BLOGS

Questions on Death Penalty for CLAT PG

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The death penalty, or capital punishment, is awarded in the rarest of the rare cases in India. This doctrine was established in the case of **Bachan Singh v. State of Punjab**, but execution by hanging by the neck was decided as unconstitutional in the case of **Deena v. Union of India**. The **262nd Law Commission Report in 2015** recommended abolition of the death penalty in India except for the cases related to terrorism-related offenses." **1. In which the Supreme Court laid down the principle of the 'rarest of the rare' doctrine?** a. Ediga Anamma v. State of Andhra Pradesh

b. Bachan Singh v. State of Punjab

c. Machhi Singh v. State of Punjab

d. Deena v. Union of India **2. Which of the following is the requirement for imposing the rarest of rare doctrine?** a. Nature of the Crime

b. Aggravating and Mitigating circumstances relating to the crime and the criminal

c. Opinion of the victim's family

d. All of the Above **3. Which of the following categories does not qualify for the rarest of the rare doctrine as decided in the case of Machhi Singh? V. State of Punjab?** a. When the murder is committed brutally

b. Motive of crime involves depravity

c. Murder committed by juvenile

d. Murder committed by insane person **4. Which article of the Constitution of India was mentioned while challenging the constitutional validity of the death penalty in India?** a. Article 14

b. Article 19

c. Article 21

d. Article 32 **5. Which method of execution was held unconstitutional in the case of Deena v. UOI?** a. Firing Squad

b. Lethal injection

c. Electrocution

d. Hanging by Neck **6. Which section of CrPC, 1973, makes it mandatory for the sessions**

court to record special reasons before awarding the death penalty? a. Section 354(1)

b. Section 354(3)

c. Section 366(1)

d. Section 368 **7. Which of the following is correct with respect to confirmation of the death penalty in India?** a. It needs to be confirmed by the high court.

b. The session court can direct the death penalty without the confirmation of High Court

c. Only the Supreme Court can confirm the death penalty

d. None of the Above **8. What was decided in the case of Shatrughan Chauhan V. UOI?** a. Solitary confinement is constitutional

b. Mental illness of the convict after awarding the sentence is irrelevant

c. Rejection of the mercy petition needs to be communicated to the convict

d. None of the Above **9. Which article of the Constitution of India discusses the power of the president to grant a pardon or commute a death sentence?** a. Article 161

b. Article 72

c. Article 74

d. Article 142 **10. In which case did the Supreme Court state that awarding the death penalty in the case of rape is unconstitutional as it is not proportionate?** a. The Supreme Court has not yet ruled on this specific issue directly

b. Rajendra Prasad v. State of U.P.

c. Furman v. Georgia

d. Jagmohan Singh v. State of U.P. **11. Which international instrument deals with the abolition of the death penalty and has not been ratified by India?** a. ICCPR

b. UDHR

c. Genocide Convention

d. Second Optional Protocol to ICCPR **12. What was held in the case of Santosh Kumar Satishbhushan Bariyar v. State of Maharashtra?** a. Rarest of the are doctrine needs to be abolished

b. Arbitrariness in death penalty is unconstitutional

c. Life imprisonment is alternative to death penalty

d. None of the Above **13. In which offences the death penalty awarded in India as per IPC, 1860?** a. Waging war against the state

b. Dacoity with murder

c. Kidnapping for ransom

d. All of the Above **14. What was recommended in the 262nd Law Commission report of India?** a. Award of death penalty for all heinous crimes

b. Abolition of death penalty except for terrorism-related crimes and waging war against the state

c. Award of death penalty for rape crimes

d. Abolition of death penalty in complete sense **15. What has been described with regards to the death penalty and juveniles?** a. Juveniles can be awarded death penalty if they are between the age of 16 and 18 years

b. No juvenile can be awarded death penalty without the possibility of release

c. Juveniles above 15 years can be awarded death penalty

d. None of the Above

Answers Option b Option b Option c Option c Option d Option b Option a Option c Option b Option a Option d Option b Option d Option b Option b