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Name :	Reg. No.	Signature :
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DEPARTMENTAL TESTS — SEPTEMBER, 2020

Number of Questions : 100

Time : 2 hours

(Maximum Marks :100)

INSTRUCTIONS TO CANDIDATES

1. The question paper will be given in the form of a Question Booklet. There will be four versions of question booklets with question booklet alpha code viz. A, B, C & D.
2. The Question Booklet Alpha Code will be printed on the top left margin of the facing sheet of the question booklet.
3. The Question Booklet Alpha Code allotted to you will be noted in your seating position in the Examination Hall.
4. If you get a question booklet where the alpha code does not match to the allotted alpha code in the seating position, please draw the attention of the invigilator IMMEDIATELY.
5. The Question Booklet Serial Number is printed on the top right margin of the facing sheet. If your question booklet is un-numbered, please get it replaced by new question booklet with same alpha code.
6. The Question Booklet will be sealed at the middle of the right margin. Candidate should not open the question booklet, until the indication is given to start answering.
7. Immediately after the commencement of the examination, the candidate should check that the question booklet supplied contains all the 100 questions in serial order. The question booklet does not have unprinted or torn or missing pages and if so the fact should be brought to the notice of the Invigilator and get it replaced by a complete booklet with same alpha code. This is most important.
8. A blank sheet of paper is attached to the question booklet. This may be used for rough work.
9. **Please read carefully all the instructions on the reverse of the Answer Sheet before marking your answers.**
10. Each question is provided with four choices (A), (B), (C) and (D) having one correct answer. Choose the correct answer and darken the bubble corresponding to the question number using Blue or Black Ball Point Pen in the OMR Answer Sheet.
11. **Each correct answer carries 1 mark and for each wrong answer 1/3 mark will be deducted. No negative marks for unattended questions.**
12. No candidate will be allowed to leave the examination hall till the end of the session and without handing over the Answer Sheet to the Invigilator. Candidates should ensure that the Invigilator has verified all the entries in the Register Number Coding Sheet and that the Invigilator has affixed his/her signature in the space provided.
13. Strict compliance of instructions is essential. Any malpractice or attempt to commit any kind of malpractice in the Examination will result in the disqualification of the candidate.
14. **If any candidates make a marking of answer in the question paper and exchange with other candidate during the course of the examination, the answer script will be invalidated and the candidates will be debarred for a minimum period of 2 years from appearing the Departmental Tests.**

A

23. Medical examination of an accused after arrest is
- (A) Mandatorily done in all cases
 - (B) Not at all required
 - (C) Done as per the request of the accused
 - (D) Done when it is necessary in order to ascertain the facts which may afford such evidence.
24. The confession or statement made by an accused to a police officer is
- (A) Admissible
 - (B) Not admissible
 - (C) Partially admissible
 - (D) Absolutely admissible
25. Police cannot detain an arrested person for
- (A) Not exceeding 48 hours
 - (B) Not more than 72 hours
 - (C) 36 hours including the time of journey from the place of arrest
 - (D) Not more than 24 hours excluding the time of journey from the place of arrest to the Magistrate Court
26. Summons shall be signed by
- (A) District Judge
 - (B) Chief Judicial Magistrate
 - (C) Presiding officer of the court concerned
 - (D) Metropolitan Magistrate
27. Procurement of evidence from a foreign country is possible by virtue of
- (A) Section 166A
 - (B) Section 154
 - (C) Section 27
 - (D) Section 303
28. Summons to produce a document can be issued
- (A) Public Prosecutor
 - (B) Court
 - (C) Police
 - (D) Any Court or Officer in charge of Police Station
29. Period of limitation for taking cognizance of an offence punishable with fine only is
- (A) One year
 - (B) Three years
 - (C) Three months
 - (D) Six months
30. A police officer may search any place used for the deposit or sale of stolen property if he is authorized by
- (A) District Judge
 - (B) High Court Judge
 - (C) Sub-Judge
 - (D) District Magistrate, Sub-divisional Magistrate or Magistrate of First Class

31. When a person is wrongfully confined ?
- (A) Magistrate can issue a search warrant
 - (B) Magistrate can order production
 - (C) Magistrate can order seizure
 - (D) None of the above
32. Search of a place without warrant can be made if
- (A) The Magistrate is present in the place
 - (B) The police officer conducts the search
 - (C) There is no time to get the warrant
 - (D) All of the above
33. Non-cognizable offence means ?
- (A) Anybody can arrest the offender
 - (B) Police can arrest always
 - (C) An offence for which police officer has no authority to arrest without warrant
 - (D) Prosecutor can arrest
34. When the proceedings have been instituted upon a complaint and if the complainant absent on the day fixed for the hearing, at any time before the charge has been framed, the Magistrate may
- (A) Discharge the accused
 - (B) Convict the accused
 - (C) Punish the complainant
 - (D) Dismiss the complaint
35. Chief Metropolitan Magistrate is appointed by
- (A) District Judge
 - (B) High Court
 - (C) State Government
 - (D) Central Government
36. Every warrant issued by the Court shall be signed by
- (A) Judicial First Class Magistrate
 - (B) District Judge
 - (C) Chief Judicial Magistrate
 - (D) Presiding Officer of that Court
37. When more than one person gave information about same cognizable offence, the police will
- (A) Start Investigation
 - (B) Not record FIR
 - (C) Record all the statements as FIRs
 - (D) Record one of the statements as FIR
38. Investigation of a non-cognizable offence is
- (A) The duty of the police
 - (B) Not the duty of the police
 - (C) Becomes duty when ordered by the Magistrate
 - (D) None of the above

A

39. Investigating officer can require attendance before himself of any person except
- (A) Man
 - (B) Man above 65 years, Woman and Children below 15 years old
 - (C) Woman
 - (D) Children below 15 years
40. Where questions are put to a person examined by a Police officer,
- (A) He is required to answer truly all questions
 - (B) He is not required to answer truly all questions
 - (C) He is required to answer truly all questions except incriminating questions
 - (D) He is not required to answer any questions
41. Every warrant issued shall remain in force
- (A) Until it is cancelled by the court which issued it or until execution
 - (B) Until it is cancelled by the investigation officer
 - (C) Until it is cancelled by the Prosecutor
 - (D) It can never be cancelled
42. When a complaint filed is dismissed after considering the statement on oath, the complainant can file a second complaint on the same facts, if
- (A) The previous order was passed on incomplete record or on a misunderstanding of the nature of the complaint;
 - (B) The order which was passed was manifestly absurd, unjust or foolish;
 - (C) Where new facts have been brought on record
 - (D) All of the above
43. A confession statement recorded under Section 281 should be
- (A) Singed by the Magistrate only
 - (B) Signed by the accused only
 - (C) Signed by the Magistrate and the person made it
 - (D) Need not be signed
44. A Magistrate recording a confession statement shall explain to the person making it
- (A) He is not bound to make a confession
 - (B) It may be used against him
 - (C) It should be made voluntarily
 - (D) All of these
45. Service of summons on a Corporation may be effected by serving it on ?
- (A) The Secretary
 - (B) The Local Manager
 - (C) Only the Principal Officer
 - (D) Any of the above

A

53. An arrested or detained person as of right not entitled to claim bail, if
- (A) If he is involved in bailable offence
 - (B) If he is involved in non-bailable offence
 - (C) If he is involved in petty offence
 - (D) None of the above
54. Anticipatory bail can be granted by ?
- (A) Only District Court
 - (B) Only High Court
 - (C) District Court and High Court
 - (D) Only Magistrate Court
55. A wife is entitled to apply for the recovery of maintenance amount due from her husband for a period of
- (A) Two years
 - (B) One year
 - (C) No time limit
 - (D) Six months
56. A sentence of death passed by the Court of Session cannot be executed
- (A) If not confirmed by the High Court
 - (B) If not confirmed by the Governor
 - (C) If no appeal is filed
 - (D) If the accused pleaded guilty in the trial
57. On what condition tender of pardon is given to an accomplice ?
- (A) For giving some clues about the offence
 - (B) For the promise that he shall not help the accused
 - (C) For the assurance that he can convince court that he is not guilty
 - (D) For making a true disclosure of the offence
58. Complaint means
- (A) Any allegation made orally or in writing to a Magistrate about an offence
 - (B) Any police report to the Magistrate
 - (C) Any petition to the police
 - (D) All of the above
59. Public Prosecutor means
- (A) Any person prosecuting a Public Interest Litigation
 - (B) Any lawyer authorized by the Magistrate
 - (C) Any person appointed under Section 24
 - (D) Any *amicus curie* appointed by the Court
60. Warrant case means
- (A) Any offence punishable with imprisonment for 6 months
 - (B) Any offence punishable with death/Imprisonment for life/Imprisonment for exceeding 2 years
 - (C) Any offence punishable with imprisonment for one year
 - (D) Any offence punishable with imprisonment not exceeding 2 years and fine

61. Wife cannot claim maintenance, when ?
1. If she lives in adultery
 2. If she has sufficient means to maintain herself
 3. If she is living separately without sufficient reason
 4. If she is living separately by mutual consent
- (A) 1 & 2 (B) 3 & 4 (C) 1, 2 & 3 (D) 1, 2, 3 & 4
62. Chief Metropolitan Magistrate is subordinate to
- (A) Sessions Judge or Addl. Sessions Judge (B) Assistant Sessions Judge
(C) Metropolitan Magistrate (D) Chief Judicial Magistrate
63. Chief Judicial Magistrate may pass any sentence
- (A) Not exceeding 5 years (B) Not exceeding 7 years
(C) Not exceeding 10 years (D) Life Imprisonment
64. Any private person may arrest
- (A) If anybody commits a non-cognizable offence
(B) If anybody commits a bailable offence
(C) If anybody commits in his presence a non-bailable and cognizable offence
(D) If anybody commits a bailable and cognizable offence
65. Sentence of death can be passed by
- (A) Judge or Addl. Sessions Judge (B) Assistant Sessions Judge
(C) Metropolitan Magistrate (D) Chief Judicial Magistrate
66. While effecting arrest, the Police Officer
- (A) Shall not touch the body of the person to be arrested
(B) Police Officer can touch the body of the person to be arrested
(C) Police Officer can touch the body if he is not submitting himself to the custody
(D) Police Officer can never touch the body of the person to be arrested
67. Service of summons to an adult male member of the family whether sufficient ?
- (A) Yes, when the Magistrate permits so (B) No, cannot be served
(C) Yes, only when consented by the accused (D) Yes, if the accused cannot be found
68. Confession statement of an accused can be recorded by
- (A) Only Metropolitan Magistrate or Judicial Magistrate having local jurisdiction in the case ;
(B) Only Metropolitan Magistrate or Judicial Magistrate not having local jurisdiction in the case;
(C) Metropolitan Magistrate or Judicial Magistrate whether or not having local jurisdiction in the case;
(D) None of the above
69. What is a Complaint case ?
- (A) Case instituted by Police
(B) Case instituted otherwise than on a Police report
(C) Case instituted by Police or instituted otherwise than on a Police report
(D) Case initiated *suomoto* by the Court

A

70. If unable to maintain himself / herself, father or mother can claim maintenance from
- (A) Son without sufficient means
 - (B) Daughter without sufficient means
 - (C) Married daughter without sufficient means
 - (D) Major son with sufficient means
71. The accused shall be released on bail if the investigation is not completed
- (A) After 90 days of detention
 - (B) After 60 days of detention
 - (C) After 60 or 90 days of detention
 - (D) After 15 days
72. Statement of a material witness recorded during investigation may render unreliable, if
- (A) There is unjustified and unexplained delay in recording of that statement
 - (B) If not recorded in regional language
 - (C) If not signed by the witness
 - (D) If not given a copy of the statement
73. Court can conduct an inquiry other than police investigation,
- (A) In case of death in custody
 - (B) In case of rape in custody
 - (C) Where any person dies or disappears or rape is alleged to have been committed on any woman
 - (D) Only Police can investigate
74. Where any offence of kidnapping or abduction of a person may be inquired into or tried by a court
- (A) Within whose local jurisdiction the person was kidnapped or abducted
 - (B) Within whose local jurisdiction the person was conveyed
 - (C) Within whose local jurisdiction the person was concealed or detained
 - (D) All of these
75. If a person in lawful custody escapes, the person from whose custody he escaped may pursue and arrest him
- (A) In any place in India
 - (B) Only within the Police Station limits concerned
 - (C) Only within the jurisdictional limits of the Magistrate Court concerned
 - (D) Only within the jurisdictional limits Sessions Court
76. A private citizen intending to initiate criminal proceedings may lodge a complaint before a competent judicial Magistrate under Section
- (A) 125
 - (B) 190
 - (C) 437
 - (D) 438

77. Any offence of theft, extortion or robbery may be tried by a court
- (A) Within whose local jurisdiction the offence was committed
 - (B) Where the stolen property was possessed by any person committing it
 - (C) Where any person received or retained, such property knowing or having reason to believe it to be stolen property
 - (D) Any of the above
78. If a person is in illegal confinement, a search warrant could be issued by
- (A) Judicial First Class Magistrate
 - (B) District Judge
 - (C) Police Officer
 - (D) Superintendent of Police
79. The offence of bigamy can be tried by a court within whose jurisdiction
- (A) The offence was committed; or
 - (B) The offender last resided with his or her spouse by the first marriage; or
 - (C) The wife by the first marriage has taken up permanent residence after the commission of the offence
 - (D) All of the above
80. When a complaint in writing is made to a Magistrate who is not competent to take cognizance of the offence, he shall
- (A) Dismiss the complaint
 - (B) Reject the complaint
 - (C) Return it for presentation to proper court
 - (D) Transfer that complaint
81. A warrant directed to any police officer
- (A) May also be executed to any Police Officer whose name is endorsed on the warrant by the former Police Officer
 - (B) Cannot be executed by another Police Officer
 - (C) Can only be executed by a Superior Police Officer
 - (D) None of the above
82. If any Magistrate not empowered by law in this behalf, tries an offender summarily, his proceedings shall be
- (A) Voidable
 - (B) Void
 - (C) Valid
 - (D) Legal
83. No Court of Session shall take cognizance of any offence as a court of original jurisdiction unless
- (A) The case has been committed to it by a Magistrate
 - (B) The case is registered under the SC and ST (Prevention of Atrocities) Act
 - (C) The case is registered under the POCSO Act
 - (D) All of the above
84. Where two or more courts have taken cognizance of the same offence, then which of the courts may try the offence ?
- (A) It shall be decided by the High Court, when the courts are subordinate to the same High Court
 - (B) It shall be decided by the Principal Sessions Court
 - (C) It shall be decided by the Supreme Court
 - (D) It shall be decided by the Central Government

A

85. An offence committed by an Indian citizen outside India can be tried
- (A) As if it had been committed at any place within India with the previous sanction of Central Government
 - (B) It cannot be tried in India
 - (C) It has to be tried only at the place where the offence is committed
 - (D) It can be tried in India with the consent of that foreign country
86. A wife is only entitled to claim maintenance ?
- (A) If she is living separately without sufficient reason
 - (B) If she has income
 - (C) If the husband has sufficient means but contracts a second marriage
 - (D) If she lives in adultery
87. A Judge or Magistrate can be prosecuted
- (A) With the previous sanction of the High Court
 - (B) With the previous sanction of the appropriate Government
 - (C) With the previous sanction of the Supreme Court
 - (D) Cannot be prosecuted
88. An application for maintenance can be filed before
- (A) District Court
 - (B) Munsiff Court
 - (C) Family Court or Magistrate Court
 - (D) Sub-Court
89. An order passed under Section 144 can be further extended up to
- (A) 6 months by notification by the State Government
 - (B) 3 months
 - (C) One year
 - (D) Cannot be extended
90. When an arrested person can as of right claim bail ?
- (A) If he has involved in the offence of murder under Section 302 IPC
 - (B) If it is non-bailable offence
 - (C) If he is involved in the offence of rape under Section 376 IPC
 - (D) If it is bailable offence
91. What is the maximum period for which an under trial prisoner can be detained except for an offence punishable with death ?
- (A) One half of the period of imprisonment for the offence
 - (B) Not more than the maximum period of imprisonment for the offence
 - (C) One third of the period of imprisonment for the offence
 - (D) One tenth of the period of imprisonment for the offence
92. When the Court of Session passes a sentence of death, the same shall be
- (A) Executed without delay
 - (B) Executed if there is no appeal filed
 - (C) Executed subject to confirmation by the High Court
 - (D) Executed if confirmed by the Governor

93. Public generally may have access to court except
- (A) While conducting trial (B) When witnesses are examined
(C) When child witness is examined (D) When proceedings conducted in camera
94. If the Magistrate or Court finds a person is of unsound mind incapable of making his defense in the trial, the Magistrate or Court shall
- (A) Try the case in the presence of his lawyer (B) Postpone all further proceedings
(C) Conclude the trial as early as possible (D) Discharge the accused
95. Who can cancel bail ?
- (A) Only High Court (B) Supreme Court
(C) High Court or Court of Session (D) Magistrate Court which granted bail
96. Who can apply for anticipatory bail ?
- (A) Person accused of non-bailable offence
(B) A person apprehending arrest in bailable offence
(C) A person already arrested
(D) A person in judicial custody
97. Upon complaint of unlawful detention of a woman or female child under the age of eighteen, the Magistrate of first class can order
- (A) Arrest of the woman
(B) Production before the Sub Inspector of Police
(C) Immediate restoration of such woman to her liberty
(D) None of the above
98. When a court imposes a fine or a sentence including death of which fine forms a part, the court may order the whole or any part of the fine recovered to be applied
- (A) In defraying the expenses incurred in the prosecution
(B) In the payment of compensation for the loss or injury caused by the offender
(C) In paying compensation to the persons entitled under the Fatal Accidents Act for the loss resulting from the death
(D) All of the above
99. Where in a trial, the accused is not represented by a pleader as he has no sufficient means, the court shall
- (A) Postpone the case (B) Assign a Pleader
(C) Convict him (D) Acquit him
100. Where the ownership of some property is unknown and is subject to speedy and natural decay, the Magistrate shall
- (A) Direct it to be sold
(B) Direct that it shall be at the disposal of the Govt.
(C) Donate the same to the Government
(D) Order delivery of the same to the unknown owner
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A

SPACE FOR ROUGH WORK

SPACE FOR ROUGH WORK

- * **The Booklet with alpha code 'A' starts with Qn. No. 1 of the Original question paper (1 - 100)**