

# LAW TIMES

## MONTHLY MAGAZINE FEBRUARY 2024

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## LANDMARK JUDGEMENTS, CASE LAWS & LEGAL NEWS

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- ✚ Recently, the Patna High Court in the matter of **Sushil Kumar Choudhary v. The State of Bihar & Ors.** has held that the question of exercising discretionary power of **granting the benefit of doubt does not arise when the evidence on record is absolutely silent** in respect of the role of the accused persons.
- ✚ A division bench of Justices Abhay S Oka and Pankaj Mithal heard a case involving the offence rape because of false promise to marry under Indian Penal Code, 1860 (IPC). The Supreme Court quashed the complaint in the case of **Sheikh Arif v. The State of Maharashtra & Anr.** The court observed that “If it is established that from the inception, the consent by the victim is a result of a false promise to marry, there will be no consent, and in such a case, the offence of rape will be made out”.
- ✚ Recently, the Keral High Court in the matter of **Shine Kumar v. State of Kerala**, has allowed the plea of insanity as a defence under the provisions of Section 84 of the Indian Penal Code, 1860 (IPC).
- ✚ Recently, the Supreme Court in the matter of **Atamjit Singh v. State of NCT of Delhi & Anr.**, has held that the time-barred nature of an underlying debt in proceedings under Section 138 of the Negotiable Instrument Act, 1881 (NI Act) is a mixed question of law and fact which ought not to be decided by the High Court exercising jurisdiction under Section 482 of the Criminal Procedure Code, 1973 (CrPC).

- ✚ Madhya Pradesh High Court gave this judgment in the case of **Itarsi Pipes Sales & Anr. v. OMRF Pipes and Products & Ors.**  
“the Commercial Court has taken a plausible view which is in consonance with law”.
- ✚ Recently, the **Allahabad High Court** in the matter of **M/S Falguni Steels v. State of U.P. & Ors.**, has held that the **writ** of certiorari is **not issued as a matter of course, but rather it is granted at the discretion of the Superior Court.**
- ✚ Recently, the High Court of Kerala in the matter of **Litty Thomas v. State of Kerala**, has held that before the Judge proceeds to frame the charge under the provisions of Section 228 of the Criminal Procedure Code, 1973 (CrPC), he has to form an opinion, that there is ground for presuming that the accused has committed the offence.
- ✚
  - NALSA conducts 4 Lok Adalats per year.
  - Data of 2021, 2022 and 2023 is as follows:

Year	No. of Lok Adalats held	Pre-litigation cases disposed	Pending Cases Disposed of	Total Cases Disposed of
2021	4	72.06 lacs	55.82 lacs	127.88 lacs
2022	4	310.15 lacs	109.11 lacs	410.26 lacs
2023	4	673.78 lacs	136.52 lacs	810.30 lacs

### What is the Scheduled for 2024?

<b>First National Lok Adalat</b>	09/03/2024
<b>Second National Lok Adalat</b>	11/05/2024
<b>Third National Lok Adalat</b>	14/09/2024
<b>Fourth National Lok Adalat</b>	14/12/2024

- ✚ Recently, the bench of Justice Krishna S Dixit and Justice G Basavaraj was hearing a case against the order of State Administrative Tribunal. The Karnataka High Court was hearing this issue in the case of **P V Rudrappa v. State of Karnataka**. The HC held that “In a way, this can be likened to doctrine of double jeopardy, constitutionally enacted in Article 20(2) under Constitution of India.”
- ✚ Recently, the Orissa High Court in the matter of **Pata @ Pratap Puri v. State of Odisha**, has held that evidence adduced from the microscopic hair comparison cannot be solely used to record a conviction for murder against an accused person.
- ✚ Recently, the Andhra Pradesh High Court has held that an independent decision must be made as to whether the prosecution of an accused is to be withdrawn or not although a **public prosecutor is entitled to move an application under Section 321 of the Criminal Procedure Code, 1973 (CrPC) for withdrawal of prosecution.**
- ✚ Recently, the Supreme Court in the matter of **Velthepu Srinivas v. State of Andhra Pradesh (Now State of Telangana) & Anr.**, has held that common intention under the provisions of Section 34 of the Indian Penal Code, 1860 (IPC) cannot be inferred mechanically merely based on the presence of accused near the scene of offence.
- ✚ Recently, the Karnataka High Court held that **if the husband fails to take the wife back to the matrimonial home in the absence of a stay on the decree for restitution of conjugal rights, then it would be open to the wife to seek interim maintenance for herself.**

- ✚ Recently, the Karnataka High Court in the matter of **M R Mohan Kumar & Others v. NIL**, heard about issuance of probate in the case where executor has not been named. “When the Will was executed in favour of the beneficiary, admittedly, no executor has been appointed and mere non-appointment of an executor cannot be a ground to reject grant of probate”.
- ✚ Recently, the Karnataka High Court showed concern over the emerging trend of **malicious parent syndrome** and said that it's unfortunate that the provisions of the **Protection of Children from Sexual Offences Act, 2012 (POCSO Act)** which are meant to protect the child from abuse are being misused by a protagonist of the crime.
- ✚ Recently, the **Supreme Court** in the matter of **Sunder Lal v. The State of Uttar Pradesh & Anr.**, has held that a witness can be **summoned as a defence witness** who was shown in the Prosecution list but not examined by prosecution.
- ✚ Recently, the bench of Justices MM Sundresh and S V N Bhatti held that the accused can cross-examine a police officer of case diary if the police officer has used that case diary to refresh his memory under Indian Evidence Act, 1872. The aforesaid observation was made in the matter of **Shailesh Kumar v. State of UP**.

## ONE LINERS – GENERAL KNOWLEDGE POINTS

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- ❖ Recently, the **Companies are collaborating with ITC to address climate challenges in Indian tobacco farming-**  
Microsoft and Skymet
- ❖ **What is the new bulk deposit limit set by the RBI for large urban co-operative bank-**  
₹1 crore and above
- ❖ **What does DIPAM stand for in the context of disinvestment in India**  
Department of Investment and Public Asset Management
- ❖ **What does CCEA stand for in the approval process of govt. plans-**  
Cabinet Committee on Economic Affairs
- ❖ **What was considered a bulk deposit across all UCBs before the revision-**  
₹15 lakh and above
- ❖ **Which countries are set to join BRICS, doubling its membership?**  
Saudi Arabia, Iran, UAE, Ethiopia, and Egypt
- ❖ **What is AFA validation in the context of CoFT requirements?**  
Additional Factor of Authentication
- ❖ **LOKPAL CHAIRPERSON 2024–**  
Justice A.M. Khanwilkar
- ❖ **Third battle of Panipat**  
1761

- ❖ **Jallianwala bagh massacre**  
Amritsar
  
- ❖ **Which commission demarcated Punjab-Haryana?**  
JC Shah Commission
  
- ❖ **The first battle of Panipat took place between whom?**  
Between Ibrahim Lodi and Babar
  
- ❖ **Who won the second battle of Panipat?**  
Akbar
  
- ❖ **How many administrative divisions are there in Haryana?**  
6
  
- ❖ **The headquarters of which district of Haryana is located in some other city?**  
Mahendragarh in Narnaul
  
- ❖ **What is the position of Haryana in India in terms of area?**  
20th
  
- ❖ **Who is called the Iron Man of Haryana?**  
Ch. Bansi Lal
  
- ❖ **Which cities of Haryana have been included under the Smart City Scheme?**  
Karnal and Faridabad.
  
- ❖ **Who has been appointed as the brand ambassador of 'Beti Bachao, Beti Padhao' program in Haryana?**  
  
Parineeti Chopra

- ❖ **How much amount has been announced by the Haryana government to the gold, silver and bronze medal winners in the Olympics?**  
Rs 6 crore, 4 crore and 2.5 crore respectively
- ❖ **Cow Protection and Cow Promotion Act has recently been passed by which state?**  
Haryana
- ❖ **What name has been given to the scheme for depositing the amount of social security schemes in bank accounts in Haryana?**  
"Thari Pension, Thare Pass"
- ❖ **Haryana Kesari**  
Pt. Neki Ram Sharma
- ❖ **The first novel written in Haryanvi language is**  
Jhadufiri
- ❖ **At which place in Haryana state "Solar Eclipse Fair" is held**  
Kurukshetra
- ❖ **Chaudhary Devi Lal University is established in which district of Haryana**  
Sirsa
- ❖ **In which districts of Haryana good quality Basmati rice is produced**  
Karnal and Kurukshetra.
- ❖ **Which district of Haryana does not share the border with any state?**  
Rohtak
- ❖ **In which district of Haryana is Sohna Kund located?**  
Gurgaon



## HARYANA JUDICIARY PRELIMS PAPER 2021

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**1. The definition of "Victim" has been inserted in Cr.P.C. in:**

- (a) 2008
- (b) 2009
- (c) 2010
- (d) 2011.

**2. Sec. 27 of the Cr.P.C. deals with:**

- (a) Trial of Persons of Unsound Mind
- (b) Trial of Non-Citizens of India
- (c) Trial of Juveniles
- (d) Trial of Diplomats.

**4. Sec. 166A Cr.P.C. deals with:**

- (a) Medical Examination of Rape Victim
- (b) Requisition of additional Search Warrant
- (c) Recording of Statement of Rape Victim
- (d) Investigation outside India.

**5. Women detained below the age of eighteen years shall be sent to:**

- (a) Remand Home
- (b) Women Prison
- (c) Women Police Station
- (d) Shall not be detained.

**6. Case Diary has been discussed under:**

- (a) Sec. 169 of Cr.P.C.
- (b) Sec. 170 of Cr.P.C.

- (c) Sec. 171 of Cr.P.C.
- (d) Sec. 172 of Cr.P.C.

**7. The Principle of Speedy Trial and the limitation period of completing the trial of certain cases has been provided under:**

- (a) Sec. 301 of Cr.P.C.
- (b) Sec. 305 of Cr.P.C.
- (c) Sec. 308 of Cr.P.C.
- (d) Sec. 309 of Cr.P.C.

**8. At what stage of the trial, prosecution of any person can be withdrawn with the consent of the court?**

- (a) Before framing of charges
- (b) After the examination of accused
- (c) After the completion of examination of prosecution witnesses

**10. Section 394 Cr.P.C. provides the procedure relating to:**

- (a) Suspension of sentence
- (b) Summary dismissal of appeal
- (c) Abatement of appeal
- (d) Finality of judgment on appeal.

**11. Commutation of a death sentence on a pregnant woman is provided under:**

- (a) Sec. 413 of Cr.P.C.
- (b) Sec. 414 of Cr.P.C.
- (c) Sec. 415 of Cr.P.C.
- (d) Sec. 416 of Cr.P.C.

**12. can proceed under Section 340 of the Code of Criminal Procedure, 1973 and hold a preliminary enquiry.**

- I. Civil Court
- II. Revenue Court
- III. Criminal Court
  - (a) I and II
  - (b) II and III
  - (c) III and I
  - (d) I, II and III.

**13. of the Cr.P.C deals with the power of the Magistrate to arrest.**

- (a) Sec. 40
- (b) Sec. 44
- (c) Sec. 48
- (d) Sec. 52.

**14. It is mandatory to produce the person arrested before the Magistrate, within 24**

- (a) To run concurrently with substantive sentence imposed
- (b) In addition to the substantive sentence imposed
- (c) Court can condone it
- (d) None of the above.

**16. Under Cr.P.C. the period of limitation for taking cognizance of an offence shall be three years:**

- (a) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years
- (b) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding seven years
- (c) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding ten years
- (d) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding five years.

**17. The contents of documents:**

- (a) may only be proved by primary evidence
- (b) may only be proved by secondary evidence
- (c) may be proved either by primary or by secondary evidence
- (d) shall be proved either by primary or by secondary evidence.

**18. The following documents are public documents:**

- (a) Documents forming the acts, or records of the acts of the sovereign authority, of official bodies and tribunals, and of public officers, legislative, judicial and executive, of any part of India or of the Commonwealth, or of a foreign country
- (b) Public records kept (in any State) of private documents
- (c) Both (a) and (b)
- (d) Only documents maintained by legislative, judiciary and executive in India.

**20. Which of the following is not included in the expression 'court' under the Indian Evidence Act?**

- (a) All judges
- (b) All persons legally authorized to take evidence
- (c) All magistrates
- (d) Arbitrator.

**21. Which of the following was included in the definition of 'evidence' under the Evidence Act by the Information Technology Act, 2000?**

- (a) Social media
- (b) E-mail
- (c) Electronic record
- (d) Compact Disk.

**22. An admission constitutes a:**

- (a) Substantive piece of evidence
- (b) Corroborative piece of evidence
- (c) Conclusive proof
- (d) None of the above.

**23. "Hearsay evidence is no evidence." Which one of the following is an exception to the above rule under the Evidence Act?**

- (a) Sec. 32
- (b) Sec. 27
- (c) Sec. 14
- (d) Sec. 23.

**24. Judge's power to put question or order the production of any document or thing is given in \_\_\_\_\_ of Evidence Act.**

- (a) Sec. 165
- (b) To Police Officer
- (c) To Legal Advisor
- (d) To Revenue Officer.

**26. Section 62 of the Evidence Act deals with:**

- (a) Primary evidence
- (b) Secondary evidence
- (c) Proof of documents by primary evidence
- (d) Cases in which secondary evidence relating to documents may be given.

**27. In the absence of substantive evidence:**

- (a) corroborative evidence can be used
- (b) corroborative evidence has no worth
- (c) corroborative evidence may be or may not be used as per the discretion of the Court

(d) none of the above.

**28. Where a married woman, dying of burns was a person of unsound mind and the medical certificate vouchsafed her physical fitness for a statement and not the state of mind at the crucial moment; in which of the following cases the court said that the statement could not be relied upon?**

- (a) Ravi Chander v. State of Punjab
- (b) Shripatrao v. State of Maharashtra
- (c) Ulka Ram v. State of Rajasthan
- (d) Baldev Raj v. State of H.P.

**29. Under Section 14 of the Evidence Act, the facts showing the existence of state of mind must be:**

- (a) Specific state of mind
- (b) General state of mind
- (c) Both (a) and (b)
- (d) None of the above.

**30. Statement recorded during investigation under Section 161 Cr.P.C. can be used during trial:**

- (a) For corroborating the witness
- (b) For contradicting the witness
- (c) Both (a) and (b)
- (d) Neither (a) nor (b).

**31. Where by a contract of sale, the seller purports to affect a present sale of future goods, the contract operates as:**

- (a) Sale
- (b) An agreement to sell the goods
- (c) A sale or an agreement to sell the goods, depending upon the facts and circumstances of the case
- (d) None of the above.

**32. The unpaid seller's right of lien terminates:**

- (a) When he delivers the goods to a carrier or other bailee for the purpose of transmission to the buyer without reserving the right of disposal of the goods
- (b) When the buyer or his agent lawfully obtains possession of the goods

- (c) Both (a) and (b)
- (d) None of the above.

**33. There are exceptions to the rule that a seller of goods cannot give to the buyer a better title than he himself has over them, which among the following is a wrong exception?**

- (a) Sale by Mercantile Agent
- (b) Sale by one of the joint owners
- (c) Sale by seller in possession after sale
- (d) Sale without the consent or authority of owner.

**34. Which provision of the Limitation Act provides that an appeal from an order can be filed in a High Court within 90 days and in another court within 30 days?**

- (a) Article 102  
Article 133
- (d) Minor.

**36. Which of the following provisions of The Limitation Act, 1953 states that in case of debt, payment will provide fresh period of limitation from the time of payment?**

- (a) Sec. 13
- (b) Sec. 16
- (c) Sec. 19
- (d) Sec. 22.

**37. Section 20 of The Specific Relief Act, 1963 provides for:**

- (a) Discretion of the court as to decreeing specific performance
- (b) Substituted performance of contract
- (c) Power of the court to engage experts
- (d) Expeditious disposal of suits.

**38. Which of the following situation(s) has/have been inserted by the Specific Relief (Amendment) Act, 2018 in Section 41 of The Specific Relief Act, 1963 (when an injunction cannot be granted):**

- (a) To restrain any person from applying to any legislative body
- (b) When equally efficacious relief can certainly be obtained by any other usual mode of proceedings except in case of breach of trust
- (c) If it would impede or delay the progress or completion of any infrastructure project or interfere with the continued provision of relevant facility related thereto or services being the subject matter of such project
- (d) All of the above.

**39. Which of the following provisions of the Code of Civil Procedure relates to the application of the doctrine of res-judicata in a representative suit?**

- (a) Sec. 11, Explanation II
- (b) Sec. 11, Explanation IV

III. Petition under Article 226 of the Constitution of India

- (a) Only II
- (b) II and III
- (c) I, II and III
- (d) None of the above.

**41. Which of the following provision of the Code of Civil Procedure prohibits further appeal against the decision of a single judge in second appeal?**

- (a) Section 100
- (b) Section 100-A
- (c) Section 101
- (d) Section 102.

**42. An order allowing or disallowing an application for amendment is:**

- (a) Appealable



- (b) A decree
- (c) An appealable order
- (d) None of the above.

**43. Among the following properties, which shall not be liable for attachment under the Code of Civil Procedure:**

- (a) Government securities
- (b) Bank notes
- (c) A mere right to sue for damages
- (d) All of the above.

**44. A plaint was rejected under Order VII Rule 11 Code of Civil Procedure, for non-payment of court fee. Remedy available to the aggrieved party is:**

- (a) To file an appeal
- (b) To file a revision
- (c) To file a restoration petition in the same court
- (d) All of the above.

**45. A decree is preliminary:**

- (a) When it deals with some preliminary issue
- (b) When it is used in the preliminary stages of the suit
- (c) When further proceedings have to be taken before the suit to be completely disposed of
- (d) None of the above.

**46. Second appeal shall not lie from any decree, as provided under Section 102 of the Code of Civil Procedure when the subject matter of the original suit is for recovery of money not exceeding:**

- (a) Rs. 10,000/-
- (b) Rs. 25,000/-
- (c) Rs. 20,000/-
- (d) Rs. 15,000/-

**47. Which of the following statement is correct?**

- (a) No decree is to be reversed or modified for error or irregularity not affecting merits or jurisdiction
- (b) An appeal shall lie from a decree passed by the court with the consent of parties

- (c) An appeal may lie from an original decree passed ex parte
- (d) Both (a) and (c).

**48. If a cloud is cast upon the title or legal character of the plaintiff, he is entitled to seek the aid of the court to dispel it by way of:**

- (a) Injunction
- (b) Order
- (c) Declaratory Decree
- (d) Specific Performance.

**49. The Order of injunction may be discharged, of varied, or set aside by the Court at the instance of:**

- (a) Plaintiff
- (b) Defendant
- (c) Both (a) and (b)
- (d) None of the above.

**51. Decree means:**

- (a) Extract of the judgment
- (b) Reasons for which the suit is decreed or dismissed
- (c) Formal expression of the court of an adjudication determining the rights of parties
- (d) Bill of costs.

**52. On the ground of jurisdiction under Section 13 of Code of Civil Procedure**

**\_\_\_\_\_ can be challenged.**

- (a) only a judgment in personam
- (b) only a judgment in rem
- (c) both (a) and (b)
- (d) neither of the above.

**53. Which of the following propositions incorrect?**

- (a) A void contract is void ab initio
- (b) A void agreement is void ab initio
- (c) A voidable contract is a contract until rescinded
- (d) An illegal agreement is void ab initio.

**54. Where the acceptance to an offer is sent by the offeree by an e-mail?**

- (a) The postal rule will be applied for the purpose of determining the communication of acceptance, as also the place and time of contract
- (b) The receipt (recipient) rule will be applied for the purpose of determining the communication of acceptance, as also the, place and time of contract
- (c) The law in India is unclear on this subject
- (d) Neither of the above.

**55. Which of the following propositions is incorrect about the doctrine of frustration**

- (d) The doctrine of frustration is applicable when the rights and obligations of the parties arise under a transfer of property under a lease.

**56. X owes Rs.10,000/- to Y under a contract. It is agreed between X,Y, & Z that shall henceforth accept Z as his debtor instead of X for the same amount. Old debt of X is discharged and a new debt from Z to Y is contracted. This is:**

- (a) Alteration of contract
- (b) Rescission of contract
- (c) Novation of contract
- (d) Change in contract.

**57. Which of the following statement(s) is correct?**

- (a) An agreement enforceable by law is a contract
- (b) Every promise and every set of promises, forming the consideration for each other, is an agreement

- (c) All agreements enforceable by law are contracts and valid. But all agreements are not enforceable by law
- (d) All of the above.

**58. Section 27 of the Indian Contract Act declares an agreement in restraint of trade:**

- (a) Voidable
- (b) Unenforceable
- (c) Void
- (d) Valid.

**59. As per the Punjab Courts Act, 1918, the provision for second appeal is mentioned in:**

- (a) Sec. 40
- (b) Sec. 41
- (c) Sec. 39

**61. What is the amount of ex-gratia compensation recommended by the central government to be paid to the family members of persons who succumbed to Covid-19?**

- (a) Rs. 50,000/-
- (b) Rs. 1,50,000/-
- (c) Rs. 1,00,000/-
- (d) Rs. 2,00,000/-

**62. Which among the following cases deal with the Pegasus surveillance scandal?**

- (a) Prashant Bhushan v. Union of India
- (b) Sadre Alam v. Union of India
- (c) CPIL v. Union of India
- (d) Manohar Lal Sharma v. Union of India.

**63. In which among the following cases the Supreme Court refused to vacate its order allowing women candidates to appear for the National Defence Academy examination this year?**

- (a) Dr. Apurva Satish Gupta v. Union of India
- (b) Kush Kalra v. Union of India
- (c) R Rajeshwaran v. Union of India
- (d) K Jayakumar v. Union of India.

**64. Who among the following is the Chairman of the Bar Council of India?**

- (a) Manan Kumar Mishra
- (b) Apurba Kumar Sharma
- (c) Prashant Kumar Singh
- (d) Ashok Kumar Deb.

**65. Exposure to sunlight helps a person improve his health because:**

- (b) Cell formation
- (c) Relation between the organisms and their environment
- (d) Tissues.

**67. How many medals were won by India in the Tokyo Olympics 2020?**

- (a) 5
- (b) 6
- (c) 7
- (d) 8.

**68. 'A' dissent in a court of last resort is an appeal to the brooding spirit of the law, to the intelligence of a future day, when a later decision may possibly correct the error into which the dissenting judge believes the court to have been betrayed.' This statement made by Chief Justices Charles Evans Hughes and subsequently cited in a famous Indian dissent by:**

- (a) Justice M.C. Chagla
- (b) Justice Sir Saiyid Fazl Ali
- (c) Justice A.N. Ray
- (d) Justice H.R. Khanna.

**69. Which is the first country to make broadband a legal right for every citizen?**

- (a) England
- (b) Finland
- (c) Denmark
- (d) China.

**70. To inculcate reading habit among students, which mission has been initiated by the state Government of Haryana?**

- (a) Read More Lead More — Haryana
- (b) Reading to leading — Haryana
- (c) Reading Mission — Haryana
- (d) Read to learn — Haryana.

**71. Justice N.V. Ramana is serving as the \_\_\_\_\_ Chief Justice of India.**

- (a) 49th CJI
- (b) 48th CJI
- (c) 47th CJI
- (d) 46th CJI.

**72. The boundary line between India and China is:**

- (a) Redline
- (b) Durand Line
- (c) McMahon Line
- (d) Radcliffe Line.

**73. Who is the Union Minister of Law and Justice, Government of India?**

- (a) Pashupati Kumar
- (b) Kiren Rijju
- (c) Ashwini Vaishnav
- (d) Ravishankar Prasad.

**74. Under Section 7 of the Hindu Marriage Act, 1955 a marriage must be solemnised in accordance with the customary rites and ceremonies of:**

- (a) the bride
- (b) the bridegroom
- (c) both bride and bridegroom
- (d) either bride or bridegroom.

**75. The consequence of non-registration of a marriage under Section 8 of the Hindu Marriage Act is:**

- (a) Marriage becomes voidable at the option of either party thereto
- (b) Marriage is valid but calls for Imposition of penalty
- (c) Marriage is void and calls for imposition of penalty
- (d) None of the above.

**76. Restitution of conjugal rights can be claimed:**

- (a) void
- (b) voidable
- (c) both (a) and (b)
- (d) none of the above.

**78. If two persons are related to each other by blood or adoption not wholly through males, they are called:**

- (a) blood relations
- (b) agnates
- (c) cognates
- (d) cousins.

**79. Under the Hindu Adoption and Maintenance Act, 1956, a Hindu male can adopt a child without the consent of his wife provided:**

- (a) the wife is not interested in the adoption

- (b) the wife is living in a foreign country
- (c) he has more than one wife
- (d) the wife has ceased to be a Hindu.

**80. Choose the wrong statement:**

- (a) A Hindu who has a Hindu son cannot adopt a son
- (b) A Hindu who has a Hindu grandson cannot adopt a son
- (c) A Hindu who has a Hindu great grandson cannot adopt a son
- (d) A Hindu who has a Hindu daughter cannot adopt a son.

**81. Alienation by the Karta without legal necessity or the benefit of estate is:**

- (a) valid
- (b) voidable at the instance of the coparcener
- (c) voidable at the instance of alienee
- (d) void ab initio.

**82. Proceedings to be in camera and may not be printed or published, is provided in which section of hindu marriage act**

- (a) Section 24
- (b) Section 22
- (c) Section 21
- (d) Section 23.

**83. Which section of the Hindu Marriage Act, 1955 deals with Custody of children?**

- (a) Section 27
- (b) Section 24
- (c) Section 26
- (d) Section 29.

**84. Desertion is:**

- (a) total repudiation of obligation of marriage
- (b) partial repudiation of the obligation of marriage
- (c) both (a) and (b)
- (d) none of the above.

**85. Presumption that the younger survived the elder under Section 21 of the Hindu Succession Act is a:**



- (a) Presumption of fact
- (b) Presumption of fact and law
- (c) Rebuttable presumption of law
- (d) Irrebuttable presumption of law.

**86. Section 14 of the Hindu Succession Act applies to:**

- (a) Movable property
- (b) Immovable property
- (c) Both movable and immovable property
- (d) None of the above.

**87. A Hindu die leaving behind father and son's daughter's son. They are:**

- (a) Class I heirs
- (b) Class II heirs
- (c) Preferential heirs
- (d) both cannot inherit.

**89. The punishment for pronouncement of any irrevocable form of divorce by a Muslim husband upon his wife is:**

- (a) imprisonment for a term which may extend to three years
- (b) imprisonment for a term which may extend to three years and fine
- (c) imprisonment for a term which may extend to two years
- (d) imprisonment for a term which may extend to two years and fine.

**90. Under Muslim law, Wakf means:**

- (a) permanent dedication of movable property
- (b) permanent dedication of immovable property
- (c) permanent dedication of movable or immovable property
- (d) permanent or temporary dedication of movable or immovable property.

**91. Where partners upon or in anticipation of the dissolution of the firm make an agreement that some or all of them will not carry on a business similar to that of the firm within a specified period or within specified local limits, such agreement is:**

- (a) Valid, its restrictions imposed are reasonable, notwithstanding anything contained in Section 27 of the Indian Contract Act
- (b) Void, irrespective of the nature of restrictions imposed on the ground of being an agreement in restraint of trade
- (c) Voidable
- (d) None of the above.

**92. In which of the following situations, a public notice is not required to be given under the Indian Partnership Act, 1932:**

- (a) When a partner retires from the firm
- (b) When a partner is expelled from the firm
- (c) When the firm is dissolved
- (d) When an alteration is made in the name of the firm.

**93. An act of a firm means:**

- (a) Any act of partner or agent of the firm which gives rise to a right enforceable by or against the firm
- (b) Any act by all the partners
- (c) Any omission by all the partners
- (d) All of the above.

**94. The registering officer may in his discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless attest with their signatures or initials such interlineation, blank, erasure or alteration.**

- (a) The Sub Registrar
- (b) The Notary Public
- (c) The persons executing the document
- (d) Document Writer.

**95. Normally no document other than a Will shall be accepted for registration unless presented for that purpose to the proper officer within \_\_\_ month (s) from the date of its execution.**

- (a) One
- (b) Two

- (c) Three
- (d) Four.

**96. Which of the following documents needs compulsory registration as per the Registration Act, 1908:**

- (a) Wills
- (b) Instruments acknowledging the receipt of payment
- (c) Lease of Immovable property not exceeding one year
- (d) Lease of Immovable property exceeding one year.

**97. No person shall convert a residential building into a non-residential building except with the permission in writing of:**

- (a) The Landlord
- (b) The Tenant
- (c) The Controller appointed by the State Government under the Haryana Urban
- (b) Three years
- (c) One year
- (d) Five years.

**99. A custom must be immemorial. In India this implies that:**

- (a) The custom dates back to 1189 AD
- (b) It should date back to 1189 AD for mofussil districts and 1775 for presidencies
- (c) Long usage is sufficient
- (d) It should date back to 1950.

**100. 'Uberrima Fides' means:**

- (a) Reason for deciding the judgment
- (b) In utmost good faith
- (c) As much as deserved
- (d) The principle that courts abide by.

**101. 'Persona non-grata' means:**

- (a) By the fact itself
- (b) Person not wanted
- (c) Granting legal personality
- (d) No discrimination between persons.

**102. A police officer has received a sum of Rs. 5,000/- against fine from the persons violating traffic rules. Instead of depositing the fine money with State Treasury, he utilized the same for his personal use. What offence under Indian Penal Code, the police has committed?**

- (a) Criminal breach of trust
- (b) Mischief
- (c) Cheating with Government
- (d) None of the above.

**104. 'X' beat his wife. She fell down and became unconscious. Believing her to be dead and to save himself from being arrested for murder, 'A' hanged her from the fan with a rope. Postmortem report disclosed her death by hanging. 'A' is liable for:**

- (a) Murder
- (b) Culpable homicide
- (c) Hurt
- (d) Grievous hurt.

**105. For abduction the abducted person should be:**

- (a) Below 16 years of age
- (b) Below 18 years of age
- (c) Insane person
- (d) Of any age.

**106. The case of Bachan Singh v. State of Punjab is concerned with:**

- (a) Capital punishment in India
- (b) Custody of under trial prisoners
- (c) Prosecution for attempt to suicide
- (d) None of the above.

**107. Grave and sudden provocation is a:**

- (a) question of fact
- (b) question of law
- (c) mixed question of law and fact
- (d) presumption under law.

**108. 'A' voluntarily burns a valuable security belonging to 'Z' intending to cause wrongful loss to 'Z'. 'A' has committed the offence of:**

- (a) Criminal force
- (b) Section 165 of IPC
- (c) Section 166 of IPC
- (d) Section 167 of IPC.

**110. Criminal intimidation by anonymous communication or having taken precaution to conceal whence the threat comes, is dealt under:**

- (a) Section 506 of IPC
- (b) Section 507 of IPC
- (c) Section 508 of IPC
- (d) Section 509 of IPC.

**111. Z is thrown from his horse and is insensible. A, a surgeon, finds out that Z requires to be trepanned. A, not intending Z's death, but in good faith for Z's benefit, performs the trepan before Z recovers his power of judging for himself.**

- (a) A has committed offence

- (b) A has committed no offence
- (c) A has committed culpable homicide
- (d) Both (a) and (c).

**112. Voyeurism is punishable under:**

- (a) Section 354 A of IPC
- (b) Section 354 B of IPC
- (c) Section 354 C of IPC
- (d) Section 375 A of IPC.

**113. Under Section 82 and Section 83 of IPC an offence is punishable if it is done by a child:**

- (a) of below seven years of age
- (b) of above seven years of age but below twelve years if he has not attained sufficient maturity and understanding
- (c) of above seven years of age but below twelve years having attained sufficient maturity and understanding
- (d) all of the above.

**114. Making a false document or part of a document with any one of the intents specified in Section 463 IPC constitutes:**

- (a) Mischief
- (b) Fabrication of false documents
- (c) Forgery
- (d) Both (a) and (c) only.

**115. The feature of 'Concurrent List' in our Constitution is borrowed from which country's Constitution?**

- (a) Japan
- (b) Ireland
- (c) United States
- (d) Australia.

**116. Which was the first case to introduce the concept of judicial review?**

- (a) Donoghue v. Stevenson (1932)
- (b) Marbury v. Madison (1803)
- (c) Entick v. Carrington (1755)

(d) Rylands v. Fletcher (1868).

**117. Who among the following was the first Chief Justice of Supreme Court during British India?**

- (a) Sir Elijah Impey
- (b) Sir Robert Chambers
- (c) Sir John Anstruther
- (d) Justice H.L. Kania.

**118. Which among the following language is NOT there in the 8th Schedule of Constitution of India?**

- (a) Dogri
- (b) Rajasthani
- (c) Sindhi
- (d) Manipuri.

**120. Under the Constitution, the State shall endeavour to secure for the citizens a Uniform Civil Code throughout the territory of India as per:**

- (a) Article 40
- (b) Article 43
- (c) Article 44
- (d) Article 48.

**121. The satisfaction of the President means the satisfaction of the Council of Ministers and not his personal satisfaction, was held in:**

- (a) Shamsheer Singh v. State of Punjab
- (b) U.N. Rao v. Indira Gandhi
- (c) Ram Jawaya Kapoor v. State of Punjab
- (d) Sardari Lal v. Union Government.

**122. Article 360 of the Constitution has been invoked:**

- (a) Only one time
- (b) Two times
- (c) Three times
- (d) Never.

**123. The protection and improvement of environment including forests and wildlife of the country is:**

- (a) Directive Principles of State Policy
- (b) Fundamental National Policy
- (c) Fundamental Duty of a Citizen
- (d) Both Directive Principles of State Policy and Fundamental Duty of a Citizen.

**124. Secularism is part of the Basic Structure of the Indian Constitution was held in:**

- (a) Excel Wear v. Union of India (SC, 1978)
- (b) F.N. Balsara v. State of Bombay (SC, 1951)
- (c) Narassu appa mali v. state of Bombay (SC, 1951)
- (d) Deputy Speaker of State Legislative Assembly

**125. The constitution doesn't provide for the post of :**

- (a) deputy chairman of rajya Sabha
- (b) deputy speaker of lok Sabha
- (c) deputy prime minister
- (d) deputy speaker of legislative assembly



**ANSWER KEY: HARYANA JUDICIAL SERVICES PRELIMS 2021**

<b>1</b>	[b]	<b>26</b>	[a]	<b>51</b>	[c]	<b>76</b>	[c]	<b>101</b>	[b]
<b>2</b>	[c]	<b>27</b>	[b]	<b>52</b>	[a]	<b>77</b>	[d]	<b>102</b>	[a]
<b>3</b>	[b]	<b>28</b>	[a]	<b>53</b>	[a]	<b>78</b>	[c]	<b>103</b>	[b]
<b>4</b>	[d]	<b>29</b>	[a]	<b>54</b>	[b]	<b>79</b>	[d]	<b>104</b>	[b]
<b>5</b>	[a]	<b>30</b>	[b]	<b>55</b>	[d]	<b>80</b>	[d]	<b>105</b>	[d]
<b>6</b>	[d]	<b>31</b>	[b]	<b>56</b>	[c]	<b>81</b>	[b]	<b>106</b>	[a]
<b>7</b>	[d]	<b>32</b>	[c]	<b>57</b>	[d]	<b>82</b>	[b]	<b>107</b>	[a]
<b>8</b>	[d]	<b>33</b>	[d]	<b>58</b>	[c]	<b>83</b>	[c]	<b>108</b>	[b]
<b>9</b>	[c]	<b>34</b>	[c]	<b>59</b>	[b]	<b>84</b>	[d]	<b>109</b>	[c]
<b>10</b>	[c]	<b>35</b>	[b]	<b>60</b>	[c]	<b>85</b>	[c]	<b>110</b>	[b]
<b>11</b>	[d]	<b>36</b>	[c]	<b>61</b>	[a]	<b>86</b>	[c]	<b>111</b>	[b]
<b>12</b>	[d]	<b>37</b>	[b]	<b>62</b>	[d]	<b>87</b>	[b]	<b>112</b>	[c]
<b>13</b>	[b]	<b>38</b>	[c]	<b>63</b>	[b]	<b>88</b>	[c]	<b>113</b>	[c]
<b>14</b>	[b]	<b>39</b>	[c]	<b>64</b>	[a]	<b>89</b>	[b]	<b>114</b>	[c]
<b>15</b>	[b]	<b>40</b>	[d]	<b>65</b>	[d]	<b>90</b>	[c]	<b>115</b>	[d]
<b>16</b>	[a]	<b>41</b>	[b]	<b>66</b>	[c]	<b>91</b>	[a]	<b>116</b>	[b]
<b>17</b>	[c]	<b>42</b>	[d]	<b>67</b>	[c]	<b>92</b>	[d]	<b>117</b>	[a]
<b>18</b>	[c]	<b>43</b>	[c]	<b>68</b>	[c]	<b>93</b>	[d]	<b>118</b>	[b]
<b>19</b>	[a]	<b>44</b>	[a]	<b>69</b>	[b]	<b>94</b>	[c]	<b>119</b>	[d]
<b>20</b>	[d]	<b>45</b>	[c]	<b>70</b>	[c]	<b>95</b>	[d]	<b>120</b>	[c]
<b>21</b>	[c]	<b>46</b>	[b]	<b>71</b>	[b]	<b>96</b>	[d]	<b>121</b>	[a]
<b>22</b>	[a]	<b>47</b>	[d]	<b>72</b>	[c]	<b>97</b>	[c]	<b>122</b>	[d]
<b>23</b>	[a]	<b>48</b>	[c]	<b>73</b>	[b]	<b>98</b>	[d]	<b>123</b>	[d]
<b>24</b>	[a]	<b>49</b>	[c]	<b>74</b>	[d]	<b>99</b>	[c]	<b>124</b>	[d]
<b>25</b>	[c]	<b>50</b>	[b]	<b>75</b>	[b]	<b>100</b>	[b]	<b>125</b>	[c]

## JANUARY TOPPERS OF JUDICIARY BATCH

# KEEP EXCELLING!



ARSHDEEP



SIMERPREET SINGH



GURJOT SINGH



VANITA



JASMEEN



PRIYANKA