

LL.B. (Semester – V) Degree Examination, April 2014
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer **any ten (10)** questions.

2) **All questions carry equal marks.**

1. Answer **any two** of the following : **(2×5=10)**
 - a) Legal Aid
 - b) Charge Sheet
 - c) Inquest.
2. Explain the basic rule regarding territorial jurisdiction and provisions relating to alternative avenues. **10**
3. “The fundamental principle of criminal jurisprudence that no person should be vexed twice for the same offence”. Explain the principle of autrefois acquit and autrefois convict under Criminal Procedure Code. **10**
4. “Bail in anticipation of arrest”. Explain the importance of Anticipatory Bail and elucidate amendments made in 2006 with regard to Anticipatory Bail. **10**
5. What are the principle features of fair trial in Criminal Procedure Code ? **10**
6. Define and distinguish between appeal and revision. Explain provisions relating to appeal against acquittal in Criminal Procedure Code. **10**
7. Elucidate the rule that “For every distinct offence there must be a separate charge and each such charge should be tried separately” and briefly explain the exceptions to the above rule. **10**
8. Explain procedure prescribed for withdrawal from prosecution and withdrawal of complaint under Criminal Procedure Code. **10**
9. Explain the Constitution and powers of Criminal Courts under code of Criminal Procedure. **10**
10. What are the provisions relating to removal of Public Nuisance under Criminal Procedure Code ? **10**



11. Explain the provisions relating to Maintenance of wife under Criminal Procedure Code. Can a magistrate alter an order of Maintenance ? 10
12. What are the provisions under Criminal Procedure Code relating to Disputes relating to immovable property ? 10
13. What is FIR ? Explain the provisions laid down in the Cr.P.C. with regard to the registration of FIR. What is the effect of delay in filing FIR ? 10
14. Answer **any two** of the following : (2×5=10)
- a) Over a property dispute between two brothers H strikes L on the head with a stick causing a fracture of the skull. He is tried on a charge of grievous hurt under Sec. 325 of I.P.C. The court allows the compounding of offence under Section 320 of Cr.P.C. H is acquitted. L subsequently died of injury caused by H and therefore H is placed on trial before a Court of Session for an offence under Sec. 304 I.P.C. H contends that trial cannot proceed as it is violative of Double Jeopardy under Section 300 of Cr.P.C. State your legal opinion.
- b) 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 ?
- c) A and B were undertaking a journey from Mumbai to Kolkata. Somewhere between Mumbai and Allahabad, an altercation took place between A and B regarding reservation of berth and A caused grievous hurt to B. Both A and B broke their journey at Allahabad. They want to try the case in Kolkata court ? Explain whether Kolkata court has jurisdiction.