

**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. Define Complaint. Write down the distinction between Investigation, Inquiry and Trial. (2+8=10)

Or

Explain arrest. When can a police officer arrest a person without warrant? (3+7=10)

2. What are the essentials of Summons? Write down the differences between summons and warrant of arrest. (4+6=10)

Or

Write down the procedure of trial before the Court of Session. (10)

3. Who are the persons entitled to claim maintenance under Section 125 of the Code of Criminal Procedure? Which court has the jurisdiction to pass an order under Section 125 Cr.P.C? Under what conditions the order passed by a magistrate under Section 125 of Cr.P.C. may be cancelled? (10)

Or

What do you mean by Summary Trial? Discuss in details the procedure 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

**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. Define Complaint. Write down the distinction between Investigation, Inquiry and Trial. (2+8=10)  

Or

Explain arrest. When can a police officer arrest a person without warrant? (3+7=10)
2. What are the essentials of Summons? Write down the differences between summons and warrant of arrest. (4+6=10)  

Or

Write down the procedure of trial before the Court of Session. (10)
3. Who are the persons entitled to claim maintenance under Section 125 of the Code of Criminal Procedure? Which court has the jurisdiction to pass an order under Section 125 Cr.P.C? Under what conditions the order passed by a magistrate under Section 125 of Cr.P.C. may be cancelled? (10)  

Or

What do you mean by Summary Trial? Discuss in details the procedure 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

**LLB  
THIRD SEMESTER  
CRIMINAL PROCEDURE CODE  
LLB – 302**

**Duration: 30 minutes**

**Marks – 30**

**(PART A- Objective Type)**

**I. Choose the correct answer:**

**1×10=10**

- i) The Code of Criminal Procedure came into force on:
  - (a) April 1, 1974
  - (b) January 25, 1973
  - (c) March 1, 1974
  - (d) January 1, 1973
- ii) Sentences which the Court of Judicial Magistrate First Class may pass is:
  - (a) Imprisonment upto 10 years.
  - (b) Life imprisonment.
  - (c) Imprisonment upto 7 years.
  - (d) Imprisonment upto 3 years and fine upto ten thousand rupees.
- iii) 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
- iv) Every Warrant issued by a competent court shall remain in force but it ceases to be in force when:
  - (a) When it is cancelled by the court which issued it.
  - (b) When it is executed.
  - (c) Both (a) and (b) are correct.
  - (d) It never becomes invalid.
- v) In a non cognizable offence, a police officer:
  - (a) Cannot arrest an accused without warrant.
  - (b) May arrest an accused without warrant.
  - (c) Can keep an accused in police custody without a remand order.
  - (d) Is not required to produce the accused before Magistrate.
- vi) Maintenance under Section 125 Cr.P.C can be claimed by:
  - (a) Legally wedded wife during the subsistence of marriage.
  - (b) By divorced wife who has not remarried.
  - (c) Both (a) and (b).
  - (d) Only (a) or (b).
- vii) 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.

viii) Section 211 of the Criminal procedure Code ,1973 deals with:

- (a) Plea of Bargaining.
- (b) Summary Trial.
- (c) Trial of summon case by Magistrate.
- (d) Contents of charge.

ix) Oder made by District Magistrate under Section 144 of Cr,P.C. remains valid for a period of:

- (a) 15 days
- (b) 2 months
- (c) 6 months
- (d) 1 year

x) If the offence is punishable with fine only, then period of limitation is:

- (a) one year
- (b) six months
- (c) two months
- (d) three year

**II. Answer the following questions:**

**2×10=20**

i) Match the following:

- |                   |       |                    |
|-------------------|-------|--------------------|
| (a) victim        | ----- | (I) section 2(b)   |
| (b) charge        | ----- | (II) section 2(h)  |
| (c) warrant case  | ----- | (III) section 2(x) |
| (d) investigation | ----- | (IV) section2(wa)  |

ii) What do you mean by cognizable offence?

iii) What is the maximum sentence a magistrate can pass in default of fine?

iv) Write down the essentials of “warrant” as provided under the Code of Criminal Procedure?

v) What is the quantum of maintenance amount a magistrate may order under Section 125 Cr.P.C.?



University of Science and Technology, Meghalaya

Date Stamp: \_\_\_\_\_

vi) What is the maximum period an accused person can be 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?

vii) 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

viii) Write any two irregularities committed by magistrate which may not vitiate the proceedings.

ix) Which court(s) has/ have the power to release a person on Anticipatory bail?

x) Write down one difference between inquiry and trial.

\*\*\*\*\*

SESSION: 2017-18 COURSE _____ PAPER CODE: _____ NAME OF THE PAPER: _____ SEMESTER _____																												
<b>Instructions to Candidates</b>		<b>For Objective Type Questions</b>																										
<ol style="list-style-type: none"> <li>1. This answer booklet has 4 pages. Please check before writing whether it is complete or in good condition.</li> <li>2. Do not write your name anywhere in the answer booklet.</li> <li>3. Write legibly on both sides of the paper</li> <li>4. You may use some space for any rough notes or calculation on the answer booklet if you need. These rough notes, calculations must be scored out before submitting the answer booklet.</li> <li>5. Do not bring any book or loose paper in the examination hall.</li> <li>6. Do not tear any page from the answer booklet.</li> <li>7. Do not write anything on the question paper or blotting paper or any pieces of paper while you are in the examination hall.</li> <li>8. Any act of indiscipline or misbehavior in the examination hall will result in your expulsion.</li> <li>9. No examinee is allowed to leave the examination hall until 30 minutes lapse after the commencement of the examination.</li> <li>10. Additional answer sheet will be supplied after the main answer booklet is completed.</li> </ol>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Page No.</th> <th style="width: 50%;">Marks</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr> <td style="text-align: center;">Total</td> <td> </td> </tr> </tbody> </table>	Page No.	Marks																					Total		Session: 2017-18 Course _____ Roll No. _____ Enrollment No. _____ Semester _____ Name of the Paper _____ _____ Paper Code _____		
	Page No.	Marks																										
Total																												
<b>For Descriptive Type Questions</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Question No.</th> <th style="width: 50%;">Marks</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr> <td style="text-align: center;">Total</td> <td> </td> </tr> <tr> <td style="text-align: center;">Grand Total</td> <td> </td> </tr> </tbody> </table>	Question No.	Marks																					Total		Grand Total		
Question No.	Marks																											
Total																												
Grand Total																												

\_\_\_\_\_  
Scrutinizer's Signature
\_\_\_\_\_  
Examiner's Signature
\_\_\_\_\_  
Invigilator's Signature