



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – B.A. LL.B.-2022

Course Name – Law of Crimes II

Course Code - BALLB405

(Semester IV)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. *Choose the correct alternative from the following :*

(i) Choose the basic purpose of the Criminal Procedure Code.

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|---------------|-----------------|
| a) Fake trial | b) Fair trial |
| c) Poor trial | d) All of these |

(ii) Find the aim of the Code of Criminal Procedure.

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|--|--|
| a) To consolidate the law relating to Criminal Procedure | b) To amend the law relating to criminal procedure |
| c) Both | d) None of these |

(iii) What is the date of enforcement of Code of Criminal Procedure, 1973

- | | |
|--------------------|--------------------|
| a) 1st April, 1974 | b) 1st April, 1977 |
| c) 1st April, 1979 | d) 1st April, 1975 |

(iv) Identify Key players of criminal justice system

- | | |
|-------------------------------|---------------------------|
| a) Police & public prosecutor | b) Defence lawyer & Judge |
| c) Both (a) & (b) | d) None of these |

(v) Select D. K. Basu guideline includes

- | | |
|---|--|
| a) The police official should wear, accurate & visible name tags with their identifications | b) A memo of arrest should be prepared at the time of arrest |
| c) Both (a) & (b) | d) None of these |

(vi) Identify the role of a Judge

- | | |
|--|--------------------------------|
| a) Decide whether accused person is guilty or innocent | b) May send the person to jail |
| c) May impose a fine or both | d) All of these |

(vii) Select from the following that the Indian judiciary consists of.

- | | |
|-------------------|------------------|
| a) High Court | b) Supreme Court |
| c) District Court | d) All of these |

(viii) Identify the meaning of the term Arrest.

- a) Restriction on personal Liberty by a Legal Authority
 b) Restriction on personal liberty by any person under any circumstances
 c) Both (a) & (b)
 d) None of these
- (ix) Identify the term 'Impartial'
- a) Pass a judgment
 b) the act of being fair & not favoring one side over other
 c) Fair trial
 d) None of these
- (x) Identify Detention
- a) Praise given by the police
 b) act of being kept in illegal custody by the police
 c) Both (a) & (b)
 d) None of these
- (xi) Select from the following statements that in NOT true regarding the charge sheet made under the provisions of the Code of Criminal Procedure, 1973.
- a) In case of offence of a rape of a child the charge sheet must be submitted within three months of the FIR
 b) After submission of the charge sheet there cannot be any further investigation into the case by police
 c) The right to be released on bail
 d) Charge sheet against absconding accused can be filed even if the accused is not arrested.
- (xii) Infer the power of Sessions Judge to pass a sentence.
- a) upto 5 years or upto Rs. 10,000 fine
 b) upto 10 years or any fine
 c) Any amount of sentence and any fine, but death sentence subject to be confirmation by the High Court
 d) Any amount of Fine and any sentence
- (xiii) Infer the provision in CrPC dealing with Arrest by magistrate.
- a) under section 44 of CRPC
 b) under section 48 of CRPC
 c) under section 46 of CRPC
 d) under section 47 of CRPC
- (xiv) Infer the situation until when every warrant of arrest shall remain in force.
- a) It is cancelled by the issuing Court
 b) it is executed
 c) it is stayed by Higher Court
 d) both 1 and 2
- (xv) Identify the execution of a warrant of arrest.
- a) within the jurisdiction of the issuing Court
 b) at any place in India
 c) beside a police station only
 d) None of these

Group-B

(Short Answer Type Questions)

3 x 5=15

2. What are the functionaries under the Code of Criminal Procedure? (3)
3. Interpret provisions on examination of complainant. (3)
4. Compare cognizable and non-cognizable offence. (3)
5. Define charge. (3)
6. Evaluate this situation: The accused murdered A and B in the same night, one after the other, in their respective houses, which were separated by a street, which formed the boundary between two districts. The Police filed charge-sheets in two different Session Courts. Can both the murders be tried together. (3)

OR

Evaluate the exceptions of plea bargaining. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Discuss the circumstances in which the proclamation and attachment against a person can be made. (5)
8. Explain the procedure for alteration of charge and also state the effect of defective charge. (5)
9. Develop a note on complaint to magistrate. (5)
10. Examine the inherent powers of the High Court. (5)
11. Evaluate the provisions on sessions trial. (5)
12. Compare between investigation and trial. (5)

OR

Compare between trial and inquiry. (5)
