

<b>Name:</b>	
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December 2018**

**Course:** Law of Crimes II: Code of Criminal Procedure I **Course Code:** CLCC 2003  
**Semester:** III

**Programme:** BA.,LL.B.(HONS.) Criminal/Labour Law/Constitutional Law; BBA, LL.B. (Hons.) Banking, Insurance and Finance / International Trade and Investment Law 2017; B.COM., LLB. (Hons.) Taxation Laws 2017; BBA, LL.B. (Hons.) Corporate Laws 2017; BA.,LL.B. (Hons.) Energy Laws 2017

**Time:** 03 hrs. **Max. Marks:** 100

**Instructions:** Read the questions carefully and substantiate with relevant sections and case laws.

**SECTION A**

S. No.		Marks	CO
Q1	Explain <u>any 5</u> of the following :  (a) Defence Counsel (b) Inquest Report (c) First Information Report (d) Cognizance by Magistrate (e) Summons and Warrant (f) Medical Examination of rape victim.	<b>10</b> <b>(2x5)</b>	<b>CO1</b>

**SECTION B**

Answer all the questions

Q2	What do you mean by “Framing of Charge”? Explain the contents of Charge and discuss the impact of error in framing of charge.	<b>10</b>	<b>CO2</b>
Q3	Enumerate the laws on Proclamation and Attachment as laid down in Code of Criminal Procedure, 1973	<b>10</b>	<b>CO2</b>

**SECTION-C**

Answer all the questions

Q4	Analyze the procedure for search and seizure of an accused in the Code of Criminal Procedure, 1973 and state its significance in light of the concept of Fair Trial.	<b>10</b>	<b>CO1</b>
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Q5	Identify and critically analyze the provisions drafted categorically to protect the rights of an accused who is a woman under the various provisions of the Code of Criminal Procedure, 1973	10	CO1
<b>SECTION-D</b> Answer all the questions			
Q6	Ms. Z the former Chief Minister of Madhya Pradesh was directed to appear before the Police Station for being examined in connection with a case registered against her by the Vigilance Committee under the Prevention of Corruption Act .On basis of the FIR, investigation commenced wherein she was interrogated with a long string of questions. In light of the above facts decide whether she was bound to answer all the questions put to her during the course of Police investigation .What would be the evidentiary value of such statement when recorded by the police in court of law.	20	CO3
Q7	Mr. X made a confession before a Judicial magistrate who gave him no warning of the consequences of making such a statement. The magistrate made no notes in writing however heard the accused with rapt attention. Later the magistrate dictated the contents based on his best memory to his court clerk and put his signature. Discuss the legality and evidentiary value of such statement recorded.	20	CO3
Q8	Mr Y, a Police officer arrested an accused Mr. Z without warrant at 8 am on 24th April, 2018 and detained him for 2 days till his brother Mr. W came along with his lawyer stating that the detention was illegal and violative of with Section 167 of Criminal Procedure Code, 1973. Decide the legality of the detention giving reasons.	10	CO3

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**Instructions:** Read the questions carefully and substantiate with relevant sections and case laws.

**SECTION A**

S. No.		Marks	CO
Q1	Explain any 5 of the following :  (a) Prosecution (b) Inquest Report (c) Investigation (d) Cognizance by Magistrate (e) Summons and Warrant (f) Zero FIR	<b>10</b> <b>(2x5)</b>	<b>CO1</b>

**SECTION B**

Answer all the questions

Q2	Enumerate the laws on Medical Examination as down in Code of Criminal Procedure, 1973.	<b>10</b>	<b>CO2</b>
Q3	What do you mean by Charge? Explain the concept of Joinder of Charge and discuss the impact of error in framing of charge.	<b>10</b>	<b>CO2</b>

**SECTION C**

Answer all the questions

Q4	Identify and critically analyze the provisions drafted categorically to protect rights of arrest of accused who is a woman under the various provisions of the Code of Criminal Procedure, 1973.	<b>10</b>	<b>CO1</b>
Q5	Analyze the procedure of filing the First Information Report under the Code of Criminal Procedure, 1973 and critically analyze how the FIR is significantly more important than a statement of a person recorded by police during course of investigation.	<b>10</b>	<b>CO1</b>

**SECTION D**

Answer all the questions

Q6	During the Course of investigation X told the police officer that he saw Y shooting Z dead. Later at the trial before the magistrate he said that he saw that Y first struck a blow on Z's head with a gun and then with an axe. Examine the first statement in light of the Code of Criminal Procedure; 1973.What is the evidentiary value of that statement.	25	CO3
Q7.	Mr. M who is in police custody on charges of having committed a non bailable offence wants to record a confession .As the Magistrate can you record the confession? What would be the procedure followed by you?	25	CO3