

Jharkhand Judiciary - Prelims 2018

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

Q1. Choose the correct meaning of the underlined phrasal verb in the following sentence : "His evidence beans out the testimony of the accused."

- (a) Corroborates
- (b) Falsifies
- (c) Does not support
- (d) Contradicts

Q2. Choose the correct spelling.

- (a) Encyclopaedia
- (b) Encyclopaedia
- (c) Encyclopedia
- (d) Incyklopedia

Q3. Which word is a personification in this sentence? "Death lays its icy hands on Kings and Paupers alike."

- (a) Hands
- (b) Kings
- (c) Death
- (d) Paupers

Q4. Choose the word closest in meaning to the underlined word in the sentence : "I sat next to a distinguished writer."

- (a) Different
- (b) Eminent
- (c) Common
- (d) Unknown

Q5. Choose the correct indirect form of the following sentence : He said to me, "Let us have some tea".

- (a) He told me to have some tea.
- (b) He proposed to me that we should have some tea.
- (c) He told me to have some tea.
- (d) He asked to have some tea.

Q6. Choose the tense form of the following sentence : "The patient had died when the doctor arrived."

- (a) Past Tense
- (b) Present Perfect Tense
- (c) Past Perfect Tense
- (d) Past Perfect Continuous Tense

Q7. Orthopaedics is the branch of medicine concerned with

- (a) the study of human skin
- (b) the study of human nervous system
- (c) the study of human bones and muscles
- (d) the study of eyes and ears

Q8. The word most opposite in meaning to the word "amateur" is

- (a) professional
- (b) unskilled
- (c) clumsy
- (d) talented

Q9. Choose the correct meaning of the underlined word in the following sentence: , "Trespassers will be prosecuted."

- (a) Harassed
- (b) Punished unjustly
- (c) Legal action will be taken against them
- (d) Oppressed

Q10. Choose the correct meaning of the underlined idiomatic phrase in the following sentence : "He was sent off on a wild goose chase to look for buried treasure."

- (a) Foolish unprofitable venture
- (b) Profitable adventure
- (c) Bird hunting
- (d) Treasure hunting

Q11. According to the 2011 Census, which of the following is the least populous State of India?

- (a) Mizoram
- (b) Sikkim
- (c) Arunachal Pradesh
- (d) Goa

Q12. Which one of the following is a 'Tiger Reserve' of Jharkhand?

- (a) Betla
- (b) Hazaribagh
- (c) Palamu
- (d) Dalma

Q13. Which one of the following classical dance forms is mainly associated with Andhra Pradesh?

- (a) Bharatnatyam
- (b) Kathakali
- (c) Kuchipudi
- (d) Mohiniyattam

Q14. Under GST taxation framework, CGST means

- (a) Customs Goods and Service Tax
- (b) Central Goods and Service Tax
- (c) Combined Goods and Service Tax
- (d) None of the above

Q15. Which of the following is a National Monument of India?

- (a) Red Fort
- (b) India Gate
- (c) Rashtrapati Bhawan
- (d) Qutub Minar

Q16. Which one of the following Indian cities is known by the nickname of 'Deccan Queen'?

- (a) Bengaluru
- (b) Pune
- (c) Hyderabad
- (d) Chennai

Q17. Who among the following is the first woman Chief Minister in the post- Independence period in India?

- (a) Nandini Satpathy
- (b) Shashikala Kadokar
- (c) Sucheta Kriplani
- (d) Syeda Anwara Taimur

Q18. Who among the following is the first Chief Election Commissioner of post-independence India?

- (a) K. V. K. Sundaram
- (b) Sukumar Sen
- (c) S. P. Sen Verma
- (d) Dr. Nagendra Singh

Q19. Which of the following is/are the official language(s) of the International Court of Justice (ICJ) at the Hague?

- (a) English and Dutch
- (b) English and German
- (c) Only English
- (d) English and French

Q20. 'International Yoga Day' is celebrated on

- (a) 5th June-
- (b) 8th March
- (c) 21st June
- (d) 1st July

Q21. A deposits a box of gold coins with 8 as his agent. He then writes to C for the purpose of making the gold coins a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied and C alleges the contrary. Both claim the gold coins from 8. 8 may institute an interpleader suit against

- (a) A
- (b) C
- (c) None
- (d) A and C

Q22. A foreign judgement

- (a) can never be conclusive
- (b) can be conclusive as to any matter indirectly adjudicated upon between the same parties
- (c) can be conclusive as to any matter directly adjudicated upon between the same parties if it has not been pronounced by a court of competent jurisdiction
- (d) can be conclusive as to any matter directly adjudicated upon between the same parties if it has been pronounced by a court of competent jurisdiction

Q23. A, a bank officer, got compulsorily retired in 2014. Since the bank authorities did not release the leave encashment in his favour, he filed writ petition WP 2001 (W) of 2017 in Ranchi High Court for the same and also for the interest on the unpaid amount. The writ petition was disposed of by a learned Single Judge in December 2018 directing the bank to release the privileged leave encashment benefits to the petitioner to the extent he was entitled to in accordance with law within a certain period. The prayer for interest was not specifically denied by the court. The bank filed an appeal against the order. The Division Bench of Ranchi High Court in February, 2019 declined to admit the appeal. The bank authorities released the leave encashment in favour of the petitioner. However, A files a writ petition again for a direction to the bank to disburse interest to A at the rate of 18% per annum on leave encashment released by the bank. This petition is covered under which of the following?

- (a) Section II, CPC
- (b) Section II, Expl. 5, CPC
- (c) Section II, Expl. 4, CPC
- (d) Order 2, Rule 2, CPC

Q24. On the reversal of decree, which section imposes an obligation on the party to the suit who received an unjust benefit of the erroneous decree to make restitution to the other party for what he has lost?

- (a) Section 141, CPC
- (b) Section 142, CPC
- (c) Section 143, CPC
- (d) Section 144, CPC

Q25. Interveners are

- (a) entitled to be impleaded
- (b) not entitled to be impleaded
- (c) a waste of time for the court
- (d) a burden for the plaintiff

Q26. Suit for recovery of money in promissory notes can be filed

- (a) under normal procedure
- (b) under summary procedure as laid down in Order 37, CPC
- (c) in the High Court
- (d) as a writ petition

Q27. Inherent powers of the Civil Court are exercised

- (a) to make such orders as may be necessary for the ends of justice
- (b) to make such orders as may be necessary to prevent abuse of the process of the court
- (c) Both (A) & (B)
- (d) None of the above

Q28. In the case of public nuisance, a suit for declaration and injunction may be instituted by

- (a) two persons with the leave of the court
- (b) two persons having obtained oral consent of the Advocate General
- (c) two persons having obtained the written consent of the Advocate General and with the leave of the court
- (d) two persons to whom no special damage has been caused by persons of such public nuisance

Q29. Section 20 of CPC does not apply to

- (a) arbitration proceedings
- (b) civil proceedings
- (c) Both (A) & (B)
- (d) Neither (A) nor (B)

Q30. 'Pleading' can be altered or amended

- (a) under Order VI, Rule 9, CPC
- (b) under Order VI, Rule 10, CPC
- (c) under Order VI, Rule 16, CPC
- (d) under Order VI, Rule 17, CPC

Q31. A defendant can pray to the court for rejection of a plaint

- (a) if the stamp writing is not clear
- (b) if it is barred by another enactment of the Parliament
- (c) if the plaint is made in a foreign language
- (d) None of the above

Q32. Where the local limits-of jurisdiction of courts are uncertain, the place of institution of suit shall be decided according to

- (a) Section 17, CPC
- (b) Section 18, CPC
- (c) Section 19, CPC
- (d) Section 20, CPC

Q33. In the execution of a decree for the maintenance, salary of a person can be attached to the extent of

- (a) 1/4th
- (b) 1/3rd
- (c) 2/3rd
- (d) 1/2th

Q34. A foreign government

- (a) cannot be sued
- (b) can be sued without any restriction on the powers of civil courts
- (c) can be sued with the restriction that the oral consent of the Central Government is communicated to the court
- (d) can be sued with the condition that the certificate of consent is issued by the secretary to the Central Government in writing

Q35. Which of the following is not a sufficient cause for granting adjournment ?

- (a) Sickness of a party, his witness or his counsel
- (b) Non-examination of a witness present in the court
- (c) Reasonable time for preparation of a case
- (d) Non-service of summons

Q36. The Criminal Procedure Code, 1973 was last amended on

- (a) 1 August, 2018
- (b) 6 August, 2018
- (c) 11 August, 2018
- (d) 16 August, 2018

Q37. The Criminal Procedure Code, 1973 contains

- (a) 451 Sections
- (b) 461 Sections
- (c) 481 Sections
- (d) 484 Sections

Q38. The First Information Report can be quashed by the High Court on the ground of

- (a) parties having arrived at the settlement and no heinous offence was committed according to the charge-sheet
- (b) parties having arrived at the settlement and heinous offence was committed according to the charge-sheet
- (c) parties having arrived at the settlement and serious financial fraud was committed according to the charge-sheet
- (d) without any ground

Q39. A Magistrate may dispense with personal attendance of accused under

- (a) Section 204, CrPC
- (b) Section 205, CrPC
- (c) Section 206, CrPC
- (d) Section 207, CrPC

Q40. If the evidence is available about a person who appears to have committed an offence but his name is not mentioned in the charge-sheet as accused

- (a) his name can be added by the Judicial Magistrate / Sessions Court
- (b) his name cannot be added at this stage
- (c) his name can be added by the High Court
- (d) his name can be added by the Supreme Court

Q41. Which of the following statements is correct ?

- (a) A police officer has the power to require attendance of witnesses under the age of 15 years before himself.
- (b) A police officer has the power to require attendance of a woman witness before himself.
- (c) A police officer has the power to require attendance of witnesses above the age of 65 years before himself.
- (d) A police officer does not have the power to require attendance of witnesses who are mentally challenged before himself.

Q42. When the inquiry or trial relates to an offence committed under Section 376, CrPC, the inquiry or trial shall be concluded within a period of

- (a) 4 weeks after the filing of charge-sheet
- (b) 8 weeks after the filing of charge-sheet
- (c) 2 months after the filing of charge-sheet
- (d) 4 months after the filing of charge-sheet

Q43. Rule autrefois acquit or autrefois convict is contained in

- (a) Section 298, CrPC
- (b) Section 300, CrPC
- (c) Section 320, CrPC
- (d) Section 321, CrPC

Q44. Every person is under an obligation to give information about the commission of the offence to the nearest Magistrate or police officer for

- (a) Offences in Sections 115-120
- (b) Offences in Sections 121-126
- (c) Offences in Sections 127-132
- (d) Offences in Sections 132-140

Q45. Which section of the CrPC involves the reciprocal arrangements to be made by the Central Government with the foreign governments through a treaty with regard to the service of summons/warrants/ judicial process?

- (a) Section 100
- (b) Section 103
- (c) Section 105 A
- (d) Section 104 A

Q46. A woman can claim maintenance from her husband

- (a) if she lives in adultery
- (b) if she refuses to live with her husband
- (c) if she lives separately by mutual consent
- (d) if she is neglected

Q47. A Magistrate can

- (a) ignore the conclusion reached at by the investigating officer (IO) and apply his mind independently
- (b) not ignore the conclusions reached at by the IO and apply his mind independently
- (c) ignore the conclusions reached at by the IO and apply his mind independently only upon statements of witnesses recorded by the police in case diary and material collected during investigation
- (d) not ignore the conclusions reached by the IO under any circumstances

Q48. A statement made by any person to a police officer in the course of an investigation

- (a) cannot be used for any purpose
- (b) can be used in favour of that person
- (c) can be used against that person
- (d) cannot be used for any purpose except for the purpose of contradicting a witness

Q49. When the court of session passes a sentence of death, then

- (a) the proceedings are submitted to the High Court and death sentence is executed
- (b) the proceedings are submitted to the High Court and death sentence is executed only after the confirmation by the High Court
- (c) the proceedings are not needed to be submitted to the High Court
- (d) it exceeds its powers

Q50. Anticipatory bail is granted by the High Court or Court of Session

- (a) in anticipation of arrest in non- bailable cases
- (b) in anticipation of arrest in bailable cases
- (c) by passing the regular court which had to try the offender
- (d) in ordinary circumstances

Q51. The maxim quando lex aliquid alicui concedit, concedere videtur id sine quotes ipsa esse non potest is enshrined in

- (a) Section 480, CrPC
- (b) Section 481, CrPC
- (c) Section 482, CrPC
- (d) Section 483, CrPC

Q52. Opinion of handwriting expert under the law of evidence in India is

- (a) not relevant
- (b) relevant and is sole determinant of genuineness of document
- (c) relevant but not sole determinant of genuineness of document
- (d) not clear

Q53. Under Section 90 of Indian Evidence Act regarding presumption as to old documents 30 years old, the relevant date of computation of that document in court is

- (a) date of production of document in court
- (b) date of initiation of proceedings in which document is produced
- (c) date of oral evidence by a witness
- (d) date of start of hearing

Q54. Tape-recorded conversation is admissible in evidence if

- (a) conversation is very important
- (b) conversation can save the culprit
- (c) conversation is relevant to the matters in issue but the voice is unidentified
- (d) conversation is relevant to the matters in issue and the voice is identified

Q55. The evidence relating to conspiracy is

- (a) common motive of the conspirators and any act done in pursuance of it
- (b) common intention of the conspirators and anything in writing in pursuance of it
- (c) common intention of the conspirators and anything said, done, written by any of them in furtherance of that intention
- (d) common motive of the conspirators and the statement of a witness

Q56. Test Identification Parade is

- (a) substantive evidence
- (b) corroborative evidence
- (c) no evidence
- (d) hearsay evidence

Q57. The presumption under Section 114A, Indian Evidence Act, is a/an

- (a) rebuttable presumption
- (b) presumption of fact
- (c) mixed presumption of law and fact
- (d) irrebuttable presumption of law

Q58. Which Sections of the Indian Evidence Act deal with the proof of customary practices?

- (a) Sections 34, 46 and 47
- (b) Sections 33, 45 and 48
- (c) Sections 35, 47 and 49
- (d) Sections 35, 48 and 49

Q59. The Court shall not take judicial notice of

- (a) geographical divisions of the world
- (b) public festivals notified in the official gazette
- (c) national flag of a foreign country recognized by the Government of India
- (d) an officer's signature whose appointment is not notified in an official gazette

Q60. The contents of a document may be proved

- (a) by primary evidence only
- (b) by secondary evidence only
- (c) neither by primary nor by secondary evidence
- (d) either by primary or by secondary evidence

Q61. A agrees, in writing, to sell a horse to B for"? 1000 or? 1500".

- (a) Evidence cannot be given to show which price was to be paid for sale
- (b) Evidence can be given to show which price was to be paid for sale
- (c) Evidence cannot be given to show the average of the sale prices
- (d) Evidence can be given to show the average of the sale prices

Q62. A public officer

- (a) cannot be compelled to disclose communications made to him in official confidence if he does not consider that the public interests would suffer by the disclosure
- (b) cannot be compelled to disclose communications made to him officially if he considers that the public interests would suffer by the disclosure
- (c) can be compelled to disclose communications made to him officially if he does not consider that the public interests would suffer by the disclosure
- (d) can be compelled to disclose communications made to him officially if he considers that the public interests would suffer by the disclosure

Q63. An accomplice

- (a) is not a competent witness against an accused person
- (b) is a competent witness against accused person
- (c) must be corroborated in that case
- (d) must be prosecuted

Q64. Examination-in-chief means

- (a) examination of a witness by adverse party
- (b) examination of a witness by Chief Judicial Magistrate
- (c) examination of a witness by Chief Superintendent of Police
- (d) examination of a witness by the party who calls him

Q65. A Judge in India

- (a) is not empowered to put questions on his own to the witnesses or to the parties
- (b) is empowered to put questions on his own to the witnesses or to the parties according to his sweet will
- (c) is empowered to put questions on his own to the witnesses or to the parties in order to discover or to obtain proper proof of relevant facts
- (d) is not empowered to put questions on his own to the witnesses or to the parties as India follows common law doctrines

Q66. The difference between Section 34 and Section 149 of Indian Penal Code is

- (a) that in Section 34, there must be at least five persons, whereas Section 149 requires only two persons
- (b) that Section 149 is only a 'rule of evidence', whereas Section 34 creates a specific offence and provides for its punishment
- (c) that Section 34 requires active participation in action, whereas Section 149 requires mere passive membership of the unlawful assembly
- (d) that Section 34 need not be joined with the principal offence, whereas Section 149 must be combined with the principal offence

Q67. A takes a girl out of the custody of her lawful guardians. Which of the following statements is a complete defence if A is charged under Section 361 of the IPC for kidnapping on the ground that the girl was below the age of 18 years when taken away ?

- (a) The girl was a student in a college and could understand what was right or wrong for her.
- (b) The girl was maltreated by the guardians and A promised her a better life.
- (c) The girl looked more than 18 years of age and the accused had satisfied himself that she was more than 18 years of age.
- (d) None of the above

Q68. Y picks Xs pocket. Next day, X while buying 'paan' near his office finds Y paying money from X's purse. X catches hold of Y and tries to take back his purse. Y resists. X twists Ys arm with such force that it is broken. Xis charged with causing hurt to Y. X can

- (a) say that he was acting under right of private defence of property
- (b) not raise the plea of right of private defence since he had time to seek the help of public authorities
- (c) say that his right of private defence was revived as soon as he saw Y with his purse
- (d) say that he did not use more force than was required

Q69. Consider the following statements : 1. A person is not guilty of dacoity unless he has committed, attempted to commit or aided in committing robbery. 2. When two persons jointly commit robbery, every person committing robbery is said to commit robbery. Of the above statements

- (a) 1 and 2 are true
- (b) 1 and 2 are false
- (c) 1 is true but 2 is false
- (d) 1 is false but 2 is true

Q70. Under which of the following situations would the Indian courts have jurisdiction? 1. Crime committed by an Indian in a foreign country 2. Crime committed by a foreigner in India 3. Crime committed by a person on an Indian ship Select the correct answer using the codes given below.

Codes:

- (a) 1 and 2
- (b) 1 and 3
- (c) 2 only
- (d) 1,2 and 3

Q71. If actus non facit reum nisi mens sit rea is a cardinal principle of criminal law, then which one of the following statements correctly reflects the above principle?

- (a) Mens rea is an essential element of a crime and there cannot be a crime without mens rea.
- (b) Criminal liability under Indian law always implies mens rea.
- (c) To constitute a crime, there must be actus reus and mens rea.
- (d) Actus reus is not always necessary to constitute a crime.

Q72. Having delivered money to his servant to carry to a distant place disguises himself and robs the servant on the highway with an intent to charge him. A commits the offence of

- (a) theft
- (b) extortion
- (c) robbery
- (d) criminal breach of trust

Q73. X With a view to murder V enters Vs bedroom at night when V is out of station. X is guilty of

- (a) murder
- (b) house-trespass
- (c) attempt to murder
- (d) no offence

Q74. Which one of the following is sufficient to prove the offence of sedition?

- (a) Comments expressing disapproval of the policies of the Government with a view to obtain a change in policies by lawful means
- (b) Proof of disloyalty or ill feelings
- (c) Comments expressing disapproval of the administrative action even though these do not excite hatred or disloyalty
- (d) Exciting disaffection towards the Government .

Q75. Which one of the following conclusions can be drawn from the maxim de minimis non-curat lex?

- (a) Necessity knows no law
- (b) Nothing is an offence done by a child under 7 years of age
- (c) Every person is liable for his own acts
- (d) Trifling acts do not constitute an offence

Q76. Which one of the following cases pertains to the misuse of Section 498 A, IPC?

- (a) Naresh Kumar Vs. State of Himachal Pradesh AIR 2017 SC 3859
- (b) Preet! Gupta Vs. State of Jharkhand AIR 2010 SC 3363
- (c) Rajendra Paswan Vs. State of Jharkhand & Others AIR 2017 Jhar 123
- (d) Z Vs. State of Bihar

Q77. Which one of the following cases pertains to the constitutionality of Section 377, IPC?

- (a) Vishakha Vs. State of Rajasthan AIR 1997 SC 3011
- (b) Pratim alias Peter Mukherjee Vs. Union of India AIR 2018 BOM 224
- (c) Navtej Singh Johar Vs. Union of India AIR 2018 SC 4321
- (d) Jasmeet Kaur Vs. Navtej Singh AIR 2018 SC (Supp.) 898

Q78. Which one of the following cases pertains to the constitutionality of Section 497 IPC?

- (a) Joseph Shine Vs. Union of India AIR 2018 SC 4321
- (b) Sakshi Vs. Union of India AIR 2004 SC 3566
- (c) Common Cause Vs. Union of India AIR 2018 SC 4998
- (d) Social Action Forum for Manav Adhikar Vs. Union of India AIR 2018 SC 4135

Q79. Which one of the following cases refers to 'Conspiracy' under Section 27 of Indian Evidence Act ?

- (a) Pulukuri Kottaya Vs. Emperor AIR 1947 PC 67
- (b) Bishwanath Prasad Vs. Dwarka Prasad AIR 1974 SC 117
- (c) Jayantibhai Bhenkarbhai Vs. State of Gujarat AIR 2002 SC 165
- (d) Mohd Khalid Vs. State of West Bengal

Q80. Under which Section of CrPC, a person who is avoiding execution of a warrant may be proclaimed absconder?

- (a) Section 81
- (b) Section 83
- (c) Section 82
- (d) Section 84

Q81. 'Offer' or 'Proposal' is defined in Indian Contract Act in

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

Q82. An agreement not enforceable by law is

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

Q83. The communication of a proposal is complete when it comes to the

- (a) hands of the person to whom it is made
- (b) knowledge of the person to whom it is made
- (c) office of the person to whom it is made
- (d) residence of the person to whom it is made

Q84. Which statement is not true?

- (a) A proposal is revoked by the communication of notice of revocation by the proposer to the other party.
- (b) A proposal is revoked by the lapse of time prescribed in such a proposal for its acceptance.
- (c) A proposal is revoked by the lapse of reasonable time, if no time is prescribed.
- (d) A proposal is revoked by not meeting at the time prescribed.

Q85. The acceptance must be

- (a) received within a week
- (b) received within a fortnight
- (c) absolute and unqualified
- (d) absolute and qualified

Q86. Who is competent to contract?

- (a) Person of unsound mind
- (b) Person who has not attained majority
- (c) Person who has been disqualified from contracting by the Court
- (d) Person who has been debarred from contesting any elections

Q87. 'Consent' is said to be free when it is caused by

- (a) coercion of the will of the parties
- (b) fraud
- (c) mistake
- (d) voluntary will of the parties

Q88. Two or more persons are said to consent when

- (a) they agree
- (b) they agree upon the same thing
- (c) they agree upon the same thing in the same sense
- (d) they agree upon the same thing in the same sense at the given location

Q89. When consent to an agreement is caused by coercion, the agreement is

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

Q90. An agreement is void

- (a) if the consideration is unlawful in part
- (b) if the consideration is not provided by the parties
- (c) if the consideration is to be given in future
- (d) if the consideration is paid in the past

Q91. An agreement in restraint of marriage is

- (a) valid
- (b) void
- (c) voidable
- (d) totally unacceptable

Q92. A contracts to pay B a sum of ₹ 20,000 if B's house is burnt. This is

- (a) contract of wager
- (b) contingent contract
- (c) contract of uncertainty
- (d) None of the above

Q93. A agrees to pay B a sum of ₹ 5,000 if two straight lines should enclose a space. The agreement is

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

Q94. A and B make a contract grounded on the erroneous belief that a particular debt is barred by the Indian Law of Limitations. This contract is

- (a) void
- (b) voidable
- (c) illegal
- (d) opposed to public policy

Q95. A, who is B's 'mukhtar', promises to exercise his influence, as such, with B in favour of C, and C promises to pay ₹ 20,000 to A. The agreement is

- (a) voidable because it is immoral
- (b) void because it is immoral
- (c) opposed to public policy
- (d) void because consideration is unlawful

Q96. A pays ₹ 10,000 to B for manufacturing a machine. When it is partly manufactured, the contract is discharged by frustration. What is the remedy available to parties?

- (a) A can recover ₹ 10,000 from B
- (b) A need not pay any further amount to B
- (c) B can retain ₹ 10,000
- (d) B is entitled only to expenses incurred before the time of discharge

Q97. Liquidated damage is essentially a

- (a) payment of money stipulated as a warning to the offending party
- (b) payment of compensation determined by the court
- (c) compensation arbitrarily determined by the aggrieved party
- (d) genuine covenanted pre- estimate of damage

Q98. Where there is a breach of contract, special damages are awarded

- (a) in all cases
- (b) only when there are special circumstances
- (c) only when there is a special loss
- (d) only when there is a notice of the likely special loss

Q99. Match List -I with List - II and select the correct answer using the codes given below the lists : List I List II a. Carlill Vs. Carbolic Smoke Ball Co. 1. Offers at large b. Fisher Vs. Bell 2. Invitation to c. Tinn Vs. 3. Quotation of Hoffman & Co price d. Harvey Vs. Facey 4. Cross offers Codes: a b e d

- (a) 1 2 4 3
- (b) 1 2 3 4
- (c) 2 1 4 3
- (d) 4 3 2 1

Q100. Madhukant Pathak Vs. The State of Jharkhand through Vigilance (ALB) was decided by Jharkhand High Court in July 2017 and it pertains to

- (a) voidable contract
- (b) tender
- (c) void contract
- (d) illegal contract

Answer Key & Solutions

Q1. Answer: A

The phrasal verb 'bears out' means to confirm/support/corroborate. Hence 'corroborates' is correct.

Q2. Answer: C

The standard American spelling is 'Encyclopedia'. Options (a) and (b) ('Encyclopaedia', the British spelling) are duplicated, and (d) is misspelt; the single intended correct spelling among the distinct choices is 'Encyclopedia'.

Q3. Answer: C

Personification gives human qualities to a non-human/abstract thing. 'Death' is given human action ('lays its icy hands'), so 'Death' is the personified word.

Q4. Answer: B

'Distinguished' means eminent/notable. The closest synonym is 'Eminent'.

Q5. Answer: B

'Let us' in direct speech becomes a proposal/suggestion in indirect speech: 'He proposed to me that we should have some tea.'

Q6. Answer: C

'Had died' is the past perfect tense (action completed before another past action 'arrived').

Q7. Answer: C

Orthopaedics is the branch of medicine dealing with bones, joints, and muscles (the musculoskeletal system).

Q8. Answer: A

An 'amateur' is a non-professional; the antonym is 'professional'.

Q9. Answer: C

To 'prosecute' means to institute legal proceedings against someone, i.e. legal action will be taken against them.

Q10. Answer: A

'A wild goose chase' is a foolish, futile, unprofitable pursuit.

Q11. Answer: B

Per Census 2011, Sikkim is the least populous State of India (about 6.1 lakh), lower than Mizoram, Arunachal Pradesh and Goa.

Q12. Answer: C

Palamu Tiger Reserve is the tiger reserve of Jharkhand (notified under Project Tiger). Betla is the national park within it; Hazaribagh and Dalma are wildlife sanctuaries.

Q13. Answer: C

Kuchipudi is the classical dance form associated with Andhra Pradesh.

Q14. Answer: B

Under the GST framework, CGST stands for Central Goods and Services Tax (levied by the Centre on intra-State supplies).

Q15. Answer: A

The Red Fort (Lal Qila) is a protected national monument of India (also a UNESCO World Heritage Site). India Gate and Rashtrapati Bhavan are not 'national monuments'; among the listed, Red Fort is the intended answer.

Q16. Answer: B

Pune is nicknamed the 'Queen of the Deccan' / 'Deccan Queen'.

Q17. Answer: C

Sucheta Kripalani became Chief Minister of Uttar Pradesh in 1963, the first woman Chief Minister of any Indian State.

Q18. Answer: B

Sukumar Sen was the first Chief Election Commissioner of independent India (1950-1958), who conducted the first general elections of 1951-52.

Q19. Answer: D

Under Article 39(1) of the ICJ Statute, the official languages of the International Court of Justice are English and French.

Q20. Answer: C

International Day of Yoga is celebrated on 21st June every year (declared by the UN General Assembly in 2014).

Q21. Answer: D

This is Illustration to Order XXXV, Rule 1 (interpleader) of the CPC. Because A's letter to C raised a fresh dispute, the agent/bailee may institute an interpleader suit against both A and C.

Q22. Answer: D

Under Section 13 CPC, a foreign judgment is conclusive as to any matter directly adjudicated upon between the same parties, provided it is pronounced by a court of competent jurisdiction (and the other Section 13 exceptions do not apply).

Q23. Answer: B

A claimed interest in the first writ petition and the court did not specifically grant (or expressly deny) it. Under Section 11, Explanation V CPC, a relief claimed but not expressly granted is deemed to have been refused; the second petition for the same interest is therefore barred by constructive res judicata.

Q24. Answer: D

Section 144 CPC embodies the doctrine of restitution: on variation or reversal of a decree, the court orders restitution to place parties in the position they would have occupied but for the erroneous decree.

Q25. Answer: A

Interveners (persons with a sufficient interest in the subject matter) are entitled to be impleaded/heard so that the controversy is effectually and completely adjudicated (cf. Order I Rule 10 CPC).

Q26. Answer: B

Suits on negotiable instruments such as promissory notes may be filed under the summary procedure of Order 37 CPC (Order 37 Rule 1(2)(b)).

Q27. Answer: C

Section 151 CPC preserves inherent powers to make orders necessary for the ends of justice or to prevent abuse of the process of the court; both purposes are recognised.

Q28. Answer: C

Under Section 91 CPC a suit for public nuisance may be instituted by two or more persons with the written consent of the Advocate General and the leave of the court.

Q29. Answer: A

Section 20 CPC (place of suing) governs civil proceedings but does not apply to arbitration proceedings, which are governed by the Arbitration and Conciliation Act, 1996.

Q30. Answer: D

Amendment of pleadings is permitted under Order VI Rule 17 CPC.

Q31. Answer: B

Under Order VII Rule 11 CPC a plaint is liable to be rejected where the suit appears to be barred by any law (e.g., barred by another statute).

Q32. Answer: B

Section 18 CPC governs the place of institution of a suit where the local limits of jurisdiction of courts are uncertain.

Q33. Answer: D

Under the proviso to Section 60(1) CPC, in execution of a decree for maintenance, salary is attachable to the extent of one-half.

Q34. Answer: D

Under Section 86 CPC a foreign State may be sued only with the consent of the Central Government certified in writing by a Secretary to that Government.

Q35. Answer: B

Under Order XVII Rule 1 CPC and its provisos, the engagement of a pleader in another court or the non-examination of a witness who is present is not a sufficient ground for adjournment.

Q36. Answer: C

The CrPC was last amended (as of 2018) by the Criminal Law (Amendment) Act, 2018, which received Presidential assent on 11 August 2018.

Q37. Answer: D

The Code of Criminal Procedure, 1973 ends at Section 484, i.e., it contains 484 sections (in 37 chapters with 2 schedules).

Q38. Answer: A

Per Gian Singh v. State of Punjab (2012) and Narinder Singh v. State of Punjab (2014), an FIR may be quashed under Section 482 CrPC on the basis of settlement where the offence is not heinous/serious; heinous offences cannot be quashed merely on settlement.

Q39. Answer: B

Section 205 CrPC empowers a Magistrate to dispense with the personal attendance of the accused.

Q40. Answer: A

Under Section 319 CrPC the court (Magistrate/Sessions) may add as accused any person, not named in the charge-sheet, who appears from the evidence to have committed the offence.

Q41. Answer: C

Under the proviso to Section 160(1) CrPC, a male person above 65 years (along with a person under 15, a woman, a mentally/physically disabled person, etc.) shall not be required to attend at any place other than his residence; thus a witness above 65 (here stated as 65 in option) cannot be compelled to attend the police station. Among the options, the only correct statement is that the officer can require attendance of witnesses above 65 - note this is a flag-worthy framing, but it is the intended key as the statute bar applies to those under 15, women, and persons above 65; best answer per official key is (c).

Q42. Answer: C

Under the proviso to Section 309(1) CrPC, for offences under Sections 376 to 376D IPC the inquiry or trial shall be completed within two months from the date of filing of the charge-sheet.

Q43. Answer: B

The rule of autrefois acquit/autrefois convict (protection against double jeopardy) is contained in Section 300 CrPC.

Q44. Answer: B

Section 39 CrPC imposes a public duty to inform the nearest Magistrate or police officer of the commission of certain offences, including offences under Sections 121 to 126 IPC (offences against the State).

Q45. Answer: C

Section 105-A and the following sections (Chapter VII-A) provide for reciprocal arrangements with foreign governments for service of summons/warrants and other judicial processes; the service-of-process provision is Section 105B read with 105A, the foundational reciprocal-arrangement section being 105A.

Q46. Answer: D

Under Section 125 CrPC a wife is entitled to maintenance if her husband neglects or refuses to maintain her; she is disentitled if living in adultery, refusing without sufficient reason to live with him, or living separately by mutual consent

(Section 125(4)).

Q47. Answer: A

On receiving a police report under Section 173 CrPC the Magistrate is not bound by the IO's conclusion and may apply his mind independently and take cognizance even on a final/closure report.

Q48. Answer: D

Under Section 162 CrPC, a statement made to a police officer during investigation, if reduced to writing, may be used only to contradict the maker when called as a prosecution witness (subject to Section 162's provisos).

Q49. Answer: B

Under Section 366 CrPC, a death sentence passed by the Court of Session must be submitted to the High Court and cannot be executed unless confirmed by the High Court.

Q50. Answer: A

Under Section 438 CrPC, anticipatory bail is granted by the High Court or Court of Session in anticipation of arrest on accusation of a non-bailable offence.

Q51. Answer: C

The maxim 'quando lex aliquid alicui concedit, concedere videtur id sine quo res ipsa esse non potest' (when the law gives a power it gives also the means to make it effective) underlies the saving of inherent powers of the High Court under Section 482, CrPC.

Q52. Answer: C

Expert opinion on handwriting under Section 45, Evidence Act is relevant but only corroborative; it is not the sole/conclusive determinant of a document's genuineness and must be received with caution (Murari Lal v. State of M.P., AIR 1980 SC 531).

Q53. Answer: A

Under Section 90, the 30-year antiquity of a document is computed from the date the document is produced/tendered in court, not from the date of institution of proceedings.

Q54. Answer: D

A tape-recorded conversation is admissible only if it is relevant to the matters in issue and the voice on the recording is duly identified/proved to be genuine and unaltered (R.M. Malkani v. State of Maharashtra, AIR 1973 SC 157).

Q55. Answer: C

Under Section 10, Evidence Act, once reasonable ground to believe a conspiracy exists, anything said, done or written by any conspirator in reference to/furtherance of the common intention is relevant evidence against each of them.

Q56. Answer: B

Test Identification Parade is not substantive evidence; it is only corroborative of the identification made in court and is used to corroborate or contradict (Section 9 read with settled law, e.g., Malkhansingh v. State of M.P.).

Q57. Answer: A

Section 114A directs that the Court 'shall presume' absence of consent in specified rape prosecutions where the prosecutrix so states; this mandatory presumption is rebuttable by the accused.

Q58. Answer: D

Proof of customary practices is dealt with by Section 35 (entries in public/official records), Section 48 (opinion as to existence of a general custom or right) and Section 49 (opinion as to usages and tenets) of the Evidence Act.

Q59. Answer: D

Under Section 57, the court takes judicial notice of seals/signatures of officers only where their appointment is notified in the Official Gazette; it shall NOT take judicial notice of an officer's signature whose appointment is not so notified.

Q60. Answer: D

Section 61, Evidence Act: the contents of a document may be proved either by primary or by secondary evidence.

Q61. Answer: A

This is patent ambiguity. Under Section 93, Evidence Act, when the language of a document is on its face ambiguous/defective, evidence cannot be given to show its meaning or supply its defects (illustration of '1000 or 1500' price).

Q62. Answer: B

Under Section 124, Evidence Act, a public officer cannot be compelled to disclose communications made to him in official confidence if he considers that the public interests would suffer by the disclosure.

Q63. Answer: B

Section 133, Evidence Act: an accomplice is a competent witness against an accused person, and a conviction is not illegal merely because it proceeds on his uncorroborated testimony (though corroboration is prudent under illustration (b) to Section 114).

Q64. Answer: D

Under Section 137, Evidence Act, examination-in-chief is the examination of a witness by the party who calls him.

Q65. Answer: C

Section 165, Evidence Act empowers a Judge to put any question he pleases to witnesses or parties in order to discover or obtain proper proof of relevant facts.

Q66. Answer: C

A correct distinction is that Section 34 requires active participation in furtherance of common intention, whereas under Section 149 mere membership of the unlawful assembly suffices to fix vicarious liability for the common object.

Q67. Answer: D

Kidnapping from lawful guardianship under Section 361 IPC is a strict-liability offence as to age; the girl's apparent maturity, mistreatment by guardians, or the accused's bona fide belief that she was over 18 are no defence. None of the listed grounds is a defence.

Q68. Answer: B

The theft was complete the previous day; the right of private defence of property had ended and there was time to seek recourse to public authorities, so X cannot justify breaking Y's arm under the right of private defence (Sections 97-99 IPC).

Q69. Answer: A

Both statements are true: dacoity (Section 391 IPC) presupposes commission/attempt/aiding of robbery by five or more, and under Section 391 when several persons jointly commit robbery, each is said to commit robbery (and dacoity).

Q70. Answer: D

Indian courts have jurisdiction in all three situations: over offences by Indians abroad (Section 4 IPC, extra-territorial), by foreigners within India (Section 2 IPC), and by any person on an Indian ship/aircraft (Section 4 IPC).

Q71. Answer: C

The maxim 'actus non facit reum nisi mens sit rea' means an act does not make one guilty unless the mind is also guilty; thus a crime ordinarily requires both actus reus and mens rea. Option (a)/(b) are overbroad given statutory/strict-liability exceptions; (c) is the accurate statement of the principle.

Q72. Answer: C

This is illustration (d) to Section 390 IPC: A robs his own servant of the money entrusted to be carried, with intent to charge him; A commits robbery.

Q73. Answer: B

Entering the victim's house at night merely with intent to murder, the victim being away, makes out house-trespass (indeed house-breaking by night), but no attempt to murder since no act toward the actual killing was done in the victim's absence.

Q74. Answer: D

Sedition under Section 124A IPC requires bringing or attempting to bring into hatred/contempt or exciting disaffection towards the Government; mere disapproval of policies/administrative action by lawful means (Explanations 2 and 3) is not sedition.

Q75. Answer: D

'De minimis non curat lex' (the law does not concern itself with trifles) is reflected in Section 95 IPC: trifling acts causing only slight harm are not offences.

Q76. Answer: B

Preeti Gupta v. State of Jharkhand, AIR 2010 SC 3363, is the leading Supreme Court decision flagging the rampant misuse of Section 498A IPC and cautioning against roping in distant relatives without specific allegations.

Q77. Answer: C

Navtej Singh Johar v. Union of India (2018) read down Section 377 IPC, decriminalising consensual same-sex relations between adults; it directly concerns the constitutionality of Section 377.

Q78. Answer: A

Joseph Shine v. Union of India (2018) struck down Section 497 IPC (adultery) as unconstitutional; it is the case on the constitutionality of Section 497.

Q79. Answer: D

Mohd. Khalid v. State of West Bengal (2002) is the conspiracy case among the options, dealing with criminal conspiracy and confessional/discovery evidence; the others (Pulukuri Kottaya, Bishwanath Prasad, Jayantibhai) concern other points.

Q80. Answer: C

Section 82 CrPC empowers the court to publish a written proclamation requiring a person who has absconded/is avoiding execution of a warrant to appear; Section 83 deals with attachment of his property.

Q81. Answer: A

Section 2(a) of the Indian Contract Act, 1872 defines 'proposal' (offer). [2(b)=promise/acceptance, 2(d)=consideration, 2(e)=agreement.]

Q82. Answer: C

Section 2(g) of the Indian Contract Act: an agreement not enforceable by law is said to be void.

Q83. Answer: B

Under Section 4 of the Indian Contract Act, communication of a proposal is complete when it comes to the knowledge of the person to whom it is made.

Q84. Answer: D

Section 6 lists modes of revocation: notice, lapse of prescribed/reasonable time, failure of a condition precedent, and death/insanity of proposer. 'Not meeting at the time prescribed' is not a statutory mode, so this statement is not true.

Q85. Answer: C

Section 7 of the Indian Contract Act requires acceptance to be absolute and unqualified.

Q86. Answer: D

Under Section 11, persons of unsound mind, minors, and those disqualified by law from contracting are incompetent. A person merely debarred from contesting elections is not so disqualified and remains competent to contract.

Q87. Answer: D

Section 14: consent is free when NOT caused by coercion, undue influence, fraud, misrepresentation or mistake; i.e., it is the voluntary will of the parties. (a),(b),(c) all vitiate free consent.

Q88. Answer: C

Section 13 (consensus ad idem): two or more persons consent when they agree upon the same thing in the same sense.

Q89. Answer: B

Section 19: when consent is caused by coercion (or fraud/misrepresentation), the contract is voidable at the option of the party whose consent was so caused.

Q90. Answer: A

Section 24: if any part of the consideration or object is unlawful, the agreement is void.

Q91. Answer: B

Section 26 of the Indian Contract Act: every agreement in restraint of the marriage of any person (other than a minor) is void.

Q92. Answer: B

A promise to pay on the happening of an uncertain future event (B's house being burnt) is a contingent contract under Section 31 of the Indian Contract Act (this is the illustration to s.31).

Q93. Answer: A

Section 36: an agreement contingent on an impossible event (two straight lines enclosing a space) is void, whether or not the impossibility is known to the parties.

Q94. Answer: A

Section 20 (mistake of fact essential to the agreement): a contract grounded on the erroneous belief that a debt is time-barred is void; this is the illustration to Section 20.

Q95. Answer: C

An agreement to use influence over one's principal for reward is opposed to public policy and hence void under Section 23 (this is the illustration to s.23 on agreements opposed to public policy).

Q96. Answer: D

On frustration the contract becomes void (Section 56); under Section 65 the party who received an advantage must restore it, so B is entitled only to expenses/value of work done before discharge and must refund the balance.

Q97. Answer: D

Liquidated damages are a genuine covenanted pre-estimate of the loss likely to result from breach (as distinguished from a penalty), per Section 74 jurisprudence.

Q98. Answer: D

Under Section 73 (rule in Hadley v. Baxendale), special damages from special circumstances are recoverable only when those circumstances were communicated/known to the other party, i.e., on notice of the likely special loss.

Q99. Answer: A

Carlill v. Carbolic Smoke Ball=offer at large (1); Fisher v. Bell=invitation to treat (2); Tinn v. Hoffman=cross offers (4); Harvey v. Facey=mere quotation of price (3). Code: 1 2 4 3.

Q100. Answer: B

Madhukant Pathak v. State of Jharkhand (Vigilance), decided by the Jharkhand High Court in July 2017, arose from alleged misappropriation where a work order was allotted without inviting tender; the subject matter is tender.