

Name:	
Enrolment No:	

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

Course:	Semester: VII
Programme: B.TECH (CSE), LL.B (Hons) Cyber Laws 2015/ B. TECH.(ET), LL.B. (Hons.) IPR 2015	
Time: 03 hrs.	Max. Marks: 100
Instructions:	

SECTION A (2*5)

S. No.	Q	Marks	CO
	Explain any two of the following		
1.	Summary Trial	5	CO2
2.	Complaint	5	CO2
3.	Admonition	5	CO1

SECTION B (2*10)

Q.	Q.	Marks	CO
4.	What is Arrest? Discuss in detail the procedure of arrest according to the provisions of Criminal Procedure Code. Describe the various rights of arrested persons under the Code?	10	CO1
5.	Describe the procedure for trial before the Court of Session?	10	CO2

SECTION-C (2*10)

Q.	Q.	Marks	CO
6.	Explain Appeal, Reference and Revision under the Code?	10	CO2
7.	What are the limitations for taking cognizance of certain offences?	10	CO2

SECTION-D (50 Marks)

Q.	Q.	Marks	CO
8.	Anticipatory bail is granted in anticipation of arrest in non-bailable cases, but that does not mean that the regular court, which is to try the offender, is sought to be by passed and that is the reason why the High Court very rightly fixed the outer date for the continuance of the bail and on the date of its expiry directed the petitioner to move the regular court for bail. In the light of above statement explain the concept of interim bail, regular bail and	25	CO2

	anticipatory bail with relevant case laws.		
9.	<p>In <i>Dalbir Singh v. State of U.P.</i> (2004), a three-Judge Bench of SC held that in view of Section 464 Cr.P.C. it is possible for the appellate or revisional court to convict the accused for an offence for which no charge was framed unless the court is of the opinion that the failure of justice will occasion in the process. The learned Judges further explained that in order to judge whether there is a failure of justice the Court has to examine whether the accused was aware of the basic ingredients of the offence for which he is being convicted and whether the main facts sought to be established against him were explained to him clearly and whether he got a fair chance to defend himself.</p> <p>In the light of above, statement answer the following:</p> <p>a) Define Charge? What are the contents of Charge? (10)</p> <p>b) Explain can a court alter charge? If so, how and upto what stage. (9)</p> <p>c) Whether the charge need to set out the manner in the following illustrations? (6)</p> <p>i. A is accused of the theft of a certain article at a certain time and place.</p> <p>ii. A is accused of giving false evidence at a given time and place.</p> <p>iii. A is accused of disobeying a direction of the law with intent to save B from punishment.</p>	25	CO2

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SECTION A (2*5)

S. No.		Marks	CO
Q	Explain any two of the following		
1.	Irregular Proceedings	5	CO2
2.	Plea Bargaining	5	CO2
3.	Reference	5	CO2
SECTION B (2*10)			
Q.			
4.	Who can claim maintenance under Section 125 of the Criminal Procedure Code 1973? Explain whether a woman in a live in can claim maintenance.	10	CO1,
5.	Describe the procedure for trial of warrant case before the Magistrate?	10	CO2
SECTION-C (2*10)			
Q			
6.	When can an order to release an accused on probation of good conduct be made by court?	10	CO1
7.	What is Bail? Discuss the guiding principles for grant of bail in bailable and non-bailable offences?	10	CO2
SECTION-D (50 Marks)			
Q.4			
8.	In Kolla Veera Raghav Rao v. Gorantla Venkateswara Rao (2011) the Supreme Court held that there is difference between the language used in Art. 20(2) and Sec. 300. Comment with the help of illustrations.	15	CO2
9.	In cases where no appeal has been provided by law or in cases where the remedy of appeal has for any reason failed to secure fair justice the criminal procedure code provides for another kind of review procedure, viz. revision. Revision lies both in pending and decided cases and it can be filed before a High Court or a Court of Session. Very wide discretionary powers have been conferred on the Sessions Court and the High Court. Distinguishing between reference and revision and explain the statement with relevant case laws.	25	CO2
10.	The chief Judicial Magistrate of Dehradun granted Anticipatory Bail to M.L.A as he was apprehending arrest in the murder case and issued necessary directions. Examine the validity of the order with relevant case laws.	10	CO2