

<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: Medical Jurisprudence** **Semester: V**

**Program: B.A, LL.B. (Hons.) CRIMINAL/LABOUR LAW/CONSTITUTIONAL LAW**

**Time: 03 hrs.**

**Course Code: CLCC3017**

**Max. Marks: 100**

**Instructions: Read questions carefully before attempting.**

S. No.	SECTION A	Marks	CO
	Write short note on following		
Q1	Medical jurisprudence	2	CO1
Q2	Narco Analysis test	2	CO1
Q3	Torture Medicine	2	CO1
Q4	DNA database vis-a-vis Civil Rights	2	CO2
Q5	Differentiate between Ante-mortem and post mortem Lacerations	2	CO2
<b>SECTION B</b>			
<b>(Any two)</b>			
Q6	In case of death from wounds, how will you state whether the injuries were suicidal, homicidal or accidental in nature. Discuss.	10	CO1
Q7	Describe different methods of investigation adopted in India. Add a note on the medical examiner system prevalent in USA.	10	CO2
Q8	What is meant by a dangerous weapon? Mention the common weapons of offence and state the external characteristics of injuries produced by them which will help you to infer the type of weapon used for offence.	10	CO3
<b>SECTION-C (Any two)</b>			
Q9	Critically evaluate the provisions of the National Medical Commission Act, 2019.	10	CO1

Q10	What is rigor mortis? Discuss the circumstances which modify its onset and duration. Briefly describe the conditions which simulate it.	10	CO1
Q11	What is identity? When does the question of identity arise? Write a short on the circumstances in which the question of age may form the basis of medicolegal investigation.	10	CO1
<b>SECTION-D</b>			
Q12	<p>Shashi Singh, a distant relative of the family staying in the same village, lured the girl away to Kanpur, apparently on the pretext of getting her a job. But villagers say that Shashi's son Shubham and the girl had eloped. Kuldeep intervened and asked them to get married, but Shubham's father did not agree. That is when the trouble started. The girl was taken to Kuldeep's house for some sort of reconciliation, and he allegedly raped her.</p> <p>Residents of the village wondered why the girl was taken to Kuldeep Sengar's house when her father or uncle might just as well have visited him to work out a solution. Kuldeep had no earlier complaints of sexual harassment against him. But in a village where a feudal code of conduct is still very much in force, the girl being taken to his house instead of her father or uncle is suspect.</p> <p>Thereafter, the girl was allegedly gang-raped by associates of Kuldeep Sengar. A first information report (FIR) was lodged under Sections 363, 366, 367 and 506 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, naming Kuldeep as the main accused.</p> <p>Answer the following questions on the basis of above-mentioned facts:</p> <ol style="list-style-type: none"> <li>1. Discuss the Objective and procedure of medical examination of victim and accused of rape cases. (15 Marks)</li> <li>2. Critically Examine the concept of two finger test with help of relevant case laws. (10 Marks)</li> </ol>	25	CO2 CO3 CO4
Q13	A petition has been filled in National Consumer Commission of India by the parents of deceased boy named Samanate Mukherjee a 2nd year B. Tech student and was studying in Netaji Subhas Chandra Bose Engineering College, Calcutta. The boy was hit by a Calcutta transport bus and rushed to the hospital which was 1 km from the	25	CO2 CO3 CO4

accident spot. The boy was conscious when he was taken to hospital and he showed his medical insurance card, which clearly state that the boy will be given Rs.65,000 by the Insurance company in case of accident, relying on it hospital started treating boy but after giving some initial treatment hospital demanded Rs15,000 and on the non- payment of the demanded money hospital discontinued treatment of the boy and the boy was rushed to another hospital and on the way the boy died.

Answer the following on basis of above given facts:

1. Decide the case with help of relevant judicial precedents while focusing on duties of doctors and hospitals in road accident cases. (15 Marks)
2. Discuss the rules relating to ethical aspects of medical practice. (10 marks)