

Eighth Semester B.A.LL.B. 5 Years Course (C.B.S) Examination
CRIMINAL PROCEDURE CODE, PROBATION OF OFFENDERS ACT AND
JUVENILE JUSTICE ACT
Compulsory Paper-2

Time : Three Hours]

[Maximum Marks : 80

- Note :—** (1) Attempt all sections. Section **A** consists of **10** marks, Section **B** consists of **30** marks, Section **C** consists of **40** marks.
 (2) Follow the instructions given in each Section.
 (3) Marks are indicated against each question.

SECTION—A

1. Choose the correct alternative (any **ten**) : 1×10=10
- (i) The Court may alter the charge :
 - (a) Before the evidence of the prosecution is taken
 - (b) Before the accused enters upon his defence
 - (c) When the evidence of prosecution and defence both is taken
 - (d) Before the judgment is pronounced.
 - (ii) First Information Report under Section 154 Cr. PC. relates to :
 - (a) Non-organizable offences
 - (b) Only a cognizable offence
 - (c) Cognizable and non-cognizable offences
 - (d) None of the above.
 - (iii) Inherent power under section 482 Cr. PC. can be exercised by :
 - (a) Any criminal court
 - (b) The Supreme Court only
 - (c) The Court of Session and the High Court
 - (d) The High Court.
 - (iv) Classification of offences is given in the Code of Criminal Procedure under :

(a) Section 320	(b) The 1 st schedule
(c) The II nd schedule	(d) Section 482.
 - (v) A magistrate has the power under Cr. PC. to direct the police to investigate into
 - (a) A non-cognizable offence
 - (b) A cognizable offence
 - (c) Only a non-cognizable offence as in a cognizable offence the police is under a duty to investigate.
 - (d) Both (a) and (b).

- (vi) In a bailable offence :
- Conditions can be imposed while granting bail by the Police officer
 - Conditions can be imposed while granting bail by the Court
 - No condition can be imposed while granting bail by the police officer or by the Court
 - Only mild conditions can be imposed by the Court only.
- (vii) A warrant of arrest is a command :
- Must be a written order
 - Signed, sealed and issued by a magistrate
 - Addressed to a police officer
 - All the above.
- (viii) If a person who is proclaimed does not appear within the time specified in the proclamation the property under attachment :
- Shall not be sold until expiry of six months from the date of attachment
 - Shall not be sold until any claim or objection u/s 84 have been disposed of
 - Both (a) and (b)
 - Either (a) or (b).
- (ix) A summons issued by a Court must be in :
- Duplicate
 - Triplicate
 - Writing and duplicate
 - Writing and Triplicate.
- (x) Any person aggrieved by the Order made by the Competent Authority under the Juvenile Justice (Care & Protection of Children) Act, 2000 can appeal to :
- The Session Court
 - The High Court
 - Home Minister
 - Chief Judicial Magistrate.
- (xi) Which one of the following is not a condition precedent to the release of an offender on probation under sec 4, Probation of Offenders Act, 1958?
- Circumstances of a case
 - Nature of offence
 - Character of offender
 - Amount of damage caused by the offenders .
- (xii) Juvenile Justice (Care & Protection of Children) Act, 2015 provides that in case heinous crime has been committed by a person between which age that will be examined by the Juvenile Justice Board to assess the crime was committed as 'child' or as an 'adult'?
- 13 and 19 years
 - 16 and 18 years
 - 14 and 18 years
 - None of the above.
- (xiii) In a Supervision Order by the Court for release of an offender the Court requires :
- Offender to enter into a bond
 - Bond with or without sureties
 - To observe conditions specified in order with additional conditions
 - All the above.

- (xiv) How many minimum number of judges of the High Court are required to sign the confirmation of death sentence?
- (a) 3 (b) 2
(c) 4 (d) 5
- (xv) Who amongst the following is not entitled for maintenance under section 125 Cr. PC. 1973?
- (a) Illegitimate minor child (b) Divorced wife
(c) Father (d) Uterine Blood.

SECTION—B

Note :— Both the questions in this Section are compulsory.

2. Answer the following (any **three**) : 3×5=15
- (a) What is charge sheet? What are the particulars to be stated in the charge sheet?
(b) Explain the procedure of Summary Trial.
(c) Write note on Recording of confession and retracted confession.
(d) Explain compounding of offences.
3. Write short notes on (any **three**) : 3×5=15
- (a) Concept of Fair trial
(b) Right of arrested person under Cr. PC. and Art. 22 (2) of the Constitution of India.
(c) Protection of Juvenile offenders
(d) Distinct between Parole & Furlough.

SECTION—C

Note :— Answer any **five** questions in this section. 8×5=40

4. Define complaint. When can a magistrate refuse to accept and take cognizance of the complaint?
5. Explain 'Anticipatory bail'. What are the principles for grant or refusal of 'anticipatory bail'? Support your answer with case laws.
6. Under what circumstances search warrants may be issued by the Courts? Discuss.
7. Discuss the powers exercised by High Court in the Revisional Jurisdiction.
8. What is meant by a 'Public Nuisance'? What is the procedure to be adopted by the magistrate for removal of the same?
9. What is the difference between 'child in need of care and protection' and 'Juvenile in conflict with law'?
10. Write a detailed note on the procedure adopted for supervision of offender under the Probation of Offenders Act.
11. Distinguish between "Security for good behaviour" from "Security for keeping the peace".