

LL.B. Degree (Semester – VI) Examination, April 2015

(New Course)

CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks : 100

Instructions : 1) Answer any 10 questions.

2) Each question carries 10 marks.

1. Explain the Constitution and Powers of Criminal Courts under Code of Criminal Procedure.
2. State the provisions for granting maintenance to the wife under the code of criminal procedure ? Can the court grant interim maintenance ?
3. Discuss, giving illustrations, the principle of '*autrefois acquit and autrefois convict*'.
4. Explain the circumstances under which a person may be arrested without warrant.
5. What is meant by taking cognizance of an offence by a magistrate ? Explain briefly the limitations imposed by the Code in taking cognizance of offence.
6. Answer the following :
 - a) Bailable and Non-bailable offence.
 - b) Summary Trial.
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.
8. Discuss the procedure to be followed by a magistrate in a trial in a summons case.
9. Discuss the meaning and importance of the First Information Report (FIR) and examine the procedure for recording the FIR.



10. What is a Judgement ? Explain generally the form and contents of a judgement in a criminal trial. In what cases can a judgement be recorded in an abridged form ?
11. Examine the nature and scope of judicial discretion in granting bail in non-bailable offence.
12. 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 ?
13. Explain the procedure of Remand when investigation cannot be completed within twenty four hours.
14. Answer **any two** of the following :

Instructions : Refer to appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning.

- i) A with six others, commits the offences of rioting, grievous hurt and assaulting a public servant while discharging his duty. Can A be jointly charged and convicted for the offences in the same trial ?
- ii) Mr. A is convicted for murder by Court of Session. High Court Set aside his conviction and vitiated the trial of the lower court. Can A be tried again for murder by Court of Session on the same facts ?
- iii) A abducted B from place X, then she (B) was taken to place Y and then to place Z. In which court (territorial Jurisdiction) the offence of kidnapping can be tried ?