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RAJASTHAN JUDICIAL SERVICE

MAJOR
LAWS
[Cr.P.C.]



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2015

36. Which of the following is correct statement of law as per sections 82 and 83 of the Code of Criminal Procedure 1973:

दण्ड प्रक्रिया संहिता, 1973 की धारा 82 व 83 के अनुसार निम्न में से कौनसा विधि का सही वक्तव्य है?

- X (a) The court may order attachment of property belonging to an accused before declaring him a proclaimed person under Section 82.
न्यायालय किसी अभियुक्त को धारा 82 के अन्तर्गत फरार घोषित करने से पूर्व उसकी सम्पत्ति की कुर्की का आदेश दे सकता है
- ✓ (b) The court may order attachment of property of a person after publication of a written proclamation under Section 82 requiring him to appear before it.
न्यायालय किसी व्यक्ति को धारा 82 के अन्तर्गत उसे अपने सम्मुख प्रस्तुत करने हेतु लिखित उद्घोषणा को प्रकाशित होने के पश्चात उसकी सम्पत्ति की कुर्की का आदेश दे सकता है
- (c) The court may order attachment of property of a person regardless of whether or not he has been declared proclaimed offender.
न्यायालय किसी व्यक्ति की सम्पत्ति की कुर्की का आदेश दे सकता है, भले ही उसे फरार अभियुक्त घोषित किया गया हो या नहीं
- (d) None of the above/ उपरोक्त में से कोई नहीं

Summa → W → P → A

87

204

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

List

1 : 3
3 : 1
(460) (461)

Not
vitiates

37. Which of the following irregularities of a Magistrate, not empowered by law to do so, vitiates the proceedings: मजिस्ट्रेट द्वारा की गई निम्नलिखित में से कौनसी अनियमितताएं, जिसके लिए वह विधि द्वारा सशक्त नहीं है, कार्यवाही को दूषित करती है?

- (a) To hold inquiry under Section 176 code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 176 के तहत की गई जांच
- (b) To make over a case under Sub-Section (2) of Section 192 code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 192 की उपधारा (2) के अधीन किसी मामले को हवाले करना
- (c) To take cognizance of an offence under clause (c) of sub-section (1) of Section 190 of the code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 190 की उपधारा (1) के खण्ड (ग) के अधीन किसी अपराध का प्रसंज्ञान करना
- (d) To tender pardon to accomplice under Section 306 of the code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 306 के अधीन सह-अपराधी को क्षमादान करना

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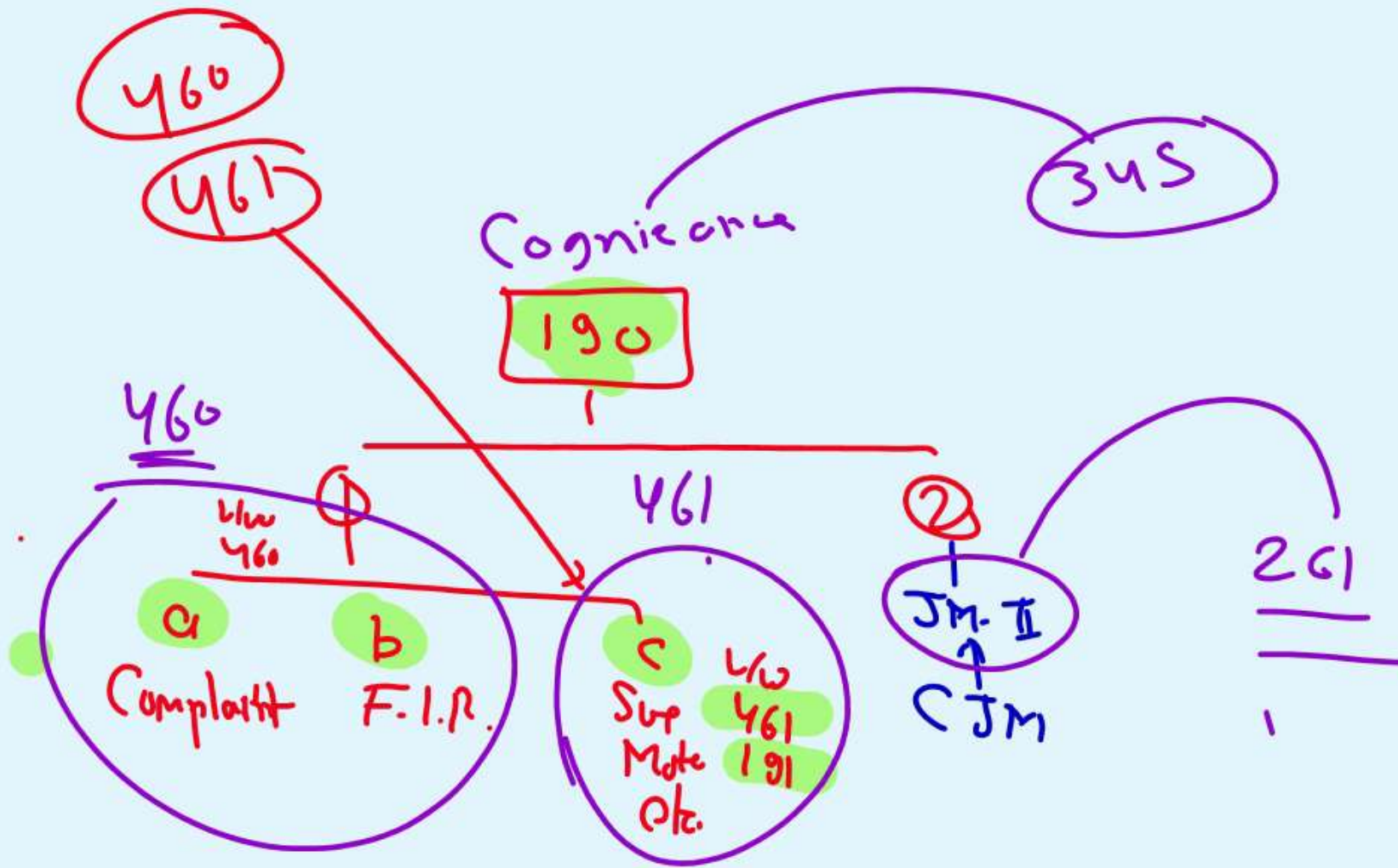
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38. Which of the following irregularities of a Magistrate not empowered by Law to do so, does **not vitiate** the proceedings:
मजिस्ट्रेट द्वारा की गई निम्नलिखित में से कौनसी अनियमितताएं, जिसके लिए वह विधि द्वारा सशक्त नहीं है, कार्यवाही को दूषित नहीं करती है

- (a) calling of record to exercise powers of revision under Section 397 of Code of Criminal Procedure. / दण्ड प्रक्रिया संहिता की धारा 397 के अन्तर्गत पुनरीक्षण की शक्तियों का प्रयोग करने के लिए अभिलेख मंगाना
- ✓ (b) taking cognizance of an offence under clause (a) or clause (b) of sub-section (1) of Section 190 of Code of Criminal Procedure. / दण्ड प्रक्रिया संहिता की धारा 190 की उपधारा (1) के खण्ड (क) या खण्ड (ख) के अधीन किसी अपराध का प्रसंज्ञान लेना
- (c) decision of an appeal. / अपील का निर्णय करना
- (d) revision of an order passed under section 466 of Code of Criminal Procedure. / दण्ड प्रक्रिया संहिता की धारा 466 के अन्तर्गत पारित आदेश का पुनरीक्षण करना

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39. Which of the following offences is cognizable, non-bailable and non compoundable:

निम्न में से कौनसा अपराध संज्ञेय, गैर जमानती और अशमनीय है

C
N-B
N (Comp.)
Sche- I

- (a) voluntarily causing grievous hurt, punishable under Section 325 IPC. / भारतीय दण्ड संहिता की धारा 325 के अन्तर्गत दण्डनीय स्वेच्छया घोर उपहति कारित करना
- (b) attempt to murder punishable under Section 307 IPC. / भारतीय दण्ड संहिता की धारा 307 के अन्तर्गत दण्डनीय हत्या करने का प्रयत्न करना
- (c) voluntarily causing hurt to extort confession, or to compel restoration of property, punishable under Section 330 IPC. / भारतीय दण्ड संहिता की धारा 330 के अन्तर्गत दण्डनीय संस्वीकृति उद्दापित करने या विवश करके सम्पत्ति का प्रत्यावर्तन कराने के लिए स्वेच्छया उपहति कारित करना
- (d) voluntarily causing grievous hurt on provocation punishable under Section 335 IPC. / भारतीय दण्ड संहिता की धारा 335 के अन्तर्गत दण्डनीय प्रकोपन पर स्वेच्छया घोर उपहति कारित करना

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CrPC 320

C.V.

C.V.C.

Other

↓
Not
Compound

✓
✓
} Compoundable

Compoundable : C. 15 $\bar{\pi}\bar{\alpha}$ 298 X

C. 16. LIFE 299-311 : X

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41. Statement of an accused can be recorded on oath:

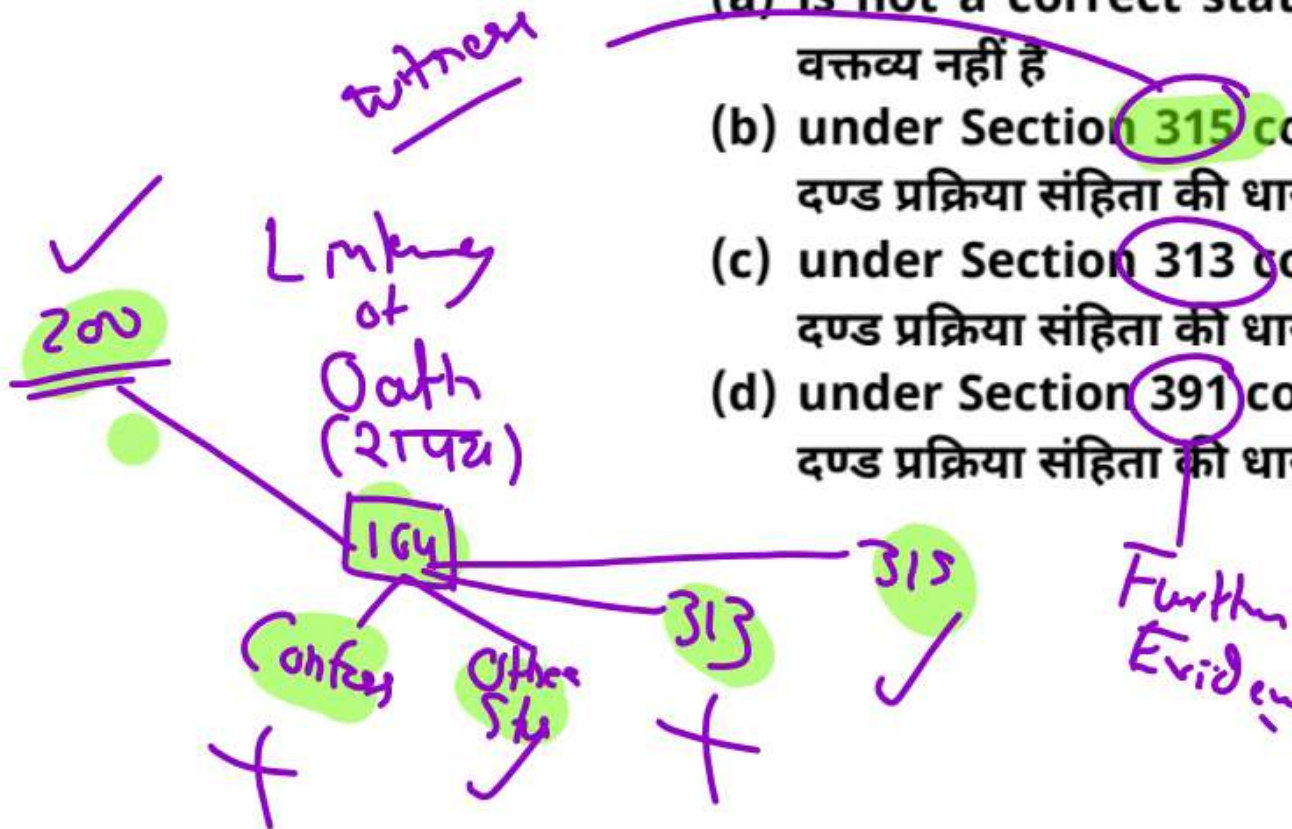
अभियुक्त का बयान शपथ पर लिया जा सकता है

(a) is not a correct statement of law. / विधि का सही वक्तव्य नहीं है

(b) under Section 315 code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 315 के अन्तर्गत

(c) under Section 313 code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 313 के अन्तर्गत

(d) under Section 391 code of criminal procedure. / दण्ड प्रक्रिया संहिता की धारा 391 के अन्तर्गत



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145 147

PO: Report
- Other Info.

ExM

44. Proceedings under section 145 of the code of criminal Procedure are initiated by the Executive Magistrate on the report of which of the following:
दण्ड प्रक्रिया संहिता की धारा 145 के अन्तर्गत कार्यपालक मजिस्ट्रेट द्वारा कार्यवाही निम्न में से किसकी रिपोर्ट पर प्रारम्भ की जाती है?

(a) Judicial Magistrate.

(b) Police officer.

(c) Revenue officer.

(d) Complainant.

C. X
129-148

A 129-132
B 133-143
C 144, 144A
D. LAND & WATER
145-148.

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62. Section 436-A of the Code of Criminal Procedure, 1973, provides for grant of bail to an accused pending trial if:
- दण्ड प्रक्रिया संहिता, 1973 की धारा 136-क एक अभियुक्त जिसके विरुद्ध अन्वीक्षा लम्बित है, की जमानत स्वीकार करने का प्रावधान करती है, यदि
- (a) he has undergone detention for one-fourth period of imprisonment specified for the offence for which he is being tried. / वह अन्वीक्षाधीन अपराध के लिए विनिर्दिष्ट कारावास की एक चौथाई अवधि का निरोध भुगत चुका है
 - (b) he has undergone detention for one-third period of imprisonment specified for the offence for which he is being tried. / वह अन्वीक्षाधीन अपराध के लिए विनिर्दिष्ट कारावास की एक तिहाई अवधि का निरोध भुगत चुका है
 - (c) he has undergone detention for **one-half** period of imprisonment specified for the offence for which he is being tried. / वह अन्वीक्षाधीन अपराध के लिए विनिर्दिष्ट कारावास की आधी अवधि का निरोध भुगत चुका है
 - (d) (a) and (b) above. / उपरोक्त में से (a) व (b)

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C. 15 लिन

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©

X 298

37. 'A', a public servant, having charge of translation of a document, makes an incorrect translation of a document with an intent to cause injury to 'B'. The offence committed by 'A' is:

एक लोकसेवक 'अ', दस्तावेज का अनुवाद करने का भार वहन करते हुए, दस्तावेज का अशुद्ध अनुवाद 'ब' को क्षति कारित करने के आशय से करता है। 'अ' द्वारा किया गया अपराध है:

(a) Non-Cognizable.

(b) Non-Bailable.

(c) Non-Compoundable ✓

(d) All of the above.

161 — 171
~~(161-165)~~
 166 — 171

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41. The Court, after the commencement of prosecution evidence, allows the Assistant Public Prosecutor to **withdraw the prosecution**. The accused shall be:

न्यायालय, अभियोजन साक्ष्य प्रारम्भ होने के पश्चात् सहायक लोक अभियोजक को अभियोजन वापस लेने की अनुमति देता है। अभियुक्त को किया जाएगा:

- (a) Released/रिहा
- (b) Discharged/ उन्मोचित
- (c) Acquitted/ दोषमुक्त
- (d) None of the above/ उपरोक्त में से कोई नहीं

320
321
Acquitted

34 224
257 321

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42. **Statement A:** Bail granted under Section 167(2) of the Code of Criminal Procedure, 1973 has same incidents as bail granted under Chapter XXXIII of the Code.

कथन 'अ' : दण्ड प्रक्रिया संहिता, 1973 की धारा 167(2) के अंतर्गत स्वीकृत जमानत की वही प्रसंगति रहेगी जो इस संहिता के अध्याय 33 के अंतर्गत जमानत स्वीकृत करने पर होती है।

Statement B: Bail granted under Section 167(2) of the Code of Criminal Procedure, 1973 cannot be cancelled under Section 437(5) of the Code.

कथन 'ब' : दण्ड प्रक्रिया संहिता, 1973 की धारा 167(2) के अंतर्गत स्वीकृत जमानत इस संहिता की धारा 437(5) के अंतर्गत निरस्त नहीं की जा सकती है।

- (a) Statement A is correct.
(b) Statement B is correct.
(c) Both the statements are correct.
(d) Both the statements are incorrect.

436
450

167(2) = C. 33

Bail -

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BARE
ACT

43. Any court may take cognizance of an offence after expiry of the period of limitation, if it is satisfied on the facts and circumstances of the case that:

कोई भी न्यायालय किसी अपराध का संज्ञान परिसीमा काल के अवसान के पश्चात् कर सकता है, यदि मामले के तथ्यों या परिस्थितियों से उसका समाधान हो जाता है कि

- (a) An attempt has been made to explain the delay. / विलम्ब को स्पष्ट करने का प्रयास किया गया है।
- (b) It is necessary so to do in the interest of justice. / न्याय हित में ऐसा करना आवश्यक है।
- (c) The State Government has given instructions for taking such cognizance. / राज्य सरकार द्वारा ऐसा प्रसंज्ञान लेने हेतु निर्देश दिये गये है।
- (d) In a and b both the conditions. / a एवं b दोनों ही दशाओं में।

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473.

Extension of period of limitation in certain cases.—Notwithstanding anything contained in the foregoing provisions of this Chapter any Court may take cognizance of an offence after the expiry of the period of limitation, if it is satisfied on the facts and in the circumstances of the case that the delay has been properly explained or that it is necessary so to do in the interests of justice.

कुछ दशाओं में परिसीमा-काल का विस्तारण इस अध्याय के पूर्ववर्ती उपबंधों में अंतर्विष्ट किसी बात के होते हुए भी, कोई भी न्यायालय किसी अपराध का संज्ञान परिसीमा-काल के अवसान के पश्चात् कर सकता है यदि मामले के तथ्यों या परिस्थितियों से उसका समाधान हो जाता है कि विलंब का उचित रूप से स्पष्टीकरण कर दिया गया है या न्याय के हित में ऐसा करना आवश्यक है।

DELAY : Explained

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44. On a declaration of forfeiture of a book by the State Government under Section 95 of Code of Criminal Procedure, the application to set aside lies to the: राज्य सरकार द्वारा, दण्ड प्रक्रिया संहिता की धारा 95 के अंतर्गत, पुस्तक को समपहत करने की घोषणा को अपास्त करने के लिये आवेदन प्रस्तुत होगा:

C. 7
91-105
Produce

- (a) District Magistrate/जिला मजिस्ट्रेट के समक्ष
- (b) Chief Judicial Magistrate/ मुख्य न्यायिक मजिस्ट्रेट के समक्ष
- (c) District & Sessions Judge/ जिला एवं सेशन न्यायाधीश के समक्ष
- (d) High Court/ उच्च न्यायालय के समक्ष

3 जज

SEC. 96

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45. Which of the following is correct:

निम्न में से कौनसा सही है?

(a) A person arrested by police officer without warrant shall be taken before a Magistrate without unnecessary delay. / पुलिस अधिकारी द्वारा, बिना वारन्ट के गिरफ्तार व्यक्ति को, बिना किसी अनावश्यक विलम्ब के मजिस्ट्रेट के समक्ष ले जाया जाएगा।

~~(b) The detention of a person in police custody arrested without warrant, cannot exceed twenty-four hours even by a special order of Magistrate, excluding the time necessary for journey from place of arrest to the Magistrate's court. / मजिस्ट्रेट के विशेष आदेश से भी, गिरफ्तारी के स्थान से मजिस्ट्रेट के न्यायालय तक यात्रा के आवश्यक समय का अपवर्जन करते हुए, बिना वारन्ट गिरफ्तार किये गये व्यक्ति की पुलिस अभिरक्षा चौबीस घण्टे से अधिक नहीं हो सकती है।~~

~~(c) The police officer shall discharge the person arrested of bailable offence without any bond or bail. / पुलिस अधिकारी द्वारा जमानती अपराध में गिरफ्तार व्यक्ति को बिना किसी बन्ध-पत्र या जमानत के उन्मोचित किया जाएगा।~~

~~(d) All of the above. / उपरोक्त सभी~~

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59. Discharge of person apprehended.—No person who has been arrested by a police officer shall be discharged except on his own bond, or on bail, or under the special order of a Magistrate.

पकड़े गए व्यक्ति का उन्मोचन—पुलिस अधिकारी द्वारा गिरफ्तार किए गए किसी व्यक्ति का उन्मोचन उसी के बंधपत्र पर या जमानत पर या मजिस्ट्रेट के विशेष आदेश के अधीन ही किया जाएगा, अन्यथा नहीं।

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Diagrammatic Note

46. The effect of error in stating the required particulars in the charge, shall be regarded material under which of the following circumstances:

निम्न किस परिस्थिति में, आरोप में अपेक्षित विशिष्टियों की गलती का प्रभाव तात्विक माना जाएगा:

- When co-accused dies. / जब सह-अभियुक्त की मृत्यु हो जाए।
- When the accused is misled by the error. / जब अभियुक्त उस गलती से भुलावे में पड़ जाए।
- When a material witness becomes hostile. / जब कोई महत्वपूर्ण साक्षी पक्षद्रोही हो जाए।
- When the accused is declared absconded. / जब अभियुक्त को फरार घोषित किया जाए।

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47. Under Section 428 of Code of Criminal Procedure, which of the following period of detention undergone by the accused shall be set-off against the sentence of imprisonment in a case:

धारा 428 दण्ड प्रक्रिया संहिता के अन्तर्गत, निम्न में से भोगी गई निरोध की किस अवधि को, उस मामले में कारावास के दण्डादेश के विरुद्ध मुजरा किया जाएगा

SOME
CASE

That
CASE

Similar
CASE

- (a) Period of detention undergone in default of payment of fine. / जुर्माने के संदाय में व्यतिक्रम में भोगी गई निरोध अवधि को।
- (b) Period of detention undergone during investigation and trial of that case. / उस मामले के अन्वेषण व विचारण के दौरान भोगी गई निरोध अवधि को।
- (c) Period of detention undergone during investigation and trial of a similar case. / सदृश्य मामले के अन्वेषण व विचारण के दौरान भोगी गई निरोध अवधि को।
- (d) All of the above. / उपरोक्त सभी को

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48. During the course of trial of a murder case, which of the following may be proved:

हत्या मामले के विचारण के दौरान निम्न में से कौनसा साबित किया जा सकेगा:

- (a) Statement of confession of accused made in police custody during investigation. / अभियुक्त द्वारा अन्वेषण के दौरान पुलिस अभिरक्षा में किया गया संस्वीकृति कथन।
- (b) Recovery of the weapon of offence on basis of statement made by accused during investigation of another case. / अन्य मामले के अन्वेषण के दौरान अभियुक्त के कथन के आधार पर अपराध कारित करने में प्रयुक्त हथियार की बरामदगी।
- (c) After recovery of dead body, the statement of accused as to the place where he threw the dead body. / मृत शरीर की बरामदगी के पश्चात् अभियुक्त द्वारा मृत शरीर को फेंके जाने वाले स्थान बाबत कथन।
- (d) None of the above. / उपरोक्त में से कोई नहीं

IEP
S. 26.

S. 27
Statement
Proceed
Discovery

Discovery
Proceed
Stu

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27. How much of information received from accused may be proved. -
Provided that, when any fact is deposed to as discovered in consequence of information received from a person accused of any offence, in the custody of a police-officer, so much of such information, whether it amounts to a confession or not, as relates distinctly to the fact thereby discovered, may be proved.

27. अभियुक्त से प्राप्त जानकारी में से कितनी साबित की जा सकेगी- परन्तु जब किसी तथ्य के बारे में यह अभिसाक्ष्य दिया जाता है कि किसी अपराध के अभियुक्त व्यक्ति से, जो पुलिस आफिसर की अभिरक्षा में हो, प्राप्त ज पता चला है, तब ऐसी जानकारी में से, उतना चाहे वह संस्वीकृति की कोटि में आती हो या नहीं, जितनी एतद्वारा पता चले हुए तथ्य से स्पष्टतया संबंधित है, साबित की जा सकेगी।

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50. The report of a Medical Officer stating the injuries of the victim is:

चिकित्साधिकारी द्वारा पीड़ित की चोटों का वर्णन करती रिपोर्ट

(a) Conclusive in nature. / निश्चयक प्रकृति की है।

✓ (b) Relevant and admissible in evidence/ सुसंगत व साक्ष्य में ग्राह्य है।

(c) Irrelevant/असंगत है।

(d) Substantive piece of evidence/ सारवान् साक्ष्य है।

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2017

Complaint
↓
Acquittal
↓
Complainant

8. A complainant, of a Magistrate triable case instituted upon a complaint, can challenge the judgment of acquittal passed by the competent court, by filing:
- परिवाद पर संस्थित किसी मजिस्ट्रेट द्वारा विचारणीय मामले का परिवादी, सक्षम न्यायालय द्वारा पारित दोषमुक्ति के निर्णय को, चुनौती दे सकता है:
- (a) Revision in the Sessions Court. / सेशन न्यायालय में पुनरीक्षण प्रस्तुत कर
 - (b) Revision in the High Court. / उच्च न्यायालय में पुनरीक्षण प्रस्तुत कर
 - (c) Appeal before a Sessions Court. / सेशन न्यायालय के समक्ष अपील प्रस्तुत कर
 - (d) Application for grant of leave to appeal in the High Court. / अपील की इजाजत दिये जाने हेतु उच्च न्यायालय में आवेदन प्रस्तुत कर

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374

Conviction

378

Acquittal

374(a)

378(4)

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9. A woman aged 30 years and her son aged 14 years, are witnesses to a murder. Their statements under Section 161 Cr.P.C. may be recorded by the Police Officer concerned at:

एक 30 वर्षीय महिला और उसका 14 वर्षीय पुत्र एका हत्या के साक्षी है। सम्बन्धित पुलिस अधिकारी द्वारा उनके कथन अन्तर्गत धारा 161 दण्ड प्रक्रिया संहिता, लेखबद्ध किये जा सकेंगे

- (a) The scene of the occurrence. / घटनास्थल पर
- (b) The Women Police Station. / महिला पुलिस थाना पर
- (c) At the Police Station where FIR is registered. / उस पुलिस थाना पर जहाँ पर प्रथम सूचना रिपोर्ट दर्ज की गई है।
- (d) The place where, such woman and her son reside. / उस स्थान पर जहाँ ऐसी महिला व उसका पुत्र रहते हैं।

160. Police officer's power to require attendance of witnesses.—(1) Any police officer making an investigation under this Chapter may, by order in writing, require the attendance before himself of any person living within the limits of his own or any adjoining station who, from the information given or otherwise, appears to be acquainted with the facts and circumstances of the case; and such person shall attend as so required: Provided that no male person (under the age of fifteen years or above the age of sixty-five years or a woman or a mentally or physically disabled person) shall be required to attend at any place other than the place in which such male person or woman resides.

(2) The State Government may, by rules made in this behalf, provide for the payment by the police officer of the reasonable expenses of every person, attending under sub-section (1) at any place other than his residence.

(3) Any person who fails to attend in accordance with the provisions of this section, shall be liable to a fine of fifty rupees or to imprisonment for a term not exceeding three months or to both, and any person who fails to attend in accordance with the provisions of this section, shall be liable to a fine of fifty rupees or to imprisonment for a term not exceeding three months or to both, and any person who fails to attend in accordance with the provisions of this section, shall be liable to a fine of fifty rupees or to imprisonment for a term not exceeding three months or to both.

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10. In which of the following cases, the Court is required to record evidence before framing of charge:

निम्न मामलों में से कौनसे में, न्यायालय को आरोप विरचित करने से पूर्व साक्ष्य लेखबद्ध करनी आवश्यक है

- (a) Summons trial cases. / समन्स विचारणीय मामले
- (b) Sessions trial cases. / सेशनस विचारणीय मामले
- (c) Warrant cases instituted upon a complaint. / परिवाद पर संस्थित वारण्ट मामले
- (d) Warrant cases instituted upon a Police report. / पुलिस रिपोर्ट पर संस्थित वारण्ट मामले

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CROSS
Exam
X

11. A woman subjected to rape, gives a statement under Section 164 Cr.P.C. implicating the accused for the offence. She commits suicide some time later but before her statement could be recorded at the trial. Such statement recorded under Section 164 Cr.P.C. would be:

एक स्त्री जिसके साथ बलात्संग हुआ है, दण्ड प्रक्रिया संहिता की धारा 164 के अन्तर्गत दिये गये कथनों में अभियुक्त को संलिप्त करती है। कुछ समय पश्चात्, परन्तु विचारण में उसके कथन अभिलिखित किये जाने से पूर्व, वह आत्महत्या कर लेती है। धारा 164 दण्ड प्रक्रिया संहिता के अन्तर्गत लेखबद्ध ऐसे कथन

- (a) Admissible as a substantive piece of evidence. / सारवान साक्ष्य के रूप में ग्राह्य होंगे
- (b) Admissible under Section 32 of the Evidence Act. / धारा 32 साक्ष्य अधिनियम के अन्तर्गत ग्राह्य होंगे
- (c) Admissible under Section 33 of the Evidence Act. / धारा 33 साक्ष्य अधिनियम के अन्तर्गत ग्राह्य होंगे
- (d) Inadmissible in evidence. / साक्ष्य में अग्राह्य होंगे

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13. In a case involving the offence punishable under Section 304 Part II of IPC, the accused, is arrested and the prosecution fails to comply with the requirements of Section 167(2) Cr.P.C. The accused, who is a habitual offender, becomes entitled to **compulsive bail** on:

304
PART II
upl
10y

भारतीय दण्ड संहिता की धारा 304 भाग II के अन्तर्गत दण्डनीय किसी अपराध में एक अभियुक्त को गिरफ्तार किया जाता है और अभियोजन धारा 167(2) दण्ड प्रक्रिया संहिता के उपबन्धों की आवश्यकताओं की पालना करने में विफल रहता है। अभियुक्त, जो कि एक आदतन अपराधी है, अनिवार्य जमानत प्राप्त करने का हकदार हो जाता है:

- (a) 61st day from the date of his arrest./ गिरफ्तारी की दिनांक से 61वें दिवस को
- (b) 91st day from the date of his arrest. / गिरफ्तारी की दिनांक से 91वें दिवस को
- (c) The accused is not entitled to be released on compulsive bail / अभियुक्त अनिवार्य जमानत पर रिहा होने का हकदार नहीं है
- (d) None of the above

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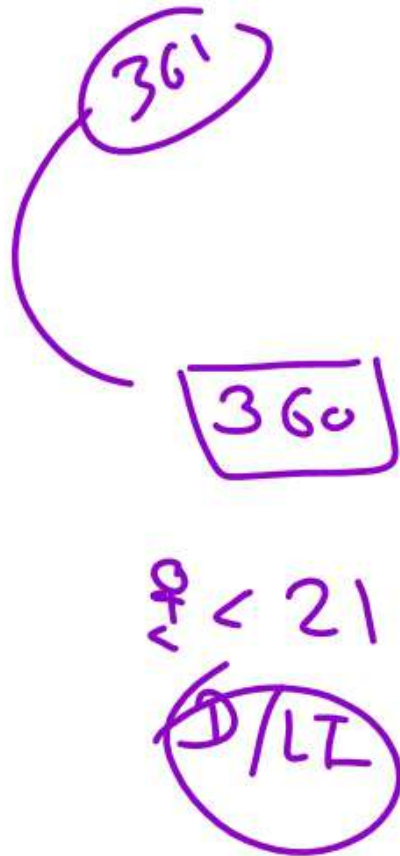
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14. An accused aged 20 years, having no previous criminal conduct, charged for the offence under Section 304 IPC, is convicted by the trial court. In these circumstances:
एक 20 वर्षीय अभियुक्त, जिसका कोई पूर्व का अपराधिक आचरण नहीं है, उसे विचारण न्यायालय द्वारा भारतीय दण्ड संहिता की धारा 304 के आरोप में दोषसिद्ध किया जाता है। इन परिस्थितियों में

- (a) The trial court is under a mandate of law to release the accused on probation. / विचारण न्यायालय अभियुक्त को परीक्षा पर छोड़ने हेतु विधि की आज्ञापकता के अधीन है।
- (b) The trial court may release the accused on probation. / विचारण न्यायालय अभियुक्त को परीक्षा पर छोड़ सकेगा।
- (c) The accused is not entitled to the benefit of probation because the offence is punishable with imprisonment upto 10 years. / अभियुक्त परीक्षा का लाभ प्राप्त करने का हकदार नहीं है क्योंकि अपराध 10 वर्ष तक के कारावास की सजा से दण्डनीय है।
- (d) None of the above

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361. Special reasons to be recorded in certain cases.—Where in any case the Court could have dealt with,—

(a) an accused person under section 360 or under the provisions of the Probation of Offenders Act, 1958 (20 of 1958); or

(b) a youthful offender under the Children Act, 1960 (60 of 1960) or any other law for the time being in force for the treatment, training or rehabilitation of youthful offenders, but has not done so, it shall record in its judgment the special reasons for not having done so.

कुछ मामलों में विशेष कारणों का अभिलिखित किया जाना—जहां किसी मामले में न्यायालय,

(क) किसी अभियुक्त व्यक्ति के संबंध में कार्रवाई धारा 360 के अधीन या अपराधी परिवीक्षा अधिनियम, 1958 (1958 का 20) के उपबंधों के अधीन कर सकता था; या

(ख) किसी किशोर अपराधी के संबंध में कार्रवाई, बालक अधिनियम, 1960 (1960 का 60) के अधीन या किशोर अपराधियों के उपचार, प्रशिक्षण या सुधार से संबंधित तत्समय प्रवृत्त किसी अन्य विधि के अधीन कर सकता था, किन्तु उसने ऐसा नहीं किया है वहां वह ऐसा न करने के विशेष कारण अपने निर्णय में अभिलिखित करेगा।

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17. Police Officer, in all cases where the arrest of a person is not required under section 41(1) of Cr.P.C. against whom, a reasonable complaint has been made that he has committed a cognizable offence, then:

पुलिस अधिकारी, ऐसे सभी मामलों में जिनमें दण्ड प्रक्रिया संहिता की धारा 41(1) के उपबन्धों के अधीन किसी व्यक्ति की गिरफ्तारी अपेक्षित नहीं है, उस व्यक्ति को जिसके विरुद्ध इस बारे में उचित परिवाद किया जा चुका है कि उसने संज्ञेय अपराध किया है, तो

SEC. 41A

- Police Officer may without an order from a Magistrate and without a warrant, arrest such person. / पुलिस अधिकारी मजिस्ट्रेट के आदेश के बिना और वारंट के बिना ऐसे व्यक्ति को गिरफ्तार कर सकता है।
- Police Officer shall issue a notice directing that person to appear before him or at such other place, as may be specified in the notice. / पुलिस अधिकारी ऐसे व्यक्ति को उसके समक्ष या ऐसे अन्य स्थान पर, जो सूचना में विनिर्दिष्ट किया जाए, उपसंजात होने के लिये निदेश देते हुए सूचना जारी करेगा।
- Police Officer while recording his reasons in writing, can arrest such person. / पुलिस अधिकारी अपने कारणों को लेखबद्ध करते हुए ऐसे व्यक्ति को गिरफ्तार कर सकता है।
- Police Officer can do all the above./ पुलिस अधिकारी उपरोक्त सभी कर सकता है।

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

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Armed

177
178

141

47. Under which provision of law, a body incorporate is required to appoint an authorised representative for the purpose of inquiry or trial before a criminal court?

विधि के किस प्रावधान के अन्तर्गत, किसी दण्डिक न्यायालय के समक्ष जांच या विचारण के प्रयोजनार्थ एक अधिकृत प्रतिनिधि नियुक्त करना, एक निगमित निकाय से अपेक्षित है?

- (a) Section 302 of Cr.P.C.
- (b) Section 303 of Cr.P.C.
- (c) Section 305 of Cr.P.C.
- (d) None of the above

61-63

63

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

51. Which provision of Cr.P.C. provides protection against double jeopardy?

दण्ड प्रक्रिया संहिता का कौनसा प्रावधान दोहरे अभियोजन के विरुद्ध संरक्षण प्रदान करता है?

- (a) Section 305
- (b) Section 300
- (c) Section 188
- (d) Section 203

300 vs 188
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53. Under which provision of law, the Sessions Court can make a reference to the High Court regarding the validity of any Act, Ordinance or Regulation, the determination of which is necessary for the disposal of the case?

विधि के किस प्रावधान के अन्तर्गत एक सेशन न्यायालय किसी अधिनियम, अध्यादेश अथवा विनियम की विधिमान्यता के संबंध में उच्च न्यायालय को रेफरेंस कर सकता है, जिसका अवधारण मामले को निपटाने के लिये आवश्यक है?

G. 395(1)
D. 395(2)

(a) Section 396 of Cr.P.C.

(b) Section 368 of Cr.P.C.

~~(c) Section 366 of Cr.P.C.~~ 395(1)

~~(d) Section 395 of Cr.P.C.~~ 395(2)

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CHAPTER XXX

REFERENCE AND REVISION

395. Reference to High Court.—(1) Where any Court is satisfied that a case pending before it involves a question as to the validity of any Act, Ordinance or Regulation or of any provision contained in an Act, Ordinance or Regulation, the determination of which is necessary for the disposal of the case, and is of opinion that such Act, Ordinance, Regulation or provision is invalid or inoperative, but has not been so declared by the High Court to which that Court is Subordinate or by the Supreme Court, the Court shall state a case setting out its opinion and the reasons therefor, and refer the same for the decision of the High Court.

Explanation.—In this section, "Regulation" means any Regulation as defined in the General Clauses Act, 1897 (10 of 1897), or in the General Clauses Act of a State.

(2) A Court of Session or a Metropolitan Magistrate may, if it or he thinks fit in any case pending before it or him to which the provisions of sub-section (1) do not apply, refer for the decision of the High Court any question of law arising in the hearing of such case.

(3) Any Court making a reference to the High Court under sub-section (1) or sub-section (2) may, pending the decision of the High Court thereon, either commit the accused to jail or release him on bail to appear when called upon.

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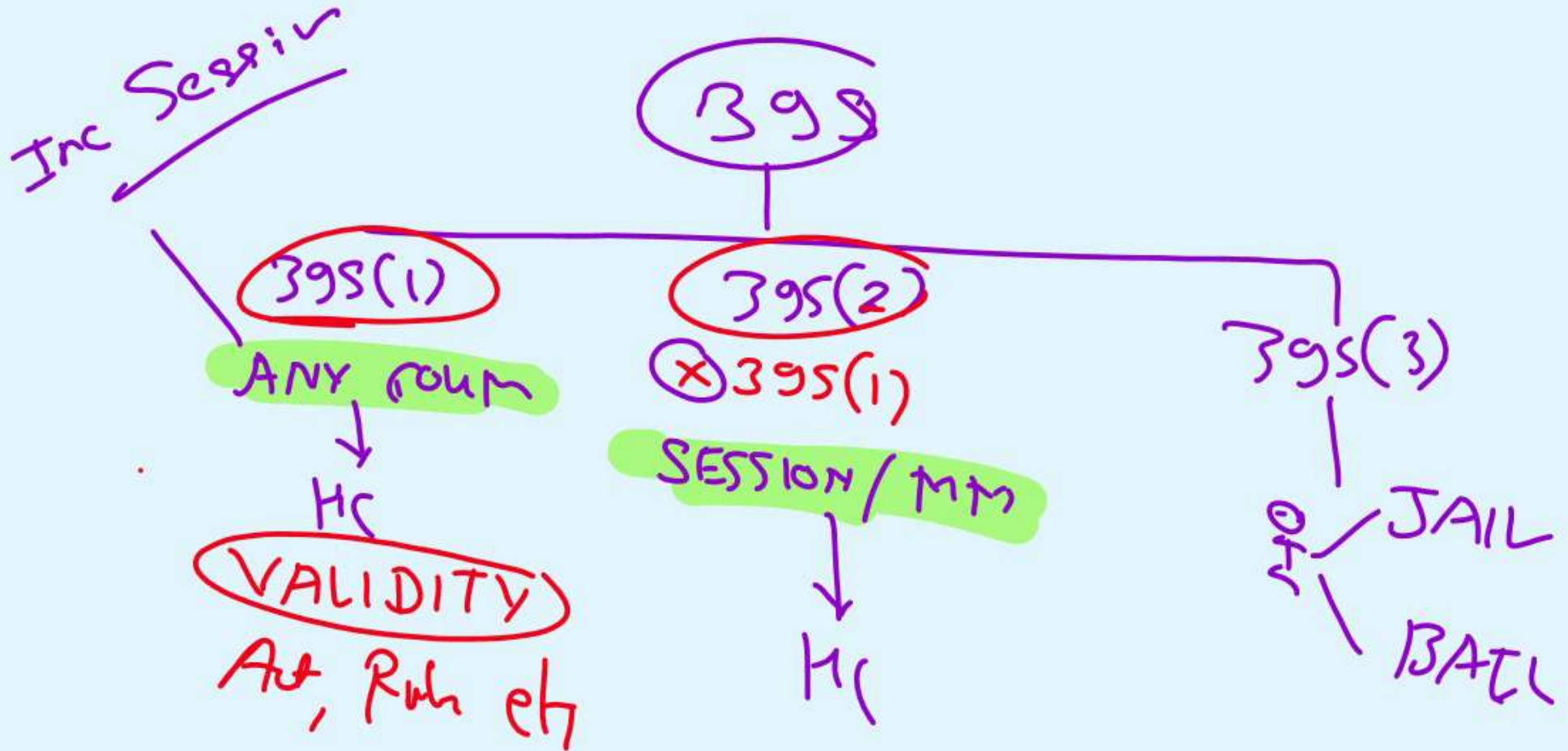


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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

56. Which provision of Cr.P.C. empowers a criminal court to recall and re-examine witnesses in a criminal case?

दण्ड प्रक्रिया संहिता का कौनसा प्रावधान एक दण्डिक न्यायालय को, एक आपराधिक प्रकरण में साक्षियों को पुनः बुलाने और पुनः परीक्षा करने हेतु सशक्त करता है?

- (a) Section 217
- (b) Section 311 : *Correct*
- ~~(c) Both (a) & (b)~~
- (d) None of above

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

59. A trial court in State of Rajasthan delivers its judgment in English. Under which provision of law, can the accused seek a translated copy of the judgment in Hindi language?

राजस्थान राज्य में एक विचारण न्यायालय अपना निर्णय अंग्रेजी में पारित करता है। विधि के किस प्रावधान के अंतर्गत, अभियुक्त इस निर्णय की हिन्दी भाषा में रूपान्तरित प्रति मांग सकता है?

Translation
Interpreter

- (a) Section 353 of Cr.P.C. : 3 Grewl.
(b) Section 362 of Cr.P.C. : No Alteration
(c) Section 364 of Cr.P.C. : Translate
(d) Section 363 of Cr.P.C. : Copy From

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DEATH

28

60. Under which provision of law, a sentence of death passed by the Sessions Court is subject to confirmation by the High Court?

विधि के किस प्रावधान के अन्तर्गत, सेशन न्यायालय के द्वारा पारित मृत्यु दण्डादेश उच्च न्यायालय से पुष्टि के अधधीन होता है?

- (a) Section 369 of Cr.P.C.
- (b) Section 367 of Cr.P.C.
- (c) Section 366 of Cr.P.C.
- (d) Section 370 of Cr.P.C.

366(1) 4/3 392

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62. The trial court while recording evidence in a case wherein the accused is in custody, records the evidence of witnesses without ensuring presence of the accused in the court, which of the following statement would be correct?

ऐसे मामले में, जहां अभियुक्त अभिरक्षा में है, विचारण न्यायालय साक्ष्य लेखबद्ध करते समय, अभियुक्त की उपस्थिति न्यायालय में सुनिश्चित किये बिना साक्षियों की साक्ष्य लेखबद्ध करता है, निम्न में से कौनसा कथन सही होगा?

461
46

- (a) The judgment passed by trial court in such proceedings would be vitiated by virtue of Section 273 (1) of Cr.P.C. / धारा 273 (1) दण्ड प्रक्रिया संहिता के आधार पर ऐसी कार्यवाहियों में विचारण न्यायालय द्वारा पारित निर्णय दूषित होगा।
- (b) The judgment passed by trial court in such proceedings would be saved by virtue of Section 460 of Cr.P.C. / धारा 460 दण्ड प्रक्रिया संहिता के आधार पर ऐसी कार्यवाहियों में विचारण न्यायालय द्वारा पारित निर्णय संरक्षित होगा।
- (c) The judgment passed by trial court in such proceedings would be saved by virtue of Section 465 of Cr.P.C. / धारा 465 दण्ड प्रक्रिया संहिता के आधार पर ऐसी कार्यवाहियों में विचारण न्यायालय द्वारा पारित निर्णय संरक्षित होगा।
- (d) The judgment passed by trial court in such proceedings would be saved by 'virtue of Section 317 of Cr.P.C. / धारा 317 दण्ड प्रक्रिया संहिता के आधार पर ऐसी कार्यवाहियों में विचारण न्यायालय द्वारा पारित निर्णय संरक्षित होगा।

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65. Under which provision is the Court acquitting the accused, required to take a bond from him/her for appearance in the higher court?

किस प्रावधान के अन्तर्गत न्यायालय द्वारा अभियुक्त को दोषमुक्त करते समय उसकी उच्चतर न्यायालय में उपस्थिति हेतु उससे बंधपत्र लेना अपेक्षित है?

- (a) Section 439 Cr.P.C.
- (b) Section 436-A Cr.P.C.
- (c) Section 436 Cr.P.C.
- (d) Section 437-A Cr.P.C.

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SEC. 376
Petty
CrP.

67. A Metropolitan Magistrate sentenced an accused of theft for three months simple imprisonment and a fine of Rs. 200/-. Accused can file an appeal against such judgment in;

एक महानगर मजिस्ट्रेट द्वारा चोरी के एक अभियुक्त को तीन माह के साधारण कारावास व दो सौ रुपये के अर्थदण्ड से दण्डित किया जाता है। अभियुक्त द्वारा उक्त निर्णय की अपील की जा सकती है

- (a) The Court of Sessions
- (b) The High Court
- (c) The Court of Chief Metropolitan Magistrate
- (d) No appeal can be filed

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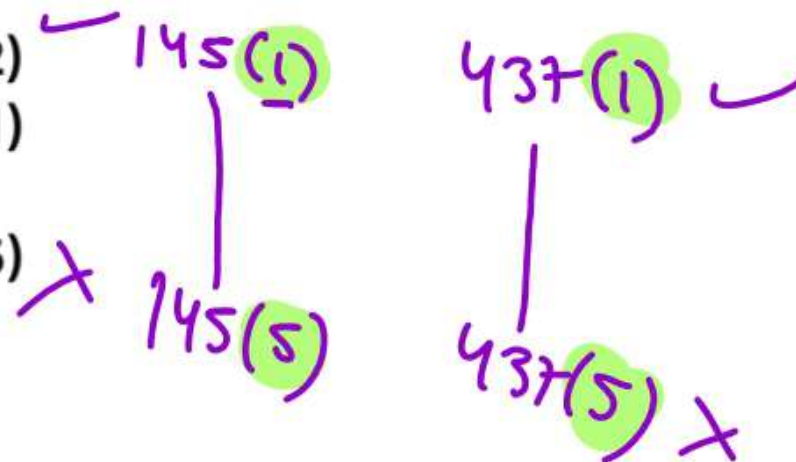
69. Under which provision of Cr.P.C., can a party approach an Executive Magistrate and pray for dropping of the proceedings initiated under Section 145 of Cr.P.C?

दण्ड प्रक्रिया संहिता के किस प्रावधान के अंतर्गत, एक पक्षकार कार्यपालक मजिस्ट्रेट के समक्ष धारा 145 दण्ड प्रक्रिया संहिता के अंतर्गत शुरू की गई कार्यवाहियों को समाप्त करने की प्रार्थना कर सकता है?

Appl

Drop

- (a) Section 145(2)
- (b) Section 146(1)
- (c) Section 148
- (d) Section 145(5)



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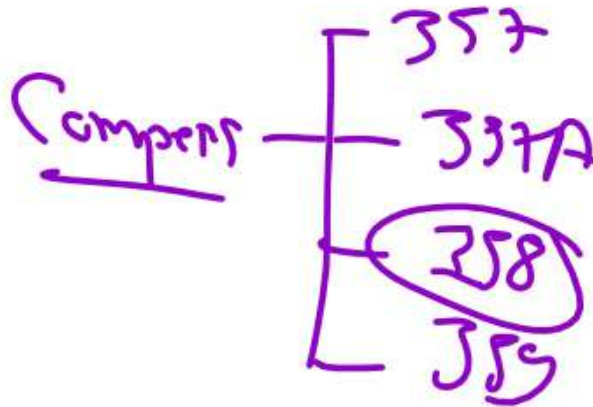


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70. Under which provision of law, can the court award compensation to a person groundlessly arrested?
विधि के किस प्रावधान के अन्तर्गत, न्यायालय बिना आधार गिरफ्तार किये गये एक व्यक्ति को प्रतिकर दिला सकता है?
- (a) Section 349 of Cr.P.C.
 - (b) Section 357 of Cr.P.C.
 - (c) Section 358 of Cr.P.C.
 - (d) None of the above



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2. In reference to the trial of summons cases by a Magistrate, which of the following statements is correct?
एक मजिस्ट्रेट द्वारा समन मामलों के विचारण के संदर्भ में, निम्न में से कौनसा कथन सही है?

251-259

- ~~(a)~~ (a) The Court shall frame charge after hearing the accused and the prosecution. / न्यायालय अभियुक्त तथा अभियोजन को सुनने के पश्चात आरोप विरचित करेगा।
- ~~(b)~~ (b) The Court may discharge the accused after hearing the prosecution and the accused./ न्यायालय अभियोजन तथा अभियुक्त को सुनने के पश्चात अभियुक्त को उन्मोचित कर सकेगा।
- ~~(c)~~ (c) There is no requirement for the Court to hear the accused and the particulars of the offence shall be stated to him./ अभियुक्त को सुनने की न्यायालय के लिए कोई बाध्यता नहीं है तथा उसे अपराध की विशिष्टियां बताई जायेंगी।
- (d) None of the above

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CHAPTER XX

TRIAL OF SUMMONS-CASES BY MAGISTRATES

251. Substance of accusation to be stated.—When in a summons-case the accused appears or is brought before the Magistrate, the particulars of the offence of which he is accused shall be stated to him, and he shall be asked whether he pleads guilty or has any defence to make, but it shall not be necessary to frame a formal charge.

अध्याय 20

मजिस्ट्रेट द्वारा समन-मामलों का विचारण

अभियोग का सारांश बताया जाना—जब समन-मामले में अभियुक्त मजिस्ट्रेट के समक्ष हाजिर होता है या लाया जाता है, तब उसे उस अपराध की विशिष्टियां बताई जाएंगी जिसका उस पर अभियोग है, और उससे पूछा जाएगा कि क्या वह दोषी होने का अभिवाक् करता है अथवा प्रतिरक्षा करना चाहता है; किन्तु यथा रीति आरोप विरचित करना आवश्यक न होगा।

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55. Offence under section 232 of Indian Penal Code, 1860 is:
भारतीय दण्ड संहिता, 1860 की धारा 232 का अपराध है:

- (1) Cognizable, Non Bailable and triable by the court of Sessions. / संज्ञेय, अजमानतीय और सेशन न्यायालय द्वारा विचारणीय
- (2) Cognizable, Non Bailable and triable by the Magistrate of first class. / संज्ञेय, अजमानतीय और प्रथम वर्ग मजिस्ट्रेट द्वारा विचारणीय।
- (3) Non Cognizable, Bailable and triable by the Magistrate of first class. / असंज्ञेय, जमानतीय और प्रथम वर्ग मजिस्ट्रेट द्वारा विचारणीय।
- (4) Non Cognizable, Bailable and triable by any Magistrate. / असंज्ञेय, जमानतीय और किसी भी मजिस्ट्रेट द्वारा विचारणीय।

193, 209, 323, Sect I
82(4)

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58. Which of the following statement in respect of section 320 of the Code of Criminal Procedure, 1973, is not correct?

दण्ड प्रक्रिया संहिता, 1973 की धारा 320 के सम्बन्ध में निम्न में से कौनसा कथन सही नहीं है?

- Acquittal*
- (1) The composition of an offence before charge shall have the effect of **discharge** of the accused. / आरोप से पहले अपराध के शमन का प्रभाव उस अभियुक्त का उन्माचन होगा।
 - (2) No offence shall be compounded if the accused is, by reason of a **previous conviction**, liable to **enhanced punishment**. / यदि अभियुक्त पूर्व दोषसिद्धि के कारण वर्धित दण्ड से दण्डनीय है तो अपराध का शमन नहीं किया जाएगा।
 - (3) When an appeal is pending, no composition for the offence shall be allowed without the leave of the appellate court. / अपील लम्बित होने पर अपराध का शमन अपीलीय न्यायालय की इजाजत के बिना अनुज्ञात नहीं होगा।
 - (4) The person competent to compound an offence is dead, the legal representative of such person may, with the consent of the court, compound such offence. / शमन करने के लिए सक्षम व्यक्ति मर जाता है, ऐसे व्यक्ति का विधिक प्रतिनिधि, न्यायालय की सम्मति से, ऐसे अपराध का शमन कर सकता है।

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

59. Under section 41 of the Code of Criminal Procedure, 1973, whom among the followings, Police cannot arrest without warrant?

दण्ड प्रक्रिया संहिता, 1973 की धारा 41 के अन्तर्गत पुलिस वारण्ट के बिना निम्न में से किसे गिरफ्तार नहीं कर सकती?

SE: (41)
(42)

- (1) Who commits in presence of a police officer, a non cognizable offence. / जिसने पुलिस अधिकारी की उपस्थिति में असंज्ञेय अपराध किया है।"
- (2) Who commits in presence of a police officer, a cognizable offence. / जिसने पुलिस अधिकारी की उपस्थिति में संज्ञेय अपराध किया है।
- (3) Who commits in presence of a Magistrate, a non cognizable offence. / जिसने मजिस्ट्रेट की उपस्थिति में असंज्ञेय अपराध किया है।
- (4) None of the above option. / उपरोक्त में से कोई विकल्प नहीं।

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60. The judgement passed by Hon'ble Supreme Court in Hardeep Singh Vs. State of Punjab (2014)3 SCC 92, deals with:

माननीय उच्चतम न्यायालय द्वारा हरदीप सिंह बनाम पंजाब राज्य (2014) 3 एस.सी.सी. 92 में पारित निर्णय सम्बन्धित है:

- (1) Section 311 of the Code of Criminal Procedure, 1973
- (2) Section 41 of the Code of Criminal Procedure, 1973
- (3) Section 313 of the Code of Criminal Procedure, 1973
- (4) Section 319 of the Code of Criminal Procedure, 1973

*Addition
Accused*

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)

61. Which provision of the Code of Criminal Procedure, 1973 deals with identification of person arrested?
गिरफ्तार व्यक्ति की पहचान करने के सम्बन्ध में दण्ड प्रक्रिया संहिता, 1973 का कौनसा उपबन्ध है?
- (1) Section 53-A
 - (2) Section 54
 - (3) Section 54-A
 - (4) Section 55-A

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62. Under the provision of section 105-A of the Code of Criminal Procedure, 1973, 'Identifying' includes:
दण्ड प्रक्रिया संहिता, 1973 की धारा 105-क के उपबन्ध में पहचान करना के अन्तर्गत:

Property

- (1) Establishment of a proof that the accused is related to commission of an offence.
- (2) Establishment of a proof that the property was derived from the commission of an offence.
- (3) Test Identification parade of accused and property.
- (4) None of the above option.

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63. Under the Code of Criminal Procedure, 1973, security for good behaviour from the persons disseminating seditious matters can be demanded by:

दण्ड प्रक्रिया संहिता, 1973 के अन्तर्गत राजद्रोहात्मक बातें फैलाने वाले व्यक्तियों से सदाचार के लिए प्रतिभूति की मांग कर सकता है:

- (1) Magistrate of the First Class
- (2) Chief Judicial Magistrate
- (3) Sessions Judge
- (4) Executive Magistrate

106

107

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RJS Last 5 Year Paper Analysis - Major Law (CrPC)



251-259

64. Evidence in the proceedings of 125 of the Code of Criminal Procedure, 1973 shall be recorded in the manner:

दण्ड प्रक्रिया संहिता, 1973 की धारा 125 की कार्यवाही में साक्ष्य उस रीति से अभिलिखित की जाएगी:

- (1) prescribed for summons-cases. / जो समन मामलों के लिए विहित है।
- (2) prescribed for warrant-cases. / जो वारण्ट मामलों के लिए विहित है।
- (3) as prescribed by the court in its discretion. / जो न्यायालय अपने विवेक से विहित करे।
- (4) prescribed for summary trials. / जो संक्षिप्त विचारणों के लिए विहित है।

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65. Order made under section 144 of the Code of Criminal Procedure, 1973, shall not remain in force for more than from the making thereof.
दण्ड प्रक्रिया संहिता, 1973 की धारा 144 के अधीन किया गया कोई आदेश उस आदेश के किए जाने की तारीख से से आगे प्रवृत्त न रहेगा।

- (1) two months
- (2) three months
- (3) six months
- (4) one month

$$\frac{144}{2}$$
$$\frac{144A}{3}$$

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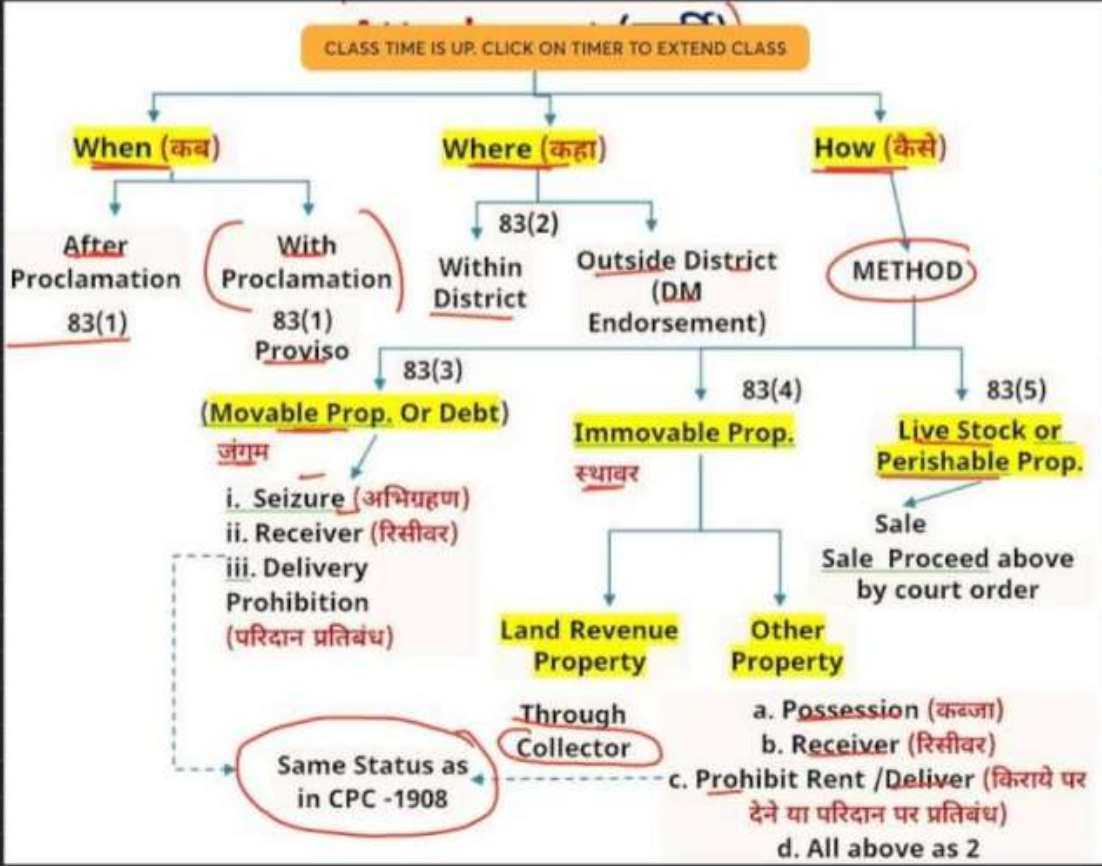


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Tq sir

KausTav thank you sir 8:02 PM

Laxmi Spl class 8:03 PM

prachi Okk sirr 8:03 PM

Vibhakar Thank you sir 🙏🙏🙏 8:03 PM

Vishal Sir babut sari class cross ho Rahi hai 8:03 PM

Sahiba kitne bje h 8:03 PM

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NOTES

"JUDGMENT"

SEC. 353 → Not admit: Sec. 465 [353(8)] Residual Liberate Irregularly

How Pronounce? 353(1)

- (a) Deliver WHOLE → 353(2)
 - Short Hand
 - Sign: Transcript
 - Date of Judgment
 - Open Court
- (b) Read Out WHOLE → 353(3)
 - Date & Sign
 - open Court
 - Every PAGE Sign (Not written HIMSELF)
- (c) READ OUT OPERATIVE part (+) Explain Substance → 353(4)
 - Copy Immediate Available

Presence of Accused

- In Custody 353(5)
- Not in Custody 353(6)

Presence of Other Party/Pleader

353(7)

Chat

- Ha
- Tripti ji sir
- akash kuma... Ha sir
- Tariq **ICONIC** 8:07 PM: Ye notes linking website pe he ??
- Anshul 8:07 PM: Sir mera doubt clear krdo
- Laxmi LL 8:07 PM

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IPC Punish. Provision

Except

CH/SEC

II III

Special

CL. PARA II

IV GE (76-106)

II.A Cr. Cons (120A, 120B)

Following Section

64-67 (Fine), 71

10 : 18+

11 *

12 HURT* ... WK/WC*

13 Enticement* ... House Entry (141)

Info (110/113)

176 202 147 (201)

UA (141)

Trespass (441)

Harass (212, 216)

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Garima Tq sir

KausTav ji sir

akash kuma... Y

kusum hahaha

prachi

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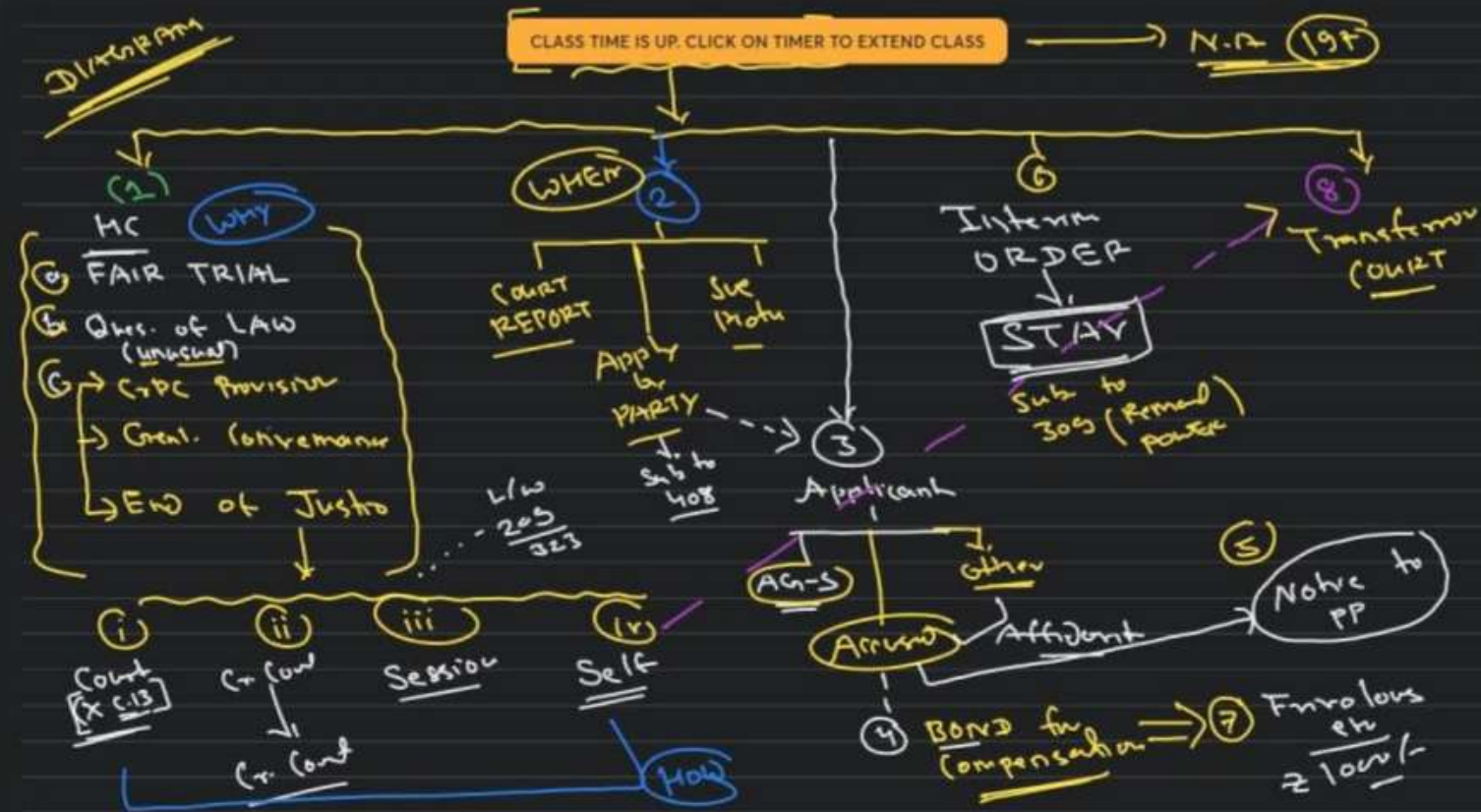
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- Ajay Ok 9:22 AM
- Rajani Thank you sir 9:22 AM
- suman Ok 9:22 AM
- Madhav Ok 9:22 AM
- KausTav 9:22 AM
- sir sub sec 8 mein matter transfer hoke session se hi aayega/

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