



Bar Council of India
22nd Qualifying Examination for Indian
Nationals Holding Foreign Law Degrees

Paper-5

Criminal Procedure Code
Date: 27.06.2025



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Paper – V – Criminal Procedure Code

PART - A

Answer any 5 of the following:

(5 x 5 = 25)

1. Explain the provisions relating to the jurisdiction of criminal courts under the Bharatiya Nagarik Suraksha Sanhita, 2023.
2. Distinguish between Inquiry, Investigation and Trial under BNSS, 2023.
3. Discuss the scope and justification for Plea Bargaining in India.
4. What are the circumstances in which a police officer can arrest a person without a warrant?
5. What are the inherent powers of High Court under the Bharatiya Nagarik Suraksha Sanhita, 2023?
6. Discuss the role played by the public prosecutor and the court in withdrawal from prosecution under Section 360 of BNSS, 2023. What are the consequences of such withdrawal for the accused?

PART - B

Answer any 3 of the following:

(3 x 15 = 45)

7. 'W' lodged an FIR against her husband 'H' under Section 85 of the Bharatiya Nyaya Sanhita, 2023 for cruelty. The police arrest the husband. The accusation in the FIR is well founded and the police officer thinks that the investigation cannot be completed in 24 hours. Elucidate the procedure for extension of detention for investigation of the case.
8. Mr. A is accused of committing the offence of murder. The police, after investigation, filed a chargesheet before the Judicial Magistrate First Class. On perusal of the chargesheet and accompanying documents, the Magistrate was of the opinion that the case was exclusively triable by the Court of Session. Accordingly,

he proceeded under Section 232 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In light of the above facts:

- a. What is the procedure for committal proceedings?
 - b. Should the Magistrate record evidence before committing the case to the Court of Session?
9. Chapter XXIX of the Bharatiya Nagarik Suraksha Sanhita, 2023 talks about judgment. Explain the essential requirements of a valid judgment as per the BNSS. What procedural safeguards are provided to the accused at the stage of sentencing, particularly in cases involving severe punishment? Illustrate your answer with reference to relevant sections and judicial precedents.
10. The Bharatiya Nagarik Suraksha Sanhita, 2023 adopts a victim-centric approach by significantly enhancing the legal rights and participatory role of victims in the criminal justice process. Critically examine this statement in light of statutory provisions and relevant case law. Also discuss whether there are sufficient safeguards for meaningful victim participation in criminal proceedings.

PART - C

Answer any 1 of the following:

(1 x 30 = 30)

11. Rajeev, a former bureaucrat, is arrested in connection with a financial scam involving public funds. The offence is non-bailable and punishable with imprisonment up to 10 years. Rajeev voluntarily cooperated during the investigation and was never declared an absconder. He files an application for regular bail, which is rejected by the Magistrate citing "seriousness of the offence" as the sole reason. Meanwhile, a co-accused, from a weaker socio-economic background, is granted bail on a personal bond. Rajeev argues that denial of bail violates the principles of parity, proportionality, and presumption of innocence. In the light of these circumstances, answer the following:
- a. What are the principles for grant or denial of bail in non-bailable offences under the BNSS, 2023?
 - b. Does denial of bail violate the principle of presumption of innocence?
 - c. Explain the procedure of anticipatory bail. Discuss how the BNSS reflects the evolving jurisprudence laid down in *Sushila Aggarwal v. State* ((2020) 5 SCC 1) case.

12. Critically examine the concept of a fair trial and the rights of an accused person under Indian criminal jurisprudence citing relevant statutory provisions and judicial precedents in support of your answer.