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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MAKEUP EXAMINATION JAN 2023

Course Code: LAW111

Course Name: Criminal Procedure Code

Program & Sem: BALLB(Hons.)/BBALLB(Hons.)/BCOMLLB(Hons.)

Date: 23 .01. 2023

Time: 01.00 PM – 04.00 PM

Max Marks: 100

Weightage: 50%

Instructions:

(i) *Read the all questions carefully before answering.*

Part A [Memory Recall Questions]

Answer all the Questions. Each question carries 2 marks.

(10Qx 2M= 20M)

1. What is the difference between trial and investigation? (C.O.No.2) [Knowledge level]
2. What are the requisites of a valid warrant. (C.O.No.4) [Knowledge level]
- 3 Explain Jurisdiction of criminal courts in inquiries and trials (C.O.No.1) [Knowledge level]
- 4 When bail can be taken in Non Cognizable offences? (C.O.No.2) [Knowledge level]
- 5 What is Search warrant? State the general provisions relating to Search. (C.O.No.3) [Knowledge level]
- 6 What is meant by compoundable offence? (C.O.No.4) [Knowledge level]
- 7 What do you mean by Summary Trial? (C.O.No.5) [Knowledge level]
- 8 What do you mean by irregular proceedings? State the consequences of it. (C.O.No 4) [Knowledge level]
- 9 What is the difference between Reference and Revision? (C.O.No.5) [Knowledge level]
- 10 Explain Examination of witnesses by the parties. (C.O.No.3) [Knowledge level]

Part B [Thought Provoking Questions]

Answer all the Questions. Each question carries 10 marks.

(4Qx10M=40M)

11 Why do we have arrest with and arrest without a warrant? Explain the circumstances when an arrest can be made without a warrant? (C.O.No.2) [Comprehension level]

12 Refusal by a magistrate to record the statement of a witness does not affect fair trial. Explain the role of the magistrate under section 164 of the Cr.PC. (C.O.No.3) [Comprehension level]

13 Discretion, when applied to a court of justice, means sound discretion guided by law. Explain how this discretion is to be applied in matters granting bail. (C.O.No.4 [Comprehension level]

14 Discuss Salient features of the Juvenile Justice (Care & Protection of Children) Act, 2000. & Salient features of the Probation of Offenders Act, 1958. (C.O.No.5) [Comprehension level]

Part C [Problem Solving Questions]

Answer all the Questions. Each question carries 20 marks.

(2Qx20M=40M)

15. A is proclaimed as an offender by the State Government. He is arrested by a police officer without a warrant. A challenges his arrest in the High Court by filing a writ of 'Habeas Corpus' under Article 226 of the Constitution of India, on the ground that his arrest is illegal as he has been arrested. (C.O.No. 2) [Application level]

16. In a trial of summons-case, the accused A pleads guilty to the Magistrate trying the case. However, the Magistrate does not believe the plea of guilt as true and does not convict the accused on the basis of such pleading and proceeds with the trial. Can the Magistrate do so? Give reasons and also refer to the case law, if any, on this point. (C.O.No. 3) [Application level]