



## BRAINWARE UNIVERSITY

**Term End Examination 2021 - 22**

**Programme – Bachelor of Law**

**Course Name – Law of Crimes II**

**Course Code - LLB203**

**( Semester II )**

**Time allotted : 1 Hrs.15 Min.**

**Full Marks : 60**

[The figure in the margin indicates full marks.]

### Group-A

(Multiple Choice Type Question)

1 x 60=60

*Choose the correct alternative from the following :*

- (1) The expression complaint is defined in \_\_\_\_\_ of the Code of Criminal Procedure, 1973.
- |                  |                  |
|------------------|------------------|
| a) Section 2 (d) | b) Section 2 (c) |
| c) Section 2 (b) | d) Section 2 (a) |
- (2) The Criminal Procedure Code lays the rules for conduct of \_\_\_\_\_ against any person who has committed an offence under any Criminal law, whether it is I.P.C or other Criminal law.
- |                               |                  |
|-------------------------------|------------------|
| a) Process                    | b) Proceedings   |
| c) Both Process & Proceedings | d) None of these |
- (3) The expression inquiry is defined in \_\_\_\_\_ of the Code of Criminal Procedure, 1973.
- |                  |                  |
|------------------|------------------|
| a) Section 2 (c) | b) Section 2 (e) |
| c) Section 2 (f) | d) Section 2 (g) |
- (4) Police is empowered to arrest without a warrant
- |                             |                             |
|-----------------------------|-----------------------------|
| a) Under section 41 of CrPC | b) Under section 42 of CrPC |
| c) Under section 44 of CrPC | d) Under section 48 of CrPC |
- (5) Who amongst the following is not competent under section 92 of CrPC to order the postal or telegraph authority to deliver the document(s)/thing:
- |                            |                        |
|----------------------------|------------------------|
| a) District Magistrate     | b) Judicial Magistrate |
| c) Metropolitan Magistrate | d) None of these       |

- (6) A declaration of forfeiture under section 95 of Cr PC can be set aside by:
- a) Magistrate issuing the search warrant
  - b) Chief Judicial Magistrate/Chief Metropolitan Magistrate
  - c) Court of Sessions
  - d) High Court
- (7) Prosecution of judges and public servants is provided in
- a) Section 195 of CrPC
  - b) Section 197 of CrPC
  - c) Section 198 of CrPC
  - d) Section 193 of CrPC
- (8) Where the person summoned cannot be found the summons may be served by leaving one of the duplicates for him with some
- a) female member of the family
  - b) relative of the family
  - c) adult male member
  - d) None of these
- (9) Section \_\_\_\_\_ of the CrPC speaks of service of summons outside local limits.
- a) 64
  - b) 67
  - c) 68
  - d) 70
- (10) Under the provisions of Code of Criminal Procedure, 1973 for taking cognizance of an offence-
- a) Judicial application of mind by the Magistrate is not needed
  - b) It is not open to the court to analyze the evidence produced
  - c) Is an area exclusively within the domain of the Magistrate and the Officer-in-charge of the case
  - d) The offence must be committed within the territorial jurisdiction of a first class judicial Magistrate
- (11) It is mandatory for a police officer to inform the person arrested, the grounds of arrest and right of bail if the offence is not non-bailable, under
- a) Section 49 of the CrPC
  - b) Section 50 of the CrPC
  - c) Section 51 of the CrPC
  - d) Section 54 of the CrPC
- (12) Period of limitation for filing claims & objections to the attachment of any property attached under section 83 of the CrPC by any person other than the proclaimed person as provided under section 84 of the CrPC
- a) Within three months of attachment
  - b) Within six months of attachment
  - c) Within one year of attachment
  - d) Within two months of attachment
- (13) Section 92 of CrPC lays down the procedure for
- a) production of document(s) in the custody of postal or telegraph authority
  - b) production of document(s) in the custody of any person other than the accused
  - c) production of document(s) in the custody of an accused person
  - d) all of these
- (14) Search warrant in respect of a place
- a) Includes search of a person present in or about that place
  - b) Does not include search of a person in or about that place
  - c) Includes search of a person in or about that place if such person is suspected of concealing about his person any article for which search is being made
  - d) None of these
- (15) No court shall take cognizance of an offence punishable under chapter XX of Indian Penal

Code except

- a) Upon police report  
c) Upon a complaint by some
- b) Upon report of an executive magistrate  
d) Both Upon police report and Upon report of an executive magistrate
- (16) The following Magistrate may tender pardon
- a) Chief Judicial Magistrate  
c) Judicial Magistrate of the 1st Class
- b) Metropolitan Magistrate  
d) All of these
- (17) When the additional Sessions Judge passes a sentence of death the sentence shall not be executed unless it is confirmed by
- a) Sessions Judge  
c) High Court
- b) Supreme Court  
d) President of India
- (18) A sentence of imprisonment in default of five year shall not exceed
- a) One-sixth of the term of imprisonment  
c) One-third of the term of imprisonment
- b) One-fourth of the term of imprisonment  
d) One-tenth of the term of imprisonment
- (19) Plea bargaining is applicable in respect of offence I- Punishable with imprisonment up to 7 years II- With fine only
- a) Only Punishable with imprisonment up to 7 years  
c) Either Punishable with imprisonment up to 7 years or With fine
- b) Only With fine  
d) Both Punishable with imprisonment up to 7 years and With fine
- (20) Provision for abatement of appeal has been provided in
- a) Section 394 of the CrPC  
c) Section 390 of the CrPC
- b) Section 392 of the CrPC  
d) None of these
- (21) Warrant case means a case relating to an offence-
- a) Punishable with death penalty  
c) Punishable with imprisonment for a term exceeding two years.
- b) Punishable with imprisonment for life.  
d) All of these
- (22) The object of Criminal Procedure Code is to provide machinery for the punishment of offenders against the \_\_\_\_\_ Criminal law.
- a) Substantive  
c) Civil
- b) Procedural  
d) Objective
- (23) Forms of summons is provided under \_\_\_\_\_ of CrPC.
- a) Section 66  
c) Section 61
- b) Section 64  
d) Section 59
- (24) In which case it was being held that the provisions of Criminal Procedure Code are procedural in nature?
- a) Shivjee Singh v Nagendra Tiwary and others  
c) Rose v Merry
- b) Bhim Singh v State of J&K  
d) None of these.
- (25) The expression charge is defined in \_\_\_\_\_ of the Code of Criminal Procedure, 1973.
- a) Section 2 (ba)  
b) Section 2 (b)



- a) section 190  
c) Section 200
- b) Section 197  
d) Section 207
- (36) An application to High Court to set aside the declaration of forfeiture has been provided:
- a) Under section 95 of Cr PC  
c) Under section 97 of Cr PC
- b) Under section 96 of Cr PC  
d) Under section 98 of Cr PC
- (37) Search warrant in respect of a place:
- a) includes search of a person present in or about that place  
c) includes search of a person in or about that place only if such person is suspected of concealing about his person any article for which search is being made
- b) does not include search of a person in or about that place  
d) none of these
- (38) Power of police officer to seize certain property is provided under
- a) section 100 of Cr PC  
c) section 103 of Cr PC
- b) section 101 of Cr PC  
d) section 102 of Cr PC
- (39) Who can empower any Magistrate of the second class to take cognizance under Section 190(1), CrPC, of such offences as are within his competence to inquire into or try?
- a) DC  
c) HC
- b) Chief Judicial Magistrate  
d) JM
- (40) Search warrant must be executed by any police officer
- a) above the rank of Sub-Inspector of police  
c) above the rank of Inspector
- b) above the rank of Constable  
d) none of these
- (41) Issue of search warrant is
- a) A judicial act  
c) A ministerial act
- b) An administrative act  
d) None of these
- (42) Examination of complainant and his witnesses upon oath has been provided in
- a) Section 200 of CrPC  
c) Section 204 of CrPC
- b) Section 203 of CrPC  
d) Section 201 of CrPC
- (43) When the accused is brought under arrest on the basis of warrant of arrest of a foreign court for the offence which is a non-bailable the following persons may release the accused on bail
- a) Executive Magistrate  
c) Sessions Judge
- b) Chief Judicial Magistrate  
d) Both Chief Judicial Magistrate and Sessions Judge
- (44) When the process fees are not paid within a reasonable time the magistrate may dismiss the complaint
- a) Under section 204(4) CrPC  
c) Under section 203 CrPC
- b) Under section 204(3) CrPC  
d) Under section 204(5) CrPC
- (45) Proviso of Section 437 CrPC enables the court to grant bail if the accused is
- a) Under the age of 18 years  
c) blind
- b) woman  
d) member of parliament

- (46) The following court may grant anticipatory bail
- a) Sessions Court
  - b) High Court
  - c) Supreme Court
  - d) Both Sessions Court and High Court
- (47) Who is empowered to release the accused on bail when he is arrested in pursuance of warrant issued by a foreign court in respect of bailable offence?
- a) Executive Magistrate
  - b) District Superintendent of Police
  - c) Commissioner of Police
  - d) Either Executive Magistrate or District Superintendent of Police or Commissioner of Police
- (48) The police officer who seized the property, if subordinate to the officer-in-charge of a police station shall forthwith report the seizure to the -
- a) S.D.P.O.
  - b) S.P
  - c) O.C.
  - d) C.J.M.
- (49) If the complaint is made to a Magistrate who is not competent to take cognizance of the offence, he shall-
- a) Examine the complainant under section 200 CrPC
  - b) Issue summons against the accused
  - c) If the complaint is in writing return it for presentation to the proper court with an endorsement
  - d) None of these
- (50) Complaint may relate to
- a) A cognizable offence
  - b) A non- cognizable offence
  - c) Both a and b
  - d) Must be for a non-cognizable offence as the police has no power to investigate such an offence
- (51) A person can be arrested without warrant
- a) For securing attendance of accused at trial
  - b) As a preventive or precautionary measure
  - c) For obtaining correct name and address
  - d) All of these
- (52) Section 55 of the CrPC provides for
- a) Medical examination of the accused at the request of the police officer
  - b) Medical examination of the accused at the request of the accused
  - c) Both Medical examination of the accused at the request of the police officer and Medical examination of the accused at the request of the accused
  - d) Neither Medical examination of the accused at the request of the police officer nor Medical examination of the accused at the request of the accused because section 55 deals with provision for procedure when police officer deputed subordinate to arrest without warrant
- (53) A proclamation requiring a person to appear must be published giving
- a) Not less than 30 days time to the person concerned
  - b) Not less than 10 days time to the person concerned
  - c) Not less than 20 days time to the person concerned
  - d) Not less than 15 days time to the person concerned
- (54) Period of limitation for filing a suit to establish the right over the property attached by a person other than the person proclaimed, who has filed claims & objection to attachment, is

- a) 3 months from the date of disallowing the claim      b) 6 months from the date of disallowing the claim
- c) One year from the date of disallowing the claim      d) 3 years from the date of disallowing the claim
- (55) A search warrant is a written authority given to a police officer or any other person for the search of any place
- a) generally      b) for specified things or documents
- c) generally as well as for specified things or documents      d) None of these
- (56) The issuance of summons to a person to produce a document(s) under section 91 of the CrPC is
- a) declaration      b) mandatory
- c) discretionary      d) either a or b
- (57) A person who is required merely to produce a document(s)/thing under section 91 of the CrPC
- a) has to attend personally to produce the document(s)/thing      b) can cause the document(s)/thing to be produced in the Court
- c) either attend personally or cause the document(s)/thing produced in the Court      d) none of these
- (58) A search warrant can be issued in respect of a place
- a) used for deposit and sale of stolen property      b) used for deposit, sale and production of counterfeit coin, currency notes and stamps
- c) used for deposit, sale and production of forged documents and false seals      d) all of these
- (59) As per which provision of CrPC persons in charge of closed place is required to allow search
- a) Section 100 of CrPC      b) Section 102 of CrPC
- c) Section 105 of CrPC      d) Section 104 of CrPC
- (60) The court of a magistrate of the 1st class may pass a sentence of imprisonment
- a) Upto two years      b) Upto seven years
- c) Upto three years      d) Upto one year