


Name: Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, May 2022			
Course: Law of Crimes II: Cr. P. C-I Program: B.Tech Course Code: CLCC-2012		Semester: VI Time: 03 hrs. Max. Marks: 100	
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	<p>In which of the following case the Supreme Court held that Narco Analysis test, Polygraph Test and Brain mapping test, if conducted without consent of the Accused, shall be hit by Article 20 (3) of the Indian Constitution and shall be violative of Right against Self-Incrimination.</p> <p>a) State of Bombay v. Kathi Kalu Oghad b) Selvi v. State of Karnataka c) Priyanka Srivastava v. Government of UP d) Arnesh Kumar v. State of Bihar</p>	2	CO1
Q 2	<p>Under Cr. P. C., a Judicial Magistrate First class can pass a sentence of imprisonment upto _____ years and fine upto _____ Rupees.</p>	2	CO1
Q 3	<p>A Court of Sessions can never take direct cognizance of an Offence under Cr. P. C.</p> <p>a) True b) False</p>	2	CO1
Q 4	<p>Law relating to Search-Warrants is contained in:</p> <p>a) Section 92, Cr. P. C. b) Section 93, Cr. P. C. c) Section 70, Cr. P. C. d) Section 72, Cr. P. C.</p>	2	CO1
Q 5	<p>A Magistrate can take Cognizance of an Offence under Section:</p> <p>a) Section 193, Cr. P. C. b) Section 190, Cr. P. C.</p>	2	CO1

	c) Section 192, Cr. P. C. d) Section 195, Cr. P. C.		
SECTION B (4Qx5M= 20 Marks)			
Q 6	Write a short note on ‘Manner of Service of Summons on Accused’. Cite the relevant legal provision. OR Write a short note on ‘Publication of Proclamation under Section 82, Cr. P. C.’. Cite the relevant provision of law.	5	CO2
Q 7	Write a short note on ‘Committal Proceedings’ by the Magistrate. Cite the relevant provisions of law.	5	CO2
Q 8	Discuss in brief the sentencing powers of & structure of Courts of Metropolitan Magistrates. OR Write a short note on ‘Appointment of Public Prosecutors’ under Cr. P. C.’ Cite the relevant provisions of law.	5	CO2
Q 9	Write a short note on Rights of the Arrested Person.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Critically elaborate on the law and procedure relating to Confession recorded by Magistrate during Investigation. Is it mandatory that the Confession should be recorded only by the Jurisdictional Magistrate? OR Harshika is accused of committing murder and has been arrested by the police without warrant. She asked for grounds of her arrest and medical examination. Discuss whether she has got a right to know the grounds of her arrest and get herself medically examined? If yes, under which provisions of law and elaborate on the law.	10	CO4
Q 11	“What procedure is to be followed by a Magistrate once he decides to take cognizance of the offence on a Complaint?” Discuss whether Investigation by Police can be ordered by a Magistrate in a complaint case by citing the relevant provision of law and case-laws.	10	CO4

	<p>OR</p> <p>A, a married man performs sexual intercourse outside wedlock. Consequently, a child is born. Can such a child claim maintenance from A under Section 125, Cr. P.C.?</p> <p>In the light of the above given situation critically analyze the liability of the Father to maintain his children under the Code of Criminal Procedure, 1973 in the light of relevant provisions and case laws.</p>		
<p>SECTION-D (2Qx25M=50 Marks)</p>			
Q 12	<p>Rahman was convicted for murder and sentenced to life imprisonment by the Court of Sessions, Dehradun. In pursuance of the conviction, he was sent to Dehradun district jail. He died under suspicious circumstances in the jail and the cause of death was not known to anyone.</p> <p>Now as Rahman has died in the Jail, Inquest proceedings are to be started.</p> <p>In the light of the factual situation decide the following:</p> <p>Which Magistrate is empowered to hold inquest in the given situation. Is it mandatory to hold the inquest in the given situation?</p> <p>What are the rights of the relatives of Rahman during the inquest proceedings?</p> <p>What procedure shall be followed by the Magistrate to conduct the inquest in the given situation?</p>	<p>25</p>	<p>CO3</p>
Q 13	<p>Dinesh and Mohan, two brothers were the joint owner of a property and they were fetching water from same water source, a Well from last 25 years. A partition took place between Dinesh and Mohan in March 2022 and after the partition the water source (Well) came to the share of Dinesh, the elder brother. The elder brother resisted the use of water source by Mohan, the younger brother therefore a dispute arose over this matter and the two brothers engaged into a fight.</p> <p>In light of this factual situation answer the following:</p> <p>Whether elder brother can stop the use of water of younger brother and</p>	<p>25</p>	<p>CO3</p>

	<p>what are rights of younger brother in the water source after partition?</p> <p>Which court is has the jurisdiction to decide the given?</p> <p>What are the provisions and discuss the procedure under Cr. P. C. to deal with the situation.</p>		
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