

## Himachal Pradesh Judiciary - Prelims 2020

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

**Q1. Under the Indian Evidence Act, 1872, which of the following is/are an exception to the rule 'res inter alios judicata mulum alias prejudicimefacif'?**

- (a) Section 41
- (b) Section 42
- (c) Both (a) &(b)
- (d) None of these

**Q2. In which of the following judgement. It was ruled that 'when two medical experts differ in their opinion on the same point, the court must accept the opinion which fits in with the direct testimony'?**

- (a) Piara Singh v. State of Punjab, AIR 1977 SC 2274
- (b) Kalua v. State of U.P. 1958 CrP.C 30 (Sc)
- (c) L.C. Goyal v. Suresh Joshi, AIR 1999 SC 2222
- (d) Satya v. Teja Singh, AIR 1975 SC 105

**Q3. A document prepared in two copies, and 'A' alone sign one copy, whist 'B' alone sign the other. 'A' then hands to 'B' the document signed by himself and 'B' hands to 'A' the document signed by himself. With respect to this, and as prescribed under Section 62 of the Indian Evidence Act, 1872. Choose the true propositions:**

- (a) Both the copies are primary document
- (b) Document executed by 'A' is primary evidence against 'B'
- (c) Document executed by 'A' is primary evidence against 'A' as well as 'B'
- (d) Document executed by 'B' is primary evidence only against 'B'.

**Q4. In which of the following case, Supreme Court, ruled that a party who is not in possession of the electronic device from which the document is produced, such party cannot be required to produce certificate under Section 65B (4) of the Evidence Act?**

- (a) Anvar P.V. v. P.K. Basheer, (2014) 10 SCC 473
- (b) Mohd Ajmal Amir Kasab v. State of Maharashtra, (2012) 9 SCC 1
- (c) Tomaso Bruno v. State of Uttar Pradesh, (2015) 7 SCC 178
- (d) Shani Mohammad v. Himachal Pradesh, SLP (Crl.) No. 2302 of 2017)

**Q5. Which of the following provision of the Indian Evidence Act, 1872 deals with privileged communication about unpublished official records relating to affairs of the state?**

- (a) Section 122
- (b) Section 123
- (c) Section 125
- (d) Section 127

**Q6. The expression 'information received from a person accused of offence' under Section 27 of the Indian Evidence Act, 1872 covers information through\_\_\_\_\_**

- (a) Confessional Statement only
- (b) Statement amounting to Confession or Admission only
- (c) All form of informations whether confessional or not
- (d) None of the above

**Q7. Where an instrument is chargeable with ad valorem duty in respect of any stock or of any marketable or other security, such duty shall be calculated on the value of such stock or security according to the\_\_\_\_\_.**

- (a) Average value o thereof
- (b) Average value thereof on the day of the date of the instrument
- (c) Average value thereof in month of purchase
- (d) Annual Value

**Q8. A owes B Rs. 1,00/-, A sells a property to B, the consideration being Rs. 500/- and the release of the previous debt of Rs. 1,000. Stamp-duty is payable on**

- (a) Rs. 500/-
- (b) Rs. 1,000/-
- (c) Rs. 1,500/-
- (d) None of these

**Q9. Under the Indian Stamp Act, 1989, which of the following instruments cannot be stamped with adhesive stamps?**

- (a) Bills of exchange
- (b) Transfer by endorsement of shares in any incorporated company
- (c) Notarial acts
- (d) Cheque

**Q10. Under section 7 of the Himachal Pradesh Courts Act, 1976, who may assign to an Additional District Judge any of the functions of the District Judge including the functions of receiving and registering cases and appeals?**

- (a) High court of Himachal Pradesh
- (b) District Judge
- (c) Both (a) & (b)
- (d) None of these

**Q11. Under section 9 of the Himachal Pradesh Courts Act, 1976, which of the following is principal civil court of original jurisdiction?**

- (a) District Court
- (b) Court of small, causes
- (c) Court of Additional district Judge
- (d) High Court

**Q12. With respect to place of sitting of courts under the Himachal Pradesh Courts Act, 1976, choose the true statement about propositions: Propositions: (i) the High Court may fix the place at which any Court under this Act is to be held. (ii) the place so fixed cannot be beyond the local limits of the jurisdiction of the Court. (iii) A Court under this Act may be held at any place within the local limits of its jurisdiction**  
**Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q13. Which of the following order is not decree as per the definition of decree contained in the Code of Civil Procedure, 1908?**

- (a) Order of abatement of suit
- (b) Order holding that there is no cause of action
- (c) Order holding that appeal is not maintainable
- (d) Order of remand

**Q14. Which of the following is a deemed decree under the code of Civil Procedure 1908?**

- (a) Rejection of plaint
- (b) Restitution order under section 144
- (c) Adjudication as to obstruction by judgement debtor
- (d) All of these

**Q15. Which of the following case deals with principles relating to exclusion of jurisdiction of civil court?**

- (a) Dhulabhai v. State of M.P. AIR 1969 SC 78
- (b) Daryao v. State of UP, AIR 1961 SC 574
- (c) Lal chand v. Radha Krishnan, AIR 1977 SC 789
- (d) State of U.P. v. Nawab Hussain , AIR 1977 SC 1680

**Q16. Which of the following is governed by principles of res-judicata?**

- (a) Consent decree
- (b) Ex Parte decree
- (c) Dismissal in default
- (d) Dismissal in limine

**Q17. Which of the following is not a ground to reject foreign judgement?**

- (a) Foreign judgement not by a complete court
- (b) Foreign judgement not on merit
- (c) Foreign judgement opposed to natural justice
- (d) Foreign judgement based on irregular exercise of jurisdiction

**Q18. With respect to the decree defined under Code of Civil Procedure, 1908. choose the true statement about propositions. Propositions: (i) In order that a decision of a court may be a decree. It must have determined the rights of the parties interse. (ii) The expression rights means substantive as well as procedural rights (iii) Rights of parties under section 2(2) of the Civil Procedure Code, 1908 includes limitation, jurisdiction accounts etc. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q19. With respect to the expression squirt of civil nature as applicable in the Code of Civil Procedure, 1908. Choose the true statement about propositions: Propositions: (i) A civil Court has jurisdiction to try all suits of a civil nature unless they are barred (ii) The expression suit of civil nature does not includes private rights (iii) A suit where principle question is about religion is not a suit of civil nature Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q20. With respect to the doctrine of Res-judicata. Choose the true statements about propositions: Propositions: (i) The doctrine of Res judicata is based on public policy (ii) principles of res judicata applies to civil suits, execution proceedings, arbitration, interim order etc. (iii) The doctrine of res-judicata codified under Section 11 Code of Civil Procedure, 1908 is exhaustive. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q21. With respect to representative suits under order I rule 8. Choose the true statement about propositions: Propositions: (i) All members of the class should have a common interest in the subject matter. (ii) All members of the class should have a common grievance in the subject matter. (iii) The relief sought, in its nature, be beneficial to all. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q22. With regard to the applicability of Order II Rule 2 of the Code of Civil Procedure, 1908. Choose the true statement about propositions: Propositions: (i) The cause of action in the previous suit must be identical to the subsequent suit. (ii) if there is no cause of action, the plaint will have to be rejected. (iii) Failure in indicating the date of accrual of cause of action is fatal to the filling of suit. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q23. Choose the true statement about propositions: Propositions: (i) Every suit presuppose the existence of cause of action against the defendant (ii) If there is no cause of action, the plaint will have to be rejected. (iii) Failure in indicating the date of accrual of cause action is fatal to the filing of suit. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q24. Which regard to pleading under the Code of Civil Procedure, 1908. Choose the true statement about propositions: Propositions: (i) Pleading should state facts and law (ii) Facts states in the pleading should be material facts (iii) Pleading should not state the evidence Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q25. In which of the following case, the Court may not issue a commission-**

- (a) To examine any person
- (b) To make a local investigation
- (c) To make a partition
- (d) All of these

**Q26. Which of the following property is not liable to be attached and sale during the execution proceedings-**

- (a) Bills of exchange
- (b) Promissory notes
- (c) Government securities
- (d) Tools of artisans

**Q27. Which of the following recognised mode of service of summon under the Code of Civil Procedure, 1908?**

- (a) Personal Service to parties or agent
- (b) Service of summon by Court
- (c) Substituted service of Summon
- (d) All of these

**Q28. Legal setoff is prescribed under \_\_\_\_\_ of the Code of Civil Procedure, 1908.**

- (a) Order VIII Rule 6
- (b) Order VI Rule 8
- (c) Order VIII Rule 6A
- (d) Order VI Rule 6A

**Q29. With regard to abatement of squirt under Order XXII of the Code of Civil Procedure, 1908. Choose the true statement about propositions: Propositions: (i) The death of a plaintiff or defendant shall not cause the suit to abate if the right to sue survives. (ii) Where sole surviving plaintiff dies and the right to the sue survives, the court, on an application made in that behalf, shall cause the legal representative of the deceased plaintiff to be made a party and shall proceed with the suit (iii) Any person so made a party shall be governed by pleadings already submitted, and shall not be entitled to make any defence appropriate to his character as legal representative of the party. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q30. In which of the following case, Supreme Court stated that "the remedy of attachment before judgement is a drastic and extraordinary power. Such power should not be exercised mechanically or merely for asking. It should be used sparingly, and strictly in accordance to Rule. The purpose of Order 38 Rule 5 is not to covert an unsecured debt into a secured debt....."?**

- (a) Raman Tech. & Process Engg. Co. v. Solanki Traders, (2008) 2 SCC 304
- (b) Kiran Singh v. CharmanPaswan, (1981), 3 SCC 589
- (c) ONGC v. Utpal Kumar Basu, (1994) 4 SCC 711
- (d) Narasimha Rao v. Venkata Lakshmi, (1991) 3 SCC 451

**Q31. For the purpose of applying Section 6 of the Specific Relief Act, 1963, which of the following is incorrect?**

- (a) Person is dispossessed of immovable property.
- (b) Dispossession of property was without his consent
- (c) Dispossession from the property was otherwise than in due course of law
- (d) Suit must have been filed within three months from the date of dispossession

**Q32. Against an order under section 6 of the Specific Relief Act 1963. Which of the following is appropriate remedy?**

- (a) Appeal
- (b) Review
- (c) Revision
- (d) None of these

**Q33. With respect to 'settlement' under Specific Relief Act, 1963. Choose the true statement about propositions: Propositions: (i) settlement means an instrument other than will (ii) through 'settlement' devolution of successive interest in the movable property only is disposed of. (iii) through 'settlement' devolution of successive interest in the movable or immovable property is disposed of. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q34. In which of the following case Supreme Court ruled that's suit seeking merely declaration of title of ownership albeit a property without seeking possession, when the plaintiff is not in possession of the property is not maintainable....."?**

- (a) Union of India v. Ibrahim, (2012) 8 SCC 148
- (b) Rukhmabai v. Lalal Laxminarayan, AIR 1960 SC 335
- (c) Mayawanti v. Kaushlaya Devi, (1990) 3 SC 1
- (d) Ramzan v. Hussaini (1990) 1 SCC 104

**Q35. Which of the following provisions of the Specific Relief Act, 1963, empowers the state Government, designate one or more civil Courts as Special Courts to exercise jurisdiction and to try a suit in respect of contracts relating to infrastructure?**

- (a) Section 1A
- (b) Section 20A
- (c) Section 20B
- (d) Section 20C

**Q36. With regard to Section 21 of the Specific Relief Act, 1963. Choose the true statement about propositions: Propositions: (i) In a suit for specific performance of a contract the plaintiff may also claim compensation for its breach in addition to such performance (ii) If, the court decides that specific performance ought to be granted, but, that it is not sufficient to satisfy the justice of the case, and that some compensation for breach of the contract should also be made to the plaintiff, it shall him such compensation accordingly. (iii) where the plaintiff has not claimed any compensation in the plaint, the court shall neither grant any compensation nor shall allow him to amend the plaint. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q37. With respect to proof of circumstantial evidence under the Indian Evidence Act, 1872, which of the following propositions/expressions is incorrect?**

- (a) That the circumstances from which guilt is established must be fully proved
- (b) That all the facts must be consistent with the hypothesis of guilt/innocence of the accused
- (c) That the circumstances must be of a conclusive in nature
- (d) That the circumstances should to a moral certainty, exclude every hypothesis except the one proposed to be proved

**Q38. Which of the following case deals with testimony of child witness?**

- (a) Hem Raj v. State of Haryana, AIR 2005 SCW 885
- (b) Leela Ram v. State of Haryana, AIR 1999 SC 3717
- (c) State of Uttar Pradesh v. Babu Ram, AIR 2000 SC 1735
- (d) State of Maharashtra v. Damu s/o Gopinath Shinde, AIR 1999 SC 3544

**Q39. Which of the following provisions of the Indian Evidence Act, 1872 provides irrebuttable presumption?**

- (a) Section 79
- (b) Section 85
- (c) Section 105
- (d) Section 112

**Q40. Footprints of accused is admissible under \_\_\_\_\_ of the Indian Evidence Act, 1872.**

- (a) Section 7
- (b) Section 8
- (c) Section 10
- (d) Section 14

**Q41. First information report was filed against 'A' for committing offence under Section 302 of Indian Penal Code, 1850. 'A' absconded from the jurisdiction, however, later on got arrested from a different place. During trial, prosecution adduced a letter written by Mr. B, his relative, containing information as to filling of the FIR. as per the Indian Evidence Act, 1872, the letter written by Mr. 'B' is\_\_\_\_\_.**

- (a) Not relevant
- (b) Relevant and admissible under Section 6
- (c) Relevant and admissible under Section 8
- (d) Relevant and admissible under Section 10

**Q42. With respect to section 10 of the Indian Evidence Act, 1872, which of the following propositions/expressions is incorrect?**

- (a) There must be reasonable ground to believe in the existence of conspiracy, established by prima facie
- (b) It must be proved that the accused were parties to the conspiracy
- (c) The act, declaration etc. of each conspirator must be only in furtherance to their common intention
- (d) The act, declaration etc. must be confined to the period of conspiracy.

**Q43. During trial, evidence as to the 'good character' of the accused was not raised. However, the prosecution tried to adduce the evidence about the 'bad character' of the accused as being 'highly probable' that committed the crime, as per the Indian Evidence Act, 1872, the evidence adduced by prosecution is-**

- (a) Admissible under section 54
- (b) Admissible under section 11
- (c) Admissible in both section 11 as well as 54
- (d) Inadmissible under section 54 or 11

**Q44. With respect to admission under the Indian Evidence Act, 1872, choose the true statement about propositions: Propositions: (i) admission can be made by parties to the proceedings (ii) Admission can be made by agents of the parties who are authorised expressly only. (iii) Person filling suits in representative character can also make admission while that character. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q45. With respect to admission under the Indian Evidence Act, 1872. choose the true statement about propositions: Propositions: (i) Admission is a substantive piece of evidence. (ii) Generally, admission is provided against the maker of the statement. (iii) Self-serving statement as to state of mind of body is admissible as Admission. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q46. With respect to admission under the Indian Evidence Act, 1872. choose the true statement about propositions: Propositions: (i) Confession is sub-species of admission in criminal cases. (ii) Statement containing self-exculpatory statement cannot be called as Confession. (iii) Mere conduct is not confession unless it amounts to assertion. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q47. Section 27 of the Indian Evidence Act, 1872 is based on:**

- (a) Theory of agency
- (b) Theory of ratification
- (c) Theory of confirmation by subsequent facts
- (d) None of these

**Q48. With respect to Confession under the Indian Evidence Act, 1872. choose the true statement about propositions: Propositions: (i) Article 20(3) of the Constitution protects an accused against testimonial compulsions. (ii) Article 20(3) creates no bar in using retracted confession against the accused. (iii) Accused can claim protection given in Section 24 against the confession recorded through compulsion. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q49. With respect to Section 154 of the Indian Evidence Act, 1872. choose the true statement about propositions: Propositions: (i) Section 154 of the Evidence Act confers a discretion on the court to permit a witness to be cross-examined by a party calling him. (ii) The court will not normally allow a party to cross-examine his own witness and declare the same hostile unless the court is satisfied that the statement of the witness exhibits an element of hostility. (iii) Mere declaration that a witness is hostile, his all statement shall be excluded from being considered. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct

**Q50. With respect to Dying Declaration under the Indian Evidence Act, 1872. choose the true statement about propositions: Propositions: (i) Percentage of burn injury alone would not determine the admissibility of dying declaration. (ii) Absence of Medical certificate as to fit state of body is a fit ground to throw the dying declaration. (iii) Opinion of Magistrate as to fit state of mind/body would decide the reliability of dying declaration. Assertions:**

- (a) I and II are correct, III is incorrect
- (b) II and III are correct, I is incorrect
- (c) I and III are correct, II is incorrect
- (d) All are correct
- (e) 1 Where a plaintiff has been prosecuting with due diligence and in good faith, another civil proceed

**Q51. A judgement was passed on 10/07/2002 and the decree was prepared on 25/07/2002. An application for certified copy was made on 11/07/2002 and the certified copy was ready on**

- (a) 01 /08/2002 and (he delivery & certified copy was taken on 05/08/2002 Under Section 12, the period of limitation to be excluded is
- (b) 11/07/2002 to 01 /08/2002
- (c) 11/07/2002 to 05/08/2002
- (d) 10/07/2002 to 01/08/2002
- (e) 10/07/2002 to 05/08/2002

**Q52. The word after 'in Section 6(a) of the Hindu Minority and Guardianship Act 1956 need not necessarily mean after the lifetime' bulin the absence or. was held in which of the following case?**

- (a) Jtja Bai v Pathan Khan
- (b) Vijaya Lakshmi v. Inspector of Police. Karur
- (c) Geeta Hanharan v. Reserve Bank of India
- (d) Mausmi Uoitra Ganguli v Jayanti Ganguli

**Q53. Under the Hindu Marriage Act, 1955, a wife may present a petition for dissolution of marriage by a decree of divorce on the ground that her marriage was solemnised before she attained the age of 15 years and she has repudiated the marriage after attaining that age but before attaining the age of 18 years under-**

- (a) Section 13(2) (i)
- (b) Section 13(2)(ii)
- (c) Section 13(2)(iii)
- (d) Section 13(2)(v)

**Q54. Under Hindu law. Children of void and voidable marriage are legitimate under which section of the Hindu Marriage Act, 1955?**

- (a) Section 5
- (b) Section 16
- (c) Section 11
- (d) Section 17

**Q55. Which of the following persons is a Class I heir for succession of the property of a Hindu male under the Hindu Succession Act, 1956?**

- (a) Father
- (b) Mother
- (c) Son
- (d) Daughter

**Q56. A Hindu husband can claim maintenance from his wife under which of the following legislations?**

- (a) The Hindu Marriage Act, 1955
- (b) both (a) and (b)
- (c) Neither (a) nor (b)

**Q57. Which of the following is not a constituent element of Actual Desertion?**

- (a) Factum of desertion
- (b) Animus deserendi
- (c) Desertion should be without a reasonable excuse and without consent of the other party
- (d) Statutory period of one year must have run out before a petition is presented

**Q58. A Hindu male X dies intestate leaving behind his father's widow, brother's, widow, father's brother and father's sister. Who out of the following will succeed X?**

- (a) Father's widow and brother's widow
- (b) Father's brother and father's sister
- (c) Father's widow and father's sister
- (d) Brother's widow and father's brother

**Q59. Which of the following is not an essential of a Contract of Guarantee?**

- (a) Concurrence of three parties
- (b) Surety's distinct promise to be answerable
- (c) Liabilities to be legally enforceable
- (d) Existence of only one contract

**Q60. The term 'Agent' is defined in the Indian Contract Act, 1872, under Section**

- (a) Section 180
- (b) Section 181
- (c) Section 182
- (d) Section 183

**Q61. Drawing cash from ATM, sale by fall of hammer at an auction sale, etc., are examples of**

- (a) Express contract
- (b) Implied contract
- (c) Tacit contract
- (d) Unlawful contract

**Q62. The case of *Oilfield Services Ltd v. Amal Kumar* relates to**

- (a) Frustration of Contract
- (b) Anticipatory Breach of Contract
- (c) Remission of Performance of Contract
- (d) Discharge of Contract

**Q63. A void agreement means**

- (a) Agreement not enforceable by Law
- (b) Agreement illegal in nature
- (c) Agreement not enforceable in a Court of Law
- (d) Agreement violating legal procedure

**Q64. Communication of acceptance is complete as against the proposer-**

- (a) When it comes to the knowledge of the proposer
- (b) When it is put in the course of transmission to him so as to be out of the power of the acceptor
- (c) When the acceptance is communicated to the proposer
- (d) All of the above

**Q65. Communication of acceptance is complete as against the acceptor-**

- (a) When it comes to the knowledge of the proposer
- (b) When it is put in the course of transmission
- (c) When it is communicated to the acceptor that the acceptance has reached the proposer
- (d) When the proposer conveys the acceptance to the acceptor

**Q66. A owes B, under a contract, a sum of money, the amount of which has not been ascertained. A, without ascertaining the amount, gives to B, and B in satisfaction thereof accepts the sum of Rs. 5000/-. This is a discharge of-**

- (a) Wilted debt
- (b) Pledge debt
- (c) Earnest money
- (d) Previous debt

**Q67. Match List I with List II and select the correct answer by using the Codes given below List I List II**

- (a) Contingent contract (i) Section 148
- (b) Pledge (ii) Section 129
- (c) Continuing Guarantee (iii) Section 31
- (d) Bailment (iv) Section 172
- (e) Codes:

**Q68. The Indian Contract Act came into force**

- (a) From September 11, 1872
- (b) From September 01.1882
- (c) From September 01.1872
- (d) From September 09.1872

**Q69. Match List I with List II and select the correct answer by using the Codes below**

- (a) List - I List - II
- (b) Leases of vacant buildings (i) Section 21
- (c) Landlord's duty to keep the building and rented land (ii) Section 19
- (d) in good repairs
- (e) Special procedure for disposal of application under (iii) section 13

**Q70. Under which Section of the Himachal Pradesh Urban Rent Control Act, 1987, the Controller can exercise power of a Magistrate for recovery of fine?**

- (a) Section 26
- (b) Section 31
- (c) Section 33
- (d) Section 34

**Q71. The Standard Rent fixed by the Controller under Section 4(1) of the Himachal Urban Rent Control (Amendment) Act, 2009 -**

- (a) Is payable from the date of filing of application for fixation of Standard Rent
- (b) Is payable from the date of fixation of Standard Rent
- (c) Is payable from the date of creation of tenancy
- (d) Is payable from the date the Court decides

**Q72. Under the Himachal Pradesh Urban Rent Control Act, 1987, which of the following Court has power to transfer proceedings?**

- (a) Supreme Court
- (b) High Court
- (c) District Courts
- (d) All of these Courts

**Q73. Under which of the following sections, there is a provision for conversion of a residential building into a non-residential building?**

- (a) Section 13
- (b) Section 11
- (c) Section 14
- (d) Section 12

**Q74. 'The landlord shall not claim or receive any premium or other like sum in addition to standard rent or any rent in excess of such standard rent, but the landlord may stipulate to and receive in advance an amount not exceeding three month's rent in lump sum', has been provided under which of the following provisions of the Himachal Pradesh Urban Rent Control (Amendment) Act, 2009?**

- (a) Section 8
- (b) Section 7
- (c) Section 5
- (d) Section 9

**Q75. Under Section 6 of the Himachal Pradesh Urban Rent Control (Amendment) Act, 2009. increase of standard rent.**

- (a) Shall not exceed 10% of the cost of addition, improvement, alteration or special repairs
- (b) Shall not exceed 20% of the cost of addition, improvement, alteration or special repairs
- (c) Shall not exceed 30% of the cost of addition, improvement, alteration or special repairs
- (d) Shall not exceed 5% of the cost of addition, improvement, alteration or special repairs

**Q76. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor shall be-**

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

**Q77. Immovable property under the law relating to transfer of property includes-**

- (a) (a) Growing crops
- (b) (b) Grass
- (c) (c) Standing Timber
- (d) (d) Growing trees

**Q78. If the transfer of property is made with conditions, the condition is void and transfer is valid -**

- (a) (a) Where transfer is made with void condition
- (b) (b) Where transfer is made with the condition restraining absolutely future transfer of such property
- (c) (c) Where transfer is made absolute with the condition restraining enjoyment of such property
- (d) (d) Both (b) and (c)

**Q79. The mortgagee has the right to sell the mortgaged property without intervention of the Court**

- (a) (a) English mortgage
- (b) (b) Simple mortgage
- (c) (c) Anomalous mortgage
- (d) (d) Mortgage by conditional sale

**Q80. Determination of lease takes place by-**

- (a) (a) By efflux of time limited thereby
- (b) (b) By forfeiture
- (c) (c) By a notice To quit given by the landlord
- (d) (d) By express surrender

**Q81. Waiver of forfeiture under Section 112 takes place -**

- (a) (a) By acceptance of rent which has become due since the forfeiture
- (b) (b) By distress for such rent
- (c) (c) By any other act on the part of the lessor showing an intention to treat the lease as subsisting
- (d) (d) All of the above

**Q82. Exemption of leases for agricultural purposes-**

- (a) (a) Section 116
- (b) (b) Section 117
- (c) (c) Section 115
- (d) (d) Section 114

**Q83. Period spent in prosecuting the case before the Consumer Forum can tax**

- (a) (a) Partly excluded
- (b) (b) Included
- (c) (c) Excluded
- (d) (d) Partly include
- (e) (e) 45 Under Section 3 of the Limitation Act. 1963. the Court is required to consider the question of limitation

**Q84. In order to attract Section 4. Limitation Act. 1963**

- (a) (a) The Court should be closed for the whole of the day
- (b) (b) It is not necessary that the Court should be closed for the whole day and it is sufficient if the Court is closed during any part of its normal working hours
- (c) (c) The Court should be closed for substantial part of the day if not for the whole of the day
- (d) (d) The Court should be closed for more than half of the normal working hours

**Q85. Period of limitation for a suit by a Hindu governed by Mitakshara law to set aside his father's alienation of ancestral property**

- (a) (a) Twelve years from the date when the alienee takes possession of the property
- (b) (b) Three years from the date when the alienee takes possession of the property
- (c) (c) Twelve years from the date when the alienee takes possession of the property
- (d) (d) Thirty years from the date when the alienee takes possession of the property

**Q86. Section 22 of the Limitation Act, 1963 refers to which of the following cases?**

- (a) (a) Continuing breach of contract
- (b) (b) Successive breach of contract
- (c) (c) Both continuing and successive breaches
- (d) (d) Special damages

**Q87. The period of limitation for filing a suit to recover possession of movable or immovable property comprising religious and charitable endowment, transferred for valuable consideration, under Article 96 of the Schedule.**

- (a) (a) Thirty years
- (b) (b) Twelve years
- (c) (c) Three years
- (d) (d) Two years

**Q88. Under Article 112 of the Schedule, the period of limitation for filing a suit by the Central Government is**

- (a) (a) 3 years if relates to movable property and 12 years if relates to immovable property
- (b) (b) 12 years if relates to movable property and 30 years if relates to immovable property
- (c) (c) 30 years for any suit
- (d) (d) 60 years for any suit

**Q89. Under the Negotiable Instruments Act if the drawer goes for appeal, the trial court:**

- (a) Can suspend interim compensation
- (b) Can order minimum of twenty percent of the awarded amount to be released to the drawee
- (c) Can be order awarded amount to be deposited in the court
- (d) Can order minimum of five percent of the awarded amount to be released to the drawee

**Q90. The following three are conditions precedent, which must be satisfied before the dishonour of a cheque can constitute an offence and become punishable. Choose the odd one out:**

- (a) The cheque ought to have been presented to the bank within a period of six months from the date on which it is drawn or within the period of its validity, whichever is earlier
- (b) The payee, or the holder ought to make a demand for the said money by giving a notice in writing, to the drawer of the cheque, within 30 days of the receipt of information by him from the bank regarding the returns of the cheque as unpaid
- (c) The drawer of such a cheque should have failed to make payment of the said amount to the payee in due course of the cheque within 15 days of the said notice
- (d) The drawer of such a cheque should have failed to make payment of the said amount to the payee in due course of the cheque within 30 days of the said notice.

**Q91. Power to close liquor vendor under Section 14 of the Himachal Pradesh Excise Act 2011 is vested in:**

- (a) State Government
- (b) Excise & Taxation Officer
- (c) District Magistrate
- (d) Financial Commissioner and District Magistrate

**Q92. If a license holder or any person acting on his behalf sells or delivers liquor to any person apparently under the age of 18 years, he shall be punished with:**

- (a) Simple imprisonment for a term which may extend to three months
- (b) Simple imprisonment and fine of Rs. 5000
- (c) Fine which may extend to ten thousand but not less than two thousand rupees
- (d) Simple imprisonment which may extend three months and fine which may extend to fifty thousand rupees or both

**Q93. Permit for scientific management of wild animals under Section 12 of Wildlife Protection Act 1972 does not include:**

- (a) Translocation of any wild animal
- (b) Population management of wildlife
- (c) Translocation to suitable habitat
- (d) Population management by poisoning or otherwise destroying wild animal

**Q94. The chief wildlife warden may grant permit to enter or reside in a sanctuary for the following purposes. Choose the incorrect one:**

- (a) Photography
- (b) Scientific management of population
- (c) Tourism
- (d) Transaction of business with any person residing in the sanctuary

**Q95. Power of entry, search and detention under the Chapter prevention and detection of offences in the Wildlife Protection Act 1972 is specified in:**

- (a) Section 46
- (b) Section 26
- (c) Section 63
- (d) Section 50

**Q96. Whenever a notification has been issued to constitute any land a reserved forest the forest must issue a proclamation (Choose the incorrect one):**

- (a) Specifying, as nearly as possible the situation and limits of the proposed forest
- (b) Consequences that will ensue on the reservation of such forest
- (c) Notice that no compensation claim will be entertained
- (d) Fixing a period for claiming rights

**Q97. The provision for protected forests is mentioned in the following section of the Indian Forest Act:**

- (a) Section 29
- (b) Section 28
- (c) Section 33
- (d) Section 3

**Q98. Choose the incorrect statement under the Indian Forest Act 1972.**

- (a) State government may make rules to regulate the transit of all timber and other forest produce
- (b) Section 41 will override the rules made by central government to prescribe the route by which timber and other forest produce may be imported
- (c) The central government may levy a duty as it may declare by notification on all timber or other forest produce
- (d) The owner of any land may write to the collector that his land be managed by the forest officer as a reserved or protected forest

**Q99. All offences under the Himachal Pradesh Excise Act 2011 shall be:**

- (a) Bailable
- (b) Non-bailable
- (c) Bailable except first and second provision of subsection(1) of section 39 and section 40 and 41
- (d) Non bailable except sub section 2 of section 38 and provision to section 42

**Q100. In S. Nambi Narayanan v. Siby Mathews in the ISRO spy case the court ordered the state government to**

- (a) Pay 50 lacs as compensation to the appellant
- (b) The appellant to file a civil case for compensation
- (c) The erring officials pay their 2 years salary to the appellant
- (d) That departmental enquiry may be instituted, but compensation may set a bad precedent

**Q101. 'They also serve who stand and wait'. Million's words were equoted in:**

- (a) Barendra Kumar Ghosh v. king Emperor
- (b) Girija Shankar v. State of Uttar Pradesh
- (c) Queen v. Dudley and Stephens
- (d) Mahboob Shah v. Emperor

**Q102. General Exception of IPC limit and override offence and penal provisions of the Code and comprises of following sections:**

- (a) 67-102
- (b) 96-106
- (c) 82-106
- (d) 76-106

**Q103. Sudan and grave provocation is a defence for the offence of murder. Please specify the category of the defence.**

- (a) Complete defence
- (b) Partial defence
- (c) Sentencing defence
- (d) General defence

**Q104. Actus reus is that result of human conduct which the law seeks to prohibit. This definition was given by:**

- (a) Glanville Williams
- (b) Kenny
- (c) Blackstone
- (d) Russell

**Q105. The Constitution Bench held that a company can be prosecuted for any offence and cannot go scot-free merely on the ground that it technically be punished by way of imprisonment. This running of the Constitution Bench came in the following case:**

- (a) State of Maharashtra v. Syndicate Transport Company Ltd.
- (b) CBI v. Blue Sky Tie Up Pvt. Ltd.
- (c) Assistant Commissioner, Assessment II Bangalore v. Messrs Velliappa Textiles Ltd.
- (d) Standard Chartered Bank v. Directorate of Enforcement

**Q106. The 'contemporary community standard test' was stressed in the following case dealing with obscenity:**

- (a) Devidas Ramchandra Tugapukar v. State of Maharashtra
- (b) Sharat Babu Digumaarti v. Government of NCT Delhi
- (c) Gita Ram v. State of Himachal Pradesh
- (d) State of Maharashtra v. Flora Santuno Kutino

**Q107. Section 416 now states that if a woman sentenced to death is found to be pregnant, the high court shall commute the sentence to imprisonment for life.' This amendment was done by:**

- (a) Criminal Law (Amendment) Act 2013
- (b) Criminal Law (Amendment) Act 2009
- (c) Criminal Law (Amendment) Act 2018
- (d) Criminal Law (Amendment) Act 2005

**Q108. Section 433 A was introduced by amendment of CrPC in 1978. The constitutionality of this provision was examined by the Supreme Court in:**

- (a) Sunil Batra v. Delhi Administration
- (b) Shatrughan Chauhan v. Union of India
- (c) Ashok Kumar @ Golu v. Union of India
- (d) Charles Sobhraj v. Superintendent, Central Jail

**Q109. Doctrine of Locus Poenitentiae is a doctrine invoked in cases of:**

- (a) Obscenity
- (b) Rape leading to offer of marriage
- (c) Attempt
- (d) Expiation theory of punishment

**Q110. Choose the wrong proposition:**

- (a) Right of private defence of the body extends to causing death in case of an assault with an intention of committing rape.
- (b) Right of private defence of the body extends to causing death of an act of throwing acid which may reasonably use the apprehension that grievous hurt will otherwise be the consequences of such act.
- (c) Right of private defence of the body extends to causing death is available to the husband against adultery of his wife
- (d) Right of private defence of the body extends to causing death is available in an assault with the intention of gratifying unnatural lust.

**Q111. The principle of law-de-minimis non curat lex is embodied in the following section of the Indian Penal Code.**

- (a) Section 92
- (b) Section 85
- (c) Section 95
- (d) Section 76

**Q112. Joseph Shine v. Union of India dealt with the offence of:**

- (a) Bigamy
- (b) Adultery
- (c) Homosexuality
- (d) Triple Talaq

**Q113. For offence of conspiracy the following is not true:**

- (a) Minimum two persons required
- (b) Offence is heavily mental in its composition
- (c) Conspiracy is a rule of evidence
- (d) Mere agreement to do anything contrary to law is punishable

**Q114. The following principle is least relevant for criminal liability:**

- (a) Causation
- (b) Contemporaneity
- (c) Novus actus interventions
- (d) Motive

**Q115. Union of India v. Sriharan upheld the life imprisonment without remission which was first awarded in the case of:**

- (a) Jagmohan v. State of Uttar Pradesh .
- (b) Macchi Singh v. State of Punjab
- (c) Swamy Shraddananda v. State of Karnataka
- (d) Nalini v. State of Tamil Nadu

**Q116. Review petition in death penalty cases should be heard by:**

- (a) Bench of three judges
- (b) Constitution Bench
- (c) Same bench
- (d) Bench of five judges

**Q117. Section 354(3) of CrPC provides:**

- (a) Pre sentence hearing
- (b) Reason for imposing death sentence
- (c) Reason for not impsign a death sentence
- (d) Confirmation of death sentence by High Court

**Q118. Which of the following is incorrect:**

- (a) Pardoning power conferred on the President and the State Government is absolute
- (b) Pardoning power to be exercised as per the advice of the Council of Ministers
- (c) Pardoning power can be curtailed by the Supreme Court
- (d) The 'appropriate government' without consent of the offender can commute sentence of death

**Q119. Ignorance of law is not a defence. However contemporary scholars are less sanguine about this rule. A scholar that when a accused who had taken reasonable measures to comply with the law and was nevertheless ignorant or mistaken should be allowed a defence. The criminal law scholar is:**

- (a) Andrew Ashworth
- (b) Barbara Wooton
- (c) George Fletcher
- (d) Allan Norrie

**Q120. Priya Patel v. State of Maharashtra held that a woman:**

- (a) Can be held guilty of a gang rape
- (b) Can have an intention to commit rape
- (c) Cannot be held guilty of a gand rape
- (d) Can be held guilty of rape if in "furtherance of their common intention" is proved

**Q121. Exception 2 to Section 375 state that non consensual sexual intercourse by a man with his own wife does not amount to rape. Presently the age circumscribed for this exception is:**

- (a) 12 years
- (b) 18 years
- (c) 21 years
- (d) 15 years

**Q122. The law prohibits the disclosure of identity of rape victims under the following provision:**

- (a) Section 376 D
- (b) Section 228 A
- (c) Explanation 1 to Section 375
- (d) Section 375

**Q123. Two finger test was questioned in a case and was held to be violative of right to privacy, physical and mental integrity and dignity of the prosecutor. This case was:**

- (a) Lilly v. State of Haryana
- (b) Naz Foundation v. Union of India
- (c) Tukaram v. State of Maharashtra
- (d) Sakshi v. Union of India

**Q124. When a criminal case is transferred from one state to other, the appropriate mechanism is:**

- (a) That the transferor state appoints Public Prosecutor
- (b) That the transferee state appoints Public Prosecutor
- (c) That the complaint state appoints Public Prosecutor
- (d) Either of the two-the transferor or transferee state appoints Public Prosecutor

**Q125. D.K. Basu guidelines deal with:**

- (a) Right of an arrested person to free legal aid
- (b) Right to bail
- (c) Right of person who is seriously ill while being arrested
- (d) Standard operating procedure for arrest

**Q126. Registration of an FIR is mandatory in a case of cognizable offence. This was held by a Constitution Bench in:**

- (a) Union of India v. Murugan
- (b) K.S. Puttaswamy v. Union of India
- (c) Lalita Kumari v. State of Uttar Pradesh
- (d) Navtej Johar v. Union of India

**Q127. Default bail is given in case of:**

- (a) Where the investigation is not completed within the time prescribed
- (b) Where the offence is a bailable offence
- (c) Where the person applies for anticipatory bail
- (d) Where no reasonable grounds exist for believing the accused guilty after conclusion of trial but before judgement.

**Q128. As per this section of CrPC the court of its own can examine any person as a court witness:**

- (a) Section 235
- (b) Section 438
- (c) Section 307
- (d) Section 311

**Q129. Which of the following statement is correct:**

- (a) Offences under the Protection of Civil Rights Act, 1955 cannot be compounded
- (b) Non Compoundable offences can be compounded with the permission of the court
- (c) Some offences are recognised compoundable offences and others may be compoundable only with the consent of the victim.
- (d) Offences can be compoundable, but it does not amount to acquittal

**Q130. Maintenance under Section 125.....(choose the correct statement):**

- (a) Is limited to Rs. 500 per month
- (b) Is to be disposed of within reasonable time, however no time frame is given
- (c) Can be denied to a wife living in adultery
- (d) Is only for the wife

**Q131. Admbahi Sulemanbhai Ajmeri v. State of Gujarat is a classic case of:**

- (a) Fast track investigation
- (b) Wrongful prosecution
- (c) 'Rarest of rare' case
- (d) Waging war against government of India

**Q132. Which of the following is incorrect:**

- (a) Section 300 embodies the principle of autrefois convict and autrefois acquit
- (b) Article 20(2) of the Constitution guards against double jeopardy
- (c) Victim impact statement is taken before pronouncing sentence
- (d) Judgement of the court is written in the language of the court and the language is determined by the state government

**Q133. Plea bargaining in India is:**

- (a) Sentence bargaining
- (b) Charge bargaining
- (c) Fact bargaining
- (d) Charge and sentence bargaining

**Q134. Every investigation is required to be completed without unnecessary delay Section 173. Choose the most appropriate statement:**

- (a) The police files a report known as challan after framing charges
- (b) The police forms an opinion and the magistrate is bound by the opinion of the investigation officer
- (c) The magistrate frames charges after filing of police report
- (d) The police and magistrate in consultation frame charges after completion of investigation.

**Q135. The liability inquiry under thirdly of Section 300 IPC is:**

- (a) Subjective and objective liability
- (b) Objective liability
- (c) Subjective liability
- (d) Strict liability

**Q136. In scrutiny of a complaint the magistrate does the following. (choose the correct course available):**

- (a) If the magistrate is not competent to take cognisance of the offence mentioned he still may take cognisance if it is a complaint case
- (b) The magistrate takes cognisance of the case but cannot examine the complaint on oath
- (c) The magistrate may look into the complaint and send it to the police for investigation
- (d) Direct an investigation even if the offence is triable exclusively by the Sessions Court

**Q137. Which of the following statement is incorrect:**

- (a) Confession or a statement can be recorded only by a metropolitan magistrate or a judicial magistrate
- (b) Confession or a statement can be recorded by a police officer on whom power of a magistrate has been conferred under any law
- (c) Confession or a statement can be recorded in the course of an investigation
- (d) Confession or a statement can be recorded only when it is being voluntarily

**Q138. Under Section 143A of the Negotiable Instruments Act 1881 the court may order the drawer of the cheque to pay interim compensation to the complainant which:**

- (a) Shall not exceed fifty percent of the amount of cheque
- (b) Shall not exceed ten percent of the amount of cheque
- (c) Shall not exceed twenty percent of the amount of cheque
- (d) Shall be nominal as per the wisdom of the trier of facts

## Answer Key & Solutions

### Q1. Answer: C

Sections 41 (relevancy of certain judgments in probate, matrimonial, admiralty or insolvency jurisdiction) and 42 (relevancy and effect of judgments other than those mentioned in s.41) are both exceptions to the rule that judgments are res inter alios acta. Hence both (a) and (b).

### Q2. Answer: B

In Kalua v. State of U.P. the Supreme Court held that where two medical experts differ, the court should accept the opinion that fits in with the direct/eye-witness testimony. The other options concern unrelated points (Satya v. Teja Singh is on conflict of laws/domicile).

### Q3. Answer: A

Under Explanation 2 to Section 62 of the Evidence Act, where a number of documents are all made by one uniform process, each is primary evidence of the contents of the rest; but where each is a copy of a common original, none is primary evidence of the original. On these facts each signed counterpart is itself an original executed document, so both copies are primary evidence (the illustration to s.62 treats each signed counterpart as primary evidence as against the signer/the party against whom it operates).

### Q4. Answer: D

The proposition (a party not in possession of the device cannot be required to produce a 65B(4) certificate) is the ratio of Shafhi Mohammad v. State of Himachal Pradesh (2018) 2 SCC 801. Option (d) 'Shani Mohammad v. Himachal Pradesh' is a garbled OCR rendering of that case, so it is the intended key. Flagged because the case name is corrupted and Shafhi Mohammad's reasoning was later doubted/overruled by the larger bench in Arjun Pandittrao (2020).

### Q5. Answer: B

Section 123 of the Evidence Act bars evidence derived from unpublished official records relating to affairs of State except with the permission of the head of department concerned. Section 122 deals with marital communications and s.124/125 with official communications/informant identity.

### Q6. Answer: C

Under Section 27, 'information received from a person accused' covers all forms of information that lead to discovery of a fact, whether it amounts to a confession or not; the section is not confined to confessional statements (Pulukuri Kottaya). Hence (c).

### Q7. Answer: B

Section 21 of the Indian Stamp Act, 1899 provides that where an instrument is chargeable with ad valorem duty in respect of any stock or marketable/other security, the duty is calculated on the value of such stock or security according to the average price or value thereof on the day of the date of the instrument.

### Q8. Answer: C

Under Section 24 of the Indian Stamp Act, where consideration is partly in money and partly in release of an antecedent debt, the whole sum is treated as the consideration. Money paid Rs.500 plus debt released Rs.1,000 = Rs.1,500, so stamp duty is payable on Rs.1,500.

### Q9. Answer: D

Section 11 of the Indian Stamp Act, 1899 lists instruments that MAY use adhesive stamps: low-duty instruments, bills of exchange/promissory notes drawn out of India, advocate-roll entries, notarial acts, and transfers by endorsement of shares. A cheque (a bill of exchange payable on demand drawn on a banker) is not within this permitted list and cannot be stamped with adhesive stamps; the other three options are expressly listed in s.11.

### Q10. Answer: A

Under Section 7 of the Himachal Pradesh Courts Act, 1976, it is the High Court that may by general or special order authorise an Additional District Judge to discharge any of the functions of the District Judge, including receiving and registering cases and appeals.

**Q11. Answer: A**

Under Section 9 of the H.P. Courts Act, 1976 the District Court is the principal civil court of original jurisdiction in the district.

**Q12. Answer: C**

The High Court may fix the place at which any court is to be held, and a court may sit at any place within the local limits of its jurisdiction; but the place fixed by the High Court is NOT restricted to being within the local limits of jurisdiction. Hence (i) and (iii) are correct and (ii) is incorrect.

**Q13. Answer: A**

Section 2(2) CPC expressly excludes any order of dismissal for default and orders of abatement from the definition of decree. An order of abatement of suit is therefore not a decree, whereas orders deciding no cause of action / appeal not maintainable / remand are appealable as decrees or deemed decrees.

**Q14. Answer: A**

Rejection of a plaint is expressly a 'deemed decree' under Section 2(2) CPC. Restitution under s.144 and adjudication of obstruction (Order 21) are appealable orders but are not within the s.2(2) deeming clause; hence (a) only.

**Q15. Answer: A**

Dhulabhai v. State of M.P., AIR 1969 SC 78 is the leading authority laying down the seven principles governing exclusion of the jurisdiction of civil courts under Section 9 CPC. Daryao and Nawab Hussain concern res judicata/constitutional remedies.

**Q16. Answer: B**

An ex parte decree is a decision on merits and operates as res judicata. A consent decree, a dismissal in default, and a dismissal in limine are generally not treated as res judicata because they are not adjudications on merits after contest.

**Q17. Answer: A**

Section 13 CPC lists grounds on which a foreign judgment is NOT conclusive: not by a court of competent jurisdiction, not on merits, founded on incorrect view of international law/refusal to recognise Indian law, opposed to natural justice, obtained by fraud, or sustaining a claim founded on breach of Indian law. 'Not by a complete court' is not a recognised ground; the recognised ground is want of competent jurisdiction. Hence (a) is not a ground.

**Q18. Answer: D**

For a decision to be a decree it must conclusively determine the rights of the parties inter se; 'rights' covers substantive as well as procedural rights, and adjudications on matters such as limitation, jurisdiction and accounts can be decrees. All three propositions are correct.

**Q19. Answer: C**

A civil court has jurisdiction over all suits of a civil nature unless barred (Explanation to s.9), and a suit where the principal question relates to religious rites/caste (not a property/office right) is not of a civil nature. But a suit of civil nature DOES include private rights, so (ii) is wrong. Hence (i) and (iii) correct.

**Q20. Answer: D**

Res judicata is founded on public policy; its principles apply to civil suits, execution, arbitration, interim orders etc.; and Section 11 CPC, though not exhaustive of the general doctrine, codifies it. On the framing used in these papers all three propositions are treated as correct, so (d).

**Q21. Answer: D**

For a representative suit under Order I Rule 8, the numerous persons must have the same/common interest and a common grievance in the subject matter, and the relief sought must in its nature be beneficial to all whom the plaintiff represents. All three propositions are correct.

**Q22. Answer: A**

Order II Rule 2 requires that the cause of action in the earlier and the subsequent suit be the same (identical). Statement (iii)-that failure to indicate the date of accrual of the cause of action is fatal to filing-is not a correct rule for Order II Rule 2. Hence (i) and (ii) correct, (iii) incorrect.

**Q23. Answer: A**

Every suit presupposes a cause of action and, if none exists, the plaint is liable to be rejected (Order VII Rule 11). But mere failure to state the precise date of accrual of the cause of action is not, by itself, fatal to the suit; it is an omission curable by amendment. Hence (i) and (ii) correct, (iii) incorrect.

**Q24. Answer: B**

Order VI Rule 2 CPC requires pleadings to state material facts only and not the evidence; they must not state law. So 'pleading should state facts and law' (i) is wrong, while (ii) material facts and (iii) not the evidence are correct. Hence (ii) and (iii) correct, (i) incorrect.

**Q25. Answer: D**

Section 75 CPC empowers the court to issue commissions to examine a person, make a local investigation, examine accounts, make a partition, hold investigations, sell property and perform ministerial acts. The question asks where the court may NOT issue a commission; since all the listed purposes are valid grounds for a commission, the framed answer is 'All of these' (i.e., there is no listed situation where a commission cannot issue).

**Q26. Answer: D**

Under Section 60(1), proviso (b) CPC, tools of artisans are exempt from attachment and sale in execution. Bills of exchange, promissory notes and Government securities are attachable.

**Q27. Answer: D**

Order V CPC recognises personal service on party/agent, service through court, and substituted service (Order V Rule 20). All listed modes are recognised.

**Q28. Answer: A**

Legal set-off is provided under Order VIII Rule 6 CPC; equitable set-off is recognised by Rule 6 read with general principles, and counter-claim under Rule 6A.

**Q29. Answer: D**

All three statements correctly restate Order XXII Rules 1, 3 CPC: a suit does not abate if the right to sue survives, the LR is brought on record and the suit proceeds, and the person so added is bound by prior pleadings and cannot raise defences inappropriate to his representative character.

**Q30. Answer: A**

The quoted passage (attachment before judgment is a drastic and extraordinary power, to be used sparingly; Order 38 Rule 5 is not meant to convert an unsecured debt into a secured debt) is from Raman Tech & Process Engg. Co. v. Solanki Traders, (2008) 2 SCC 302/304.

**Q31. Answer: D**

Section 6(2) of the Specific Relief Act, 1963 bars a suit brought after SIX months from the date of dispossession, not three months. Hence the statement of a three-month period is incorrect; the other elements (dispossession, without consent, otherwise than in due course of law) are correct.

**Q32. Answer: D**

Section 6(3) of the Specific Relief Act, 1963 expressly bars any appeal and any review against an order/decreed under Section 6. The only remedy is a writ/revision in limited circumstances or a regular title suit; among the listed options none (appeal, review, revision) is the prescribed remedy, so 'None of these'.

**Q33. Answer: C**

Under Section 2(b) of the Specific Relief Act, 1963, 'settlement' means an instrument (other than a will or codicil) whereby the successive interests in movable OR immovable property are disposed of. So (i) and (iii) are correct; (ii) limiting it to movable property is wrong.

**Q34. Answer: A**

The Supreme Court held that a suit seeking a bare declaration of title without seeking possession, where the plaintiff is not in possession, is hit by the proviso to Section 34 SRA and is not maintainable in Union of India v. Ibrahim Uddin, (2012) 8 SCC 148.

**Q35. Answer: C**

Section 20B of the Specific Relief Act, 1963 (inserted by the 2018 Amendment) empowers the State Government, in consultation with the Chief Justice of the High Court, to designate one or more civil courts as Special Courts to try suits regarding contracts relating to infrastructure projects.

**Q36. Answer: A**

Under Section 21 SRA, the plaintiff may claim compensation in addition to or in substitution for specific performance (i and ii correct). Statement (iii) is wrong because Section 21(5) permits the court to allow amendment of the plaint to include a claim for compensation at any stage.

**Q37. Answer: B**

Per the Panchsheel test of circumstantial evidence (*Sharad Birdhichand Sardar v. State of Maharashtra*), all facts must be consistent only with the hypothesis of GUILT of the accused, not 'guilt/innocence'. Hence (b) is the incorrect statement.

**Q38. Answer: A**

*Hem Raj v. State of Haryana*, AIR 2005 SC 2110, is a decision dealing with the testimony/appreciation of a child witness under the Indian Evidence Act, 1872.

**Q39. Answer: D**

Section 112 of the Indian Evidence Act, 1872 (legitimacy of a child born during marriage) provides a conclusive/irrebuttable presumption, rebuttable only by proof of non-access. Sections 79 and 85 are rebuttable presumptions; Section 105 places a burden of proof.

**Q40. Answer: B**

Footprints of an accused are facts showing conduct/identification and are relevant under Section 8 of the Indian Evidence Act, 1872 (relevant facts include conduct and facts establishing identity). Flagged: footprint identification is also argued under Section 9; the Act has no provision expressly on footprints, so Section 8 is the best fit among the options.

**Q41. Answer: C**

A relative's letter conveying that an FIR had been filed, against an accused who absconded, is relevant as evidence of conduct (the accused's absconding) under Section 8 of the Indian Evidence Act, 1872. Flagged: the OCR-distorted stem leaves the precise relevance arguable, but Section 8 (conduct of an accused) is the best fit.

**Q42. Answer: C**

Under Section 10 of the Indian Evidence Act, the acts/declarations of a conspirator are admissible against co-conspirators only if made in reference to their COMMON INTENTION/common design (and during the conspiracy). The statement confining them merely to 'in furtherance to their common intention' misstates the requirement, making (c) the incorrect proposition.

**Q43. Answer: D**

Under Section 54 of the Indian Evidence Act, evidence of bad character of the accused is irrelevant in criminal proceedings unless the accused has first put his good character in issue. Since good character was not raised, the prosecution's bad-character evidence is inadmissible under both Section 54 and Section 11.

**Q44. Answer: C**

Sections 18-20 of the Evidence Act: admissions may be made by parties (i correct) and by persons suing/sued in a representative character (iii correct). Statement (ii) is wrong because an agent may make admissions when expressly OR impliedly authorised, not 'expressly only'.

**Q45. Answer: C**

Admissions are substantive evidence (i correct) and generally operate against the maker (ii correct). Statement (iii) is wrong: a self-serving statement is generally not admissible as an admission. So I and II are correct, III is incorrect.

**Q46. Answer: D**

All three are correct: a confession is a species of admission in criminal cases (Pakala Narayana Swami principle), a self-exculpatory statement is not a confession, and mere conduct is not a confession unless it amounts to an assertion.

**Q47. Answer: C**

Section 27 of the Indian Evidence Act (so much of information leading to discovery of a fact) is based on the doctrine of confirmation by subsequent facts/events, the discovery guaranteeing the truth of the information.

**Q48. Answer: D**

All three are correct: Article 20(3) protects against testimonial compulsion; it does not bar use of a retracted (voluntary) confession; and Section 24 protects an accused from confessions caused by inducement, threat or promise.

**Q49. Answer: A**

Section 154 gives the court discretion to permit a party to cross-examine its own witness (i correct), exercised on satisfaction of hostility (ii correct). Statement (iii) is wrong: merely declaring a witness hostile does not result in his entire testimony being excluded; the relevant portions may still be relied upon.

**Q50. Answer: C**

On dying declarations: percentage of burns alone does not determine admissibility (i correct), and a magistrate's certification of fit state of mind/body bears on reliability (iii correct). Statement (ii) is wrong: absence of a medical fitness certificate is not by itself a ground to discard an otherwise reliable dying declaration.

**Q51. Answer: B**

Under s.12 Limitation Act 1963 the time taken to obtain a certified copy of the decree/judgment is excluded, i.e. from the date of applying for the copy (11/07/2002) until the copy was ready (01/08/2002). OCR has badly garbled the options/dates; best fit is 11/07/2002 to 01/08/2002.

**Q52. Answer: C**

In *Githa Hariharan v. Reserve Bank of India* (1999) 2 SCC 228, the Supreme Court read down 'after' in s.6(a) of the Hindu Minority and Guardianship Act 1956 to mean 'in the absence of' the father, not literally after his lifetime, so the mother can be natural guardian.

**Q53. Answer: D**

The wife's right to seek divorce on the ground of repudiation of a child marriage (solemnised before age 15, repudiated after 15 but before 18) is the 'option of puberty' under s.13(2)(iv) of the Hindu Marriage Act 1955.

**Q54. Answer: B**

Section 16 of the Hindu Marriage Act 1955 confers legitimacy on children of void and voidable marriages.

**Q55. Answer: A**

Mother, son and daughter are all Class I heirs; the father is NOT a Class I heir (he is a Class II heir, Entry I) of a Hindu male under the Hindu Succession Act 1956 Schedule. The odd one out / non-Class-I heir is the father.

**Q56. Answer: A**

Maintenance/alimony provisions of the Hindu Marriage Act 1955 (ss.24-25) are gender-neutral, so a Hindu husband can claim maintenance under the HMA (not under CrPC s.125 or HAMA which protect only the wife). The option set is OCR-broken (option (b) text missing and 'both (a) and (b)' has no second limb), so the intended answer keys to the HMA 1955.

**Q57. Answer: D**

Constituent elements of actual desertion are the factum of separation, animus deserendi, absence of reasonable cause and absence of consent of the deserted spouse. Expiry of the one-year statutory period before filing the petition is a condition for maintaining the petition, not an element constituting desertion itself.

**Q58. Answer: D**

Among the relations listed, brother's widow and father's brother are higher in the Class II order (father's brother is Class II Entry V) and exclude father's widow's category and father's sister in this comparison; the nearer heirs who succeed are the brother's widow and father's brother.

**Q59. Answer: D**

A contract of guarantee involves three parties and TWO contracts (principal debtor-creditor and surety's guarantee). 'Existence of only one contract' is therefore NOT an essential of a contract of guarantee under s.126 of the Indian Contract Act 1872.

**Q60. Answer: C**

'Agent' is defined in Section 182 of the Indian Contract Act 1872.

**Q61. Answer: C**

Drawing cash from an ATM and a sale by fall of the hammer at an auction are classic examples of tacit contracts (formed by conduct/silence without express or implied words).

**Q62. Answer: B**

The case referred to (garbled as 'Froth Spight' = Frost v. Knight, (1872) LR 7 Ex 111) is the leading authority on anticipatory breach of contract.

**Q63. Answer: A**

Under s.2(g) of the Indian Contract Act 1872, a void agreement is one not enforceable by law.

**Q64. Answer: B**

Under s.4 of the Indian Contract Act 1872, communication of acceptance is complete as against the proposer when it is put in a course of transmission to him, so as to be out of the power of the acceptor.

**Q65. Answer: A**

Under s.4 of the Indian Contract Act 1872, communication of acceptance is complete as against the acceptor when it comes to the knowledge of the proposer.

**Q66. Answer: B**

This is the illustration to s.63 of the Indian Contract Act 1872 (remission/accord and satisfaction of an unascertained sum) and operates as a discharge of an unliquidated debt; the garbled option 'Pali debt' corresponds to the intended unliquidated/disputed-amount debt.

**Q67. Answer: D**

Correct statutory pairings: Contingent contract = s.31; Pledge = s.172; Continuing Guarantee = s.129; Bailment = s.148. The actual 'Codes' answer choices are missing/OCR-broken, so the matching pairs are given but the lettered key cannot be reliably selected; best guess defaults to (d).

**Q68. Answer: C**

The Indian Contract Act 1872 (Act 9 of 1872) came into force on 1 September 1872.

**Q69. Answer: D**

This is a HP Urban Rent Control match-list question whose List entries and 'Codes' options are OCR-broken/incomplete, so a reliable key cannot be derived; best guess (d).

**Q70. Answer: B**

Section 31 of the Himachal Pradesh Urban Rent Control Act 1987 empowers the Controller to exercise the power of a Magistrate for recovery of fine.

**Q71. Answer: A**

Standard rent fixed by the Controller under s.4 of the HP Urban Rent Control Act (as amended 2009) is payable from the date of filing of the application for fixation of standard rent.

**Q72. Answer: B**

Under s.28 of the HP Urban Rent Control Act 1987, the power to transfer proceedings (from one Controller to another) is vested in the High Court (and appellate authority); among the options the answer is the High Court.

**Q73. Answer: D**

Section 12 of the HP Urban Rent Control Act 1987 provides for conversion of a residential building into a non-residential building (only with the Controller's written permission); Section 13 is the landlord's duty to repair.

**Q74. Answer: B**

The bar on claiming any premium and the cap on advance rent (not exceeding three months' rent in lump sum) is contained in Section 7 of the HP Urban Rent Control (Amendment) Act 2009.

**Q75. Answer: A**

Under Section 6 of the HP Urban Rent Control (Amendment) Act 2009, the increase of standard rent on account of addition, improvement, alteration or special repairs shall not exceed 10% of the cost of such work.

**Q76. Answer: D**

Section 53(1) of the Transfer of Property Act, 1882: every transfer of immovable property made with intent to defeat or delay the creditors of the transferor is voidable at the option of any creditor so defeated or delayed.

**Q77. Answer: D**

Section 3, TPA defines immovable property to exclude standing timber, growing crops and grass. Of the options, growing trees are immovable property (not 'standing timber' intended for severance), so (d) is included while crops/grass/standing timber are expressly excluded.

**Q78. Answer: D**

Under Sections 10 and 11, TPA a condition absolutely restraining alienation/future transfer (s.10) and a condition restraining enjoyment after an absolute transfer (s.11) are void while the transfer remains valid; hence both (b) and (c).

**Q79. Answer: A**

Section 69, TPA confers the power of sale without intervention of the court; an English mortgage (s.58(e)) is one of the mortgages where the mortgagee may sell without court intervention in the prescribed circumstances.

**Q80. Answer: A**

Section 111, TPA enumerates modes of determination of lease; (a) determination by efflux of time limited thereby is the standard correct mode, and all listed modes are recognised under s.111. (a) is the clearest single correct mode.

**Q81. Answer: D**

Section 112, TPA: forfeiture is waived by acceptance of rent become due since forfeiture, by distress for such rent, or by any other act of the lessor showing intention to treat the lease as subsisting; hence all of the above.

**Q82. Answer: B**

Section 117, TPA exempts leases for agricultural purposes from the operation of Chapter V (Sections 105-116) unless the State Government notifies otherwise.

**Q83. Answer: C**

Under Section 14, Limitation Act, 1963 time bona fide spent prosecuting the matter in a forum lacking jurisdiction (e.g. Consumer Forum) is excluded in computing limitation.

**Q84. Answer: B**

Explanation to Section 4, Limitation Act, 1963: a court is deemed closed on any day if during any part of its normal working hours it remains closed; it need not be closed the whole day.

**Q85. Answer: A**

Article 109 (formerly Art. 126), Limitation Act, 1963: a suit by a Hindu governed by Mitakshara to set aside his father's alienation of ancestral property is twelve years from when the alienee takes possession. (Options (a) and (c) are duplicate-correct due to OCR; first listed correct option chosen.)

**Q86. Answer: A**

Section 22, Limitation Act, 1963 deals with continuing breaches and continuing torts (a fresh period runs while the breach/tort continues); the closest matching option is continuing breach of contract.

**Q87. Answer: B**

Article 96, Schedule to the Limitation Act, 1963: a suit to recover possession of movable/immovable property comprised in a religious or charitable endowment transferred by a previous manager for valuable consideration is twelve years.

**Q88. Answer: C**

Article 112, Schedule to the Limitation Act, 1963 prescribes a uniform thirty-year limitation for any suit by or on behalf of the Central or State Government (except a suit before the Supreme Court in original jurisdiction).

**Q89. Answer: B**

Section 148, Negotiable Instruments Act, 1881: in an appeal against a s.138 conviction the appellate court may order the appellant (drawer) to deposit a minimum of twenty percent of the fine/compensation awarded, which may be released to the complainant (drawee).

**Q90. Answer: D**

Under the proviso to Section 138, NI Act the drawer must fail to pay within 15 days of the demand notice (not 30 days); (d) wrongly states 30 days and is the odd one out.

**Q91. Answer: C**

Section 14, HP Excise Act, 2011: where the District Magistrate has information that a riot/unlawful assembly has or is likely to occur near a liquor vend, he may order its closure; the power is vested in the District Magistrate.

**Q92. Answer: C**

Section 26(1), HP Excise Act, 2011: selling/delivering liquor to a person apparently under 18 is punishable with fine which may extend to ten thousand rupees but not less than two thousand rupees.

**Q93. Answer: D**

Section 12 Explanation, Wild Life (Protection) Act, 1972 defines 'scientific management' as translocation to suitable habitat or population management WITHOUT killing/poisoning/destroying; hence population management by poisoning/destroying is not included.

**Q94. Answer: B**

Section 28, Wild Life (Protection) Act, 1972 lists permitted purposes for entering/residing in a sanctuary: study of wildlife, photography, scientific research, tourism, lawful business with residents. 'Scientific management of population' is a s.12 hunting-permit concept, not a s.28 entry purpose.

**Q95. Answer: D**

Section 50, Wild Life (Protection) Act, 1972 (Chapter VI - Prevention and Detection of Offences) confers the power of entry, search, arrest and detention.

**Q96. Answer: C**

The Section 6 proclamation specifies the situation/limits of the proposed forest, the consequences of reservation, and fixes a period for claiming rights/compensation. It invites compensation claims rather than barring them, so 'no compensation claim will be entertained' is the incorrect statement.

**Q97. Answer: A**

Section 29, Indian Forest Act, 1927 empowers the State Government to declare protected forests (Chapter IV).

**Q98. Answer: B**

Under the Indian Forest Act, 1927 transit control (s.41) is vested in the State Government, while the Central Government prescribes import/export routes (s.41(3)); a State's s.41 rules do not override Central rules. Statement (b) inverts this and is incorrect.

**Q99. Answer: C**

Under the HP Excise Act, 2011 all offences are bailable except those punishable under the first and second provisos to sub-section (1) of section 39 and sections 40 and 41, which are non-bailable.

**Q100. Answer: A**

In *S. Nambi Narayanan v. Siby Mathews* (2018) the Supreme Court directed the State of Kerala to pay Rs. 50 lakh as compensation to the appellant for his wrongful arrest in the ISRO spy case.

**Q101. Answer: A**

Milton's line 'They also serve who stand and wait' was quoted by Lord Sumner in *Barendra Kumar Ghosh v. King Emperor* (AIR 1925 PC 1), the leading case on common intention under s.34 IPC, regarding a person who merely stood guard.

**Q102. Answer: D**

Chapter IV (General Exceptions) of the IPC comprises Sections 76 to 106, overriding the penal provisions of the Code.

**Q103. Answer: B**

Grave and sudden provocation (Exception 1 to s.300 IPC) only reduces murder to culpable homicide not amounting to murder; it does not exculpate. Hence it is a partial defence.

**Q104. Answer: B**

The classic definition that actus reus is 'such result of human conduct as the law seeks to prevent' is given by Kenny in his *Outlines of Criminal Law*.

**Q105. Answer: D**

*Standard Chartered Bank v. Directorate of Enforcement*, (2005) 4 SCC 530, a Constitution Bench, held a company can be prosecuted even for offences carrying mandatory imprisonment and cannot escape merely because it cannot be jailed; it overruled *Velliappa Textiles*.

**Q106. Answer: A**

*Devidas Ramchandra Tuljapurkar v. State of Maharashtra* (2015) 6 SCC 1 applied the 'contemporary community standards test' for obscenity under s.292 IPC (with greater rigour where revered figures like Gandhi are used).

**Q107. Answer: B**

The mandatory wording ('High Court shall commute') in s.416 CrPC was effected by the Code of Criminal Procedure (Amendment) Act, 2008 (Act 5 of 2009). Options misname it 'Criminal Law Amendment'; the nearest year is 2009. Flagged for imprecise option wording.

**Q108. Answer: C**

Section 433-A CrPC's validity was upheld in *Maru Ram* (1981); among the given options only *Ashok Kumar @ Golu v. Union of India* (1991) examined and reaffirmed the applicability/constitutionality of s.433-A. Other options (*Sunil Batra*, *Shatrughan Chauhan*, *Charles Sobhraj*) do not deal with s.433-A.

**Q109. Answer: C**

*Locus poenitentiae* (opportunity to repent/withdraw) is invoked to distinguish mere preparation from attempt - it is the stage where the accused may still draw back before completing the crime.

**Q110. Answer: C**

Section 100 IPC lists when the right of private defence of body extends to causing death (assault with intent to rape, acid throwing, gratifying unnatural lust, etc.). It does NOT cover causing death over a wife's adultery, so (c) is the wrong proposition.

**Q111. Answer: C**

The maxim *de minimis non curat lex* (law takes no notice of trifles) is embodied in Section 95 IPC - acts causing slight harm are not offences.

**Q112. Answer: B**

*Joseph Shine v. Union of India* (2018) struck down Section 497 IPC, decriminalising adultery.

**Q113. Answer: D**

Under s.120A IPC an agreement to do a legal act by illegal means, or an illegal act, is conspiracy, but where the object is not an offence an overt act is required; thus a bare agreement to do 'anything contrary to law' is not by itself always punishable, making (d) the untrue statement.

**Q114. Answer: D**

Causation, contemporaneity, and novus actus interveniens are core to establishing the actus reus/liability link; motive is legally least relevant to criminal liability (it goes to proof, not to the offence itself).

**Q115. Answer: C**

Union of India v. V. Sriharan (Murugan) (2016) 7 SCC 1 upheld the special category of life imprisonment beyond remission first evolved in Swamy Shraddananda (2) v. State of Karnataka (2008) 13 SCC 767.

**Q116. Answer: A**

Mohd. Arif @ Ashfaq v. Registrar, Supreme Court of India, (2014) 9 SCC 737 held that review petitions in death-penalty cases must be heard in open court by a bench of at least three judges.

**Q117. Answer: B**

Section 354(3) CrPC requires the court, when the sentence is death, to record 'special reasons' for imposing the death sentence.

**Q118. Answer: A**

The pardoning power under Arts. 72/161 is subject to judicial review (Maru Ram, Epuru Sudhakar) and is exercised on the aid and advice of the Council of Ministers; it is therefore not 'absolute'. Statement (a) is incorrect.

**Q119. Answer: A**

Andrew Ashworth argues that an accused who took reasonable measures to comply with the law yet remained ignorant or mistaken should be allowed a defence (Ashworth, 'Ignorance of the Criminal Law, and Duties to Avoid it').

**Q120. Answer: C**

Priya Patel v. State of M.P., (2006) 6 SCC 263 held that since a woman cannot commit rape, she cannot be held guilty of gang rape (common intention to rape cannot be ascribed to her).

**Q121. Answer: B**

After Independent Thought v. Union of India (2017) 10 SCC 800 read down Exception 2 to s.375, sexual intercourse by a man with his wife is not rape only if she is not under 18 years; the circumscribed age is now 18.

**Q122. Answer: B**

Section 228A IPC prohibits disclosure of the identity of victims of certain sexual offences (including rape under s.376).

**Q123. Answer: A**

Lillu @ Rajesh v. State of Haryana, (2013) 14 SCC 643 held the two-finger test violates the rape survivor's right to privacy, physical and mental integrity and dignity. (Option 'Lilly' corresponds to Lillu.)

**Q124. Answer: B**

When a criminal case is transferred from one State to another for trial (e.g., Best Bakery, Zahira Habibullah Sheikh v. State of Gujarat), the transferee State where the trial proceeds appoints the Public Prosecutor.

**Q125. Answer: D**

D.K. Basu v. State of West Bengal, (1997) 1 SCC 416 laid down binding guidelines/requirements to be followed during arrest and detention - effectively a standard operating procedure for arrest.

**Q126. Answer: C**

Lalita Kumari v. Govt. of U.P., (2014) 2 SCC 1, a Constitution Bench, held that registration of FIR is mandatory under Section 154 CrPC when information discloses a cognizable offence.

**Q127. Answer: A**

Default/statutory bail under Section 167(2) CrPC accrues when investigation is not completed within the prescribed period (60/90 days), entitling the accused to be released on bail.

**Q128. Answer: D**

Section 311 CrPC empowers the court, of its own motion, to summon and examine any person as a court witness if their evidence is essential to a just decision of the case.

**Q129. Answer: C**

Under Section 320 CrPC, certain offences are compoundable without leave of court and others are compoundable only with the permission/consent of the aggrieved party (victim); offences not listed cannot be compounded.

**Q130. Answer: C**

Under Section 125(4) CrPC, a wife living in adultery, refusing without sufficient reason to live with her husband, or living separately by mutual consent, is not entitled to maintenance.

**Q131. Answer: B**

Adambhai Sulemanbhai Ajmeri v. State of Gujarat (2014) (Akshardham temple attack) saw the Supreme Court acquit all the accused, making it a classic case of wrongful prosecution.

**Q132. Answer: D**

Under Section 272 CrPC, the language of the court is determined by the State Government, not as stated; the statement is incorrect because it ties the language determination wrongly. Options (a) S.300, (b) Art. 20(2), and (c) victim impact statement are all correct, so (d) is the incorrect proposition to be chosen.

**Q133. Answer: A**

Plea bargaining under Chapter XXIA CrPC (Ss. 265A-265L) in India is essentially sentence bargaining, focused on reducing the quantum of punishment, not on the charge or facts.

**Q134. Answer: C**

After the police file the final report (challan) under Section 173 CrPC, it is the Magistrate who takes cognizance and frames charges; the police only opine and the Magistrate is not bound by that opinion.

**Q135. Answer: C**

Clause 'Thirdly' of Section 300 IPC requires intention to cause a bodily injury sufficient in the ordinary course of nature to cause death; this inquiry into the offender's intention is subjective in nature (per Virsa Singh v. State of Punjab).

**Q136. Answer: C**

On a complaint, the Magistrate may, before taking cognizance, order an investigation by the police under Section 156(3) CrPC; the other options misstate the law (a Magistrate cannot direct S.156(3) investigation in cases exclusively triable by Sessions in the post-cognizance stage).

**Q137. Answer: B**

Under Section 164 CrPC, a confession or statement can be recorded only by a Metropolitan or Judicial Magistrate; it cannot be recorded by a police officer even one on whom magisterial powers are conferred (the section expressly excludes such police officers), making this statement incorrect.

**Q138. Answer: C**

Section 143A(2) of the Negotiable Instruments Act, 1881 provides that interim compensation shall not exceed twenty per cent of the amount of the cheque.