneous ?
 - b) Reena has filed a divorce petition against her husband on the ground of adultery and ill treatment. Pending the disposal of her divorce petition she abandons her matrimonial house and takes employment as a teacher. Can Reena now claim for maintenance from her husband ?
 - c) The judicial magistrate first class has convicted the accused on his pleading guilty. The accused files an appeal against his conviction. Is the appeal maintainable ?

LL.B. (Hons.) (Semester - IX) Examination, October 2007

CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks: 75

SECTION - I

Instructions: 1) Answer any four from Q. No. 1 to 6.
 2) Q. No. 7 is compulsory.
 3) Q. 1 to 6 carry 8 marks each ($4 \times 8 = 32$) and Q. 7 carries 6 marks ($2 \times 3 = 6$).

1. Discuss the Rights of an Arrested Person under the Code of Criminal Procedure.
2. Discuss the Powers of the Magistrate, Sessions Court and the High Court to impose sentences under the Code of Criminal Procedure.
3. Discuss the concept of 'First Information Report' with the help of relevant provisions and case law.
4. 'The Code of Criminal Procedure distinguishes between investigation, inquiry and trial' - discuss the statement.
5. Explain the powers of the Magistrate to deal with cases of public nuisance under section 133 of the Code of Criminal Procedure.
6. Discuss the concept of 'Anticipatory Bail' with the help of relevant provisions and case law.
7. Write notes on any two:
 - a) Cognizable Offence.
 - b) Compounding of Offences.
 - c) Summons case and Warrant case.

SECTION - II

Instructions: 1) Answer any four from Q. No. 8 to 13.
 2) Q. No. 14 is compulsory.
 3) Q. 8 to 13 carry 8 marks each ($4 \times 8 = 32$) and Q. 14 carries 5 marks ($2 \times 2.5 = 5$).

8. With the help of case law discuss the provisions relating to maintenance of wives under the Code of Criminal Procedure.

9. Discuss the provisions pertaining to Reference and Revision under the Code of Criminal Procedure.
10. Explain the provisions pertaining to 'Transfer of Cases' under the Code of Criminal Procedure.
11. With the help of relevant provisions in the Code of Criminal Procedure discuss the procedure for trial before the Sessions Court.
12. Discuss the provisions in the Code of Criminal Procedure that deal with Period of Limitation for taking Cognizance of Offences.
13. Discuss the concept of Summary Trial under the Code of Criminal Procedure.
14. Answer **any two**:
 - a) Reena has obtained a divorce from her husband on the ground of cruelty. After obtaining divorce, she is residing separately with her parents. Can Reena now claim for maintenance from her divorced husband ?
 - b) The Judicial Magistrate First Class has convicted the accused on his pleading guilty. The Accused files an appeal against his conviction. Is the Appeal maintainable ?
 - c) Aslam is married to Ashma. Naseer knowing about the marriage between Aslam and Ashma commits adultery with Ashma. Can a neighbour who knows about this act of adultery prosecute Naseer for the offence of adultery ?

2007 April

TNY - 118

LL.B. (Hons.) (Semester - IX) Examination, 2007
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

SECTION - I

Instructions : 1) Answer any four from Q. No. 1 to 6.

2) Q. No. 7 is compulsory.

(4×8=32)

1. What is Arrest ? Explain its purpose. When may a police officer arrest without a warrant ? 8
2. What are the different courts constituted under Criminal Procedure Code 1973 ? State their powers in respect of inflicting sentence of fine and imprisonment. 8
3. What is F.I.R. ? Explain procedure for recording FIR in cognizable offence and Non-Cognizable offence. Is recording FIR mandatory for police ? 8
4. What is Summons ? What is the form of summons ? Discuss the procedure for service of summons. 8
5. How would a magistrate deal with a situation when he finds that a dispute relating to land or water between the parties is likely to cause breach of peace ? 8
6. Explain the principle features of Fair Trial under Criminal Procedure Code. 8
7. Answer any two : (2×3=6)
 - a) Bailable and Non-Bailable offence.
 - b) Legal Aid.
 - c) Summons Case and Warrant Case.

SECTION - II

Instructions : 1) Answer any four from Q. No. 8 to 13.

2) Q. No. 14 is compulsory.

(4×8=32)

8. What is the procedure to be followed by Magistrate in Trial of Summons case ? 8

9. Compare the powers of Supreme Court and High Court with regard to transfer of cases. 8

10. Explain the principles of "Autrefois Convict and Autrefois Acquit". 8

11. What is Bail ? Explain the concept of Anticipatory Bail. 8

12. Explain the provisions relating to Revision in Criminal Procedure Code. 8

13. Explain the provisions relating to maintenance of Wife and Children. Explain the conditions for maintenance under Sec. 125 of Criminal Procedure Code. 8

14. Answer any two : (2×2.5=5)

1. A committed Robbery on B and in doing so voluntarily causes hurt to B. A is tried under sec. 323, 392 and 394 of IPC jointly ?

2. A was convicted for murder by a Court of Session. High Court set aside the conviction. Can A be tried again for murder by Court of Session on the same facts ?

3. In a maintenance proceedings it is proved that the husband has been keeping the wife in his house. There is evidence that the husband is maintaining the wife also. He is treating her well. Still the wife left him and claimed maintenance. Is she entitled to claim Maintenance ?

LL.B. (Hons) (Semester - IX) Examination, October 2006
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

SECTION - I

Instructions : 1) Answer any four from Q.No. 1 to 6.
 2) Q.No. 7 is compulsory.

(4×8=32)

1. Explain Public Prosecutors and Defence counsel as the functionaries mentioned in the code. 8
2. What are the rights of the Arrested person, with reference to Supreme Court guidelines on the rights of arrested person ? 8
3. Explain the procedure for recording confession by magistrate under section 164 of the Code. 8
4. "Any person may set the criminal law in motion". Explain the same together its limitations. 8
5. What is Bail ? Explain the circumstances in which release on Bail is mandatory. 8
6. What is Charge ? Explain the basic rule "For every distinct offence of which any person is accused there shall be a separate charge and every such charge shall be tried separately" and its exceptions. 8
7. Answer any two : (2×3=6)
 - a) Cognizable offence and Non-Cognizable offence.
 - b) Investigation and Inquiry.
 - c) Compoundable and Non-compoundable offence.

SECTION – II
CRIMINAL PROCEDURE CODE

Instructions : 1) Answer any four from Q.No. 8 to 13.

2) Q.No. 14 is compulsory.

Duration : 3 Hours
(4×8=32)

- SECTION – I
8. Describe the procedure which magistrate must adopt for removal of Public Nuisance. 8
 9. Explain the procedure which is to be adopted by magistrate in trial of warrant cases instituted on a police report. 8
 10. Explain the period of limitation for taking cognizance of certain offences. Can a court extend the period of limitation ? If so how ? 8
 11. Discuss the powers of Supreme Court and High Court to transfer cases and appeals. 8
 12. Explain the provisions relating to Revision under Criminal Procedure Code. 8
 13. Explain the provisions relating to Maintenance of wife and children under Criminal Procedure Code. 8
 14. Answer any two : (2×2.5=5)
 - a) A was convicted for murder by Court of Session. High Court set aside his conviction. Can A be tried again for murder by Court of Session on same facts ?
 - b) M is travelling from Delhi to Mumbai by train. During the Night his suit case is stolen. The theft is discovered at Mumbai. B is caught with stolen suit case at Jaipur. Where can B be tried for theft ?
 - c) A commits robbery on B and in doing so voluntarily causes hurt to him. Can A be tried under section 323, 392 and 394 of IPC ?

LL.B. (Hons.) (Semester - IX) Examination, 2006
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

SECTION - I

Instructions : 1) Answer any four from Q. No. 1 to 6.
2) Q. No. 7 is compulsory.

(4×8=32)

1. Write a note on :
 - a) Investigation. 8
 - b) Inquiry and trial. 8
2. Explain the rights of arrested person and discuss the guidelines of Supreme Court. 8
3. What is Summons ? Discuss the Procedure for Service of Summons. 8
4. What is meant by First Information Report ? How the FIR is recorded in cognizable and non-cognizable case ? 8
5. Explain under what circumstances granting of Bail is mandatory. 8
6. "For every distinct offence of which any person is accused there shall be a separate charge, and every such charge shall be tried separately" – Explain its exceptions. 8
7. Answer any two : (2×3=6)
 - a) Special Summons.
 - b) Bailable and non-bailable offence.
 - c) Pleader.

SECTION - II

Instructions : 1) Answer any four from Q. No. 8 to 13.

2) Q. No. 14 is compulsory.

(4×8=32)

8. Describe the procedure to be followed in a trial of warrant case by magistrate on Police report. 8
9. Explain the provisions relating to compounding of offences under Cr. P.C. 8
10. Discuss the Powers of Supreme Court and High Court with regard to transfer of cases. 8
11. Discuss the Powers of the Executive Magistrate in urgent cases of Nuisance and apprehended danger under Sec. 144 of Cr. P.C. 8
12. Discuss critically the rule of "Autrefois Acquit and Autrefois Convict". 8
13. Explain essential conditions for granting maintenance and when magistrate can all maintenance. 8
14. Answer any two : (2×2½=5)
 - a) A is accused of the theft of a certain articles at a certain time and place. But it (charge) doesn't set out the manner in which the theft was effected is the charge valid.
 - b) A is wounded in Vasco and dies of his wounds in Panjim. In which court the offence of causing A's death may be tried ?
 - c) An accused was convicted by High Court and sentence to imprisonment for 4 months and fine of Rs. 800/-. Accused files appeal against his conviction is the appeal maintainable.