

NATIONAL LAW UNIVERSITY, DELHI

LL.M., Semester-II (Batch of 2021)

End Semester Examinations, April-2022

Paper: Advanced Criminal Procedure

Time: 3 Hours

Total Marks: 50

Instructions:

1. Attempt ANY 5 questions. Question No. 1 is compulsory.
 2. No clarification shall be sought on the question paper.
 3. Support your answer with case laws wherever required.
 4. All questions carry equal marks.
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1. Discuss the power dynamics within the pre-trial process among various criminal justice functionaries. Critically examine the role of Magistracy in overseeing the investigative functions of the police.
2. 'The fact that a large number of arrests are unnecessary has found support in the decisions of the highest court of the country but the state took longer time to bring reforms in the domain of arrest law to rationalize the exercise the power of arrest.'

In this light, examine the key Supreme Court decisions which prompted such reforms, the change introduced in the Code of Criminal Procedure and the implications of such reforms. Do you agree that the changed regime of arrest law has yielded the desired outcome?

3. Examine the reforms in the reporting and recording of crime which have been introduced within and beyond the Code of Criminal Procedure to address the victim's right to access to justice and fair treatment. Also discuss the relevance of Supreme Court decision in *Lalita Kumari v. Govt. of U.P.* in this regard.
4. In light of the class discussions and course readings, discuss the lacunae in law and practice on first production and remand under the Code of Criminal Procedure which the judiciary has attempted to address in various landmark cases.
5. Though the object of bail is to prevent deprivation of liberty prior to determination of guilt but the number of undertrials languishing in jail is in contradistinction to the object the law sought to achieve. What in your opinion is the reason for such a gap between the object and reality of law and practice on bail? Support your answer with case laws.
6. Write short note on:
 - a. Right to pre-sentence hearing.
 - b. Effective and efficient legal aid.