Kerala Judicial Service Prelims 2025: Solution

High Court of Kerala · Preliminary Examination, held 22.06.2025 · 100 questions

Part A

1. What is the correct application of the principle underlying in 'rejection of plaint' under Order VII Rule 11 of the Code of Civil Procedure, 1908 ?

(A) a plaint can be partially rejected against some defendants while continuing against others
(B) the plaint must either be rejected as a whole or not at all
(C) only specific claims within the plaint can be dismissed while the rest proceeds to trial
(D) the Court can reject portions of the plaint selectively based on the merits of each claim

Answer: (B) the plaint must either be rejected as a whole or not at all

The unit of rejection under Order VII Rule 11 is the plaint as a whole. The rule determines whether the pleading can be maintained on the grounds it specifies, such as failure to disclose a cause of action. It does not authorize an order rejecting the plaint against some defendants while keeping that same plaint alive against others.

2. Going by Order II Rule 2 (3) of the Code of Civil Procedure, 1908, what is the legal implication if a plaintiff omits to sue for one of several reliefs arising from the same cause of action ?

(A) the plaintiff can file a fresh suit for the omitted relief at any time
(B) the plaintiff can claim the omitted relief later only with the defendant's consent
(C) the plaintiff cannot file a separate suit for the omitted relief later unless the Court had granted permission
(D) the plaintiff can seek the omitted relief through an amendment of the original suit at any stage

Answer: (C) the plaintiff cannot file a separate suit for the omitted relief later unless the Court had granted permission

A plaintiff entitled to several reliefs from one cause of action can choose which to claim, but Order II Rule 2(3) generally bars a later suit for an omitted relief. Leave from the court in the first suit preserves that relief. The defendant's consent alone does not substitute for the court's leave.

3. As per s.17 of the Code of Civil Procedure, 1908, where can a suit be filed, if it relates to immovable property situated within the jurisdiction of different Courts ?

(A) the suit must be instituted only in the Court where the majority of the property is located
(B) the suit may be instituted in any Court within whose jurisdiction any portion of the property is situated
(C) the suit can only be filed in the Court where the defendant resides, regardless of property location
(D) the suit must be filed separately in each Court where a portion of the property is situated

Answer: (B) the suit may be instituted in any Court within whose jurisdiction any portion of the property is situated

Section 17 permits the plaintiff to sue in any court within whose territorial jurisdiction part of the immovable property lies. The court selected must also be competent to hear the entire claim by value. The statute does not require filing in the district containing most of the property or dividing the claim into separate suits.

4. Filing of review is provided in Section .....of the Code of Civil Procedure, 1908.

(A) 113
(B) 115
(C) 96
(D) 114

Answer: (D) 114

Section 114 provides for review by the court that passed the decree or made the order. It covers, among other cases, an appealable decree or order when the applicant has brought no appeal. Section 115 concerns revision, Section 113 concerns a reference to the High Court, and Section 96 concerns appeals from original decrees.

5. How long an attachment under a precept can continue unless extended by the Court?

(A) not more than two months
(B) not more than three months
(C) not more than four months
(D) not more than six months

Answer: (A) not more than two months

An attachment made under a precept ordinarily lasts no more than two months. The court that passed the decree may extend it. Section 46(2) also permits continuation if, before the attachment ends, the decree is transferred to the attaching court and the decree-holder applies for an order selling the attached property.

6. As per s.60 (1)(i) of the Code of Civil Procedure, 1908, to what extent salary is exempted from attachment in execution of any decree other than a decree for maintenance?

(A) the first Rs.1,000 and 1/3 of the remainder
(B) the first Rs.1,000 and 2/3 of the remainder
(C) the first Rs.1,000 and 1/2 of the remainder
(D) the first Rs.1,000 and 1/4 of the remainder

Answer: (B) the first Rs.1,000 and 2/3 of the remainder

The exemption for an ordinary money decree covers the first ₹1,000 of salary plus two-thirds of the balance. Only the remaining one-third of the balance is available for attachment under this clause. A maintenance decree falls under a separate provision, so its salary exemption is calculated differently.

7. Section 80 of the Code of Civil Procedure, 1908 mandates that no suit shall be instituted against Government until the expiry of 2 months' notice in writing while s.80 (2) permits filing of the suit with the leave of the Court without such notice if urgent relief is required. What action will the Court take, after hearing, if it finds that granting urgent or immediate relief is not necessary in the suit?

(A) the Court will allow the suit to proceed with
(B) the Court will reject the plaint
(C) the Court will return the plaint
(D) the Court will dismiss the suit

Answer: (C) the Court will return the plaint

Question deleted by the High Court.

After hearing the parties, the court must return the plaint if it finds that urgent or immediate relief is unnecessary. The plaintiff can present it again after complying with the ordinary notice requirement in Section 80(1). The return allows compliance with that requirement and does not decide the merits of the suit.

8. Which among the following is the 'principal Civil Court of original jurisdiction' referred to in s.92 of the Code of Civil Procedure, 1908?

(A) Munsiff's Court [Civil Judge (Junior Division)]
(B) Subordinate Judge's Court [Civil Judge (Senior Division)]
(C) District Court
(D) None of the above

Answer: (C) District Court

The District Court is the principal civil court of original jurisdiction for this purpose. Section 92 also permits proceedings in another court specially empowered by the State Government. An order empowering another court to hear this type of suit does not make that court the principal civil court.

9. Provision in the Code of Civil Procedure, 1908 that deals with 'representative suit' is.....

(A) Order I Rule 6
(B) Order I Rule 7
(C) Order I Rule 8
(D) Order I Rule 9

Answer: (C) Order I Rule 8

Order I Rule 8 allows one or more persons to sue or defend for numerous persons who share the same interest. The court must give the prescribed notice to those represented. That notice matters because the eventual decree binds the people on whose behalf or for whose benefit the suit was conducted.

10. Identify the statement that accurately aligns with the legal provision in Order VI Rule 17 of the Code of Civil Procedure, 1908:

(A) the Court has discretionary authority to permit amendments to pleadings at any juncture of the proceedings, including after the commencement of trial, irrespective of whether the party seeking amendment had the opportunity to present the matter earlier
(B) once trial proceedings have officially commenced, any application for amendment to pleadings is categorically barred, rendering it impermissible under all circumstances
(C) amendments to pleadings subsequent to the initiation of trial are conditionally permissible, only if all contesting parties mutually consent to the proposed modifications, thereby precluding unilateral applications for amendment
(D) amendments to pleadings after the commencement of the trial can only be allowed if the Court is satisfied that, despite due diligence, the party could not have raised the matter before the trial began

Answer: (D) amendments to pleadings after the commencement of the trial can only be allowed if the Court is satisfied that, despite due diligence, the party could not have raised the matter before the trial began

Once trial begins, the applicant must show that due diligence would not have enabled the matter to be raised earlier. The court must reach that conclusion before allowing a late amendment under Order VI Rule 17. Even where that threshold is met, the proposed change must serve the proper purpose of resolving the real dispute.

11. If a party from whom written statement is required under Order VIII Rule 1 or Rule 9 of the Code of Civil Procedure, 1908 fails to present the same within the time permitted or fixed by the Court, what is the option available to the Court ?

(A) the Court shall pronounce judgment against him or make such order in relation to the suit as it thinks fit
(B) the Court shall grant further time indefinitely for filing the written statement, regardless of the delay
(C) the Court shall strike out the pleadings of the defaulting party and automatically pronounce judgment in favour of the opposing party
(D) None of the above

Answer: (A) the Court shall pronounce judgment against him or make such order in relation to the suit as it thinks fit

Order VIII Rule 10 permits judgment against the defaulting party or another order appropriate to the suit. A failure to file a written statement therefore does not compel an immediate decree for the claimant. The court can choose the course that fits the case, subject to the applicable time limits and procedural rules.

12. Provision of the Code of Civil Procedure, 1908 that deals with the principle of 'sub judice' is in Section .....

(A) 8
(B) 9
(C) 10
(D) 11

Answer: (C) 10

Section 10 stays the trial of a later suit when a directly and substantially identical issue is already pending between the relevant parties litigating under the same title before a competent court. Section 11 deals with an issue already finally decided. The distinction is between pending litigation and prior adjudication.

13. Exception to Order XIV Rule 2 of the Code of Civil Procedure, 1908 that Court must pronounce judgment on all issues is :-

(A) when case could be disposed of on an issue of jurisdiction of the Court
(B) when a case could be disposed of on an issue of legal bar to the suit
(C) both (A) and (B)
(D) none of the above

Answer: (C) both (A) and (B)

A court may take a pure issue of law first where deciding it can dispose of the case or part of it and it concerns jurisdiction or a statutory bar to the suit. Either ground qualifies. The ordinary rule is to pronounce judgment on all issues, including issues that require findings of fact.

14. Who is legally authorized to institute a suit in respect of public trust u/s.92 of the Code of Civil Procedure, 1908 ?

(A) two or more persons having an interest in the trust after having obtained leave of the Court
(B) any person having interest in the trust after having obtained leave of the Court
(C) only by the trustee after obtaining leave of the Court.
(D) none of the above

Answer: (A) two or more persons having an interest in the trust after having obtained leave of the Court

Two or more persons interested in a public charitable or religious trust may institute the specified suit after obtaining the court's leave. Section 92 independently authorizes the Advocate-General to institute such a suit. The questions are the plaintiffs' interest, the required leave where applicable, and the public character of the trust.

15. Provisions of which of the following Act is made applicable to s.89 of the Code of Civil Procedure, 1908 ?

(A) The Specific Relief Act,1963
(B) The Mediation Act, 2023
(C) The Limitation Act, 1963
(D) None of the above

Answer: (B) The Mediation Act, 2023

The option identifies the legislation enacted to provide a statutory framework for mediation. Section 89 of the Code of Civil Procedure concerns court referral to alternative dispute resolution, including mediation. The Act's provisions apply according to their commencement dates, so enactment alone does not establish that every amendment to Section 89 was operative.

16. Institution of suit by an indigent person is as per.....of the Code of Civil Procedure, 1908

(A) Order XXXI Rule I
(B) Order XXXII Rule I
(C) Order XXXIII Rule I
(D) Order XXXIV Rule I

Answer: (C) Order XXXIII Rule I

Order XXXIII Rule 1 permits an indigent person to institute a suit subject to the procedure that follows in the Order. The inquiry focuses on means to pay the prescribed plaint fee, excluding the property in dispute and property exempt from attachment. The rule allows access to court where those means are insufficient.

17. What is the maximum fine that a Court can impose to enforce the attendance of a person who has been summoned under s.30 of the Code of Civil Procedure, 1908 ? ;

(A) Rs.2000/-
(B) Rs.3000/-
(C) Rs.4000/-
(D) Rs.5000/-

Answer: (D) Rs.5000/-

Section 32(c) caps the fine at ₹5,000 where the court acts to compel attendance of a person summoned under Section 30. The fine is one of several enforcement powers in Section 32. The ceiling concerns attendance under a court summons and does not prescribe the penalty for an underlying claim.

18. Which of the following is a correct statement in the matter of lodging of a caveat ?

(A) can be filed only after the suit is instituted
(B) can be filed when the suit is about to be instituted
(C) can be lodged only after the Court has issued notice to the opposite party
(D) a caveat remains valid indefinitely once it is lodged, regardless of whether an application is filed or not

Answer: (B) can be filed when the suit is about to be instituted

A person who claims the right to be heard on an anticipated application can lodge a caveat even when the suit or proceeding is about to be instituted. The provision also covers applications already made. Ordinarily, the caveat expires after ninety days unless the relevant application has been made within that period.

19. When several co-owners of immovable property transfer a share without specifying which part of their share is being transferred, how does the transfer take effect among them?

(A) the transfer is invalid unless each co-owner explicitly specifies the exact portion of their share being transferred
(B) the transfer takes effect equally among the transferors, if their shares are equal and proportionately, if their shares are unequal
(C) the entire transferred share is automatically assigned to the co-owner who initiated the transaction first
(D) the transferee has the right to choose any specific portion of the property from the co-owners' shares, regardless of their respective ownership percentages

Answer: (B) the transfer takes effect equally among the transferors, if their shares are equal and proportionately, if their shares are unequal

Section 47 supplies the allocation when co-owners jointly transfer an unspecified share. If their existing shares are equal, the transferred share is taken equally from them. If their shares differ, each contributes in proportion to their existing share. The transferee does not get to choose whose interest supplies the transfer.

20. Which among the following is a promissory note ?

(A) I promise to pay Rs.500 to 'B', after deducting any money which 'B' may owe me
(B) I promise to pay Rs.500 to 'B' and all other sums which shall be due to 'B'
(C) Both (A) and (B)
(D) None of these

Answer: (D) None of these

Neither undertaking fixes the sum payable. The first reduces ₹500 by whatever the payee owes and the second adds whatever other sums may become due. Section 4 requires a signed and unconditional promise to pay a certain sum of money. The two formulations are both illustrations of documents that fail that test.

21. Which is the provision of the Kerala Buildings (Lease and Rent Control) Act, 1965 providing special provision for the members of the Armed Forces regarding eviction ?

(A) Section 10
(B) Section 11 A
(C) Section 12
(D) Section 20 A

Answer: (B) Section 11 A

Section 11A creates a special route to recovery of possession for qualifying Armed Forces personnel and specified family members. The right depends on the conditions in that section, which addresses the applicant's need for the premises. Section 12 concerns the payment or deposit of rent during pending eviction proceedings instead.

22. As per the provisions of the Transfer of Property Act, 1882, which of the following cannot be transferred ?

(A) a mere right to sue
(B) an interest in property restricted in its enjoyment to the owner personally
(C) stipends allowed to military, naval, air-force and civil pensioners of the Government and political pensions
(D) all of the above

Answer: (D) all of the above

All three interests are expressly excluded from transfer under Section 6. A bare right to sue is excluded by clause (e), a personally restricted interest by clause (d), and the specified pensions and stipends by clause (g). The general rule allowing transfer of property operates subject to these statutory exceptions.

23. 'A' enters into an agreement with 'B' to sell one thousand maunds of rice at a price to be fixed by 'C'. Later, 'B' claims that the agreement is void due to uncertainty in price determination. Considering the principles u/s.29 of the Indian Contract Act, 1872, which of the following statements is legally accurate ?

(A) the agreement is void because the price is uncertain
(B) the agreement is valid because the price can be made certain
(C) the agreement is void unless 'C' explicitly agrees to fix the price at the time of entering into the contract
(D) the agreement is valid only if 'C' is an independent third party with no personal interest in the transaction

Answer: (B) the agreement is valid because the price can be made certain

The agreement identifies both the goods and an agreed way to settle the outstanding price. Section 29 invalidates an agreement for uncertainty only when its meaning cannot be made certain. Here, the chosen person can determine the price, and the absence of a figure when the parties agree does not make the bargain void.

24. Doctrine of 'Lis Pendens' is discussed in .....

(A) Cooper v. Cooper
(B) R v. Brown
(C) Marbury v. Madison
(D) Bellamy v. Sabine

Answer: (D) Bellamy v. Sabine

The doctrine protects the court's ability to decide a dispute over rights in immovable property. A party's transfer during qualifying litigation cannot prejudice the rights another party obtains under the eventual decree or order, unless the court authorizes the dealing. The transferee ordinarily takes subject to the result of the pending proceeding.

25. Landmark judgment, Rosher v. Rosher discusses Section.....of the Transfer of the Property Act, 1882.

(A) 10
(B) 11
(C) 13
(D) 53 A

Answer: (A) 10

Section 10 concerns a condition that absolutely restrains the transferee from disposing of the interest received. The ordinary consequence is that the restraint is void while the transfer itself can stand. The section includes a lease exception for conditions imposed for the benefit of the lessor or persons claiming under the lessor.

26. Which of the following does not correctly represent the legal implications' of s.6 of the Specific Relief Act, 1963? ' '

(A) a suit under this section must be filed within six months of dispossession, and it cannot be filed against the Government
(B) a person who has been dispossessed of immovable property can only recover possession if he proves ownership
(C) no appeal or review is allowed for any decree or order passed in a suit filed under this section
(D) this section does not prevent a person from filing a separate suit to establish ownership and recover possession

Answer: (B) a person who has been dispossessed of immovable property can only recover possession if he proves ownership

Section 6 protects possession against unlawful dispossession. The claimant need not prove ownership and must ordinarily sue within six months. A suit under this provision cannot be brought against the Government, and no appeal or review lies. The parties can still litigate title and possession in a separate ordinary suit.

27. 'Blue Pencil Doctrine' is basically related to.....

(A) Specific Relief Act
(B) Contract Law
(C) Transfer of Property Act
(D) Negotiable instruments Act

Answer: (B) Contract Law

The doctrine addresses whether an invalid term can be severed from the remainder of a contract. The court can remove separable language where the valid part continues to work on its own. It cannot use severance to rewrite the bargain or to supply fresh words the parties did not agree to.

28. Which legal doctrine is based on the maxim Quod approbo non reprobo?

(A) Doctrine of election
(B) Doctrine of lis pendens
(C) Doctrine of part performance
(D) Doctrine of subrogation

Answer: (A) Doctrine of election

Election requires a person to choose between inconsistent rights arising from one transaction. If the transferor purports to transfer property belonging to another person and grants that owner a benefit in the same transaction, the owner must choose whether to confirm the transfer. If the owner rejects it, the conferred benefit generally must be relinquished.

29. As per the provisions of the Negotiable Instruments Act, 1881, what is the legal position, if the amount to be paid is stated differently in figures and words in an instrument ?

(A) the amount that is written using numerical digits is to be accepted
(B) the amount that appears first on the document, whether in words or figures, is to be accepted
(C) the amount that is expressed in words is to be accepted
(D) the instrument is invalid

Answer: (C) the amount that is expressed in words is to be accepted

Section 18 resolves a conflict between the amount written in words and the amount written in figures by using the words. For example, if an instrument says ten thousand rupees in words and ₹1,000 in figures, the sum undertaken is ten thousand rupees. The order in which the amounts appear does not matter.

30. A transfer of immovable property made without consideration and with the intent to defraud a subsequent transferee is .....

(A) void, as any fraudulent transfer automatically has no legal effect
(B) voidable at the option of the transferee
(C) valid, as long as the original trnasferror had legal ownership of the property at : the time of transfer
(D) both (A) and (B)

Answer: (B) voidable at the option of the transferee

The subsequent transferee can avoid a transfer of immovable property made without consideration with intent to defraud that transferee. The prior transaction is voidable at the protected person's option under Section 53(2). The fraudulent intent therefore gives the subsequent transferee a right of avoidance rather than automatically nullifying the transfer.

31. Section 143 A (1) of the Negotiable Instruments Act, 1881 is .....

(A) directory
(B) mandatory
(C) both (A) and (B)
(D) none of the above

Answer: (A) directory

The word "may" in Section 143A(1) gives the trial court discretion to award interim compensation in a cheque dishonour case. The prescribed stage must be reached before the power is available. Even then, the court must consider whether the facts justify payment. The provision sets a maximum of twenty percent.

32. What is the time limit specified u/s.12 of the Kerala Buildings (Lease and Rent Control) Act, 1965, for the Court to set for the tenant to deposit arrears of rent and for the deposit of subsequently accrued rent ?

(A) shall not be less than four weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than four weeks from the date on which the rent becomes due
(B) shall not be less than two weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than four weeks from the date on which the rent becomes due
(C) shall not be less than four weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than two weeks from the date on which the rent becomes due
(D) shall not be less than two weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than two weeks from the date on which the rent becomes due

Answer: (C) shall not be less than four weeks from the date of the order of the Court for deposit of arrears of rent and shall not be less than two weeks from the date on which the rent becomes due

The rent arrears deadline must give the tenant at least four weeks from the court's order. For rent that subsequently accrues, the deadline must give at least two weeks from the date it falls due. The court may allow longer periods, but it cannot set a deadline below the applicable minimum.

33. A customer deposits certain goods with a banker for safekeeping. Later, the customer owes the banker an outstanding balance on a different transaction. The banker refuses to return the goods. Which of the following statements is legally correct ?

(A) the banker has the right to retain the goods until the entire outstanding balance is cleared
(B) the banker must return the goods immediately, as they were not specifically pledged for the outstanding debt
(C) the banker can retain the goods only if there is an express contract allowing such retention
(D) the banker's right to retain the goods is limited only to the specific transaction for which they were deposited

Answer: (C) the banker can retain the goods only if there is an express contract allowing such retention

Delivery expressly for safekeeping can exclude a banker's ordinary right of general lien. A banker may ordinarily retain qualifying goods against a general account balance without an express lien clause, unless the arrangement is inconsistent with that right. Here, the special purpose of the deposit distinguishes it from goods received in the ordinary course of banking.

34. Under s.65 of the Indian Contract Act, 1872, what is the obligation of a person who has received an advantage under an agreement that is later discovered to be void or a contract that becomes void ?

(A) the person need not restore the advantage received or make compensation as the agreement/contract is void
(B) the person is required to restore the advantage received or provide compensation to the party from whom it was received
(C) the person is required to restore half of the advantage received or provide compensation
(D) none of the above

Answer: (B) the person is required to restore the advantage received or provide compensation to the party from whom it was received

When an agreement is discovered to be void or a contract later becomes void, a person who received an advantage under it must restore it or compensate the person who supplied it. The obligation concerns the benefit received. It is not limited to half its value and does not depend on enforcing the original bargain.

35. Within what time frame from the date of the order, an aggrieved party seeking to challenge an order of the Rent Control Court must file an appeal before the Appellate Authority, as per s.18 of the Kerala Buildings (Lease and Rent Control) Act, 1965?

(A) 45 days
(B) 90 days
(C) 60 days
(D) 30 days

Answer: (D) 30 days

The aggrieved party has thirty days from the date of the Rent Control Court's order to file a written appeal before the appellate authority with jurisdiction. In calculating the period, the statute excludes the time taken to obtain a certified copy of that order. The other suggested periods do not apply.

36. Under s.11 (2) (c) of the Kerala Buildings (Lease and Rent Control) Act, 1965, what is the legal implication of a Rent Control Court's eviction order based on arrears of rent ?

(A) the eviction order is executed immediately unless the tenant provides a valid reason for non-payment of rent
(B) the eviction order becomes final after one month and cannot be revoked under any circumstances
(C) the eviction order will be vacated if the tenant clears the arrears with interest and cost within one month or within the time granted by the Court
(D) the eviction order shall be executed after one month irrespective of whether the tenant clears the arrears with interest and cost within that period

Answer: (C) the eviction order will be vacated if the tenant clears the arrears with interest and cost within one month or within the time granted by the Court

An eviction order made for rent arrears cannot be executed before one month has passed, or before any longer period the Rent Control Court allows. If the tenant deposits the arrears, prescribed interest and proceeding costs within that time, the court must vacate the eviction order made on that ground.

37. Which provision in the Specific Relief Act, 1963 prohibits grant of injunction in a suit involving a contract relating to an infrastructure project?

(A) Section 14 A
(B) Section 20 A
(C) Section 20 B
(D) Section 20 C

Answer: (B) Section 20 A

Section 20A governs injunctions in suits involving contracts relating to scheduled infrastructure projects. The bar applies when granting the injunction would impede or delay the progress or completion of the project. Its effect depends on that consequence, so the mere fact that an infrastructure contract is involved does not alone trigger the bar.

38. 'Rule against perpetuity' is discussed in Section...of the Transfer of Property Act, 1882.

(A) 9
(B) 10
(C) 14
(D) 17

Answer: (C) 14

Section 14 limits the time within which a future property interest can take effect. The permissible period is measured by one or more lives in being when the transfer is made plus the minority of the person who will take the interest on attaining full age. The rule prevents excessively remote vesting.

39. 'X' stands as a surety for a loan taken by 'Z' from 'Y'. When 'Z' defaults on repayment, 'x' pays the entire outstanding amount to 'Y'. Which of the statement denotes the correct legal position ?

(A) 'x' has no further rights and must bear the financial loss, as the guarantee was voluntarily given
(B) 'X' steps into 'Y's position and gains all rights 'Y' had against 'Z' and can recover the amount from 'Z'
(C) 'X' can recover only half of the amount from 'Z', as surety liability is always shared equally
(D) 'X' can claim reimbursement from 'Z' only if there was a prior written agreement between them regarding repayment

Answer: (B) 'X' steps into 'Y's position and gains all rights 'Y' had against 'Z' and can recover the amount from 'Z'

When the surety pays everything due under the guarantee, Section 140 gives the surety the creditor's rights against the

principal debtor. Section 145 also recognizes the debtor's implied obligation to reimburse what the surety rightfully paid. A prior written promise from Z is unnecessary for X to seek recovery.

40. Section 21 of the Transfer of Property Act, 1882 deals with.....

(A) conditional transfer
(B) oral transfer
(C) vested interest
(D) contingent interest

Answer: (D) contingent interest

A contingent interest depends on a specified uncertain event happening or failing to happen. It vests when the required event happens, or when the event becomes impossible if the transfer requires it not to happen. That uncertainty distinguishes the interest from a vested interest whose enjoyment is merely postponed.

Part B

41. Which is the provision in the Bharatiya Nagarik Suraksha Sanhita, 2023 dealing with e-FIR?

(A) Section 173 (1)
(B) Section 154 (1)
(C) Section 174 (1)
(D) There is no such provision

Answer: (A) Section 173 (1)

Section 173(1) permits information about a cognizable offence to be given by electronic communication. The officer takes that information on record once the informant signs it within three days. This is the specific statutory provision for the electronic route. Oral information, by comparison, must be reduced to writing and read back.

42. Is there any provision in the Bharatiya Nagarik Suraksha Sanhita, 2023 prescribing the maximum period for which an undertrial prisoner can be detained? If so, which is the Section ?

(A) There is no such provision
(B) Section 479
(C) Section 478
(D) Section 579

Answer: (B) Section 479

Section 479 regulates detention of an undertrial during investigation, inquiry or trial. It ordinarily provides for release on bail at half the maximum term for eligible offences and for release on bond at one-third for a first-time offender. The provision also addresses exclusions, judicially permitted continued detention, and concurrent pending cases.

43. Has the concept of 'Zero FIR' been recognized in the Bharatiya Nagarik Suraksha Sanhita, 2023 or Bharatiya Nyaya Sanhita, 2023? If so, which is the provision ?

(A) Section 173 (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023
(B) Section 154 (1) of the Bharatiya Nyaya Sanhita, 2023
(C) Section 173 (1) of the Bharatiya Nyaya Sanhita, 2023
(D) No; not recognized

Answer: (A) Section 173 (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023

Section 173(1) allows information about a cognizable offence to be given to a police station regardless of where the offence occurred. The location of the reported conduct therefore does not prevent the station from receiving and recording the information. The rule belongs to criminal procedure under the BNSS.

44. 'A' filed a complaint against 'B' alleging commission of an offence punishable u/s.138 of the Negotiable Instruments Act,1881. The accused was acquitted. Subsequently, based on the information given by 'A', an FIR for the offence punishable u/s.420 IPC on the same set of facts was registered against 'B'. Which of the following statement is correct?

(A) trial of the second case is barred as the ingredients of the two offences are same
(B) trial of the second case is not barred as the ingredients of the two offences are different
(C) the FIR ought not have been lodged
(D) trial of the second case would not have been barred had 'A' filed a private complaint against 'B' before the jurisdictional Magistrate

Answer: (B) trial of the second case is not barred as the ingredients of the two offences are different

Question deleted by the High Court.

A cheque dishonour offence and cheating have different essential ingredients. A later cheating charge is therefore not necessarily barred merely because a cheque dishonour

prosecution ended in acquittal. Section 300 also governs certain different charges that could have been made on the same facts in the first trial, so those facts and the earlier court's competence still matter.

45. Which of the following statement is true ?

(A) Section 26 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, only if his death is a homicide

(B) Section 25 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, whether the death is a homicide or suicide

(C) Section 26 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, whether the death is a homicide or suicide

(D) None of the above statement is correct

Answer: (C) Section 26 of the Bharatiya Sakshya Adhiniyam, 2023 makes admissible the statement of a person who is dead, whether the death is a homicide or suicide

A statement about the cause of the speaker's death or the circumstances of the transaction resulting in death is relevant where that cause is in question. Section 26(a) does not limit the rule to homicide. A statement connected with a suicide may qualify, and the speaker need not have expected death when making it.

46. 'A', 'B' & 'C' are jointly tried for the murder of 'D'. 'A' made a statement that 'B' & 'C' murdered 'D'. Whether the statement comes under the purview of s.24 of the Bharatiya Sakshya Adhiniyam, 2023 ?

(A) no; to bring the statement under the purview of s.24, the statement should implicate 'A' as well as 'B' & 'C'

(B) yes.; The statement comes under the purview of s.24 of the Bharatiya Sakshya Adhiniyam, 2023

(C) statement made by 'A' can never implicate B & C, the co-accused

(D) statement made by 'A' would have been admissible u/s.24 of the Bharatiya Sakshya Adhiniyam, 2023 against 'B' & 'C' had it been made before a Magistrate

Answer: (A) no; to bring the statement under the purview of s.24, the statement should implicate 'A' as well as 'B' & 'C'

A's statement accuses B and C without admitting involvement by A. Section 24 permits a court to consider a proved confession against co-accused being tried jointly for the same offence only when it affects the maker as well. Recording the statement before a magistrate would not cure the absence of self-incrimination.

47. A previous statement presupposes a subsequent statement. Statement u/s.154 and 164 Cr.PC are some examples of statements which can be regarded as previous statements. if so, what is subsequent statement ?

(A) statement made in the Court as well as during further investigation

(B) statement made to the police during further investigation

(C) statement made to the police after investigation

(D) statement made in the Court

Answer: (D) statement made in the Court

Question deleted by the High Court.

In the setting of corroboration or contradiction by a witness's former statement, the statement being tested is ordinarily the testimony given in court. Statements during investigation can be earlier accounts compared with that testimony. The term "subsequent" describes sequence and, outside that setting, a later statement can also occur during further investigation.

48. What is the legal effect of a recovery made u/s.27 of the Indian Evidence Act, 1872, if the police already knew where the incriminating article was hidden ?

(A) it is admissible in evidence irrespective of whether the police knew it or not

(B) it is inadmissible in evidence as it does not come within the exclusive knowledge of the accused

(C) it would have been admissible had the disclosure statement been given in writing by the accused

(D) none of the statement is correct

Answer: (B) it is inadmissible in evidence as it does not come within the exclusive knowledge of the accused

The discovery exception admits only information that distinctly relates to a fact discovered as a result of information given by an accused in police custody. If the police already knew where the article was hidden, its recovery from that known location does not by itself prove a fresh discovery attributable to the accused's statement.

49. A witness directly approaches a Magistrate and requests for recording his statement u/s. 164 Cr.P.C. What is the course of action to be taken by the Magistrate ?

(A) the Magistrate should refuse the request as the witness was not sponsored by the police

(B) the Magistrate should record the statement

(C) the Magistrate should record the statement irrespective of whether the witness has been sponsored or not sponsored by the police

(D) the Magistrate can record the statement of the witness if he is represented by a lawyer of his choice

Answer: (A) the Magistrate should refuse the request as the witness was not sponsored by the police

The power to record a witness statement under Section 164 operates within an investigation or the statutory interval

following it. A witness cannot demand recording merely by appearing on their own before a magistrate. The question concerns a witness approaching independently, and the presence of a private lawyer does not change that position.

50. An Investigating Officer submitted a final report within the period specified in s.167 (2) Cr.P.C. Thereafter, the High Court set aside the final report and entrusted the investigation with the CBI. The accused claimed bail u/s.167 Cr.PC on the ground that the CBI had not filed the final report within the statutory period. Is he entitled to default bail ?

(A) no; he is not entitled to get default bail because, once the Investigating Agency files the final report within the prescribed period, the right of the accused to get default bail ceases
(B) yes; he is entitled
(C) he would be entitled to default bail if the Investigating Officer submits that no further custodial interrogation is necessary
(D) he can get default bail if he moves the High Court

Answer: (A) no; he is not entitled to get default bail because, once the Investigating Agency files the final report within the prescribed period, the right of the accused to get default bail ceases

The original investigating agency filed its report within the period governing default bail. On the facts given, the later transfer to the CBI and setting aside of the first report do not by themselves restart that statutory period. The accused may seek bail on ordinary grounds, which is a separate inquiry from statutory default.

51. Whether, as part of the inquiry u/s.202 Cr.PC, a police officer has the power to arrest without warrant ?

(A) yes; if the arrest is made with the permission of the District Police Chief
(B) yes; if the arrest is made by the SHO concerned
(C) yes; as the police has always the power to arrest without a warrant
(D) no; the only authority is to give a report to the Magistrate to enable him to decide whether there is sufficient ground to proceed further

Answer: (D) no; the only authority is to give a report to the Magistrate to enable him to decide whether there is sufficient ground to proceed further

A police officer acting under a Section 202 direction assists the magistrate in determining whether there is sufficient ground to proceed. This limited investigation is part of the complaint procedure before issue of process. It does not carry an independent power to arrest without warrant merely to conduct that preliminary inquiry.

52. In which of the following decisions, the Apex Court mandated filing of an affidavit along with a complaint u/s.190 Cr.PC before the Magistrate ?

(A) Ram Singh v. Union of India, (2015) 11 SCC 220
(B) Priyanka Srivastava v. State of UP, AIR 2015 SC 1758
(C) Yakub A. Menon v. State of Maharashtra, (2015) 9 SCC 552
(D) Rajbala v. State of Haryana, AIR 2016 SC 33

Answer: (B) Priyanka Srivastava v. State of UP

The affidavit requirement attaches to an application asking a magistrate to direct police investigation under Section 156(3). It makes the applicant accountable for the allegations and supports scrutiny of the request. The question describes the filing under Section 190, which governs cognizance. The ruling's affidavit requirement concerns the narrower application for investigation.

53. Which of the following statement is correct ?

(A) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the examination-in-chief
(B) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the re-examination
(C) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the cross-examination
(D) none of the statement is correct

Answer: (C) as per s.146 of the Bharatiya Sakshya Adhiniyam, 2023, a leading question can be asked in the cross-examination

Cross-examination ordinarily permits questions that suggest the desired answer. In examination-in-chief or re-examination, a leading question that draws an objection requires the court's permission. Section 146 also directs the court to permit leading questions about introductory, undisputed or already sufficiently proved matters. These qualifications distinguish the three forms of examination.

54. When does the trial in a warrant case instituted on a police report commence?

(A) on appearance of the accused
(B) after issuance of summons to the first witness
(C) after examination of the first witness
(D) after framing charge

Answer: (D) after framing charge

The magistrate first considers the police report and accompanying material and may discharge the accused where the charge is groundless. If there is ground to proceed, the magistrate frames a written charge and asks for the accused's plea. Framing the charge marks the commencement of trial in the warrant case described.

55. What is the purpose for which an FIS can be used?

(A) for contradiction only
(B) for corroboration only
(C) for only contradicting or corroborating the maker of the statement
(D) for contradicting or corroborating the prosecution witnesses

Answer: (C) for only contradicting or corroborating the maker of the statement

The first information statement is a former statement of its maker. If the maker testifies, the statement can be used to corroborate that witness or to contradict them in the way the evidence rules prescribe. It cannot generally be used to corroborate or contradict other witnesses who did not make it.

56. Which among the following is not an ingredient to constitute an offence punishable u/s.80 of the Bharatiya Nyaya Sanhita, 2023?

(A) death of a woman is caused by burns or bodily injury
(B) death has been caused within 8 years of her marriage
(C) she was subjected to harassment by her husband or his relative
(D) the harassment was for dowry

Answer: (B) death has been caused within 8 years of her marriage

A dowry death must occur within seven years of marriage. The statute further requires an unnatural death and cruelty or harassment soon before it by the husband or a relative of the husband in connection with a dowry demand. The proposed period of eight years is therefore outside the statutory definition.

57. A man follows a woman and pesters her to establish relation with him despite the woman showing disinterest towards him. What is the provision of law breached by him ?

(A) Section 354 IPC
(B) Section 354 B IPC
(C) Section 77 of the Bharatiya Nyaya Sanhita, 2023
(D) Section 78 of the Bharatiya Nyaya Sanhita, 2023

Answer: (D) Section 78 of the Bharatiya Nyaya Sanhita, 2023

Repeatedly following and attempting to contact a woman for personal interaction despite a clear indication of disinterest falls within the stalking provision. Section 78 also addresses monitoring specified electronic communications and contains stated exceptions. Section 77 concerns voyeurism, a different offence involving watching or capturing the image of a private act.

58. Which is the provision that makes identification of the accused in a test identification parade conducted by a Magistrate admissible in evidence ?

(A) Section 9 of the Indian Evidence Act, 1872
(B) Section 119 of the Kerala Police Act, 2011
(C) Section 117 of the Indian Penal Code, 1860
(D) Section 8 of the Indian Evidence Act, 1872

Answer: (A) Section 9 of the Indian Evidence Act, 1872

A test identification parade relates to the identity of a person whose identity is relevant to the case. Section 9 makes facts establishing that identity relevant. The earlier identification helps assess and support identification evidence given at trial. Its weight depends, among other things, on how fairly the identification was conducted.

59. An Indian Citizen committed an offence abroad. On receiving the information regarding the same, the Kerala Police registered an FIR and completed investigation. The accused challenges the same on the ground that sanction from the Central Government, as envisaged u/s.188 Cr.PC, has not been obtained. Is the challenge valid ?

(A) challenge is valid as sanction from the Central Government is necessary
(B) challenge is invalid as sanction is not necessary for investigation
(C) challenge is invalid as the accused did not challenge the same during investigation
(D) challenge is invalid as the Central Government could not grant sanction for investigation

Answer: (B) challenge is invalid as sanction is not necessary for investigation

The proviso to Section 188 requires previous Central Government sanction for the judicial inquiry or trial in India of the covered offence committed abroad. It does not impose that requirement on police investigation. On the facts given, the objection is directed at the FIR and investigation, so it fails at that stage.

60. What is the stage at which the Court can permit alteration of a charge?

(A) before the commencement of prosecution evidence
(B) before the examination of the accused u/s.313 Cr.PC
(C) at any time before the judgment is pronounced
(D) after the examination of the accused u/s.313 Cr.PC

Answer: (C) at any time before the judgment is pronounced

The court may alter or add to a charge at any time before it pronounces judgment. It must read and explain the change to the accused. If continuing immediately would prejudice the defence or prosecution, the court may adjourn proceedings or direct a fresh trial as the statute provides.

61. The complainant continuously failed to appear before the Court and adduce evidence in a summons case. Can the Magistrate acquit the accused under any of the following provisions?

(A) yes; u/s.258 Cr.PC
(B) yes; u/s.257 Cr.PC
(C) yes; u/s.256 (1) Cr.PC
(D) no; cannot acquit

Answer: (C) yes; u/s.256 (1) Cr.PC

In a summons case instituted on complaint, the magistrate can acquit when the complainant fails to appear on the appointed or adjourned hearing date. Section 256(1) allows an adjournment for a proper reason. It also permits the magistrate to dispense with personal attendance when the complainant is represented or attendance is unnecessary.

62. A person was arrested for an offence u/s.307 IPC and remanded to judicial custody. After expiry of how many days, would the accused become entitled to statutory bail ?

(A) 60 days
(B) 90 days
(C) 120 days
(D) 130 days

Answer: (A) 60 days

Question deleted by the High Court.

The statutory period cannot be fixed from the section number alone. An attempt to murder under Section 307 can attract life imprisonment where hurt is caused, in which case the ninety-day category applies. Without that circumstance, the ordinary punishment provision can fall into the sixty-day category. The question omits the relevant fact.

63. Which among the following is not secondary evidence ?

(A) certified copies
(B) copies made from original by mechanical process
(C) copies compared with the original
(D) oral account of the contents of a document by a person who has not seen it

Answer: (D) oral account of the contents of a document by a person who has not seen it

An oral account of a document can qualify as secondary evidence if it comes from a person who personally saw the original. Someone who has never seen it cannot establish its contents by such an account. Certified copies, accurate mechanical copies and copies compared with the original are recognized categories, subject to admissibility requirements.

64. Which of the following offences can be compounded with the permission of the Court ?

(A) Section 79 of the Bharatiya Nyaya Sanhita, 2023
(B) Section 118 of the Bharatiya Nyaya Sanhita, 2023
(C) Section 124 of the Bharatiya Nyaya Sanhita, 2023
(D) All of the above

Answer: (A) Section 79 of the Bharatiya Nyaya Sanhita, 2023

Section 359(2) lists Section 79 of the Bharatiya Nyaya Sanhita as compoundable with the permission of the court before which the prosecution is pending. The person authorized to compound it is the woman whose modesty was intended to be insulted or whose privacy was intruded upon. The other offences listed here are outside that entry.

65. Which among the following is a substantive piece of evidence ?

(A) statement of witness u/s.161 Cr.PC
(B) statement of witness u/s.164 Cr.P.C
(C) testimony of witness before the Court
(D) all of the above

Answer: (C) testimony of witness before the Court

A witness's testimony before the trial court is substantive evidence. An earlier police statement under Section 161 is generally confined to the limited uses allowed by Section 162. A witness statement before a magistrate under Section 164 can be used to corroborate or contradict when the relevant requirements are met.

66. What does the word 'discovered' in s.27 of the Indian Evidence Act, 1872 mean?

(A) knowledge of the accused as to the place and object recovered
(B) the place where the object was found
(C) the object recovered
(D) all of the above

Answer: (A) knowledge of the accused as to the place and object recovered

The fact discovered includes the accused's knowledge of the object and the place from which it is produced. The object itself is distinct from the fact discovered through the accused's information. This distinction explains why only the part of the statement directly connected with the discovery is admissible.

67. Power u/s. 258 Cr.PC can be exercised only .....

(A) by a Magistrate of the First Class
(B) in a summons case instituted otherwise than upon a complaint
(C) in a summons case instituted upon a complaint
(D) in warrant cases

Answer: (B) in a summons case instituted otherwise than upon a complaint

Section 258 applies to a summons case instituted otherwise than on a complaint. A first-class magistrate can stop proceedings for recorded reasons, and another judicial magistrate may do so with previous sanction of the Chief

Judicial Magistrate. Whether the order is an acquittal or a release operating as discharge depends on the stage of evidence.

68. During the trial of a case, it appears to the Magistrate that the case in one which ought to be tried by the Court of Session. What should the Magistrate do?

(A) Magistrate shall commit the case u/s. 209 Cr.PC
(B) Magistrate shall commit the case u/s. 323 Cr.PC
(C) Magistrate shall write to the High Court, requesting the case to be transferred to the Court of Session
(D) Magistrate shall try the case himself

Answer: (B) Magistrate shall commit the case u/s. 323 Cr.PC

Section 323 applies when, after an inquiry or trial has commenced and before judgment, the magistrate concludes that the case ought to be tried by the Court of Session. The magistrate then commits it. Section 209 addresses commitment when the offence appears from the outset to be exclusively triable by that court.

69. Which is the provision of law prescribing the forum of trial of all offences under any law other than IPC/Bharatiya Nyaya Sanhita, 2023 ?

(A) Section 5 IPC/Bharatiya Nyaya Sanhita, 2023
(B) Section 5 and Schedule I of the Bharatiya Nyaya Sanhita, 2023
(C) Section 5 Cr.Pc
(D) Section 4(2) and Schedule I of the Bharatiya Nagarik Suraksha Sanhita, 2023

Answer: (D) Section 4(2) and Schedule I of the Bharatiya Nagarik Suraksha Sanhita, 2023

Section 4(2) applies the BNSS framework to offences under other laws, subject to legislation regulating the manner or place of trial. The First Schedule provides the default classification for those offences and indicates the competent court. Where a special enactment sets a different procedure or forum, its governing provision must be considered.

70. A summons issued to the accused in a warrant case was served on his male servant. Is the service proper ?

(A) yes; as s.65 Cr.P.C allows service on servant also
(B) no; as the Explanation to s.64 Cr.PC says servant is not a member of the family
(C) service is proper if the servant is an adult
(D) service is proper had the servant been authorised by the accused

Answer: (B) no; as the Explanation to s.64 Cr.PC says servant is not a member of the family

After due diligence to find the accused, the old procedure permits substitute service on an adult male member of the accused's family who resides with him. Section 64 expressly excludes a servant from the meaning of family member. Being an adult male servant therefore does not make service valid under that provision.

71. Which is the provision of law which makes a material thing, -for instance, weapon used in the crime, admissible in evidence ?

(A) second proviso to s.60 of the Indian Evidence Act, 1872
(B) section 311 A Cr.PC
(C) section 61 of the Indian Evidence Act, 1872
(D) there is no specific provision

Answer: (A) second proviso to s.60 of the Indian Evidence Act, 1872

The second proviso to Section 60 allows the court to require production of a material thing for inspection where oral evidence refers to its existence or condition. A weapon is an example. Its production still needs a connection to a fact in issue or other relevant fact, ordinarily established through admissible testimony.

72. A resident of Ernakulam was arrested pursuant to a non-bailable warrant issued by a Magistrate in Karnataka. He was produced before the Judicial Magistrate, Ernakulam before whom he filed a bail application. The bail application is opposed by the Prosecutor contending that it is not maintainable. Is the contention valid?

(A) yes; as the second proviso to s.81 CrPC empowers only the Chief Judicial Magistrate or the Sessions Judge to do so
(B) contention is not valid as the Magistrate has every power to grant bail even in non-bailable offences
(C) yes; as it is only the High Court that can grant bail
(D) both (A) and (C) are correct

Answer: (A) yes; as the second proviso to s.81 CrPC empowers only the Chief Judicial Magistrate or the Sessions Judge to do so

Where a warrant for a non-bailable offence is executed outside the issuing district, the second proviso confers the local power to release on bail on the Chief Judicial Magistrate or Sessions Judge, subject to its conditions. The ordinary Judicial Magistrate before whom the person is produced does not exercise that special power.

73. In a compliant for an offence punishable u/s.138 of the Negotiable Instruments Act,1881 the Magistrate issued summons to the accused. Before the date fixed for appearance, he issued a warrant stating that there is reason to believe that the accused will not obey the summons. Is this proper ?

(A) no, it is improper
(B) it is proper by virtue of s.87(a) Cr.PC
(C) it is proper by virtue of s.97(b) Cr.PC
(D) the Magistrate has no such power

Answer: (B) it is proper by virtue of s.87(a) Cr.PC

A court authorized to issue a summons can also issue a warrant before the appearance date if it has reason to believe that the person has absconded or will disobey the

summons. Section 87(a) requires the court to record its reasons in writing. A failure to appear is unnecessary under that clause.

74. When a person is convicted in a trial involving two or more offences, by virtue of clause (b) of proviso to s.31(2) CrPC., the aggregate punishment cannot exceed .....the amount of punishment which the Court is competent to inflict for a single offence.

(A) thrice
(B) twice
(C) quadruple
(D) five times

Answer: (B) twice

For multiple offences at one trial, the aggregate of consecutive punishments cannot exceed twice the punishment the court is competent to impose for a single offence. Section 31(2) also contains a separate fourteen-year ceiling under the old Code. Both limits must be applied when the court fixes consecutive terms.

75. A police officer filed a final report before the Magistrate without producing copy of the prosecution records to be served on the accused. However, he filed a report stating that he has served copies of the records directly to the accused. The Magistrate issued show cause notice to the officer citing non-compliance of s.173(5) Cr.PC. Is there any illegality in the order of the Magistrate ?

(A) the show cause notice is not proper in the light of s.173 (7) Cr.PC
(B) yes; as the officer has no such power
(C) the show cause notice is improper in the light of s.163 Cr.P.C.
(D) the show cause notice would be proper if a personal hearing is given to the officer concerned.

Answer: (A) the show cause notice is not proper in the light of s.173 (7) Cr.PC

Section 173(7) allows the investigating officer to furnish the accused copies of the relevant documents if convenient. The magistrate therefore should not fault the officer merely for supplying those copies directly. This does not dispense with the distinct obligation under Section 173(5) to forward the documents relied on to the magistrate.

76. The prosecutor produces several documents to substantiate the prosecution case. After serving copy of the documents to the accused, he requests the Court to direct the accused to admit or deny the genuineness of each of such document in the list. The request is opposed by the accused. The Magistrate allows the request. Is there any infirmity in the order ?

(A) no infirmity by virtue of s.330(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023
(B) the order is wrong as there is no such provision in the Bharatiya Nagarik Suraksha Sanhita, 2023
(C) the order is valid only if the accused is called upon to admit or deny the genuineness of the documents within a period of 30 days after such supply
(D) the prosecutor can make such a request only in cases involving the offence punishable u/s.302 IPC

Answer: (A) no infirmity by virtue of s.330(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023

The court can require the opposing party or advocate to admit or deny the genuineness of a listed document soon after receiving it. Section 330(1) sets a general thirty-day limit and allows relaxation for reasons recorded in writing. Admission can dispense with formal signature proof, subject to the court's discretion to require it.

77. Is there any limit to imprisonment for non-payment of fine when imprisonment and fine are imposed ? If so, what is the limit.

(A) yes; shall not exceed one-third of the term of imprisonment which is the maximum fixed for the offence
(B) no; there is no such limit
(C) yes; shall not exceed one-fourth of the term of imprisonment which is the maximum fixed for the offence
(D) yes; shall not exceed one-fifth of the term of imprisonment which is the maximum fixed for the offence

Answer: (C) yes; shall not exceed one-fourth of the term of imprisonment which is the maximum fixed for the offence

Where an offence is punishable with imprisonment as well as fine, imprisonment ordered in default of payment cannot exceed one-quarter of the maximum term fixed for that offence. The computation uses the statutory maximum for the offence. It does not use the particular substantive term awarded to that defendant.

78. In a warrant case, alleging the commission of the offence punishable u/s.326 IPC, the Magistrate found that no weapon had been used and the injuries caused were simple. Hence, the plea of the accused was recorded u/s.323 IPC. The case was then converted as a summons case. Which is the provision enabling the Magistrate to do the same ?

(A) there is no provision to convert a warrant case to a summons case
(B) it can be converted u/s.259 Cr.P.C.
(C) it can be converted u/s.269 Cr.P.C.
(D) it can be converted u/s.262 Cr.P.C.

Answer: (A) there is no provision to convert a warrant case to a summons case

Section 259 authorizes conversion in the other direction, from a summons case to a warrant case, when its conditions are met and the interests of justice warrant it. It does not confer an inverse statutory conversion power. The question asks specifically for a provision authorizing that inverse conversion.

79. An accused was tendered pardon by the Magistrate while he was in judicial custody. He then moved an application for bail. The Magistrate, taking into account of the fact that the status of the accused had changed to that of a witness, granted bail. Is the order of the Magistrate correct ?

(A) no; as s.343(4)(b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 says that a person who has been pardoned, unless he is already on bail, be detained in custody until the termination of the trial
(B) yes; the order is correct
(C) yes; as s.343(4)(b) of the Bharatiya Nagarik-Suraksha Sanhita, 2023 says that it is the discretion of the Magistrate to grant bail
(D) the order of the Magistrate would be correct if bail is granted after the trial starts

Answer: (A) no; as s.343(4)(b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 says that a person who has been pardoned, unless he is already on bail, be detained in custody until the termination of the trial

An accomplice who accepts a tender of pardon is examined as a witness, but the change in role does not bring automatic release. Section 343(4)(b) requires custody until the trial ends where the accomplice was not already on bail. The magistrate cannot grant release merely because the pardoned person will now testify.

80. 'A' is accused of committing the offence of rape. Pursuant to his arrest, he is produced before a registered medical practitioner in a hospital run by a local authority for medical examination. The accused resisted the examination and hence the medical examiner used reasonable force to subject him for examination and in the process, an injury was caused to him. When the accused is produced before the Magistrate, he complained of ill treatment by the doctor. The Magistrate records the statement of the accused, treats it as a complaint and forwards it u/s.156(3) Cr.PC to the Station House Officer concerned for investigation and report. Is the action of the Magistrate, correct ?

(A) yes, as the doctor has no right to use such force
(B) yes; as per s.53A(1) Cr.PC, the doctor ought to have taken necessary orders from the Magistrate in the event of the accused resisting the examination
(C) yes; as only a doctor of a government hospital can use force in the event of the accused resisting the examination
(D) no; by virtue of s.53A(1) Cr.PC, the doctor can use such force as is reasonably necessary for the examination

Answer: (D) no; by virtue of s.53A(1) Cr.PC, the doctor can use such force as is reasonably necessary for the examination

A qualifying registered medical practitioner may use force reasonably necessary to conduct the examination authorized by Section 53A(1). The provision includes a practitioner employed by a hospital run by a local authority. On the stated facts, resistance and an injury during examination do not by themselves establish unlawful use of force.

Part C

81. 'Before Memory Fades' is the autobiography of.....

(A) Nani Palkhivala
(B) Fali S. Nariman
(C) Soli Sorabjee
(D) Motilal C Setalvad

Answer: (B) Fali S. Nariman

Fali S. Nariman wrote Before Memory Fades. It is his account of his own life and legal career. The clue is the title of the autobiography and the identity of its author. The other names are also associated with the Indian legal profession, so profession alone does not distinguish the options.

82. Which of the following was a landmark judgment on s.65B of the Indian Evidence Act, 1872 ?

(A) Anvar P.V. v. P.K.Basheer
(B) Shayara Bano v. Union of India
(C) Joseph Shine v. Union of India
(D) Lily Thomas v. Union of India & ors.

Answer: (A) Anvar P.V. v. P.K. Basheer

The decision in option A considered how electronic records are proved under the Evidence Act. It addressed the certification required when a party offers a computer output as secondary electronic evidence under Section 65B. The section sets special conditions for that method of proof, which an ordinary copy of a document does not satisfy merely by being produced.

83. The Supreme Court in Navtej Singh Johar v. Union of India dealt with.....

(A) Decriminalising homosexuality
(B) Basic structure doctrine
(C) Public Interest Litigation
(D) Decriminalising adultery

Answer: (A) Decriminalising homosexuality

The Supreme Court read down Section 377 of the Indian Penal Code to remove criminal liability for private consensual sexual conduct between adults. The ruling protected autonomy, dignity and equality. It did not protect non-consensual acts or acts involving minors. Adultery was the subject of a separate constitutional decision.

84. 'Ad litem' – Means .....

(A) for the consideration
(B) for the limitation
(C) for the value
(D) for the suit

Answer: (D) for the suit

Ad litem means "for the suit" or for a particular proceeding. A guardian ad litem, for example, acts on behalf of someone who needs representation in that litigation. The expression describes the scope of the appointment. It does not mean that the person has general authority to act on all other matters.

85. Who is the present Union Law Minister ?

(A) Arjun Ram Meghwal
(B) Kiren Rijiju
(C) Sarbananda Sonowal
(D) Manohar Lal

Answer: (A) Arjun Ram Meghwal

Arjun Ram Meghwal held the Union law portfolio on 22 June 2025, the date of this examination. The question asks for the officeholder on that date. Kiren Rijiju had previously held the Union law portfolio, so the change of officeholder matters when distinguishing those two choices in a dated paper.

86. Concept of Concurrent List in the Indian Constitution was adopted from the Constitution of .....

(A) Canada
(B) Australia
(C) Japan
(D) Ireland

Answer: (B) Australia

Australia is the source conventionally associated with the Concurrent List. The Indian Constitution sets out this list in the Seventh Schedule, alongside the Union and State Lists. Concurrent subjects are those on which Parliament and the state legislatures can both legislate, subject to the Constitution's allocation and conflict rules.

87. What is the meaning of the word 'Mayhem' ?

(A) Corporal punishment
(B) Corporal hurt
(C) Contingency
(D) Corporeal hereditaments

Answer: (B) Corporal hurt

Mayhem historically means serious bodily injury, particularly injury that disables or maims a person. "Corporal hurt" is the closest choice because it refers to harm to the body. Corporal punishment is punishment inflicted on the body, while corporeal hereditaments are a category of interests in tangible property.

88. Which Article of the Constitution of India deals with the appointment of District Judges ?

(A) Article 223
(B) Article 233
(C) Article 243
(D) Article 253

Answer: (B) Article 233

Article 233 assigns the appointment, posting and promotion of district judges to the Governor of the state in consultation with the High Court. For a person outside government service, it also prescribes the required standing as an advocate or pleader and a High Court recommendation for appointment.

89. Dehors means.....

(A) Connected with
(B) Related to
(C) Unrelated to
(D) Unaltered

Answer: (C) Unrelated to

Dehors means "outside" or "apart from." In legal usage, something dehors an agreement falls outside the terms of that agreement. "Unrelated to" is the closest offered choice. The precise sense is exclusion from the thing being referred to, and context determines whether the matter is entirely unrelated.

90. Which is the provision in the Constitution of India, enabling appointment of retired Judges at sittings of High Courts ?

(A) Article 224 A
(B) Article 239 A
(C) Article 243 A
(D) Article 134 A

Answer: (A) Article 224 A

Article 224A provides for a retired High Court judge to sit and act in a High Court. The Chief Justice of the High Court can request this with the President's prior consent. The retired judge must also consent and has the jurisdiction and powers of a judge while serving.

91. Nemo est haeres viventis means .....

(A) No one can be a Judge in his own cause
(B) No one maintains an action arising out of his own wrong
(C) No one ought to be burdened by the act of another
(D) No one is the heir of a living person

Answer: (D) No one is the heir of a living person

A living person has no heir in the strict legal sense because succession has yet to open. A person who expects to inherit may have only a possibility during the owner's lifetime. The maxim distinguishes this expectation from a right of inheritance that arises when the owner dies.

92. Article 44 of the Constitution of India deals with .....

(A) Fundamental duties
(B) Uniform Civil Code for the citizens
(C) Promotion of international peace and security
(D) Separation of judiciary from executive

Answer: (B) Uniform Civil Code for the citizens

Article 44 directs the State to endeavour to secure a uniform civil code for citizens throughout India. It appears in Part IV among the Directive Principles of State Policy. The other options address distinct constitutional subjects, including separate provisions on fundamental duties, international peace, and separation of the judiciary from the executive.

93. Lex loci regit actum means.....

(A) The law of the place governs the act
(B) The law of the Tribunal governs the remedy
(C) The law assists the ignorant
(D) The law will more readily tolerate a private loss than a public evil

Answer: (A) The law of the place governs the act

The maxim means the law of the place governs the act. It is associated with questions about the law applicable to acts done in a particular jurisdiction, for example where parties execute a transaction abroad. The option referring to a tribunal governing the remedy describes a separate procedural idea.

94. Article 21 A deals with right to free and compulsory education to all children in the age group of .....

(A) 6 to 14 years
(B) 5 to 15 years
(C) 5 to 16 years
(D) 6 to 18 years

Answer: (A) 6 to 14 years

Article 21A establishes the right to free and compulsory education for children from six to fourteen years of age. It requires the State to provide that education in the manner determined by law. Early childhood care for children below six appears separately among the Directive Principles in Article 45.

95. Choose the correct alternative: Lion = Cub : : Goat =?

(A) Lamb
(B) Calf
(C) Kid
(D) Pup

Answer: (C) Kid

The first pair links an adult animal to the name of its young. A young lion is called a cub. Applying the same relationship to a goat gives "kid." A lamb is a young sheep, a calf is a young cow or certain other large mammals, and a pup is the young of several other species.

96. Ibid means.....

(A) In the same place
(B) In another place
(C) in the matter of
(D) In the notes

Answer: (A) In the same place

Ibid is short for the Latin ibidem, meaning "in the same place." In a reference it points back to the source cited immediately before. Context or an added page number tells the reader where to look within that same source. The term does not introduce a different work or place.

97. Pointing to a picture, a man says, "she is the daughter of my grandfather's only son" How is the girl in the photograph related to the man ?

(A) Aunt
(B) Mother
(C) Cousin
(D) Sister

Answer: (D) Sister

The expected reading treats the grandfather's only son as the speaker's father. The girl is that man's daughter and therefore the speaker's sister. The clue tests the standard paternal family relationship. If "grandfather" were read as the maternal grandfather, his son could instead be the speaker's maternal uncle.

98. If FATHER is coded as JEXLIV, then MOTHER will be coded as .....

(A) QXSLIV
(B) QLXSIV
(C) QSXLIV
(D) QVSXLI

Answer: (C) QSXLIV

Each letter in FATHER moves four places forward in the alphabet: F becomes J, A becomes E, T becomes X, H becomes L, E becomes I and R becomes V. Apply the same shift to MOTHER. M becomes Q and O becomes S, while the remaining letters give XLIV, producing QSXLIV.

99. The only Chief Justice of India to act as the President of India was.....

(A) Harilal J. Kania
(B) Sudhi Ranjan Das
(C) Mohammad Hidayatullah
(D) M.Patanjali Sastri

Answer: (C) Mohammad Hidayatullah

Mohammad Hidayatullah performed the functions of the President of India in 1969 while holding office as Chief Justice of India. The question tests simultaneous office and temporary constitutional responsibility. The other options name Chief Justices, but it is Hidayatullah who acted as President during that particular vacancy.

100. Andaman Nicobar Islands comes under the jurisdiction of .....

(A) Andhra Pradesh High Court
(B) Madras High Court
(C) Orissa High Court
(D) Calcutta High Court

Answer: (D) Calcutta High Court

The Calcutta High Court exercises jurisdiction over the Andaman and Nicobar Islands. The islands' status as a Union territory does not give them a separate High Court. The Code of Civil Procedure expressly identifies the High Court in Calcutta for the territory, consistent with the allocation in the question.