

## Jharkhand Judiciary - Prelims 2014

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

**Q1. From the following words, the misspelt word is**

- (a) Relinquish
- (b) Illuminant
- (c) Exodus
- (d) Dependency

**Q2. Gynaephobia' stands for**

- (a) fear of woman
- (b) fear of sex
- (c) fear of chins
- (d) fear of marriage

**Q3. The word which is most opposite in meaning to the word 'Random' is**

- (a) Accidental
- (b) Haphazard
- (c) Incidental
- (d) Deliberate

**Q4. Find the odd word out :**

- (a) Peripheral
- (b) Necessary
- (c) Fundamental
- (d) Essential

**Q5. One who walks in sleep is**

- (a) hypocrite
- (b) imposter
- (c) somnambulist
- (d) sarcastic

**Q6. Choose the tense form of the following sentence : I was standing outside the post office.**

- (a) Present continuous tense
- (b) Past continuous tense
- (c) Past simple tense
- (d) Past Perfect tense

**Q7. I am trying to phone her, but I can't**

- (a) get up
- (b) get through
- (c) get on
- (d) get away

**Q8. Which of the following is the sentence with coordinating conjunction?**

- (a) He held my hand lest I should fall.
- (b) He is slow but he is honest.
- (c) Rama will go if Hair goes.
- (d) A book is a book although there is nothing in it.

**Q9. The word which is most similar in meaning to the word 'Thrashing' is**

- (a) Garbage
- (b) Beating
- (c) Shouting
- (d) Warning

**Q10. The group of words which is most similar in meaning to the word 'Vanished' is**

- (a) Gone missing
- (b) Was found
- (c) Was killed
- (d) Was left behind

**Q11. In which State the first 'Lok-Ayukt' was appointed?**

- (a) Rajasthan
- (b) Maharashtra
- (c) Gujarat
- (d) Uttaranchal

**Q12. International Workers Day is observed on**

- (a) 15th April
- (b) 12th December
- (c) 1st May
- (d) 1st August

**Q13. The ratio of width of our National Flag to its length is**

- (a) 1:2
- (b) 2:3
- (c) 3:2
- (d) 7:9

**Q14. 'Law Day' is celebrated in India on which one of the following dates?**

- (a) 15th August
- (b) 26th January
- (c) 26th December
- (d) 26th November

**Q15. The State of Jharkhand was established on**

- (a) 15th November, 2000
- (b) 16th November, 2000
- (c) 15th December, 2000
- (d) 16th December, 2000

**Q16. On the basis of area, the largest State in India is**

- (a) Rajasthan
- (b) Madhya Pradesh
- (c) Uttar Pradesh
- (d) Maharashtra

**Q17. 'joule' is the unit of**

- (a) temperature
- (b) pressure
- (c) energy
- (d) heat

**Q18. Antibiotics**

- (a) prevents pain
- (b) destroys body germs quickly
- (c) does not prevent germs from growing
- (d) Both (B) and (C)

**Q19. Where did Akbar bom?**

- (a) Delhi
- (b) Lahore
- (c) Agra
- (d) Amarkot

**Q20. The Tax Reform Commission was set up by the**

- (a) Planning Commission
- (b) Prime Minister
- (c) Ministry of Finance
- (d) Interstate Council

**Q21. During proceeding for execution of a decree, if a question arises as to whether any person is or is not the representative of a party, such question shall be determined by**

- (a) the court which passed the decree
- (b) the court executing the decree
- (c) the Appellate Court
- (d) a separate suit

**Q22. In execution of a decree, other than a decree for maintenance, passed against A, what shall be the attachable portion, if his salary is F 10,000 per month?**

- (a) F 3,333
- (b) F 5,000
- (c) F 3,000
- (d) F 6,666

**Q23. In an Interpleader suit', there**

- (a) are several claimants claiming the property adverse to each other
- (b) is only one claimant claiming the property against the other
- (c) are several claimants claiming the property under common interest of all
- (d) None of the above

**Q24. The court cannot order execution of a decree as per Section 51 of CPC, in which of the following ways?**

- (a) By delivery of any property specifically decreed
- (b) By attachment and sale of property
- (c) By serving summons on the party
- (d) By appointing a receiver

**Q25. If the appellant withdraws the appeal preferred against a decree passed ex parte, the application under Order 9, Rule 13 of CPC shall be**

- (a) rejected
- (b) returned
- (c) maintainable
- (d) referred for opinion of the Appellate Court

**Q26. Where a suit is abated or dismissed under Order 22 of CPC on the same cause of action**

- (a) new suit may be instituted with the consent of parties
- (b) fresh suit may be filed with prior permission of the court
- (c) no fresh suit shall be brought
- (d) new suit may be filed if sufficient cause is shown

**Q27. Which of the following is not correct regarding the powers of the Appellate Court?**

- (a) Appellate Court has power to determine a case finally
- (b) Appellate Court has power to remand the case
- (c) Appellate Court has no power to take additional evidence
- (d) Appellate Court has power to frame issue and refer them for trial

**Q28. Period of detention in civil imprisonment, as a consequence of disobedience or breach of any injunction, shall not exceed**

- (a) one month
- (b) three months
- (c) six months
- (d) one year

**Q29. If a party who has obtained an order to amend the pleadings under CPC, if not amended, after expiration of how many days shall not be permitted to amend the same without the leave of the court?**

- (a) 15 days
- (b) 90 days
- (c) 14 days
- (d) 30 days

**Q30. Where party dies after conclusion of the hearing and before pronouncing of judgement**

- (a) the suit shall abate
- (b) the suit shall not abate
- (c) the suit shall not abate if cause of action survives
- (d) it will be deemed that judgement has been pronounced before death of the party

**Q31. An application for revision under CPC is filed under**

- (a) Section 114
- (b) Section 115
- (c) Section 116
- (d) Section 113

**Q32. Before filing a suit against government under Section 80 of CPC it requires a notice to be given to the government of**

- (a) 60 days
- (b) 30 days
- (c) 90 days
- (d) 14 days

**Q33. Exemption from personal appearance in the court is provided under**

- (a) Section 133 of CPC
- (b) Section 132 of CPC
- (c) Section 143 of CPC
- (d) Section 142 of CPC

**Q34. A suit in respect of public charities is provided under**

- (a) Section 92 of CPC
- (b) Section 41 of CPC
- (c) Section 100 of CPC
- (d) Section 105 of CPC

**Q35. Suit of indigent persons has been provided under**

- (a) Order 32 of CPC
- (b) Order 33 of CPC
- (c) Order 29 of CPC
- (d) Order 34 of CPC

**Q36. The provision in respect of summary procedure has been laid down under**

- (a) Order 37 of CPC
- (b) Order 36 of CPC
- (c) Order 38 of CPC
- (d) Order 40 of CPC

**Q37. Under Section 37 of Code of Criminal Procedure every person is bound to assist a Magistrate or a Police Officer**

- (a) in the taking or preventing the escape of any other person whom such Magistrate or Police Officer is authorised to arrest
- (b) in the prevention or suppression of a breach of peace
- (c) in the prevention of any injury attempted to be committed to railways
- (d) All of the above

**Q38. In a cognizable case under Indian Penal Code, the police will have all the powers to investigate**

- (a) except the power to arrest without warrant
- (b) including the power to arrest without warrant
- (c) and arrest without warrant, only after seeking permission from the Magistrate
- (d) and arrest without warrant, only after informing the Magistrate having jurisdiction to inquire into or try the offence

**Q39. For the purpose of taking cognizance of an offence what period of limitation is prescribed by the court for an offence caning punishment not exceeding one year?**

- (a) 3 months
- (b) 6 months
- (c) 1 year
- (d) 3 years

**Q40. What is the maximum period an Executive Magistrate may authorise the detention of an accused in custody?**

- (a) Not exceeding 24 hours
- (b) Not exceeding 3 days
- (c) Not exceeding 7 days
- (d) Not exceeding 15 days

**Q41. Who is not entitled to any maintenance under Chapter IX of CrPC?**

- (a) Divorced wife
- (b) Judicially separated wife
- (c) Illegitimate child
- (d) Physically and mentally able adult son

**Q42. How long a warrant of arrest shall remain in force?**

- (a) 6 years
- (b) 10 years
- (c) 12 years
- (d) Until executed or cancelled

**Q43. What is the time limit prescribed within which claims and objections to attachment to be made under CrPC?**

- (a) 6 months
- (b) 60 days
- (c) 1 year
- (d) 3 years

**Q44. Under what appropriate Section, a Magistrate may issue an order of injunction?**

- (a) Section 133
- (b) Section 142
- (c) Section 144
- (d) Section 145

**Q45. Under what Section of CrPC a Magistrate may direct local investigation?**

- (a) Section 139
- (b) Section 133
- (c) Section 145
- (d) Section 147

**Q46. Who among the following may ask for security for keeping peace on conviction?**

- (a) Subdivisions! Magistrate
- (b) District Magistrate
- (c) Executive Magistrate
- (d) First Class Judicial Magistrate

**Q47. What is the maximum period, under Section 110 of CrPC, for furnishing security prescribed for keeping good behaviour?**

- (a) 6 months
- (b) 1 year
- (c) 2 years
- (d) 3 years

**Q48. A confession made under Section 164 of the Criminal Procedure Code of 1973 can be recorded by a Magistrate, during the course of**

- (a) a trial
- (b) an investigation
- (c) a trial or an investigation
- (d) investigation, but before the commencement of inquiry or trial

**Q49. Trial commences in warrant cases instituted on police report**

- (a) with the issuance of process against accused person
- (b) with the submission of police report
- (c) on the framing of formal charge
- (d) on the appearance of the accused in obedience to the process issued by the court

**Q50. Which of the following statements need not be signed by the maker?**

- (a) Statement u/s 313 of CrPC
- (b) Statement u/s 164 of CrPC
- (c) Statement u/s 161 of CrPC
- (d) Statement (Confession) by accused u/s 164 of CrPC

**Q51. Under which Section of law, the Magistrate has power to issue 'commission' for examination of witnesses in prison?**

- (a) Section 270
- (b) Section 271
- (c) Section 272
- (d) Section 273

**Q52. Under which Section of law the court has provision to direct tender of pardon to the accused before pronouncement of judgement?**

- (a) Section 306
- (b) Section 307
- (c) Section 301
- (d) Section 310

**Q53. If question asked to witness to any matter relevant to the matter in issue and the answer given by witness to such question will criminate him, then**

- (a) the witness shall be compelled to answer such question
- (b) the witness shall not be compelled to answer such question
- (c) court may presume
- (d) None of the above

**Q54. "Estoppel" has been defined under**

- (a) Section 115
- (b) Section 114
- (c) Section 117
- (d) Section 130

**Q55. The presumption of legitimacy under Section 112 is**

- (a) presumption of law
- (b) presumption of fact
- (c) mixed presumption of law and fact
- (d) None of the above

**Q56. A witness may, while under examination, refresh his memory by referring to any writing made by himself at the time of the transaction or soon afterwards. This provision is provided under**

- (a) Section 159
- (b) Section 160
- (c) Section 158
- (d) Section 166

**Q57. Leading question has been defined under the Indian Evidence Act, 1872 under**

- (a) Section 141
- (b) Section 142
- (c) Section 143
- (d) Section 145

**Q58. Under which Section of the Indian Evidence Act, 1872, a public servant shall not be compelled to disclose communication made to him in official confidence?**

- (a) Section 123
- (b) Section 124
- (c) Section 125
- (d) Section 126

**Q59. A is charged with travelling in a railway without a ticket. The burden of proving that he had a ticket, is**

- (a) on prosecution
- (b) on accused
- (c) Neither on prosecution nor on accused
- (d) None of the above

**Q60. In respect of a certified copy, thirty years old, which fulfils all the conditions laid under Section 90 of the Indian Evidence Act, the court**

- (a) shall presume
- (b) may presume
- (c) will not presume
- (d) None of the above

**Q61. A certified copy of a registered sale deed produced in evidence**

- (a) will be proof of execution of the original and its registration
- (b) will be proof of execution only
- (c) will be merely proof of the fact that an original document was registered
- (d) will not prove anything in absence of original

**Q62. Confession of one accused is admissible evidence against co-accused, if they are tried**

- (a) jointly for the same offence
- (b) jointly for different offences
- (c) for the same offence but not jointly
- (d) for different offences and not jointly

**Q63. For the purpose of proving a registered 'Will', it shall be necessary to call**

- (a) all the attesting witnesses
- (b) one attesting witness at least
- (c) one attesting witness and the scribe of the Will
- (d) one attesting witness and the registering officer

**Q64. In the Evidence Act, the conditions in respect of computer output to be deemed and admissible in evidence as document is contained in**

- (a) Section 65(B)(4)
- (b) Section 65(B)(1)
- (c) Section 65(B)(2)
- (d) Section 65(B)(5)

**Q65. Which of the following is correct in respect of determining the date of birth of A?**

- (a) A letter from A's deceased father to a friend, announcing the birth of A is a relevant fact
- (b) A letter from A's deceased father to a friend, announcing the birth of A is not a relevant fact
- (c) a letter from A's deceased father to a friend, announcing the birth of A is not admissible in evidence
- (d) None of the above

**Q66. Which of the following is required to be proved essentially?**

- (a) Judicial notice
- (b) Admitted fact
- (c) Confession
- (d) Relevant fact

**Q67. Opinions of experts are not relevant**

- (a) upon a point of science
- (b) upon a point of art
- (c) upon a point of domestic law
- (d) as to identity of handwriting

**Q68. Which of the following Sections provides that evidence may be given of facts in issue?**

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

**Q69. Which one of the following is not essential for a consideration?**

- (a) It must be given at the desire of the promisor
- (b) Valuable
- (c) Lawful
- (d) Adequate

**Q70. The provisions relating to contingent contract under the Indian Contract Act, 1872 is laid down under**

- (a) Sections 31 to 37
- (b) Sections 32 to 37
- (c) Sections 31 to 36
- (d) Sections 30 to 36

**Q71. The intimation under Section 59 of the Indian Contract Act, 1872**

- (a) must be implied
- (b) must be expressed
- (c) may be either expressed or implied
- (d) None of the above

**Q72. A tender in a newspaper is**

- (a) invitation to offer
- (b) promise
- (c) offer
- (d) invitation for acceptance

**Q73. Every promise and every set of promises forming the consideration for each other is**

- (a) an agreement
- (b) an acceptance
- (c) an offer
- (d) a contract

**Q74. A agrees with B to discover treasure by magic. The agreement is**

- (a) voidable
- (b) void
- (c) wrongful
- (d) enforceable

**Q75. Which of the following Sections of the Indian Contract Act, 1872 defines 'Contract'?**

- (a) Section 2(h)
- (b) Section 2(f)
- (c) Section 2(d)
- (d) Section 2(a)

**Q76. Which of the following Sections of the Indian Contract Act, 1872 defines 'Consideration'?**

- (a) Section 2(a)
- (b) Section 2(b)
- (c) Section 2(c)
- (d) Section 2(d)

**Q77. "An agreement without consideration is void." Which Section of the Indian Contract Act, 1872 lays down this provision?**

- (a) Section 23
- (b) Section 2(d)
- (c) Section 10
- (d) Section 25(1)

**Q78. The nature of an agreement made under the provisions of Section 20 of the Indian Contract Act, 1872 would be**

- (a) valid
- (b) void
- (c) invalid
- (d) voidable

**Q79. "The liability of the surety is coextensive with that of the principal debtor." It has been provided under**

- (a) Section 126
- (b) Section 127
- (c) Section 128
- (d) Section 130

**Q80. 'An agreement to do an act impossible' is provided in the Indian Contract Act under**

- (a) Section 39
- (b) Section 50
- (c) Section 56
- (d) Section 55

**Q81. A 'contract of pledge' is a contract of**

- (a) indemnity
- (b) guarantee
- (c) bailment
- (d) agency

**Q82. In kidnapping, consent of minor is**

- (a) wholly immaterial
- (b) partly immaterial
- (c) wholly material
- (d) partly material

**Q83. A, who deals only in coconut oil. enters into an agreement with B to sell 50 tons of oil. The agreement is**

- (a) enforceable by law
- (b) void due to uncertainty
- (c) voidable due to uncertainty
- (d) None of the above

**Q84. B is the wife of A. A during the lifetime of B and with her consent makes an agreement with C to marry her (C). The agreement is**

- (a) void
- (b) voidable
- (c) valid
- (d) None of the above

**Q85. A finds the key of B's house door, which B had lost, and commits house trespass by entering B's house, having opened the door with that key. A has committed the offence of**

- (a) lurking house trespass
- (b) criminal misappropriation
- (c) attempt to theft
- (d) housebreaking

**Q86. What punishment may be awarded to the person whose act is covered under general exceptions of Chapter IV of IPC?**

- (a) No punishment
- (b) Half of the punishment prescribed for that offence
- (c) One fourth of the punishment prescribed for that offence
- (d) Depends upon discretion of the court

**Q87. In which of the following landmark cases, a three-judge bench of the Supreme Court prescribed a four-point test relating to Section 300, thirdly, of IPC?**

- (a) Virsa Singh vs. State of Punjab; AIR 1958, SC 465
- (b) States of UP vs. Ramesh Prasad Mishra; (1996) 10, SCC 360
- (c) K. M. Nanavati vs. State of Maharashtra; AIR 1962, SC 605
- (d) Nehru @ Jawahar vs. State; AIR 2008, SC 2574

**Q88. Inducing a person with dishonest intention to part with his property by putting him in fear of physical injury amounts to an offence of**

- (a) theft
- (b) criminal misappropriation
- (c) extortion
- (d) criminal intimidation

**Q89. A sees B drowning in the river, but does not save him. B is drowned. A has committed**

- (a) the offence of murder
- (b) the offence of abetment of suicide
- (c) the offence of culpable homicide not amounting to murder
- (d) no offence

**Q90. 'Common intention' signifies**

- (a) similar intention
- (b) prearranged planning
- (c) presence ' of common knowledge
- (d) common design for common objects

**Q91. A, knowing that B has murdered Z, assists B to hide the body with the intention of screening B from punishment. A is liable to**

- (a) imprisonment of either description for seven years and to fine also
- (b) imprisonment for life
- (c) death sentence
- (d) fine only

**Q92. A is the paramour of Z's wife. She gives a valuable property to A, which A knows to belong to Z, and A takes it dishonestly, without any authority of Z to give away. A has committed**

- (a) the offence of theft
- (b) the offence of cheating
- (c) the offence of extortion
- (d) no offence

**Q93. Which of the following is not an essential element of theft?**

- (a) Dishonest intention
- (b) Removal from possession
- (c) Immovable property
- (d) Without consent of the person in possession

**Q94. For the offence of abduction of person, abducted must be**

- (a) minor
- (b) major
- (c) minor or major
- (d) None of the above

**Q95. Which of the following is not an essential element for the offence of kidnapping?**

- (a) Minor
- (b) Intention of the accused
- (c) Without the consent of lawful guardian
- (d) Beyond the control of lawful guardian

**Q96. Under IPC, attempt to commit dacoity is punished under**

- (a) Section 393
- (b) Section 394
- (c) Section 395
- (d) Section 396

**Q97. In which of the following cases it is settled that death sentence should be awarded only in the 'rarest of rare' cases?**

- (a) R vs. Govinda
- (b) Hussainara vs. State of Bihar
- (c) Bachan Singh vs. State of Punjab
- (d) Sunil Batra vs. Delhi Administration

**Q98. In which one of the following circumstances, the right of private defence of the body extends to causing death?**

- (a) Reasonable apprehension to cause simple hurt
- (b) Reasonable apprehension to cause simple theft
- (c) Reasonable apprehension of causing wrongful restraint
- (d) An act of . throwing or administering acid or of such an attempt that reasonably causes apprehension of grievous hurt

**Q99. As per IPC, gangrape is punished under**

- (a) Section 376A
- (b) Section 376C
- (c) Section 376D
- (d) Section 376E

**Q100. To which one of the following the word 'Illegal' used under Section 43 of IPC is not applicable?**

- (a) Which is an offence
- (b) Which is prohibited by law
- (c) Which furnishes a ground for civil action
- (d) Which is immoral

## Answer Key & Solutions

**Q1. Answer: B**

All four words ('Relinquish', 'Illuminant', 'Exodus', 'Dependency') appear correctly spelt in the transcribed options, so the original misspelling did not survive OCR; the intended trap word is most plausibly 'Illuminant'. Flagged as OCR-dependent.

**Q2. Answer: A**

Gynaephobia/gynophobia means an abnormal fear of women (Greek 'gyne' = woman).

**Q3. Answer: D**

'Random' means haphazard/by chance; its opposite is 'Deliberate' (planned, intentional). Accidental, haphazard and incidental are synonyms.

**Q4. Answer: A**

Necessary, Fundamental and Essential all denote indispensability; 'Peripheral' (marginal, of secondary importance) is the odd one out.

**Q5. Answer: C**

A 'somnambulist' is one who walks in his sleep (Latin somnus = sleep, ambulare = to walk).

**Q6. Answer: B**

'I was standing' = was/were + present participle, which is the Past Continuous tense.

**Q7. Answer: B**

The phrasal verb 'get through' means to make contact by telephone; the rest do not fit.

**Q8. Answer: B**

'He is slow but he is honest' joins two independent clauses with the coordinating conjunction 'but'. The others use subordinating conjunctions (lest, if, although).

**Q9. Answer: B**

'Thrashing' (a severe beating) is most similar to 'Beating'.

**Q10. Answer: A**

'Vanished' means disappeared, most similar to 'Gone missing'.

**Q11. Answer: B**

Maharashtra was the first State to establish the Lokayukta institution, under the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971, operative from 25 Oct 1972.

**Q12. Answer: C**

International Workers' Day (May Day) is observed on 1st May.

**Q13. Answer: B**

Per the Flag Code, the ratio of the width (height) to the length of the National Flag is 2:3.

**Q14. Answer: D**

Law Day (Constitution Day/Samvidhan Divas) is observed on 26th November, the date the Constitution was adopted in 1949.

**Q15. Answer: A**

The State of Jharkhand was established on 15th November 2000 (birth anniversary of Birsa Munda).

**Q16. Answer: A**

By area, Rajasthan is the largest State in India (~342,239 sq km).

**Q17. Answer: C**

The joule is the SI unit of energy (and work). Heat is a form of energy also measured in joules, but the standard answer is energy.

**Q18. Answer: B**

Antibiotics destroy/inhibit disease-causing germs (bacteria); they destroy body germs.

**Q19. Answer: D**

Akbar was born on 15 October 1542 at Amarkot (Umerkot, in present-day Sindh, Pakistan).

**Q20. Answer: C**

The Tax Reform Commission (Raja J. Chelliah Committee, 1991) was constituted by the Ministry of Finance, Government of India.

**Q21. Answer: B**

Under Section 47 CPC, all questions arising in execution, including whether a person is the representative of a party, are determined by the court executing the decree, not by a separate suit.

**Q22. Answer: C**

Under Section 60(1) proviso (i) CPC, first Rs 1,000 of salary is exempt and two-thirds of the remainder; only one-third of the balance is attachable. For Rs 10,000:  $(10,000 - 1,000) = 9,000$ ; one-third = Rs 3,000.

**Q23. Answer: A**

In an interpleader suit (Section 88, Order 35 CPC) two or more persons claim the same property adversely to each other, and the holder, claiming no interest, asks the court to decide who is entitled.

**Q24. Answer: C**

Section 51 CPC lists modes of execution: delivery of property, attachment and sale, arrest and detention, appointment of receiver. Serving summons on the party is not a mode of execution.

**Q25. Answer: C**

Under the Explanation to Order 9 Rule 13 CPC, the bar on a set-aside application applies only when the appeal is disposed of on a ground 'other than' withdrawal. Where the appellant withdraws the appeal, the application under Order 9 Rule 13 remains maintainable.

**Q26. Answer: C**

Order 22 Rule 9(1) CPC bars a fresh suit on the same cause of action where a suit abates or is dismissed under Order 22; hence no fresh suit shall be brought.

**Q27. Answer: C**

The Appellate Court does have power to take additional evidence under Order 41 Rule 27 CPC, so the statement that it has no such power is the incorrect one.

**Q28. Answer: B**

Order 39 Rule 2A CPC: for disobedience/breach of an injunction, detention in civil prison shall not exceed three months.

**Q29. Answer: C**

Order 6 Rule 18 CPC: if no time is fixed, a party who obtained leave to amend must amend within 14 days, failing which it cannot amend without leave of the court.

**Q30. Answer: B**

Order 22 Rule 6 CPC: where a party dies after conclusion of the hearing and before pronouncement of judgment, the suit shall not abate notwithstanding the death.

**Q31. Answer: B**

Section 115 CPC is the revisional jurisdiction provision; revision applications are filed under it.

**Q32. Answer: A**

Section 80 CPC requires two months' (60 days') notice before instituting a suit against the Government or a public officer.

**Q33. Answer: A**

Section 133 CPC provides exemption from personal appearance in court for certain dignitaries.

**Q34. Answer: A**

Section 92 CPC governs suits in respect of public charities (public charitable or religious trusts).

**Q35. Answer: B**

Order 33 CPC deals with suits by indigent persons.

**Q36. Answer: A**

Order 37 CPC lays down the summary procedure for suits on negotiable instruments and certain debts.

**Q37. Answer: D**

Section 37 CrPC obliges every person to assist a Magistrate or police officer in arrest/preventing escape, in prevention/suppression of breach of peace, and in preventing injury to public property including railways, canals, etc. - all of the above.

**Q38. Answer: B**

In a cognizable offence the police have all powers to investigate including the power to arrest without warrant (Sections 41 and 156 CrPC).

**Q39. Answer: C**

Section 468 CrPC: for an offence punishable with imprisonment not exceeding one year, the period of limitation for taking cognizance is one year.

**Q40. Answer: C**

Under the proviso to Section 167(2) CrPC, an Executive Magistrate may authorise detention for a term not exceeding seven days in the aggregate.

**Q41. Answer: D**

Under Section 125 CrPC a father can claim maintenance only from a child unable to maintain himself; a physically and mentally able adult son is not entitled to maintenance (and an able-bodied adult son cannot claim it either).

**Q42. Answer: D**

Section 70(2) CrPC: a warrant of arrest remains in force until it is cancelled by the issuing court or until it is executed.

**Q43. Answer: A**

Section 84(1) CrPC: claims or objections to attachment of property of a proclaimed person must be preferred within six months from the date of attachment.

**Q44. Answer: C**

Section 144 CrPC empowers a Magistrate to issue orders, including those in the nature of injunctions, in urgent cases of nuisance or apprehended danger.

**Q45. Answer: A**

Section 139 CrPC empowers a Magistrate (in proceedings under Section 133) to direct a local investigation by a person appointed for the purpose.

**Q46. Answer: D**

Section 106 CrPC empowers a Court of Session or a First Class (Judicial) Magistrate, on convicting an accused of specified offences, to require security for keeping the peace.

**Q47. Answer: D**

Section 110 CrPC authorises requiring security for good behaviour from habitual offenders for a period not exceeding three years.

**Q48. Answer: D**

Section 164 CrPC permits recording a confession in the course of investigation, but before the commencement of inquiry or trial.

**Q49. Answer: C**

In a warrant case instituted on a police report (Section 238 onwards CrPC), the trial commences with the framing of the formal charge under Section 240.

**Q50. Answer: C**

Under Section 162 CrPC, a statement recorded by police under Section 161 during investigation is not signed by the person making it.

**Q51. Answer: B**

Section 271 CrPC empowers the court to issue a commission (under s.284) for examination of a witness confined or detained in a prison.

**Q52. Answer: A**

Section 306 CrPC provides for tender of pardon to an accomplice to obtain evidence; the court may tender pardon before judgment is pronounced (s.307 allows tender after committal/during trial).

**Q53. Answer: A**

Under Section 132 of the Indian Evidence Act, a witness shall not be excused from answering a relevant question merely because the answer may criminate him; he is compelled to answer, with the proviso barring use of such answer for arrest/prosecution (except for false evidence).

**Q54. Answer: A**

Estoppel is defined under Section 115 of the Indian Evidence Act, 1872.

**Q55. Answer: A**

Section 112 (legitimacy as conclusive proof of birth during marriage) is a conclusive presumption, i.e. a presumption of law.

**Q56. Answer: A**

Section 159 of the Indian Evidence Act permits a witness to refresh memory by referring to a writing made by himself at the time of the transaction or soon afterwards.

**Q57. Answer: A**

Leading question is defined in Section 141 of the Indian Evidence Act, 1872.

**Q58. Answer: B**

Section 124 of the Indian Evidence Act protects a public officer from being compelled to disclose communications made to him in official confidence (s.123 deals with unpublished State records).

**Q59. Answer: B**

Under Section 106 of the Indian Evidence Act, the fact (possession of a ticket) being especially within the accused's knowledge, the burden of proving it lies on him; this is the textbook illustration to s.106.

**Q60. Answer: B**

Section 90 uses 'may presume' - the court may presume due execution/attestation of a 30-year-old document from proper custody; it is discretionary, not mandatory.

**Q61. Answer: C**

A certified copy of a registered sale deed is admissible only to prove that an original document was registered; it does not prove execution of the original, which must be separately proved.

**Q62. Answer: A**

Under Section 30 of the Indian Evidence Act, the confession of one accused may be taken into consideration against a co-accused only when they are tried jointly for the same offence.

**Q63. Answer: B**

Under Section 68 proviso of the Evidence Act (for documents required to be attested, including a Will), it is sufficient to call at least one attesting witness to prove execution, unless execution is specifically denied by the executant's

representative.

**Q64. Answer: A**

Flagged: the four substantive conditions for computer output to be admissible are in s.65B(2), while the certificate requirement is in s.65B(4). This paper's key marks 65B(4) (option a) as the provision governing admissibility of computer output as a document; arguably 65B(2). Best guess (a).

**Q65. Answer: A**

Under Section 32(5) of the Evidence Act, a statement of a deceased person as to the existence of any relationship (and date of birth in a family letter) is a relevant fact; this is the standard illustration.

**Q66. Answer: D**

Judicially noticed facts (s.56), admitted facts (s.58) and confessions need not be proved; only a relevant fact, to be used, must be proved by evidence.

**Q67. Answer: C**

Section 45 makes expert opinion relevant on foreign law, science, art, handwriting or finger impressions. The court takes judicial notice of domestic (Indian) law, so expert opinion on a point of domestic law is not relevant.

**Q68. Answer: C**

Section 5 of the Indian Evidence Act provides that evidence may be given of the existence or non-existence of facts in issue and relevant facts.

**Q69. Answer: D**

Consideration need not be adequate (Explanation 2 to s.25); it must move at the desire of the promisor, be real/valuable and lawful, but adequacy is not essential.

**Q70. Answer: C**

Contingent contracts are dealt with in Chapter III, Sections 31 to 36 of the Indian Contract Act, 1872.

**Q71. Answer: C**

Under Section 59 of the Indian Contract Act, where a debtor pays with an intimation as to which debt the payment applies, the intimation may be express or implied.

**Q72. Answer: A**

A tender (notice inviting tenders) in a newspaper is an invitation to offer (invitation to treat), not an offer; the bidders make the offers.

**Q73. Answer: A**

Section 2(e): every promise and every set of promises forming the consideration for each other is an agreement.

**Q74. Answer: B**

An agreement to discover treasure by magic is void under Section 56 (agreement to do an impossible act); this is the standard illustration.

**Q75. Answer: A**

Section 2(h) of the Indian Contract Act, 1872 defines 'contract' as an agreement enforceable by law.

**Q76. Answer: D**

Section 2(d) of the Indian Contract Act, 1872 defines 'consideration'.

**Q77. Answer: D**

Section 25 lays down 'an agreement without consideration is void'; the opening words 'Agreement without consideration, void...' appear in Section 25, of which clause (1) is among the exceptions. Among the given options Section 25 is the only one stating this rule, so 25(1) is the keyed choice.

**Q78. Answer: B**

Section 20 deals with an agreement where both parties are under a mistake as to a matter of fact essential to the agreement; such an agreement is void.

**Q79. Answer: C**

Section 128 provides that the liability of the surety is co-extensive with that of the principal debtor, unless otherwise provided by the contract.

**Q80. Answer: C**

Section 56 provides that an agreement to do an act impossible in itself is void.

**Q81. Answer: C**

Pledge is the bailment of goods as security for payment of a debt or performance of a promise (Section 172); it is a special kind of bailment.

**Q82. Answer: A**

In kidnapping from lawful guardianship (Section 361 IPC), the consent of the minor is wholly immaterial; only the consent of the lawful guardian matters.

**Q83. Answer: A**

Since A deals only in coconut oil, the subject of the agreement is certain (50 tons of coconut oil); the agreement is not uncertain under Section 29 and is enforceable by law.

**Q84. Answer: A**

An agreement to marry during the lifetime of a subsisting spouse is against public policy/unlawful object under Section 23 and is void; bigamy is also unlawful.

**Q85. Answer: D**

This is the illustration to Section 445 IPC: entering by opening a lock with a found key constitutes 'housebreaking'.

**Q86. Answer: A**

Acts covered by the General Exceptions in Chapter IV of the IPC are not offences (Section 6), so no punishment is awarded.

**Q87. Answer: A**

Virsa Singh v. State of Punjab, AIR 1958 SC 465, laid down the four-fold test for clause 'thirdly' of Section 300 IPC.

**Q88. Answer: C**

Putting a person in fear of injury to dishonestly induce delivery of property is extortion under Section 383 IPC.

**Q89. Answer: D**

A mere omission to save a stranger, in the absence of any legal duty to act, is no offence under the IPC.

**Q90. Answer: B**

Common intention under Section 34 IPC signifies a pre-arranged plan / prior meeting of minds before the act is done (Mahbub Shah v. Emperor).

**Q91. Answer: A**

Causing disappearance of evidence to screen an offender, where the offence is punishable with death (murder), attracts Section 201 IPC: imprisonment up to seven years and fine.

**Q92. Answer: A**

This is the illustration to Section 378 IPC; A's dishonest taking of Z's property without Z's consent is theft, notwithstanding the wife's delivery.

**Q93. Answer: C**

Theft under Section 378 IPC concerns only movable property; immovable property is not an essential element (indeed cannot be subject of theft).

**Q94. Answer: C**

Abduction under Section 362 IPC applies to 'any person', whether minor or major.

**Q95. Answer: D**

Kidnapping from lawful guardianship (Section 361 IPC) requires a minor, intention/taking by the accused, and absence of the guardian's consent; 'beyond the control of lawful guardian' is not an essential element.

**Q96. Answer: A**

Attempt to commit robbery or dacoity when armed with a deadly weapon is punished under Section 393/398; among the options, attempt to commit robbery is Section 393. (Section 391 defines dacoity; attempt to dacoity falls under Section 393's scheme of attempt to robbery.) Keyed answer is Section 393.

**Q97. Answer: C**

Bachan Singh v. State of Punjab (1980) settled the 'rarest of rare' doctrine for awarding the death sentence.

**Q98. Answer: D**

Under Section 100 IPC, the right of private defence of the body extends to causing death where there is an act of throwing/administering acid causing reasonable apprehension of grievous hurt (Seventhly).

**Q99. Answer: C**

Gang rape is punished under Section 376D IPC (as inserted by the Criminal Law (Amendment) Act, 2013).

**Q100. Answer: D**

Under Section 43 IPC, 'illegal' applies to everything which is an offence, prohibited by law, or furnishes ground for a civil action; that which is merely immoral is not 'illegal'.