



**HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,
SHIMLA**

SEMESTER IV

B.A./B.B.A. LL.B. (Hons.)

PAPER CODE: LB 402

COURSE TITLE: Law of Crimes - II (Code of Criminal Procedure)

CREDITS-04

Module-1

Introduction to Criminal Procedure

- 1.1 Introduction to Criminal Procedure: History & Constituents.
- 1.2 Types of Criminal Courts: hierarchy, powers and jurisdiction. [S. 9-31]
- 1.3 Definitions: *Cognizable & Non-Cognizable offences; Bailable and Non-bailable offences; Warrant & Summons Cases; Complaint & Complainant etc.* [S. 2-8]
- 1.4 Concept of fair trial: *Rights of Accused, Rights of Victims; Witness Protection.*
- 1.5 Initiating Criminal Proceedings: FIR & Complaint, and Evidentiary value of FIR. [S. 154-156]

Module-2

Pre-Trial Procedure: (Investigation, Arrest & Bail)

- 2.1 Constitutional & procedure safeguards during Investigation.
- 2.2 Procedure for Investigation: Recording of statements; Search & Seizure; Police Report etc. [S. 156-173; S. 91-105]
- 2.3 Cognizance & Committal Procedure. [S. 190-208]
- 2.4 Arrest & Detention; Custody- Police & Judicial custody. [S. 41-60]
- 2.5 Bail- Types - Default Bail, Anticipatory Bail, Interim Bail, Stay-on Arrest; Proper Bail- Bail Procedure; Cancellation of Bail & Bail Bond. [S. 436-450, 167 & 389]

Module-3

Trial Procedure: Framing of Charges, Trial & Judgment

- 3.1 Framing of Charges- Addition & Alternation of Charges; Joinder of Charge & Trial; Withdrawal of Prosecution. [S. 211-224, 325-327]
- 3.2 Procedure for Trial; Session Trial, Trial by Magistrate- Summon & Warrant Trial, Summary Trial. [S. 225-265]
- 3.3 Discharge and Acquittal; Conviction- Hearing on sentence.
- 3.4 Judgment- Content of judgment. [S. 353-356]
- 3.5 Compensation to victims of Crime. [S. 357, 357-A & 357-B]

Module-4
Appeal, Revision, Reference & Miscellaneous Provisions

- 4.1 Procedure for Appeal- from Acquittal or Conviction. [S. 372-394]
- 4.2 Procedure for Revision- Interlocutory Order; Reference. [S. 395-403]
- 4.3 *Plea Bargaining*. [S. 265A-265L]
- 4.4 Special provisions for Maintenance of Women & Children. [S. 125-129]
- 4.5 Probation of Offenders Act, 1954; Juvenile Justice (Care and Protection of Children) Act, 2000.

Prescribed Legislation:

- The Code of Criminal Procedure, 1973.
- Juvenile Justice (Care and Protection of Children) Act, 2000.
- Probation of Offenders Act, 1958
- Police Act, 1860.

Prescribed Books:

1. Sarkar's *Commentary on the Code of Criminal Procedure*.
2. Ratanlal & Dhirajlal's *The Code of Criminal Procedure*.
3. Basu's *Code of Criminal Procedure*.
4. K.N. Chandrasekharan Pillai (Rev.), *R. V. Kelkar's Lectures on Criminal Procedure*.
5. Dr. Girjesh Shukla, *Handbook on Criminal Procedure*.

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