

## Legal Reasoning Questions for CLAT | QB Set 28

The history of juvenile justice laws in India is deeply rooted in international conventions and guidelines, emphasising the need for reform and rehabilitation of minors. The guiding principle is that children under 18 years of age who commit offences are more likely to reintegrate into society if given the right care, protection, and correctional measures. Over the years, India's criminal justice system has undergone significant changes, especially with the introduction of the Juvenile Justice Acts in 1986, 2000, and 2015. These laws established a clear distinction between juvenile offenders and adult criminals, ensuring that minors are treated differently under the law. Even before the enactment of the Juvenile Justice Act of 1986, Indian courts were adopting a rehabilitative approach towards juvenile offenders. For example, in the case of *Smt. Prabhati v. Emperor*, the courts emphasised the need to avoid imprisoning young children and recommended their release under the supervision of parents or guardians. Similarly, in *Nawab Dheru Gul v. Emperor*, a 12-year-old found guilty under the IPC was sent to a reformatory school instead of facing formal conviction and punishment.

The landmark case of *Sheela Barse & Ors vs Union Of India* further highlighted the need for uniformity in juvenile justice laws across the country. The Supreme Court expressed concerns over the inconsistent implementation of the Children's Acts by various state governments and recommended the establishment of a central law. This eventually led to the formation of a more cohesive juvenile justice system in India. Indian courts, over time, have consistently upheld the idea of rehabilitation and reform for juvenile offenders, reinforcing that minors should not be exposed to harsh punitive measures like the death penalty or imprisonment with adults. By focusing on correctional and protective measures, the juvenile justice system aims to provide minors with a second chance at life, ensuring that they are given the opportunity to reform and become productive members of society.

### Situation-Based Questions:

#### Question 1

**Situation:** Aryan, aged 16, was involved in a robbery where no one was harmed. The court, considering his age and the non-violent nature of the offence, is deciding between

sending him to a juvenile detention centre or placing him under the supervision of his parents.

**Legal Issue:** What is the appropriate legal approach according to juvenile justice laws?

- (a) Aryan should be imprisoned like any adult offender.
  - (b) Aryan should be sent to a juvenile detention centre for rehabilitation.
  - (c) Aryan should be placed under the supervision of his parents for reform.
  - (d) Aryan should be given the death penalty for his involvement in a crime.
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## Question 2

**Situation:** Rhea, aged 17, was involved in a serious crime where she accidentally caused the death of another person. The court is considering whether to try her as an adult or a juvenile, given the gravity of the crime.

**Legal Issue:** Can Rhea be tried as an adult under the Juvenile Justice Act, 2015?

- (a) Yes, because the crime involved loss of life, and her age is close to 18.
  - (b) No, because the Juvenile Justice Act prohibits juveniles from being tried as adults.
  - (c) Yes, but only if the court determines that she understood the consequences of her actions.
  - (d) No, because minors are always tried as juveniles, irrespective of the crime.
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## Question 3

**Situation:** Aman, aged 14, was caught shoplifting. His guardians argue that he should not be sent to a juvenile detention centre as it was a minor, non-violent offence. The court is considering an appropriate course of action.

**Legal Issue:** What corrective measure should the court take under the juvenile justice principles?

- (a) Aman should be sent to a reformatory school for strict punishment.
- (b) Aman should be imprisoned for 1 year.

- (c) Aman should be released under the supervision of his guardians with appropriate counselling.
  - (d) Aman should face the same legal consequences as an adult offender.
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#### Question 4

**Situation:** Anil, a 15-year-old, was involved in a group assault, which caused serious injury to a victim. The prosecutor is pushing for a harsh punishment due to the gravity of the offence, but Anil's defence argues for a rehabilitative approach.

**Legal Issue:** What stance should the court take under the Juvenile Justice Act?

- (a) Anil should be tried as an adult because the offence was serious.
  - (b) Anil should be placed in a juvenile detention centre for reformatory care.
  - (c) Anil should be given the same punishment as an adult due to the severity of the crime.
  - (d) Anil should be placed under house arrest as a form of punishment.
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#### Question 5

**Situation:** Priya, aged 13, is found guilty of vandalising public property. The court is deciding on an appropriate legal action. Priya's lawyer argues for minimal punitive measures based on her age and the non-violent nature of the offence.

**Legal Issue:** What is the correct approach under the Juvenile Justice Act?

- (a) Priya should be imprisoned for 2 years to deter future offences.
  - (b) Priya should be sent to a reformatory school to correct her behaviour.
  - (c) Priya should be given a warning and released under the supervision of her parents.
  - (d) Priya should be tried as an adult due to the nature of the offence.
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#### Detailed Answers:

**Answer 1: (c) Aryan should be placed under the supervision of his parents for reform.**

**Explanation:** Under the Juvenile Justice Act and the principles of rehabilitation, the court should prioritise correctional and protective measures for minors. Since Aryan's crime was non-violent, a rehabilitative approach such as supervision by his parents is appropriate rather than juvenile detention.

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**Answer 2: (c) Yes, but only if the court determines that she understood the consequences of her actions.**

**Explanation:** The Juvenile Justice Act, 2015, allows juveniles aged 16-18 to be tried as adults for heinous offences if the court is satisfied that the offender understood the nature and consequences of the crime. However, this decision depends on the court's assessment.

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**Answer 3: (c) Aman should be released under the supervision of his guardians with appropriate counselling.**

**Explanation:** Juvenile justice laws emphasise a rehabilitative approach, especially for non-violent offences committed by minors. In Aman's case, placing him under the supervision of his guardians, coupled with counselling, is consistent with the objective of reforming the juvenile rather than punishing him harshly.

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**Answer 4: (b) Anil should be placed in a juvenile detention centre for reformatory care.**

**Explanation:** Although Anil was involved in a serious offence, the juvenile justice system focuses on reform rather than punishment. Sending Anil to a juvenile detention centre for rehabilitation is consistent with the principles of the Juvenile Justice Act, which aims to correct and reintegrate juvenile offenders.

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**Answer 5: (c) Priya should be given a warning and released under the supervision of her parents.**

**Explanation:** Priya's offence is non-violent and minor in nature. The juvenile justice system encourages correctional measures like warnings and supervision for such minor offences. Imprisonment or reformatory school would be disproportionate, as the goal is to give her a chance to reform.

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