

CRIMINAL LAW

Maximum Marks: 200

Time: Three Hours

Notes:

1. Attempt all questions in the same order in which they appear in the question paper.
2. Marks for individual questions are indicated against each question.
3. Support your answers with relevant provisions and case law.
4. No extra answer sheet will be provided.

Q1(a) Elaborate the powers of a Magistrate under S. 145 CrPC and the procedure prescribed. (10 Marks) 9

(b) A police report forwarded to the Magistrate under S. 173(2) of the CrPC stated that a person Om Prakash has committed an offence. A protest petition was also filed referring to some statements recorded under S. 161 CrPC whereby it was suggested that another person named Sanjiv is also involved in the crime. Magistrate took cognizance under S. 190 (1)(b) CrPC and issued process against both the persons. Sanjiv has challenged the order on the grounds that Magistrate should have followed the procedure under S. 200 CrPC before issuing process against him as he acted on the protest petition. Decide and give reasons. (10 Marks) 9

(c) Write short notes on

i) Victim and Criminal Justice System (5 Marks) 4.5

ii) Difference between statements recorded U/s 161 CrPC and recorded U/s 164 CrPC. (5 Marks) 4.5

iii) Parameters to be considered while granting anticipatory bail and regular bail. (5 Marks) 4.5

iv) Cancellation of bail. (5 Marks) 4.5

Q2(a) What are the principles to be followed by a Court while exercising its powers under Section 427 CrPC, as regards concurrent running of sentences? (10 Marks) 9

(b) Under what circumstances can charge once framed be altered and at what stage? Explain with relevant case law. (15 Marks) 12.5

(c) What are circumstances under which prosecution can be withdrawn? Explain with relevant case law. (10 Marks) 7

d) What is the law governing summoning of a person to face trial as an additional accused? (5 Marks) 4.5

Q3(a) Write short notes on:

i) Difference between Dacoity and Robbery (5 Marks) 4.5

ii) Limitations on exercise of right of Private Defence? (5 Marks) 4.5

iii) Difference between 'Hurt' and 'Grievous hurt' (5 Marks) 4.5

iv) Difference between 'Common intention' and 'Common object' (5 Marks) 4.5

v) What are the ingredients of an offence Under Section 295-A IPC? (5 Marks) 4.5

(b) Discuss admissibility of multiple dying declarations under the Evidence Act with reference to case law. (15 Marks) 12.5

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