

Roll No. ....

*Note : Answers should be given in English only as per ordinance. Otherwise your A/Book will not be evaluated and 00 (Zero) marks will be counted.*

**67804**

**LL.M. 3rd Semester (Re-appear)  
Examination-May, 2017**

**COMPARATIVE CRIMINAL PROCEDURE  
(INDIA AND ENGLAND)**

**Paper : (G.-II) M-14**

**Time : 3 hours**

**Max. Marks : 80**

Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

- Note:** (i) Section-A is **compulsory**. Each part of the question in this Section carry 3 marks (8 × 3)
- (ii) Attempt any **four** questions from Section B. Each question in this Section carries 14 marks (14 × 4).

67804-150-(P-3)(Q-9)(17) (1)

[ Turn Over

**SECTION - A**

1. Explain the following :
  - (a) Shall Presume
  - (b) Fact
  - (c) Hostile witness
  - (d) Documentary Evidence
  - (e) Criminal complaint
  - (f) Arrest of person
  - (g) Bailable offence
  - (h) Public Prosecutor

**SECTION - B**

2. What do you mean by Dying Declaration ? Explain its significance in Evidence. How Indian Law is different from the English law in this behalf ?
3. What do you understand by "Judicial confession" ? What is the procedure for recording such confession ? Explain the evidentiary value of such confession.
4. Describe the law relating to Presumptions in cases of Dowry Death and Rape.

67804-150-(P-3)(Q-9)(17) (2)

5. Who is an accomplice ? Can a court pass order of conviction on the basis of statement made by an accomplice ? What is the law and practice of courts on this point ?
  6. Explain the concept of Plea Bargaining. Discuss the law relating to Plea Bargaining in India and England.
  7. Who can withdraw a criminal case and under what circumstances ? Can the Government give direction to public prosecutor to withdraw a case ? Explain the legal position in India and England.
  8. "Ordinarily for every distinct offence, there shall be a separate charge and every such charge shall be tried separately". Comment.
  9. Explain the circumstances under which maintenance can be granted under Section 125 Cr.PC. Who can claim maintenance under this section ? What are the powers of Magistrate in this behalf ? Discuss.
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