



**MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR**

**FACULTY OF LAW**

**THIRD YEAR BACHELOR OF LAWS**

(Effective from Session 2016-17)

**PAPER – II (PAPER CODE - 8002) : (PAPER NAME – LAW RELATING TO CRIMINAL PROCEDURE, JUVENILE JUSTICE AND PROBATION OF OFFENDERS)**

**Max. Marks: 100**

**Min. Marks: 36**

Note :

- a. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
- b. Leading cases prescribed under this paper may be read whenever they are relevant.

**1. Preliminary :**

- (a) Object, Extent and Definitions (Chapter I).
- (b) Duties of Public
  - (i) To assist Police and Magistrate
  - (ii) To give information about certain offences (Chapter – IV, Ss. 37 to 40)

**2. Criminal Courts :**

- (a) Territorial Divisions and Classification (Chapter – II, Ss. 10, 14, 15, 19, 22 and 23)
- (b) Powers (Chapter III, Ss, 26 to 31).

**3. Pre-Trial Procedures :**

- (a) Process to compel appearance (Chapter- VI).
- (b) Process to compel Production of things (Chapter – VII).
- (c) Arrest of Persons (Chapter V).
- (d) Information to the Police and their Powers of Investigation (Chapter – XII).
- (e) Bail (Chapter XXXIII).
- (f) Jurisdiction of the Courts in Enquiries and Trials (Chapter – XIII).
- (g) Maintenance of Public Order and Tranquillity (Chapter -X).
3. Jurisdiction of the Courts in Enquiries and Trials (Chapter – XIII).
4. Complaints to Magistrates and Cognizance of Offence (Chapter XV and XIV).

**4. Charge (Chapter XVII)**

- (a) Types of Trials :
  - (i) Trial before Court of Session (Chapter XVIII).
  - (ii) Trial of Summon and Warrant Cases (Chapter XIX and XX).
  - (iii) Summary Trial (Chapter XXI).
  - (iv) Judgement (Chapter XXVII).
  - (V) Plea-Bargaining

5. (a) Appeals (Chapter XXX).
6. Provisions as to Bail and Bonds (Chapter – XXXIII)
7. Disposal of Property (Chapter – XXXIV)
- (b) Reference and Revision (Chapter XXX).
- (i) Period of Limitation (Chapter XXXVI).
- (ii) Irregular Proceedings (Chapter XXXV).
- (iii) Autrefois Acquit and Autrefois Convict.
- (iv) Legal Aid to accused at State Expenses
- (v) Pardon to an accomplice
- (vi) Saving of Inherent Powers of High Court
- (vii) Maintenance of Wives, Children and Parents

### **The Juvenile Justice (Care and Protection of Children) Act 2000**

Definition – Competent authorities and institutions for Juveniles, Neglected Juveniles, Delinquent Juveniles, Procedures of Competent authorities, special offences in respect of Juveniles.

#### **Probation of Offenders act, 1958 :**

Definitions – Power of Court to release certain offenders after admonition, on probation of good conduct – Power of Court to require released offenders to pay compensation under twenty one years of age, Variations of conditions of probation, Probation in case of Offenders failing to observe conditions of board, Provisions as to sureties, Probation Officers.

#### **LEADING CASES :**

1. State of U.P. v. State of Delhi, AIR 1955, SC 196
2. Nisar Ali v. State of U.P., AIR 1957, SC 336
3. Purshottam Das Dalmia v. State of West Bengal, AIR 1968, ASC 1589
4. State of Andhra Pradesh v. Ganeshwara Rao, AIR 1968, SC 1050
5. Satwant Singh v. State of Punjab, AIR 1956, SC 266

#### **SUGGESTED READINGS :**

1. Ratan Lal : Criminal Procedure Code
2. Ganguly, A.C. : A Guide to Criminal Code Procedure.
3. Juvenile Justice Act, 1980
4. Probation of Offenders act, 1954
5. Khatri, B.D. : Law of Probation in India alongwith Juvenile Justice Act, 1988
6. Chakravarti, N.K. : Probation System in the Administration of Criminal Justice.
7. तिवाड़ी, वाई. के. : दण्ड प्रक्रिया संहिता
8. जैन, पी.सी. : दण्ड प्रक्रिया संहिता
9. मुरलीधर चतुर्वेदी : दण्ड प्रक्रिया संहिता