

PARUL UNIVERSITY**FACULTY OF LAW****I- B.A./ B.Com./ B.B.A. LL.B. Winter 2019 – 20 Examination****Semester: 7****Date: 02/12/2019****Subject Code: 17300402****Time: 10.30 am to 1.00 pm****Subject Name: Law of Crime II (CRPC)****Total Marks: 60****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Multiple choice questions**(15)**

1. Object of investigation is

| | |
|-------------------------|------------------------|
| (a) to punish accused | (b) to acquit accused |
| (c) to collect evidence | (d) to convict accused |

2. An order of life imprisonment may be passed by

| | |
|---------------------------------|-----------------------------------|
| (a) A Chief Judicial Magistrate | (b) A Sessions Judge |
| (c) A Metropolitan Magistrate | (d) Any Magistrate of first class |

3. Under which of the following sections of the Code of Criminal Procedure, police can arrest an accused without warrant?

| | |
|----------------|----------------|
| (a) Section 37 | (b) Section 40 |
| (c) Section 42 | (d) Section 41 |

4. Which of the following statements are correct?

| | |
|--|--|
| (a) In a cognizable offence any police officer may without any order from a Magistrate and without a warrant arrest any person | (b) A private person may arrest or cause to be arrested any person committing a cognizable offence |
| (c) An Executive Magistrate may arrest offender when any offence is committed in his presence and within his jurisdiction | (d) All of the above |

5. In reference of information relating to commission of cognizable offence which of following statement is not correct

| | |
|--|---|
| (a) It may be given orally to officer in charge of police station | (b) It is reduced to writing by or under direction of officer in charge of police station |
| (c) Information reduced to writing is to be signed by person giving it | (d) Copy of information cannot be given free of cost to informant |

6. In a first information an offence is cognizable and other is non-cognizable, whole case shall be deemed to be

| | |
|-------------------------|--------------------|
| (a) Cognizable | (b) Non-cognizable |
| (c) depends on the case | (d) None of these |

7. When a person who would otherwise be competent, to compound an offence under section 320 of Cr. P.C. is dead, then?

| | |
|---|--|
| (a) Offence cannot be compounded | (b) Offence can be compounded by an eye witness |
| (c) Offence can be compounded by legal representative of such person without consent of the Court | (d) Legal representative of such person can compound offence with consent of the Court |

8. A summon issued by the court must be in
 (a) Duplicate (b) Triplicate
 (c) writing and duplicate (d) writing and triplicate
9. Any allegation made orally or in writing to a magistrate, with a view of taking action under this code, that some person, whether known or unknown, has committed an offence is known as
 (a) complaint (b) investigation
 (c) trial (d) inquiry
10. A magistrate has power to direct the police investigation in respect of which of the following offences:
 (a) all offences under IPC (b) under any local or special laws
 (c) both of them (d) none of them
11. Taking cognizance is
 (a) judicial function (b) administrative function
 (b) supervisory function (d) all of them
12. Which of the following are the methods to compel a person appear before the court
 (a) issuing summon (b) issuing warrant
 (c) attachment of property of person absconding (d) all of them
13. An arrangement between prosecutor and defendant whereby the defendant pleads guilty to a lesser charge in exchange for a more lenient sentence or an agreement to drop other charges is known as
 (a) plea bargaining (b) lis pendis
 (c) vinculum juris (d) reference
14. The defense to a criminal charge to the effect that the accused was elsewhere that at the scene of the alleged crime is known as
 (a) Plea of alibi (b) plea bargaining
 (c) factum valet (d) vinculum juris
15. The provision related to plea bargaining is provided under which section of the Code of Criminal Procedure
 (a) Section 265A (b) Section 265(a)
 (c) Section 265 (1) (d) None of the above

Q.2 A) Write short notes on (15)

- 1 Describe the powers of Police Officer relating to Cognizable offence?
- 2 What is Summon? Discuss the process of serving of summons under the Code of Criminal Procedure.
- 3 What is Charge? What are the particulars of the Charge? Can charge be altered? If so when?
4. What are the rights of the arrested person?
5. State the various categories of the criminal courts under the Code of Criminal Procedure.

Q.3 (A) What is Anticipatory Bail ? Can such a bail be allowed in a Murder Case? If so when? (08)

OR

- (A) What is Appeal and Revision? Discuss with relevant provision under the Code of Criminal Procedure. (08)**

- (B) What is meant by First Information Report? Does delay in F.I.R affects the matter? What is the evidentiary value of F.I.R? (07)**

OR

(B) Explain in detail the provisions related to maintenance of wives, children and parents under criminal procedure code. (07)

Q.4 (A) Custodial violence and abuse of police power have emerged a major issue of human rights concern. What is your stand on the issue? What kinds of checks can be introduced to deal with the issues of Custodial Violence? (07)

(B) **Distinguish between the following (ANY FOUR)** (08)

1. Summon case and warrant case
2. Bailable offences and non bailable Offences
3. Cognizable Offence and non-cognizable offence
4. Investigation and Inquiry
5. Registration of F.I.R and Framing of Charges