

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2022

Course: Law of Crimes III (CrPC II, Juvenile Justice Act and Probation of Offenders Act)

Semester: VIIth Sem

Program: B.Tech. (CSE), LL.B (Cyber Law)

Course Code: CLCC2007

Time : 03 hrs.

Max. Marks: 100

Instructions:

1. Answer all the questions from each section.
2. Figures to the right indicate marks.
3. Write Legibly.

SECTION A
(5Qx2M=10Marks)

S. No.		Marks	CO
Q 1.	What is meant by Criminal Investigation?	2	CO1
Q 2.	Define Plea Bargaining. Explain with relevant illustrations.	2	CO1
Q 3.	Define Summary Trial. Explain with relevant provisions under CrPC.	2	CO1
Q 4.	Define 'Revision' under the Code of Criminal Procedure, 1973.	2	CO1
Q 5.	Explain one difference between a 'summons case' and a 'warrant case' under the Code of Criminal Procedure, 1973.	2	CO1

SECTION B
(4Qx5M= 20 Marks)

Q 6.	Write a short note on Maintenance of Public Order and Tranquility	5	CO2
Q 7.	Discuss the Role and Functions of Juvenile Justice Board / Child Welfare Committee.	5	CO2
Q 8.	A person who involved in heinous crimes of murder and rape; the court delivered death sentence to him – Whether a Court of Sessions can give death sentence to the convicted offender? Critically evaluate submission of death sentence for confirmation under the provisions of CrPC	5	CO2
Q 9.	What is meant by Juvenile Justice System? Is there any specific Indian Legislation discuss about Juveniles?	5	CO2

SECTION-C
(2Qx10M=20 Marks)

Q 10.	<p><i>“The judgment in every trial in any Criminal Court of original jurisdiction shall be pronounced in open Court by the presiding officer immediately after the termination of the trial or at some subsequent time of which notice shall be given to the parties or their pleaders, by delivering the whole of the judgment”.</i> – In the light of the above statement, critically evaluate the provisions relating to ‘JUDGMENT’ with relevant cases under Criminal Procedure Code. How does it differ from ‘ORDER’, examine with relevant case laws.</p>	10	CO3
Q 11.	<p><i>“Whenever any person having the reasonable apprehension that he may be accused of committing the offence of non-bailable nature then such person can apply for bail in the court. Moreover, bail and bond are security for giving assurance to the court to take-out an accused from lock-up or to face the criminal trial from outside the (police or judicial) custody”.</i> – Based on the above statement, critically assess the bail and bail bond related provisions under CrPC. Discuss the Types of bail and conditions for bail. What is the relevance of Interim Bail and Parole?</p>	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12.	<p>Bittu is a 25 year old male living in the State of Maharashtra. Bittu is working as a daily wager. His approximate earnings are Rs. 10,000 per month (approximately). His wife Pihu is earning approximately Rs.50,000 per month and employed with the State Government as a Post-Graduate Teacher. Pihu mistreats Bittu and makes him do all the household work. She often ridicules him and defames him in public places. Bittu argues before the court that he pays Rs.10,000 each month as house rent, and his wife Pihu not only mistreats him but also demands jewels and expensive gifts.</p> <p><i>“Maintenance under the CrPC is secular in nature, as any woman belonging to and practicing any religion or faith can approach the Court under this code for maintenance”.</i></p> <p>– You have been hired by Bittu as a legal counsel to seek legal remedy. In the light of the above facts and statement,</p> <p>1. Who can claim maintenance under Code of Criminal Procedure, 1973. Critically examine the provisions relating to maintenance, with relevant cases. (10 marks)</p> <p>2. Can husband claim maintenance from wife under the Code? (5 marks)</p> <p>3. Is there any possibility to get maintenance by wife after ‘Mutual Divorce’ or ‘Divorce by Consent’? (10 marks)</p>	25	CO4
Q 13.	<p>Mr. X, a 19 year old male is accused of committing murder of his father was arrested on 1st June 2022. The Court of Session declared the judgment that X be sentenced to 7 years of imprisonment. The court also observed that, <i>“The amateur and the first-time offenders are able to reform and are kept away from the negative influence of the jails and</i></p>	25	CO4

	<p><i>hardened criminals</i>” – Critically evaluate and justify the above statement with the help of Probation of Offenders Act. Whether the Indian judiciary treat the juvenile offenders and the first-time offenders equally under trial?</p>		
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