

<b>Name:</b>	
<b>Enrolment No:</b>	

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

<b>Course:</b> Criminal Procedure Code, JJ Act & Prohibition of Offenders Act	<b>Semester: VI</b>
<b>Programme:</b> BBALLB CL/BFIL/ITIL, B.Com LLB TL	<b>Time: 03 hrs.</b>
<b>Max. Marks: 100</b>	<b>CC:LLBL212</b>
<b>Instructions:</b>	

**SECTION A (ATTEMPT ANY FOUR)**

	Write short notes on the following	Marks	CO
Q1.	Complaint	2	CO1
Q2.	Inquest Report	2	CO1
Q3.	Case Diary	2	CO2
Q4.	Non-bailable offence	2	CO1
Q5.	Warrant case	2	CO3

**SECTION B (5X4)**

Q 6.	Distinguish between discharge, acquittal and conviction.	5	CO3
Q7.	A had filed a private complaint in the court of Magistrate under Section 200 of the Criminal Procedure Code (Cr.P.C.) for an offence of cheating under Section 420 IPC. However, instead of taking cognizance of the offence alleged in the above private complaint, the Magistrate directed the police under Section 156(3) of the Cr.P.C. for investigation. Can a Magistrate direct investigation under Section 156(3) Cr.P.C. even where a private complaint is filed under Section 190, 200 of the Cr.P.C.?	5	CO2

Q8.	When can a search warrant be issued? Can it be issued by JM 1 <sup>st</sup> class to search for a document in the custody of postal or telegraph authority?	5	CO3
Q9.	Discuss in brief the procedure of arrest by private person and police officer.	5	CO2
<b>SECTION-C</b>			
Q10.	Critically analyze the Juvenile Justice (Care and Protection of Children) Act, 2015. How far the amendment of 2015 has addressed the present problem of the society. Support your answer with relevant case laws.	10	CO1
Q11.	The probation of offenders Act, 1958 is an Act to provide for the release of offenders on probation or after due admonition and for matters connected therewith. In the light of the statement, critically analyze this Act with the help of case laws.	10	CO3
<b>SECTION-D</b>			
Q12.	Meera presents a petition under section 125 of cr.pc against Vinod Kumar for her maintenance and for the maintenance of her four minor sons and for the maintenance of a major daughter, who is an idiot, alleging that she had married Vinod Kumar about 22 years back secretly in a temple and now Vinod Kumar had turned out of the houses and refuses to maintain her and her sons and daughter. Vinod Kumar in his defense pleads that Meera was no more than a concubine and no marriage ceremony took place at any time. Suppose marriage is not proved, whether Meera will be entitled for maintenance. Decide.	15	CO4
Q13.	'X' is accused of raping his domestic help 'D'. A police report is filed under section 173 of cr.pc, 1973 in the court of Magistrate. Rape is an offence triable exclusively by the court of session. Can the magistrate take cognizance of this case against X on the basis of police report and frame charges against X? Also discuss the procedure	15	CO4

	to be followed by the court of session during X's trial on charges of rape.		
Q14.	'Y' lodged an FIR against her husband 'M' under section 498A of IPC. M is arrested by a police officer and detained in custody. It appears to the police officer that the accusation is well founded and the investigation cannot be completed within 24 hours. Elucidate the procedure to be followed to get the detention extended. If M wants to make a confession of his guilt during investigation. Can he do so? Explain.	<b>20</b>	<b>CO2</b>

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**Max. Marks: 100**

**CC:LLBL212**

**Instructions:**

**SECTION A – (ATTEMPT ANY FOUR)**

S. No.	Write Short Notes	Marks	CO
Q1.	Zero FIR	2	CO1
Q2.	Summon case	2	CO1
Q3.	Inquiry	2	CO2
Q4.	Cognizable offence	2	CO1
Q5.	Warrant	2	CO1

**SECTION B -**

Q6.	Define charge and when the charge can be altered?	10	CO3
Q7.	Who may claim maintenance under section 125 of this Code? Discuss the situations under which a wife will not be entitled to maintenance.	10	CO2

**SECTION-C**

Q 8.	Critically examine the concept of anticipatory bail with the help of relevant case laws.	10	CO1
Q 9.	Critically analyze the features of the Juvenile Justice (Care and Protection of Children) Act, 2015.	10	CO3

**SECTION-D**

Q10.	A father approached his married daughter from his first marriage for maintenance on the ground that he was unable to maintain himself. He was living with second wife whom he had	20	CO4
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	<p>married and having one son and a daughter out of this wedlock when his first wife died about 30 years ago. The daughter raised a preliminary objection that section 125 of cr. Pc did not require to maintain their parents. Magistrate dismissed the objections. Is his order right? Give reasons.</p>		
Q11.	<p>An accused is arrested in a bailable offence and he is released on bail. During trial he absconds and non-bailable warrant is issued against him. The police arrest him and produces him before the court. The Defense counsel pleads for his release on bail under section 436 (1) Cr.Pc which provides that a person accused of a bailable offence shall be released on bail. Can the court, in such circumstances refuse to release him on bail? Give reasons.</p>	15	CO4
Q12.	<p>A girl 'X' was raped by her late husband's brother 'Y'. The incident occurred in a village, it was first tried to be settled within the walls of the family the next day. When it failed, her in laws or no male family members agreed to accompany her. However, she got the moral support from the village <i>Panch</i> and her well-wishers and she proceeded to police station to report the matter. Whether delay in lodging FIR affects the prosecution case? Elucidate. What is its evidentiary value?</p>	15	CO4