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PRESIDENCY UNIVERSITY BENGALURU

 **SET A**

SCHOOL OF LAW

**END TERM EXAMINATION – MAY / JUNE 2024**

**Semester :** Semester IV - 2022

**Course Code :** LAW3004

**Course Name :** CRPC

**Program :** BA LLB,BBA LLB,BCOM LLB Honors

**Date :** June 12, 2024

**Time :** 09.30AM to 12.30PM

**Max Marks :** 100

**Weightage :** 50%

**Instructions:**

1. *Read all questions carefully and answer accordingly.*
2. *Question paper consists of 3 parts.*
3. *Scientific and non-programmable calculator are permitted.*
4. *Do not write any information on the question paper other than Roll Number.*

**PART A**

**ANSWER ANY FOUR QUESTIONS 4Q X 5M = 20M**

* 1. Which are the different criminal courts under the Criminal Procedure Code? How is a court of session established and what are its powers and jurisdiction?
	2. Write short notes on:
		1. Case Diary
		2. Police Report
	3. What is a charge? What are its essential ingredients?
	4. Explain the irregularities that vitiate proceedings.

(CO1) [Knowledge]

(CO2) [Knowledge] (CO3) [Knowledge] (CO4) [Knowledge]

* 1. How does BNSS 2023 differ from the Code of Criminal Procedure (CrPC) in terms of procedural requirements for criminal trials?
	2. Write a short note on:
		1. Discharge
		2. Acquittal

(CO5) [Knowledge]

(CO3) [Knowledge]

**PART B**

**ANSWER ANY FOUR QUESTIONS 4Q X 10M = 40M**

* 1. Explain the difference between the procedure of trial before Court of Session and procedure of warrant cases done by magistrate which is instituted on a Police Report.

(CO2) [Application]

* 1. Explain the circumstances under which a person can be arrested without a warrant. Discuss on the measures and precautions that are required to be taken by the police while arresting a person as laid down by the Supreme Court?

(CO5) [Application]

* 1. Explain the concept of confession and the procedure involved in recording confession of an accused.

(CO1) [Application]

* 1. Plea Bargaining is said to be based on the principle of "Nolo Contendere" which is a latin word, it means Ï do not wish to contest". In the light of the above statement explain the concept of Plea Bargaining and drawbacks if any.

(CO6) [Application]

* 1. "Attachment of property of a proclaimed offender is the most stringent method to compel a person's appearance before the court." Discuss the procedure for the attachment of property, as well as the claims and objections to such attachment.

(CO5) [Application]

* 1. Elaborate on the scope of criminal appeal and revision. Discuss the grounds on which a revision petition can be filed.

(CO2) [Application]

**PART C**

**ANSWER ANY TWO QUESTIONS 2Q X 20M = 40M**

* 1. A rescues B, from a lawful custody, and in so doing causes grievous hurt to C, a constable, in whose custody B was. In the light of the same facts of the case analyze the charges to be framed against A jointly or separately and procedure of the trial.

(CO4) [Analysis]

* 1. A strikes B on the head with a stick causing fracture of the skull. A is tried on a charge under Section 325 of Indian Penal Code before Judicial Magistrate

First Class. The Court allowed the compounding of the offence by B and A is accordingly acquitted under Sec. 320 Cr.P.C. B subsequently died of the injury caused by A and therefore A is placed on trial before court of session for an offence under Section 304 IPC. A contends that the trial cannot proceed, in view of the previous acquittal. Will A succeed? Analyze.

(CO3) [Analysis]

* 1. The court determines that Meera, one of the defendants in a criminal case involving many defendants suspected of financial fraud, is unable to present in person for the trial because of a significant medical condition that necessitates extended hospitalization. Meera's attorney files a request with the court to have her personal appearance during the trial dispensed with. Is it possible for the accused to not appear in person before the court? Under what conditions does it permit it?

(CO6) [Analysis]