

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, Dec 2023

Course: Comparative Criminal Procedure
Programme: B.A/BBA/BCOM. LL.B-CRL
Semester: VII

Course Code: CLCL4001
Time: 03 hrs.
Max. Marks: 100

SECTION A

5Qx2M=10 Marks

S. No.	Question	Marks	CO
1	Meaning of Furlough.	2	CO1
2	What do you mean by common law?	2	CO1
3	Write a brief note on criminal justice system.	2	CO1
4.	Write a brief note on police power in UK?	2	CO1
5	Write a brief note on power of police to enter a place in USA.	2	CO1

SECTION-B

4Q x5M=20 Marks

1	Write a note on investigation process by FBI in USA.	5	CO2
2	Elaborate difference between plea bargaining and plead guilty.	5	CO2
3	Differentiate Inquisitorial and Adversarial process. Illustrate your answer.	5	CO2
4	Administration of Criminal Law is based on two principles of law, discuss those principles.	5	CO2

SECTION-C

2Qx10M=20 Mark

1	Elaborate the trial system in USA and UK, how far these are similar in nature.	10	CO3
2	Explain the plea bargaining in USA and India. Or Critically Examine the need of Pre-Sentence Investigation	10	CO3

SECTION-D

2Qx25M =50 Marks

1.	The Judge has wide discretion in awarding the sentence within the statutory limits. There is no guidance to the Judge in regard to selecting the most appropriate sentence given the circumstances of the case. Therefore, each Judge exercises discretion according to his own judgment. There is therefore no uniformity. Keeping in mind the above statement, A. Evaluate the recommendations and guidelines issued by different law committees.	25	CO4
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	B. Justify the need of sentencing policy in India for better implementation of criminal law? Give reasons for your answer.		
2.	<p>On March 29, Betty Gow, the Lindbergh nurse, found the infant's thumb guard, worn at the time of the kidnapping, near the entrance to the estate. The following day the ninth ransom note was received by Condon, threatening to increase the demand to \$100,000 and refusing a code for use in newspaper columns. The tenth ransom note, received by Dr. Condon, on April 1, 2023 instructed him to have the money ready the following night, to which Condon replied by an ad in the Press. The eleventh ransom note was delivered to Condon on April 2, 2023, by an unidentified taxi driver who said he received it from an unknown man. Dr. Condon found the twelfth ransom note under a stone in front of a greenhouse at 3225 East Tremont Avenue, Bronx, New York, as instructed in the eleventh note.</p> <p>Shortly thereafter, on the same evening, by following the instructions contained in the twelfth note, Condon again met whom he believed to be "John" to reduce the demand to \$50,000. This amount was handed to the stranger in exchange for a receipt and the thirteenth note, containing instructions to the effect that the kidnapped child could be found on a boat named "Nellie" near Martha's Vineyard, Massachusetts. The stranger then walked north into the park woods. The following day an unsuccessful search for the baby was made near Martha's Vineyard. The search was later repeated. Dr. Condon was positive that he would recognize "John" if he ever saw him again.</p> <p>On May 12, 2023, the body of the kidnapped baby was accidentally found, partly buried, and badly decomposed, about four and a half miles southeast of the Lindbergh home, 45 feet from the highway, near Mount Rose, New Jersey, in Mercer County. The discovery was made by William Allen, an assistant on a truck driven by Orville Wilson. The head was crushed, there was a hole in the skull and some of the body members were missing. The body was positively identified and cremated at Trenton, New Jersey, on May 13, 2023. The Coroner's examination showed that the child had been dead for about two months and that death was caused by a blow on the head.</p> <p>In the light of above stated facts discuss</p> <p>A. Critically evaluate the Investigation process of criminal case in USA and which agency in USA can investigate the case?</p> <p>B. If the same crime would have been taken place in India, how the investigation will take place? whether any specialised agency will investigate the case or the police will do the same. State reason for your answer.</p>	25	CO4