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Q82

With reference to India, consider the following statements: 1. Judicial custody means an accused is in the custody of the concerned magistrate and such accused is locked up in police station, not in jail. 2. During judicial custody, the policy officer in charge of the case is not allowed to interrogate the suspect without the approval of the court. Which of the statements given above is/are correct? (a) 1 only (b) 2 only (c) Both 1 and 2 (d) Neither 1 nor 2 Official key: B.

UPSC Civil Services Prelims 2021 · General Studies · 2 marks · Current Affairs and GK
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Explanation

(a)

1 only. Judicial custody is jail/court custody, not the police lock-up.

(b) Official key

2 only. Police need the court's nod to interrogate in judicial custody.

(c)

Both. Statement 1 swaps police and judicial custody.

(d)

Neither. Statement 2 holds.

Summary

• **Official key is (b) 2 only. Police custody:** lock-up, interrogation. **Judicial custody:** jail under the magistrate; the police cannot question at will without the court. Statement 1 has the accused in the thana - that is police custody.

Related possible facts

These can be asked in a future Prelims paper.

CrPC 167

Remand: police custody vs judicial custody.

14-day cap

Police custody is tightly timed; JC can run longer within defaults.

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