

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Criminology and Penology
Semester-VII (Batch: 2013-18)

End Semester Examination: October-2016

Date: 28th October, 2016

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

Answer all questions

Marks

Q.1 Choose the incorrect statement/statements.

(01)

- (a) The method of execution of death penalty in India is "Hanging" only.
- (b) Law commission of India has recommended for the abolition of death penalty except terrorism related offences.
- (c) Death penalty can be given to the juvenile offender who has committed heinous offences as per the amended juvenile justice Act.
- (d) Law commission of India has recommended to decriminalize "attempt to suicide".

Q.2 Choose correct statement/statements

(01)

- (a) Embezzlement is not a kind of white collar crime.
- (b) Remission and parole are the same.
- (c) Section 75 of Indian penal code provides punishment to recidivists.
- (d) Section 307(2) of Indian penal code is an example of three strike law.

Q.3 Match the following:

(4x2
=08)

(i)

- a. Savitry Devi Nigam –marital rape Bill
- b. Justice Verma Committee-judicial sentencing

- i. Smt. Kanimozhi,-Abolition of death penalty
- ii. Madhava Menon Committee-sexual assault

(ii)

- | | |
|--|---|
| a. Hear the accused on sentence – section 357 of Cr.P.C | i. Sentence on offender already sentenced for another offence-section 235 of Cr.P.C |
| b. Compensation to persons groundlessly arrested-section 427 of Cr.P.C | ii. Order to pay compensation-section 358 of Cr.P.C |

(iii)

- | | |
|---------------------|--------------|
| a. Shooting | i. Indonesia |
| b. Beheading | ii. Thailand |
| c. Stoning | iii. Yemen |
| d. lethal injection | iv. India |
| | v. Maldives |

(iv)

- | | |
|--|---|
| a. <i>Soman v. State of Kerala</i> | i. <i>two finger test</i> |
| b. <i>Lillu alias Rajesh & Another v. State of Haryana</i> | ii. <i>rape case mediation</i> |
| c. <i>Gian Singh v State of Punjab</i> | iii. <i>judicial sentencing</i> |
| d. <i>State of Madhya Pradesh vs Madanlal</i> | iv. <i>compounding of non-compoundable offences</i> |

Q.4 True or false.

(6x0.5
=03)

- Stalking is an example of “true cybercrime”
- As per the amended Juvenile justice Act the age of juvenile is 16 years.
- Court can give lesser punishment to the offender who has been convicted under section 376.
- As per Gujarat prohibition Act, consumption of alcohol itself is an offence.
- “Victim precipitation” means victim is an innocent.
- Whipping was also one of the punishments under Indian penal code.

Q.5 Answer the following question (800-1000 words)

(07)

“Indian government has introduced a scheme called “income discloser scheme” in 2016. Through this scheme government could recover an amount of about Rs. 30,000 crores as tax and penalty for non-discloser and about Rs. 66,000 crores worth income got declared by the tax avatars. Considering these much disclosers, government is planning to extend the scheme to one more year and the government is also planning to withdraw the penalty for the disclosers.

Do you think this proposed scheme will increase the number of disclosers?

Do you think this scheme will have any adverse effect?

Q.6 Write short notes on any five of the following (500-750 words)

(6x5
=30)

- (a) Explain the difference between Parole and furlough and how parole and furlough are granted
- (b) Explain the difference between Admonition and Probation and how and when admonition (iii). and probation are granted
- (c) Elucidate how LGBT people are victimized by the perpetrators and how state is dealing LGBT victims.
- (d) Explain how Drug addiction lead to the commission of crime. Which are the types of crimes committed by the drug addicts and how can they be controlled.
- (e) Explain the various theories of victim
- (f) Whether Indian criminal law is having the element of restorative punishment or not. Explain with relevant provisions and case laws.
- (g) Elucidate the current position of judicial sentencing policy in India and is there any requirement of special judicial sentencing policy?
