

**Write the following information in the first page of Answer Script before starting answer**

ODD SEMESTER EXAMINATION: 2020-21

Exam ID Number \_\_\_\_\_

Course \_\_\_\_\_ Semester \_\_\_\_\_

Paper Code \_\_\_\_\_ Paper Title \_\_\_\_\_

Type of Exam: \_\_\_\_\_ (Regular/Back/Improvement)

**Important Instruction for students:**

1. Student should write objective and descriptive answer on plain white paper.
2. Give page number in each page starting from 1<sup>st</sup> page.
3. After completion of examination, Scan all pages, convert into a single PDF, rename the file with Class Roll No. **(2019MBA15)** and upload to the Google classroom as attachment.
4. Exam timing from 10am – 1pm (for morning shift).
5. Question Paper will be uploaded before 10 mins from the schedule time.
6. Additional 20 mins time will be given for scanning and uploading the single PDF file.
7. Student will be marked as ABSENT if failed to upload the PDF answer script due to any reason.

**BA LLB  
SEVENTH SEMESTER  
CRIMINAL PROCEDURE CODE-I  
BLB-702**

**Duration : 3 hrs.**

**Full Marks : 80**

**Time : 30 min.**

**( PART-A : Objective )**

**Marks : 30**

***Choose the correct answer from the following:***

***1X10=10***

1. The term 'complaint' means any allegation made orally or in writing to a magistrate under section:
  - a. 2d
  - b. 2f
  - c. 2g
  - d. 2h
2. "Public prosecutor" means any person appointed under section:
  - a. 28
  - b. 24
  - c. 23
  - d. 29
3. Warrant case means a case relating to an offence punishable with:
  - a. Death
  - b. Imprisonment for life
  - c. Imprisonment for a term exceeding two years
  - d. All the above
4. Non-cognizable offence has been defined under section:
  - a. 2a
  - b. 2c
  - c. 2i
  - d. 2l
5. A magistrate has the power under CrPC to direct the police to investigate into:
  - a. A non-cognizable offence
  - b. A cognizable offence
  - c. Only a non-cognizable offence as in cognizable offence the police is under a duty to investigate
  - d. Both a and b
6. Arrest means:
  - a. Every compulsion or physical restraint
  - b. Total restraint and complete deprivation of liberty
  - c. Both a and b
  - d. Neither a nor b
7. A confession under section 164 of CrPC can be recorded by:
  - a. Metropolitan/judicial magistrate
  - b. Executive magistrate
  - c. Police officer on whom the power of a magistrate has been conferred
  - d. Either a or b
8. Maintenance of a case diary by an investigating officer is:
  - a. Directory
  - b. Mandatory
  - c. Discretionary
  - d. Neither a nor b
9. Under sec 125 of CrPC who cannot be ordered to provide maintenance:
  - a. A father
  - b. A husband
  - c. A daughter
  - d. None of the above

10. Complaint may relate to:
- a. A cognizable offence
  - b. A non-cognizable offence
  - c. Both a and b are correct
  - d. Must be for a non-cognizable offence as the police has no power to investigate such an offence.

***Answer the following: (Use descriptive answer sheet)***

**2X10=20**

1. What is an anticipatory bail?
2. State two differences between Parole and Bail.
3. State two grounds where the provision of bail can be cancelled.
4. State two differences between Criminal Procedure Code and India Penal Code.
5. Mention two differences between Investigation and Inquiry.
6. Under what condition capital sentences on pregnant woman can be postponed?
7. Can a person who has filed a bond be arrested? If so under what circumstances?
8. Mention two essential requirements of a valid warrant.
9. Give two differences between a warrant case and a cognizable case.
10. What is a form of a summons? How can it be served?

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**( PART-B : Descriptive )**

**Time : 2 hrs. 30 min.**

**Marks : 50**

**[ Answer the following questions ]**

1. "Evidence in inquires and trials" plays a vital role in the Criminal Procedure Code."Discuss the various modes of taking and recording of evidence enhances for the finality of a judgment. 10
- Or
- Discuss the powers of the Superior officers of police. State the various powers of the courts where offences are triable under section 26-35 of the code. 3+7=10
2. What is a summons? Describe the procedure how a summons can be used to compel the production of things. 10
- Or
- When can a search-warrant be issued? State the grounds under which search can be done if suspected to contain of stolen property or forged documents. 5+5=10
3. Describe the following preventive actions taken by a police officer under the Code of 1973. 10
- Or
- Discuss elaboratively the various procedures to be followed in case a person being a lunatic tried before a court. 10
4. Explain the power of a police officer to investigate under section 164(a) under medical examination of a rape victim. 10
- Or
- Discuss the ingredients of an F.I.R. Is it necessary that FIR should contain all the details of manner of occurrence? Discuss. 3+7=10
5. Explain the requisite conditions and its importance required for the initiation of a proceeding with relevant case laws. 10
- Or
- Describe the grounds of initiation of a complaint to a Magistrate. Explain the role of a magistrate in cognizance of a complaint under the code of 1973. 10

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