

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2018

Course: ECONOMICS OF SENTENCING AND PRISON **Course Code: LLBL 322**

Semester: V

Programme: B.A. (Hons) LL.B. Criminal Law

Time: 03 hrs.

Max. Marks: 100

Instructions:

SECTION A

S. No.		Marks	CO
Q 1	Statement of question		
A.	The following premise is taken from classical school of thought: (i) Criminal is not born but a defiant/ deficient out of want of education (ii) Criminal is born out of his physical features for defiance/ deficiency (iii) Criminal is transformed man out of injustice of the society upon him	2	CO1
B.	In the following case, sentence should NOT be issued after sentencing guidelines: (i) An offence committed by regular offender out of habit (ii) An offence committed by first-timer in compelling circumstance (iii) An offence in self-defence but rationale falls short of statutory provision	2	CO1
C.	The jurisprudence of sentencing underwent transformation from retribution to: (i) correction (ii) education (iii) subversion	2	CO1
D.	The following is an experiment with contemporary sentencing business: (i) Solitary confinement (ii) Temporary release (iii) Open air prison	2	CO1
E.	Besides state-run court, sentencing business is available in: (i) Corporate sector (ii) Non-state actor (iii) Tribal hamlet	2	CO1

SECTION B

Q 2.	Statement of question		
	Write a micro-economic analysis on sentencing business	20	CO2

SECTION-C

Q 3.	Statement of question	20	CO3
	Write a macro-economic analysis of prison administration		
SECTION-D			
Q 4.	Statement of question		
	A tribal youth, convinced by suggestion from local youth that his wife appears witch and likely to kill her soon, deserted his house to save his life while she was subjected to sexual exploitation by the local youth under the influence of intoxicated substance offered by them. The local youth were booked under appropriate provisions vis-à-vis violence against a woman while her husband was booked for abetment by desertion of wife without reasonable cause, thereby willful exposure to her trouble on his part; under section 107 of the Indian Penal Code, 1860. As judicial magistrate with exposure in sentencing business, decide the given case.	50	CO4

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SECTION A

S. No.		Marks	CO
Q 1	Statement of question		
F.	The following premise is taken from positivist school of thought: (i) Criminal is not born but a defiant/ deficient out of want of education (ii) Criminal is born out of his physical features for defiance/ deficiency (iii) Criminal is transformed man out of injustice of the society upon him	2	CO1
G.	In the following case, sentence should be issued after sentencing guidelines: (i) An offence committed by regular offender out of habit (ii) An offence committed by first-timer in compelling circumstance (iii) An offence in self-defence but rationale falls short of statutory provision	2	CO1
H.	Despite contemporary mode of compassion, the ancient jurisprudence of sentencing but revolves around: (i) reparation (ii) restitution (iii) retribution	2	CO1
I.	The following is NOT experimented during contemporary sentencing business: (i) Solitary confinement (ii) Temporary release (iii) Open air prison	2	CO1
J.	The following principle is NOT followed in contemporary sentencing business: (i) Brutality before and after incarceration (ii) Reasonable opportunity to be proved not guilty (iii) Proportionality between crime and punishment	2	CO1

SECTION B

Q 2.	Statement of question		
	Write a macro-economic analysis on sentencing business	20	CO1

SECTION-C

Q 3.	Statement of question	20	CO3
	Write a micro-economic analysis of prison administration		
SECTION-D			
Q 4.	Statement of question		
	A Naxalite sympathizer is accused of sedition on the ground of her over expression in favour of the movement for socio-economic justice for the peri-urban poor and marginalized population; traditional forest-dwellers in particular. Nonjudgmental upon sporadic violence, also she has had no arms in her possession, she was arrested by dozens of armed policemen of the local police station at midnight and produced before male judicial magistrate in the neighbouring district after three working days. A charge was framed by these policemen against her offence under section 124A of Indian Penal Code, 1860 on the count of seditious activities apparent in her behavior. As judicial magistrate with exposure in sentencing business, decide the given case.	50	CO4