|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Roll No |  |  |  |  |  |  |  |  |  |  |  |  |

 ****

**Presidency University**

**Bengaluru**

**SCHOOL OF LAW**

**Make-Up Examinations, July 2024**

**Semester**: IV

**Course Code**: LAW 111

**Course Name**: Criminal Procedure Code

**Program & Sem**: IV BALLB/BBALLB/BCOMLLB

**Date**:10 -07-2024

**Time**: 9:30AM TO 12:30PM

**Max Marks**: 100

**Weightage**:50%

**Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*

**Part A**

**Answer any 4 Questions. Each question carries 5 marks. (4Qx 5M=20M)**

**1.** Discuss the jurisdiction of Executive Magistrates under Cr.P.C. **(C.O.1)[Knowledgel]**

**2.** Can the court alter or add to the charge? When can different persons may be charged and tried jointly in the same trial? (**C.O.2)[Knowledge]**

**3.** Write a short note on:

I. Discharge

II. Acquittal **(C.O.3)[Knowledge]**

**4.** Difference between Appeal and Revision **(C.O.4)[Knowledge]**

**5.** Explain the difference between compoundable and non-compoundable offences. **(C.O.4)[Knowledge]**

**6.** Describe the powers of the Supreme Court to transfer cases and appeals? **(C.O.3)[Knowledge]**

**Part B**

**Answer any 4 Questions. Each question carries 10 marks. (4Qx10M=40M)**

**7.** Explain the Classes of Criminal Court in India under The Criminal Procedure Code,1973  **(C.O.No.1) [Application]**

**8.** Write the difference between

A) Bailable and Non Bailable Offences
B) FIR and Complaint  **(C.O.No.2) [Application]**

**9.** Explain the rights of an arrested person? **(C.O.No.4) [Application]**

**10.** Explain the procedure of Trial of warrant cases by the magistrate under The Code of Criminal Procedure, 1973.  **(C.O.No.3) [Application]**

**11.** Section 438 of Cr.P.C. i.e., provisions relating to Anticipatory Bail is an extraordinary remedy and should be adopted in special or exceptional circumstances. Explain. **(C.O.No.3)[Application]**

**12.** Explain the nature and procedure of summary trial. ‘A’ commits theft by stealing property of ‘B’ worth Rs. 500. Can this offence be tried summarily?  **(C.O.No.5) [Application]**

**Part C**

**Answer any 2 Questions. Each question carries 20 marks. (2Qx20M=40M)**

**13.** A) A Telephonic message was received by an officer-in-charge of a police station reporting the commission of dacoity and requesting for help. The police officer immediately left the police station and rushed to the spot where he recorded detailed statement of the complainant about the occurrence. Will the statement be treated as first information report? Decide.
B) A police officer who is making an investigation of a case has come to know that a woman residing within limits of his police station is acquainted with the facts of the case. Can he require her to appear in the police station to give information? **(C.O.No. 2) [Analysis]**

**14.** Mr. X, an accused is arrested by a police officer without a warrant. After arrest, X is detained in the custody of police for 19 hours without the permission or order of a Magistrate. Is the detention of X for 19 hours without the order of the Magistrate, illegal? If yes, then provide the reasons with the help of relevant provisions. **(C.O.No. 5) [Analysis]**

**15.** Person once tried by a Court for an offence and convicted or acquitted of such offence while such conviction or acquittal remains in force cannot be tried again." Do you think this provision of Cr.P.C. supplements Article 20(2) of the Indian Constitution? Analyze the legal provisions with the help of landmark case laws. **(C.O.No. 4) [Analysis]**