Himachal Pradesh Civil Judge Prelims 2015 Question Paper

Himachal Pradesh Public Service Commission · Screening held 28 February 2016 · 3 papers of 50 questions · 2 marks per question · 60 minutes per paper. Each booklet numbers its questions 1–50. The three papers are numbered consecutively here.

Civil Law-I · Booklet A

1. The adjudication of a court of law may be:

(A) Decree only
(B) Order only
(C) Decree and order
(D) None of the above

2. In which case the Supreme Court held that in the partition suit more than one preliminary decree can be passed?

(A) Phoolchand v. Gopal Lal, AIR 1967 SC 1470
(B) Balraj Taneja v. Sunil Madan, AIR 1999 SC 3381:
(C) Babbar Sewing Machine Co. v. Triloki Nath Mahajan, AIR 1978 SC 1436
(D) Santosh Kumar v. Bhai Mool Singh. AIR 1958 SC 321.

3. In Rajasthan SRTC v. Krishan Kant. AIR 1995 SC 1715, the Supreme Court laid down the:

(A) Principles of res judicata
(B) Principles applicable to industrial disputes
(C) Jurisdiction of court of small causes
(D) Jurisdiction of foreign courts

4. A defendant should present written statement of his defence within thirty days from the service of summons on him. The said period can be extended upto:

(A) 30 days
(B) 60 days
(C) 90 days
(D) 100 days

5. The plaint shall be rejected by the court, under Order 7. Rule 11 (e) of the Code of Civil Procedure, if it is not filed in:

(A) Duplicate
(B) Triplicate
(C) Quadruplicate
(D) Five copies

6. What is not a material irregularity under Rule 90 of Order 21 of the Code of Civil Procedure?

(A) Omission to issue notice under Rule 22 of Order 21
(B) Omission to publish sale proclamation under Rule 66 of Order 21
(C) Omission to state the revenue or rent payable on the land
(D) Omission to record reasons for the adjournment of sale

7. The assets held to be not available for the rateable distribution under Section 73 of the Code of Civil Procedure

(A) Sale proceeds realised from auction sale
(B) Deposit made by a defaulting purchaser
(C) Money realised in execution of decree
(D) Deposit of earnest money

8. Mark the Incorrect statement:

(A) A second appeal lies to the High Court on the ground of a substantial question of law
(B) A revision application lies to the high Court on the ground of jurisdictional error
(C) The High Court can decide a question of fact in the exercise of its revisional jurisdiction
(D) The High Court can decide a question of fact in the second appeal in certain circumstances

9. Jurisdiction of a court is decided by:

(A) Subject matter of the dispute
(B) Pecuniary value of the suit
(C) Place where the dispute arose
(D) All of the above

10. A suit relating to immovable property shall be instituted at a place:

(A) Where the defendant resides
(B) Where the property situated
(C) Where the plaintiff resides
(D) None of the above

11. Caveat shall not remain in force after the expiry of:

(A) 30 days from the date on which it was lodged
(B) 60 days from the date on which it was lodged
(C) 90 days from the date on which it was lodged
(D) 120 days from the date on which it was lodged

12. The provisions regarding inherent powers of the courts are mentioned in the Code of Civil Procedure in:

(A) Sections 135A to 141
(B) Sections 148 to 153-B
(C) Sections 31 to 35-B
(D) None of the above

13. Under Section 47 of the Code of Civil Procedure, which question does not relate to the execution, discharge or satisfaction of decree?

(A) Whether a decree is executable?
(B) Whether the property is liable to be sold in execution of the decree?
(C) Whether the decree is fully satisfied?
(D) Whether the decree is fraudulent or collusive?

14. The pleadings should contain:

(A) Only facta probanda
(B) Only facta probantia
(C) Facta probanda and facta probantia
(D) None of the above

15. Rule 6 of Order 12 of the Code of Civil Procedure provides:

(A) Notice to admit documents
(B) Judgement on admissions
(C) Production of documents
(D) Admission of documents

16. Under Section 58(1-A) of the Code of Civil Procedure, no order of detention of the judgement debtor shall be made. where the decretal amount is:

(A) Rupees 2,000
(B) Rupees 2,500
(C) Rupees 3,500
(D) Rupees 4.000

17. Under Section 1 of the Indian Evidence Act, the proceedings which are specifically excluded from the operation of the Indian Evidence Act:

(A) Proceedings before Industrial Tribunals
(B) Proceedings before Arbitrators
(C) Proceedings before Administrative Tribunals
(D) None of the above

18. When one fact is declared by the Indian Evidence Act to be conclusive proof of another, the court, on proof of one fact:

(A) Shall not allow evidence to be given for the purpose of disproving it
(B) May allow evidence to be given for the purpose of disproving it
(C) Both (A) and (B)
(D) None of the above

19. Which illustration of Section 114 of the Indian Evidence Act is based upon the maxim, “Ominia praesumuntur rite et solemniter esse acta”?

(A) Illustration 'a'
(B) Illustration 'd'
(C) Illustration 'e’
(D) Illustration 'g'

20. Section 93 of the Indian Evidence Act. applies to the:

(A) Ambiguitas patens
(B) Ambiguitas latens'
(C) Both (A) and (B)
(D) None of these

21. Section 31 of the Indian Evidence Act says that admissions are not conclusive proof of the matters admitted, but they may operate as:,

(A) res judicata
(B) res gestae
(C) estoppels
(D) none of these

22. Out of the following which is not secondary evidence?

(A) Copies made from the original by mechanical process
(B) Copies made from and compared with the original
(C) Oral accounts of the contents of a document given by a person who has himself seen and read it
(D) Oral account of a copy compared with the original

23. What is not correct for the admissibility of the 'dying declaration' under Section 32 Clause (1) of the Indian Evidence Act?

(A) The person making statement must have died
(B) Statement must have been made as to cause of his death
(C) It is not necessary that cause of death must be in question
(D) It is not necessary that statement must have been made in expectation of death

24. Which is not public document?

(A) Record of Tribunal
(B) Record of Municipal Board
(C) Memorandum of Association of a company
(D) None of the above

25. A disputed handwriting can be proved by:

(A) Calling an expert
(B) Examining a person acquainted with the handwriting of the writer
(C) Comparison of the two admitted and disputed documents
(D) All of the above

26. The depositions relevant under Section 33 of the Indian Evidence Act, but is subject to the control of:

(A) Section 156 of the Indian Evidence Act
(B) Section 157 of the Indian Evidence Act
(C) Section 158 of the Indian Evidence Act
(D) None of the above

27. A person who has taken solemn promise of silence gives evidence in writing in the open court. His evidence shall be deemed to be:

(A) Oral evidence
(B) Documentary evidence
(C) Secondary evidence
(D) None of the above

28. The professional communication between an advocate and his client can be disclosed before the court:

(A) With the consent of the client
(B) Without the consent of the client if made in furtherance of any illegal purpose
(C) Without the consent of the client if the advocate comes to know that any crime or fraud has been committed since the commencement of his employment
(D) All of the above

29. The presumption under Section 112 of the Indian Evidence Act is relevant when there is dispute relating to the:

(A) Maternity of the child
(B) Paternity of the child
(C) Both (A) and (B)
(D) Guardianship of the child

30. Burden of proof under Section 101 of the Indian Evidence Act:

(A) never shifts
(B) goes on shifting as the trial proceeds
(C) may shift
(D) May shift with the permission of the court

31. Which one of the following is not a correct statement about expert opinion?

(A) The opinion of an expert is rarely conclusive
(B) Facts which are irrelevant become relevant when they support the opinion of experts
(C) Opinion of expert is binding on the judge always
(D) Evidence of experts is a suggestive piece of evidence.

32. A witness cannot refresh his memory by:

(A) Referring to any writing made by the witness
(B) Referring to any copy of the document by the witness with the court's permission
(C) Referring to any writing made by any other person and read by the witness
(D) Referring to another witness for taking his assistance

33. Under Section 6 of the Specific Relief Act, 1963, a suit for possession of an immovable property can be filed within:

(A) 30 days of dispossession
(B) 3 months of dispossession
(C) 6 months of dispossession
(D) 1 year of dispossession

34. Under Section 7 of the Specific Relief Act, 1963, recovery of specific movable property may recover it in the manner provided by the:

(A) Specific Relief Act, 1963
(B) Indian Contract Act, 1872
(C) Code of Civil Procedure, 1908
(D) Transfer of Property Act, 1882

35. Under Section 9 of the Specific Relief Act, 1963, the defendant may plead his defence under the:

(A) Law of Contracts
(B) Code of Civil Procedure
(C) Transfer of Property Act
(D) None of the above

36. Under Section 33 of the Specific Relief Act. 1963, the compensation is payable, if:

(A) The party received the benefit
(B) The contract is without consideration
(C) Both (A) and (B)
(D) None of the above

37. Section 34 of the Specific Relief Act, 1963, sanctions:

(A) Every type of declaration
(B) Only a declaration of legal character
(C) Only a declaration of a right to property
(D) A declaration of legal character or of a right to property

38. Specific relief can be granted for:

(A) Enforcing penal laws
(B) Enforcing individual civil rights
(C) Both (A) and (B)
(D) None of the above

39. Section 11 of the Specific Relief Act, refers specific performance of contracts connected with:

(A) Arbitration
(B) Trusts
(C) Both (A) and (B)
(D) None of these

40. Section 12(2) of the Specific Relief Act, 1963 applies where the part which remains unperformed of the contract is:

(A) Small proportion
(B) Considerable part
(C) Equal part
(D) None of these

41. Section 20 of the Himachal Pradesh Courts Act, 1976, contains the provision regarding 'appeals' from:

(A) District Judge
(B) Subordinate Judges
(C) High Court
(D) State Government

42. 'Classes of Courts' are explained In the Himachal Pradesh Courts Act, 1976 in:

(A) Section 2
(B) Section 3
(C) Section 4
(D) Section 5

43. The expression 'corporatisation' mentioned in 'Section 8-B' of the Indian Stamp Act, 1899, shall have the meaning as assigned in:

(A) The Depositories Act, 1996
(B) The Indian Companies Act, 1956
(C) The Securities Contracts (Regulation) Act, 1956
(D) The Negotiable Instruments Act, 1881

44. 'Section 8 A' of the Indian Stamp Act, which deal the provision regarding 'securities dealt in depository not liable to stamp duty' was inserted by:

(A) Act 19 of 1958
(B) Act 43 of 1995.
(C) Act 22 of 1996
(D) Act 18 of 2005

45. Soldier' under the Indian Stamp Act, 1899, includes any person who is enrolled under:

(A) The Indian Army Act, 1911
(B) Air Force Act, 1950
(C) Navy Act, 1794
(D) None of the above

46. 'Settlement' under the Indian Stamp Act, 1899, means disposition of:

(A) only movable property
(B) only immovable property
(C) movable or immovable property
(D) none of the above

47. Madras Refineries v. Chief Controlling Revenue Authority, Board of Revenue, AIR 1977 SC 500. explains the application of:

(A) Section 3 of the Indian Stamp Act
(B) Section 4 of the Indian Stamp Act
(C) Section 7 of the Indian Stamp Act
(D) Section 8 of the Indian Stamp Act

48. Under Section 32 of the Indian Stamp Act, who certify the instrument?

(A) Collector
(B) Chief Controlling Revenue Authority
(C) Both (A) and (B)
(D) None of the above.

49. Section 35 of the Indian Stamp Act. 1899, denotes:

(A) Examination and impounding of instruments
(B) Instruments not duly stamped inadmissible in evidence
(C) Adjudication as to proper stamp
(D) Allowance for spoiled stamps

50. Under Section 57 of the Indian Stamp Act, 1899, the Chief Controlling Revenue Authority refers the case arise in the state to the:

(A) State Government
(B) Collector
(C) High Court
(D) None of the above

Civil Law-II · Booklet A

51. In the Nash v. Inman case, the issue was

(A) Minor's liability
(B) Frustration
(C) Fraud
(D) Misrepresentation

52. To convert a proposal into a promise the acceptance must be:

(A) Qualified
(B) Unqualified
(C) General
(D) Absolute and unqualified

53. In which of the following statement "undue-influence" does not exist?

(A) When dominating party holds real or apparent authority
(B) When a person's mental capacity is affected because of bodily distress
(C) When a party threatens another to commit suicide
(D) When the party holds fiduciary relationship

54. Contract is frustrated due to frustration of:

(A) Subject matter of contract
(B) Change of one party's desire
(C) Consideration of contract
(D) Capacity to contract

55. Quasi contract emerged from:

(A) Assumpsit
(B) Indebitatus assumpsit
(C) Non-feasance
(D) Misfeasance

56. Which one of the following pairs is correctly matched?

(A) Mohribibi v. Dharmodas Ghose-Proposal
(B) Hadley v. Baxendale-Free consent
(C) Satyabrat Ghose v. Magniram-Frustration of contract
(D) Lalman Shukla v. Gauri Dutt-Capacity to contract

57. Promissory estoppel against government agencies is decided in:

(A) Tweedle v. Atkinson 4 LT 468
(B) Dutton v.LE 83 LR 523
(C) Delhi Cloth & General Mills Ltd. v. Union of India AIR 1987 SC 2414
(D) Kedar Nath v. Gorie Mohd. ILR (1886) 14 Col. 64

58. Arrange the following concepts in sequence in which they occur, using the codes given below: (1) Offer is communicated (2) Counteroffer is made (3) Offer is rejected (4) Counteroffer is accepted. Codes:

(A) (1),(2),(3),(4)
(B) (1),(3),(2),(4)
(C) (1),(4),(2),(3)
(D) (2),(1),(3),(4)

59. Promissory estoppel is sometimes spoken of as a substitute for:

(A) Novation
(B) Quasi-contract
(C) Consideration
(D) Coercion

60. A is of unsound mind, at one time he becomes sound and enters into a contract with 'B'. Contract is:

(A) Valid
(B) Void
(C) Voidable
(D) Nonest

61. A Hindu Male of 28 years of age adopts a female child of 13 years of age. The adoption is:

(A) Valid
(B) Voidable
(C) Illegal
(D) Void

62. "Dayabhaga" is authored by

(A) Vijnaneshwara
(B) Yagyavalkya
(C) Jimutavahana
(D) None of these

63. The nature of marriage of an impotent person is:
(A) Void
(B) Voidable
(C) Illegal
(D) None of these

64. Which one of the following sections of the Hindu Succession Act, 1956 makes provisions for "Notional Partition"?
(A) Section 14
(B) Section 10
(C) Section 6
(D) Section 18

65. 'A' a Hindu has two wives W1 and W2, and one son S by wife W1 and four sons S1, S2, S3 and S4 by wife W2. On a partition of coparcenary property W1 and W2, will get:
(A) No share, as neither of them is a coparcenary
(B) 1/4 share each
(C) 1/5 share each
(D) 1/8 share each

66. In which of the following cases, the Supreme Court held that "the demand of dowry, which is prohibited under, law amounts to cruelty and also a ground for dissolution of marriage?
(A) Jaya Chandra v. Aneet Kaur. AIR 2005 SC 534
(B) Shobha Rani v. Madhukar Reddy. AIR 1988 SC 121
(C) Vishwanath Sita Ram Agrawala v.Sarla Vishwanath Agrawala, AIR 2012 SC 2586
(D) V. Bhagat v. D. Bhagat (1994) 1SCC 337.

67. In which of the following cases, the Supreme Court held that "Mens rea is not an essential element of cruelty"?
(A) Suman Kapoor v. Sudhir Kapoor, AIR 2009 SC 589
(B) "Chandra Mohini v. A.P. Srivastava, AIR 1967 SC 581
(C) Shobha Rani v. Madhukar Reddy, AIR 1988 SC 121
(D) Russel v. Russel (1897) AC 395

68. In which case, the Supreme Court held that "Staying together under the same roof is not a pre-condition for mental cruelty"?
(A) J.L. Nanda v. Smt. Veena, AIR 1988 SC 407
(B) Kameswara Rao v. G. Jabilli. AIR 2002 SC 576
(C) K. Srinivas Rao v. DA. Deepa, AIR 2013 SC 2176
(D) N.C. Dastane v. S. Dastane, AIR 1975 SC 1534

69. 'A' remarries within five days of the passing of a decree of annulment of marriage under HM Act, 1955. Is the marriage:
(A) Void
(B) Valid
(C) Voidable
(D) Illegal

70. A Joint Hindu Family does not include:
(A) Married son
(B) Married daughter
(C) Adopted son
(D) Adopted daughter

71. What may be transferred?
(A) Spes successionis
(B) A right to sue
(C) A right of re-entry to the owner for breach of a condition subsequent
(D) A right to future maintenance

72. The doctrine lispendens applies where:
(A) The suit is collusive
(B) The transfer is made after the decree of the trial court but before the filing on an appeal
(C) Right to movable property in question
(D) Property is situated outside the territorial Jurisdiction of the court

73. When does unborn person acquire vested interest on transfer?
(A) As soon as he is born
(B) On attaining majority
(C) On attaining 21 years
(D) After marriage, if female

74. Which is not the ingredient of Section 53-A of TP Act?
(A) Agreement for transfer
(B) Consideration
(C) Transferee has performed his part
(D) Movable property

75. A lease of immovable property from year to year is terminable on the part of the lessor or lessee by the notice.
(A) One month
(B) Six months
(C) Three months
(D) Sixty days

76. What is not required in "gift"?
(A) Donor and Donee
(B) Consideration
(C) Movable or immovable property
(D) Transfer and Acceptance

77. Which one of the following sections of TP Act deals with doctrine of substituted security"?
(A) Section 68
(B) Section 70
(C) Section 71
(D) Section 73

78. Remedy of foreclosure' is available in which of the following mortgages?
(A) Usufructuary mortgage
(B) Simple mortgage
(C) Mortgage by conditional sale
(D) English mortgage

79. The assignment of the rights of a mortgagee to a woman in consideration, of past cohabitation is:
(A) Valid
(B) Void
(C) Voidable
(D) None of these

80. 'A' makes a gift of Rs. 70,000 to 'B'. 'A' reserves right with B's consent to take back at pleasure Rs. 20.000 out of Rs. 70,000:
(A) Valid but condition is void
(B) Void
(C) Unlawful
(D) Voidable

81. A suit for recovery of money is filed after 4 years. The court can condone the delay under Limitation Act:
(A) Ex-parte
(B) After notice to the defendant
(C) Either (A) or (B)
(D) None of the above

82. In computing the period of limitation for an appeal the time required for taking the copy of decree or judgment is excluded:
(A) If an application has been made
(B) Even if an application has not been made
(C) Either (A) or (B)
(D) None of the above

83. The period of limitation for a review of Judgment is:
(A) 60 days
(B) 90 days
(C) 30 days
(D) 180 days

84. The provisions of Section 3 of the Limitation Act, 1963 are:
(A) Mandatory
(B) Directory
(C) Discretionary
(D) Optional

85. Section 6 of the Limitation Act, 1963 can be availed by:
(A) The plaintiffs
(B) The defendants
(C) Both (A) and (B)
(D) None of these

86. Ground for condonation of delay:
(A) Poverty
(B) Sickness
(C) Illiteracy
(D) All of these

87. A party who prays for condonation of delay under Section 5 of the Limitation Act, 1963 has to establish
(A) He was vigilant
(B) No negligence on his part
(C) No lack of bonafides on his part
(D) All of the above

88. Where a person is affected by two legal disabilities or where one disability followed by another without leaving the gap, then suit or application may be filed:
(A) Till the first disability ceases to exist
(B) Till the second disability ceases to exist
(C) After both disabilities have ceased
(D) None of the above

89. If a pronote is executed on 5th June 1945, the last day for filing the suit will be:
(A) 5th June, 1948
(B) 4th June, 1948
(C) 6th June, 1948
(D) None of these

90. Section 13 of the Limitation Act, 1963 applies in case of:

(A) a pauper
(B) a minor
(C) an idiot
(D) an insane

91. In which of the following cases, the Supreme Court held that "the services in lieu of the right of occupation would amount to receipt of rent under the Rent Act to create sub-tenancy?"

(A) Dipak v. Lilabati, AIR 1987 SC 2058
(B) Brijendra Nath v. Harshvardhan. AIR 1988 SC 293
(C) Mangat Rai v. Kedar Nath. AIR 1980 SC 1709
(D) Rupchand v. Gopi Chand, AIR 1989 SC 1416

92. In which of the following cases, the Supreme Court held that "where no rent has been fixed by the controller, the landlord can receive the future rent in advance exceeding one month's rent"?

(A) Rup Chand v. Gopi Chand. AIR 1989 SC 1416
(B) M.M. Chawla v. J.S. Sethi, 1969 RCJ 913 (SC)
(C) Mangat Rai v. Kedar Nath. AIR (1980) SC 1709
(D) Bhagat Ram v. Brij Nath (1990) PbLR&S 711

93. The rent laws are subject-matters under:

(A) Entry 18 of List II. State List of the Constitution
(B) Entry 6 of List III Concurrent List of Constitution
(C) Both (A) and (B)
(D) None of the above

94. On which date the H.P. Urban Rent Control Ordinance 1987 (Ordinance No. 5 of 1987) was published in H.P. Gazette:

(A) 16 August, 1987
(B) 20 August, 1987
(C) 15 August, 1987
(D) 18 August, 1987

95. Match List I with List II and select the Correct answer by using the codes given below: LIST I (A) Bonafide requirement (B) Ceased to occupy (C) Right recover immediate possession of premises to certain persons (D) Receipt to be given fair rent paid LIST II (i) Section 14 (2) (V) (ii) Section 14 (3) (iii) Section 15 (iv) Section 20 Codes: (a) (b) (c) (d)

(A) i ii iii iv
(B) ii i iii iv
(C) iii iv i ii
(D) iv iii ii i

96. Provisions as to eviction of tenants under the H.P. Urban Rent Control Act, 1987 are described under:

(A) Section 13
(B) Section 14
(C) Section 12
(D) Section 18

97. Section 4 of the H.P. Urban Rent Control Act, 1987 contains provision relating to:

(A) Increase of fair rent
(B) Revision of fair rent
(C) Determination of fair rent
(D) None of the above

98. In which Section of H.P. Urban Rent Control Act 1987 contains condition for conversion of a residential building into a non-residential building?

(A) Section 10
(B) Section 11
(C) Section 12
(D) Section 13

99. Match List I with List II and select the correct answer by using the codes given below (HPURC Act): List I: (a) Bhagwandas v. Kaushalya Devi (b) Bijendra Nath v. Harshvardan (c) Om Prakash v. Sarla Kumari (d) Bhagat Ram v. Brij Nath. List II: (i) Landlord duty to keep the building good condition for rent (ii) Change of user (iii) Arrear of rent (iv) Nuisance. Codes (a), (b), (c), (d):

(A) iv ii iii i
(B) iv iii i ii
(C) iii ii iv i
(D) ii iii iv i

100. In which of the following cases, the Supreme Court held that "the firm name is only a compendious way of describing the partners of the firm".?

(A) Murli Dhar v. Chuni Lal 1970 RCJ 922 (SC)
(B) Tirath Ram v Gurbachan Singh AIR 1987: SC 720
(C) Anant Ram v. Raghubar Dayal (1971) RCJ 30
(D) None of the above

Criminal Law · Booklet A

101. Which of the following statement/ statements is/are incorrect? (i) Criminal liability is best explained by the maxim "actus non-facit reum, nisi mens sit rea (ii) For criminal liability, the 'actus' should be 'reus' (iii) The word 'actus reus' only includes act but not omission (iv) The actus reus of omission is well illustrated in R v. Horsey Codes:

(A) Only (iii) is incorrect
(B) (i), (ii) and (iii) are incorrect
(C) Only (iii) and (iv) are incorrect
(D) (i), (ii), (iii) and (iv) all are incorrect

102. In which of the following cases the Court held that attempt to do even an impossible act, will amount to an offence?

(A) Abhyanand Mishra v. The State of Bihar
(B) R v. Goodball
(C) R v. Raisat Ali
(D) R v. Robinson

103. Which of the following statement/ statements is/are correct? (i) Mens rea means guilty knowledge of the wrong-doer (ii) Indian Penal Code does not negate mens rea but requires mens rea of specific kind (iii) Offences of kidnapping and abduction are punishable without mens rea (iv) Mens rea is basic ingredient in a crime Codes:

(A) Only (ii) is correct
(B) (i), (ii) and (iii) are correct
(C) (ii), (iii) and (iv) are correct
(D) (i), (ii), (iii) and (iv) all are correct

104. Sections 61 and 62 of Indian Penal Code dealing with absolute forfeiture of all property of the offender have been abolished by:

(A) Act XVI of 1921
(B) Act XVIII of 1949
(C) Act XXVI of 1955
(D) Act VIII of 1897

105. Which of the following statement/ statements is/are not correct? (i) Both Sections 34 and 149 of IPC itself, create specific offences (ii) Both Sections 34 and 149 of IPC relate to Doctrine of Vicarious liability (iii) Section 34 fixes a minimum two persons who must share common intention while Section 149 requires there must be at least 10 persons to have the common object (iv) Some active participation is necessary under Section 34 but Section 149 does not require it. Mere member of the unlawful Assembly with common object is sufficient for liability. Codes:

(A) Only (i) is incorrect
(B) (i) and (ii) both are incorrect
(C) (i) and (iii) are incorrect
(D) (i), (ii), (iii) and (iv) all are incorrect

106. In which of the following cases the court held that when an under trial prisoner was put in a separate cell only as a precautionary measure to ensure his non-mingling with other prisoners and for his security, it did not amount either to solitary confinement or cellular confinement?

(A) Perrarivalan v. I.G. Prison, Madras
(B) Tula Ram v. State of Rajasthan
(C) State of Punjab v. Sohan Singh
(D) Kehar Singh v. Union of India

107. Match List I with List Il and give the correct answer by using the codes given below the lists: List I (A) Chapter XXI (B) Chapter XVII (C) Chapter XX (D) Chapter XVI List II (i) of offences relating to marriage (ii) of offences affecting the Human Body (iii) of Defamation (iv) of offences against property Codes: (a) (b) (c) (d)

(A) i ii iii iv
(B) iii iv i ii
(C) ii iii iv i
(D) iv i ii iii

108. Match List I with List II and give the correct answer by using the codes given below the lists: List I (A) Affray (B) Trifles (C) Mischief (D) Criminal Intimidation List II (i) Section 95 (ii) Section 425 (iii) Section 503 (iv) Section 159 Codes: (a) (b) (c) (d)

(A) iv i ii iii
(B) i ii iii iv
(C) ii iii iv i
(D) iii iv i ii

109. Which one of the following pairs is not correctly matched?

(A) Keso Shau v. Saligram-Section 79 IPC
(B) Sita Ram v. State of Rajasthan-Section 80 IPC
(C) Southwark London Borough Council v. Williams-Section 81 IPC
(D) Bablu v. State of Rajasthan - Section 89 IPC

110. Read both Assertion (A) and Reason (R) and give the correct answer by using the codes given below: Assertion (A): There is either Theft or Extortion in the offence of Robbery. Reason (R): Theft and Extortion preceed Robbery. Codes:

(A) Both (A) and (R) are correct and (R) is correct explanation of (A)
(B) Both (A) and (R) are individually correct but (R) is not the correct explanation of (A)
(C) (A) is correct but (R) is wrong
(D) (A) is wrong but (R) is correct

111. The punishment for the harassment of the woman by her husband or any of his relatives with a view to coercing her or any person related to her for dowry is imprisonment for a term which may extend upto:

(A) One year
(B) Two years
(C) Three years
(D) Five years

112. Which of the following cases is not related to the offence of dowry death?

(A) Kamesh Panjiyar v. State of Bihar
(B) Kundulabala Subrahmanyam v. State of A.P.
(C) Badruddin v. State of U.P.
(D) Prem Singh v. State of Haryana

113. Which of the following Sections of IPC punishes for causing death or resulting in persistent vegetative state of victim during the commission of offence of Rape?

(A) Section 376B
(B) Section 376C
(C) Section 376D
(D) Section 376A

114. Sonu Sardar v. State of Chhattisgarh, is a case related to the offence of:

(A) Cheating
(B) Defamation
(C) Dacoity
(D) Extortion

115. Any person who commits the offence of showing pornography to any woman against the will of the woman shall be punished with rigorous imprisonment for a term which may extend upto:

(A) Two years
(B) Three years
(C) One year
(D) Five years

116. Match List I with List II and give the correct answer by using the codes: List I (A) Sexual harassment and punishment for Sexual Harassment (B) Stalking (C) Voyeurism (D) Assault or use of criminal force to woman with intent to disrobe List II (i) 354 B (ii) 354 C (iii) 354 A (iv) 354 D Codes: (a) (b) (c) (d)

(A) iii iv ii i
(B) i ii iii iv
(C) ii iii iv i
(D) iii i ii iv

117. Match List with List II and give the correct answer by using the codes: List I (A) Voluntarily throwing or attempting to throw Acid (B) Buying minor for purposes of prostitution etc. (C) Gang Rape (D) Robbery committed on the highway between sunset and sunrise List II (i) Imprisonment may extend to fourteen years (ii) Imprisonment not less than five years, may extend to seven years (iii) Imprisonment for a term which may extend to ten years (iv) Rigorous imprisonment not less than twenty years may extend to life Codes: (a) (b) (c) (d)

(A) ii iii iv i
(B) i ii iii iv
(C) iv i ii iii
(D) iii iv i ii

118. Which one of the following pairs is correctly matched?

(A) Buta Singh v. State of Punjab-Extortion
(B) State of Haryana v. Prabhu- Right to Private Defence
(C) Yusuf Abdul Aziz v. State of Bombay- Adultery
(D) Basudeo v. State of Pepsu-Defamation

119. Which of the following statement/ statements is/are incorrect? (i) Nothing is offence which is done in exercise of right of private defence under IPC (ii) A person has right to defend his own body only and not the body of other (iii) Right of private defence is extended to cause death in defamation case (iv) A person has even right of private defence where there is time to have recourse to the protection of the public authorities- Codes:

(A) Only (iii) is incorrect
(B) (i), (ii) and (iii) are incorrect
(C) (ii), (iii) and (iv) are incorrect
(D) (i), (ii), (iii) and (iv) all are incorrect

120. Kidnapping for ransom etc. is a punishable offence under IPC under:

(A) Section 366A
(B) Section 366B
(C) Section 370A
(D) Section 364A

121. In which of the following cases the Supreme Court held that the provisions of Section 141 of the Negotiable Instruments Act, 1881 do not contain a condition that the prosecution of a company is sine qua non for prosecution of other persons. The liability of the Directors/Officers etc. is vicarious and will flow from the liability of the company/firm.

(A) Narsing Das Tapadia v. Govardhan Das Pattani
(B) Saketh India Ltd. v. India Securities Ltd.
(C) K.G. Sharma v. Pratap Autowheels
(D) Mohd. Isaq Gulsani v. Rajamouli

122. Court shall not take cognizance of any offence punishable under Section 138 of the Negotiable Instruments Act, 1881 unless complaint is made within:

(A) One month
(B) Fifteen days
(C) Two months
(D) Three months

123. Chapter XVII was inserted into the Negotiable Instruments Act, 1881. by the Amendment of the Act in the year:

(A) 1888
(B) 1988
(C) 1998
(D) 1989

124. Match List 1 with List II and give the correct answer by using the codes given below: List-I (Provisions) (a) Cognizance of offences (b) Power of Court to try cases summarily (c) Defences which may not be allowed in any prosecution under Section138 (d) Presumption in favour of holder List-II (Sections of Negotiable Act) (i) Section 140 (ii) Section 139 (iii) Section 143 (iv) Section 142 Codes: (a) (b) (c) (d)

(A) iv iii i ii
(B) i ii iii iv
(C) iii iv ii i
(D) ii i iv iii

125. A complaint against an offence under Section 138 of the Negotiable Instruments Act:

(A) Must be in writing
(B) May be in oral or in writing
(C) Must be in writing supported by an affidavit
(D) May be oral statement before magistrate

126. Match List I with List II and give the correct answer by using the codes given below: List I (Definitions) (A) "Excise duty and "Counter- vailing duty" (B) "Excise Revenue" (C) "Molasses" (D) "Vehicle" List II (Sections of H.P Excise Act) (i) Section 2(zb) (ii) Section 2(q) (iii) Section 2(i) (iv) Section2(g) Codes: (a) (b) (c) (d)

(A) iv iii ii i
(B) i ii iii iv
(C) ii iv i iii
(D) iii i iv ii

127. Who of the following has the power to close liquor vends on the ground of riots or unlawful Assembly under H.P. Excise Act?

(A) Financial Commissioner
(B) State Government
(C) District Magistrate
(D) Excise Officer of Such Rank

128. If any License-holder or any person acting on his behalf sells or delivers any liquor to any person apparently under the age of 18 years, he shall be punishable with a fine which may extend to:

(A) Five Thousand but not less than Two Thousand Rupees
(B) Ten Thousand rupees but not less than Two Thousand Rupees
(C) Twenty Thousand rupees but not less than Ten Thousand Rupees
(D) Twenty-Five Thousand rupees with minimum Ten Thousand Rupees

129. Match List 1 with List II and give the correct answer by using the codes given below the lists: List I (Provisions) (A) Penalty for mixing noxious substances with liquor (B) Disposal of seized liquor during the pendency of trial (C) Penalty for unlawful production manufacture, possession, import export transport, sale etc. (D) Power to enter and inspect List II (Sections of H.P. Excise Act, 2011) (i) Section 65 (ii) Section 8 (iii) Section 41 (iv) Section 39 Codes: (a) (b) (c) (d)

(A) i ii iii iv
(B) iii i iv ii
(C) iv iii ii i
(D) ii iv i iii

130. Read both Assertion (A) and Reason(R) and give the correct answer by using the codes given below: Assertion(A): The general superinten-dence and administration of all matters relating to excise are vested in the Financial Commissioner under H.P Excise Act, 2011. Reason (R): The Financial Commissioner has the power to establish or licensing of distilleries, breweries or warehouse etc. in the state. Codes:

(A) Both (A) and (R) are correct and (R) is the correct explanation of (A)
(B) Both (A) and (R) are correct but (R) is not the correct explanation of (A)
(C) (A) is correct but (R) is wrong
(D) (A) is wrong but (R) is correct

131. Which of the following is not a "Vehicle' according to the definition of 'Vehicle' under Section 2 of the Wildlife (Protection) Act, 1972?

(A) Bull
(B) Buffalo
(C) Yak
(D) Mule

132. Which of the following statement/ statements is are not correct? (i) National Board for Wildlife has been constituted by the Central Government with effect from 22-9-2004. (ii) The Prime Minister is the Chairperson of the National Board for Wildlife (iii) The office of the member of the National Board shall be deemed to be the office of profit under the Wildlife Protection Act, 1972 (iv) The Chairman of Human Right Commission is a member of National Board for Wildlife Codes:

(A) Only (i) is not correct
(B) (i), (ii) and (iii) are not correct
(C) (i), (iii) and (iv) are not correct
(D) (i), (ii), (ii) and (iv) all are not correct

133. The provision that "no wild animal shall be ordered to be killed unless the chief wildlife warden is satisfied that such animal cannot be captured. tranquilised or translocated" was inserted into Section 11 of the Wildlife Protection Act, 1972 by:

(A) Act 16 of 2003
(B) Act 44 of 1991
(C) Act 23 of 1982
(D) Act 26 of 1993

134. Which of the following statement/ statements is/are correct? (i) Area comprised within any reserve forest or the territorial waters even can constitute as a sanctuary (ii) No person shall tease or molest any wild animal or litter the grounds of sanctuary (iii) The Chief Wildlife Warden cannot grant, to any person permission to enter in a Sanctuary for photography (iv) A person can use in a Sanctuary, chemicals, explosives or any other substances with the permission of Chief Wildlife Warden Codes:

(A) Only (ii) is correct
(B) (ii), (iii) and (iv) are correct
(C) (i), (ii) and (iii) are correct
(D) (i), (ii), (iii) and (iv) all are correct

135. Under which Section of the Wildlife (Protection) Act, 1972, the provisions exist that "No person shall tease, molest, injure or feed any animal or cause disturbance to the animals by noise or otherwise or litter the grounds in a zoo?

(A) Section 38H
(B) Section 38J
(C) Section 38I
(D) Section38G

136. Match List I with List II and give the correct answer by using the codes given below: List I (Definitions of Terms) (a) Tree (b) Forest Produce (c) River (d) Cattle List II (Sections of Indian Forest Act, 1927) (i) Section 2 (1) (ii) Section 2 (7) (iii) Section 2 (4) (iv) Section 2 (5) Codes: (a) (b) (c) (d)

(A) ii iii iv i
(B) i ii iii iv
(C) iii iv i ii
(D) iv i ii iii

137. Under which of the following Sections of the Indian Forest, Act, 1927, the State Government has the power to establish a "Forest Court"?

(A) Section 16
(B) Section 17
(C) Section 18
(D) Section 19

138. The District Magistrate or any Magistrate of the First Class may try summarily any forest offence punishable with imprisonment for a term not exceeding:

(A) 3 months
(B) 6 months
(C) one year
(D) one month

139. Match List I with List II and give the correct answer by using the codes given below: List I (Provisions) (A) Power to impose duty on timber and other forest-produce (B) Seizure of property Liable to Confiscation (C) Punishment for wrong seizure (D) Power to make rules for protected forests List II (Sections of Indian Forest Act, 1927) (i) Section 62 (ii) Section 32 (iii) Section 39 (iv) Section 52 Codes: (a) (b) (c) (d)

(A) iii iv i ii
(B) i ii iii iv
(C) ii iii iv i
(D) iv i ii iii

140. Match List I with List II and give the correct answer by using the codes given below: (A) Penalties and Procedure (B) Of the control over forests and lands not being the property of Government (C) Of Protected Forests (D) of the collection of drift and stranded timber List II (Chapters of Indian Forest Act, 1927) (i) Chapter IV (ii) Chapter VIII (iii) Chapter IX (iv) Chapter V Codes: (a) (b) (c) (d)

(A) i ii iii iv
(B) iv iii ii i
(C) iii iv i ii
(D) ii i iv iii

141. In which of the following cases the Supreme court held that at the stage of framing of charge materials and document filed by the accused cannot be considered. Material produced by the prosecution alone is to be considered. Depriving the accused of the opportunity is not violative of Articles 20 and 14 of the Constitution?

(A) Anil Roy v. State of Bihar
(B) State of Orissa v. Debendra Nath Padhi
(C) Bani Singh v. State of Uttar Pradesh
(D) Pratap Singh v. State of Jharkhand

142. Match List I with List II and give the correct answer by using the codes: List I (Definitions) (a) Complaint (b) Investigation (c) inquiry (d) Victim List II (Sections of Cr.P.C.) (i) Section 2(wd) (ii) Section2(d) (iii) Section 2(h) (iv) Section 2(g) Codes: (a) (b) (c) (d)

(A) iii ii iv i
(B) ii iii iv i
(C) iv i ii iii
(D) i ii iii iv

143. Which one of the following has the power to pass a sentence of imprisonment for a term of ten years under Cr.P.C?

(A) The Court of Magistrate of First Class
(B) The Court of a Chief Judicial Magistrate
(C) An Assistant Sessions Judge
(D) The Court of a Chief Metropolitan Magistrate

144. Under Section 53 of Cr.P.C Examination of accused by medical practitioner is at the request of Police Officer of:

(A) Not below the rank of Inspector
(B) Not below the rank of sub-inspector
(C) Not below the rank of DSP
(D) Not below the rank of SP

145. Procedure when Police Officer deputes his subordinate to arrest without warrant is given under:

(A) Section 56
(B) Section 55
(C) Section 58
(D) Section 59

146. Match List I with List II and give the correct answer by using the codes given. below: List I (A) Security for keeping peace on conviction (B) Security for good behaviour from suspected persons (C) Security for good behaviour from habitual persons (D) Security of keeping peace in other cases List II (A) Section 110 of Cr.P.C. (ii) Section 107 of Cr.P.C. (iii) Section 109 of Cr.P.C. (iv) Section 106 of Cr.P.C. Codes: (a) (b) (c) (d)

(A) ii iii i iv
(B) iv iii i ii
(C) i ii iii iv
(D) iv i ii iii

147. In which of the following cases the Supreme Court held that "The law does not mandate taking of prior permission for further investigation or carrying out further investigations even after filing of charge sheet. It being a statutory right of Police".

(A) State of A.P. v. A.S. Peter
(B) Balbir Singh v. State of Delhi
(C) State of U.P. v. Farid Khan
(D) Union of India v. Padam Narain Agarwal

148. Which of the following statements is not correct?

(A) The term 'charge is defined in Section 2(b) of Cr.P.C
(B) The charge should be clear and specific
(C) It must refer to the Section of the Indian Penal Code under which the offence charged is punishable
(D) There is no need to write the charge in the language of the Court

149. Which one of the following offences is triable summarily under Cr.P.C.?

(A) Wrongful restraint
(B) Abduction in order to murder
(C) House trespass
(D) Offences not punishable with death. imprisonment for life or imprisonment for a term exceeding two years

150. Anticipatory bail" implies:

(A) That the accused gives an undertaking to the Police Officer that he will be available for investigations provided he is not arrested
(B) The direction by the Magistrate to the Police Officer not to arrest the accused
(C) The direction by the Sessions Court or the High Court to the Police Officer to release on bail an accused alleged to have committed the non-cognizable offence(s) in the event of his arrest on the terms and conditions which the Court considers proper, in the case
(D) The Direction by the High Court to the Sessions Court to release the accused Immediately after arrest in a non-bailable offence.