

# NATIONAL LAW UNIVERSITY, DELHI

## LL.M. (Professional), Semester-II (Batch of 2020)

### End Semester Examinations, July-2021

#### Paper: Criminal Procedure

Total Marks: 100

##### Instructions:

1. Answer **any five questions** from the followings.
2. Maximum word limit 2500 words per question.
3. No clarification shall be sought on the question paper.

1. Do you consider the provisions giving somewhat unlimited powers to the police to arrest without warrant as “reasonable, just and fair”? Also discuss the rights of arrested person.  
(20 Marks)
2. Discuss the importance of FIR. If SHO refuses to record the FIR, what is the remedy available to the informant in such a situation? Refer to decided cases. (20 Marks)
3. “If a criminal court is to be an effective instrument in dispensing justice, the judge needs to play an active role to find out the truth and administer justice with fairness and impartiality to the parties and to the community he/she serves.” Elucidate and discuss briefly the principal features of a fair criminal trial.  
(20 Marks)
4. “Cognizance of the offence can only be taken once. A situation of part cognizance being taken by the Magistrate and part cognizance being taken by the Sessions Judge is alien to Indian Criminal Procedure Code”.  
Critically examine the above statement in the light of the Supreme Court rulings in Dharampal v. State of Haryana (2014)3SCC306 and Hardeep Singh v. State of Punjab (2014)3SCC92.  
(20 Marks)
5. Among all the processes involved in criminal procedure, bail has always been the center of court’s interference. Recent trends have suggested that courts have given pro-accused treatment to provisions dealing with the process of bail. However, in some instances the bail is denied by fixing harsh or unreasonable conditions for bail by the court. Comment.  
(20 Marks)
6. Write Short Notes on:
  - a. Pre-Sentence hearing
  - b. Victim’s right to appeal under the Code of Criminal Procedure

(10x2= 20 Marks)