

FINAL ANSWER KEY

Paper: Criminal Procedure Code (Part I - Paper II)
Date of Test 17-03-2022

Question1:-For the purpose of S. 131 Cr.P.C 'armed forces' means

- A:-Military force
- B:-Naval Force
- C:-Air force
- D:-All the above three and includes any other armed force of the union

Correct Answer:- Option-D

Question2:-Chapter X Cr.P.C deal with

- A:-maintenance of public order and tranquility
- B:-process to compel appearance
- C:-preventive action of police
- D:-conditions requisite for initiation of proceedings

Correct Answer:- Option-A

Question3:-The maximum period for which security proceedings may be taken at the time of passing sentence against a convict

- A:-One year
- B:-Two years
- C:-Three years
- D:-Six months

Correct Answer:- Option-C

Question4:-Courts competent to take security proceedings at the time of passing sentence is/are

- A:-court of session
- B:-magistrate of first class
- C:-both (1) and (2)
- D:-neither (1) nor (2)

Correct Answer:- Option-C

Question5:-The bond to be executed as per S.106 Cr.P.c is

- A:-with sureties
- B:-without sureties
- C:-with or without sureties
- D:-none of the above

Correct Answer:- Option-C

Question6:-Power to initiate security proceedings in cases other than in conviction can be exercised by

- A:- Executive magistrate only
- B:-Any magistrate
- C:-Judicial magistrate only
- D:-Sessions judge

Correct Answer:- Option-A

Question7:-In the case of conviction for which of the following offences security proceedings can be initiated under S.106.

- A:-Criminal intimidation
- B:-Assault
- C:-Using criminal force
- D:-All the above

Correct Answer:- Option-D

Question8:-The nature of Cr.P.c is

- A:-substantive law
- B:-procedural law
- C:-partly substantive and partly procedural
- D:-quasi-procedural law

Correct Answer:- Option-B

Question9:-What happens to the bond executed under S.106 Cr.P.c when the conviction is set aside on appeal?

- A:-Bond is still valid
- B:-Bond shall become void
- C:-Bond shall become voidable
- D:-None of the above

Correct Answer:- Option-B

Question10:-The procedure under S.106 Cr.P.c can be initiated by

- A:-court of session
- B:-judicial first class magistrate
- C:-appellate court
- D:-all the above

Correct Answer:- Option-D

Question11:-The maximum period for which bond can be ordered to be executed under S.107 Cr.P.C

- A:-one year
- B:-two years
- C:-three years
- D:-six months

Correct Answer:- Option-A

Question12:-The ground/s for initiating security proceedings under S.107 is/are

- A:-any person is likely to commit a breach of the peace
- B:-any person likely to disturb the public tranquility
- C:-doing wrongful act which may occasion a breach of the peace
- D:-all the above

Correct Answer:- Option-D

Question13:-When an executive magistrate set jurisdiction to initiate security proceedings under S.107 Cr.Pc

- A:-The place of apprehended breach of peace is within his local jurisdiction
- B:-The person who is likely to commit breach of peace in within his local jurisdiction
- C:-both (1) and (2)
- D:-Neither (1) nor (2)

Correct Answer:- Option-C

Question14:-Provision under which security proceedings can be initiated against persons disseminating seditious matters

- A:-S.107

B:-S.108
C:-S.109
D:-S.110

Correct Answer:- Option-B

Question15:-The period for which bond can be required to be executed from suspected persons

A:-one month
B:-six months
C:-one year
D:-two years

Correct Answer:- Option-C

Question16:-Magistrate competent to initiate security proceedings against suspected persons

A:-Judicial magistrate
B:-Executive magistrate
C:-Both (1) and (2)
D:-Neither (1) nor (2)

Correct Answer:- Option-B

Question17:-Which among the following offences falls within the category of seditious matter

A:-S.124-A
B:-S.153-A
C:-S.295-A
D:-All the above

Correct Answer:- Option-D

Question18:-For initiating security proceedings on the ground of disseminating seditious matters against editor of a publication

A:-order of State Government is necessary
B:-order of some officer empowered by State Government
C:-Either (1) or (2)
D:-Neither (1) nor (2) necessary

Correct Answer:- Option-C

Question19:-The act referred in S.108(2) is

A:-Press and Registration of Books Act, 1867
B:-Right to Information Act
C:-Defence of India Act
D:-None of the above

Correct Answer:- Option-A

Question20:-The provision under which security proceedings can be initiated against a person who makes any obscene matter referred in S. 292 IPC

A:-S.106
B:-S.107
C:-S.108
D:-S.109

Correct Answer:- Option-C

Question21:-Suspected person means

A:-A person likely to commit cognizable offence
B:-A person taking precautions to conceal his presence
C:-Either (1) or (2)
D:-A person likely to commit cognizable offence and taking precautions to conceal his presence

Correct Answer:- Option-D

Question22:-The maximum period for which bond may be required to be executed by a suspected person is

A:-one year
B:-two years
C:-three months
D:-six months

Correct Answer:- Option-A

Question23:-The magistrate competent to initiate security proceedings against a suspected person is

A:-Judicial first class magistrate
B:-Executive magistrate
C:-Either (1) or (2)
D:-None of the above

Correct Answer:- Option-B

Question24:-The provision enabling initiation of security proceedings against habitual offenders

A:-S.105
B:-S.110
C:-S.130
D:-S.101

Correct Answer:- Option-B

Question25:-The authority competent to initiate security proceedings against habitual offenders is

A:-Sessions judge
B:-Executive magistrate
C:-Judicial first class magistrate
D:-All the above

Correct Answer:- Option-B

Question26:-Who among the following is a habitual offender?

A:-a person who is by habit a robber, house-breaker, thief or forger
B:-a person who is by habit a receiver of stolen property
C:-habitually protects or harbours thieves or aids in the concealment or disposal of stolen property
D:-all the above

Correct Answer:- Option-D

Question27:-Who among the following is a habitual offender who habitually commits offence under

A:-Drugs and Cosmetics Act, 1940
B:-Foreign Exchange Regulation Act, 1973
C:-The Essential Commodities Act, 1955
D:-All the above

Correct Answer:- Option-D

Question28:-Whether a person who is so desperate and dangerous as to render his being at large without security hazardous to the community is a habitual offender

- A:-always
 - B:-never
 - C:-sometimes
 - D:-none of the above
- Correct Answer:- Option-A

Question29:-The maximum period for which bond can be required to be executed from habitual offenders for his good behaviour

- A:-four years
 - B:-three years
 - C:-two years
 - D:-one year
- Correct Answer:- Option-B

Question30:-The bond to be executed by habitual offenders is

- A:-with sureties
 - B:-without sureties
 - C:-with or without sureties
 - D:- no bond need be executed at all
- Correct Answer:- Option-A

Question31:-Which among the following should be there in an order issued by a magistrate for taking security proceedings

- A:-set forth the substance of the information received
 - B:-amount of the bond to be executed
 - C:-the term for which it is to be in force
 - D:-all the above
- Correct Answer:- Option-D

Question32:-The procedure to be adopted when the person against whom order under S.111 is present in court

- A:-It shall be read over to him
 - B:-the substance there of shall be explained to him if he so desires
 - C:-either (1) or (2)
 - D:-both (1) and (2)
- Correct Answer:- Option-C

Question33:-When a magistrate issues summons to a person against whom security proceedings is intended to be initiated?

- A:-when such a person is not present in court
 - B:-when he is in another state
 - C:-when he is in another district
 - D:-when he is abroad
- Correct Answer:- Option-A

Question34:-What is the procedure to be adopted by a magistrate when the person against whom security proceedings is to be initiated is in custody?

- A:-warrant to police officer
 - B:-warrant to the officer in whose custody the person is
 - C:-issue summons
 - D:-none of the above
- Correct Answer:- Option-B

Question35:-When magistrate may issue warrant for the arrest of a person against whom magistrate is acting under S.107, S.108, S.109 or S.110?

- A:-when there is reason to fear the commission of a breach of the peace
 - B:-breach of the peace cannot be prevented otherwise than by the immediate arrest of such person
 - C:-both (1) and (2)
 - D:-neither (1) nor (2)
- Correct Answer:- Option-C

Question36:-Which of the following statement is correct?

- A:-process issued under S.113 shall be accompanied by a copy of the order made under S.111
 - B:-no such order need be accompanied
 - C:-attachment of order optional
 - D:-order need be given only if the person to be served with the process demands
- Correct Answer:- Option-A

Question37:-Who is to deliver copy of the order under S.111?

- A:-the officer serving or executing such summons or warrant
 - B:-the magistrate
 - C:-the police officer
 - D:-none of the above
- Correct Answer:- Option-A

Question38:-The person against whom show-cause notice is issued as part of initiating security proceedings

- A:-shall appear in person
 - B:-may appear through a pleader
 - C:-may appear through a pleader if the magistrate dispenses with personal attendance
 - D:-both the person and pleader shall present
- Correct Answer:- Option-C

Question39:-In respect of the security proceedings which one of the following statement is correct?

- A:-inquiry into truth of information is mandatory
 - B:-such inquiry is optional
 - C:-inquiry is in the discretion of the magistrate
 - D:-none of the statements are correct
- Correct Answer:- Option-A

Question40:-In an inquiry under S.116 Cr.P.C whether it is possible to take further evidence

- A:-may take
 - B:-shall take
 - C:-not necessary
 - D:-if the person against whom security proceeding taken demands
- Correct Answer:- Option-A

Question41:-Nature of inquiry intended under S.116 Cr.P.C is

- A:-same as that of sessions case
 - B:-same as that of warrant case
 - C:-same as that of summons case
 - D:-same as that of summary trial
- Correct Answer:- Option-C

- Question42:-Whether magistrate conducting an inquiry under S.116 has power to direct the person to execute bond pending inquiry
A:-magistrate has power
B:-magistrate has no such power
C:-depends upon the ground for initiating security proceedings
D:-magistrate has power, but he has to report with immediate superior officer
Correct Answer:- Option-A
- Question43:-The circumstance in which a magistrate may, as part of inquiry detain a person
A:-habitual offender
B:-may be detained till bond is executed
C:-may be detained for default of execution of bond
D:-both (2) and (3)
Correct Answer:- Option-D
- Question44:-In the matter of executing bond pending inquiry which one of the following statement is correct
A:-no person against whom proceedings are not being taken under section 108, 109 or 110 shall be directed to execute a bond for maintaining good behaviour
B:-no person against whom proceedings are not being taken under section 108, 109 or 110 shall be directed to execute a bond for maintaining peace
C:-both (1) and (2)
D:-neither (1) nor (2)
Correct Answer:- Option-A
- Question45:-The condition of bond pending inquiry as to amount
A:-may be more onerous than those specified in order under S.111
B:-fixing of amount not necessary at all
C:-shall not be more onerous than those specified in order under S.111
D:-may or may not be onerous
Correct Answer:- Option-C
- Question46:-For the purpose of S.116, the evidence to prove that a person is a habitual offender or is so desperate and dangerous as to render his being at large without security hazards to the community is
A:-oral evidence
B:-documentary evidence
C:-evidence of general repute or otherwise
D:-circumstantial evidence
Correct Answer:- Option-C
- Question47:-The condition of bond pending inquiry as to the provision of sureties
A:-shall not be more onerous than those specified in the order under S.111
B:-sureties not necessary
C:-may be more onerous than those specified in order under S.111
D:-Sureties necessary
Correct Answer:- Option-A
- Question48:-Where two or more persons have been associated together in the matter under inquiry under S.116?
A:-they may be dealt with in the same inquiry
B:-they may be dealt with in the separate inquiries
C:-they may be dealt with in the same or separate inquiries
D:-none of the above
Correct Answer:- Option-C
- Question49:-The condition of bond pending inquiry as to the pecuniary extent of the liabilities of sureties
A:-10,000 each
B:-shall not be more onerous than those specified in the order under S.111
C:-Rs. 5,000 each
D:-may be more onerous than those specified in order under S.111
Correct Answer:- Option-B
- Question50:-The period within which an inquiry under S.116 shall be completed
A:-two years
B:-one year
C:-six months
D:-three months
Correct Answer:- Option-C
- Question51:-The ordinary consequence of inquiry not completed within 6 months
A:-proceedings stand terminated
B:-may extend to three months
C:-proceedings will never terminated
D:-may extend to another 6 months
Correct Answer:- Option-A
- Question52:-The condition of bond pending inquiry as to the number of sureties
A:-two
B:-no sureties
C:-three
D:-shall not be more onerous than those specified in the order under S.111
Correct Answer:- Option-D
- Question53:-The normal period of six months to conclude inquiry under S.116 may be extended for special reasons. What is the period upto which it can be extended
A:-three months
B:-six months
C:-one year
D:-no specific period mentioned
Correct Answer:- Option-D
- Question54:-What is the period within which an inquiry against a person in detention will terminate from the date of detention
A:-two years
B:-one year
C:-six months
D:-three months
Correct Answer:- Option-C
- Question55:-What is the remedy if a magistrate extends the period of inquiry?
A:-appeal
B:-review

C:-revision

D:-none of these

Correct Answer:- Option-D

Question56:-The court having jurisdiction to go into the correctness of extension of period of inquiry

A:-Judicial First class magistrate

B:-Sessions judge

C:-Chief Judicial magistrate

D:-High court

Correct Answer:- Option-B

Question57:-The court which goes through the correctness of extension of period of inquiry

A:-may vacate such direction of extension if satisfied as to absence of special reasons

B:-cannot be vacated

C:-can be vacated subject to conditions

D:-none of the above

Correct Answer:- Option-A

Question58:-The condition under which a final order is issued after inquiry is

A:-it shall be passed by sessions judge

B:-no person shall be ordered to give security of a nature different from or of an amount larger than or for a period longer than, that specified in the order made under S.111

C:-it shall be issued by a Chief Judicial Magistrate

D:-no conditions at all

Correct Answer:- Option-B

Question59:-What is the stipulation for the bond amount to be executed in terms of the final order

A:-Rs. 10,000/-

B:-Rs. 5,000/-

C:-Rs. 3,000/-

D:-amount of the bond shall be fixed with due regard to circumstances of the case and shall not be excessive

Correct Answer:- Option-D

Question60:-What is the procedure as to execution of bond as per final order when the person is a minor?

A:-no concession to minor

B:-bond need be executed only by sureties

C:-sureties need not execute bond

D:-bond shall be executed by the parents

Correct Answer:- Option-B

Question61:-What is the procedure to be adopted when after the inquiry under S.116 it is seen that there is no sufficient evidence to direct execution of bond

A:-shall discharge him

B:-collect further evidence

C:-entrust inquiry to another magistrate

D:-direct him to be produced before the police officer

Correct Answer:- Option-A

Question62:-What is the procedure to be adopted when there is no evidence to proceed against person after the inquiry under S.116 Cr.P.C when he is in custody.

A:-he shall be released

B:-he shall be discharged

C:-he shall be admonished

D:-release him on bail

Correct Answer:- Option-A

Question63:-When any person against whom an order requiring security is made under S.106 or 117, is also sentenced to undergo imprisonment the date of commencement of security period is

A:-need suffer concurrently

B:-will commence on the expiration of the sentence

C:-period of security will precede sentence

D:-depends upon the specific direction of the magistrate

Correct Answer:- Option-B

Question64:-If the security proceeding is not under S.106 which is the date of commencement for period of security

A:-from the date of order

B:-from the date of issue of process

C:-as decided by the magistrate

D:-from the date of communication of order

Correct Answer:- Option-A

Question65:-Which among the following is correct

A:-the date of commencement of security period is date of order

B:-the date of commencement of such period is date of communication of order

C:-from the date of issue of process

D:-date of order unless the magistrate, for sufficient reasons fixes a later date

Correct Answer:- Option-D

Question66:-The contents of a bond is mentioned in

A:-S.117

B:-S.118

C:-S.119

D:-S.120

Correct Answer:- Option-D

Question67:-Which among the following is correct?

A:-magistrate may refuse to accept any surety offered

B:-magistrate may reject any surety previously accepted by him

C:-(1) is correct (2) is incorrect

D:-both (1) and (2) are correct

Correct Answer:- Option-D

Question68:-The ground under which a magistrate may refuse to accept a surety is

A:-when surety has no property of his own

B:-when surety is accused in any case

C:-when surety is a minor

D:-when surety is an unfit person

Correct Answer:- Option-D

Question69:-What is the procedure to be adopted by a magistrate before refusing to accept a surety?

- A:-he shall hold an inquiry
- B:-cause such inquiry be conducted through a magistrate subordinate to him
- C:-both (1) and (2)
- D:-neither (1) nor (2)

Correct Answer:- Option-C

Question70:-As part of inquiry conducted under S.121 proviso, who are entitled to notice?

- A:-surety
- B:-person for whom surety was offered
- C:-both (1) and (2)
- D:-no notice need be issued

Correct Answer:- Option-C

Question71:-What is the procedure to be adopted when a previously accepted surety is rejected?

- A:-issue process to surety
- B:-issue process to the person whose surety was rejected
- C:-issue show-cause notice to surety
- D:-issue show-cause notice to person, whose surety was rejected

Correct Answer:- Option-B

Question72:-When a person proceeded against under S.106 or 117 fails to give security

- A:-he be committed to prison
- B:-issue show-cause notice to the person
- C:-start the inquiry afresh
- D:-none of the above

Correct Answer:- Option-A

Question73:-When there is failure to give security under S.106 or S.117 by a person who is already in prison, what is the procedure to be adopted

- A:-inform the superintendent of jail
- B:-continue detention in prison until the security period expires
- C:-(1) or (2) can be adopted
- D:-show-cause notice to the detainee

Correct Answer:- Option-B

Question74:-Where a person who has executed a bond for keeping peace as per order under S.117, commits breach what is the procedure to be adopted

- A:-order that the person be arrested and detained in prison
- B:-start proceedings afresh
- C:-report to sessions judge
- D:-direct him to produce fresh sureties

Correct Answer:- Option-A

Question75:-When any person has been ordered by a magistrate to give security for a period exceeding one year and he fails to give security

- A:-issue a warrant directing him to be detained in prison pending the orders of the sessions judge
- B:-the proceedings shall be laid before the sessions judge
- C:-both (1) and (2)
- D:-either (1) or (2)

Correct Answer:- Option-C

Question76:-What is the maximum period for which imprisonment in default of security may be given under S.122?

- A:-Two years
- B:-Three years
- C:-One year
- D:-No limit

Correct Answer:- Option-B

Question77:-What is the procedure to be adopted when there are two or more persons in same proceedings and any one fails to give security?

- A:-the case of all persons be referred to sessions judge under S.122 (2)
- B:-the case of only the defaulted person need be referred to sessions judge
- C:-either (1) or (2)
- D:-none of the above

Correct Answer:- Option-A

Question78:-Which of the following statements is correct

- A:-a sessions judge to whom proceedings have been referred under S.122 (2) may transfer it to any additional or assistant sessions judge
- B:-sessions judge to whom referred must decide by himself
- C:-sessions judge may refer such case to chief judicial magistrate
- D:-none of these

Correct Answer:- Option-A

Question79:-What is the nature of imprisonment for failure to give security for keeping the peace?

- A:-Rigorous
- B:-Simple
- C:-(1) or (2)
- D:-solitary confinement

Correct Answer:- Option-B

Question80:-What is the procedure to be adopted by an officer-in-charge of a jail to whom security is tendered

- A:-refer the matter to district collector
- B:-refer the matter to RDO
- C:-refer the matter to director general of prisons
- D:-Forth with refer the matter to the court or magistrate who made the order, and shall await the orders of such court or magistrate

Correct Answer:- Option-D

Question81:-Nature of imprisonment for failure to give security for good behaviour where proceeding have been taken under S.108 is

- A:-Rigorous
- B:-Simple
- C:-simple or rigorous
- D:-solitary confinement

Correct Answer:- Option-B

Question82:-Who among the following may command to disperse an unlawful assembly?

- A:-any executive magistrate
- B:-officer-in-charge of a police station
- C:-any police officer not below the rank of a sub inspector
- D:-all the above

Correct Answer:- Option-D

Question83:-The nature of imprisonment for failure to give security for good behaviour where proceedings have been taken under S.109 is

- A:-simple
- B:-rigorous
- C:-simple or rigorous as the court or magistrate directs in each case
- D:-solitary confinement

Correct Answer:- Option-C

Question84:-The minimum number of persons required to constitute an unlawful assembly is

- A:-ten
- B:-five
- C:-twenty
- D:-twenty five

Correct Answer:- Option-B

Question85:-The nature of imprisonment for failure to give security for good behaviour where proceedings have been taken under S.110 is

- A:-simple
- B:-rigorous
- C:- simple or rigorous as the court or magistrate directs
- D:-solitary confinement

Correct Answer:- Option-C

Question86:-If any members of an unlawful assembly does not disperse when so commanded

- A:-may use force to disperse
- B:-shall not use force
- C:-depends upon the circumstances
- D:- none of the above

Correct Answer:- Option-A

Question87:-Where any unlawful assembly can not be dispersed, and if it is necessary for the public security that it should be dispersed, the executive magistrate of the highest rank who is present may

- A:-disperse by police force
- B:-disperse by central forces
- C:-disperse by the armed forces
- D:-disperse by special police force

Correct Answer:- Option-C

Question88:-What is the standard of force that may be employed to disperse an unlawful assembly under S.130 (1)

- A:-use as little force, and do as little injury to person and property just to disperse the assembly
- B:-use reasonable force
- C:-no limit to the use of force
- D:-force can never be used

Correct Answer:- Option-A

Question89:-Which of the following magistrates are empowered to discharge a person imprisoned for failing to give security

- A:-the District Magistrate
- B:-the Chief Judicial Magistrate
- C:-both (1) and (2)
- D:-neither (1) nor (2)

Correct Answer:- Option-C

Question90:-Under S.123 (2), what are the orders that may be passed

- A:-reduce the amount of security
- B:-reduce the number of sureties
- C:-reduce the time for which security has been required
- D:-all the above

Correct Answer:- Option-D

Question91:-Who is entitled to prescribe conditions under which conditional discharge may be made

- A:-the District Magistrate
- B:-the State Government
- C:-the Central Government
- D:-all the above

Correct Answer:- Option-B

Question92:-When a conditional order of discharge is cancelled under S.123 (5), the next procedure is

- A:- a show-cause notice may be issued to him
- B:-he may be arrested by any police officer without warrant
- C:-his property may be attached
- D:-his sureties may be proceeded against

Correct Answer:- Option-B

Question93:-What is the procedure to be adopted when the public security is manifestly endangered by any such assembly and no executive magistrate can be communicated with

- A:-any commissioned or gazetted officer of the armed forces may disperse such assembly with the help of the armed forces under his command
- B:-any commissioned or gazetted officer shall obtain prior sanction from executive magistrate before using force
- C:-allow the assembly to remain as such
- D:-none of the above

Correct Answer:- Option-A

Question94:-A person remanded to prison under S.123(7)

- A:-shall be released at any time
- B:-shall be released at any time on giving security in accordance with the terms of the original order for the unexpired portion
- C:-shall never be released
- D:-may be released subject to conditions

Correct Answer:- Option-B

Question95:-No prosecution can be launched against any person for any act purporting to be done under S.129 to 131

- A:-except with the sanction of the central government where such person is an officer or member of the armed forces
- B:-with the sanction of the state govt. in any other case
- C:-depending upon the person, (1) or (2)
- D:-no sanction required

Correct Answer:- Option-C

Question96:-When an executive magistrate or police officer acts bonafide under S.129 to 131

- A:-he shall be deemed to have committed no offence
- B:-he shall be deemed to have committed offence

C:-he is liable as any other person irrespective of his bonafides
D:-the court will decide as to whether he has committed any offence or not
Correct Answer:- Option-A

Question97:-The courts competent to cancel any bond for keeping the peace or for good behaviour
A:-high court
B:-court of sessions
C:-both (1) or (2)
D:-none of these
Correct Answer:- Option-C

Question98:-When a surety applies to cancel the bond, what is the procedure to be adopted
A:-issue summons to the persons for whom the surety is bound to appear
B:-issue warrant requiring the person for whom the surety is bound to be brought before the court
C:-either (1) or (2) as the court thinks fit
D:-issue notice to arrange fresh sureties
Correct Answer:- Option-C

Question99:-Every order made under S.124 (1) for the purposes of S.120 to 123 be deemed to be an order made under
A:-S.107
B:-S.106
C:-S.117
D:- (2) or (3)
Correct Answer:- Option-D

Question100:-Officer in relation to the armed forces. means
A:-a junior commissioned officer
B:-a warrant officer
C:-a petty officer
D:-all the above
Correct Answer:- Option-D