Himachal Pradesh Civil Judge Preliminary Examination 2016-II · Question paper

Himachal Pradesh Public Service Commission · Held 4 September 2016 · 150 questions in three papers · Civil Law I series A, Civil Law II series B, Criminal Law series C. Numbering runs across the three papers.

Paper I · Civil Law I

1. The Code of Civil Procedure does not contain the provision for passing of preliminary decree in the suits for:

(A) accounts between principal and agent
(B) possession and mesne profits
(C) sale of mortgaged property
(D) none of the above

2. Mesne profits of the property shall not include, which the person in wrongful possession of the property:

(A) actually received from such property
(B) might with improvements made by him on such property
(C) made due to improvements made by him on such property
(D) received interest on such profit from such property

3. Which of the following decisions is a decree:

(A) Dismissal of appeal for default
(B) Order of remand
(C) Dismissal of appeal as time barred
(D) Order granting or refusing interim relief

4. Mark the incorrect statement regarding the order and decree:

(A) There may be preliminary decree and preliminary order
(B) Both relate to matters in controversy
(C) Both are decisions given by a court
(D) Both are formal expressions of a decree

5. Which of the following is not a suit of civil nature?

(A) Suits relating to rights of worship
(B) Suits relating to taking out of religious processions
(C) Suits for restitution of conjugal rights
(D) None of the above

6. Foreign judgment as defined under Section 2(6) of Code of Civil Procedure means:

(A) Judgment given by Indian Courts in respect of foreigners
(B) Judgment given by foreign Court
(C) Both (A) and (B)
(D) None of the above

7. In which the Supreme Court held the right to made a 'counterclaim as statutory?

(A) A.V. Papayya Sastry V Govt. of A.P.. AIR 2007 SC 1546
(B) Laxmidas V. Nanabhai, AIR 1964 SC 11
(C) Ittyavira Mathai V Varkey Varkey, AIR 1964 SC 907
(D) Sulochana Amma V. Narayanam Nair. AIR 1994 SC 152

8. In Satyadhyan Ghosal V. Deorjin Debi. 1960 SC 941, the AIR Apex Court explained the doctrine of:

(A) res judicata
(B) abatement
(C) restitution
(D) cypres

9. Under order 16, rule 2 of the Code of Civil Procedure, the expenses of a witness for whom summons have to be obtained, is to be borne by the:

(A) Plaintiff
(B) defendant
(C) party applying for the summons
(D) court

10. Under order 10, rule IA of the Code of Civil Procedure, the court can direct the parties to opt for any mode of alternate dispute resolution:

(A) at any stage of the proceedings
(B) after recording the admissions and denials
(C) before recording the admissions and dentals
(D) all of the above

11. Under order 7. rule 9 of the Code of Civil Procedure, when the court orders for summons be to present the copy(ies) of the plaint along with the requisite fee within:

(A) 7 days of the order
(B) 10 days of the order
(C) 12 days of the order
(D) 15 days of the order

12. Under order 5, rule 9A of the Code of Civil Procedure, summons for serving on the defendant, can be delivered to:

(A) Courier service
(B) Plaintiff
(C) Process officer
(D) All of these

13. When the court grants ex parte injunction without issuing notice to the opposite party, recording of reasons by the court is:

(A) not essential
(B) mere formality
(C) mandatory
(D) discretionary

14. Under Section 75 of the Code of Civil Procedure, the court cannot issue a commission for the purpose of:

(A) to make local investigation
(B) to make partition
(C) to adjust accounts
(D) none of these

15. A right of review is:

(A) Substantive only
(B) Procedural only
(C) Substantive as well as procedural
(D) None of the above

16. No appeal shall lie from an order:

(A) refusing leave to institute a suit against public nuisance
(B) refusing leave to institute a suit in case of breach of trust
(C) returning a plaint to be presented to the proper court
(D) none of the above

17. Presumptions of law, under the Indian Evidence Act, are:

(A) Rebuttable only
(B) Irrebuttable only
(C) Rebuttable and irrebuttable
(D) none of these

18. Under the Indian Evidence Act. 'relevancy' is:

(A) Matter of logic
(B) Matter of law
(C) Identical to admissibility
(D) none of these

19. For conduct to be relevant under Section 8 of the Indian Evidence Act, it:

(A) Must be previous
(B) Must be subsequent
(C) Either previous or subsequent
(D) None of the above

20. Explanation to Section 5 of the Indian Evidence Act, provides that Section 5 shall not enable any person to give evidence which he is disentitled by:

(A) Code of Civil Procedure
(B) Code of Criminal Procedure
(C) Both (A) and (B)
(D) Registration Act, 1908

21. For the application of Section 6 of the Indian Evidence Act, facts occurred:

(A) at the same time and place only
(B) at different time and place only
(C) at the same time and place, or at different time and place
(D) none of the above

22. The subject matter of 'doctrine of res gestae' has been included under the Indian Evidence Act in

(A) Section 6 only
(B) Section 6 to 9 only
(C) Sections 6 to 9 and Section 14
(D) None of these

23. Under Section 32(1) of the Indian Evidence Act, statement of a person who is dead to be admissible:

(A) may relate to the cause of his own death
(B) must relate to the cause of his own death
(C) must relate to the cause of someone else death
(D) all of the above

24. Admission under Section 31 of the Indian Evidence Act may operate as:

(A) estoppels
(B) conclusive proof
(C) proved
(D) shall presume

25. Under Section 30 of the Indian Evidence Act, confession of co-accused is not admissible if:

(A) confession is self-exculpatory
(B) there is joint trial of all the accused
(C) all the accused tried for the same offence
(D) confession must be proved before it is used

26. Under the Indian Evidence Act, for the entries in the books of account to be relevant, what is not essential?

(A) Books must be regularly kept
(B) Books must be kept in the course of business
(C) Entries must have reference to matter under enquiry
(D) None of the above

27. Section 41 of the Indian Evidence Act deals:

(A) Judgments in personam
(B) Judgments in rem
(C) Both (A) and (B)
(D) None of these

28. Seals which are not judicially noticeable:

(A) Seals of all courts in India
(B) Seals of all courts in India established by the authority of the Central Government
(C) Seals of all courts of admiralty and maritime jurisdiction
(D) None of the above

29. New section was substituted for Section 119 in the Indian Evidence Act by the Criminal Law (Amendment) Act. 2013, which deals about:

(A) presumption as to absence of consent in certain prosecution for rape
(B) evidence of character not relevant in certain cases
(C) witnesses unable to communicate verbally
(D) questions not to put in cross-examination of the victim of offence of rape

30. By Criminal Law (Amendment) Act, 2005 (Act 2 of 2006) sub-clause (2) was inserted in Section 154 of the Indian Evidence Act; which provides

(A) The person permitted is not entitled to rely on any part of the evidence of such witness
(B) The person permitted is entitled to rely on any part of the evidence of such witness
(C) The evidence of such witness may be rejected
(D) The evidence of such witness must be corroborated

31. What is the category of person who is mentioned in Section 33 of the Indian Evidence Act but not in Section 32 of the India Evidence Act?

(A) Who cannot be found
(B) Who has become incapable of giving evidence
(C) Who is kept out of the way by the adverse party
(D) Whose attendance cannot be procured without unreasonable delay

32. Bhuboni Sahu V. Emperor, AIR 1949 PC 257, this case refers to:

(A) evidentiary value of confession of co- accused
(B) test identification parade
(C) dying declaration
(D) hostile witness

33. Who appoints the Additional District Judge under Section 6 of the Himachal Pradesh Courts Act, 1976?

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

34. Section 14 of the Himachal Pradesh Courts Act. provides that the High Court may authorize any Civil Judge to take cognizance of proceeding under:

(A) The Provincial Small Cause Courts Act,1887
(B) Code of Civil Procedure, 1908
(C) The Provincial Insolvency Act, 1920
(D) Code of Criminal Procedure. 1973

35. Under the Indian Stamp Act, 1899 mortgage is transfer of:

(A) Immovable property only
(B) movable property only
(C) immovable and movable properties
(D) None of the above

36. Under sub-clause (14) of Section 2 of the Indian Stamp Act, whether a copy of a document is an instrument?

(A) Yes
(B) No
(C) Yes. if any right is created by the document
(D) Yes, if any right is transferred by the document

37. Section 5 of the Indian Stamp Act, applies when any instrument relates to:

(A) single matter
(B) more than one matter
(C) both (A) and (B)
(D) none of the above

38. Section 8-B of the Indian Stamp Act, which deals demutualisation schemes. was inserted by:

(A) Act 22 of 1996
(B) Act 10 of 2000
(C) Act 23 of 2004
(D) Act 18 of 2005

39. Under the Indian Stamp Act, in case of a certificate of sale, in the absence of any agreement to the contrary, the expenses for providing proper stamp shall be borne by:

(A) purchaser of the property
(B) seller of the property
(C) seller and purchaser of the property
(D) none of the above

40. The word 'chargeable' used in sub- clause (6) of Section 2, as applied to an instrument executed after the commence-ment of Indian Stamp Act. 1899 means:

(A) chargeable under the Indian Stamp Act, 1899
(B) chargeable under the Indian Stamp Act, 1899 and under any other law
(C) chargeable under the Indian Stamp Act, 1899 and the Negotiable Instrument Act. 1881
(D) None of the above

41. All duties and penalties under Chapter IV of the Indian Stamp Act. 1899 may be recovered by:

(A) State Government
(B) Collector
(C) Governor
(D) High Court

42. Provisions regarding 'allowance for misused stamps are provided in the Indian Stamp Act, under:

(A) Section 49
(B) Section 50
(C) Section 51
(D) Section 52

43. The word and expressions used in the Specific Relief Act but not defined in that Act, have the meaning as defined in:

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

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

(A) Private Individual
(B) Government
(C) Both (A) and (B)
(D) None of these

45. Explanation of Section 34 of the Specific Relief Act, explain:

(A) Contract in writing
(B) Unfair advantage
(C) Trustee of property
(D) None of the above

46. Under Section 21 of Specific Relief Act, the compensation may be awarded if:

(A) Plaintiff claimed the compensation
(B) Plaintiff has not claimed the compensation
(C) Both (A) and (B)
(D) None of the above

47. Explanation to Section 10 of the Specific Relief Act, lays down the:

(A) Presumptions of facts
(B) Rebuttable Presumptions of law
(C) Irrebuttable Presumptions of law
(D) None of the above

48. Section 18 of the Specific Relief Act, deals specific performance of:

(A) Written and Oral Contracts
(B) Oral Contracts
(C) Written Contracts
(D) None of these

49. The Injunction which is in effect a decree:
(A) temporary injunction
(B) Perpetual injunction
(C) temporary or Perpetual injunction
(D) None of the above

50. The provisions of Section 17 of the Specific Relief Act, applies to:
(A) immovable property only
(B) movable property only
(C) immovable property and movable property
(D) one of the above

Paper II · Civil Law II

51. 'A' gives sheesham wood to 'B' a carpenter for making Almirah. The carpenter's charges are settled at Rs. 6,000. After the Almirah is ready 'A' tender Rs. 6,000 for the charges, but carpenter refuses to deliver the Almirah till 'A' pays an old due. In such cases:
(A) 'B can refuse to deliver the Almirah
(B) 'B' cannot refuse to deliver the Almirah
(C) can refuse in certain circumstances
(D) 'B' can sell the Almirah

52. Which one of the following is not provided in Sections 4 and 5 of the Contract Act?
(A) Communication of offer
(B) Communication of acceptance
(C) Revocation of proposal and acceptance
(D) Revocation of contract

53. Promissory estoppels is sometimes spoken of as a substitute for:
(A) Novation
(B) Quasi-contract
(C) Consideration
(D) Coercion

54. Consideration is: (1) A motive for any promise (2) A price for any promise (3) Only a moral obligation (4) Something of value in the eye of law, of these statements:
(A) 1, 2 and 3 are correct
(B) 1, and 4 are correct
(C) 2 and 4 are correct
(D) only 3 is correct

55. Consider the following statements with regards to "uberrima fides": (1) It fails within a class of cases, which requires utmost good faith (2) Every contract is a contract" uberrima fides (3) Contract of insurance is an example of "uberrima fides" Code:
(A) 1, 2 and 3 are correct
(B) 1, and 3 are correct
(C) 2 and 3 are correct
(D) 1 and 2 is correct

56. In which of the following cases, it was held that a contract through telephone is considered concluded at the place where acceptance is heard?
(A) Bhagwan has Vs. Girdhari Lal
(B) Carlill Vs. Carbolic Smoke Ball Co.
(C) Satyabrat Ghosh Vs. Mugnce Ram
(D) State Bank of India Vs. Quality Bread Factory

57. Consideration has been described as a modification of the Roman principle of 'causa adopted by equity and transferred thence into the common law:
(A) Harriman
(B) Salmond
(C) Prof. James Barr Ames
(D) Justice Holmes

58. Which contract is specifically enforceable?
(A) Contract of marriage
(B) Contract by 'B' to deliver a lecture of law at Punjab, Chandigarh University
(C) A contract by B with 'A' to supply goods as and when 'A' requires
(D) None of the above

59. A' enters into a contract with 'B' for which 'B' is guilty of fraud. A can
(A) set aside the contract but cannot recover damages
(B) only recover damages
(C) set aside the contract and can recover damages also
(D) none of the above

60. Novation of a contract means:
(A) Renewal of original contract
(B) Substitution of a new contract in place of original contract
(C) Alteration of contract
(D) Rescission of contract

61. Under Hindu Adoptions and Maintenance Act, 1956 a person who was adopted, when he was above the age of 15 years under custom. Whether adoption was:

(A) Valid
(B) Invalid
(C) Void
(D) Irregular

62. In which of the following cases, the Supreme Court has held that illegitimate child, born out of live-in- relationship cannot claim inheritance in coparcenary property"?

(A) Gayatri Bajaj Vs. Jitin Bhalla, AIR 2013 SC 102
(B) Anil Kumar Jain Vs. Maya Jain. AIR 2010 SC 229
(C) Bharata Matha Vs. Vijay Ranganathan, AIR 2010 SC 2685
(D) None of the above

63. In which of the following cases, the Supreme Court has held that "No court except the Supreme Court is competent to pass a decree for mutual divorce, if one of the consenting parties withdraw his/her consent before the decree is passed "?

(A) Ashok Hurra Vs. Rupa Bipin Zaveri, AIR 1997 SC 1266
(B) Sureshta Devi Vs. Om Prakash, AIR 1992 SC 1904
(C) Veena Vs. State Govt. of NCT Delhi AIR 2011 SC 3469
(D) Anil Kumar Jain Vs. Maya Jain AIR 2010 SC 229

64. Rule 2 of Section 10 of the Hindu Succession Act, 1956 is a:

(A) Per capita rule
(B) Per stirpes
(C) Both (A) and (B)
(D) Rule of exclusion

65. 'A' has a son 'B', a mother 'M' and two wives W1 and W2 'B' sues 'A' for partition. 'M' will get any share under Mitakshara Law:

(A) 1/4
(B) 1/5
(C) 1/6
(D) No share

66. 'A' Hindu dies intestate leaving behind two sons, one daughter and widow. His property shall devolve to:

(A) Sons only
(B) Sons and daughters
(C) Widow only
(D) Sons, daughters and widow all

67. In a suit for maintenance arrears can be claimed for the last:

(A) 7 years
(B) 5 years
(C) 3 years
(D) 1 year

68. "Hindu Law is law of smrities, said by:

(A) J.D.M. Darret
(B) Salmond
(C) Maine
(D) K.P. Rangaswami

69. Marriage with "Eunuch" is

(A) illegal
(B) legal
(C) void
(D) voidable

70. The Hindu Succession (Amendment) Act, 2005 has abolished the doctrine of the pious obligation under provision:

(A) Section 6 (2)
(B) Section 6 (3)
(C) Section 6 (2) and Section 6(3), both
(D) Section 6(4)

71. Which one of the following Sections of the Transfer of Property Act defines "Marshalling by subsequent purchaser?

(A) Section 81
(B) Section 57
(C) Section 92
(D) Section 56

72. 'A' sells his agriculture land to 'B' with a condition that B can cultivate only wheat, but cannot grow the crops of paddy. Point out the correct answer.

(A) Transfer is void
(B) Transfer is valid
(C) The condition is void
(D) Both (B) and (C)

73. When does" unborn person" acquire vested interest on transfer under Transfer of Property Act?

(A) on attaining majority
(B) on attaining 21 years of age
(C) before attaining the age of puberty
(D) as soon as he is born

74. "Attested" in relation to an instrument means and shall be deemed always to have mean attested by at least:

(A) One witness
(B) Two witness
(C) Three witness
(D) Four witnesses

75. 'A' gift comprising both existing and future property is:

(A) Valid
(B) Void
(C) Void as to the existing property
(D) Void as to the future property

76. The provisions of Section 53 A of the Transfer of Property Act were amended by the Transfer of Property (Amendment) Act, 2001 and this came into force with effect from:

(A) 24th September, 2001
(B) July 2002
(C) 25th October,2001
(D) 26th September, 2001

77. In which of the following cases, the Supreme Court has held that "It is open to the donor to transfer by gift, title and ownership in the property and the same time reserve life possession and enjoyment to himself?

(A) Lai Chand Vs. Distt. Judge. Agra (1999) 8 SCC 351
(B) Nandilal Vs. Moti Lal (1977) 3 SCC 500
(C) K. Balakrishnan Vs. K. Kamalam (2004)1 'SCC 581
(D) Mansoor Khan Vs. Motiram H. Kharat (2002) SCC 462

78. Section 37 of T. P. Act on right of proceeds of revenue compensation on acquisition is based on:

(A) Doctrine of Election
(B) Doctrine of Substituted Security
(C) Doctrine of Marshalling
(D) Doctrine of Contributions

79. V. Dhanpal Chittar Vs. Yesodai Animal, is related to:

(A) Section 105 TPA
(B) Section 106 TPA
(C) Section 107 TPA
(D) Section 104TPA

80. Match List I with List II and select the correct answer by using the codes given below it: List I (Name of Case) (A) Abdul Shakoor v. Arjit P. Rao (B) SVR Mudaliar v. Rajababu (C) Parmeswaran Govindan v. Krishnan Bhaskaran & others (D) Variavan Saraswathi v. Eachampi Thevi List-II (Section) (i) Section 53 (ii) Section 60 (iii) Section 92 (iv) Section 54 Codes: (a) (b) (c) (d)

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

81. The Hon'ble High Court Himachal Pradesh at the request of the State Government gave time to the State for re-enacting the provisions under challenge upto:

(A) 17th August, 1987
(B) 18 August, 1987
(C) 14 September, 1987
(D) 18th September, 1987

82. V. Dhanpal Chettiar Vs. Yasodat Ammmal related to rent control legislation falls under:

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

83. In which case, the H.P. Urban Rent Control Act, 1971 has been challenged on the ground that it has not been assented by the President of India?

(A) Bishamber Lal Sood v. State
(B) Malik Chand v. Ram Sarup
(C) M. M. Chawla v. J.S. Sethi
(D) Mangat Ram v. Kedar Nath

84. Notice to terminate non-agriculture tenancy shall be:

(A) of 15 days
(B) In writing
(C) signed by the person giving notice or agent
(D) all of the above

85. In which of the following cases, the court held that "Improvement made before the determination of fair rent cannot be taken into consideration in allowing increase under Section 6 of H.P.U.R.C. Act, 1987

(A) Mangat Ram v. Kedar Nath
(B) Ramji Dass v. Roshan Lal
(C) Ishari Devi v. Mahabir Prasad
(D) Bhagat Ram v. Brij Nath

86. Once the controller comes to the conclusion that the building is unsafe and unfit for human habitation petition becomes meaningless under:

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

87. Conversion of a residential building into a non-residential building under Section 12 HPURC Act, 1987:

(A) Tehsildar
(B) Commissioner
(C) Collector
(D) All of these

88. The contravention of the statutory injunction as contained in Section 11 has been made punishable under:

(A) Section 30(1)
(B) Section 30(ii)
(C) Section 30(4)
(D) Section 30(5)

89. In case the arrears pertains prior to 18th August 1987, the rate of interest shall be charged:

(A) 10% per annum
(B) 9% per annum
(C) 6% per annum
(D) All of these

90. In which of the following cases, the High Court has held that "The period of 30 days under third proviso of Section 14(2) cannot be extended by Collector or Appellate Authority and eviction of the tenant must follow:

(A) Swami Bhandari Vs. Sheela Sharma
(B) Krishna Kumar Vs. Gurbex Singh
(C) K.N. Trding Vs. Massonic Fraternity Shimla
(D) All of the above

91. In which of the following cases, the Supreme Court held that the expression "other cause of like nature must be so interpreted as to convey something analogous to the proceeding suffering from defect of Jurisdiction.

(A) Zafar Khan Vs. Board of Revenue AIR 1985 SC 39
(B) Mangat Rai Vs. Kedar Nath AIR 1980 S 1709
(C) Vijay Raje Scindia Vs. State of UP AIR 1986 SC 756
(D) UCO Bank Vs. H.C. Sarkar AIR 1990 SC1329

92. In which case, the Supreme Court held that no limitation is prescribed for the purpose of filing a writ petition against any executive action?

(A) Mangat Rai Vs. Kedar Nath AIR 1980 SC 1709
(B) Vijay Raje Scindia Vs. State of UP AIR 1986 SC 756
(C) N. R. Joshi Vs. L.I.C. AIR 1970 SC 209
(D) Vijay Kumar Vs. Diwan Devi AIR 1985 SC 1669

93. A suit for recovery of dower is made by the Muslim wife against her husband is attracted by the provisions of Limitation Act, 1963:

(A) Section 29(1)
(B) Section 29(2)
(C) Section 29(3)
(D) None of these

94. Section 10 the Limitation Act, 1963 applies in case of:

(A) Ordinary bailment
(B) Void ab-initio trust
(C) Suit for account
(D) None of the above

95. Section 14 is not applicable to:

(A) Contempt proceeding
(B) Maintenance proceedings S. 125 Cr.P.C.
(C) Criminal proceedings
(D) None of the above

96. In which of the following cases, the Supreme Court held that an application under Order 21, & 95 C.P.C. cannot be construed as an application for execution and not attracted by Section 15(1) of Limitation Act, 1963?

(A) Ganpat Singh Vs. Kailash Shankar AIR 1987 SC 1443
(B) Lata Vs. Vilas AIR 1989 SC 1477
(C) Om Parkash Jaiswal Vs. D.K. Mittal AIR 2000 SC 1136
(D) Pallav Seth Vs. Custodian (2001) 7 SCC 549

97. Acknowledgment after the period of limitation:
(A) is of no effect
(B) gives rise to an independent and enforceable contract
(C) is of great value
(D) none of the above

98. 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

99. 'A' suit by a ward, who has attained majority to set aside a transfer of property by his guardian must be brought from the date when the ward attain majority under Limitation Act, 1963:
(A) After two years
(B) After three years
(C) Within two years
(D) Within three years

100. 'A' mortgage deed was executed on 8th March 1947, and the suit for redemption was filed in the year 1976. Hence the suit was held to be:
(A) barred by the limitation period
(B) within limitation period
(C) either (A) or (B)
(D) none of the above

Paper III · Criminal Law

101. The maximum imprisonment for committing an offence under Section 138 of the Negotiable Instruments Act. 1881 is:
(A) Six months
(B) One year
(C) Two years
(D) Three years

102. No offence is made out under Section 138 of the Negotiable Instruments Act, 1881 is unless the cheque is presented to the bank within a period of:
(A) One month
(B) Two month
(C) Three months
(D) Six month

103. Which one of the following has the power to try any offence punishable under Section 138 of the Negotiable Instruments Act, 1881?
(A) Court of Judicial Magistrate 2nd Class
(B) Executive Magistrate
(C) District Magistrate
(D) A Metropolitan Magistrate

104. Which of the follow statements is/are correct (1) Chapter. XVII of the Negotiable Instruments Act, 1881 was inserted by Act of 66 of 1988. (2) For the purpose of Section 138 of the Negotiable Instruments Act. 1881 "debt or liability "means any debt or other liability. (3) The period for issue of notice by the payee to the drawer from 15 days to 30 days was substituted by the Act 66 of 1988. (4) Every trial of offences under Chapter XVII shall, as possible as, be concluded within six months from the date of filing the complaint. Codes.
(A) (1) and (2) are correct
(B) Only (1) and (4) are correct
(C) (1), (2) and (3) are correct
(D) (1), (2), (3) and (4) are all correct

105. Which Section of the Chapter XVII of the Negotiable Instruments deals with, if the offence under Section 138 is committed by the companies?
(A) Section 139
(B) Section 141
(C) Section 142
(D) Section 143

106. Match List I with List II and give the correct answer using the codes. List I: (a) Weapons; (b) Vehicles; (c) Livestock; (d) Land. List II: (i) Creeks; (ii) Yaks; (iii) Mule; (iv) Poison. Codes (a, b, c, d):
(A) i ii iii iv
(B) iii iv i ii
(C) iv iii ii i
(D) ii i iv iii

107. Which one of the following is not the member of National Board for Wildlife?

(A) The Prime Minister of India
(B) The Chief of the Army Staff
(C) The Director-General of Tourism, Govt of India
(D) The Law Minister of India

108. Which of the following statements is/ are correct in reference to hunting of wild animal? (1) Wild animal which has become dangerous to human life can be allowed to be hunted by Chief Wildlife Warden (2) Wild animal diseased to such an extent that huge expenditures will be incurred to cure the animal, may be allowed to be killed. (3) Any wild animal if killed in defence of oneself, shall be a punishable offence (4) No wild animal can be tranquilised for the purpose of capturing such animal. Codes:

(A) (1) and (2) are correct
(B) Only (1) is correct
(C) (1), (2) and (3) are correct
(D) (2), (3) and (4) are correct

109. From the date of notification of declaration of sanctuary under Section 18 of the Wildlife (Protection) Act, 1972 the collector shall, as far as complete the acquisition proceeding possible, within a period of :

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

110. The chairperson and every member (other than the member secretary) of the Central Zoo Authority shall hold office for such period, not exceeding:

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

111. The Forest Settlement Officer is appointed by the State Government, under which of the following provisions of the Indian Forest Act, 1927?

(A) Section 4 sub-section 1 clause (A)
(B) Section 4 sub-section 1 clause (B)
(C) Section 4 sub-section 1 clause (C)
(D) Section 4 sub-section (2)

112. Match List I with List II and give the correct answer by using the codes given below lists List-1 (A) 'Cattle (B) 'Forest Produce (C) River' (D) "Tree List-II (i) Creeks (ii) Rams (iii) Stumps (iv) Catechu (A) (B) (C) (D)

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

113. Which Chapter of the Indian Forest Act, 1927 provides for the power of State Government to constitute "Protected Forests"?

(A) Chapter III
(B) Chapter II
(C) Chapter IV
(D) Chapter VI

114. Match List I with List II and give the correct answer by using the codes given below lists. List I (Provisions) (A) Power to impose duty on Timber and other forest produce (B) Formation of village-forests (C) Power to try forest-offences summarily (D) Power to arrest without warrant List II (Sections of the Indian Forest Act. 1927) (i) Section 28 (ii) Section 67 (iii) Section 64 (iv) Section 39 (A) (B) (C) (D)

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

115. Under Which of the following Section of the Indian Forest Act, 1927, the State Government can invest forest officers the powers of civil court to compel attendance of witnesses and production of documents and power to issue a search warrant under the Code of Criminal Procedure?

(A) Section 79
(B) Section 75
(C) Section 72
(D) Section 68

116. Read both Assertion (A) and Reason (R) and give the correct answer by using the codes given below it: Assertion (A): Excise Revenue" means any revenue derived from any payment, duty. license fee fine or penalty imposed or confiscation ordered under the Himachal Pradesh Excise Act, 2011. Reason (R): "Excise Revenue" also includes a fine imposed by a Court of Law. 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 (R) is wrong
(D) (A) is wrong (R) is correct

117. Match List I with List II and give the correct answer by using the codes given below the lists. List I: (a) Power to investigate; (b) Power to close liquor vends; (c) Prohibition of import, export or transport of liquor; (d) Cognizance of offences. List II: (i) Section 21; (ii) Section 55; (iii) Section 9; (iv) Section 14. Codes:

(A) a–iii, b–i, c–iv, d–ii
(B) a–i, b–ii, c–iii, d–iv
(C) a–ii, b–iii, c–i, d–iv
(D) a–iv, b–ii, c–iii, d–i

118. No court shall take cognizance of an offence under sub-section (1) of section 55 of the Himachal Pradesh Excise Act, 2011, provided the offence is punishable with imprisonment for a term exceeding one year, unless the case is filed within:

(A) Six months
(B) One year
(C) Three years
(D) Two years

119. Which pairs of the following are correctly matched? Provisions / Sections of H.P. Excise Act, 1927: (1) Confiscation of articles in respect of which offence committed — Section 60; (2) Power to cancel or suspend licences etc. — Section 32; (3) Payment of compensation — Section 42; (4) Composition of offences by the Collector — Section 66. Codes:

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

120. Which of the following statements is/are correct? (1) All police officers shall aid the Excise officers in carrying out the purpose of the H.P. Excise Act. (2) The District Magistrate shall prescribe the day(s) on which liquor vend shall remain closed. (3) All offences punishable under the H.P Excise Act shall be bailable. (4) The Collector has the power of composition of offences committed under the H.P. Excise Act. Codes:

(A) (1), (2) and (3) are correct
(B) (1), (3) and (4) are correct
(C) (3), (4) and (2) are correct
(D) (1), (2) (3) and (4) all are correct

121. Warrant case means a case:

(A) in which a police officer can arrest without a warrant
(B) in which the court in the first instance, shall issue a warrant of arrest against the accused
(C) relating to an offence punishable with death. imprisonment for life or imprisonment for a term exceeding two years.
(D) relating to an offence punishable with death imprisonment for a term not exceeding two years

122. When did the Criminal Procedure (Amendment) Act, 2008 (5 of 2009) come into effect?

(A) 30-12-2009
(B) 01-01-2008
(C) 31-12-2009
(D) 31-12-2008

123. A Metropolitan Magistrate is equivalent to:

(A) Judicial Magistrate of 1st class
(B) Judicial Magistrate of 2nd class
(C) Chief Judicial Magistrate
(D) Executive Magistrate

124. In which of the following cases the Supreme Court has laid down certain requirement to be followed in all cases of arrest or detention?

(A) Nandini Satpathy Vs. State of Orissa
(B) D.K. Basu Vs. State of West Bengal
(C) Keshvananda Bharti Vs. State of Kerala
(D) A.K. Roy Vs. Union of India

125. In which of the following cases it was held that the accused cannot use the case-diary? Neither the accused nor his counsel can requisite the case diary and they cannot claim to go through it?

(A) State of U.P. Vs. Harish Chander Singh
(B) Madhu Limaye Vs. Union of India
(C) Mukund Lal Vs. Union of India
(D) J.M. Desia Vs. State of Bombay

126. Which Chapter of the Cr. P.C. deals with the provisions relating to security for keeping the peace and for good behaviour?

(A) Chapter VIII
(B) Chapter VII
(C) Chapter X
(D) Chapter IX

127. Under Section 199(2) of the Cr.P.C. a complaint to the Court of Sessions in original jurisdiction must be filed within:

(A) 3 months of the commission of the offence
(B) 6 months from the date of commission of the offence
(C) 1 year form the date of commission of the offence
(D) 2 years from the date of commission of the offence

128. In which of the following cases it was held that under Section 307 of Cr. P.C. once a case is committed for trial by a Session Court then only court that can tender pardon to an accused is the court to which the committed has been made?

(A) Piara Singh Vs. State of Punjab
(B) A. Devendran Vs. State of Tamil Nadu
(C) State of Kerala Vs. Monu D.
(D) Rameshwar Vs. State of Rajasthan

129. Under which Section of the Code of Criminal Procedure can joint trial of several person be possible?

(A) Section 221 of Cr. PC.
(B) Section 222 of Cr. PC.
(C) Section 223 of Cr. PC.
(D) Section 224 of Cr. PC.

130. Match List I with List II and select the correct answer. List I: (a) High Court's power of revision; (b) Examination of complainant; (c) Cognizance of offences by Magistrates; (d) Order for maintenance. List II: (i) Section 200 CrPC; (ii) Section 401 CrPC; (iii) Section 125 CrPC; (iv) Section 190 CrPC. Codes (a, b, c, d):

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

131. Which of the following statements is/are correct? (1) Indian Penal Code is divided into XXIII Chapters. (2) The draft of the Indian Penal Code was prepared by Dr. Hari Singh Gaur (3) The Prime Minister of India is exempted from the application of Indian Penal Code. (4) "Imprisonment for Life" was substituted for the words Transportation for Life" by the Act, XXVI of 1955. Codes:

(A) Only (1) is correct
(B) (1) and (2) are correct
(C) (2), (3) and (4) are correct
(D) (1) and (4) are correct

132. Which of the following statements is/are correct with reference to Section 34 of the Indian Penal Code? (1) Section 34 of the Penal Code creates no specific offence. (2) The words "in furtherance of the common intention of all were added to Section 34 by the IPC (Amendment) Act of 1870. (3) Section 34 incorporates the, principle of absolute liability. (4) Afsan Guru case which is also commonly known as "Parliament Attack Case" is related to Section 34. Codes:

(A) (1) is only correct
(B) Both (1) and (2) are correct
(C) (1), (2) and (3) are correct
(D) (2), (3) and (4) are correct

133. The term 'counterfeit has been defined under which of the Sections of the Penal code?

(A) Section 28
(B) Section 29
(C) Section 30
(D) Section 25

134. The corporal punishment of whipping, added to the Penal code by the Whipping Act. of 1864 as punishment for certain crimes, was abolished in the year:

(A) 1955
(B) 1978
(C) 1949
(D) 1957

135. Which of the following sections of the Indian Penal Code incorporates the common law principle of "ignorantia facit doth excusat, ignorantia juris non excusat"?

(A) Only Section 76
(B) Section 76 and 79 both
(C) Section 77 and 78
(D) Section 84 and 85

136. Which one of the following Sections of Penal Code is based upon the maxim "de mimis non curat tex"?

(A) Section 86
(B) Section 93
(C) Section 96
(D) Section 95

137. Match List I with List II and give the correct answer. List I: (a) Queen v. Dudley and Stephens; (b) Basudev v. State of Pepsu; (c) R. v. Wilson; (d) Jai Lal v. Delhi Administration. List II: (i) Section 86; (ii) Section 84; (iii) Section 81; (iv) Section 87. Codes (a, b, c, d):

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

138. The Acts against which there is no right of Private Defence are mentioned under Penal Code under:

(A) Section 98
(B) Section 99
(C) Section 100
(D) Section 101

139. Which one of the following cases is not related to the offence of conspiracy?

(A) R. Venkata Krishna Vs. Central Bureau of Investigation
(B) Ram Narain Poply Vs. C.B.I.
(C) State (CBI/SIT) Vs. Nalini
(D) Mathurala Adi Reddy Vs. State of Hyderabad

140. Match List I with List II and select the correct answer. List I: (a) When the right of private defence of the body extends to causing death; (b) Dowry death; (c) Voluntarily causing grievous hurt by use of acid, etc.; (d) Punishment for extortion. List II: (i) Section 304B; (ii) Section 326A; (iii) Section 384; (iv) Section 101. 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

141. Read both Assertion (A) and give the correct answer by using the codes given below: Assertion (A): Nothing is an offence which is done by a person who, at the time of doing it. by reason of unsoundness of mind is incapable of knowing the nature of the act. Reason (R): Mistake of fact is a good defence and mistake of law is no defence 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 (R) is wrong
(D) (A) is wrong (R) is correct

142. Which of the following combination is correctly matched ?

(A) Involuntary intoxication- Section 86
(B) Basudeo v. State of Pepsu- Section 87
(C) Attempt to Commit Suicide - Section 306
(D) Bigamy Section 497

143. There is no offence of Adultery if it committed with the consent of :

(A) Women
(B) Husband of the woman
(C) Family member of the woman
(D) Wife of the adulterer

144. 'A' finds a valuable diamond. Not knowing to whom it belongs 'A' sells it immediately without attempting to discover the owner. 'A' is guilty of the offence of:

(A) Theft as it is causing wrongful gain to him
(B) Breach of trust
(C) Extortion
(D) Criminal misappropriation of property

145. Which of the following combinations is correctly matched? (1) K.M. Nanavati v. State of Maharashtra — Grave and sudden provocation; (2) State of H.P. v. Asha Ram — Rape; (3) Karan Singh v. State of U.P. — Right to private defence; (4) Harjit Singh v. State of Punjab — Dowry death. Codes:

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

146. Under which of the following pairs of Section of Penal Code, there is provision of death sentence? Answer with the help of the codes given below it. (1) Section 194 and 449 (2) Section 132 and 194 (3) Section 364-A and 396 (4) Section 124-A and 132 Codes:

(A) (1), and (2) only
(B) (2), and (3) only
(C) (3), and (4) only
(D) Only (3) is correct

147. Match List I with List II and give the correct answer by using the codes given below the lists: List-1 (offences) (A) Criminal Breach of Trust (B) Public Nuisance (C) Dacoity with Murder (D) Assault with intention to outrage the modesty of a woman List-II (Section I.P..C) (i) Section 396 (ii) Section 354 (iii) Section 405 (iv) Section 268 Codes: (A) (B) (C) (D)

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

148. Section 303 of IPC has been held by the Supreme Court to be Ultravires of the Constitution in which one of the following cases:

(A) Reg v. Govinda
(B) Mithu v. State of Punjab
(C) Madhi Singh v. State of Punjab
(D) Bachan Singh v. State of Punjab

149. Section 124-A which defines 'Sedition' was inserted in the Indian Penal Code by:

(A) Act XIX of 1898
(B) Act XXVII of 1870
(C) Act XXI of 1875
(D) Act IX of 1855

150. The offence of giving the false evidence is also known as:

(A) Prejudice
(B) Perjury
(C) Pericardiarn
(D) Forgery