

BA.LL.B (HONS.) – IV-SEMESTER

CODE OF CRIMINAL PROCEDURE

COURSE CODE:

Course Objective: The objective of the course is to familiarize the student with the basic concept of Criminal Justice system which is enforced by the Code of Criminal Procedure, 1973 and procedural aspects of Criminal trial, trial and the post-trial process and practices involved in the administration of criminal justice.

Course Outcomes:

1. To understand the administration of criminal justice system
2. To know the applicability of substantive law (IPC) through Code of Criminal Procedure, 1973
3. To differentiate various procedures established by Code of Criminal Procedure in the criminal trial
4. To analyse and interpret various judicial decisions pertaining to criminal procedure
5. To analyse the applicability of Cr.P.C to different crimes

UNIT-I Introduction to Cr.P.C- Object and Importance of Cr.P.C; Functionaries under the Cr.P.C; Basic Concepts: Bailable Offence, Non-Bailable Offence, Cognizable Offence, Non-cognizable Offence, Complaint, Charge, Police Report, Investigation, Inquiry and Trial, Summons Case, Warrant Case

UNIT-II: Arrest, Bail and Pre-Trial Proceedings-Arrest and Rights of an Arrested Person; Provision for Bail under the Code; Process to Compel Appearance of Person; Process to Compel Production of Things; Condition Requisites for Initiation of Proceeding; Complaint to Magistrate; Commencement of Proceeding before Magistrate

UNIT-III: Trial Proceedings Framing of Charges and Joinder of Charges; Jurisdiction of the Criminal Courts in Inquiries and Trials, Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial, Judgement and Sentences under the Code, Submission of Death Sentences for Confirmation, General Provisions as to Inquiries and Trial

UNIT-IV: Appeals; Reference and Revision; Inherent Power of Court; Transfer of Criminal Cases; Plea Bargaining, Maintenance of wives, children and parents - Transfer of criminal cases - Compounding of Offences - Plea-bargaining - Maintenance of Public order and Tranquillity.

UNIT-V: Probation of Offenders Act, 1958 and Juvenile Justice (Care and Protection of Children) Act, 2015: Probation system: Origin and Development - Admonition - Release of offenders - Release of young offenders - Appeal & Revision; Juvenile Justice Act: Procedure to be followed by the Juvenile Justice Board - Offences against Children - Institutions. Execution, Suspension, Remission and Commutation of Sentences

Text Books:

1. Ratanlal and Dheerajlal. Criminal Procedure Code, LexisNexis, 2019
2. KNC Pillai (Ed.): RV Kelkar's Lectures on Criminal Procedure. Eastern Book Company, 2017
3. S. N. Misra, The Code of Criminal Procedure, Central Law Publication, 2016

