


<b>Name:</b>	 <b>UPES</b> UNIVERSITY WITH A PURPOSE
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December 2019**

**Course: Law of Crimes-II**

**Semester: VII**

**Program: B.TECH. (CSE), LL.B. (Hons.) Cyber Laws 2016;**

**B.TECH. (ET), LL.B. (Hons.) IPR 2016**

**Time: 03 hrs.**

**Course Code: LLBL 214**

**Max. Marks: 100**

**SECTION A (Any Five)**

S. No.		Marks	CO
Q 1	Define Non cognizable offences	2	CO1
Q 2	What is abatement of appeals? When does an appeal abate?	2	CO2
Q 3	Write any 2 differences between Bail and Bond.	2	CO1
Q 4	Inquiry	2	CO1
Q 5	Juvenile Delinquency	2	CO4
Q 6	Victim	2	CO4

**SECTION B (Any Two)**

Q 7	What is Plea bargaining and what is its significance in criminal trials? In which cases the plea bargaining is not available.	10	CO4
Q 8	What is the difference between “competency to try” and “competency to punish”? What will be the proper legal recourse for a judicial magistrate who has the competency to try an offence but does not have the competency to punish with respect to specific offence/offences? Explain the legal provision relating to it.	10	CO3
Q 9	Do the general public is bound to assist a Magistrate or police officer who reasonably demands the aid of general public? Analyze the legal provision with respect to it and also explain the possible punishment which can be awarded for refusal to assist under the Indian Penal Code, 1860 to such person of the general public who denies aid to magistrate or police office under reasonable circumstances?	10	CO3

<b>SECTION-C</b>			
Q 10	What is the scope and nature of case diary to be kept under Sec. 172 of Code of Criminal Procedure 1973 and the limitation imposed on its use, if any. Explain with the help of relevant case law and legal provisions.	<b>10</b>	<b>CO2</b>
Q 11	<p><i>“A child in conflict with law means a child who is alleged or found to have committed an offence”</i></p> <p>(a) Who is a Juvenile under the Juvenile Justice (Care and Protection of Children) Act, 2015</p> <p>(b) Analyze the classification of offences under the Juvenile Justice (Care and Protection of Children) Act, 2015.</p>	<b>10</b>	<b>CO4</b>
Q 12	Define & differentiate between appeal, reference and revision.	<b>10</b>	<b>CO2</b>
<b>SECTION-D</b>			
Q 13	<p>“X” a petty hawker engaged in selling pens and sundry items at ISBT Dehradun is produced before the judicial magistrate by the police on 11/10/2016 on the allegation that he was arrested on the previous day i.e. 10/10/2016 in case FIR 309/2016 ISBT Dehradun Police Station under Sec. 379 IPC relating to pick pocket of a passenger P, who arrived at ISBT on the night intervening 06/10/2016 and 07/10/2016; a cash amounting to Rs 500, ball pens numbering about four dozen and several key rings were recovered from the personal search of X. “X” during the course of interrogation confessed to have picked the pocket of a passenger on the night of 06/10/2016 and 07/10/2016 and could get recovered the stolen purse, identity card of the passenger and a part of the cash from the house of his sister in Patel Nagar.</p> <p>Police prayed that “X” be given in police custody for two days to enable them to effect the recovery of the stolen items and complete the investigation. On the other hand, a plea for release of “X” on bail was made on the ground that he is innocent and police have falsely implicated him in the theft case and he never made any confession about the incident of theft. Case diaries produced before magistrate showed the factum of the arrest of “X” on 10/10/2016, his interrogation but there existed no confession of “X”. Decide the prayer of Police and plea of “X” in the light of relevant provisions and case laws. <b>(25 Marks)</b></p>	<b>25</b>	<b>CO3</b>

Q 14	<p>Meera and Raghav married each other against the wishes of their parents in the year 2015 in Dehradun. Raghav belonged to an affluent business family and his uncle Ravikant was an eminent politician in the ruling party. Raghav died in 2017 in a road accident. Raghav's father Raghuveer, aged 70 years, had a medical history of high blood pressure and his mother Rukmani, aged 65 years, is suffering with cardiac disease and under treatment of a renowned cardiologist of the city. Meera's sister in law Nalini (sister of Raghav) aged 15 years is a National level shooter. Raghuveer, Rukmani and Nalini were arrested for assault on Meera at their residence in Vasant Vihar, Dehradun.</p> <p>Based on the above facts answer the following questions:</p> <p>(a) Can Raghuveer, Rukmani and Nalini be released on bail? Decide citing reasons and relevant case laws highlighting the objective and purpose of Bail. (15 marks)</p> <p>(b) Apprehending arrest, Ravikant wants to move an application for anticipatory bail. As the Competent Authority, decide giving factors that would be considered while disposing his bail application. (10 Marks)</p>	25	CO3
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