

Booklet Sr. No. _____

Paper I



Question Booklet
Set

Candidate's Name _____

Father's Name _____

Date of Birth :
 D D M M Y Y Y Y

Category Code*
 (* As given in the Admit Card)

A

OMR Response Sheet No. _____ Roll No. _____

Candidate's Signature : _____
 (Please sign in the box)

[Total Questions : 100]
 Time Allowed : 90 Minutes]

INSTRUCTIONS

1. The candidate shall **NOT** open this booklet till the time he/she is told to do so by the Invigilation Staff. However, in the meantime, the candidate can read these instructions carefully and subsequently fill the appropriate columns given above in **CAPITAL** letters. The candidate may also fill the relevant columns (other than the columns related to marking responses to the questions) of the Optical Mark Reader (**OMR**) response sheet, supplied separately.
2. Use only **BLUE OR BLACK** ball point pen to fill the relevant columns on this page. Use of fountain pen may leave smudges, which may make the information given by the candidate here illegible.
3. The candidate shall be liable for any adverse effect if the information given above is wrong or illegible.
4. Before attempting the paper, the candidate must fill all the columns given above on this page and sign at the appropriate place.
5. Each candidate is required to attempt 100 questions in 90 minutes, except for orthopaedically/visually impaired candidates, who would be given 30 extra minutes, by marking correct responses on the **OMR** sheet which would be supplied separately to the candidates.
6. **The candidate must write the following on the OMR sheet :**
 - (a) **Serial number of OMR sheet supplied to him/her for marking the responses to the questions.**
 - (b) **Serial number of the question booklet.**
 - (c) **Series of the question booklet. Failure to do so may lead to cancellation of candidature or any other action which the Commission may deem fit.**
7. The candidate should darken the appropriate response to the question by completely darkening the appropriate circle/oval according to his/her choice of response i.e. a, b, c or d in the manner shown in the example below :

a
b
c
d
8. Partly darkening the circle/oval on the **OMR** response sheet or using other symbols such as tick mark or cross would not result in evaluation of the response as the **OMR** scanner can only interpret the answers by reading the darkened responses in the manner explained in preceding paragraph. Darkening more than one circle/oval as response to a question shall also be considered as wrong answer. The candidates are advised not to erase any marked answer on the OMR sheet as it may lead to double reading of the answer by the scanner.
9. The candidates shall ensure that the responses are marked in correct manner and any adverse impact due to wrong marking of responses would be the responsibility of the respective candidate. The following are some of the **examples of wrong marking** of responses on the **OMR** response sheet :
10. **The candidates, when allowed to open the question paper booklet, must check the booklet to confirm that the booklet has complete number of pages, the pages are printed correctly and there are no blank pages. In case there is any such error in the question paper booklet the candidate should immediately bring this fact to the notice of the Invigilation Staff and obtain a booklet of the same series as given earlier.**
11. The serial number of the new booklet should be entered in the relevant column of the **OMR** sheet. The Invigilation Staff must make necessary corrections in their record regarding the change in the serial no. of question booklet.
12. The question paper booklet has **20** pages.
13. Each question shall carry **1.5 (one & half)** marks.
14. There are four options for each question and the candidate has to mark the **MOST APPROPRIATE** answer on the OMR response sheet using blue or black ball point pen.
15. There is no negative marking for wrong answers or questions not attempted by the candidate.

1. While investigation is pending, which of the following authorities does **not** have the power to tender pardon under the Code of Criminal Procedure, 1973 ?
 - (a) Session Court
 - (b) Chief Judicial Magistrate
 - (c) Magistrate First Class
 - (d) None of the above

2. Mark the **incorrect** statement.
 - (a) The language of the Court is determined by the State.
 - (b) The language of record of evidence shall strictly be the language of the Court.
 - (c) All evidence must be taken in the presence of the accused.
 - (d) The interpreter can be claimed by both the accused as well as his pleader.

3. Confession may be recorded by
 - (a) Executive Magistrate
 - (b) Judicial Magistrate having Jurisdiction only
 - (c) Judicial Magistrate with or without Jurisdiction
 - (d) Police officer having conferred with Power of Judicial Magistrate

4. Which of the following authorities is **not** authorised to use civil force to disperse an unlawful assembly likely to cause disturbance of public peace ?
 - (a) Any Executive Magistrate
 - (b) Officer in Charge of a police station
 - (c) Sub-Inspector
 - (d) Judicial Magistrate First Class

5. The Magistrate First Class can impose a sentence of imprisonment not exceeding 3 years. Accused 'A' is tried in the Court of Judicial Magistrate First Class for two offences in a single trial, punishable with 3 years each, and found guilty on both count. The Magistrate Court passed the sentence of imprisonment for 2 years for both of the offences separately, and makes further order that the sentence shall run consecutively. The sentence order so passed is
 - (a) Void
 - (b) Illegal
 - (c) Legal
 - (d) None of the above

6. Which of the following is **not** 'classes of criminal courts' as defined under the Code of Criminal Procedure, 1973 ?
 - (a) High Court, Metropolitan Magistrate, Magistrate Second Class
 - (b) High Court, Court of Sessions, Executive Magistrate
 - (c) Metropolitan Magistrate, Magistrate Second Class, Executive Magistrate
 - (d) High Court, Court of Sessions, Revenue Court

7. The Court of Sessions shall ordinarily hold its sitting at such place or places as the High Court may, by notification, specify. A special sitting of Session Court may also be conducted at a special place if, subject to other conditions, found fit in the opinion of the
- (a) State
 - (b) High Court
 - (c) Sessions Court
 - (d) District Magistrate
8. While framing charges, in which of the following cases is 'manner' of causing offence directory ?
- (a) Murder
 - (b) Cheating
 - (c) Kidnapping
 - (d) None of the above
9. During framing of charges, manner was not mentioned by the Magistrate. However, the accused was not misleading. Is there any error in the framing of charge and accordingly charges may be quashed ?
- (a) Yes
 - (b) No
 - (c) Discretion of court
 - (d) None of the above
10. The Presiding Officer of the Magistrate Court is appointed by the
- (a) State Government
 - (b) High Court
 - (c) District Judge
 - (d) Chief Judicial Magistrate
11. Accused 'A' is under police custody for 10 days. On the 9th day, he is brought before the Magistrate to record his confession, where he refuses to confess. The correct procedure under the Code of Criminal Procedure, 1973 is
- (a) He will remain in police custody for 01 more day
 - (b) The Magistrate may extend his judicial remand till the 15th day
 - (c) The Magistrate will send him to judicial custody immediately
 - (d) None of the above
12. As per the provisions of the Code of Criminal Procedure, 1973, an arrested person may be sent to judicial or police custody, as the case may be, by the
- (a) Sessions Court
 - (b) Magistrate Second Class if empowered by the State
 - (c) Magistrate Second Class if empowered by the High Court
 - (d) None of the above

13. The Magistrate First Class has imposed ₹ 5,000 fine over the accused, and also asked the accused to pay ₹ 20,000 as compensation to the victim. The order of the Court is
- Invalid since the amount of compensation is too high.
 - Invalid since the amount of compensation is more than the amount of fine.
 - Invalid since the Magistrate First Class cannot impose compensation for more than ₹ 10,000.
 - Invalid since the fine and compensation both cannot be imposed together.
14. Under the Code of Criminal Procedure, 1973, no revision application can lie against
- Where appeal provision exists
 - Where order is an appealable one
 - Interlocutory order
 - In all the above cases
15. Mark the *incorrect* option.
In an appeal from a conviction, the Appellate Court can
- Reverse the finding and sentence and acquit.
 - Reverse the finding, sentence and order the accused to be re-tried.
 - Not alter the finding and maintain the sentence.
 - With or without altering the finding, alter the nature or the extent, or the nature and extent, of the sentence, but not so as to enhance the same.
16. The evidence given by a dumb witness through sign language recorded into writing shall be a/an
- Documentary evidence
 - Oral evidence
 - Both (a) and (b)
 - None of the above
17. The good faith of a sale by a son just come of age to a father is in question in a suit brought by the son. The burden of proving the good faith of the transaction is on the
- Father
 - Son
 - Rule of Presumption will apply
 - None of the above
18. The rule about exclusion of oral evidence contained under Section 92 will apply in those cases where contract/grants or other disposition is
- In writing whether or not required by law to be in writing
 - Only those written documents which law requires to be in writing
 - Against all forms of contract/grant or disposition whether in writing or not
 - None of the above
19. Generally, leading questions may be asked even without permission of the Court in
- Examination in-Chief
 - Cross Examination
 - Re-Examination
 - All of the above

20. When a party proposes to give a particular fact as evidence, Section 136 of the Indian Evidence Act, 1872 provides that
- The Judge may ask about its relevancy
 - The Judge shall ask about its relevancy
 - The Judge may presume its relevancy
 - None of the above
21. Under Section 145 of the Indian Evidence Act, 1872, a witness may be cross-examined as to his previous statement given by him, which was reduced in writing. Which of the following statements is **not** covered by this Section ?
- Statement recorded under Section 161 of the Cr.P.C.
 - Statement of the accused amounting to confession only
 - Statement of the accused whether amounting to confession or not
 - None of the above
22. *State of Maharashtra vs Damu Gopinath Shinde* relates to
- Dying Declaration
 - Discovery of Evidence
 - Plea of *Alibi*
 - Estoppel
23. The rule of circumstantial evidence is a
- Well-defined rule under the Indian Evidence Act
 - Judge-made rule
 - Best evidence
 - Not admissible per se
24. A agrees in writing to sell his black horse to B. A has two black horses. B wishes to adduce an evidence as to which the black horse was expected to be part of that deal. This evidence is
- Barred by Section 91 of the Evidence Act
 - Barred by Section 92 of the Evidence Act
 - Permissible by Section 94 of the Evidence Act
 - Permissible by Section 96 of the Evidence Act
25. Match the groups given below :
- | <i>List I</i> | <i>List II</i> |
|---|---|
| A. Yakub Abdul Razak Menon | I. Delay in execution of Death Sentence |
| B. Sher Singh vs State of Punjab | II. Confession |
| C. Ramesh Chandra Agarwal vs Regency Hospital | III. Estoppel |
| D. C.I.T.V. B.N. Bhattacharyya | IV. Expert evidence |
- Codes :**
- | | A | B | C | D |
|-----|----------|----------|----------|----------|
| (a) | I | II | III | IV |
| (b) | II | I | IV | III |
| (c) | II | III | I | IV |
| (d) | III | II | IV | I |

26. Solitary confinement under the IPC **cannot** be

- (a) Maximum 14 days at a time
- (b) Maximum 3 months in total
- (c) Both (a) and (b)
- (d) None of the above

27. (A) For the purpose of offence of abetment, it is not necessary that the act abetted must be committed.

(R) Abetment is offence per se.

- (a) Both (A) and (R) are true and (R) is the correct explanation of (A)
- (b) Both (A) and (R) are true but (R) is not the correct explanation of (A)
- (c) (A) is true and (R) is false
- (d) Both (A) and (R) are false

28. (A) Grave and sudden provocation always depends on facts and circumstances of the case.

(R) As per the Indian Penal Code, grave and sudden provocation is a question of fact.

- (a) Both (A) and (R) are true and (R) is the correct explanation of (A)
- (b) Both (A) and (R) are true but (R) is not the correct explanation of (A)
- (c) (A) is true and (R) is false
- (d) Both (A) and (R) are false

29. Match the following :

List I

List II

- | | |
|----------------------------------|----------------------|
| A. Gian Kaur vs State of Punjab | I. Necessity |
| B. Om Prakash vs State of Punjab | II. Right to Die |
| C. Buta Singh vs State of Punjab | III. Private Defense |
| D. Bishambhar vs Roomal | IV. Attempt |

Codes :

- | | A | B | C | D |
|-----|----------|----------|----------|----------|
| (a) | I | II | III | IV |
| (b) | II | I | IV | III |
| (c) | II | IV | III | I |
| (d) | II | IV | I | III |

30. Which one of the following rules does **not** deal with insanity test ?

- (a) Durham Rule
- (b) Locus Poenitentiae
- (c) McNaughten Rule
- (d) Irresistible Impulse

31. (A) Section 511 IPC is a residuary clause for punishing attempt to commit any offence.

(R) If facts are not sufficient to bring a case into Section 307, the same may be prosecuted under Section 511 IPC.

- (a) Both (A) and (R) are true and (R) is the correct explanation of (A)
- (b) Both (A) and (R) are true but (R) is not correct explanation of (A)
- (c) (A) is true and (R) is false
- (d) Both (A) and (R) are false

32. In which of the following offences is even 'preparation' punishable ?
- Dacoity
 - Extortion
 - Miscarriage
 - Cheating
33. *Qui peccatebrius, luatsobris* deals with
- Intoxication
 - Insanity
 - Consent
 - Immaturity
34. Which of the following Sections creates rule of evidence as well ?
- Section 114 IPC
 - Section 364A IPC
 - Section 360 IPC
 - Section 34 IPC
35. Sentence of imprisonment for gang rape is
- Life imprisonment, and cannot be commuted below 24 years minimum
 - Life imprisonment, and cannot be commuted below 20 years minimum
 - Life imprisonment, and cannot be commuted below 14 years minimum
 - Life imprisonment, and cannot be commuted below 07 years minimum
36. Which one of the following Sections of the Indian Penal Code is based upon the maxim "de mimis non curatlex" ?
- Section 86
 - Section 93
 - Section 96
 - Section 95
37. Match List I with List II and give the correct answer by using the codes given below the lists :
- | <i>List I</i> | <i>List II</i> |
|------------------------------------|-----------------|
| A. Queen vs Dudley and Stephens | I. Section 86 |
| B. Basudev vs State of Pepsu | II. Section 84 |
| C. R vs Wilson | III. Section 81 |
| D. Jai Lal vs Delhi Administration | IV. Section 87 |
- Codes :**
- | | A | B | C | D |
|-----|-----|-----|-----|-----|
| (a) | III | I | IV | II |
| (b) | I | II | III | IV |
| (c) | IV | III | II | I |
| (d) | II | IV | I | III |

38. Match List I with List II and give the correct answer by using the codes given below the lists :

<i>List I</i> (Provisions)	<i>List II</i> (Sections of I.P.C.)
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- | | |
|--|------------------|
| A. Right of private defence of the body extends to causing death | I. Section 304B |
| B. Dowry death | II. Section 326A |
| C. Voluntarily causing grievous hurt by use of acid | III. Section 384 |
| D. Punishment for extortion | IV. Section 100 |

Codes :

- | | A | B | C | D |
|-----|-----|-----|-----|-----|
| (a) | IV | I | II | III |
| (b) | I | II | III | IV |
| (c) | II | III | IV | I |
| (d) | III | IV | I | II |

39. For the prosecution of a member of dacoits, Section 396 of the Indian Penal Code requires proof of

- (a) Dacoity committed with a common intention
- (b) Dacoity committed conjointly
- (c) Dacoity committed with a common object
- (d) None of the above

40. A finds a purse with money not knowing to whom it belongs; he afterward discovers that it belongs to Z, and appropriate it to his own. A is guilty of the offence of

- (a) Criminal breach of trust
- (b) Dishonest misappropriation
- (c) Cheating
- (d) Theft

41. A places men with firearms at outlets of a building, and tell Z that they will fire at Z if Z attempts to leave the building. A commits the offence of

- (a) Wrongful restraint
- (b) Wrongful confinement
- (c) Criminal assault
- (d) None of the above

42. Which one of the following is *not* correct ?

- (a) Every State shall be a sessions division or shall consist of sessions divisions; and every sessions division shall, for the purposes of this Code, be a district or consist of districts.
- (b) The State Government may, after consultation with the High Court, alter the limits or the number of such divisions and districts.
- (c) The State Government may, after consultation with the High Court, divide any district into sub-divisions and may alter the limits or the number of such sub-divisions.
- (d) The sessions divisions, districts and sub-divisions existing in a State at the commencement of this Code, shall not be deemed to have been formed under this Section.

43. Which one of the following is *incorrect* ?
- (a) The Court of a Chief Judicial Magistrate may pass any sentence authorised by law except a sentence of death or of imprisonment for life or of imprisonment for a term exceeding seven years.
 - (b) The Court of a Magistrate of the First Class may pass a sentence of imprisonment for a term not exceeding five years, or of a fine not exceeding ten thousand rupees, or both.
 - (c) The Court of a Magistrate of the Second Class may pass a sentence of imprisonment for a term not exceeding one year, or of a fine not exceeding five thousand rupees, or both.
 - (d) The Court of a Chief Metropolitan Magistrate shall have the powers of the Court of a Chief Judicial Magistrate and that of a Metropolitan Magistrate, the powers of the Court of a Magistrate of the First Class.
44. Where the High Court has, on appeal, reversed an order of acquittal of an accused person and convicted him and sentenced him to death or to imprisonment for life or to imprisonment for a term of ten years or more
- (a) He may file a second appeal to the High Court
 - (b) He has no right to appeal
 - (c) He may appeal to the Supreme Court
 - (d) None of the above
45. In non-bailable offences, a person may be released on bail if such person is
- (a) A woman
 - (b) Sick or infirm
 - (c) Under the age of eighteen years
 - (d) Both (a) and (b)
46. Which one of the following is/are correct ?
- (a) A Magistrate cannot arrest a person.
 - (b) A private person cannot arrest a person.
 - (c) A police officer can arrest a person.
 - (d) All of the above

47. Maintenance of a case diary by an investigating officer is
- As per departmental instructions
 - Mandatory as per law
 - In the discretion of the police officer
 - As per practice in the police station
48. The person seeking suspension of conviction should specifically draw the attention of the Appellate Court to the consequences that may arise, if the conviction is not stayed as held by the Supreme Court in
- Navjot Singh Sidhu vs State of Punjab, AIR 2007 SC1003
 - P.V. George vs State of Kerala, AIR 2007 SC 10334
 - Sheo Prasad Bhor vs State Of Assam, AIR 2007 SC918
 - Kuldip Nayar vs Union of India, (2006) 7 SCC 1
49. Which Section of the Code of Criminal Procedure is related to prosecution of judges and public servants ?
- Section 196
 - Section 198
 - Section 195A
 - Section 197
50. When a person who would otherwise be competent to compound an offence under Section 320 of the Cr.P.C. is dead, then the
- Offence cannot be compounded
 - Offence can be compounded by an eye witness
 - Offence can be compounded by the legal representative of such person without the consent of the Court
 - Legal representative of such person can compound the offence with the consent of the Court
51. Under Section 106 of the Code of Criminal Procedure, which of the following Courts has/have the power to release an offender on security for keeping peace and good behaviour ?
- The Sessions Court
 - Magistrate First Class
 - Appellate or Revision Court
 - All of the above
52. Point out the *incorrect* statement.
- In a cognizable offence, any police officer may, without any order from a Magistrate and without a warrant, arrest any person.
 - A private person may arrest or cause to be arrested any person committing a cognizable offence.
 - An Executive Magistrate may arrest an offender when any offence is committed in his presence and within his jurisdiction.
 - None of the above is correct

- 53.** Transfer of cases on application of the accused is provided under
- (a) Section 191 of the Cr.P.C.
 - (b) Section 192 of the Cr.P.C.
 - (c) Section 193 of the Cr.P.C.
 - (d) Section 194 of the Cr.P.C.
- 54.** Further investigation in respect of an offence after report on completion of investigation has been forwarded to the Magistrate is provided under
- (a) Section 156(3)
 - (b) Section 173(8)
 - (c) Section 159
 - (d) Section 160
- 55.** The general rule is that every offence shall ordinarily be inquired into and tried by a Court within whose local jurisdiction
- (a) It was reported
 - (b) It was committed
 - (c) The accused resides
 - (d) All of the above
- 56.** The statement of a witness recorded by a police officer during the course of investigation can be used during trial for
- (a) Corroborating the statement by prosecution
 - (b) Contradicting the statement of prosecution witness by the accused by proving the part of the statement, before the Court
 - (c) Both (a) and (b)
 - (d) None of the above
- 57.** A conditional order for removal of public nuisance under Section 133 of the Cr.P.C. may be passed by
- (a) The District Magistrate
 - (b) The Sub-Divisional Magistrate
 - (c) The Executive Magistrate
 - (d) Any of the above Magistrates
- 58.** Which Sections of the Code of Criminal Procedure provide for trial before a Court of Session ?
- (a) Section 225 to Section 237
 - (b) Section 238 to Section 243
 - (c) Section 251 to Section 259
 - (d) Section 260 to Section 265

- 59.** Section 265A deals with
- Summary trial
 - Plea bargaining
 - Identification of the accused
 - Medical examination of a rape victim
- 60.** A obstructs a path along which Z has a right to pass. A not believing in good faith that he has a right to stop the path. Z is thereby prevented from passing. A has committed the offence of
- Wrongful confinement
 - Wrongful restraint
 - Intimidation
 - Insult
- 61.** A threatens Z that he will keep Z's child in wrongful confinement unless Z will sign and deliver to A a promissory note binding Z to pay certain monies to A. Z signs and delivers the note. A has committed
- Wrongful confinement
 - Extortion
 - Wrongful confinement and mischief
 - Criminal intimidation
- 62.** A finds a valuable ring, not knowing to whom it belongs. A sells it immediately without attempting to discover the owner. A is guilty of an offence of
- Dishonest misappropriation of property
 - Criminal breach of trust
 - Theft
 - No offence
- 63.** Z dictates his will to A. A intentionally writes down a different legatee from the legatee named by Z, and by representing to Z that he has prepared the will according to his instructions, induces Z to sign the will. A has committed the offence of
- Cheating
 - Forgery
 - Fabricating false evidence
 - Misappropriation
- 64.** In which case is Section 303 of the IPC declared as unconstitutional ?
- Bachan Singh vs State of Punjab
 - Mithu Singh vs State of Punjab
 - Kehar Singh vs Delhi Administration
 - Kartar Singh vs State of Punjab
- 65.** A instigates B to murder C. B refuses to do so. Here, A is guilty of
- Attempt to murder
 - Abetting B to commit murder
 - Murder
 - None of the above

- 66.** Punishment for rioting under the IPC is
- Two years imprisonment only
 - Three years imprisonment only
 - Imprisonment which may extend to two years or a fine or both
 - Imprisonment which may extend to three years or a fine or both
- 67.** Pramjeet, by his articles published in newspaper, has created hatred and contempt against the Government of India. He can be punished for the offence of
- Waging war
 - Abetment
 - Sedition
 - None of the above
- 68.** In which of the following cases has the Supreme Court upheld the constitutional validity of a criminal statute in “offences against the order of the nature” recently ?
- National Legal Services Authority vs Union of India
 - Charu Khurana vs Union of India
 - Jaya Bhaduri vs Union of India
 - Suresh Kumar Kaushal vs Naz Foundation
- 69.** In which of the following cases has the Supreme Court held that the defence of drunkenness can be availed of only when intoxication produces such a condition as the accused loses the requisite intention for the offence ?
- Kamalji Singh vs State of Punjab
 - Neetu vs State of Punjab
 - R.D. Nayak vs State of Gujarat
 - Mubarik Hussain vs State of Rajasthan
- 70.** In which among the following cases has the Supreme Court held that “brutality is inbuilt in every murder but in case of every murder death sentence is not imposed” ?
- Prem Sagar vs Dharambir
 - Kailash vs State of Madhya Pradesh
 - Sanjay vs State of Maharashtra
 - State of U.P. vs Lalit Tandon
- 71.** A does sexual intercourse with a widow below 16 years of age with her consent.
- A has not committed Rape
 - A has committed Adultery
 - A has committed Rape with B
 - None of the above is correct
- 72.** ‘A’ makes a false entry in his electronic record for the purpose of using it as corroborative evidence in the trial court. ‘A’ has
- Fabricated false evidence
 - Not fabricated false evidence
 - Committed forgery
 - None of the above

73. 'A' intentionally causes 'Z's death, partly by illegally omitting to give 'Z' food, and partly by beating 'Z'.
- A has partly committed murder
 - A has committed murder
 - Both (a) and (b)
 - Neither (a) nor (b)

74. Match List I with List II and select the correct answer using the code given below the lists :

<i>List I</i>	<i>List II</i>
A. Public Nuisance	I. Section 300 of the IPC
B. Obscenity	II. Section 310 of the IPC
C. Thug	III. Section 294 of the IPC
D. Murder	IV. Section 268 of the IPC

Codes :

	A	B	C	D
(a)	IV	III	II	I
(b)	II	III	IV	I
(c)	III	IV	I	II
(d)	IV	I	II	III

75. Read the following :

- R. vs McNaughten is the case related with insanity as a defence.
- R. vs Govinda is the case related with a common intention.

Of the above

- (1) is true but (2) is false
- (1) is false but (2) is true
- Both (1) and (2) are true
- Both (1) and (2) are false

76. Section 153-AA has been inserted in the IPC, 1860, by which of the following Criminal Law Amendment Acts ?

- Act of 2001
- Act of 2003
- Act of 2005
- Act of 2006

77. Read the following :

- The maxim "Actus me invito factus non est mens acts" find application in Section 94 of the IPC.
- The maxim "diminimis non curat lex" has been incorporated in Section 95 of the IPC.

Of the above

- (1) is true but (2) is false
- (1) is false but (2) is true
- Both (1) and (2) are true
- Both (1) and (2) are false

78. In relation to the expression defined in Section 3 of the Indian Evidence Act, 1872, which of the following statements is **not** correct ?

- 'Fact' includes not only physical facts but also psychological facts.
- Court includes arbitrators.
- An inscription on a stone is a document.
- A fact is said to be 'not proved' when it is neither proved nor disproved.

- 79.** 'A' is tried for a crime. The fact that he said something indicating a general disposition to commit crimes of that class is
- Relevant
 - Irrelevant
 - Proves his character
 - Corroborates his involvement in the crime
- 80.** The Indian Evidence Act, 1872 is *not* applied to
- Affidavits presented to the Court
 - Proceedings before an arbitration
 - Both (a) and (b)
 - Judicial proceedings before the Court
- 81.** 'A' sues 'B' for a land of which 'B' is in possession, and which, as 'A' asserts, was left to 'A' by the will of 'C', B's father. If no evidence were given on either side, 'B' would be entitled to retain his possession. Therefore the burden of proof is on
- 'A'
 - 'B'
 - 'A' and 'B'
 - Neither on 'A' nor on 'B'
- 82.** Which one of the following is *not* the secondary evidence ?
- Copies made from the original by mechanical processes which in themselves ensure the accuracy of the copy, and copies compared with such copies
 - Document itself produced for the inspection of the Court
 - Copies made from or compared with the original
 - Oral accounts of the contents of a document given by some person who has himself seen it
- 83.** It is a well-settled law that the rule of prudence requires that the evidence of an accomplice should ordinarily be corroborated by some other evidence. It was held by the Supreme Court in
- Bablu vs State of Rajasthan
 - Rajinder vs State of Haryana
 - Baso Prasad vs State of Bihar
 - Francis Stanley vs Intelligence Officer
- 84.** In which case has the Supreme Court held that material evidence and not the number of witnesses has to be taken into account to ascertain the truth of the allegation made ?
- Syed Ibrahim vs State of Andhra Pradesh
 - Kamala Devi vs Kushal Kanwar
 - Surendra Pratap Tiwari vs State of U.P.
 - Mehmood Yar Khan vs Laxmikant Pande

85. "Relationship is not a factor to affect credibility of a witness" is laid down by the Supreme Court in

- (a) Minu Kumari vs State of Bihar
- (b) Jagdish vs State of U.P.
- (c) S. Sudershan Reddy vs State of A.P.
- (d) None of the above

86. A voluntary confession is admissible in evidence

- (a) When made to a police officer
- (b) When made to a Magistrate having competent jurisdiction
- (c) When made to a village sarpanch with request to save him from the police
- (d) Where it leads to no discovery of facts and made to a police officer

87. Deepak, an accused of committing the offence of supplying arms, informs his lawyer Shweta that he has committed the offence and wishes her to defend him. In these circumstances

- (a) Shweta is duty bound to inform the police
- (b) Shweta is duty bound to inform the fact to the Magistrate
- (c) The communication is a privileged one and protected from disclosure
- (d) The Trial Court can compel Shweta to disclose the fact

88. Match List I with List II and select the correct answer using the code given below the lists :

<i>List I</i>	<i>List II</i>
A. Same transaction	I. Section 17 of the Indian Evidence Act
B. Occasion	II. Section 6 of the Indian Evidence Act
C. Motive	III. Section 7 of the Indian Evidence Act
D. Admission	IV. Section 8 of the Indian Evidence Act

Codes :

	A	B	C	D
(a)	I	II	III	IV
(b)	II	III	I	IV
(c)	II	III	IV	I
(d)	IV	II	III	I

89. Confession of one accused is an admissible evidence against the co-accused

- (a) If they are tried jointly for the same offences
- (b) If they are tried jointly for different offences
- (c) If they are tried for the same offences but not jointly
- (d) If they are tried for different offences and not jointly

- 90.** 'X' and 'Y' both engaged in causing death of 'A'. There was grave provocation by 'A' towards 'X'. 'Y' was having ill will towards 'A' and intended to kill him without provocation and assisted 'X' in killing 'A'. In this case
- (a) Both 'X' and 'Y' are guilty of murder
 - (b) Both 'X' and 'Y' are guilty of culpable homicide not amounting to murder
 - (c) 'X' is guilty of murder and 'Y' is guilty of culpable homicide not amounting to murder
 - (d) 'Y' is guilty of murder and 'X' is guilty of culpable homicide not amounting to murder
- 91.** An act is said to be done or believed in 'Good faith' when it is done with
- (a) Good intention
 - (b) Good motive
 - (c) Due care and attention
 - (d) Bonafide act
- 92.** The defence of insanity is avoidable under Section 84 of the Indian Penal Code, 1860, when an accused is
- (a) Declared medically insane
 - (b) Of unsound mind
 - (c) Incapable of knowing the nature of the act or what he is doing is wrong or contrary to law
 - (d) Declared of unsound mind by the Court
- 93.** Death sentence is to be awarded in "rarest of rare cases" is laid down by the Supreme Court in
- (a) Bachan Singh vs State of Punjab
 - (b) Sher Singh vs State of Punjab
 - (c) Mithu vs State of Punjab
 - (d) Maneka Gandhi vs Union of India
- 94.** Essential requirement for committing an offence of conspiracy is
- (a) Agreement to commit an offence
 - (b) Commission of an offence by more than two persons
 - (c) Biding in the commission of an offence
 - (d) Common intention to commit an offence

- 95.** An expert is competent to testify on which of the following ?
- Matters of Science
 - Questions of Art
 - Foreign Law
 - All of the above
- 96.** 'X' appears before 'A', a Magistrate. A said that he was not believing a word of 'X's disposition and that 'X' has perjured himself. 'X' moved to sudden passion by those words and killed 'A'. 'X' has committed
- Murder
 - Culpable homicide not amounting to murder
 - No offence
 - None of the above
- 97.** 'A' intended to cause death of 'B' caused death of 'C' whose death he neither intended nor knew himself to be likely to be caused and it happened in the description of his intention to cause death of 'B'. 'A'
- Is guilty of culpable homicide not amounting to murder
 - Is guilty of murder
 - Is entitled to plead defence of accident
 - Can be given benefit of doubt
- 98.** Mr. X, an injured makes certain statements to the investigating officer. Later he succumbs to those injuries and died. With respect to Section 32 of the Evidence Act, the statements so made are
- Admissible
 - Inadmissible
 - Circumstantial
 - None of the above
- 99.** 'A' removes jewels from a deceased person. He will be prosecuted and punished under
- Section 379 IPC
 - Section 403 IPC
 - Section 404 IPC
 - Section 405 IPC
- 100.** 'A', the father abandons his 3-month old daughter 'Z'. Under the Indian Penal Code, 1860, 'A' will be punished with a maximum of
- 3 years of Imprisonment
 - 5 years of imprisonment
 - 7 years of imprisonment
 - Imprisonment for life

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