

**LLB**  
**Third Semester**  
**CRIMINAL PROCEDURE CODE**  
**(LLB – 302)**

**Duration: 3Hrs.**

**Full Marks: 80**

Part-A (Objective) =30  
Part-B (Descriptive) =50

**(PART-B: Descriptive)**

**Duration: 2 hrs. 30 mins.**

**Marks: 50**

**Answer the following questions:**

1. Discuss the constitution of Criminal Court under the Code of Criminal Procedure, 1973. (10)  
Or  
Explain arrest. When can a police officer arrest a person without warrant? (3+7=10)
2. What are the essentials of Arrest Warrant? Write down the differences between summon and warrant of arrest. (4+6=10)  
Or  
Write down the procedures of trial of summons case by the Magistrate. (10)
3. Write a comprehensive note on the order of Magistrate for maintenance of Wives, Children and Parents under section 125 Cr.P.C, 1973. (10)  
Or  
What do you mean by Summary Trials? Discuss in detail the procedures of summary Trial under the Cr.P.C. (10)
4. What is FIR? What is the importance of FIR in Criminal Proceedings? What is the evidentiary value of FIR? (2+4+4=10)  
Or  
Write down the differences among the Appeal, Reference and Revision. (10)
5. When bail may be taken in case of non bailable offence? What is the difference between Bail and Anticipatory Bail? (5+5=10)  
Or  
Write down the irregularities which vitiate the proceeding and which do not vitiate the proceeding. (5+5=10)

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**Duration: 30 minutes**

**Marks – 30**

**(PART A- Objective Type)**

**I. Choose the correct answer:**

**1×10=10**

1. Which section of the Code of the Criminal procedure, 1973 defines complaint?  
(a) 2(a)            (b) 2(c)            (c) 2(d)            (d) 2(i)
2. Sentences which the court of Chief Judicial Magistrate may pass is–  
(a) Imprisonment upto 10 years    (b) Life imprisonment  
(c) Imprisonment upto 7 years    (d) Imprisonment upto 3 years
3. A person arrested by a police officer may be kept in custody for–  
(a) Two days                            (b) Three days  
(c) Twenty four hours                (d) One week
4. Warrant can be directed to–  
(a) One person                            (b) more than one person  
(c) both (a) and (b) is correct        (d) neither (a) nor (b) is correct
5. In a cognizable offence a police officer–  
(a) Cannot arrest an accused without warrant.  
(b) May arrest an accused without warrant.  
(c) Can keep accused in police custody without a remand order.  
(d) Is not required to produce accused before Magistrate.
6. Under Section 125 Cr. P.C who can claim maintenance?  
(a) Wife                                    (b) Children  
(c) Parent                                    (d) All the above
7. Plea Bargaining has been incorporated in the Criminal Procedure Code ,1973 by–  
(a) The Criminal Law (Amendment) Act,2005  
(b) The Criminal Law (Amendment) Act,2008  
(c) The Criminal Law (Amendment) Act,2013  
(d) The Criminal Law (Amendment) Act,2009
8. Section 260 of the Criminal procedure Code ,1973 deals with  
(a) Plea of Bargaining.  
(b) Summary Trial.  
(c) Trial of summon case by Magistrate.  
(d) Trial by Court of Session.

9. Conditional order for removal of nuisance incorporated in  
 (a) Section 144 of the Cr.P.C      (b) Section 133 of the Cr.P.C  
 (c) Section 130 of the Cr.P.C      (d) Section 125 of the Cr.P.C
10. If the offence is punishable with imprisonment for a term not exceeding one year, then period of limitation is  
 (a) one year                              (b) six months  
 (c) two months                            (d) three year

**II. Answer the following short questions:**

**2×10=20**

1. Match the following:

- |                      |       |                    |
|----------------------|-------|--------------------|
| (a) complaint        | ----- | (I) section 2(b)   |
| (b) charge           | ----- | (II) section 2(d)  |
| (c) bailable offence | ----- | (III) section 2(g) |
| (d) inquiry          | ----- | (IV) section 2(a)  |

2. What do you mean by warrant case?

3. What is maximum sentence a magistrate can pass in default of fine?

4. Write down the essentials of summon.

5. Write down one difference between inquiry and trial.

6. What is the amount a magistrate may order for maintenance under section 125 Cr.P.C.?

7. What is the maximum period an accused person can detained in custody under section 167 of the Cr.P.C. where the investigation relates to an offence punishable with death, imprisonment for life and imprisonment for a term of not less than ten years?

8. Match the following:

- |   |       |                   |
|---|-------|-------------------|
| (a) Confessional statement              | ----- | (I) section 172   |
| (b) Case diary                          | ----- | (II) section 190  |
| (c) Cognizance of offence by magistrate | ----- | (III) section 438 |
| (d) Anticipatory bail                   | ----- | (IV) section 164  |

9. Write the two irregularities committed by magistrate which may vitiate the proceeding.

10. What do you mean by Anticipatory bail?

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