



Previous Year Paper

ALL STATE Cr.P.C MAINS PREVIOUS YEAR QUESTIONS

DEFINITIONS

1. Write short notes on Bail in non-bailable offences. [DJS 2006, U.P. C] 2015]
2. Describe the Cognizable and Non-cognizable offence. [JJS 2019]
3. Distinguish between Cognizable and non-cognizable offences.
[DJS 1973, 2006, RJS 1979, HJS 1999, U.P. C] 1987,2015]
4. Distinguish between cognizable & non-cognizable offence, bailable & non-bailable offence, compoundable and non-compoundable offence; summary trial, summons trial and warrant trial. [DJS 2007]
5. Write a short notes on:
(a) Investigation, inquiry and trial.
(b) Complaint case and police case. [DJS 2008]
6. Define with reference to Criminal Procedure Code-
(i) Complaint
(ii) Inquiry
(iii) Police Report
(iv) Warrant case
(v) Cognizable offence
(vi) Judicial Proceeding [RJS 1976]
7. Distinguish between 'Inquiry' and 'Investigation'. [GJS 2017]
8. Explain the meaning and purpose of 'Investigation' with reference to relevant provisions of the Code of Criminal Procedure. Distinguish between 'Investigation', 'Inquiry and Trial', giving two illustrations of each of these three proceedings. [PJS 2006]
9. Distinguish between Inquiry and Trial. [HJS 1988, PJS 2003]
10. Explain the terms 'Inquiry' and 'Investigation'. Distinguish between the two. [HPJS 2016]
11. Distinguish between Inquiry and Investigation. [PJS 2003]





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12. Which cases are warrant cases? [GJS 2020]
13. Write short note on Judicial proceeding. [U.P.CJ 2012]
14. Distinguish between Summons case and Warrant case. [PJS 2003]
15. Write note on Warrant-case. [BJS 1978]
16. Distinguish between Inquiry and trial. [HJS 1988]
17. Define cognizable offence. [RJS 1991]
18. Define inquiry, investigation and trial and distinguish between these terms. [DJS 1989]
19. Describe the Search and Seizure. [JJS 2019]
20. Write notes on complaint. [HJS 1984]

CRIMINAL COURTS & OFFICES

1. Which are the different criminal courts under the Criminal Procedure Code? How is a court of session established and what are its powers and jurisdiction? [HPJS 2016]
2. What is the difference between a Judicial Magistrate and a Metropolitan Magistrate. [RJS 1986, 1994]
3. Who is the Judicial Officer competent to give special orders, as to the distribution of business among the Judicial Magistrates posted in a District Judgeship? [RJS 2014]
4. What do you understand by "Local Jurisdiction"? [RJS 2015]
5. Who is a Public Prosecutor? Can he withdraw a criminal case? [RJS 1991]
6. What is the role of a Public Prosecutor in a criminal trial. Under which circumstances can he withdraw from prosecution? [DJS 2019]

POWER OF COURTS

1. What are the provisions relating to sentence of imprisonment in default of payment of fine and what is the maximum period of imprisonment in default of fine when the offence is punishable with fine only? [M.P. CJ 2015]
2. Explain the law under the Criminal Procedure Code, 1973 relating to sentence in cases of conviction of several offences at a trial. [U.P. CJ 2006]
3. What courts have jurisdiction to try juveniles? [RJS 1986, 1994]





4. An accused 'A' is trial for the offence punishable under Section 420, what maximum term of sentence of imprisonment executable, can be inflicted by Judicial Magistrate First Class. [M.P. CJ 1998]

ARREST

- Under what circumstances police may arrest any person without warrant? Explain. [BJS 2018]
- When a police officer can arrest a person without warrant? How such an arrest can be effected. [JJS 2017]
- Explain the circumstances in which an arrest without a warrant can be made. Can a Magistrate issue a warrant for arrest in respect of a cognizable offence before taking cognizance of the offence? [PJS 2006]
- The decision to arrest is primarily a judicial function. Respond to this statement with reference to pre-arrest and post-arrest procedures in the Code of Criminal Procedure. [PJS 2013]
- Explain Arrest without warrant. [HJS 1986]
- Mention the categories of cases in which a police officer may arrest a person without a warrant. [HJS 1999]
- In what circumstances a person can be arrested without warrant? What measures and precautions are required to be taken while arresting a person, as directed by the Supreme Court? [HJS 2010]
- 'Regulating the nature of interaction between the accused and the police authorities is at the crux of a developed criminal justice system'. Elaborate on the statement by referring to the guidelines laid down in the case of Joginder Kumar v. State of U.P., AIR 1994 SC 1349. [HJS 2013]
- In what circumstances may a police officer arrest a person without an order from a magistrate or other than a police officer in any circumstances? Explain and illustrate. [U.P. CJ 1987]
- Examine the procedure of arrest and the duties of officer making arrest. [BJS 2018]
- A police officer has no definite knowledge or definite information that A is in possession of an instrument of housebreaking. The police officer arrests A. Is A's arrest illegal even though an instrument of house breaking may actually be found on searching after the arrest? Answer with reasons. [U.P. CJ 2018]





12. **Objective behind inclusion of Section 50A in the Cr. P.C.** [HPJS 2018]
13. **Examine the procedure for search under the Code of Criminal Procedure, 1973. What, if any, is the effect of illegal search on the admissibility of evidence and the validity of trial?** [PJS 2006]
14. **What protection has been afforded to members of the armed forces from arrest?** [PJS 2010]
15. **What are the guidelines laid down by the Supreme Court for the police while arresting a judicial officer?** [BJS 2011]
16. **In what cases a police officer may arrest any person without an order from a magistrate and without a warrant?** [HJS 2001]
17. **Write short note on Arrest by private person and procedure on such arrest.** [RJS 2014]
18. **In what circumstances may a police officer arrest a person without an order from magistrate and without a warrant? Can an arrest be made by persons other than a police officer? Explain and illustrate.** [U.P. CJ 2000]
19. **When a Magistrate arrests a person without a warrant, is he required to inform the person arrested, of the grounds for such arrest? If so, under which provision of Criminal Procedure Code? Explain.** [U.P. CJ 2012]

PROCESS TO COMPEL APPEARANCE

1. **What are the processes to compel the appearance of a witness in a court?** [RJS 1988]
2. **State to whom a warrant of arrest may be directed. Whether such a warrant may be directed to a person? Explain the circumstances and the law in this regard.** [BJS 2014]
3. **What is the procedure to be followed in executing a warrant beyond the jurisdiction of Court which issued it?** [U.P. CJ 2015]
4. **How summons is served on government servant?** [U.P. CJ 2012]
5. **Write a short note on coercive steps to be adopted by courts to procedure attendance of an accused.** [DJS 2008]
6. **When the warrant against an accused is not executed, what is the next step for compelling his appearance before the Court?** [U.P. CJ 2015]





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7. Enumerate the coercive steps a Metropolitan Magistrate can take to ensure the presence of a witness or accused during the criminal trial. How should he proceed if despite coercive steps, accused does not appear to face the trial. [DJS 2007]
8. When can warrant be issued by a court in lieu of summons? [U.P. CJ 1992, 2003]
9. Discuss the provisions of the Criminal Procedure Code relating to attachment of property of a proclaimed offender. [BJS 2006]

PROCESS TO COMPEL PRODUCTION OF THINGS

1. Can a police officer during investigation seize any property without the permission from the court? Describe the procedure to be followed by the officer after seizure of such property. [U.P. CJ 2016]
2. Which property may be seized by a police officer, without the court's order? Describe the procedure to be followed by such officer, after such seizure. [U.P. CJ 2013]
3. Under what circumstances may a search warrant be issued by a Court? [BJS 1977]
4. When search warrant can be issued? [RJS 1991, 2011]
5. Write a short note on search warrant and production warrant. [DJS 2008]
6. What are the grounds on the basis of which a search warrant may be issued? [RJS 1999]
7. Whether an accused person be directed to produce a document? If so, under what provision of law? [RJS 1986]
8. Write short note on power of the police to attach immovable property under Section 102 of the Cr PC? [DJS 2019]
9. Briefly discuss, can an accused invoke section 91, Cr. P.C. to bring on record some documents before arguments on charge? [DJS 2000]

MAINTENANCE OF WIVES, CHILDREN AND PARENTS

1. Write short notes on right to maintenance under Section 125 Cr. P.C. [HJS 2019]
2. What are the provisions of the Criminal Procedure Code regarding maintenance of a wife? [BJS 2006]
3. Under what circumstances has a wife got a right to get maintenance from the husband? Can this right be exercised by parents or illegitimate children also? [HJS 2003]





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4. Explain the circumstances in which a wife is entitled to claim maintenance from her husband under the Code of Criminal Procedure. [HJS 2006]
5. Write notes on maintenance of parents. [BJS 1978]
6. Whether a Muslim woman is entitled to maintenance in terms of Section 125, CrPC. Discuss with case law. [PJS 2003]
7. Discuss the rules relating to maintenance of wife, children and parents under Section 125, Cr. P.C. Under what circumstances can a husband seek alteration in an order of maintenance made in favour of a divorced wife. [BJS 1986, GJS 2020]
8. When is a husband ordered to pay maintenance allowance to his wife? What order may a Magistrate pass when the husband fails to comply with the order? [BJS 1979]
9. What are the provisions contained in the Criminal Procedure Code regarding maintenance of a wife? When and under what circumstances the amount of maintenance fixed by a Court be modified? [BJS 2000]
10. When can the Magistrate cancel the order of maintenance to wife? [BJS 2011]
11. Can a daughter be asked to maintain her father? If so, under what circumstances. [HJS 2006]
12. What is the object of Section 125 in Cr. P.C.? Can the following claim for maintenance under Section 125, C1. P.C. and when:
(i) A Muslim wife from her husband
(ii) Mother and Father from a married daughter. [HJS 2009]
13. Write short notes on ex parte maintenance order. [M.P.CJ 2010]
14. Write short note on interim maintenance. [M.P.CJ 2009]
15. Write short notes on right of the married minor daughter to claim maintenance from the father. [DJS 2014]
16. Who are entitled to maintenance? [RJS 1991]
17. How and when a Magistrate can set aside an ex parte order passed while exercising powers under Section 126 of the Code of Criminal Procedure? [RJS 2014]
18. Under what circumstances can a wife claim maintenance from her husband? Is a married woman entitled to claim maintenance from her father? [U.P. CJ 2012]





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19. Describe the law and procedure for maintenance of wife, children and parents in Cr. P.C. [U.P. CJ 1988]
20. Discuss the provisions related to maintenance of wife, children and parents under the Code of Criminal Procedure. [U.P. CJ 2015]
21. A Muslim husband W contracts a second marriage. His first wife Z claims separate residence and maintenance under the Criminal Procedure Code. W pleads defence of his personal law which permits him to take more than one wife. Decide. [U.P. CJ 2016]

INFORMATION TO POLICE AND THEIR POWERS TO INVESTIGATE

1. Write note on First Information Report. [HJS 1984, 1986]
2. State the importance of F.I.R. [RJS 1977, HJS 2003]
3. What is the First Information Report? What is its object and importance at the trial? Distinguish it from the statement of a witness in the course of investigation. [BJS 2006]
4. What are the ingredients of an F.I.R. Is it necessary that F.I.R. should contain all details of manner of occurrence? [HJS 2006]
5. Write brief note on Case Diaries. [HJS 2007]
6. What is the effect of delay in filing F.I.R.? [HJS 2006]
7. What are the various provisions laid down in the Code of Criminal Procedure, 1973 with regard to the registration of First Information Report (FIR) and the powers of the police to investigate on that basis? [HJS 2007]
8. Are the provisions of Section 154(1) of Cr. PC mandatory? Give reasons for your answer and cite the relevant case law. [HJS 2015]
9. What is a First Information Report? What is its value? [RJS 1984]
10. What do you understand by Investigation? [RJS 1989]
11. Define First Information Report. [HJS 1986, RJS 1991]
12. What is First Information Report? Discuss its evidentiary value and give one example on the basis of case law, in which the delay in lodging the FIR has been treated as insignificant. [M.P. CJ 2011]
13. Write short notes on Investigation. [M.P. CJ 2014]





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14. What is First Information Report? Discuss its evidentiary value? What is the difference between FIR and the complaint? [U.P. CJ 2000, M.P. CJ 2019]
15. How is the power of a Magistrate to order a police investigation under Section 156(3) of the Code of Criminal Procedure, 1973 different from the power to direct investigation conferred by Section 202 (1) of the Code of Criminal Procedure, 1973? [HJS 2019]
16. The FIR under Section 154 Cr. P.C. is not to be encyclopaedia. Explain with help of case law. [HPJS 2018]
17. Where A sees a person preparing for a crime and does not inform the authorities, is he liable for any offence under the IPC. Elaborate with the help of decided cases. [HPJS 2018]
18. Discuss the evidentiary value of a statement recorded by the police under Section 161 of the Code of Criminal Procedure, 1973. [GJS 2017]
19. Discuss whether a criminal court can compel an accused to admit and deny documents even when the accused prefers to maintain silence and states that he would neither admit nor deny the documents. [DJS 2018]
20. Whether registration of FIR is mandatory under the provisions of the Criminal Procedure Code, 1973? If yes, justify your answer by analyzing the provisions. [BJS 2017]
21. Can the police force any person to make a statement regarding the crime under investigation? Is the maker of the statement bound to sign the statement recorded by the police? [PJS 2001]
22. Write brief note on the manner in which statement under Section 161 of CrPC can be used at a criminal trial by the prosecution, the defence and the court. [HJS 2007]
23. Who can record the confession of an accused under Section 164, Cr. P.C.? [RJS 1984]
24. Can a statement under section 161 Cr. P.C. be confronted to the witness, when he deposes before the court, if other statement is signed by him? [DJS 2000]
25. Write a short note on Statements recorded under Section 161 and 164 Cr. P.C. [DJS 2008]
26. Are statements made to a police officer during the course of investigation admissible in evidence? If so, for what purposes? [U.P. CJ 1984]
27. Discuss the procedure of investigation by Police in cases of suicide or suspected death of victims. [U.P. CJ 2006]

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28. Discuss briefly the distinction between the procedure of investigation by a police officer in cognizable and non cognizable offences. [U.P. CJ 2013]
29. An incident of murder happens under the jurisdiction of a police thana. The police thana in-charge starts investigation. Can Magistrate order to stop investigation? If yes, when can he do so? Give reasons. [U.P. CJ 2006]
30. An incident of murder happens within the jurisdiction of a police station. The police station in-charge starts investigation in the case. The aggrieved party approaches the concerned Judicial Magistrate to complain against irregularities being committed by the police station in-charge during investigation. Can the Magistrate order to stop further investigation in the case? If so, then how? Answer with reasons. [U.P. CJ 2016]
31. An admission by the witness that what is stated in his previous statement recorded under Section 164 of the Code of Criminal Procedure, 1973, is true, would not have the effect of making the entire statement admissible. Explain. [GJS 2016]
32. Write short note on statements under Section 164 of the Code of Criminal Procedure, 1973, their admissibility and value. [GJS 2017]
33. Apart from the investigating officer, can a prosecutrix approach the Magistrate directly for recording her statement under section 164 Cr. P.C. during the course of investigation? [DJS 2000]
34. Write short note on 'can an accused move an application for recording his confessional statement under Section 164 of the CrPC'? [DJS 2019]
35. What precautions should a Magistrate take in recording a confession under Section 164 of the Code? Whether the Court can convict an accused on confession made in the examination under Section 313? [M.P. CJ 2009]
36. State the law of 'remand' prescribed in Section 167 of the Code of Criminal Procedure, 1973. [U.P.CJ1997]
37. Write a detailed note about the procedure given in the Code of Criminal Procedure, 1973 when investigation cannot be completed in 24 hours. [RJS 2015]
38. How to exercise the power of arrest? Explain duty of Judicial Magistrate in exercise of power under Section 167 Cr.P.C [M.P. CJ 2014]
39. Write short note on police officer's report after completing investigation. [PJS 2019]
40. Bail under section 167 (2) of the Code of Criminal Procedure, 1973. [GJS 2020]





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41. Describe the different orders that can be passed by Magistrates under Section 167 of Criminal Procedure Code 1973? [M.P. CJ 2004]
42. Write short note on Protest Petition-procedure to be followed. [DJS 2019]
43. Write a note on the procedure to be followed for recording the confession of an accused under Section 164 of Cr.P.C. [DJS 2005]
44. Distinguish between 'Police custody' and 'Judicial custody'. [PJS 2019]
45. Write short note on Inquest Report. [PJS 2019]
46. What are the options before the Magistrate when a final report is filed? During the course of trial, the evidence revealed that the investigation officer was not truthful with the investigation and the real offender was not brought before the court. The Magistrate suo motu ordered further investigation. State the legality of the action by the Magistrate. [HJS 2019]
47. Write short note on object and evidentiary value of inquest report. [DJS 2019]
48. Write short note on diary of Investigation proceedings and its importance in evidence. [PJS 2019]
49. Object and evidentiary value of inquest report. [DJS 2018]
50. Relevance and effect of absence of name of the accused in the First Information Report. [DJS 2018]
51. Importance, relevance and evidentiary value of police diaries in criminal trial. [DJS 2018]
52. Before ordering further investigation under Section 173(8) of the Code of Criminal Procedure, 1973 the court is under an obligation to hear the accused. Explain. [GJS 2017]
53. Write short note on police to inquire and report on suicide. [RJS 2014]
54. Locus standi in a Protest Petition: Can it be entertained after acceptance of the closure report? [DJS 2010]

JURISDICTION OF THE CRIMINAL COURTS IN INQUIRIES AND TRIALS

1. Describe briefly the rules governing territorial jurisdiction of criminal courts in inquiries and trials. [M.P. CJ 2006]
2. Whether a finding or sentence of a criminal court can be set aside merely on the ground that such court did not have territorial jurisdiction for inquiry or trial? [M.P. CJ 2006]

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3. **A abets B at Prayagraj to commit murder of C at Mumbai. B committed murder of C at Mumbai. What will be the venue of trial? Decide.** [U.P. CJ 2018]
4. **Where a boy is kidnapped from Prayagraj and first taken to Mumbai and then to Guwahati. What will be the venue of trial? Decide.** [U.P. CJ 2018]
5. **Where the offence has been committed in the nature of cheating through letters between two persons situated at Meerut and Agra. What will be the venue of trial? Decide.** [U.P. CJ 2018]
6. **Where the offence has been committed in train during journey between Kolkata and Prayagraj. What will be the venue of trial? Decide.** [U.P. CJ 2018]
7. **State with reasons which of the courts shall have jurisdiction to try the cases arising out of the following facts:**
 - (a) **A is kidnapped from Lucknow and is recovered from a house in Kanpur.**
 - (b) **Injuries were caused to X at Lakhimpur. He dies of those injuries at Kanpur where he was brought for treatment.**
 - (c) **A dacoity was committed in town Patna, the dacoits were arrested at Dhanbad, the looted property was recovered from a goldsmith at Gaya.** [HJS 1986]
8. **Where an offence is continuing one and continues to be committed in more local areas than one. Determine the place of trial.** [HJS 2010]

CONDITIONS REQUISITE FOR INITIATION OF PROCEEDINGS

1. **What is meant by taking cognizance of an offence by Magistrate? Under what circumstances can a Magistrate taken cognizance of an offence?** [U.P. CJ 2012]
2. **What are the conditions when a Magistrate may take cognizance of any offence? State also the cases where no court shall take cognizance unless some conditions are fulfilled.** [JJS 2014]
3. **On what basis can a Magistrate take cognizance of an offence?** [RJS 1984]
4. **What is meant by the words 'taking cognizance of an offence by Magistrate' within the meaning of Section 190(1a) Cr. P.C.? Can a Magistrate after so taking cognizance, send the case to the police with a direction to file the challan? Give reasons.** [DJS 1984]
5. **Can a court of Additional Sessions Judge take direct cognizance of an offence? If so, under what provision of law?** [HJS 1996]
6. **What is the object of Section 197 of the Code? Which is the appropriate stage to consider the plea under Section 197? Also state the conditions for its operation.** [M.P. CJ 2010]





7. Briefly discuss, Do you require sanction under Section 197 Cr. P.C. for an offence under Section 406/409 or 379 IPC, if committed by an investigating police officer? Each question is based on a recent decision of Apex Court or High Court, cite the authority also. [DJS 2000]
8. Discuss the prosecution process of offences against marriage as provided under Criminal Procedure Code, 1973. [U.P.CJ 2006]
9. Is the Magistrate bound to take cognizance of an offence on the basis of the final report filed by the police under section 173(2) of Cr. P.C.? Is there any restriction for taking such cognizance? Discuss with case law. [U.P. CJ 2015]
10. Discuss the process of offences against marriage as provided under the Criminal Procedure Code, prosecution 1973. [U.P.CJ 2016]

COMPLAINTS TO MAGISTRATE

1. What procedure is followed by a magistrate on receiving a complaint under Code of Criminal Procedure? [M.P. CJ 2017]
2. Discuss briefly the procedure to be followed by a Magistrate in complaint cases under Cr.P.C. [HPJS 2016]
3. Outline the cardinal provisions of Code of Criminal Procedure at the time of commencement of proceedings before magistrates that uphold the virtue of fair trial. [HJS 2011]
4. What is a complaint Name an offence which can be tried on a complaint only. [RJS 1991]
5. Discuss the ambit of the inquiry under Section 202 of the Code of Criminal Procedure, 1973. [RJS 2014]
6. 'A' presents a complaint in a Court of Judicial Magistrate. What options are available to the Magistrate to deal with the complaint? Explain the procedure to be adopted, particularly when the offence is exclusively triable by Court of Sessions. [M.P. CJ 2012]
7. What is the procedure for taking cognizance by a Magistrate of an offence on complaint? Explain. [M.P. CJ 2001]
8. A police investigation officer, while investigating cognizable offence concluded that only a non-cognizable offence was committed and accordingly submits his report before the Magistrate after completion of investigation. What course shall the Magistrate adopt? [U.P. CJ 2015]
9. Describe briefly the procedure of trial by a Magistrate in complaint cases. [U.P. CJ 2013]





THE CHARGE

1. What is a charge? Form of charges and scope and objective behind joinder of charges. [HPJS 2018]
2. What is a Charge? State the particulars of the Charge. Can charge be altered? If so, when? What is the effect of defective charge? [PJS 2019]
3. Define charge. Can a court alter charge? If so, under what circumstances and upto what stage? [M.P. CJ 2018]
4. What is a charge? What are its essential ingredients? [BJS 1977]
5. What is 'charge? What are essential particulars of a charge? Discuss the effect of error in a charge. [BJS 1986]
6. Describe the contents of a charge. [HJS 1999]
7. What are the contents of charge? Can the court alter or add to the charge? When can different persons may be charged and tried jointly in the same trial? [HPJS 2016]
8. What should be described in a 'charge? [U.P. CJ 1988]
9. Define 'charge' and enumerate the contents of charge. [U.P. CJ 1992]
10. Define charge, "For each offence there must be a separate charge." Discuss this statement. [U.P. CJ 2000]
11. Write short note on alteration of charge under the Code of Criminal Procedure, 1973. [GJS 2017]
12. What is the effect of errors in charge? [HJS 2000]
13. Is it mandatory for court to direct a new trial or adjourn the trial for some period in case of alteration of charge. [HJS 2006]
14. Under what circumstances a charge can be altered. [DJS 2007]
15. What is the effect of altering charge on the trial. [DJS 2007]
16. What powers has the criminal court to alter or add to a charge against an accused person? Whether after the commencement of trial if charge is altered or added, witnesses can be recalled? If yes give reasons, if no give reasons. [M.P. CJ 2003]





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17. Is a defective charge necessarily fatal to conviction? [U.P. CJ 2003]
18. Can a court alter charge? If so, how and up to what stage? [U.P. CJ 2003]
19. 'A' is charged under Section 242 of the Indian Penal Code, 1860 with "having been in possession of counterfeit coins, having known at the time when he became possessed thereof that such coins were counterfeit." The word "fraudulently" being omitted in the charge. When can this omission be deemed to a material error? [U.P. CJ 2006]
20. Write notes on 'charge' and 'joinder of Charges'. [HJS 1984]
21. What are the contents of charge? What particulars as to time, place and person should be given in the charge? Can the Court alter a charge once framed? [RJS 2011, 2015]
22. Can mere be a joinder of charge in a trial under following circumstances: 'A' attempts to rescue 'B' from the custody of police and while making such attempts causes grievous hurt to a constable 'C' and simple hurt constable 'D'. [PJS 2010]
23. 'A' is accused of obstructing 'B', a public servant, in the discharge of his public functions as a given time and place. Whether the charge should set out the manner in which 'A' obstructed 'B' in the discharge of his functions? Give answer with reason. [U.P. CJ 2012]
24. Discuss 'joinder of charges' under the Code of Criminal Procedure. [HJS 2006]
25. Can a person be convicted of an offence not specified in the charge? [HJS 2006]
26. "Is a defective charge necessarily fatal to conviction?" Discuss. [JJS 2014]
27. 'A' committed theft at the house of 'B' on 28 August, 2015 and committed second theft on the same date at the house of 'C' and again committed theft at the house of 'D' on 30 August, 2015. Can he be prosecuted for all three offences in one trial? Discuss with reasons. [U.P. CJ 2015]

TRIAL BEFORE A COURT OF SESSION

1. Explain the procedure of trial before a Court of Session under the Cr. P.C. [HPJS 2018]
2. Discuss in brief the provisions of the Cr. P.C. relating to session's trial. [HJS 2003]
3. Discuss the rules relating to trial before a Court of Sessions. [BJS 1986]
4. Describe the procedure to be followed in sessions trial. [BJS 1987, M.P. CJ 1998]
5. Briefly discuss, whether a detailed speaking order is required to be passed before framing charges by Court of Sessions? [DJS 2000]





6. Explain the procedure of Session Trial step-by-step by citing and analyzing the relevant provisions of the Criminal Procedure Code, 1973. [BJS 2017]
7. Whether the trial court can permit the accused to produce any document at the stage of framing of charge? Whether the accused can seek the aid of section 91 of Cr. P.C. for the production of any document at the stage of framing of the charge? [PJS 2007]
8. Discuss the modes of recording evidence in a Sessions Trial. How does Summon Trial differ from Warrant Trial? Explain. [U.P. CJ 2018]
9. Explain Plea Bargaining as provided in Cr. P.C. and its relevancy in the modern time. [HPJS 2018]

TRIAL OF WARRANT CASES BY THE MAGISTRATE

1. When an accused can be discharged by a Magistrate? [RJS 2015]
2. What are the ways and means for the speedy disposal of Warrant Cases. [RJS 1986]
3. Referring to statutory provisions, discuss the validity of following:
For complaint against the accused without reasonable cause, the Magistrate orders payment of compensation in favour of the accused. For default in payment of compensation, passes on order of sentence for 60 days imprisonment. [PJS 2012]
4. Charge in police case and charge in complaint case. [DJS 2019]
5. Describe briefly the procedure to be adopted by a Magistrate in complaint cases. [U.P. CJ 2016]
6. In the trial of warrant case proceedings have been instituted upon complaint. On the date fixed for the hearing, the complainant remains absent. What order can be passed by the Magistrate? [U.P. CJ 1985]

TTRIAL OF SUMMONS CASES BY MAGISTRATE

1. Who can withdraw the complaint and what is its effect? [U.P.CJ 1985]
2. When and how an accused who is not present before the Magistrate can be convicted in petty cases on plea of guilty? [RJS 2015]
3. Section 259 of the Code of Criminal Procedure, 1973, empowers a Magistrate to try a summons case as a warrant case if the summons case relates to an offence punishable with imprisonment for a term exceeding six months and the Magistrate is of the opinion that such trial will be in the interest of justice. [GJS 2017]
4. Referring to statutory provisions, discuss the validity of the following:
If accused desires to plead guilty, Magistrate issue a special summon specifying rupees one hundred and fifty as fine. [U.P.CJ.1999]





SUMMARY TRIAL

1. What do you understand by "summary trial"? What offences may be tried summarily and by whom? [U.P. CJ 2000]
2. Explain the nature and procedure of summary trial. 'A' commits theft by stealing property of 'B' worth Rs. 500. Can this offence be tried summarily? [U.P. CJ 2015]
3. What are the objects of summary trials? What offences may be summarily tried and by whom? Give a brief account of general provisions of summary trial as contained in the Criminal Procedure Code. [U.P. CJ 1982]
4. Point out the difference between procedure to be followed in trial of summary cases and warrant cases. [M.P. CJ 2009]
5. In a summary trial the accused does not plead guilty. What is required to be stated in the judgement by the Magistrate? [RJS 2011]
6. Describe the procedure to be followed in summary trial and sessions trial. [BJS 2006]
7. Referring to statutory provisions, discuss the validity of following:
A Magistrate in a summary trial proceeding on conviction passes sentence order for 4 months imprisonment. [PJS 2012]

PLEA BARGAINING

1. Plea bargaining was introduced in the criminal justice administration to facilitate speedy resolution of criminal cases and to ease the burden of courts. What measures are prescribed to ensure that the process is voluntary and is not misused given the fact that it was held unconstitutional for a long time? [HPJS 2019]
2. What do you understand by "Plea Bargaining"? State the procedure for initiating "Plea Bargain" in Courts. [HJS 2009]
3. Write short notes on Plea-bargaining. [DJS 2011, 2014, M.P. CJ 2009]
4. Discuss the provisions relating to application for plea bargaining and guidelines for mutually satisfactory disposition under the Code of Criminal Procedure, 1973. [RJS 2016]
5. What is plea bargaining. In what cases plea bargaining is not available. [DJS 2007, JJS 2019]
6. What is 'Plea Bargaining? Covering all related issues, state in brief. [M.P. CJ 2007]
7. What is "Plea-Bargaining"? Discuss its scope and application. [M.P. CJ 2015]





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8. What is plea bargaining? Briefly describe its procedure. Whether these provisions apply in respect of all types of offences? Can victim of crime make any objection against this bargaining? Explain. [U.P. CJ 2013, 2016]
9. Whether an appeal can lie against a judgement passed under the provisions of Section 265F Chapter XXI-A of Criminal Procedure Code? [M.P. CJ 2007]
10. What should a Magistrate do in a case, in which "Plea Bargain" has been initiated,
(i) but no satisfactory disposition is made out,
(ii) a satisfactory disposition is made out

GENERAL PROVISION AS TO INQUIRES AND TRIALS

1. "Person once convicted or acquitted, cannot be tried again on the same facts for the same offence". Elucidate. [HJS 2009]
2. 'B' is tried for causing grievous hurt to 'A' and convicted. While 'B' was undergoing his sentence in jail. 'A' dies on account of the aforesaid grievous hurt.
Whether the aforesaid case may be re-opened or 'B' may be tried again on a second case for causing culpable homicide? Reply with the help of provisions and leading cases. [U.P. CJ 2013]
3. A is tried for causing hurt and convicted. The injured afterwards dies. Can A be tried again for culpable homicide? [PJS 2003]
4. Persons once convicted or acquitted cannot be tried again for same offence. [HJS 1984]
5. Section 300 of the Criminal Procedure Code provides that a person once convicted or acquitted is not to be tried again for the same offence. What shall be the correct position in the following cases?
(i) 'A' is tried for causing grievous hurt and convicted. The person injured, afterwards dies.
(ii) A is tried for culpable homicide of 'B', by the Sessions Court and is convicted. Can 'A' be tried again on the same facts for the murder of 'B'? [U.P. CJ 2006]
6. An accused before a Court of Sessions has no means to engage a pleader. What must the Sessions Judge do in such a case? [RJS1984]
7. Discuss the powers to summon/recall a witness under Section 311 of The Code of Criminal Procedure, 1973 with the case laws. [GJS 2017]
8. What is the purpose of examination of an accused under Section 313 of the code of Criminal Procedure? [DJS2018]
9. What is the effect of not putting an incriminating evidence in such examination? What are the remedies before an Appellate Court? [DJS 2018]





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10. Powers of the court to examine accused in every enquiry or trial. [HJS 1984]
11. Can a Judicial Magistrate examine an accused under Section 313 Cr. P.C., 1973 immediately after recording the statement of an eye-witness? [RJS 1986]
12. What is examination of accused? At what stage and for what purpose it is done? Under what circumstance and to what extent a conviction can be based on admission made during such examination. [M.P. CJ 2011]
13. Section 320 of the Code of Criminal Procedure, 1973 deals with withdrawal of prosecution. [GJS 2020]
14. What is the procedure of recording evidence in absence of accused? Whether the evidence adduced in trial of coaccused can be used against the absconding accused of same case? [M.P. CJ 2018]
15. Whether a Magistrate can ask any accused to give specimen signature or handwriting? Discuss with exception, if any. [U.P. CJ 2018]
16. Write notes on compounding of offences. [BJS 1978]
17. Write notes on withdrawal from prosecution. [BJS 1978]
18. Does an accused person render himself liable to punishment by refusing to answer questions under Section 313 of the Code of Criminal Procedure or by giving false answers to such questions and whether oath is to be administered to him while he is under examination under this section? [DJJS 2001]
19. Who is an 'approver'? [RJS 1984, 1994]
20. An accused is, by reason of his previous conviction, liable to enhanced punishment. Can his offence be compounded? [RJS 2011]
21. After recording of evidence of both the parties, defendant applies for additional evidence on the ground that one material witness, who was out of country had since returned to India. Decide. [DJS 2005]
22. Write short notes on the presiding Judge of a criminal trial should not be a spectator and a mere recording machine. [DJS 2006]
23. Describe the procedure when a magistrate cannot pass a sentence sufficiently severe. [M.P. CJ 1998]
24. Write short note on tender of pardon. [M.P. CJ 2014]





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25. Explain and distinguish between compoundable and non-compoundable offences. [BJS 1991]
26. Discuss the provisions relating to compounding of offences. [M.P. CJ 2013]
27. A commits an offence of publishing defamatory matter against B and is tried under Section 501 of the Indian Penal Code, 1860. B dies during the trial. A wants to compound the offence. Advise. [U.P. CJ 1997]

APPEALS, REFERENCE & REVISION

1. The right to Appeal is a Statutory Right. Explain with the help of case law. [HPJS 2018]
2. Explain Appeal against acquittal. [JJS 2017]
3. "No appeal would lie unless provided by law". Discuss the statement and refer to relevant provisions of the Code of Criminal Procedure, 1973. [JJS 2014]
4. A pleads guilty and is convicted by the High Court. Will an appeal lie? [HJS 1996]
5. When can the State Government file an appeal against a sentence? [M.P.CJ 2003]
6. Explain the powers of appellate Court in criminal matters. [M.P.CJ 2006]
7. A first class Judicial Magistrate convicts an accused and fines ten rupees only. Accused wants to go in appeal. Advise. [U.P. CJ 1991]
8. A is tried by a Court of Session and he is convicted. The Court Passes a sentence of imprisonment for 2 months and Rs. 200 as fine. A wants to file an appeal in the High Court against his conviction. Advise. [U.P. CJ 1997]
9. Whether a criminal appeal can be dismissed without considering merits on the ground of absence of appellant? [M.P. CJ 2006]
10. How a 'victim' as defined in the Code of Criminal Procedure has a right of appeal in view of the proviso to Section 372 of the Code against an order of acquittal in a case where the alleged offence took place prior to 31.12.2009 but the order of acquittal was passed by the trial Court after 31.12.2009? If yes, whether the 'victim' must apply for leave to appeal against the order of acquittal? [HJS 2019]
11. Distinguish between reference and revision. [HJS 1988]
12. In case of sentence of death, who can submit the proceedings of High Court? What are the powers of High Court on reference? [M.P. CJ 2001]





BAIL AND BONDS

1. When may be a bail taken in case of a non bailable offence? [BJS 1978]
2. Narrate in brief the principles regarding grant of bail in criminal cases. Can a bail be claimed as a matter of right?
Under what circumstances a bail can be cancelled? Illustrate your answer. [PJS 2012]
3. Referring to statutory provisions, discuss the validity of following:
A person arrested of accusation of 'bailable offence' is not released on bail by the police officer through the person is ready to furnish bail. [PJS 2012]
4. Discuss the circumstances in which the bail granted in the case of a bailable offence can be cancelled. By which Court can the bail in such a case be cancelled? [PJS 2006]
5. When can bail be granted? What are the remedies available to a person to whom bail is refused by the Court? [BJS 2000]
6. Discuss in detail the provisions relating to anticipatory bail provided in the Code of Criminal Procedure, 1973. [BJS 1991]
7. In similar cases one court grants the bail while another court refuses the bail. Why it is so? What are the principles governing the grant of bail in bailable and non-bailable offence? Support your answer by some decision. [HJS 1996]
8. "Bail can only be a matter of discretion if the offence is non-bailable and the scope of discretion depends various considerations." Discuss. [BJS 2011]
9. Discuss the guiding principles for the grant of bail in bailable and non-bailable offence. [HJS 1998]
10. Can a bail granted under Section 167(2) of Cr. P.C. be cancelled by the Magistrate suo motu on presentation of challan report under Section 173, Cr. P.C. against the accused? [HJS 2010]
11. Please give in details the procedure prescribed for the forfeiture of bail bonds and surely bonds.
12. If a person required by a court to execute a bond is a minor then how the court shall deal with the matter of the execution of bond by such a person? [RJS 1971]
13. Can there be bail before arrest? If so, state the circumstances and conditions in which such bail can be granted and by whom? Explain. [RJS 1977]
14. Can bail be taken in case of non-bailable offence? [RJS 1980-81]





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15. When bail can be taken in non-bailable offences? [RJS 1991]
16. An accused is arrested in a bailable offence and he is released on bail. During trial, he absconds and non-bailable warrants are issued against him. The police arrest him and produce him before the court.
The defence counsel pleads for his release on bail under Section 436(1) Cr. P.C. which provides that a person accused of a bailable offence shall be released on bail.
Can the court, in such circumstances, refuse to release him on bail? Give brief reasons. [DJS 1982, U.P. CJ 2018]
17. When can granted in case of non-bailable offence? Can bail be granted subject to conditions? [U.P. CJ 2000]
18. Can a person who has filed a bond be arrested? If so, under what circumstances? [U.P. CJ 2003]
19. Whether it is compulsory to release an accused on bail in bailable offences? When bail may be taken in case of non bailable offences? What conditions may be imposed by the court upon such bail? [U.P. CJ 2013]
20. Explain the circumstances in which release on bail is mandatory? [M.P. CJ 2019]
21. Discuss in detail Cancellation of Bail. [GJS 2017]
22. Describe the Anticipatory Bail. [JJS 2019]
23. Write short note on Anticipatory Bail. [RJS 1991, M.P.CJ2009]
24. Elaborate the powers of Metropolitan Magistrate to grant bail in cases of non-bailable offences. Also state the reason for which the bail already granted in such cases can be cancelled. [DJS 1991]
25. What do you understand by 'Anticipatory Bail'? [M.P.CJ 1996]
26. Which courts are competent to grant anticipatory bail? [M.P.CJ. 1996]
27. Which conditions can be imposed by court while granting anticipatory bail? [M.P.CJ 1996]
28. Anticipatory bail and Regular bail. [DJS 2019]
29. Write note on When bail may be taken in case of non-bailable offence. [BJS 2018]





MISCELLANEOUS

1. In what circumstances and in respect to which offences after conviction in the case, a Session Court or a Judicial Magistrate may order for obtaining security for keeping peace from the convicted person? Discribe. [U.P.CJ 2013, 2016]
2. Discuss briefly the circumstances under which security can be taken by the court for keeping peace and maintain good behaviour from the criminals under the Cr.P.C. [HPJS 2016]
3. Explain the Cr. P.C. provisions regarding conditional order for removal of Public Nuisance. [HPJS 2018]
4. Under what circumstances is a Magistrate empowered to take action in connection with disputes concerning immovable property under Section 145 of the Code of Criminal Procedure, 1973? Explain. [U.P. CJ 2018]
5. Discuss the powers of the District Magistrate under Section 144 of the Code of Criminal Procedure, 1973. [U.P. CJ 2018]
6. Give a brief account of the procedure to be adopted regarding the dispute relating to immovable property. [JJS 2017]
7. Discuss the powers of Magistrate to issue order in urgent cases of nuisance or apprehended danger. Refer to decided cases, if any, on the subject. [HJS 1998]
8. Give a brief account of the procedure to be adopted under Section 145 Code of Criminal Procedure regarding the disputes relating to immovable property. [U.P. CJ 1985, 2012]
9. Who is competent to determine the language of each Court within the State other than the High Court for the purpose of Code of Criminal Procedure, 1973? [RJS 2014]
10. Explain trial in the absence of the accused. [JJS 2017]
11. Critically examine the guidelines for the exercise of the discretion not to punish in Section 360 Criminal Procedure Code, 1973. [HPJS 2019]
12. Write comprehensive notes on victim compensation. [HJS 2019]
13. Explain the circumstances in which evidence may be recorded in the absence of the accused person. What is the value and use of such evidence in the subsequent trial of the accused person. [PJS 2006]





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14. Discuss the provisions to Victim Compensation Scheme prescribed under Section 357A, grant of compensation as per Section 357B and treatment of victims as per provisions of Section 357C of the Code of Criminal Procedure, 1973. [RJS 2014]
15. Principles governing the award of compensation under Section 357 of the Code of Criminal Procedure, 1973. [DJS 2011]
16. Write short note on Right of the victim of crime to compensation. [DJS 2014]
17. Discuss the scope and objective of Section 357A, 357B and 357C of the Cr. P.C. [HPJS 2018]
18. What is the mode of delivery of a Judgement? Can a Court alter a judgement after it has been delivered? [HJS 2000]
19. What are the provisions contained in Criminal Procedure Code regarding death sentence? [BJS 2000]
20. Can a criminal trial be transferred from one state to another? If so by whom? [RJS 1984, 1994]
21. A dispute regarding exercise of criminal jurisdiction arises between two courts of different states. State as to which court shall resolve the said dispute? [RJS 1999]
22. Who can transfer a criminal case from a Criminal Court subordinate to one High Court to a Criminal Court subordinate to another High Court? Who must apply for such transfer? [RJS 2011]
23. Whether the period of detention undergone by an accused is set off against the sentence of imprisonment? If so, to what extent and under what law? [RJS 1986]
24. What is the period of imprisonment which an under trial prisoner is required to under go for being eligible to relief under Section 436A of the Code of Criminal Procedure, 1973? [GJS 2020]
25. Write short notes on remission and suspension of sentence. [DJS 2015]
26. Whether an accused in appeal from acquittal can be arrested and committed to prison pending the disposal of the appeal? Discuss. [U.P. CJ 2018]
27. What irregularities committed by a court do not vitiate trial? Also discuss when it vitiates. [U.P. CJ 2018]
28. Investigation is the backbone of a criminal trial. And you as a judge are confronted with a factual matrix which shows that there has been designedly defective or improper





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- investigation against the cannons of criminal jurisprudence. What would be the scope of your enquiry and your final decision? [PJS 2015]
29. What type of errors in the framing of a charge vitiate the trial? [RJS 1974]
30. Mention those irregularities, which will vitiate proceedings? [RJS 1986]
31. Illegality vitiates trial whereas irregularity does not unless it results in prejudice. Explain. [DJS 1989]
32. What is the period of limitation prescribed under Criminal Procedure Code for
(i) where the offence is punishable with fine only
(ii) where the punishment prescribed exceeds one year but less than three years? Do the provisions relating to limitation in Cr. P.C. apply to economic offences? Are there any exceptions? Discuss. [HPJS 2016]
33. Is the bar of limitation under Section 468 Cr. P.C. to be reckoned with reference to the date of complaint or the date of taking cognizance by the Court? Explain with reasons. [PJS 2003]
34. What is the limitation period for taking cognizance of offences? [RJS 2011]
35. Write note on Inherent powers of High Court. [BJS 2018]
36. Discuss the inherent powers of the subordinate Courts and High Court. [PJS 1995 (II)]
37. Write short notes on Inherent powers under the Code. [M.P. CJ 2009, 2010]

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