



BALBA – 1316

B.A. LL.B. (Semester – VIII) Examination, October 2016
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

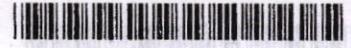
Max. Marks : 75

Instructions : i) Answer **any eight** from Q. No. 1 to 12.

ii) Answer to Question No. 13 and 14 are **compulsory**.

1. "Public Prosecutor should not be over enthusiastic about securing the conviction of the accused. He is to act as an agent of Justice" – Explain the Public Prosecutor and their powers under Cr. P.C. 8
2. Explain the meaning and purpose of arrest and discuss the rights of the arrested person. 8
3. Discuss the procedure for recording confession by magistrate under Criminal Procedure Code. 8
4. "If release on bail is denied to accused, it would mean that though he is presumed to be innocent, he would be subjected to psychological and physical deprivation of jail life". Explain the object of bail in the light of above statement and elucidate under what circumstances bail is mandatory. 8
5. What is Charge ? Explain the form and contents of charge and the procedure for alteration of charge under Cr. P.C. 8
6. Explain the procedure for trial of warrant cases before magistrate on police report. 8
7. "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. 8
8. What is the procedure to be followed while dealing with and disposing of a Revision ? 8
9. What are the powers conferred on the Executive Magistrate for the removal of public nuisance ? Under what circumstances can these powers be exercised ? What is the procedure to be followed in such cases ? 8

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10. State the provisions for granting maintenance to the children and parents under the Code of Criminal Procedure ? Can the court grant interim maintenance ? 8
11. Explain the concept of double jeopardy (Autrefois acquit and Autrefois convict) under Criminal Procedure Code. 8
12. Explain the procedure to be followed by Police Officer and Magistrate when investigation cannot be completed within 24 hours and discuss the concept of compulsive bail. 8
13. Answer **any two** of the following : (2×3=6)
- a) Summons case and warrant case.
 - b) Transfer of Cases
 - c) Powers of executive magistrate under Sec. 144 of Cr. P.C.
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law : (2×2.5=5)
- a) A is tried for causing grievous hurt and is convicted. The person injured afterwards dies. Can A be tried again for culpable homicide ?
 - b) Margao District and Sessions Court convicted Mr. Satish with a sentence of two months imprisonment. He wants to file an appeal against conviction. Advise.
 - c) A an M.L.A. was granted anticipatory bail by Chief Judicial Magistrate, North Goa, as A was apprehending arrest in a murder case. Discuss the validity of the order.