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Punjab Public Service Commission
Assistant District Attorney Punjab 2016 (Paper – I)
Objective Test (Mar-2016) for Recruitment of Assistant District
Attorneys in the Department of Home Affairs and Justice,
Govt. of Punjab

PAPER I

Q.1. An order against nuisance is passed under Section 133 and 144 of Cr. P.C. by District Magistrate or Sub-Divisional Magistrate. The nature of orders under both the Sections is:

- (A) Both are absolute orders
 (B) Order u/s 133 is absolute while S. 144 order is conditional
 (C) Order u/s 133 is conditional while S.144 order is absolute
 (D) Both are conditional orders
Ans. (C)

Q.2. Match the followig:

i Actus curiae neminem gravabit	(I) no man can be a judge in his own case
ii. Imponitia excusatlegam	(II) the burden of proof lies on the plaintiff
iii. nemo debe tesse judex in propria causa	(III) an act of the court shall prejudice no man
iv. action incumbit	(IV) impossibility

	onus probandi		excuses the law	
	i	ii	iii	iv
(A)	I	II	III	IV

- (B) III I II IV
 (C) II IV III I
 (D) III IV I II
Ans. (D)

Q. 3. Which Section of Cr. P.C. empowers officer-in-charge of a police station to release a person by executing a bond with or without sureties, without forwarding the accused to the Magistrate , in absence of sufficient evidence or reasonable grounds of suspicion:

- (A) Section 169 (B) Section 170
 (C) Section 166 (D) Section 167
Ans. (A)

Q.4. Which Sections in the Cr. P.C. make clear that besides the categories of evidence mentioned in those sections no other evidence can be adduced by the affidavits:

- (A) Section 293 and 294

(B) Section 294 and 295

(C) Section 295 and 296

(D) Section 296 and 297

Ans. (C)

Q. 5. Which of the statements is true with respect to Section 162 of Cr. P.C.:

(A) A statement made by the accused to the police in course of investigation is partly admissible partly inadmissible

(B) Provision of this section offends the provision of Section 27 of the Indian Evidence Act

(C) The protection granted under this section to the accused regarding the statement made by him extends only in a criminal inquiry or trial and it has no applicability in civil or writ proceedings

(D) All of the above are true

Ans. (C)

Q. 6. Anil is charged with the murder of Ramesh Ojha on the 21st of January, 1982. In the fact, the murdered person's name was Kamlesh Ojha and the date of murder was 20th January, 1982. Anil was never charged with any murder but one, and heard the inquiry before the Magistrate which referred exclusively to the case of Kamlesh Ojha. What will court infer from this while applying Section 215 of Cr. P.C.:

(A) That Anil was not misled and that the error in the charge was immaterial

(B) That Anil was misled and that the error in the charge was immaterial

(C) That Anil was misled and that the error in the charge was material

(D) None of the above

Ans. (A)

Q.7. Amit entices Bhumi, the wife of Chandan, away from Chandan with intent to commit adultery with Bhumi and then

commits adultery with her, Applying Section 220 of Cr. P.C.:

(A) Amit may be separately charged with, and convicted of offences under Sections 494 and 495 of the Indian Penal Code (45 of 1860)

(B) Amit may be separately charged with, and convicted of offences under Sections 495 and 496 of the Indian Penal Code (45 of 1860)

(C) Amit may be separately charged with, and convicted of offences under Sections 496 and 497 of the Indian Penal Code (45 of 1860)

(D) Amit may be separately charged with, and convicted of offences under Sections 497 and 498 of the Indian Penal Code (45 of 1860)

Ans. (D)

Q. 8. In which of the following cases it was held that the defect resulting from the non-compliance of Section 275 of the Code of Criminal Procedure, 1973 in the absence of actual or possible failure of justice is curable under Section 464 and 465 of the Cr. P.C.:

(A) Nain Singh vs. Nain Singh

(B) Ram Dayal vs Municipal Corporation of Delhi

(C) Abdul Rahaman vs Emperor

(D) Ranjeet Singh vs State of U.P.

Ans. (C)

Q. 9 . Which Section of the Cr. P. C. empowers Supreme Court to transfer any appeal or particular case from one High Court to another or from a criminal court subordinate to one High Court to another criminal court of equal or superior jurisdiction subordinate to another-High Court only the application of Attorney-General of India or of a party interested

- (A) Section 406
(C) Section 408

- (B) Section 407
(D) Section 409

Q.10. Which Section of Cr. P.C. is primarily intended to resolve the difficulty that may arise where there is conflict of jurisdiction of the courts situated in different areas in order to prevent an accused person getting off:

- (A) Section 177 (B) Section 178
(C) Section 181 (D) Section 183

Ans. (B)

Q.11. Choose the correct statement from the following:

(A) The principle of issue-estoppel is not sufficient ground to bar a subsequent trial u/s. 300 of Cr. P.C.

(B) According to Section 307 of Cr. P.C. pardon can be tendered to the approver only during trial but not before trial.

(C) The Magistrate has jurisdiction to ask a person to furnish bail even against whom an order under Section 311 of the Code of Criminal Procedure has been made

(D) The medical examination mentioned of body like shin or any other visible body parts but does not include internal organs

Ans. (A)

Q. 12. Section 111 of the Indian Penal Code deals with:

(A) Punishment for abetment when person abetted does an act with different intention from that of abettor

(B) Liability of abettor when one act abetted and different act done

(C) Presence of abettor while commission of an abetted offence

(D) Abetment of offence punishable with death of life imprisonment if offence abetted not committed

Ans. (B)

Q. 13. Section 510 of Indian Penal Code deals with:

(A) Misconduct in public by drunken person

(B) World gesture or act done intended to insult the modesty of a woman

(C) Criminal intimidation by an anonymous communication

(D) Intentional insult with intent to provoke breach of the peace

Ans. (A)

Q. 14. For the successful prosecution of a riot case the prosecution must prove:

I. That the person had common purpose

II. That there were four or more persons

III. That violence was used by them

IV. That they had no intention of helping each other

(A) I, II and III (B) I, III and IV

(C) I and III (D) I and IV

Ans. (C)

Q. 15. With respect to Section 216-A of IPC which of the following statement is true:

(A) Public servant disobeying the direction of law with intent to save person from punishment or property from forfeiture

(B) Penalty for harbouring robbers

(C) Taking gift to help to recover stolen property

(D) Harbouring offender who has escaped from custody

Ans. (B)

Q.16. In which of the following case Section 303 of the Indian Penal Code was held as void and unconstitutional:

(A) Mithu vs. State of Punjab

State of Kerala vs. Mathai Verghese

(C) State of M.P vs. Mansingh

(D) Gurbachan Singh vs Satpal Singh

Ans. (A)

Q. 17. Intercourse by a man with his wife during Separation is dealt under:

- (A) Section 374A of Indian Penal Code
- (B) Section 375 A of Indian Penal Code
- (C) Section 376 B of Indian penal Code
- (D) Section 377 A of Indian Penal Code

Ans. (C)

Q.18. The President of a Pharmaceutical Company was questioned for introducing into interstate commerce drugs that were misbranded. The President pleaded lack of knowledge of this fact:

- (A) The President must be convicted
- (B) The president must be acquitted
- (C) The president as well as the company must be convicted
- (D) None of the above

Ans. (A)

Q.19. In a case Pramila, a married woman was found in a pool of blood lying on the ground. On the way to hospital in ambulance she breathed last. It transpired in the evidence that when Pramila was seated outside her jhuggi, her brother Chetan came near her and challenged as to why she made a complaint against her own brother Ramesh to the police. Her other brothers Ramesh and Shanu also came. There was an altercation wherein Shanu stabbed her to death. Which of the following is true with respect to this case:

- (A) As to the vicarious liability of Pamesh and Chetan, that the accused Shanu was not carrying an open knife in his hand and there was no evidence to show that this fact was in knowledge of the other accused
- (B) Shanu had not give any call to his brothers that should be stabbed to death. Otherwise all the accused had not come together and for reason it is difficult to

assume that all had a prior meeting of mind to cause death of their sister

- (C) The words used by Chetan were to teach Pramila a lesson for making false accusations, Keeping in view the close relationship, it is difficult to assume that all of them had shared the common intention by aid of kill Pramila. Under these circumstances there is no reason to rope Chetan and Ramesh by aid of Section 3 of Indian Penal Code and they were acquitted

Ans. (D)

Q.20. Which of the following statement is true with respect to first Information Report:

- (A) First Information Report is considered as important piece of document relating to criminal law and must always be in writing
- (B) The importance of FIR is lost if it is lodged by unconcerned person or sent to police by unknown person or sent magistrate by post
- (C) FIR cannot be used for the purpose of corroborating or contradicting any witness other the person who lodged it
- (D) All of the above

Ans. (C)

Q.21. The Indian Evidence Act applies to:

- (A) Judicial proceedings only
- (B) Judicial proceedings as well as proceedings of domestic tribunals
- (C) Judicial Proceedings as well as non-judicial proceedings
- (D) All of the above

Ans. (A)

Q.22. The provision of which Section of Cr. P. C. embodies the common law principle contained in the doctrine of autrefois acquit and autrefois convict:

- (A) Section 299
- (B) Section 300
- (C) Section 301
- (D) Section 302

Ans. (B)

Q.23. Which Section of Cr. P. C. wide discretionary power on courts to summon any person as a witness or to examine any person who is present though not summoned or recall and re-examine any person already examined when it thinks expedient to do so in the interest of justice:

- (A) Section 307 (B) Section 309
(C) Section 311 (D) Section 313

Ans. (C)

Q.24. Negligent conduct with explosive substance is dealt under which section of Indian Penal Code:

- (A) Section 284
(B) Section 285
(C) Section 286
(D) Section 287

Ans. (C)

Q.25. Which section of Indian Evidence Act provides an exception to the general rules given under Section 60 of the act:

- (A) Section 30 (B) Section 25
(C) Section 32 (D) Section 41

Ans. (B)

Q.26. Anil saw an accident and narrated the story of it to his wife. Anil and his wife were both called in court where Anil gave an account of it to the court. His wife stated what she was told by her husband:

- (A) Her statement will be relevant under section 6 of Indian Evidence Act as *res-gestae*
(B) Her statement will be relevant but inadmissible because her statement will be protected by privileged communication between husband and wife
(C) Her statement will be neither relevant nor admissible being *hearsay*
(D) None of the above

Ans. (C)

Q.27. When any person raises the plea of alibi then it negate which of the fact:

- (A) Opportunity under section 7 of the Indian Evidence Act
(B) Motive under section 8 of the Indian Evidence Act
(C) Inconsistency of fact under section 11 of the Indian Evidence Act
(D) none of the above

Ans. (A)

Q.28. Judgement for the purpose of relevancy are of two kinds Judgement in Rem and Judgement in Personam. Which section of the Indian Evidence Act deals with Judgement in Rem:

- (A) Section 40 (B) Section 41
(C) Section 42 (D) Section 43

Ans. (B)

Q. 29. When the court has to determine the question whether a particular document is signed by certain person then court can determine it:

- I. By the opinion of the handwriting expert
II. By any person who is not an expert, who is acquainted with the handwriting of the person whose handwriting is in question
III. By evidence of writer himself
VI. By comparing the handwriting in the question with the proven handwriting

- (A) I, III and IV
(B) I and III
(C) I and II
(D) I, II, III and IV

Ans. (D)

Q. 30. Which section of the Indian Evidence Act empowers the court to decide when question shall be asked to the witness and when witness can be compelled to answer:

- (A) Section 145 (B) Section 146
(C) Section 147 (D) Section 148

Ans. (D)

Q.31. Which section of the Indian Evidence Act provides for impeaching the credit of witness:

- (A) Section 121 (B) Section 137
(C) Section 155 (D) Section 142

Ans. (C)

Q.32. Which of the following statement holds true for the evidence under the provisions of the Indian Evidence Act, 1872:

- (A) Because a portion of the evidence of the evidence of a witness is not applicable entire evidence can be rejected
(B) Where the evidence is of conflicting nature, the evidence favouring the accused should be accepted.
(C) Witness can be branded as a liar and his testimony rejected outright if part of their statement is are incorrect or doubtful
(D) The court must always apply the maxim *falsus in no falsus in omnibus*

Ans. (B)

Q.33. Which Section of the Indian Evidence Act provides that 'a witness may, while under examination, refresh his memory by referring to any writing made by himself at the time of the transaction concerning which the is questioned, or so soon afterwards that the Court considers it likely that the transaction was at that time fresh in his memory...'

- (A) Section 141 (B) Section 159
(C) Section 161 (D) Section 162

Ans. (B)

Q. 34. With respect to Section 98 of Cr. P. C. which of the following statement is true:

- (A) It applies in case of unlawful detention of a woman or child for unlawful purpose

(B) It applies in case of unlawful detention of any person for unlawful purpose

(C) It applies in case of an arrest warrant along with restoration of a woman to her liberty

(D) All of the above

Ans. (A)

Q.35. Abhijeet is charged under Section 242 of the Indian Penal Code (45 of 1860) with "having been in possession of counterfeit coin, having known at the time of his possession of it being counterfeit", the word fraudulently being omitted in the charge. Applying Section 215 of Cr. P. C.:

- (A) If it appears that Abhijeet was in fact misled by his omission, the error shall be regarded as material
(B) If it appears that Abhijeet was deliberately misled by this omission, the error shall be regarded as material
(C) Unless it appears that Abhijeet was in fact misled by this omission the error shall not be regarded as material
(D) None of the above

Ans. (C)

Q.36. Ashish commits house-breaking by day with intent to commit adultery, and commits in the house so entered, adultery with Bhanu's wife Nisha, Applying Section 220 of the Cr. P. C.:

- (A) Ashish may be separately charged with and convicted of offences under Section a 451 and 494 of the Indian Penal Code, (45 of 1860)
(B) Ashish may be separately charged with and convicted of offence under Section 452 and 495 of the Indian Penal Code, (45 of 1860)
(C) Ashish may be separately charged with and convicted of offence under Section 453 and 496 of the Indian Penal Code, (45 of 1860)

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(D) Ashish may be separately charged with and convicted of offence under Section 454 and 497 of the Indian Penal Code, (45 of 1860)

Ans. (D)

Q. 37. The Provisions of chapter VIII of Cr. P. C. are:

- (A) Preventive in their scope and object
- (B) Are aimed at persons who are a danger to the public by reason of the commission by them of certain offences
- (C) The preventive Magisterial Jurisdiction constituting a powerful a powerful adjunct to executive authority. Salutary if used in moderation and over a sufficiently extended period
- (D) All of the above

Ans. (D)

Q. 38. Which of the following Section of Cr.P.C. deals with the evidence for the prosecution:

- (A) Section 235 of Cr. P. C.
- (B) Section 264 of Cr. P. C.
- (C) Section 237 of Cr. P. C.
- (D) Section 242 of Cr. P. C.

Ans. (D)

Q. 39. Which of the following is NOT TRUE with respect to 83 Section Cr. P. C.:

- (A) It penalises a person who seeks to avoid his arrest under a warrant and against whom a proclamation is issued under Section 82 of the Cr. P. c.
- (B) For disobedience of the proclamation, he incurs liability to be punished under Section 174 IPC
- (C) This provision put additional pressure upon the absconder by depriving him of his property with a view to compel to obedience

(D) It deals with the rights of the persons other than the proclaimed person in the attached property

Ans. (D)

Q. 40. Which of the following Section of Cr. P. C. provides that certain Judges and Magistrate should not try certain offences when committed before themselves:

- (A) Section 339 of Cr. P. C.
- (B) Section 352 of Cr. P. C.
- (C) Section 388 of Cr. P. C.
- (D) Section 458 of Cr. P. C.

Ans. (B)

Q.41. Which of the following is TRUE with respect to Section 125 of Cr. P. C.

- (A) It is purely a personal right created by an order of criminal court
- (B) There is not charge created on property by the order for maintenance
- (C) The maintenance cannot be held on the alienated property
- (D) All of the above

Ans. (D)

Q. 42. Which of the following is TRUE with respect of Section 74 Cr. P. C.:

- (A) No other person except a police officer is competent to execute a warrant of arrest under an endorsement from another police officer
- (B) An endorsement by designation will not make the warrant strictly legal
- (C) Both A and B
- (D) None of the above

Ans. (C)

Q. 43. What is/ are the necessary limitation to exercise the right of private defence provided under the Indian Penal Code (45of 1860):

(A) The right of private defence is not available if, there is no sufficient time recourse to public authorities

(B) More harm than necessary can even be caused under this right

(C) that there must be reasonable apprehension of death or grievous hurt to person or damage to the property concerned

(D) All of the above

Ans. (C)

Q.44. Which of the following statement is TRUE with respect to Section 159 of the Indian Penal Code (45 of 1860):

(A) there must be five or more people

(B) They must fight in a private place

(C) They must disturb the public peace

(D) All of the above

Ans. (C)

Q. 45. Disclosure of identity of the victim of certain offences, etc dealt under:

(A) Section 227 A of Indian Penal Code (45 of 1860)

(B) Section 228 A of Indian Penal Code (45 of 1860)

(C) Section 229 A of Indian Penal Code (45 of 1860)

(D) Section 230 A of Indian Penal Code (45 of 1860)

Ans. (B)

Q. 46. Which of the following is TRUE of the procedure of an offence under Section 120-B of Indian Penal Code (45 of 1860):

(A) The offence is cognizable

(B) The offence is non-bailable

(C) The offence is triable in Sessions Court

(D) The offence is not compoundable

Ans. (*)

Question has been withdrawn and 1.5 marks have been awarded to all candidate

Q.47. Which statement is TRUE in relation to Section 264 of Indian Penal Code (45 of 1860):

(A) Fraudulent use of false instrument for weighing

(B) Fraudulent use of false weigh or measure

(C) Having possession of false weight

(D) Making or selling false weight

Ans. (A)

Q.48. The word illegal is applicable to everything:

(A) Which is an offence

(B) Which is prohibited by law

(C) Which furnishes ground for civil action

(D) All of the above

Ans. (D)

Q. 49. Section 366 of the Indian Penal Code (45 of 1860) deals with:

(A) Kidnapping or Abducting in order to subject person to grievous hurt, slavery etc

(B) Kidnapping or Abducting child under the age 10 years

(C) Kidnapping or Abducting of any person as slave

(D) Kidnapping or Abducting or inducing woman to compel her marriage etc

Ans. (D)

Q. 50. Competency of a witness is dealt under Section of Indian evidence Act:

(A) Section 117 (B) Section 118

(C) Section 121 (C) Section 122

Ans. (B)

Q. 51. Which of the following is a public document:

(A) Affidavits

(B) A private Waqf deed recorded in the office of Sub-Registrar

(C) family register of the village

(D) All of the above

Ans. (D)

Q. 52. Section 32 of the Indian Evidence Act comes into play when the person whose statement is sought to be proved is:

I. Dead

II. Cannot be found.

III. Whose, attendance cannot be procured without reasonable delay.

IV. Who has become incapable of giving evidence.

(A) I and II (B) I and III

(C) I and IV (D) All of the above

Ans. (D)

Q. 53. Admission is positive act of acknowledgement or confession which is conscious and deliberate act and cannot be something which would be inferred. Admission is relevant and admissible because:

(A) It is a statement against of its maker

(B) It is a waiver of proof

(C) It is evidence of truth

(D) All of the above

Ans. (D)

Q. 54. According to Section 65 of the Indian Evidence Act, 1872 the secondary evidence can be admitted in how many exceptional cases:

(A) Three (B) Five

(C) Seven (D) Nine

Ans. (C)

Q. 55. "When accused persons are tender age, then even in a murder case it is not desirable to send them beyond the high prison walls and forget all about their correction and eventual reformation," In which of the following cases this view was held:

(A) Pratibha Rani Vs Suraj Kumar, AIR 1985 SC 628

(B) Shivaji Vs State of Maharashtra, AIR 1973 SC 2622

(C) Inder Singh Vs State, AIR 1978 SC 1091

(D) Ram Parsad Vs State, AIR 1990 Sc 83

Ans. (B,C)

Q. 56. M 'Naughton's case (1843) 4 St. Tr. (NS) 847 is known for which of the following subjects:

(A) Accident

(B) Recklessness

(C) Insanity

(D) Mistake of law

Ans. (C)

Q. 57. In which of the following case it was laid down that "two or more persons must be parties to such an agreement and one person alone can never be held guilty of criminal conspiracy for the simple reason that one cannot conspire with oneself".

(A) Topan Das Vs State of Bombay, AIR 1956 SC 33

(B) Kanta Nath Vs State Of Assam, AIR 1959 SC 673

(C) Hardhan Chakrabarty Vs Union of India, AIR 1990 Sc 1210

(D) SC Bahri Vs State of Bihar, AIR 1994 SC 2020

Ans. (A,C)

Q. 58. Which of the following is not an offence against the state:

(A) Waging war against the Government of India

(B) Assaulting Governor of a State to prevent him from exercising his lawful power

(C) Informing people against the policies of the Government of a State

(D) Rescuing a State prisoner

Ans. (B)

Q. 59. When five or more person, use force or violence in prosecution of the common object of the persons their action would amount to:

- (A) Affray
- (B) Rioting
- (C) Rash act
- (D) Intimidation

Ans. (C)

Q. 60. Where slightest unlawful obstruction is caused to the liberty of a person to lawfully when and where he likes to go, which of the following consequences shall ensure:

- (A) Admonition
- (B) Rioting
- (C) Punishment
- (D) None of these

Ans. (C)

Q. 61. Which of the following is not in the category of grievous hurt:

- (A) Fracture of a bone
- (B) Destruction of any joint
- (C) Hurt which causes simple bodily pain
- (D) Permanent disfiguration of face

Ans. (C)

Q. 62. In which of the following cases it was held that S. 309 IPC is violative of Article 21 of the Constitution and it deserves to be effaced from the statute book to humanise penal laws:

- (A) Gyan Kaur V. State of Punjab 1994 Cr. L.J. 1660 (SC)
- (B) P. Rathinam V. Union of India 1994 Cr. L.J. 1605 (SC)
- (C) Maruti Shripati Dabal V State of Maharashtra (1987) Cr LJ 143
- (D) Subedar V State of U. P. AIR 1989 SC 733

Ans. (B)

Q. 63. "Sedition "is an offence against which of the following:

- (A) An individual
- (B) A Corporation
- (C) Government
- (D) All of above

Ans. (C)

Q. 64. "An attempt to commit an offence is punishable even if it is not the penultimate act" In which of the following case this view was held:

- (A) R. V. Ramsarun (1872) 4 NWP 46,48
- (B) Om Parkash Vs State, AIR 1961 SC 1782
- (C) Chandi Pershad Vs Abdul Rehman (1894) 22 Cal. 131
- (D) State of UP Vs Mahendra Singh AIR 1975 SC 455

Ans. (B)

Q. 65. In which of the following Cases it was held that where allegations are made by the Political opponent, who was the Complainant, the Magistrate should not per se draw an inference that the complaint has to be thrown out without taking any notice of the same:

- (A) Ram Jethmalani Vs Director CBI 1987 Cr. L.J. 570
- (B) Prakash Singh Badal Vs State of Punjab AIR 2007 SC 127
- (C) Raj Narain Vs. Indira Nehru Gandhi
- (D) Maha Singh Vs. State AIR 1976 SC 449

Ans. (B)

Q. 66. Which of the following cases is not cognizable excepted upon a police report or upon a complaint made the aggrieved person:

- (A) Having possession of a counterfeit government stamp
- (B) Resistance by a person to his lawful apprehension
- (C) Subjecting a married woman to cruelty
- (D) Insult intended to provoke breach of the peace

Ans. (C)

Q. 67. In which of the following cases death sentence by hanging in public has been held unconstitutional by the Supreme Court of India:

- (A) Panchhi Vs State of Uttar Pradesh (1998) SCC177
- (B) Sanjay Suri Vs Delhi Administration 1988 Cr. L. J. 705 (SC)
- (C) Attorney general of India Vs Lachma Devi, AIR 1986 SCC467
- (D) M.R. Kuda Vs State of A.P. 2007 Cr. L.J. 1789 (S(C))

Ans. (C)

Q. 68. Which of the following Courts issues warrant for the execution of death sentence:

- (A) Any Magistrate's Court
- (B) Court of Session
- (C) High Court
- (D) Supreme Court

Ans. (B)

Q. 69. In which of the following evidence given by a witness is not relevant in a subsequent proceeding or a later stage of the same proceeding:

- (A) The witness is dead
- (B) He cannot be found
- (C) He refuses to give evidence
- (D) He is incapable of giving evidence

Ans. (C)

Q. 70. Under which of the following provisions technical objections will not be allowed to prevail, where substantial justice appears to have been done:

- (A) Section 155 (B) Section 167
- (C) Section 138 (D) Section 145

Ans. (B)

Q. 71. Where dying declaration is made in one language but it is recorded by the

Executive Magistrate in another language in the absence of doctor, such dying declaration:

- (A) Is acceptable as evidence
- (B) Is not acceptable as evidence
- (C) It is not acceptable only on ground of different language
- (D) It is not acceptable as doctor was not present

Ans. (A)

Q. 72. In which of the following cases it was held that "shoot to kill" executive instruction for violation of prohibitory order under Section 144 Cr. P.C. is ultra-vires to Section 144 Cr. P.C. and goes against Article 21 of the Constitution of India:

- (A) Bhagirathi Shrichandan Vs Damodar 1987 Cr. L. J. 63
- (B) Thavaziyappan Vs Periasamy Nadar 1992 Cr. L.J. 283
- (C) Jayanti Lal Mohan Lal Patel Vs Eric Renison, 1975 Cr. L.J. 661 (Guj.)
- (D) Padam Pradhan 1982 Cr. L.J. 534

Ans. (C)

Q. 73. Under which of the following sections, the appropriate government may without the consent of the offender, commute the sentence of death to any other punishment provided under the Indian Penal Code

- (A) Section 511 (B) Section 302
- (C) Section 54 (D) Section 63

Ans. (C)

Q. 74. Shanti Vs. State of Haryana AIR 1991 SC 1226 is a leading case on which of the following topics:

- (A) Sexual harassment
- (B) Causing miscarriage
- (C) Dowry death
- (D) Attempt to commit suicide

Ans. (C)

Q. 75. In which of the following cases it was held that a child of 12 can be convicted of rape in India:

- (A) Mussamat Amona (1864) IWR (Cr) 43
- (B) Nga Tun Kaing 50 Cr. L.J. 336
- (C) Ulla Mohapatra (1950) Cut. 293
- (D) Hira Lal AIR 1977 SC 2236

Ans. (B)

Q. 76. Offences relating to elections and punishments therefore are provided in which of the following :

- (A) Section 170 -171 C of IPC
- (B) Section 168 -171 A of IPC
- (C) Section 171A -171 I of IPC
- (D) Section 171 A -171 G of IPC

Ans. (C)

Q. 77. In which of the following cases the Supreme Court has pointed out the distinction between culpable homicide and murder:

- (A) Gurmej Singh Vs State of Punjab AIR 1992 SC 214
- (B) State of A.P. Vs. R. Punneyya AIR 1977 SC 45
- (C) A.K. Mausuri Vs State of Gujrat AIR 2002 SC 1051
- (D) State of Karnataka Vs Venkatesh AIR 1992 SC 674

Ans. (B)

Q. 78. Which of the following is a non-bailable offence:

- (A) Abetment of the desertion of a soldier
- (B) Being member of an unlawful assembly
- (C) Collecting arms etc. for waging war against the Government of India
- (D) Joining an unlawful assembly armed with weapon

Ans. (C)

Q. 79. A Magistrate accepted the final report submitted by the police officer in a case initiated by a lady officer under sections 354/504 IPC without giving reasons therefore, despite the objections raised by the complainant . The Supreme Court set aside the order and resolved the case directing the Magistrate to proceed with the case in accordance with section 210 Cr. P.C. To which of the following cases this facts belongs:

- (A) Hareram Vs Tikaram AIR 1978SC 1568
- (B) Rupan Deol Bajaj Vs K.P.S. Gill AIR1996 SC 309
- (C) Abhinandan Jha VDinesh Misra AIR 1968 SC 117
- (D) Satya Narain Musadi Vs State AIR 1980 SC 506

Ans. (B)

Q. 80. When investigation against accused person cannot be completed within 24 hours of his arrest and there is no ground for believing that the accusation against him are well founded, what steps may not be ordered by the Magistrate:

- (A) To be released
- (B) To be remanded for a period not exceeding 15 days
- (C) To be remanded for a period not exceeding 20 days
- (D) To be remanded for 7 days

Ans. (C)

Q. 81. Who of the following is competent to issue a letter of request to competent authority for investigation in a country outside India:

- (A) District Magistrate
- (B) Director General of Police
- (C) Any Criminal Court
- (D) Central Government

Ans. (C)

Previous year Solved Papers

Q. 82. Narat Chunder Dey Vs. Gopal Chunder Laha (1892) 19IA 203 is a leading case on which of the following topics:

- (A) Privileged communication
- (B) Burden of Proof
- (C) Estoppel
- (D) Cross examination

Ans. (C)

Q. 83. An uncorroborated evidence of an accomplice, if it forms the basis of conviction is:

- (A) Illegal
- (B) Not illegal
- (C) Partially legal
- (D) None of these

Ans. (B)

Q. 84. What is the position of a dying declaration, if the person making it survives:

- (A) It is admissible as evidence under Section 32 of Indian Evidence Act
- (B) It is admissible under Section 157 of Indian Evidence Act
- (C) It is not admissible at all
- (D) It can be used to contradict him under Section 145 of Indian Evidence Act

Ans. (B)

Q. 85. Which of the following is a leading case on confession:

- (A) Q.E. Vs Nana (1889) 14 Born . 260
- (B) Legal Remembrancer Bengal Vs Bhai Majhi (1929) 57 Cal. 1062
- (C) Q.E. Vs Babulal (1884) 6AII. 509
- (D) Dhampati Dev Vs. E. (1944) 2 Cal. 312

Ans. (C)

Q. 86. Which one of the following is not related to the principle of common intention:

- (A) Rishi Deo Pandey Vs state of UP
- (B) R Vs. Talson

- (C) Mehboob Shah Vs Emperor
 - (D) Barendra Kumar Ghosh Vs Emperor
- Ans. (B)**

Q. 87. Which one of the following cases is related to the defence of insanity under section 84 IPC:

- (A) R Vs Arnold
- (B) R Vs White
- (C) R Vs Walker
- (D) R Vs Wheat

Ans. (A)

Q. 88. 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

Ans. (D)

Q. 89. The following is not an exception to the rule of hearsay:

- (A) Dying declaration
- (B) Res-gesta
- (C) Expert opinion
- (D) Confession

Ans. (*)

Question has been withdrawn and 1.5 marks have been awarded to all candidate

Q. 90. Which section of Evidence Act is based on the maxim "Salus Populi est suprema lex":

- (A) Section 119
- (B) Section 120
- (C) Section 115
- (D) Section 123

Ans. (D)

Q. 91. Search warrant in respect of a place:

- (A) Includes search of a person present in or about that place
- (B) Does not include search of a person in or about that place
- (C) Includes search of a person in or about that place only if such person is suspected

of concealing about his person article for which search is being made
 (D) None of the above
Ans. (C)

Q. 92. The Information Technology (Amendment) Act, 2008 (10 of 2009) with effect from 27 October, 2009 which amended the Indian Penal Code in Section 464, Substituted "Electronic" Signature' for:

- (A) Digital signature
- (B) Documentary evidence
- (C) Digital certificate
- (D) Electronically certified signature

Ans. (A)

Q. 93. Personation at elections is an offence under:

- (A) Section 171-A of IPC
- (B) Section 171-B of IPC
- (C) Section 171-C of IPC
- (D) Section 171-D of IPC

Ans. (D)

Q. 94. Examination of the person accused of rape by medical practioner as inserted by Criminal Procedure (Amendment) Act 2005, (25 of 2005) has been provided under:

- (A) Section 50-A (B) Section 53-A
- (C) Section 54-A (D) Section 54

Ans. (B)

Q. 95. Choose the incorrect option:

Provisions of Cr. P.C.	Section
(A) Suspension of conviction	379
(B) Commutation of sentence	433
(C) Appeal against acquittal	378
(D) Appeal against conviction	374

Ans. (A)

Q. 96. In a non-cognizable case, investigation made by the Police without

the order of the Magistrate under Section 155(2) of Cr. P.C., is an:

- (A) Illegality not curable under Section 460 Cr. P.C.
- (B) Illegality curable under Section 460 Cr. P.C.
- (C) Illegality, but the Magistrate can proceed on the report if so desires and can be validated subsequently.
- (D) Irregularity and the Magistrate has to proceed on the report submitted.

Ans. (D)

Q. 97. 'B' happened to be a member of unlawful assembly. A factional fight ensued during which B was injured and retired to the side; later on a man was killed Now:

- (A) B is guilty of murder being member of an unlawful assembly
- (B) B is not guilty of murder as he ceased to be a member of an unlawful assembly at the time when the murder was committed
- (C) B is not guilty of murder though he happened to be a member of unlawful assembly
- (D) None of the above

Ans. (B)

Q. 98. 'A' knows that 'B' is suffering from a disease in his head and also knows that if a first blow is given to 'B' on his head, it is likely to cause his death. Knowing it 'A' gives a fist blow to 'B' on his head and caused death of 'B'. 'A' is:

- (A) Guilty of culpable homicide not amounting to murder since he does not think that his act is likely to cause death
- (B) Guilty of murder since he had knowledge that in all probability it is likely to cause death of 'B'
- (C) Guilty of no offence since the blow is sufficient to cause death of a person of normal health

(D) Guilty of causing hurt only

Ans. (B)

Q. 99. An employer deducting the employees' contribution under Employees Provident Funds & Miscellaneous Provision Act, from the wages payable for the credit of the fund, but does not deposit the same with the Fund, is guilty of coming:

(A) Criminal misappropriation under Section 403 of IPC

(B) Criminal breach of trust under Section 405 of IPC

(C) Theft under Section 378 of IPC

(D) No offence

Ans. (B)

Q. 100. A Woman ran to a well stating she would jump in it but she was caught before she could reach it. She is guilty of:

(A) Attempt to suicide

(B) Attempt to injure her

(C) Attempt to culpable homicide

(D) No offence

Ans. (D)