

Andhra Pradesh Judiciary - Prelims 2016

100 questions. Answer key with solutions follows the paper. Source: lawmock.com - free previous-year papers & mock tests.

Q1. Two persons are within the degree of prohibited relationships, if they are related by

- (a) Full Blood
- (b) Half or Uterine Blood
- (c) Adoption
- (d) All the above

Q2. A contracts to pay B Rs,10,000/*, if B's house is burnt. This is

- (a) Void contract
- (b) Contingent contract
- (c) Wager
- (d) None of the above

Q3. Abetting the commission of suicide is dealt with under

- (a) Section 306 IPC
- (b) Section 307 IPC
- (c) Section 308 IPC
- (d) Section 309 IPC

Q4. Section 75 of the Indian Evidence Act, 1872 deals with

- (a) Primary evidence
- (b) Secondary evidence
- (c) Public document
- (d) Private document

Q5. Admission is defined in the Indian Evidence Act, 1872 in

- (a) Section 16
- (b) Section 17
- (c) Section 18
- (d) Section 20

Q6. An Executive Magistrate is empowered to grant remand u/s 167 of the Cr.P.C., for a maximum period of

- (a) 15 days
- (b) 7 days
- (c) 30 days
- (d) 90 days

Q7. "A" and "B" jointly sued "C" for Rs.20,000/-. Whether "C" can set off for the debt due to him by "A" alone ?

- (a) Yes
- (b) No
- (c) Neither (a) nor (b)
- (d) None of the above

Q8. "A" makes an attempt to steal some jewels by breaking open a box, but finds no jewels inside the box after it is opened. Which is the provision of law, under which, he may be held guilty ?

- (a) Section 511 IPC
- (b) Section 420 IPC
- (c) Section 379 IPC
- (d) None of the above

Q9. The act of a child under years of age is not an offence

- (a) 5
- (b) 7
- (c) 14
- (d) 18

Q10. What will be the effect of mistake as to law in force on the agreement

- (a) Not voidable
- (b) Voidable
- (c) Void
- (d) Not void

Q11. In which of the following cases, the Supreme Court held that marriages of all persons should be made compulsorily registrable ?

- (a) Seema Vs. Ashwinikumar
- (b) Geeta Jagdish Vs. Jagdish
- (c) Durga Tripathi Vs. Arundati Tripathi
- (d) Flamesh Chand Vs. Rameshwari Bai

Q12. A marriage under the Hindu Marriages Act must be solemnized in accordance with customary rights of

- (a) the bride
- (b) the bridegroom
- (c) both the bride and the bridegroom
- (d) either the bride or the bridegroom

Q13. Robbery is dacoity when the minimum number of persons involved is

- (a) 10
- (b) 5
- (c) 3
- (d) 2

Q14. Easement is a right

- (a) in Rem
- (b) in Personam
- (c) Neither (a) nor (b)
- (d) sometimes in Rem and sometimes in Personam

Q15. The expression "good faith" in Sec. 51 of the Transfer of Property Act, 1882 is used in the light of

- (a) the Sale of Goods Act, 1930
- (b) the General Clauses Act, 1897
- (c) the Registration Act, 1908
- (d) the Specific Relief Act, 1963

Q16. Secondary evidence of a document under the Indian Evidence Act means

- (a) copy of the document
- (b) oral account of the contents of the document
- (c) both (a) and (b)
- (d) Only (a) and not (b)

Q17. A co-defendant in a case

- (a) cannot be cross examined by another co-defendant in any circumstance
- (b) can be cross examined by another co-defendant
- (c) can be cross examined by another co-defendant when their interests are adverse to each other
- (d) None of these

Q18. The remedies available against an ex parte decree is

- (a) Appeal
- (b) Review
- (c) application to set aside
- (d) all the three

Q19. Rescission cannot be granted-----

- (a) Where restitution to the original position not possible
- (b) Where the contract stands ratified
- (c) In severable contracts
- (d) in all the above

Q20. Where there is a conflict between marshalling and contribution, Sec.82 of the Transfer of Property Act provides that

- (a) Contribution prevails
- (b) Marshalling prevails
- (c) Subrogation prevails
- (d) None of the above

Q21. An agreement not supported by consideration is called

- (a) Nudum Pactum
- (b) Consensus Ad Idem
- (c) Quid Pro Quo
- (d) Noscitur A Sociis

Q22. For his commission or remuneration, an agent has a

- (a) General lien
- (b) Particular lien
- (c) No lien at all
- (d) None of the above

Q23. A time barred debt can be claimed as

- (a) Counter claim
- (b) Fresh suit
- (c) Set off
- (d) None of the above

Q24. The offence of conspiracy is complete as soon as the parties have agreed to do an illegal act. This is

- (a) True
- (b) Partly True
- (c) FALSE
- (d) None of the above

Q25. How many types of punishments are prescribed in the 1PC

- (a) 3
- (b) 4
- (c) 5
- (d) 6

Q26. The use of force by itself will not convert the theft into robbery. This is ____

- (a) True
- (b) Partly True
- (c) FALSE
- (d) None of the above

Q27. The Protection Officer under the Domestic Violence Act works under the control and supervision of the

- (a) District Collector
- (b) Family Court
- (c) Magistrate
- (d) State Government

Q28. The burden of proof as to ownership under the Indian Evidence Act lies on

- (a) the owner
- (b) the tenant
- (c) the person who asserts it
- (d) In all these

Q29. An appeal under the AP Land Encroachment Act shall be made ordinarily before the expiry of

- (a) 30 days of the date of the order
- (b) 60 days of the date of the order
- (c) 90 days of the date of the order
- (d) 120 days of the date of the order

Q30. Threat to commit suicide is ____

- (a) Coercion
- (b) Undue influence
- (c) Misrepresentation
- (d) Intimidation

Q31. Assault can be caused by

- (a) Mere words
- (b) Mere gestures
- (c) Mere preparations
- (d) None of these

Q32. Where consent to an agreement is caused by coercion, fraud or misrepresentation, the contract is_____

- (a) Valid
- (b) Voidable at the option of the party, whose consent was so caused
- (c) Void Ab Initio
- (d) None of the above

Q33. The transfer of property pending suit is hit by the

- (a) Doctrine of lis pendens
- (b) Doctrine of sub judice
- (c) Doctrine of subrosa
- (d) Doctrine of res judicata

Q34. Which of the following is not a decree ?

- (a) Rejection of a plaint
- (b) Dismissal for default
- (c) Both (a) and (b)
- (d) None of the above

Q35. Does a party to the suit have a right to summon the opposite party to give evidence ?

- (a) Yes
- (b) No
- (c) None of the above
- (d) _____

Q36. Can the Court examine witnesses before framing of issues ?

- (a) Yes
- (b) No
- (c) Never
- (d) None of the above

Q37. In which of the following cases the Supreme Court held that delay in Pronouncing the judgment amounts to denial of justice?

- (a) Surendra Singh Vs. State of UP
- (b) Anil Rai Vs. State of Bihar
- (c) State of UP Vs. Chandra Bhushan
- (d) None of the above

Q38. Can the Court allow the party to summon a witness, whose name is not included in the witness list ?

- (a) Yes
- (b) No
- (c) Never
- (d) None of the above

Q39. Normally, the plaintiff, who succeeds, would be entitled to mesne profits for the period of___

- (a) one year
- (b) two years
- (c) three years
- (d) four years

Q40. Whether in suit for specific performance, a third party to contract claiming independent title and possession is entitled to add as party to suit to adjudicate his case ?

- (a) Yes
- (b) No
- (c) Sometimes
- (d) (a) and ©

Q41. After the Preliminary decree, whether The party is entitled to raise a fresh plea In the appeal filed against the final decree ?

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

Q42. Whether the Court has power to extend the time granted for the performance of any act after the time granted by it had expired under Section 148, CPC ?

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

Q43. Whether the widow of the deceased Hindu is entitled to claim a share in the deceased husband's property after the remarriage

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

Q44. Can a plaint be amended after the suit has been disposed of, by invoking Sections 152 and 153, CPC ?

- (a) Yes
- (b) No
- (c) None of the above
- (d) ____

Q45. Is it permissible for the Court to pass more than one preliminary decree ?

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

Q46. Limitation for filing an application u/s 152 and 153 of CPC ?

- (a) One year
- (b) Two year
- (c) Three year
- (d) None of the above

Q47. Whether a party could be allowed to withdraw an admission made in the pleadings by way of amendment ?

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

Q48. The remedy of the plaintiff when the plaint is rejected

- (a) To file a revision
- (b) to file a review
- (c) to file an appeal
- (d) None of the above

Q49. Whether the interim order passed in a suit that was dismissed for default will revive after the suit is restored ?

- (a) Yes
- (b) No
- (c) Depends
- (d) None of the above

Q50. The Court can issue warrant for the arrest of the defendant to ensure his appearance under Section ____ of CPC

- (a) 95
- (b) 94
- (c) 94(a)
- (d) Order V Rule 1 CPC

Q51. The suit for damages for breach of act can be filed at the place ____

- (a) where contract was executed
- (b) 'where the plaintiff resides
- (c) where the contract was to be performed
- (d) both (a) and (b)

Q52. In which of the following situations, the Court can grant exemption to the plaintiff from the necessity to substitute the legal representative of any defendant who died during the pendency of the suit and proceed to pronounce the judgment ?

- (a) the defendant has remained ex parte
- (b) the defendant has failed to file written statement
- (c) the defendant having filed the written statement, has failed to appear and contest at the hearing
- (d) all the above

Q53. Which of the following can exceed the pecuniary jurisdiction of the Court ?

- (a) set off
- (b) counter claim
- (c) both (a) and (b)
- (d) Neither (a) nor (b)

Q54. U/S 10 of CPC, the earlier suit is liable to be

- (a) Stayed
- (b) Dismissed
- (c) Rejected
- (d) Neither (a) nor (b) nor ©

Q55. A counter claim can be set up in

- (a) Money suits only
- (b) Suits for recovery of damages only
- (c) All suits
- (d) None of the above

Q56. The guidelines regarding the arrest in cognizable offences punishable upto 7 years were issued by the Supreme Court in_____

- (a) Sania Vs. Ram Singh
- (b) Kumar (a) Jaikumar Vs. State of TN
- (c) Arnesh Kumar Vs. State of Bihar
- (d) Sekar Vs. State

Q57. Imprisonment in execution of a decree is

- (a) rigorous imprisonment
- (b) simple imprisonment
- (c) either (a) or (b)
- (d) Neither (a) nor (b)

Q58. Right of private defence is available

- (a) against all members of an unlawful assembly
- (b) when a reasonable apprehension of the danger to the body arises from an attempt
- (c) threat to commit an offence though offence might not have been committed
- (d) all the above

Q59. Withdrawal of suits is governed by

- (a) Order XXIII Rule 1 of CPC
- (b) Order XXIII Rule 3 of CPC
- (c) (a) and (b)
- (d) Order XXIII Rule 3(A) of CPC

Q60. Order passed under Order XXI Rule 97 by the Executing Court is

- (a) Appealable
- (b) Revisable
- (c) Reviewable
- (d) None of the above

Q61. In the law of evidence, "fact" means and Includes

- (a) anything perceived by the senses
- (b) state of things capable of being perceived by the senses
- (c) mental condition of a person of which, a person is conscious
- (d) all the above

Q62. X is accused of an offence of rape. He can be subjected to the following tests for investigation :

- (a) Polygraph test
- (b) Narco analysis test
- (c) Brain Electrical Activation Profile (BEAP) test
- (d) None

Q63. Which of the following charges cannot be compounded without permission of The Court, before which, the prosecution is pending?

- (a) Section 298 of IPC
- (b) Section 426 of IPC
- (c) Section 491 of IPC
- (d) Section 338 of IPC

Q64. A includes voluntary sexual intercourse with B, a married woman, without the consent of her husband. He is guilty of adultery. The married woman B is liable to be tried with A as an

- (a) Abettor
- (b) Adulteress
- (c) jointly as co-accused
- (d) None of the above

Q65. A person accused of an offence before a Criminal Court can be called upon to give evidence on oath

- (a) upon a request in writing from the Public Prosecutor
- (b) by an application made by the complainant
- (c) by a direction of the Court
- (d) by the accused, on his own request in writing

Q66. Section 34 of the IPC

- (a) creates a substantive offence
- (b) introduces the principle of vicarious liability for an offence committed by the co-accused
- (c) recognises that the co-participant in a crime must be made liable for his act in the commission of the crime by the co-accused
- (d) both (b) and (c)

Q67. Test Identification parade pertains to the field of

- (a) Investigation
- (b) Trial
- (c) satisfaction of the Investigating Officer that he is proceeding in the right direction
- (d) a and c

Q68. Which of the following Criminal Minor Acts was amended by the Criminal Law (Amendment) Act, 2013?

- (a) The Immoral Traffic Act
- (b) The Juvenile Justice (Care and Protection of Children) Act, 2000
- (c) The Protection of Children from Sexual Offences Act, 2012
- (d) Criminal Procedure Code

Q69. Which of the following Acts is passed on the Supreme Court guidelines?

- (a) The Criminal Law (Amendment) Act, 2013
- (b) The Sexual Harassment of Women at Work Place Act, 2013
- (c) Juvenile Justice Act, 2000
- (d) None of the above

Q70. Which of the following new offences are introduced in the IPC by the Criminal Law (Amendment), 2013 ?

- (a) Stalking
- (b) Voyeurism
- (c) Acid Attack
- (d) All the above

Q71. Which of the following new section is inserted by the criminal law (Amendment) Act, 2013

- (a) Section 354 A of the IPC
- (b) Section 326 A of the IPC
- (c) Section 370 A of the IPC

Q72. In which of the following cases, is a preliminary enquiry permitted by the supreme court in the Latha Kumari Judgment?

- (a) matrimonial disputes or family disputes
- (b) commercial offences
- (c) medical negligence cases
- (d) all the above

Q73. In which of the following Judgments, has the Supreme Court ruled that the victim of a bigamous marriage is entitled to maintenance ?

- (a) Pinakin Mahipatray Rawl Vs. State of Gujarat
- (b) Badshah Vs. Sou. urmila Badshah godse
- (c) Indra sharma vs. V.K.V. Sharma
- (d) None of the above

Q74. The guidelines regarding the arrest of Judicial Officers by the Police were issued by the Supreme Court in

- (a) Joginder Kumar Vs. State of UP
- (b) M.C.Abraham Vs. State of Maharashtra
- (d) Delhi Judicial Services Association Vs. State of Gujarat

Q75. What is the maximum period of remand, which can be ordered under Sec. 309(2) of the Cr.P.C. ?

- (a) 30 days
- (b) 60 days
- (c) 90 days
- (d) None of the above

Q76. The right of private defence of property against robbery continues

- (a) as long as the offender causes or attempts
- (b) to cause to any person death or hurt or wrongful restraint
- (c) (a) and (b)
- (d) None of the above

Q77. The common object of unlawful assembly can be gathered from

- (a) nature of assembly
- (b) weapons used
- (c) the behaviour of the assembly on or before the occurrence
- (d) all of the above

Q78. Section 149 of IPC is a

- (a) rule of evidence
- (b) specific offence
- (c) definition clause
- (d) None of the above

Q79. In the absence of substantive evidence,

- (a) Corroborative evidence can be used
- (b) Corroborative evidence has no worth
- (c) Corroborative evidence may be or may not be used as per the discretion of the Court
- (d) None of the above

Q80. Answers given by the accused U/S 313 of the Cr.P.C. are

- (a) Evidence
- (b) not evidence
- (c) Presumptions
- (d) None of the above

Q81. To the Rule of res gestae is applicable to

- (a) civil cases only
- (b) criminal cases only
- (c) civil as well as criminal cases
- (d) None of the above

Q82. conduct of an accused is _____

- (a) Not relevant against him
- (b) Relevant against the co-accused
- (c) Not relevant against the co-accused
- (d) _____

Q83. In which of the following cases, the Supreme Court issued guidelines to prevent acid attacks ?

- (a) Laxmi Vs. Union of India
- (b) PUCL Vs. Union of India
- (c) Sakshi Vs. Union of India
- (d) None of the above

Q84. A bargain where one party agrees to assist another in recovering property and to share in the proceeds of the action is called

- (a) accord and satisfaction
- (b) Wager and betting
- (c) Champerty
- (d) Consideration

Q85. In a lease of immovable property, what is transferred is

- (a) right to enjoy the property
- (b) mere possession alone
- (c) interest in the property
- (d) mesne profits

Q86. Caveat venditor means

- (a) seller beware
- (b) buyer beware
- (c) let the parties beware
- (d) none of the above

Q87. Handing over the keys of the godown where the goods are stored is

- (a) constructive delivery
- (b) symbolic delivery
- (c) actual delivery
- (d) None of the above

Q88. What is transferred in a mortgage is

- (a) Ownership
- (b) Possession
- (c) interest
- (d) right

Q89. The principle of qua timet means

- (a) some past injury to the rights or interests of a person
- (b) some future probable injury to the rights or interests of a person
- (c) some small injury not capable of valuation
- (d) some small injury incapable of valuation

Q90. U/S 13 of CPC, a foreign judgement can [be challenged on the grounds of

- (a) competency of the court pronouncing the judgement
- (b) being obtained by fraud
- (c) sustaining a claim founded on a breach of law in force in India
- (d) -all the above

Q91. the maxim 'Res-ipsa Loquitur' is

- (a) rule of law
- (b) rule of procedure
- (c) rule of evidence
- (d) rule of negligence

Q92. Judgement on admission can be given

- (a) under Order XII Rule 8 of CPC
- (b) under Order XII Rule 6 of CPC
- (c) under Order XII Rule 4 of CPC
- (d) under Order XII Rule 2 of CPC

Q93. Compensatory costs under Section 35A of CPC can be imposed to the extent of

- (a) Rs.3,000/-
- (b) Rs.5,000/-
- (c) Rs.10,000/-
- (d) without any limit

Q94. An admission constitutes a

- (a) Substantive piece of evidence
- (b) Corroborative piece of evidence
- (c) Conclusive proof
- (d) None of the above

Q95. A caricature is a document within the meaning of Section 3 of the Evidence Act

- (a) True
- (b) Not True
- (c) Partly true
- (d) True in some conditions

Q96. Conditions when hearsay evidence may be admissible.

- (a) when contemporaneous
- (b) when there is no interval enabling fabrication
- (c) both (a) and (b)
- (d) None of the above

Q97. After murder, the accused surrenders to the police with the severed head and gives confession. His conduct is relevant under Section

- (a) 10 of the Evidence Act
- (b) 8 of the Evidence Act
- (c) 7 of the Evidence Act
- (d) 11 of the Evidence Act

Q98. Test Identification Parade conducted during investigation is relevant under Section

- (a) 6 of the Evidence Act
- (b) 8 of the Evidence Act
- (c) both (a) and (b)
- (d) 9 of the Evidence Act

Q99. Extra judicial confession can be given before

- (a) the Investigating Officer
- (b) the Judicial Magistrate
- (c) a police officer other than the Investigating Officer
- (d) Village Administrative Officer

Q100. An injunction cannot be granted when the plaintiff has no personal interest in the matter

- (a) True
- (b) False
- (c) Partly true
- (d) True under certain circumstances

Answer Key & Solutions

Q1. Answer: D

Under Section 3(g) of the Hindu Marriage Act, 1955, two persons are within the degrees of prohibited relationship if related by full blood, half or uterine blood, or by adoption (and certain other categories). Hence all the above.

Q2. Answer: B

A promise to pay on the happening of an uncertain future event collateral to the contract (B's house being burnt) is a contingent contract under Section 31 of the Indian Contract Act, 1872; this is the textbook illustration of insurance/contingency, not a wager.

Q3. Answer: A

Abetment of suicide is punishable under Section 306 IPC. Section 307 is attempt to murder, 308 is attempt to culpable homicide, and 309 is attempt to commit suicide.

Q4. Answer: D

Section 74 of the Indian Evidence Act, 1872 defines public documents, and Section 75 provides that all other documents are private documents.

Q5. Answer: B

Admission is defined in Section 17 of the Indian Evidence Act, 1872 as a statement (oral, documentary or electronic) which suggests an inference as to any fact in issue or relevant fact.

Q6. Answer: B

Under Section 167(2)(b) Cr.P.C., an Executive Magistrate may authorise detention/remand for a term not exceeding seven days in the aggregate.

Q7. Answer: B

Under Order VIII Rule 6 CPC, a set-off requires mutuality-the debt must be due from all the plaintiffs to the defendant. Since the debt is due from A alone, C cannot set it off against a joint suit by A and B.

Q8. Answer: A

Attempting theft from an empty box is the classic illustration to Section 511 IPC (attempt to commit an offence)-the act constitutes a punishable attempt even though theft was factually impossible.

Q9. Answer: B

Under Section 82 IPC, nothing is an offence which is done by a child under seven years of age.

Q10. Answer: A

Under Section 21 of the Indian Contract Act, 1872, a contract is not voidable because it was caused by a mistake as to any law in force in India (mistake of Indian law is no excuse).

Q11. Answer: A

In *Seema v. Ashwani Kumar* (AIR 2006 SC 1158), the Supreme Court directed that marriages of all persons who are citizens of India belonging to various religions should be made compulsorily registrable in their respective States.

Q12. Answer: D

Under Section 7(1) of the Hindu Marriage Act, 1955, a Hindu marriage may be solemnized in accordance with the customary rites and ceremonies of either party thereto.

Q13. Answer: B

Under Section 391 IPC, robbery is dacoity when committed by five or more persons conjointly; thus the minimum number is five.

Q14. Answer: A

An easement is a right in rem-a real right annexed to the dominant tenement and available against the world, not merely against a specific person.

Q15. Answer: B

Under Section 51 of the Transfer of Property Act, 1882, 'good faith' is understood in the sense given by the General Clauses Act, 1897, i.e. honestly, whether negligently or not.

Q16. Answer: C

Under Section 63 of the Indian Evidence Act, 1872, secondary evidence includes both certified/other copies of a document and oral accounts of the contents given by a person who has himself seen it.

Q17. Answer: C

A co-defendant may be cross-examined by another co-defendant only where their interests are adverse to each other; absent adverse interest there is no right of cross-examination.

Q18. Answer: D

Against an ex parte decree the defendant has three remedies: appeal (Section 96), review (Order XLVII), and an application to set aside under Order IX Rule 13 CPC-hence all three.

Q19. Answer: D

Under Section 27 of the Specific Relief Act, 1963, rescission may be refused where the plaintiff has ratified the contract, where parties cannot be restored to their original position, or where third-party rights/severable contracts make it inequitable-hence in all the above situations.

Q20. Answer: B

The proviso to Section 82 of the Transfer of Property Act, 1882 provides that where there is a conflict between marshalling and contribution, the rule of marshalling prevails.

Q21. Answer: A

An agreement made without consideration is a 'nudum pactum' (a bare or naked promise), which is generally void under Section 25 of the Indian Contract Act, 1872.

Q22. Answer: B

Under Section 221 of the Indian Contract Act, 1872, an agent has a particular lien over the goods/property of the principal in his possession for his commission, remuneration and disbursements; he has no general lien absent contract.

Q23. Answer: C

A time-barred debt cannot be the subject of a fresh suit, but it can be pleaded by way of set-off (it bars the remedy, not the debt itself), as recognised under Order VIII Rule 6 CPC.

Q24. Answer: A

Under Section 120A IPC, criminal conspiracy is complete the moment two or more persons agree to do an illegal act (or a legal act by illegal means); no overt act is needed except for conspiracies other than to commit an offence. The statement is True.

Q25. Answer: C

Section 53 IPC prescribes five kinds of punishment: death, imprisonment for life, imprisonment (rigorous or simple), forfeiture of property, and fine.

Q26. Answer: A

Under Section 390 IPC, theft becomes robbery only if force/fear is used 'for that end' (to commit the theft); mere use of force unconnected to the theft does not convert it, so the statement is True.

Q27. Answer: C

Under Sections 8-9 of the Protection of Women from Domestic Violence Act, 2005, Protection Officers are appointed by and function under the control and supervision of the Magistrate, who exercises jurisdiction over their duties.

Q28. Answer: C

Under Sections 101-103 of the Indian Evidence Act, the burden of proof lies on the person who asserts the affirmative of an issue (e.g., one who asserts ownership), not on ownership/tenancy status per se.

Q29. Answer: B

Under Section 10 read with the limitation in the AP/Telangana Land Encroachment Act, 1905, an appeal shall not be brought after the expiration of 60 days from the date of the order complained of.

Q30. Answer: A

Under Section 15 of the Indian Contract Act, a threat to commit suicide amounts to coercion, as held in Chikham Ammiraju v. Chikham Seshamma (1917).

Q31. Answer: B

Under Section 351 IPC, assault is constituted by a gesture or preparation intending/knowing it will cause apprehension of criminal force; mere words by themselves do not amount to assault, so it is caused by gestures.

Q32. Answer: B

Under Section 19 of the Indian Contract Act, where consent is caused by coercion, fraud or misrepresentation, the contract is voidable at the option of the party whose consent was so caused.

Q33. Answer: A

Transfer of property during the pendency of a suit is hit by the doctrine of lis pendens under Section 52 of the Transfer of Property Act, 1882.

Q34. Answer: B

Under Section 2(2) CPC, rejection of a plaint is expressly deemed a decree, whereas dismissal for default (Order IX) is not a decree; hence dismissal for default is not a decree.

Q35. Answer: A

Yes; under Order XVI CPC a party is entitled to summon the opposite party as a witness to give evidence (subject to the court's process), so the answer is Yes.

Q36. Answer: A

Yes; under Order XIV Rule 4 CPC the Court may, before framing issues, examine any person able to throw light on the matter or order production of documents, so it can examine witnesses before framing issues.

Q37. Answer: B

In Anil Rai v. State of Bihar (2001), the Supreme Court held that inordinate delay in pronouncing a reserved judgment amounts to denial of justice and laid down guidelines on timely pronouncement.

Q38. Answer: A

Yes; the Court has discretion to permit a party to summon a witness even if the name is not in the list, in the interest of justice, so the answer is Yes.

Q39. Answer: C

Under Order XX Rule 12 CPC, mesne profits inquiry runs only up to the expiration of three years from the date of the decree (whichever event first occurs), so a successful plaintiff is normally entitled for three years.

Q40. Answer: B

No; in a suit for specific performance, a third party claiming independent title and possession is not a necessary or proper party, as his rights are not adjudicated in that suit (Kasturi v. Iyyamperumal, 2005).

Q41. Answer: B

No; once a preliminary decree is passed and not appealed, it becomes final on the matters decided, and a fresh plea on those matters cannot be raised in the appeal against the final decree.

Q42. Answer: A

Yes; under Section 148 CPC the Court may enlarge the time for doing any act even after the originally fixed period has expired (Mahanth Ram Das v. Ganga Das).

Q43. Answer: A

Yes; the widow's share vests in her on the husband's death under the Hindu Succession Act, 1956, and that vested right is not divested by her subsequent remarriage.

Q44. Answer: B

No; Sections 152 and 153 CPC permit only correction of clerical/arithmetical or accidental errors, not amendment of a plaint after the suit has been finally disposed of.

Q45. Answer: A

Yes; the Court may pass more than one preliminary decree, especially in partition suits, as held in Phoolchand v. Gopal Lal (1967).

Q46. Answer: D

No limitation period is prescribed for an application under Sections 152/153 CPC, which can be made 'at any time'; hence none of the stated one/two/three-year periods applies.

Q47. Answer: A

Yes; courts may permit a party to withdraw or explain an admission made in pleadings by way of amendment in appropriate cases, the question of bona fides being addressed at trial (Akshaya Restaurant; Modi Spinning v. Ladha Ram).

Q48. Answer: C

Since rejection of a plaint is a decree under Section 2(2) CPC, the plaintiff's remedy against rejection is to file an appeal.

Q49. Answer: A

Yes; on restoration of a suit dismissed for default, the suit is restored to its original position and interim orders passed therein stand revived.

Q50. Answer: B

Under Section 94(a) CPC (supplemental proceedings), the Court may issue a warrant to arrest the defendant and bring him before the Court to ensure his appearance/secure his presence.

Q51. Answer: C

A suit for damages for breach of contract lies where the contract was to be performed, as part of the cause of action arises there (Section 20 CPC; place of performance).

Q52. Answer: D

Under Order XXII Rule 4(4) CPC, the Court may exempt the plaintiff from substituting the LR of a defendant who failed to file a written statement, or having filed one failed to appear and contest, and pronounce judgment notwithstanding his death; all listed situations qualify.

Q53. Answer: D

Neither a set-off (Order VIII Rule 6) nor a counter-claim (Order VIII Rule 6A) can exceed the pecuniary jurisdiction of the Court, so neither (a) nor (b).

Q54. Answer: D

Under Section 10 CPC (res sub judice), it is the subsequently instituted suit that is stayed; the earlier/previously instituted suit proceeds and is neither stayed, dismissed nor rejected.

Q55. Answer: C

Under Order VIII Rule 6A CPC a counter-claim may be set up in respect of any cause of action accruing to the defendant, and is not confined to money suits; it can be raised in all suits.

Q56. Answer: C

The Supreme Court in Armesh Kumar v. State of Bihar (2014) issued guidelines (read with Sections 41 and 41A CrPC) restraining mechanical arrest in cognizable offences punishable with imprisonment up to 7 years.

Q57. Answer: B

Detention in civil prison in execution of a decree (Order XXI CPC) is in the nature of simple imprisonment, not rigorous imprisonment which is a criminal sentence.

Q58. Answer: D

Under Sections 96-106 IPC the right of private defence extends to all members of an unlawful assembly, arises on reasonable apprehension of danger from an attempt or threat, and exists even though the offence may not be completed; all the above.

Q59. Answer: A

Withdrawal of suits (with or without leave to file a fresh suit) is governed by Order XXIII Rule 1 CPC; Rule 3 deals with compromise of suits.

Q60. Answer: A

An order adjudicating an application under Order XXI Rule 97 CPC is, by Order XXI Rule 103, to be treated as a decree and is therefore appealable.

Q61. Answer: D

Under Section 3 of the Evidence Act, 'fact' includes anything capable of being perceived by the senses, any state of things so perceptible, and any mental condition of which a person is conscious; all the above.

Q62. Answer: D

Per Selvi v. State of Karnataka (2010), narco-analysis, polygraph and BEAP tests cannot be involuntarily administered to an accused; without consent none of these tests may be used, so 'None'.

Q63. Answer: C

Section 491 IPC is compoundable only with the Court's permission under Table 2 of Section 320 CrPC; however Section 338 IPC (option d) is likewise compoundable only with permission, making the question ambiguous between (c) and (d).

Q64. Answer: D

Under the former Section 497 IPC (read with Section 198 CrPC), the wife was expressly not punishable even as an abettor of adultery, so she could not be tried with the man; none of the above.

Q65. Answer: D

Under Section 315 CrPC an accused may be a competent witness for the defence and give evidence on oath only on his own written request; he cannot be compelled at the instance of the prosecution or court.

Q66. Answer: D

Section 34 IPC is not a substantive offence but a rule of evidence embodying constructive/joint liability where a criminal act is done by several persons in furtherance of common intention; both (b) and (c).

Q67. Answer: A

A Test Identification Parade is held during the investigation stage to test the investigation and is not substantive evidence; it pertains to the field of investigation.

Q68. Answer: C

Among the special/minor Acts listed, the Criminal Law (Amendment) Act, 2013 amended the Protection of Children from Sexual Offences Act, 2012 (Section 42/42A), besides the IPC, CrPC and Evidence Act.

Q69. Answer: B

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was enacted to give statutory shape to the guidelines laid down by the Supreme Court in Vishaka v. State of Rajasthan.

Q70. Answer: D

The Criminal Law (Amendment) Act, 2013 introduced into the IPC new offences of stalking (S.354D), voyeurism (S.354C) and acid attack (Ss.326A/326B); all the above.

Q71. Answer: A

The Criminal Law (Amendment) Act, 2013 inserted Section 354A IPC (sexual harassment); Sections 326A and 370A were also inserted, but among the listed options 354A is a section newly introduced by the 2013 Act.

Q72. Answer: D

In *Lalita Kumari v. Govt. of U.P.* (2014) the Supreme Court illustratively listed matrimonial/family disputes, commercial offences and medical negligence cases as categories where a preliminary inquiry may be made; all the above.

Q73. Answer: B

In *Badshah v. Sou. Urmila Badshah Godse* (2014) the Supreme Court held that a woman deceived into a bigamous marriage by concealment of the first marriage is entitled to maintenance under Section 125 CrPC.

Q74. Answer: D

The Supreme Court issued guidelines on the arrest of judicial officers by the police in *Delhi Judicial Service Association v. State of Gujarat* (1991).

Q75. Answer: D

The proviso to Section 309(2) CrPC bars remand to custody under that section for a term exceeding fifteen days at a time; since 15 days is not among the listed options, the answer is None of the above.

Q76. Answer: C

Under Section 105 IPC, the right of private defence of property against robbery continues as long as the offender causes or attempts to cause death, hurt or wrongful restraint, so both (a) and (b) together state the rule.

Q77. Answer: D

Common object of an unlawful assembly (Section 141/149 IPC) is inferred from the nature of the assembly, the weapons used, and the behaviour of members before or at the occurrence - all of the above.

Q78. Answer: A

Section 149 IPC creates no independent offence; it is a rule of constructive/vicarious liability and is treated as a rule of evidence, the act of one member being attributed to all in furtherance of the common object.

Q79. Answer: B

Corroborative evidence only lends support to substantive evidence; in the absence of substantive evidence to corroborate, corroborative evidence has no independent worth.

Q80. Answer: B

Statements of the accused recorded under Section 313 Cr.P.C. are not evidence (not given on oath, not tested by cross-examination); they are only used to enable the court to appreciate the evidence and put incriminating material to the accused.

Q81. Answer: C

Res gestae (Section 6 of the Evidence Act) applies to both civil and criminal cases, as facts forming part of the same transaction are relevant irrespective of the nature of the proceeding.

Q82. Answer: C

Conduct of an accused under Section 8 of the Evidence Act is relevant against himself but, by itself, is not relevant against a co-accused.

Q83. Answer: A

In *Laxmi v. Union of India* (2013), the Supreme Court issued guidelines regulating the retail sale of acid and granting compensation to acid-attack victims.

Q84. Answer: C

A bargain to assist another in recovering property in return for a share of the proceeds is champerty (a champertous agreement).

Q85. Answer: A

Under Section 105 of the Transfer of Property Act, a lease transfers a right to enjoy the immovable property for a term in consideration of rent/premium.

Q86. Answer: A

Caveat venditor literally means 'let the seller beware'.

Q87. Answer: B

Handing over the keys of a godown where goods are stored is symbolic delivery of those goods.

Q88. Answer: C

A mortgage (Section 58 TPA) transfers only an interest in the immovable property by way of security; ownership/possession is not necessarily transferred.

Q89. Answer: B

A quia timet action is brought in anticipation of some future probable injury to the rights or interests of a person before the wrong is actually committed.

Q90. Answer: D

Under Section 13 CPC a foreign judgment is not conclusive (and can be challenged) where the court lacked competence, where it was obtained by fraud, or where it sustains a claim founded on a breach of any law in force in India - all the above.

Q91. Answer: C

Res ipsa loquitur ('the thing speaks for itself') is a rule of evidence raising a presumption of negligence and shifting the evidential burden to the defendant.

Q92. Answer: B

Judgment on admissions can be pronounced under Order XII Rule 6 CPC.

Q93. Answer: A

Compensatory costs for false or vexatious claims/defences under Section 35A CPC are capped at Rs. 3,000 (or the limits of the court's pecuniary jurisdiction, whichever is less).

Q94. Answer: A

An admission (Sections 17-21 Evidence Act) is a substantive piece of evidence, though not conclusive proof and rebuttable by the maker.

Q95. Answer: A

A caricature is a document within the meaning of Section 3 of the Evidence Act, as 'document' includes any matter expressed or described by means of marks/figures intended to be used for recording that matter - True.

Q96. Answer: C

Hearsay is admissible where the statement is contemporaneous with the fact (part of res gestae, Section 6) and where there was no interval allowing fabrication - both (a) and (b).

Q97. Answer: B

The accused surrendering with the severed head and confessing is subsequent 'conduct', which is relevant under Section 8 of the Evidence Act.

Q98. Answer: D

A Test Identification Parade conducted during investigation is relevant under Section 9 of the Evidence Act (facts establishing identity).

Q99. Answer: D

An extra-judicial confession is one made to any private person and not to a magistrate or police officer; of the options, the Village Administrative Officer is such a private person.

Q100. Answer: A

An injunction protects a legal right of the plaintiff; where the plaintiff has no personal interest in the matter, an injunction cannot be granted - True.