

PAPER-V
CRIMINAL PROCEDURE CODE 1973

PART-A

Answer any **Five** of the following:

(5x5=25)

1. Write a short note on *cognizable offence*.
2. When can a person be arrested? Who can arrest and what are the rights of an arrested person?
3. What is Section 125 of Cr.P.C. and how an order passed under Section 125 of Cr.P.C can be enforced?
4. What is *investigation*? Does it differ from Inquiry? What is the procedure for recording statements of witnesses during investigation?
5. Briefly explain the procedure to be followed by a Magistrate in a trial of a case instituted on that of a police report.
6. Differentiate between *Warrant Case* and a *Summons Case*.

PART-B

Answer any **Three** of the following:

(15x3=45)

7. Give reasons as to whether an application for maintenance lies or does not in the present case? "By an illegitimate minor female child against her father when she requires Rs. 300 per month for maintenance but is in receipt of Rs. 400 per month by way of salary as a waitress?
8. What remedies are available to a Hindu Woman thrown out of her matrimonial home by her husband under Section 125 Cr.P.C.? What conditions must she satisfy before availing of Section 125 Cr. P.C.? If she satisfies all the pre-conditions required as above, would her remedies differ, if she was a Muslim?
9. The officer of the police station was given oral information of the commission of cognizable offence. The police officer, however failed to record the information in writing as required by Section 154 of the Criminal Procedure Code and commenced investigation of the offence? Discuss whether the investigation was rendered illegal by reason of the failure of the police officer to record the information in writing?
10. A First Information Report was lodged at the police station against A, B and C alleging that they had committed the murder of X, which was duly recorded and the investigation statements of some witnesses were recorded by the Investigating Officer. One of them stated that not only the above mentioned three persons, but a fourth person viz 'D' had

also participated in the crime. It was contended by the prosecution that the said statement in so far as it involves 'D' should be treated as the First Information Report as far as 'D' concerned. Discuss the admissibility of the statement of the witness implicating 'D' in evidence as a First Information Report.

PART-C

Answer any **One** of the following:

(30x1=30)

11. Write an essay on "*Plea Bargaining*".
12. Explain the principles of *double jeopardy* with reference to the relevant provision.