NATIONAL LAW UNIVERSITY DELHI

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

End Semester Assessment (Online), September-2022

Paper: Criminal Procedure Law

Time: 6:00 hrs.   Total Marks: 100

Instructions:
1. Attempt any 5 questions. Question number 1 is compulsory.
2. No clarification shall be sought on the question paper.
3. All questions carry equal marks.
4. Word limit- 1500 words per question

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1. Critically analyse the existing role and functions of the Executive Magistrate under the Code of Criminal Procedure, 1973. Do you favour conferring more powers on Executive Magistrates at the pre-trial stage?   **(20 Marks)**

2. Critically examine the contribution of the Supreme Court decision in Arnesh Kumar v. State of Bihar in rationalising the exercise of power of arrest. How the Arnesh Kumar decision is different from earlier Supreme Court rulings dealing with the issue of arrest.   **(20 Marks)**

3. Discuss the judicial and legislative steps taken towards giving recognition to 'victim' under the Code of Criminal Procedure. What in your opinion are the stages in a criminal proceeding which still lack victim participation and require suitable reforms.   **(20 Marks)**

4. "The act of directing remand of an accused is fundamentally a judicial function. The Magistrate does not act in executive capacity while ordering the detention of an accused. While exercising this judicial act, it is obligatory on the part of the Magistrate to satisfy himself whether there exist reasonable grounds to commit the accused to custody and extend his remand." In light of this statement discuss the law and practice of remand. **(20 Marks)**

5. In light of the class discussions and course readings on bail, what in your opinion is the prime reason for the large number of undertrials languishing in jail. What changes do you propose in law on bail to deal with such problem?   **(20 Marks)**

6. Discuss the importance of FIR. Do you agree that recording of FIR should not be mandatory and the police officer should have discretion to conduct preliminary inquiry before recording the FIR? Support your answer with decided cases.   **(20 Marks)**