

FINAL ANSWER KEY

Paper: Excise Test Part B- Criminal Law
Date of Examination 17-10-2019

Question1:-Section _____ of the Indian Evidence Act deals with relevancy of facts forming part of same transaction.

- A:-4
- B:-8
- C:-6
- D:-10

Correct Answer:- Option-C

Question2:-Which of the following is the correct option regarding the facts connected is relevant under section 8 of the Evidence Act?

- A:-Motive
- B:-Preparation
- C:-Conduct
- D:-Any of the above

Correct Answer:- Option-D

Question3:-The question is whether a given document is the will of 'A'. The state of property of 'A' at the date of alleged will is _____.

- A:-not a relevant fact
- B:-relevant fact
- C:-immaterial
- D:-none of the above

Correct Answer:- Option-B

Question4:-Which of the following is not correct according to section 10 of the Evidence Act?

- A:-It refers to criminal conspiracies only
- B:-It refers to both civil and criminal conspiracies
- C:-There must be reasonable ground to believe conspiracy
- D:-All are correct

Correct Answer:- Option-A

Question5:-A facts not otherwise relevant become relevant is dealt under section _____ of Evidence Act.

- A:-Section 10
- B:-Section 11
- C:-Section 9
- D:-None of these

Correct Answer:- Option-B

Question6:-Who among the following can make a valid admission?

- A:-Only party to the proceedings
- B:-Only agent of such party
- C:-Only party's representatives
- D:-Any of the above

Correct Answer:- Option-D

Question7:-Admission regarding state of mind or body of the person is dealt in section _____ of the Indian Evidence Act.

- A:-Section 21(1)
- B:-Section 21(2)
- C:-Section 21(3)
- D:-None of these

Correct Answer:- Option-C

Question8:-In which of the following circumstances, confession is not said to be voluntary?

- A:-Confession is result of inducement, threat or promise
- B:-Confession is a result of promise from a person in authority
- C:-Confession should hold out some worldly benefit or disadvantages

D:-All the above situations

Correct Answer:- Option-D

Question9:-Section _____ deals with confession by an accused while in custody of police not to be proved against him.

A:-26

B:-24

C:-23

D:-25

Correct Answer:- Option-A

Question10:-Consider the following two statement and choose the correct option regarding the application of section 27 of Evidence Act.

1. Discovered in consequences of information received from an accused person in police custody.
2. The information relates distinctively to the facts discovered.

A:-Both are correct

B:-Both are incorrect

C:-only 1 is correct

D:-only 2 is correct

Correct Answer:- Option-A

Question11:-Section _____ deals with the relevancy of dying declaration.

A:-31(2)

B:-32(1)

C:-33(1)

D:-None of these

Correct Answer:- Option-B

Question12:-In which of the following cases opinion of experts are relevant?

A:-Only with respect to identity of handwriting

B:-Only with respect to foreign law

C:-Either 1 or 2

D:-Neither 1 nor 2

Correct Answer:- Option-C

Question13:-The question is, whether A was poisoned by certain poison. The fact that other persons, who were poisoned by that person, exhibited certain symptoms which experts affirms or denys to be symptoms of that poison, is relevant is described in section _____ of Evidence Act.

A:-45

B:-46

C:-44

D:-41

Correct Answer:- Option-B

Question14:-Which is the correct answer regarding the ordinary method of proving hand writing under Evidence Act?

A:-By the evidence of writer

B:-By the opinion of expert

C:-By the Evidence of the person who saw it

D:-By any of the above

Correct Answer:- Option-D

Question15:-Section _____ deals with opinion as to existence of right or custom, when relevant.

A:-48

B:-49

C:-47

D:-46

Correct Answer:- Option-A

Question16:-Which of the following is the correct option regarding the character of a witness?

A:-Evidence of character in civil cases are always irrelevant

B:-Good character in criminal cases leads to presumption against commission of crime

C:-Both are correct

D:-Both are not correct

Correct Answer:- Option-B

Question17:-Section _____ deals with facts judicially noticed need not be proved.

A:-57

B:-58

C:-56

D:-48

Correct Answer:- Option-C

Question18:-Which is the correct option regarding the facts of that the court shall take judicial notice in respect of the following?

A:-All laws in the territory of India

B:-Articles of war for the Indian Navy or Air force

C:-Both 1 and 2 are correct

D:-Only 1 is correct

Correct Answer:- Option-C

Question19:-Consider the following two situations and choose the correct option regarding admission of facts.

I. In civil cases admitted facts need not be proved

II. In criminal cases, except by the plea of guilty of admissions dispensing with proof are not permitted in trial.

A:-Both are correct

B:-Both are incorrect

C:-Only I is correct

D:-Only II is correct

Correct Answer:- Option-A

Question20:-The term 'document' is defined in _____ of Evidence Act.

A:-Section 61

B:-Section 60

C:-Section 59

D:-Section 3

Correct Answer:- Option-D

Question21:-Which of the following is not correct regarding the expression of primary evidence?

A:-The original document itself is a primary document

B:-Each part of a document is a primary evidence of document

C:-Each counter part of the document is not a primary evidence

D:-All are correct

Correct Answer:- Option-C

Question22:-Certified copy of a document is a _____ evidence.

A:-Secondary

B:-Primary

C:-Tertiary

D:-None of these

Correct Answer:- Option-B

Question23:-Which of the following document are not secondary evidence?

A:-Copies made from original

B:-Oral accounts of the contents of document given by some person

C:-Photographs of an original

D:-Where number of documents are all made by one uniform process

Correct Answer:- Option-D

Question24:-Which of the following is correct regarding proof of document?

A:-Document must be proved by primary evidence subject to exceptions

B:-There is no exception regarding the proof of evidence otherwise than by way of primary evidence

C:-Secondary evidence will not be considered in civil cases

D:-None of the above is correct

Correct Answer:- Option-A

Question25:-Choose the correct option from the following that secondary evidence can be given

A:-Where the original is in the possession of adversary party

B:-Where the original is not movable in nature

C:-Both in 1 or 2

D:-Neither 1 nor 2

Correct Answer:- Option-C

Question26:-If a bill of exchange is drawn in a set of three then _____.

A:-Only one need be proved

B:-All the three must be proved

C:-Any two must be proved

D:-All are correct

Correct Answer:- Option-A

Question27:-Section _____ of the Evidence Act deals with evidence in terms contracts, grants or other disposition reduced to writing.

A:-90

B:-93

C:-94

D:-91

Correct Answer:- Option-D

Question28:-'A' wishes to prove a dying declaration by 'B'. Here the burden of proof of death of B is _____.

A:-on B's representative

B:-No proof is required

C:-Either A or any others

D:-on 'A'

Correct Answer:- Option-D

Question29:-_____ deals with presumption as to Dowry under Evidence Act.

A:-113 A

B:-113 B

C:-113 C

D:-113 D

Correct Answer:- Option-B

Question30:-Which of the following is not an essential ingredients of estoppel?

A:-Some representation

B:-Such representation may or may not intentional

C:-The representation must have acted upon

D:-All the above are required

Correct Answer:- Option-B

Question31:-Which of the following is not protected as privileged communication as per Indian Evidence Act?

A:-Communication during marriage

B:-Evidence as to state of affairs

C:-Professional communication made in furtherance of an illegal purpose

D:-All the above are correct

Correct Answer:- Option-C

Question32:-The examination of witness by the adverse party is called _____.

A:-Cross Examination

B:-Chief Examination

C:-Re-Examination

D:-Indirect Evidence

Correct Answer:- Option-A

Question33:-'Refreshing memory' is dealt in section _____ of Evidence Act.

A:-146

B:-139

C:-147

D:-159

Correct Answer:- Option-D

Question34:-Which of the following is not a punishment according to IPC?

A:-Death penalty

B:-Transportation

C:-Forfeiture of property

D:-Fine

Correct Answer:- Option-B

Question35:-The term "Voluntarily" is defined in _____ of IPC.

A:-Section 38

B:-Section 41

C:-Section 39

D:-None of these

Correct Answer:- Option-C

Question36:-What is the maximum period an offender shall be kept into solitary confinement?

A:-Three months

B:-Three years

C:-Two months

D:-One year

Correct Answer:- Option-A

Question37:-A, soldier, fires on a mob by the order of his superior officer, in conformity the commands of the law. Soldier is protected as per _____ IPC.

A:-Section 79

B:-Section 80

C:-Section 81

D:-Section 76

Correct Answer:- Option-D

Question38:-What is the age limit for claiming absolute immunity from criminal liability according to Indian Penal Code?

A:-under 12 yrs

B:-under 10 yrs

C:-under 7 yrs

D:-none of these

Correct Answer:- Option-C

Question39:-Section _____ deals with right to exercise private defence of the body extends to causing death.

A:-106

B:-100

C:-99

D:-96

Correct Answer:- Option-B

Question40:-'A' instigate 'B' to give false evidence. 'B' does not give false evidence. Here A has committed _____.

A:-offence committed as per section 116

B:-offence as per section 110

C:-offence as per section 120 B

D:-None of these

Correct Answer:- Option-A

Question41:-What is the punishment for criminal conspiracy in case he is a party to a criminal conspiracy other than mentioned in sub section (1) of section 120 B of Indian Penal code?

- A:-Three months with or without fine
- B:-Not exceeding six months with or without fine
- C:-Not exceeding one year with or without fine
- D:-None of these

Correct Answer:- Option-B

Question42:-What is the maximum number of person required for constitution an unlawful assembly according to Indian Penal code?

- A:-No maximum
- B:-10
- C:-5
- D:-7

Correct Answer:- Option-A

Question43:-In order to commit an offence of 'affray'. What is the minimum number of person required?

- A:-Three
- B:-Five
- C:-Two
- D:-Seven

Correct Answer:- Option-C

Question44:-What is the maximum imprisonment for the offence of 'obstructing public servant in discharge of public function'?

- A:-Imprisonment of either description which may extend three months
- B:-Rigorous imprisonment of which may extend to three months
- C:-Simple imprisonment which may extent to one month
- D:-No imprisonment

Correct Answer:- Option-A

Question45:-'A' makes a false entry in his shop for producing before court of Justice. A has committed _____.

- A:-No offence
- B:-Offence under section 192
- C:-Offence under section 191
- D:-Offence under section 420

Correct Answer:- Option-B

Question46:-What is the maximum period of imprisonment as punishment of for false evidence in connection with Judicial proceedings?

- A:-either disorption upto 5 yrs
- B:-either disorption upto 3 yrs
- C:-either disorption upto 10 yrs
- D:-either disorption upto 7 yrs

Correct Answer:- Option-D

Question47:-Punishment for 'counterfeiting Indian Coin' is dealt in section _____ of Indian Penal code.

- A:-230
- B:-231
- C:-234
- D:-232

Correct Answer:- Option-D

Question48:-What is the maximum imprisonment in the case of subsequent conviction for the sale of obscene objects to young person?

- A:-Three yrs
- B:-Five yrs
- C:-Seven yrs
- D:-Life imprisonment

Correct Answer:- Option-C

Question49:-The nature of imprisonment as punishment for the offence of culpable homicide not amounting to murder is _____.

- A:-Rigorous

- B:-Simple
- C:-Either description
- D:-None of these

Correct Answer:- Option-C

Question50:-In order to sick conviction under section 304 B of IPC, the death of the women should have occurred _____ of her marriage.

- A:-within ten years
- B:-within seven years
- C:-within three years
- D:-within five years

Correct Answer:- Option-B

Question51:-The punishment for death due by negligence is _____.

- A:-Imprisonment of either disorption upto 2 yrs with or without fine or both
- B:-Imprisonment of either disorption upto 6 months
- C:-Imprisonment of either disorption with upto 3 months with or without fine
- D:-None of these

Correct Answer:- Option-A

Question52:-Which of the correct option regarding the hurt is designated as grievous hurt?

- A:-Emasculation
- B:-Permanent disfiguration of head or face
- C:-Privation of any member joint
- D:-Any of the above

Correct Answer:- Option-D

Question53:-Voluntary causing grievous hurt by use of acid, etc has been inserted by the Act of

- A:-Act 13 of 2016
- B:-Act 13 of 2013
- C:-Act 14 of 2013
- D:-None of these

Correct Answer:- Option-C

Question54:-'A', a police officer, tortures 'B' in order to induce 'B' to confess that he committed, a crime. 'A' is guilty of an offence under

- A:-Section 330
- B:-Section 332
- C:-Section 326
- D:-Section 324

Correct Answer:- Option-A

Question55:-When a person wrongfully obstructs any person so as to prevent that person from proceeding in any direction, he has committed the offence of

- A:-Wrongful confinement
- B:-Wrongful restraint
- C:-Grievous hurt
- D:-Extortion

Correct Answer:- Option-B

Question56:-What is the minimum punishment for wrongful confinement for ten or more days?

- A:-Three years imprisonment
- B:-Two years imprisonment
- C:-Six month imprisonment
- D:-No minimum is prescribed

Correct Answer:- Option-D

Question57:-'A', demand or request for sexual favours'. he has committed the offence under _____ of IPC.

- A:-354 C IPC
- B:-354 A IPC
- C:-375 IPC

D:-370 IPC

Correct Answer:- Option-B

Question58:-For the purpose of offence of kidnapping from lawful guardianship, the age of the minor boy must have been under _____ yrs.

A:-16 yrs

B:-18 yrs

C:-14 yrs

D:-12 yrs

Correct Answer:- Option-A

Question59:-If a person imports a girl under the age of 21 from any country outside India, he has committed offence under section _____ IPC.

A:-365

B:-366

C:-366 B

D:-361

Correct Answer:- Option-C

Question60:-What is the maximum imprisonment for the offence of kidnapping or abducting child under ten years with intent to steal from that person?

A:-5 years

B:-Life imprisonment

C:-10 years

D:-7 years

Correct Answer:- Option-D

Question61:-Which of the following exploitation by a person can be said to be offence of 'trafficking of person'?

A:-using threats

B:-by abduction

C:-by abuse of power

D:-any of the above

Correct Answer:- Option-A

Question62:-When a person unlawfully compels any person to labour against his will of that person, he has committed and punishable under section _____.

A:-371

B:-374

C:-373

D:-370

Correct Answer:- Option-B

Question63:-The definition 'rape' has been modified in the year _____.

A:-2010

B:-2012

C:-2013

D:-None of these

Correct Answer:- Option-C

Question64:-The minimum punishment for the offence of "rape" as per section 376(1) of IPC is _____.

A:-10 yrs

B:-Life imprisonment

C:-Five yrs

D:-Seven years

Correct Answer:- Option-D

Question65:-Which of the following is not an ingredient of the offence of 'theft' according to Indian Penal Code?

A:-Dishonestly

B:-Movable or immovable property

C:-Without consent

D:-Movement of the property

Correct Answer:- Option-B

Question66:-'A' threatens to publish a defamatory libel concerning 'Z' unless 'Z' gives money. He thus induces 'Z' to give him money. What is the offence committed by 'A'

- A:-Robbery
- B:-Cheating
- C:-Extortion
- D:-None of these

Correct Answer:- Option-C

Question67:-What is the minimum number of persons required for the commission of the offence "Dacoity"?

- A:-Four
- B:-Two
- C:-Three
- D:-Five

Correct Answer:- Option-D

Question68:-What is the maximum imprisonment for the offence of dishonestly receiving stolen property?

- A:-Imprisonment of either description up to three years
- B:-Imprisonment of either description up to two years
- C:-Simple imprisonment up to one year
- D:-Rigorous imprisonment up to one year

Correct Answer:- Option-A

Question69:-The term 'offence' is defined in _____ of the code of criminal procedure 1973.

- A:-2(n)
- B:-2(m)
- C:-2(o)
- D:-2(k)

Correct Answer:- Option-A

Question70:-Who among the following has got power to alter the limits and number of such divisions according to Criminal Procedure Code?

- A:-Central Government
- B:-State Government
- C:-Supreme Court
- D:-Any of these

Correct Answer:- Option-B

Question71:-Who appoints sessions Judges of Criminal courts?

- A:-State Government
- B:-Central Government
- C:-High Court
- D:-Supreme Court

Correct Answer:- Option-C

Question72:-Who is empowered to appoint executive magistrate as per the code of criminal procedure code?

- A:-High court
- B:-Sessions court
- C:-Central Government
- D:-State Government

Correct Answer:- Option-D

Question73:-The minimum number of years of practice required for appointing as director of prosecution or Deputy Director of prosecution is _____.

- A:-7 yrs as advocate
- B:-Not less than five years as advocate
- C:-Not less than three years as advocate
- D:-Not less than ten years as advocate

Correct Answer:- Option-D

Question74:-The arrest and procedure for arrest by a private person is dealt in section _____ of the code of criminal procedure.

A:-41

B:-42

C:-43

D:-44

Correct Answer:- Option-C

Question75:-Choose the correct option from the following regarding arrest?

I. A person while effecting the arrest of the offender may take help of others.

II. If the arrest is not justified under law, it will vitiate trial.

A:-Both I and II are correct

B:-Only I is correct

C:-Only II is correct

D:-Both are not correct

Correct Answer:- Option-B

Question76:-Who is empowered to sign the 'warrant' as per code of criminal procedure?

A:-Presiding officer

B:-Any officer

C:-Officer in charge of the police station

D:-Any of the above

Correct Answer:- Option-A

Question77:-After issuing the proclamation as per section 82 of the code of criminal procedure, the time within which the accused has to appear before the court is _____ from the date of publishing such proclamation.

A:-60 days

B:-30 days

C:-90 days

D:-6 months

Correct Answer:- Option-B

Question78:-Section _____ of the code of criminal procedure deals with the claims and objection to attachment.

A:-83

B:-82

C:-84

D:-85

Correct Answer:- Option-C

Question79:-The maximum period of bond to be executed for keeping the security of peace on conviction is _____.

A:-Three years

B:-Two years

C:-One year

D:-None of these

Correct Answer:- Option-A

Question80:-The object of section 107 of Cr.P.C. is _____.

A:-Punitive in nature

B:-Both preventive and punitive

C:-Neither punitive nor preventive

D:-Preventive in nature

Correct Answer:- Option-D

Question81:-The normal period of completion of inquiry for the purpose of proceedings initiated in chapter VIII of Cr.P.C. is _____.

A:-3 months

B:-6 months

C:-one year

D:-no time limit

Correct Answer:- Option-B

Question82:-Choose the correct option with reference to section 125 of Cr.P.C. after considering the following two statements.

I. Wife includes "divorced wife"

II. Minority is determined according to Indian Majority Act.

A:-Both are not correct

B:-Only I is correct

C:-Both are correct

D:-Only II is correct

Correct Answer:- Option-C

Question83:-Who is empowered to command the dispersal of unlawful assembly by using Civil forces?

A:-Executive magistrate only

B:-Officer incharge of Police station only

C:-Officer not below the rank of sub inspector only

D:-Any of the above

Correct Answer:- Option-D

Question84:-Who among the following is not competent to issue conditional order as per section 133 of Cr.P.C?

A:-Chief Judicial Magistrate

B:-Executive Magistrate

C:-Sub-Divisional Magistrate

D:-District Magistrate

Correct Answer:- Option-A

Question85:-Which is the correct option regarding the first information report?

A:-In case the informant has omitted to give his signature at the time of FIR, it will affect the value of FIR

B:-It is not necessary that FIR should be lodged by the victim alone

C:-FIR should contain the details of each and every incidence of the crime

D:-All are correct

Correct Answer:- Option-B

Question86:-Examination of witnesses by the police as part of the investigation is dealt in section _____ of Cr.P.C.

A:-164

B:-163

C:-161

D:-181

Correct Answer:- Option-C

Question87:-Who among the following is competent to record the confessional statement as per code of criminal procedure?

A:-District Magistrate

B:-Sessions Judge

C:-Sub Divisional Magistrate

D:-Judicial First Class Magistrate

Correct Answer:- Option-D

Question88:-The amendment for Medical Examination of the Victim of rape has been incorporated by way of Amendment Act _____.

A:-2005

B:-2008

C:-2003

D:-2013

Correct Answer:- Option-A

Question89:-Who is competent to decide the place of trial, when two or more courts have taken the cognizance of the same offence, which are subordinate to the some high Court.

A:-Supreme Court

B:-High Court

C:-State Government

D:-Sessions Court

Correct Answer:- Option-B

Question90:-Who is competent to decide and determine the language of criminal courts with in the state other than High Court?

A:-Government of India

B:-High Court

C:-State Government

D:-Either (1) or (2)

Correct Answer:- Option-C

Question91:-'A' is charged for culpable Homicide not amounting to murder and convicted. Can 'A' tried again for murder?

A:-Can be tried

B:-Cannot be tried

C:-Discretion of the Court

D:-Subject to the order of High Court

Correct Answer:- Option-B

Question92:-Tender of pardon to accomplice is dealt in _____ of Cr.P.C.

A:-305

B:-304

C:-300

D:-306

Correct Answer:- Option-D

Question93:-The proceedings of death sentence shall be submitted to the _____ under Cr.P.C before the execution.

A:-High Court

B:-Principal sessions Court

C:-Supreme Court

D:-State Government

Correct Answer:- Option-A

Question94:-Who is competent to hear appeals by the person who has been ordered under section 117 to give security for keeping peace or good behaviour.

A:-Sessions court

B:-High court

C:-District magistrate

D:-Any of these

Correct Answer:- Option-A

Question95:-Where a magistrate of first class passes only a sentence of fine not exceeding 100 rupees, the appeal shall lie to _____.

A:-Chief Judicial Magistrate

B:-Sessions Court

C:-No appeal will lie

D:-High Court

Correct Answer:- Option-D

Question96:-Section _____ deals with suspension of sentence pending the appeal and release of appellant on bail.

A:-387

B:-388

C:-389

D:-390

Correct Answer:- Option-C

Question97:-Which among the following court can exercise revisional Jurisdiction under the code of criminal procedure?

A:-High Court

B:-District Magistrate

C:-Judicial First Class

D:-Chief Judicial Magistrate

Correct Answer:- Option-A

Question98:-Which of the following amendment Act of Cr.P.C. omitted the words "order of execution of sentence to be postponed, and may, if it thinks fit" from section 416 of the code of criminal procedure?

A:-Amendment Act, 2013

B:-Amendment Act, 2008

C:-Amendment Act, 2000

D:-Amendment Act, 2001

Correct Answer:- Option-B

Question99:-Who among the following authority is empowered to direct in what place any person liable to be imprisoned or committed to custody shall be confined under section 417 of the code?

A:-High Court

B:-The Court which tried the case

C:-State Government

D:-Central Government

Correct Answer:- Option-C

Question100:-Who is empowered to commute the sentence of any person without his consent as per section 433 of Cr.P.C?

A:-High court

B:-Session court

C:-District magistrate

D:-Appropriate Government

Correct Answer:- Option-D