

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-V

Course Code	BAL503
Course Title	Criminal Procedure Code-I
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	The concept of fair trial underpins the functioning of criminal procedure in India. The aim of this Course is explain and interpret the nuances of 'fair trial' while attempting to balance the conflicting demands of personal liberty and public safety. It intends to highlight the challenging role of the police, public prosecutor and defence counsel, especially during the investigative process. The course shall also provide an overview of hierarchy, jurisdiction & role of courts from registration of FIR /verification of Complaint to cognizance of offences, under the controlling inherent jurisdiction of the High Court.

UNIT-I

The Rationale of Criminal Procedure and The importance & Features of Fair Trial
Role of Police, Public Prosecutor and Defence Counsel in Administration of Criminal Justice
Distinction between Cognizable and Non-cognizable Offences, Bailable and Non-Bailable Offences, Summon and Warrant Cases, Investigation and Inquiry

UNIT –II

Conceptual Contours of Arrest; Arrest without warrant by Police, Constitutional and Statutory Rights of the Arrested Person
Steps to Ensure the Presence of the Accused at Trial: Summon and Warrant (Meaning and Form), Service of Summons, Execution of Arrest Warrants, Proclamation and Attachment
Territorial Jurisdiction of the Criminal Courts in Enquiries and Trials: Basic Rule of Territorial Jurisdiction with Exceptions Thereof, Power of the Court to Hold Inquiry in Cases Where it Lacks the Territorial Jurisdiction, Trial of Offences Committed Outside India

UNIT –III

Concept of FIR, Procedure for recording of FIR, Affect of Delay in Recording of FIR, Evidentiary Value of FIR

Concept of Search and Seizure, Search with and without Warrant, When the Search Warrants Could Be issued, General Principles Related to Search

UNIT –IV

Constitution of Criminal Courts Powers of the Courts

Magistrate's Power to Take Cognizance of Offences

Meaning and Verification of Complaint

Inherent powers of the Court

Concept and Objectives of Bail; Bail as a Matter of Right and Discretion;

Cancellation of Bail.

Suggested Readings:

Bare Acts:

The Code of Criminal Procedure, 1973

Books:

K N Chandrasekharan Pillai (ed): Kelkar's Lectures on Criminal Procedure, 6th Ed. 2017, Reprinted 2019, Eastern Book Company

Ratanlal and Dhirajlal : Criminal Procedure Code, 22nd Ed, 2018, LexisNexis

S C Sarkar et.al.(ed) : The Code of Criminal Procedure, 2 vols 2018, LexisNexis

K N Chandrasekharan Pillai (ed): R V Kelkar's Criminal Procedure, 6th Ed. 2014 Reprinted, 2019, Eastern Book Company

Woodroffe : Commentaries on Code of Criminal Procedure, 2 vols. 3rd Ed., 2009, Reprint 2018, Law Publishers (India) Pvt. Ltd