

School of Law

Bachelor of Law

ETE - May 2023

Time : 3 Hours

Marks : 100

TRIMESTER II - MLAW5021 - Criminology and Criminal Justice Administration

Your answer should be specific to the question asked

Draw neat labeled diagrams wherever necessary

1. "The classical explanation of criminal behavior—and even how to prevent it—can be derived from these three assumptions about human nature." List out and explain these assumptions in the light of Jeremy Bentham's Theory of Criminology. K2 CO1 (5)
2. Explain the nature and scope of criminology. K2 CO2 (5)
3. "Rational choice theory evolved out of deterrence theory and the economic principle of expected utility." On the basis of this statement explain the Pain versus Gain Theory with help of relevant examples. K2 CO1 (5)
4. Discuss the concept of Cartographic Criminology. K2 CO2 (5)
5. Explain the concept of state monopoly on criminalisation. How is it relevant for administration in general and of criminal justice in particular. Answer with help of relevant examples. K3 CO3 (10)
6. Whether Indian Criminal Justice is a process or system? Answer based on relevant concepts. Further contextualise criminal justice through the idea of constitutional morality based on case-laws. K3 CO4 (10)
7. List out the criticalist understanding of the criminal law, through various lines of inquiries, like, social and historical, metaphysical among others. While answering provide relevant examples from the Indian Criminal Justice Administration. K3 CO4 (10)
8. "The exclusionary principle is directly connected to the right to privacy of the accused person." Elaborate upon this statement with help of relevant provisions in the Indian Criminal Justice Administration and the relevant case-laws. K4 CO5 (15)
9. "Arrest being humiliation, curtails freedom and casts a shadow forever...The police has not come out of its colonial image despite six decades of Independence and surely not considered a friend of public." In the backdrop of this statement, discuss the power of arrest under the CrPC while discussing the relevant case-laws. K4 CO6 (15)
10. "Jails in India are flooded with undertrial prisoners. The statistics placed before us would indicate that more than 2/3rd of the inmates of the prisons constitute undertrial prisoners. Of this category of prisoners, majority may not even be required to be arrested despite registration of a cognizable offense, being charged with offenses punishable for seven years or less. They are not only poor and illiterate but also would include women. Thus, there is a culture of offense being inherited by many of them. As observed by this Court, it certainly exhibits the mindset, a vestige of colonial India, on the part of the Investigating Agency, notwithstanding the fact arrest is a draconian measure resulting in curtailment of liberty, and thus to be used sparingly. In a democracy, there can never be an impression that it is a police State as both are conceptually opposite to each other." K5 CO6 (20)

In the backdrop of this statement, elaborate upon development of the bail jurisprudence as per the Suresh Kumar Antil v CBI case.

OR

"Indian criminal justice system is tilted towards the public order perspective rather than individual liberty perspective." Analyze this statement from the perspective of bail jurisprudence in India with help of relevant provisions and case-laws. K5 CO6 (20)