Delhi Judicial Service (Preliminary) 2019

Delhi High Court · Delhi Judicial Service Preliminary Examination 2019 · 200 questions

Preliminary Examination

1. Alibi is governed by

(1) Section 6 of the Indian Evidence Act.
(2) Section 8 of the Indian Evidence Act.
(3) Section 11 of the Indian Evidence Act.
(4) Section 12 of the Indian Evidence Act.

2. Communications "without prejudice" are protected by

(1) Section 21 of the Indian Evidence Act.
(2) Section 22 of the Indian Evidence Act.
(3) Section 23 of the Indian Evidence Act.
(4) Section 24 of the Indian Evidence Act.

3. Under Section 27 of the Indian Evidence Act,

(1) The whole statement is admissible.
(2) Only the portion of the statement which leads to the discovery is admissible
(3) Both the (1) and (2) are admissible
(4) None of the above are admissible

4. A dying declaration to be admissible must be made to a

(1) Magistrate.
(2) Doctor.
(3) Police Officer.
(4) All these

5. The opinion of an Expert is relevant under

(1) Section 45 of the Indian Evidence Act.
(2) Section 46 of the Indian Evidence Act.
(3) Section 47 of the Indian Evidence Act.
(4) Section 48 of the Indian Evidence Act.

6. Burden of proof is lightened by

(1) Presumptions.
(2) Admissions.
(3) Estoppel.
(4) All these

7. Legal Advisor

(1) Can disclose the professional communication after death of his client.
(2) Can disclose the professional communication after the relationship with the client has ended
(3) Can disclose professional communication if made in furtherance of any illegal purpose.
(4) Can disclose the professional communication in all the above instances.

8. Power of the Court to suo motu examine any person at any stage is under

(1) Section 163 of the Indian Evidence Act.
(2) Section 164 of the Indian Evidence Act.
(3) Section 165 of the Indian Evidence Act.
(4) Section 167 of the Indian Evidence Act.

9. Under Section 116 of the Indian Evidence Act, the tenant is estopped from denying the title of the landlord

(1) During the continuance of the tenancy.
(2) Before creation of tenancy.
(3) After surrender of possession.
(4) All these

10. A fact under section 3 of the Indian Evidence Act means and includes

(1) Anything capable of being perceived by the senses.
(2) State of things capable of being perceived by the senses.
(3) Relation of things capable of being perceived by the senses.
(4) All these

11. An accomplice is a competent witness under

(1) Section 118 of the Indian Evidence Act.
(2) Section 119 of the Indian Evidence Act.
(3) Section 132 of the Indian Evidence Act.
(4) Section 133 of the Indian Evidence Act.

12. Section 5 of the Limitation Act applies to

(1) Suits.
(2) Appeals/Applications
(3) Both (1) and (2)
(4) None of these

13. The period of limitation for filing a suit for damages for defamation is

(1) One year.
(2) Two years.
(3) Three years.
(4) None of these

14. The period of limitation for filing a suit for possession under Section 6 of the Specific Relief Act is

(1) Six months.
(2) One year.
(3) Three years.
(4) Twelve years.

15. If no period of limitation is provided in the Limitation Act, the proceedings can be instituted within

(1) One year.
(2) Three years.
(3) Twelve years and two months.
(4) None of these

16. Suit for arrears of maintenance can be filed within

(1) One year.
(2) Two years.
(3) Three years.
(4) None of these

17. The period of limitation for filing leave to defend in a Suit under Order XXXVII of the Code of Civil Procedure is within

(1) 10 days of the receipt of summons for judgment.
(2) 30 days of the receipt of summons for judgment.
(3) 90 days of the receipt of summons for judgment.
(4) 120 days of the receipt of summons for judgment.

18. The period of limitation for filing an application for review is

(1) 30 days of the judgment/order.
(2) 60 days of the judgment/order.
(3) 90 days of the judgment/order.
(4) 120 days of the judgment/order.

19. The period of limitation for filing revision petition to the High Court under Section 115 of the Code of Civil Procedure is

(1) 30 days of the judgment/order.
(2) 60 days of the judgment/order.
(3) 90 days of the judgment/order.
(4) 180 days of the judgment/order.

20. If the defendant is abroad during the period of limitation,

(1) such period is excluded from the period of limitation.
(2) such period is included in the period of limitation.
(3) such period is excluded from the period of limitation only if the period of stay abroad is more than thirty days.
(4) None of these

21. Question of title to an immovable property in a suit under Section 6 of the Specific Relief Act is

(1) Relevant.
(2) Irrelevant.
(3) Both, depending upon the facts of the case.
(4) None of these

22. An injunction can be granted

(1) to prevent the breach of a contract the performance of which would not be specifically enforced.
(2) to prevent a continuing breach in which the plaintiff has acquiesced.
(3) to restrain any person from applying to a legislative body.
(4) None of these

23. Mandatory injunction is governed by

(1) Section 38 of the Specific Relief Act.
(2) Section 39 of the Specific Relief Act.
(3) Section 40 of the Specific Relief Act.
(4) Section 41 of the Specific Relief Act.

24. A suit for declaration without seeking consequential relief is barred by

(1) Section 28 of the Specific Relief Act.
(2) Section 34 of the Specific Relief Act.
(3) Section 37 of the Specific Relief Act.
(4) Section 39 of the Specific Relief Act.

25. A mandatory injunction is in the nature of
(1) restitution.
(2) prohibition.
(3) Both (1) and (2)
(4) None of these

26. Contract for sale of a Maruti Ciaz car
(1) can be specifically enforced.
(2) cannot be specifically enforced.
(3) only damages can be claimed.
(4) Both (2) and (3)

27. Contracts not specifically enforceable are enumerated in
(1) Section 11 of the Specific Relief Act.
(2) Section 12 of the Specific Relief Act.
(3) Section 13 of the Specific Relief Act.
(4) Section 14 of the Specific Relief Act.

28. Which contract cannot be specifically enforced?
(1) A contract which is in its nature determinable
(2) A contract which is so dependent on the personal qualifications of the parties that the court cannot enforce specific performance of its material terms
(3) Both (1) and (2)
(4) A contract of sale of immovable property.

29. He is a lazy person and wants *a touch of the spur*.
The italicized phrase in the above sentence means:
(1) wants to get everything easily.
(2) wants to retire to bed.
(3) wants rousing up.
(4) wants his work done by someone.

30. The faculty for myth is innate in the human race
"Faculty" in the above sentence most nearly means:
(1) capacity.
(2) branch of learning.
(3) authority.
(4) teaching.

31. These seats are set _____ for ladies.
The High Court set _____ the sentence.
Winter has now set _____.
The blanks in the above sentences can be most appropriately filled in the following order.
(1) about; aside; on
(2) off; forth; in
(3) on; apart; forth
(4) apart; aside; in

32. Pick the list of correctly spelt words.
(1) Experience; Receive; Acquiesce
(2) Experiance; Receive; Acquiesce
(3) Experience; Recieve; Acquiesce
(4) Experience; Receive; Acquiese

33. Pick a sentence that is grammatically incorrect.
(1) My requirement is that everyone be punctual.
(2) The flock of geese have 30 birds.
(3) Either the table or the chair needs to be fixed.
(4) The union of carpenters advocates for better pay.

34. Hardly had we entered _____ it started pouring.
The blank can be filled most appropriately by using:
(1) than
(2) when
(3) and
(4) lest

35. Scarcely did I fall asleep _____ my phone rang.
The blank can be filled most appropriately by using:
(1) than
(2) when
(3) and
(4) lest

36. No sooner had I sat down _____ the bell rang.
The blank can be filled most appropriately by using:
(1) than
(2) when
(3) and
(4) lest

37. She has _____ sense.
There is _____ money in my purse.
We do not sell _____ than one kilogram of tea.
The blanks in the above sentences can be most appropriately filled in the following order.
(1) any; some; little
(2) much; any; more
(3) little; some; less
(4) little; some; fewer

38. He said, "Where is the station?"
The above sentence can be expressed in indirect speech as

(1) He inquired where was the station?
(2) He asked where is the station?
(3) He said where was the station?
(4) He inquired where the station was?

39. Geeta and _____ went to Delhi.
Between you and _____, he is a liar.
Let you and _____ work together.
The blanks in the above sentences can be filled in the following order:

(1) me; I; myself
(2) myself; I; me
(3) I; me; I
(4) I; myself; me

40. I shall meet her without _____ delay.
Delhi is _____ from Mumbai than Surat.
He had nothing _____ to say.
You need not go _____ into the matter.
The blanks in the above sentences can be filled in the following order:

(1) further; farther; farther; further
(2) further; farther; further; further
(3) farther; further; further; farther
(4) further; further; farther; farther

41. This is a _____ edition of the book.
This is the _____ news.
I could not hear the _____ part of his speech.

(1) later; latest; later
(2) latter; later; latest
(3) later; latest; latter
(4) latter; later; later

42. The word 'dilettante' means

(1) amateur
(2) diligent
(3) serious
(4) depraved

43. He is so weak _____.
The above sentence can be completed most appropriately by adding:

(1) to walk
(2) and cannot walk
(3) so he cannot walk
(4) that he cannot walk

44. The thieves _____ the police.
In his speech, he _____ to a great person.
He _____ me into lending him my car.
The blanks in the above sentences can be filled most appropriately in the following order:

(1) alluded; deluded; eluded
(2) eluded; alluded; deluded
(3) deluded; alluded; eluded
(4) deluded; eluded; alluded

45. The judge acceded _____ my request.
The master dispensed _____ the services of his servant.
Nobody is free _____ faults.
The blanks in the above sentences can be filled most appropriately in the following order:

(1) with; off; of
(2) to; of; from
(3) with; with; of
(4) to; with; from

46. 'Impecunious' means _____.

(1) impartial
(2) imprudent
(3) without money
(4) senseless

47. "We don't care a fig for her," writes some unknown correspondent with a pretty little handwriting and a pink seal to her note. "She is fade and insipid," and adds some more kind remarks in this strain, which I should never have repeated at all, but they are in truth prodigiously complimentary to the young lady whom they concern.
The tone of the above passage can best be described as _____.

(1) ironical
(2) elegiac
(3) sceptical
(4) loving

48. "To have a chip on one's shoulder" means _____.

(1) to carry weight on one's shoulders
(2) to be arrogant
(3) to be hurt on the shoulder
(4) to have a disability

49. The Maharaja of the princely state of Jammu and Kashmir under whose reign the Instrument of Accession was signed on 26 October 1947 was _____.

(1) Hari Singh
(2) Harvinder Singh
(3) Harish Singh
(4) Karan Singh

50. Which of the following refers to a special fund initiated by the Delhi High Court for the victims of burn related injuries?

(1) Aashray
(2) Aasra
(3) Sahara
(4) Asha

51. According to the Supreme Court (Number of Judges) Amendment Bill, 2019 the maximum number of judges of the Supreme Court of India has been increased from 30 to _____.

(1) 31
(2) 32
(3) 33
(4) 34

52. In April 2019 Julian Assange was arrested by the London Metropolitan Police from the Embassy of _____.

(1) El Salvador
(2) Ecuador
(3) Estonia
(4) Equatorial Guinea

53. The Indian Legal History museum is located in _____.

(1) Ahmedabad
(2) Gandhinagar
(3) Rajkot
(4) Vadodara

54. Which state has recently passed the anti-mob lynching bill?

(1) Rajasthan
(2) Maharashtra
(3) Madhya Pradesh
(4) Uttar Pradesh

55. Which among the following countries recently allowed women to travel abroad without approval from a male guardian?

(1) Kuwait
(2) Yemen
(3) Saudi Arabia
(4) Oman

56. Donald Trump accused two countries of exploiting the WTO's *developing economies* tag. Which are the two countries?

(1) China and Taiwan
(2) India and China
(3) India and Pakistan
(4) Pakistan and Bangladesh

57. Wing Commander Abhinandan Varthaman was felicitated with which one of these honours?

(1) Vir Chakra
(2) Param Vir Chakra
(3) Maha Vir Chakra
(4) Shaurya Chakra

58. Which of the following Chief Ministers of Delhi initiated the Bhagidari Project to provide better public services by promoting civic participation?

(1) Sushma Swaraj
(2) Sahib Singh Verma
(3) Arvind Kejriwal
(4) Sheila Dikshit

59. Tobacco companies in the USA exercise the rights listed in this to prevent the display of graphic warning on cigarette packets. Which is the correct option?

(1) First Amendment
(2) Second Amendment
(3) Third Amendment
(4) Fourth Amendment

60. Which of the following was the first woman to hold the office of the Ministry of External Affairs in India?

(1) Sushma Swaraj
(2) Indira Gandhi
(3) Vijaya Lakshmi Pandit
(4) Sheila Dikshit

61. Who was the first woman Judge in the Supreme Court of USA?
(1) Ruth Bader Ginsburg
(2) Sonia Sotomayor
(3) Sandra Day O'Connor
(4) Elena Kagan

62. Which of the following has come to be associated with the 2019 Hong Kong pro-democratisation protests?
(1) Bloodied eye patch
(2) Sunflowers
(3) Three Finger salute
(4) Fists in the Air

63. The Commission that drafted the Indian Penal Code in 1834 was headed by _____.
(1) Barnes Peacock
(2) T.B. Macaulay
(3) Stafford Cripps
(4) William Jones

64. The recently deceased Nobel Prize winning author Toni Morrison won the Pulitzer Prize for this fictional work in the year 1988. Identify the work.
(1) The Bluest Eye
(2) Song of Solomon
(3) Beloved
(4) God Help the Child

65. Who was one of the first female judges in the British Empire and the first female judge in an Indian High Court?
(1) Sujata Manohar
(2) Fathima Beevi
(3) Anna Chandy
(4) Ruma Pal

66. Who is the Indian woman sportsperson to be recommended a Padma Vibhushan?
(1) Mary Kom
(2) Kamlajit Sandhu
(3) PT Usha
(4) Anju Bobby George

67. The US Secretary of State is _____.
(1) Mike Pompeo
(2) Rex Tillerson
(3) John J Sullivan
(4) None of these

68. In 2019, India imposed 200% customs duty on goods imported from which country?
(1) Pakistan
(2) China
(3) USA
(4) Nepal

69. The present UN Secretary General is _____.
(1) Antonio Guterres
(2) Ban ki Moon
(3) Kofi Annan
(4) None of these

70. India ratified the Kyoto Protocol to the UN Framework Convention on climate change in the year _____.
(1) 1997
(2) 2010
(3) 2017
(4) 2000

71. Which state first adopted the Panchayati Raj system in 1959?
(1) Rajasthan
(2) Karnataka
(3) Gujarat
(4) Punjab

72. The current Lok Sabha is the _____.
(1) 15th
(2) 16th
(3) 17th
(4) 18th

73. The Governor enjoys office at the pleasure of the _____.
(1) Parliament
(2) Legislative Assembly
(3) President
(4) Supreme Court

74. The Current Chief Economic Advisor to the Government of India is _____.
(1) Arvind Subramanian
(2) Raghu Ram Rajan
(3) Krishnamurthy Subramanian
(4) None of these

75. The total number of schedules in the Indian Constitution are _____.

(1) 6
(2) 14
(3) 12
(4) 10

76. The total number of High Courts in India at present are _____.

(1) 20
(2) 25
(3) 30
(4) 35

77. In 2019, India won a major dispute against the USA at the WTO. The subject matter dealt with _____.

(1) renewable energy programmes
(2) steel industry
(3) auto industry
(4) poultry industry

78. The RCEP treaty negotiations concern the subject matter of

(1) Nuclear Non-Proliferation.
(2) Free Trade Agreement.
(3) Environment treaty relating to hazardous substances.
(4) None of these

79. Gangubai Hangal was a well known exponent of which of the following genres of music?

(1) Thumri
(2) Dhrupad
(3) Khayal
(4) Tharana

80. Parliament's lack of power to alter the Basic Structure of the Constitution was propounded for the first time in

(1) Sajjan Singh Vs. State of Rajasthan in a dissenting judgement.
(2) Keshavanand Bharati Vs. State of Kerala.
(3) I.C. Golak Nath Vs. State of Punjab.
(4) Minerva Mills Vs. UOI.

81. A suit is dismissed wrongly on the ground of being barred by limitation. The order of dismissal would operate as res judicata and bar a subsequent suit on the same cause of action.

(1) The above statement is true.
(2) The above statement is false.
(3) It would depend upon the facts and circumstances of each case.
(4) None of these

82. Order VII Rule 11 of the Code of Civil Procedure provides for

(1) rejection of the plaint.
(2) return of the plaint.
(3) dismissal of the suit.
(4) All of the above depending on the facts of the case.

83. In a suit for recovery of Rs.25 lakh, the Defendant files its written statement and pleads that it does not owe any money to the Plaintiff but in fact, it is entitled to recover the sum of Rs.40 lakh from the Plaintiff. The Defendant, however, does not file a counter claim. Can the Defendant file the counter claim at a subsequent stage in the suit or file a fresh suit seeking recovery of Rs.40 lakhs?

(1) The counter claim and suit would be barred.
(2) Only the counter claim would be barred.
(3) The Defendant can file both either a counter claim or a suit
(4) The Defendant's claim stands abandoned.

84. 'A' files a suit for partition in the High Court of Delhi against her brother 'B'. 'B' relies upon a Will executed by his father bequeathing the entire estate in his favour.

(1) B has to necessarily file a counter claim seeking probate of the Will.
(2) An issue will be framed as to the genuineness and validity of the Will, which 'B' can establish without seeking probate.
(3) 'B' has to necessarily file a separate probate petition.
(4) the suit for partition will be stayed until B obtains a probate.

85. In a non commercial suit when issues both of fact and law arise and the Court is of the opinion that the suit may be disposed of on an issue of law only, the Court can -

(1) Frame issues of law and facts and adjudicate the issues of law as preliminary issues
(2) Frame issues both of fact and law and decide all issues together.
(3) Frame issues only on the issues of law and postpone the settlement of other issues.
(4) Both (1) and (3)

86. For the purpose of amendment of pleadings under Order VI Rule 17 CPC, the commencement of trial takes place

(1) When the issues are framed.
(2) When the affidavits in evidence are filed.
(3) When the affidavits in evidence are tendered by the witness.
(4) Once cross-examination begins.

87. 'X' files a suit against 'Y', which is a Partnership of four private individuals. 'X' does not issue notice under Section 80 CPC. The suit

(1) Cannot be dismissed for non-compliance.
(2) Has to be dismissed for non-compliance.
(3) Can be dismissed at the discretion of Court if the circumstances require a notice.
(4) Suit Plaint will be rejected.

88. An ex-parte decree passed by Court 'A' was transferred to Court 'B' for execution and which execution proceedings are pending in Court 'B'. Court 'A' sets aside the ex parte decree and on re-hearing, a fresh decree was passed on the same terms.

(1) Since the new decree is on the same terms, as the decree which is set aside, the execution proceedings will continue.
(2) Court 'B' can continue to execute the exparte decree since the order of transfer has not been recalled
(3) The Decree Holder can seek amendment to the execution proceedings.
(4) The execution proceedings in Court 'B' come to an end and a fresh execution petition would have to be filed of the new decree.

89. In a commercial suit, the time limit of 120 days for filing of written statement

(1) Can be extended, if the Defendant shows adequate reasons for non-filing.
(2) Can be extended at the discretion of the Court.
(3) Cannot be extended under any circumstances.
(4) Can be extended with imposition of heavy costs.

90. When the Plaintiff appears and Defendant fails to file written statement despite service, the Court

(1) shall pronounce judgment under Order VIII Rule 10 CPC.
(2) may either require the Plaintiff to prove its case by leading evidence or pronounce judgment against the defendant depending upon the nature of the case.
(3) shall necessarily require the Plaintiff to prove its case by leading evidence .
(4) Direct personal appearance of the Defendant.

91. Where an interim injunction has been granted without notice to the opposite party and the Plaintiff fails to comply with the provisions of Order XXXIX Rule 3 CPC:

(1) The exparte injunction lapses on the expiry of the time for compliance.
(2) The exparte injunction would necessarily be liable to be vacated.
(3) The Court can extend the time for compliance of Order XXXIX Rule 3 CPC even after the Defendant has appeared and filed written statement.
(4) The exparte injunction would be vacated if the non compliance is prejudicial to the defendant.

92. Issues are framed by a Court. Onus of some of the issues is on the Plaintiff and of some of the issues, the onus is on the Defendant. The Plaintiff has to

(1) file its affidavits in evidence on all issues.
(2) file its affidavits in evidence in affirmative on issues onus whereof is on the Plaintiff and evidence in negative on issues onus whereof is on defendant.
(3) file its affidavits in evidence in affirmative on the issues onus whereof is upon the Plaintiff.
(4) file its affidavits in evidence in affirmative on all issues, irrespective of onus.

93. 'X' leases 'Y' a property for 10 years from 2000-2010 where the rent is payable on the 10th of every month. Y does not pay any rent from the inception of the lease. 'X' sues in 2011 for the arrears of rent from 2005-2010 only.

(1) 'X' can thereafter file a fresh suit for the arrears of rent for the period from 2000 to 2004.
(2) 'X' can amend the plaint to include the recovery of rent from 2000-2004.
(3) X's claim for arrears of rent would be restricted for the period of 3 years prior to the institution of the suit.
(4) 'X' having not claimed rent from 2000-2004, is barred from claiming rent for subsequent period.

94. In a suit under Order XXXVII CPC, the Court grants the Defendant conditional leave to defend subject to the defendant securing the suit amount by way of Bank Guarantee. The Defendant fails to furnish the Bank Guarantee in the prescribed period. The Court shall

(1) Permit the Defendant to file its written statement.
(2) Convert the suit into an ordinary suit.
(3) Decree the suit against the Defendant.
(4) Direct the Plaintiff to lead evidence.

95. 'A' supplies goods from Delhi to 'B' at Mumbai under a contract which provides "Courts in Mumbai would have jurisdiction to deal with disputes arising out of this agreement". 'A' sues 'B' in a Court at Delhi for the outstanding balance.

(1) The Court would not admit the Plaint owing to the jurisdiction clause in the contract.
(2) The suit would be admitted and only if 'B' raises an objection to jurisdiction at Delhi would the Court determine the same.
(3) 'B' can prefer an appeal against the order of admission of the suit in the court at Delhi.
(4) 'B' can approach the Delhi High Court for transfer under section 24 CPC.

96. 'A', a resident of Delhi, files a suit at Delhi for infringement of Trade Mark by 'B', a resident of Mumbai, for using the Mark at Mumbai.

(1) The court at Delhi has jurisdiction.
(2) The court at Delhi has no jurisdiction because 'B' is a resident of Mumbai and cause of action has arisen in Mumbai.
(3) The court at Delhi has jurisdiction with leave of court.
(4) The court at Delhi has jurisdiction only if 'A' does not have an office in Mumbai.

97. A compromise decree

(1) Operates as res judicata between parties to the compromise.
(2) Does not operate as res judicata.
(3) (1) or (2) depending upon facts and circumstances of each case.
(4) (1) or (2) depending on the discretion of the court.

98. A decree for permanent injunction restraining the defendant from interfering with the possession of the Plaintiff, finding the possession of the Plaintiff to be settled, would operate as res judicata in a suit for partition filed by the Defendant for the same property.

(1) Yes
(2) No
(3) (1) and (2) depending on facts and circumstances of each case.
(4) (1) and (2) depending on the discretion of Court.

99. On receipt of an application for execution of a decree, if the requirements of Order XXI Rules 11 to 14 have not been complied with and the defects are not remedied then

(1) The Court shall reject the application for execution.
(2) Allow process of the application for execution.
(3) (1) or (2) depends upon facts and circumstances of each case.
(4) None of these

100. 'A' holds a decree against 'B' for Rs.5000/-. 'B' holds a decree against 'A' for Rs.3000/-. Both 'A' and 'B' apply for execution of decree to a Court which has jurisdiction to execute both decrees. The Court may

(1) Allow execution of A's' decree of Rs.2000/-.
(2) Simultaneously proceed with execution of both decrees.
(3) 'B' shall proceed separately with his decree.
(4) None of these

101. The period of limitation for an application to restore a suit dismissed for default of appearance is

(1) 30 days from date of dismissal.
(2) 60 days from date of dismissal.
(3) 90 days from date of dismissal.
(4) 120 days from date of dismissal.

102. Where a suit is dismissed for non-appearance by the Plaintiff and the defendant is not yet served or after service of the defendant both parties do not appear, the Plaintiff may

(1) Bring a fresh suit for the same cause of action.
(2) Apply for an order to set aside the dismissal.
(3) File an appeal.
(4) Either (1) or (2).

103. 'A' granted an injunction restraining 'B' from use of a trade mark. 'A' alleged that 'B' had willfully disobeyed the injunction order. 'B' pleaded that he had no knowledge of the injunction order. Evidence was non conclusive. The Court shall order

(1) Property of 'B' to be attached.
(2) 'B' to be detained in civil prison.
(3) 'B' to compensate 'A' by damages.
(4) None of these

104. A decree shall not operate as res judicata when

(1) Judgment is passed by a Court which does not have subject jurisdiction.
(2) Judgment is obtained by fraud
(3) If collusion is proved between parties.
(4) All these

105. 'A' filed a suit against three defendants. Defendant No. 1 alleged that there was no cause of action against him under order VII Rule 11 (d) CPC. The Plaint is to be

(1) Rejected in whole.
(2) Rejected in part if the cause of action is not joint and several.
(3) proceeded with against all defendants.
(4) None of these

106. In a civil suit coming up for admission, if the Court does not have subject jurisdiction to grant relief in the suit, the court

(1) cannot grant interim relief under Order XXXIX CPC
(2) can still grant interim relief under Order XXXIX CPC.
(3) has to nevertheless issue summons of the suit.
(4) has to frame a question of law and refer it to the High Court.

107. In a suit for permanent injunction against a defendant company, the Plaintiff sought an interim injunction restraining the defendant from prosecuting the suit in a foreign court,

(1) temporary injunction can be granted restraining the foreign court from proceeding with the suit.
(2) a temporary injunction restraining the foreign court can be granted if there is a prior pending suit in India, irrespective of where the defendant resides or carries on business.
(3) a temporary injunction restraining the defendant from prosecuting the foreign suit can be granted if the defendant is amenable to the jurisdiction of the court.
(4) All these

108. An order passed under Order XXXIX Rule 1 CPC can be challenged by filing

(1) an appeal.
(2) a writ petition.
(3) a revision petition.
(4) None of these

109. Under Order IX CPC where a suit is wholly or partly dismissed under Rule 8,

(1) the Plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of
(2) Plaintiff may apply for an order to set the dismissal aside.
(3) Plaintiff may bring a fresh suit in respect of the same cause of action.
(4) Either (1) or (2)

110. During the pendency of an appeal by the four defendants in the suit, one of the appellants (defendants) dies and no steps for substitution of his legal representatives are taken and the appeal in so far as it relates to the said appellant abates. The five respondents (plaintiffs) apply for dismissal of the entire appeal as abated. Answer whether:

(1) The entire appeal abates and has to be dismissed

(2) The entire appeal abates only if the cause of action against all the defendants was one and allowing the appeal of the other defendants would lead to inconsistent decrees.

(3) The appeal only of the deceased appellant abates and as far as the other defendants (appellants) are concerned has to continue.

(4) the proceedings in the appeal have to be stayed and a second appeal is required to be filed for determination of this question.

111. The Court, at the first hearing of the suit

(1) can only frame issues.

(2) may permit cross examination of either party by the other.

(3) to elucidate the matters in controversy in the suit, may examine either of the parties.

(4) None of these

112. Failure of the judgment debtor to file affidavit of assets under Order XXI Rule 41(2) of the Code of Civil Procedure can result in:-

(1) civil imprisonment up to three months for the judgment debtor.

(2) civil imprisonment up to six months for the judgment debtor.

(3) civil imprisonment up to nine months for the judgment debtor.

(4) imposition of fine on the judgment debtor of the decretal amount.

113. In which of the following cases a partnership does not exist?

I. Lender of money receiving profits.

II. Servants or agents receiving profits.

III. Widow or child of a deceased partner receiving profits.

IV. Seller of goodwill receiving profits.

(1) I, II and III

(2) I, II and IV

(3) II, III and IV

(4) All these

114. A partner cannot contract himself out of which of the following duties?

I. Duty of utmost good faith, i.e. uberrimae fidei.

II. Duty to carry on business to greatest common advantage.

III. Duty to render true accounts and full information.

IV. Duty to indemnify for fraud

V. Duty to indemnify for wilful neglect.

VI. Duty to properly use the firm's property.

(1) I, II, III, IV and VI

(2) I, II, IV and V

(3) I, II, III and IV

(4) I, II, IV and VI

115. A notice to one partner operates as a notice to the whole firm. However

(1) The notice must have been given to a partner who habitually acts in the business of the firm.

(2) Notice to a dormant or a sleeping partner would also suffice.

(3) Notice to a partner who commits a fraud on the firm will not be a notice to the firm.

(4) Both (1) and (3) are correct

116. The Vice President is elected

(1) on the basis of adult franchise by the People of India.

(2) by an electoral college consisting of all the members of Rajya Sabha by secret ballot.

(3) by an electoral college of all the members of both the Houses of Parliament.

(4) by electoral college consisting of all the members of both the Houses of Parliament in accordance with the system of proportional representation by means of single transferable vote and by secret ballot.

117. There is no fundamental right of a person arrested not to be detained in custody without being informed, as soon as may be, of the grounds for such arrest or for period beyond that of twenty- four hours of such arrest (excluding the time necessary for journey from place of arrest to court) without the authority of a Magistrate

(1) In case of one who for the time being is an enemy alien.

(2) In case of one who is arrested or detained under any law providing for preventive detention.

(3) Both (1) and (2)

(4) None of these

118. An amendment of the Constitution of India to make change in provision relating to establishment and constitution of the Supreme Court requires, before giving of assent by the President

(1) To be passed by a majority of not less than two-thirds of members present and voting in each House.
(2) Ratification by resolution to that effect by legislatures of not less than one-half of the States.
(3) Both (1) and (2)
(4) None of these

119. An ordinance promulgated by the President of India, in exercise of his legislative power, shall cease to operate or to have effect or be of same force as an Act of Parliament

(1) At the expiration of six weeks from reassembly of Parliament.
(2) Upon passing of resolution by one House of Parliament endorsing the disapproval thereof expressed by resolution of the other House.
(3) Upon it being withdrawn by the President.
(4) All these

120. If only a part of the single consideration for one or more objects is unlawful, the contract shall

(1) Valid to the extent the same are lawful.
(2) Void to the extent the same are unlawful.
(3) Void as a whole.
(4) Valid as a whole.

121. A letter of acceptance sent by post is lost in transit

(1) There is a concluded contract as the letter of acceptance is put in the course of transmission.
(2) There is no concluded contract as the acceptance has not come to the knowledge of the proposer.
(3) There is no concluded contract as the acceptance has not been communicated to the proposer.
(4) None of these

122. 'A' and 'B' go into a shop. 'B' says to the shopkeeper "let 'A' have the goods. I will see that you are paid". This is a contract of

(1) Guarantee
(2) Bailment
(3) Indemnity
(4) Pledge

123. An agreement in restraint of trade is

(1) Valid.
(2) Void.
(3) Void to the extent of such restraint.
(4) Voidable.

124. If the compensation to be paid on breach of contract is the genuine pre-estimate of the prospective damages, it is known as

(1) Liquidated damages.
(2) Un-liquidated damages.
(3) Special damages.
(4) Penalty.

125. If the time of performance of contract is of essence and the promisor fails to perform his part by the specified time, the contract is

(1) Void.
(2) Voidable at the option of the promise.
(3) Infructuous.
(4) Valid.

126. An agency is terminated by the

(1) principal revoking the authority of the agent.
(2) agent renouncing the business of agency.
(3) death of principal or agent.
(4) All these

127. Parties 'A' and 'B' have agreed on the seat of arbitration. The same

(1) can be changed by the Arbitral Tribunal unilaterally.
(2) cannot be changed at all.
(3) can be changed by the agreement of parties.
(4) cannot be changed by the parties unless Arbitral Tribunal permits.

128. An application to set aside the arbitral award under the Arbitration and Conciliation Act, 1996 may be made within a time period of the following number of days that have elapsed from the date on which the party making that application had received the arbitral award

(1) one month.
(2) two months.
(3) three months.
(4) forty five days.

129. An arbitration agreement entered into on 1% August 2019, provides for the arbitration to be in accordance with the Arbitration Act 1940.

(1) The arbitration would be governed by the provisions of Arbitration and Conciliation Act, 1996.
(2) The arbitration would be governed by the provisions of Arbitration Act, 1940.
(3) The arbitration clause is void.
(4) The arbitration would be governed by the provisions of the Arbitration Act, 1940 as well as of the Arbitration and Conciliation Act, 1996.

130. An arbitration agreement expressly ousts the jurisdiction of consumer forums. In such a case

(1) Only arbitral tribunal will have jurisdiction.
(2) Only consumer forum will have jurisdiction as it is a Special Act.
(3) Both fora will have jurisdiction to adjudicate the disputes.
(4) The clause would be void and only a civil suit would lie.

131. An arbitration clause contained in a deficiently stamped and compulsorily registrable document

(1) is enforceable even without deficient stamp duty being paid.
(2) is enforceable only if the deficient stamp duty along with the penalty, if any, is paid.
(3) is invalid.
(4) is enforceable only if the deficient stamp duty along with the penalty if any is paid and the document is registered.

132. A non signatory to the arbitration agreement can be made party to arbitration proceedings

(1) Always
(2) Never
(3) Under some circumstances/ grounds
(4) Only on the application of such non signatory

133. In a pending arbitration case, the arbitral tribunal passed an order of interim injunction under Section 17 of the Arbitration and Conciliation Act, 1996 restraining encashment of a Bank Guarantee. The aggrieved party has the following remedies

(1) File a review before the arbitrator.
(2) File an appeal under Section 37 of the Arbitration and Conciliation Act, 1996.
(3) File a civil suit challenging the interim order.
(4) None of these

134. Disputes between 'A' and 'B' are referred to arbitration under the Arbitration and Conciliation Act, 1996. The final award is rendered on 1 June 2019 in favour of 'B'. During the ensuing summer vacations of the Court an urgent situation arises in which 'B' wishes to seek interim relief. 'B' can

(1) approach the arbitral tribunal under Section 17 of the Arbitration and Conciliation Act, 1996 for interim orders.
(2) approach the court of competent jurisdiction under Section 9 of the Arbitration and Conciliation Act, 1996 for interim orders.
(3) not obtain any interim orders as the final award has been passed.
(4) approach the Supreme Court for interim orders.

135. Under section 8 of the Arbitration and Conciliation Act 1996, the reference of parties to arbitration is

(1) mandatory.
(2) directory.
(3) discretionary.
(4) None of these

136. A nomination of an arbitrator is made by a person who is himself ineligible to act as an arbitrator under section 12 (5) read with the seventh schedule to the Arbitration and Conciliation Act, 1996. In such a case

(1) The nominee cannot act as an arbitrator.
(2) Such a nomination would be void ab initio.
(3) Both (1) and (2)
(4) Such nomination is valid.

137. A petition for execution of an arbitral award for the recovery of money by attachment and sale of immoveable property of the Judgment Debtor at Delhi is filed at New Delhi though the objections against the arbitral award were dismissed by the Court at Ludhiana and without seeking transfer from that Court. Would the execution petition be maintainable?

(1) Yes
(2) No
(3) Yes, but the proceedings will be stayed till transfer certificate is obtained from the court at Ludhiana.
(4) Only if judgment debtor waives the requirement of transfer certificate.

138. The parties to the arbitration agreement are residents of Lucknow and Kolkata. The contract was performed at Varanasi. The parties agreed that arbitration proceedings will be conducted at New Delhi and were held at New Delhi. Where will the petition under Section 34 of the Arbitration and Conciliation Act 1996 be filed?

(1) Delhi
(2) Lucknow
(3) Varanasi
(4) Kolkata

139. An application under section 8 of the Arbitration and Conciliation Act, 1996 is filed by the Defendant after the defendant has filed his written statement on merits and after framing of issues in which no issue qua arbitrability is framed. The Court must

(1) Issue notice of the application to plaintiff and call for reply.
(2) Allow the application if there is an Arbitration agreement.
(3) Dismiss the same as not maintainable.
(4) Frame an issue on the same to be determined at trial.

140. A petition under section 34 of the Arbitration and Conciliation Act, 1996 is filed on the forty first day after the expiry of limitation prescribed in section 34(3) of the said Act along with an application for condonation of delay in filing thereof. The petitioner makes out sufficient ground for condoning the delay. The Court must

(1) Condone delay and issue notice of the petition under section 34 of the Arbitration and Conciliation Act, 1996 to the Respondent.
(2) Issue notice to Respondent only of the application seeking condonation of delay.
(3) Dismiss the application for condonation of delay as well as the petition under section 34 of the Arbitration and Conciliation Act, 1996 on ground of limitation.
(4) Issue notice of the application seeking condonation of delay as well as of the petition under section 34 of the Arbitration and Conciliation Act, 1996.

141. A petition under section 48 of the Arbitration and Conciliation Act, 1996 against a foreign award must be filed before:

(1) District Court having territorial and pecuniary jurisdiction.
(2) High Court.
(3) Supreme Court.
(4) All these

142. The petitioner in a petition under Section 34 of the Arbitration and Conciliation Act, 1996 shows that another method of calculating damages was preferable than the one adopted by the Arbitrator. The Court must

(1) Set aside the award.
(2) Remand the award to the Arbitrator for reconsideration.
(3) Dismiss the petition.
(4) Award damages on the basis of the other method.

143. A institutes a suit against B with respect to disputes arising out of an agreement entered into with B. The said agreement provides for arbitration of all disputes including the disputes subject matter of suit. The court before which the suit comes up for admission

(1) Will dismiss the suit.
(2) Will refer the disputes and the parties to arbitration.
(3) Will admit the suit if otherwise maintainable in law.
(4) Will direct the plaintiff to approach the High Court under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of arbitrator.

144. 'A' has let out his property at Delhi to 'B' at a rent of Rs.3000/- per month on the terms and conditions contained in a registered lease deed. The lease deed provided for arbitration of all disputes between the parties. 'B' fails to vacate the property inspite of expiry of period of lease of two years. 'A' initiates arbitral proceedings under the Arbitration and Conciliation Act, 1996 in accordance with an arbitration clause in the lease deed seeking eviction/ejectment of 'B' from the property,

(1) The arbitral proceedings are maintainable.
(2) The arbitration proceedings are not maintainable.
(3) The arbitral proceedings are maintainable only if 'B' does not object to the same.
(4) The arbitral proceedings are maintainable with the express consent of 'B'.

145. 'A' files a suit against 'B' for recovery of money due under the agreement, term whereof has since expired, by efflux of time. 'B' files an application under Section 8 of the Arbitration and Conciliation Act, 1996 contending that the agreement contains an arbitration clause. The court would then

(1) dismiss the application and continue with the suit as the agreement including the arbitration clause thereof has expired by efflux of time.
(2) refer the parties to arbitration
(3) refer the parties to arbitration only if the plaintiff agrees to such arbitration.
(4) refer the parties to the High Court under Section 11 of the Arbitration and Conciliation Act, 1996 for determination if the arbitrator needs to be appointed.

146. The bar under Section 42 of the Arbitration and Conciliation Act 1996 is not applicable to

(1) Application under Section 8 of the said Act.
(2) Application under Section 11 of the said Act.
(3) Applications under the Act filed in a Court that has no subject matter jurisdiction,
(4) All these

147. On the very filing of a petition under Section 34 of the Arbitration and Conciliation Act, 1996 for setting aside of an arbitral award in an arbitral proceeding which has commenced after 23.10.2015, the

(1) arbitral award becomes inexecutable.
(2) the arbitral award is eclipsed.
(3) the arbitral award remains executable unless execution thereof is stayed by the court before which such petition is filed.
(4) arbitral award is executable only with the permission of the court before which the petition under Section 34 of the Arbitration and Conciliation Act, 1996 is filed.

148. An arbitration agreement provides for arbitration under the Arbitration and Conciliation Act, 1996 by two arbitrators, one to be appointed by each party

(1) the arbitration agreement is void.
(2) the arbitration agreement is of arbitration by three arbitrators with the third arbitrator to be appointed by the court.
(3) the arbitration agreement is of arbitration by one arbitrator, either to be appointed jointly by the two parties and if not by the court.
(4) the arbitration agreement will be enforced as it is.

149. If a person fails to comply with the terms of a notice for appearance under Section 41A

(1) of the Code of Criminal Procedure or is unwilling to identify himself, the police officer (1) may, subject to such orders as may have been passed by a competent court in this behalf, arrest him for the offence mentioned in the notice.
(2) shall arrest him for the offence mentioned in the notice.
(3) may not arrest him for the offence mentioned in the notice.
(4) may without an order from a Magistrate and without a warrant arrest him.

150. The memorandum of arrest to be prepared by every police officer while making an arrest shall be

(1) attested by at least two witnesses, one of which shall be a member of the family arrested.
(2) attested by at least two witnesses, one of which is a member of the family of the person arrested and the other a gazetted officer living in the locality where the arrest is made.
(3) attested by at least one witness, who is a member of the family of the person arrested or a respectable member of the locality where the arrest is made and shall be countersigned by the person arrested.
(4) as far as may be possible in the circumstances in which arrest is made attested by at least one witness.

151. When any offence is committed in the presence of a Magistrate within his local jurisdiction, he may

(1) only direct a police officer posted in a police station within his local jurisdiction to arrest the offender.
(2) order only a gazetted officer to arrest the offender.
(3) himself arrest or order any person to arrest the offender.
(4) None of these

152. If any court has reason to believe that any person against whom a warrant has been issued by it has absconded so that such warrant cannot be executed, such court may publish a written proclamation requiring him to appear at a specified place and at a specified time not less than _____ from the date of publishing of such proclamation.

(1) fifteen days
(2) thirty days
(3) forty five days
(4) sixty days

153. Compensation can be awarded to the victim of a penal offence under _____ of the Code of Criminal Procedure.

(1) Section 340
(2) Section 357
(3) Section 357A
(4) Both (2) and (3)

154. An order for a monthly allowance for the maintenance or interim maintenance and expenses of proceeding under Section 125 of the Code of Criminal Procedure shall be payable:-

(1) from the date of the order.
(2) from the date of the application for maintenance or interim maintenance and expenses of proceedings.
(3) from the date of the order, or, if so ordered, from the date of the application for maintenance or interim maintenance and expenses of proceedings.
(4) from any date as the Magistrate may deem fit and proper.

155. An order for alteration in the allowance for the maintenance or interim maintenance can be made by a Magistrate under Section 127 of the Code of Criminal Procedure on proof of a change in the circumstances, at the instance of

(1) any person receiving under Section 125 a monthly allowance for the maintenance or interim maintenance.
(2) any person ordered under Section 125 to pay a monthly allowance for the maintenance or interim maintenance.
(3) relative of any person ordered under Section 125 to pay a monthly allowance for the maintenance or interim maintenance.
(4) Both (1) and (2)

156. Which of the following statements is false in the context of Section 155 of the Code of Criminal Procedure regarding investigation of non cognizable cases?

(1) No police officer shall investigate a non-cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.
(2) Any police officer receiving such order may exercise the same powers in respect of the investigation including the power to arrest without warrant, as an officer in charge of a police station may exercise in a cognizable case.
(3) Where a case relates to two or more offences of which at least one is cognizable, the case shall be deemed to be a cognizable case, notwithstanding that the other offences are non- cognizable.
(4) Upon receipt of information of the commission of a non cognizable offence, the officer in charge of a police station shall enter the substance of the information in a book in such form as the state government may prescribe in this behalf.

157. A Magistrate may take cognizance under Section 190 of the Code of Criminal Procedure of any offence

(1) upon receiving a complaint of facts which constitute such offence or upon his own knowledge that such offence has been committed.
(2) upon a police report of such facts.
(3) upon information received from any person other than a police officer, that such offence has been committed.
(4) All these

158. In a case an application for bail is filed by the accused who is alleged to have committed an offence under section 376 AB of the Indian Penal Code, in such a case it is

(1) mandatory to give a notice of such bail application, before granting bail, to the public prosecutor within a period of fifteen days from the date of receipt of notice of such application.
(2) mandatory to give a notice of such bail application, before granting bail, to the public prosecutor within a period of seven days from the date of receipt of notice of such application.
(3) not mandatory to give notice to the public prosecutor if the complainant / informant is represented through a private counsel.
(4) not mandatory to give notice to the public prosecutor if the court considers that it is not practicable to give such notice.

159. Any court may alter or add to any charge

(1) before examination of an accused under Section 313 of the Code of Criminal Procedure.
(2) after examination of an accused under Section 313 of the Code of Criminal Procedure but before examination of defence witnesses.
(3) before examination of any prosecution witness.
(4) at any time before the judgment is pronounced.

160. When, in any warrant case instituted otherwise than on a police report, the accused appears or is brought before a Magistrate, the Magistrate shall

(1) satisfy himself that he has complied with the provisions of Section 207 of the Code of Criminal Procedure.
(2) postpone issue of process against the accused if he is residing at a place beyond the area in which he exercises his jurisdiction.
(3) either inquire into the case himself or direct an investigation to be made by a police officer for the purpose of deciding whether or not there is sufficient ground for proceeding.
(4) shall proceed to hear the prosecution and take all such evidence as may be produced in support of the prosecution.

161. When in a summons - case the accused appears or is brought before the Magistrate

(1) the prosecutor shall open his case by describing the charge brought against the accused and stating by what evidence he proposes to prove the guilt of the accused.
(2) the Magistrate shall frame in writing a charge against the accused if upon considering the police report and the documents sent with it and making such examination as the Magistrate thinks necessary the Magistrate is of the opinion that there is ground for presuming that the accused has committed an offence.
(3) the particulars of the offence of which he is accused shall be stated to him, and he shall be asked whether he pleads guilty or has any defence to make, but it shall not be necessary to frame a formal charge.
(4) None of these

162. Section 293 of the Code of Criminal Procedure regarding reports of government scientific experts applies to

(1) the Director of a Central or State Forensic Science Laboratory.
(2) the Deputy Director of a Central or State Forensic Science Laboratory.
(3) the Assistant Director of a Central or State Forensic Science Laboratory.
(4) All these

163. The authorities under Section 297 of the Code of Criminal Procedure before whom affidavits may be sworn to be used before any court under the Code of Criminal Procedure may be sworn or affirmed before

(1) any Judge or any Judicial or Executive Magistrate.
(2) any Commissioner of Oaths appointed by a High Court or Court of Session.
(3) any notary appointed under the Notaries Act, 1952.
(4) All these

164. The Court of Sessions shall ordinarily hold its sitting as per Section 9 of the Code of Criminal Procedure

(1) at such place or places as the High Court may, by notification, specify, or if in any particular case, the Court of Session is of opinion that it will tend to the general convenience of the parties and the witnesses to hold its sittings at any other place in the Sessions Division.
(2) at such place or places as the High Court may, by notification, specify, or if in any particular case, the Court of Session is of opinion that it will tend to the general convenience of the parties and the witnesses to hold its sittings at any other place in the Sessions Division, it may with the consent of the prosecution and the accused sit at that place for the disposal of the case.
(3) at such place or places as the State Government may, by notification, specify, or if in any particular case, the Court of Session is of opinion that it will tend to the general convenience of the parties and the witnesses to hold its sittings at any other place in the Sessions Division, it may with the consent of the prosecution and the accused sit at that place for the disposal of the case.
(4) if in any particular case, the court of Session is of opinion that it will tend to the general convenience of the parties and the witnesses to hold its sittings at any other place in the Sessions Division, it may with the consent of the Public Prosecutor sit at that place for the disposal of the case.

165. The amount of compensation which a Magistrate can direct the complainant or informant to pay for an accusation without reasonable cause under Section 250 of the Code of Criminal Procedure is

(1) not exceeding rupees five thousand.
(2) not exceeding rupees fifteen thousand
(3) as he may determine but not exceeding the amount of fine he is empowered to impose.
(4) not exceeding the amount of fine he is empowered to impose for the particular offence for which the accusation was made without reasonable cause.

166. Withdrawal of the complaint in a Summons case under Section 257 of the Code of Criminal Procedure results in

(1) acquittal of the accused.
(2) discharge of the accused.
(3) acquittal or discharge depending on the stage at which the withdrawal is permitted.
(4) acquittal after charge has been framed and discharge before charge has been framed.

167. Any Metropolitan Magistrate, may, if he thinks fit, try in a summary way the following offences under Section 260 of the Code of Criminal Procedure

(1) theft, under Section 379, Section 380 or Section 381 of the Indian Penal Code, where the value of the property stolen does not exceed two thousand rupees.
(2) offences under Sections 454 and 456 of the Indian Penal Code.
(3) receiving or retaining stolen property, under Section 411 of the Indian Penal Code where the value of the property does not exceed two thousand rupees.
(4) All these

168. Section 363 of the Code of Criminal Procedure entitles a person accused of an offence to receive a copy of the judgment free of cost when

(1) he is convicted of the offence.
(2) he is sentenced to imprisonment.
(3) he is confined in jail after being sentenced to imprisonment.
(4) he is represented by a legal aid counsel.

169. In calculating fractions of terms of punishment, Section 57 of the Indian Penal Code prescribes that imprisonment for life shall be reckoned as equivalent to imprisonment for

(1) ten years.
(2) fourteen years.
(3) twenty years.
(4) twenty five years.

170. The maximum term of imprisonment which can be imposed by the court for the offence under Section 304A of the Indian Penal Code is

(1) three years.
(2) two years.
(3) one year.
(4) six months.

171. Under section 63 of the Indian Penal Code, where no sum is expressed to which a fine may extend, then the amount of fine to which the offender is liable, is prescribed as

(1) limited to up to rupees one lakh.
(2) limited to up to rupees fifty thousand.
(3) limited to such amount as the appropriate government may prescribe.
(4) unlimited but is directed not to be excessive.

172. Where an offence is punishable with imprisonment as well as fine, the term for which the court can direct the offender to be imprisoned in default of payment of fine shall not exceed

(1) one fourth of the term of imprisonment which is the maximum fixed for the offence.
(2) one fourth of the term of imprisonment to which the offender has been sentenced.
(3) one fifth of the term of imprisonment to which the offender has been sentenced.
(4) one fifth of the term of imprisonment which is the maximum fixed for the offence.

173. In which case did the Supreme Court first hold that the right of a victim to file an appeal under the proviso to Section 372 of the Code of Criminal Procedure is available against orders of acquittal rendered after 31.12.2009 and that for exercising such right no leave to appeal is required to be sought?

(1) Naval Kishore Mishra v State of U.P. & Ors.
(2) Mallikarjun Kodagali v State of Karnataka
(3) Roopendra Singh v State of Tripura
(4) Satya Pal Singh v State of M.P.

174. In which case did a Five Judge Constitution Bench of the Supreme Court consider the ambit and scope of Section 319 of the Code of Criminal Procedure?

(1) Hardeep Singh v State of Punjab
(2) Rajesh v State of Haryana
(3) Periyasami v S. Nallasamy
(4) S. Mohammed Ispahani v Yogendra Chandak

175. 'A' instigates 'B' to burn Z's house. 'B' sets fire to the house and at the same time commits theft of property there. In such a case 'A' would be

(1) guilty of abetting the theft only.
(2) guilty of abetting burning of the house but not guilty of abetting the theft.
(3) guilty of abetting burning of the house and of abetting the theft.
(4) not guilty of any offence as he himself did not commit any act.

176. The ambit and scope of the offence of sedition under Section 124-A of the Indian Penal Code was considered by a Five Judge Constitution Bench of the Supreme Court in the case of

(1) Common Cause v Union of India.
(2) Kedar Nath Singh v State of Bihar.
(3) Raghubir Singh v State of Bihar.
(4) Balbir Singh v State of U.P.

177. 'A' knows 'Z' to be behind a bush. 'B' does not know it. 'A', intending to cause, or knowing it to be likely to cause Z's death induces 'B' to fire at the bush. 'B' fires and kills 'Z'

(1) 'B' has committed the offence of culpable homicide.
(2) 'A' has committed the offence of abetment.
(3) 'B' has committed the offence of causing death by negligence.
(4) 'B' may be guilty of no offence; but 'A' has committed the offence of culpable homicide.

178. The offence of voyeurism under Section 354-C of the Indian Penal Code is committed when

(1) A man commits the act of physical contact and advances involving unwelcome and explicit sexual overtures.
(2) A man makes sexually coloured remarks.
(3) A man who monitors the use by a woman of the internet, e-mail or any other form of electronic communication.
(4) Any man who watches, or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image.

179. "Hurt" as defined in Section 319 of the Indian Penal Code is causing of the following to any person

(1) Bodily pain
(2) Disease
(3) Infirmity
(4) All these

180. Section 377 of the Indian Penal Code regarding unnatural offences was partially struck down by the Supreme Court in the case of

(1) Navtej Singh Johar v Union of India
(2) Suresh Kumar Koushal v Naz Foundation Trust
(3) Childline India Foundation v Allan John Waters
(4) Common Cause v Union of India

181. Stolen property as per Section 410 of the Indian Penal Code includes

(1) property, the possession whereof has been transferred by theft, extortion or robbery.
(2) property which has been criminally misappropriated.
(3) property in respect of which criminal breach of trust has been committed.
(4) All these

182. The offence of cruelty in Section 498-A of the Indian Penal Code punishes subjecting a woman to cruelty by

(1) the husband or relative of the husband of a woman.
(2) any person known to the woman.
(3) any person.
(4) All these

183. Section 34 of the Indian Penal Code regarding a criminal act done by several persons in furtherance of the common intention of all is

(1) a separate offence itself punishable separately.
(2) only a rule of evidence and does not create a substantive offence.
(3) attracted in cases of criminal conspiracy.
(4) Both (2) and (3) are correct

184. The Supreme Court upheld the constitution validity of the offence of defamation under Section 499 of the Indian Penal Code in the case of

(1) Subramanian Swamy v Union of India
(2) Transparency International India v State of Jammu and Kashmir
(3) Common Cause v State of Karnataka
(4) Centre for Public Interest Litigation v High Court of Delhi

185. 'A', intending to murder 'Z' by poison, purchases poison and mixes the same with food and delivers it to Z's servant to place it on Z's table. 'A' has committed

(1) an offence of attempt to murder.
(2) an offence of preparation to commit murder.
(3) no offence.
(4) an offence of culpable homicide not amounting to murder.

186. The offence of dowry death under Section 304-B of the Indian Penal Code is committed where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within

(1) seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband.
(2) ten years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry.
(3) seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry.
(4) seven years of her marriage and it is shown that before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry.

187. Section 317 of the Indian Penal Code punishes the offence of exposure and abandonment of a child under 12 years by parent or person having care of it. Section 304 of the Indian Penal Code provides for punishment for the offence of culpable homicide not amounting to murder. 'A' exposes her child with the knowledge that she is thereby likely to cause its death. The child dies in consequence of such exposure. In such circumstances 'A' may be

(1) charged with and convicted of the offence under Section 304 of the Indian Penal Code.
(2) charged with and convicted of the offences under Sections 317 and 304 of the Indian Penal Code.
(3) charged with and convicted of the offence under Section 317 of the Indian Penal Code.
(4) charged with the offences under Sections 317 and 304 of the Indian Penal Code but convicted only for the offence under Section 304.

188. 'A' intentionally deceives 'Z' into a belief that 'A' has performed A's part of a contract made with 'Z', which he has not performed, and thereby dishonestly induces 'Z' to pay money. 'A' has committed

(1) the offence of criminal breach of trust under Section 405 of the Indian Penal Code.
(2) the offence of criminal breach of trust by public servant, or by banker, merchant or agent under Section 409 of the Indian Penal Code.
(3) the offence of dishonest misappropriation of property under Section 403 of the Indian Penal Code.
(4) the offence of cheating under Section 415 of the Indian Penal Code.

189. Section 471 of the Indian Penal Code states that "whoever fraudulently or dishonestly uses as genuine any document or electronic record which he knows or has reason to believe to be a forged document or electronic record, shall be punished in the same manner as if he had forged such document or electronic record".
If a person is convicted only for the offence under Section 471 of the Indian Penal Code he will then

(1) be imposed punishment for the offence of forgery of the document in addition to having used the same as genuine.
(2) be imposed punishment as prescribed for having committed forgery of the document which he used as genuine.
(3) Both (1) and (2) depending on the facts and circumstances of the case.
(4) None of these

190. 'A', having insured a ship, voluntarily causes the same to be cast away, with the intention of causing damage to the under-writers. 'A' has committed the offence of

(1) criminal breach of trust under Section 405 of the Indian Penal Code.
(2) cheating under Section 415 of the Indian Penal Code.
(3) criminal misappropriation of property under Section 403 of the Indian Penal Code.
(4) mischief under Section 425 of the Indian Penal Code.

191. Which of the following statements is false with respect to the offence of defamation under Section 499 of the Indian Penal Code

(1) It is not defamation to impute anything which is true concerning any person, if it be for the public good that the imputation should be made or published. Whether or not it is for the public good is a question of fact.

(2) It is defamation to express in a good faith any opinion whatever respecting the conduct of a public servant in the discharge of his public functions, or respecting his character, so far as his character appears in that conduct, and no further.

(3) It is not defamation to express in good faith any opinion whatever respecting the conduct of any person touching any public question, and respecting his character, so far as his character appears in that conduct, and no further.

(4) It is not defamation in a person having over another any authority, either conferred by law or arising out of a lawful contract made with that other, to pass in good faith any censure on the conduct of that order in matters to which such lawful authority relates.

192. 'A' makes an attempt to steal some jewels by breaking open a box, and finds after so opening the box, that there is no jewel in it. 'A' is

(1) guilty of no offence as there were no jewels to steal.

(2) guilty of the offence of attempting to commit theft of the jewels as he has done an act towards the commission of theft.

(3) guilty of the offence of committing preparation to commit the offence of theft.

(4) guilty of theft as it is immaterial whether he could succeed or not and stealing some jewels.

193. 'A' begins to unloose the muzzle of a ferocious dog, intending or knowing it to be likely that he may thereby cause 'Z' to believe that he is about to cause the dog to attack 'Z'. 'A' has

(1) committed no offence.

(2) committed the offence of assault under the Indian Penal Code.

(3) committed the offence of attempt to commit assault.

(4) committed the offence of criminal intimidation under the Indian Penal Code.

194. The punishment for the offence of forgery of a will is prescribed under Section

(1) 463 of the Indian Penal Code.
(2) 468 of the Indian Penal Code.
(3) 467 of the Indian Penal Code.
(4) 471 of the Indian Penal Code.

195. Dishonestly making false claim in court is an offence under Section

(1) 215 of the Indian Penal Code.
(2) 209 of the Indian Penal Code.
(3) 195 of the Indian Penal Code.
(4) 196 of the Indian Penal Code.

196. 'A' is charged with the offence of causing simple hurt. 'A' pleads guilty to the charge before the Metropolitan Magistrate and is accordingly convicted for the said offence and sentenced to imprisonment for one year. 'A' can file an appeal

(1) against the order of conviction and sentence in the Court of Sessions.

(2) against the order of conviction and sentence in the High Court.

(3) against the extent or legality of sentence in the Court of Sessions.

(4) All these

197. 'A' is the victim in a gang rape case. At the conclusion of the trial, the accused persons are convicted and sentenced to imprisonment and fine. The Court orders the fine amount to be paid to 'A' as compensation. 'A' has also filed an application for compensation under Section 357 A of the Code of Criminal Procedure which is pending consideration before the competent authority. In such a situation

(1) The fine amount cannot be paid to 'A' as compensation since she has already filed an application for compensation under Section 357A of the Code of Criminal Procedure.

(2) the State Government can pay compensation under Section 357A of the Code of Criminal Procedure in addition to the payment of fine as compensation to 'A' under Section 376 D of the Indian Penal Code.

(3) The State Government cannot pay compensation under Section 357A of the Code of Criminal Procedure as the fine amount has already been ordered to be paid to 'A' as compensation.

(4) The State Government shall pay compensation under Section 357A of the Code of Criminal Procedure in addition to the payment of fine as compensation to 'A' under Section 376 D of the Indian Penal Code only if the Court mentions in the order on sentence that the amount of fine is inadequate.

198. Statement of a person recorded by a Magistrate under Section 164(5A) (a) of the Code of Criminal Procedure can be taken as a statement in lieu of examination-in-chief, where the person is a victim in a case

(1) punishable for the offence of kidnapping and the victim is mentally disabled.

(2) punishable for the offence of grievous hurt and the victim is physically disabled.

(3) punishable for the offence of stalking and the victim is temporarily physically disabled.

(4) punishable for the offence of Voyeurism.

199. 'A' knowing that 'B', 'C', 'D', 'E', 'F' and 'G' are about to commit the offence of dacoity in Kathmandu, Nepal harbours them in his house in Sitamarhi, Bihar with the intention of facilitating the commission of such dacoity. 'A' has

(1) not committed any offence as the dacoity was yet to take place.

(2) not committed any offence that can be tried in India.

(3) committed the offence of harbouring dacoits.

(4) committed an offence which can be tried and punished only in Nepal.

200. 'A' as an employer deducts his employees' contribution from the wage payable to the employee for credit to the Employees State Insurance Fund held and administered by the Employees State Insurance Corporation established under the Employees State Insurance Act, 1948. 'A' makes default in payment of such contribution to the said fund in violation of the said Act. 'A' has

(1) not committed any offence.

(2) committed the offence of criminal breach of trust.

(3) committed the offence of criminal misappropriation of property.

(4) committed the offence of theft.