

FINAL ANSWER KEY

Paper: Excise Test Part B- Criminal Law
Date of Test 20-10-2022

Question1:-The system of justice in India is based on _____

- A:-Accusatorial
- B:-Inquisitorial
- C:-Jury
- D:-All of the above

Correct Answer:- Option-A

Question2:-In the case of consecutive sentences the aggregate punishment for several offences shall not exceed _____ the amount of punishment which the court is competent to inflict for a single offence.

- A:-same
- B:-twice
- C:-thrice
- D:-four times

Correct Answer:- Option-B

Question3:-Every person is bound to assist a magistrate reasonably demanding his aid _____

- A:-in preventing the escape of any other person whom magistrate is authorised to arrest
- B:-in the prevention of breach of peace
- C:-in the prevention of any injury attempted to be committed to any public property
- D:-all of the above

Correct Answer:- Option-D

Question4:-Right of arrested person to meet an advocate of his choice during interrogation is given in _____ section of Criminal Procedure Code.

- A:-S. 30(A)
- B:-31(B)
- C:-40(C)
- D:-41(D)

Correct Answer:- Option-D

Question5:-How arrest is made given in Section _____ of Code of Criminal Procedure 1973.

- A:-S.43
- B:-S.46
- C:-S.51
- D:-S.56

Correct Answer:- Option-B

Question6:-Examination of person accused of rape by medical practitioner is given in _____ section of the Code of Criminal Procedure.

- A:-42A
- B:-S.53A
- C:-375A
- D:-376A

Correct Answer:- Option-B

Question7:-A warrant shall remain in force _____

- A:-for 6 months
- B:-for one year
- C:-for one month
- D:-until it is cancelled by the court

Correct Answer:- Option-D

Question8:-The endorsement on the warrant shall state _____

- A:-the number of sureties
- B:-the amount in which are bound
- C:-the time at which he is to attend before the court
- D:-all of the above

Correct Answer:- Option-D

Question9:-Classification of offences under the Indian Penal Code is given in _____

- A:-First schedule of CrPC
- B:-Second schedule of CrPC
- C:-First schedule of IPC
- D:-Second schedule of IPC

Correct Answer:- Option-A

Question10:-Attachment of immovable property paying revenue to State Government under Section 83 of CrPC be made through _____

- A:-Collector of the District where land is situated
- B:-receiver appointed
- C:-Commissioner of police
- D:-Sub Inspector of police station where land is situated

Correct Answer:- Option-A

Question11:-An application to set aside declaration of forfeiture shall be heard by High Court consisting of _____ judges.

- A:-one
- B:-two
- C:-three
- D:-all of the above

Correct Answer:- Option-C

Question12:-The maximum period for which a bond is executed for keeping peace under section 106 of CrPC is _____

- A:-3 years
- B:-two years
- C:-one year
- D:-6 months

Correct Answer:- Option-A

Question13:-X and Y were judicially separated and X was ordered to pay maintenance to Y and his daughter who is studying and has no disability. Now she is 18 years old and unmarried. Decide whether X is liable to pay maintenance to his daughter.

- A:-Not liable as she has attained majority
- B:-Liable to pay as she is not married
- C:-Cannot be decided as it is discretion of the court
- D:-None of the above

Correct Answer:- Option-A

Question14:-A Magistrate making an order under section 133 CrPC considering imminent danger to public can issue injunction under Section 142 CrPC only if the matter is pending for determination

- A:-True
- B:-False
- C:-Partly correct
- D:-None of the above

Correct Answer:- Option-A

Question15:-Which of the statement is true

- A. An order under Section 144 CrPC can be passed ex-parte
- B. An order under Section 144 CrPC cannot be passed ex-parte
- C. No order under Section 144 CrPC by Magistrate shall remain in force for more than two months
- D. State Government can extend the period to one year under Section 144 CrPC

- A:-A, B and C
- B:-A and C
- C:-A, C and D
- D:-B and C

Correct Answer:- Option-B

Question16:-When investigation cannot be completed within 24 hours the magistrate to whom such accused is forwarded having jurisdiction can extend for a term not exceeding _____ in the whole.

- A:-10 days
- B:-15 days
- C:-20 days
- D:-30 days

Correct Answer:- Option-B

Question17:-The investigation in relation to rape of a child may be completed within _____ from the date on which the information was recorded by the officer in charge of the police station.

- A:-15 days
- B:-one month
- C:-3 months
- D:-6 months

Correct Answer:- Option-C

Question18:-Which of the following statement is true

- A. Further investigation by police without prior permission is permitted
- B. Further investigation by police without prior permission is prohibited
- C. Reinvestigation by police without prior permission is permitted
- D. Reinvestigation without prior permission is prohibited

- A:-A and C
- B:-A and D
- C:-B and C
- D:-B and D

Correct Answer:- Option-B

Question19:-Which of the following statement is true as to the diaries under Section 172 CrPC?

- A:-Neither the accused nor his agents shall be entitled to call for the diaries
- B:-The statements of witnesses recorded during the course of investigation need not be entered in the diaries
- C:-Any criminal court may use this diary as evidence in the case
- D:-All of the above

Correct Answer:- Option-A

Question20:-When offence is committed outside India except with the previous sanction of _____

- A:-Government where such offence is committed
- B:-State Government
- C:-Central Government
- D:-CBI Director

Correct Answer:- Option-C

Question21:-When an offence is committed by a non citizen of India on any ship registered in India he can be tried at

- A:-Any court in India
- B:-Cannot be tried in India
- C:-Any place within India where he is found
- D:-Supreme Court

Correct Answer:- Option-C

Question22:-A magistrate may take cognizance of any offence upon

- A:-receiving complaint of facts of offence
- B:-police report of such facts
- C:-information from any person that such offence is committed
- D:-all of the above

Correct Answer:- Option-D

Question23:-Which statement is not correct in the case of contents of charge

- A:-Specific name of the offence in the law should be given
- B:-Section of the Law shall be mentioned
- C:-Must be written in the language of the Court
- D:-No need to give details of previous conviction

Correct Answer:- Option-D

Question24:-Persons may be charged and tried jointly when _____

- A:-Persons accused of the same offence committed in the course of the same transaction
- B:-person accused of different offence committed in the course of the same transaction
- C:-person accused of accused of more than one offence of the same kind under section 219 committed by them jointly within the period of twelve months
- D:-all of the above

Correct Answer:- Option-D

Question25:-If the accused pleads guilty the judge

- A:-has to convict
- B:-can use his discretion to convict
- C:-has to order further inquiry
- D:-all of the above

Correct Answer:- Option-B

Question26:-An application for plea bargaining is made by the accused before _____

- A:-High Court
 - B:-Sessions Court
 - C:-Court where the offence is pending for trial
 - D:-Supreme Court
- Correct Answer:- Option-C

Question27:-Person once convicted or acquitted not to be tried for same offence is given in Section _____ of Code of Criminal Procedure.

- A:-250
- B:-280
- C:-300
- D:-325

Correct Answer:- Option-C

Question28:-Tender of pardon to accomplice with a view to obtain evidence can be given for _____

- A:-any offence
- B:-any offence punishable with imprisonment which may extend to seven years or with a more severe sentence
- C:-any offence punishable with imprisonment which may extend to five years or with a less severe sentence
- D:-only for petty offence

Correct Answer:- Option-B

Question29:-Which statement is true in the case of judgement in every trial in any Criminal court of original jurisdiction?

- A:-Shall be pronounced in open court
- B:-by delivering whole of the judgement
- C:-accused in custody shall be brought up to hear the judgement pronounced
- D:-all of the above

Correct Answer:- Option-D

Question30:-Confirmation of death sentence shall be submitted by session court

- A:-Chief Judicial Magistrate Court
- B:-High Court
- C:-Supreme Court
- D:-No need for confirmation

Correct Answer:- Option-B

Question31:-Power to remit the punishment to which a person was sentenced is with _____

- A:-The Court which issued the punishment
- B:-High Court
- C:-Appropriate Government
- D:-Supreme Court

Correct Answer:- Option-C

Question32:-Where a person is unable to give bail with in _____ of the date of his arrest the court will presume him to be an indigent person.

- A:-Seven days
- B:-Fourteen days
- C:-One months
- D:-Three months

Correct Answer:- Option-A

Question33:-Which of the following irregularities which vitiates proceedings if done by any Magistrate not empowered by law?

- A:-to hold an inquest under section 176 CrPC
- B:-to recall a case and try it himself under Section 410 CrPC
- C:-demands security for good behaviour
- D:-to sell property under Section 458 CrPC

Correct Answer:- Option-C

Question34:-Limit to imprisonment for non payment of fine shall not exceed _____ of the term of imprisonment which is the maximum fixed for the offence.

- A:-half
- B:-one third
- C:-one fourth
- D:-one fifth

Correct Answer:- Option-C

Question35:-Transportation for life will be construed as _____

- A:-imprisonment for life
- B:-not allowing to enter that state for life
- C:-not allowing to enter the nation for life
- D:-none of the above

Correct Answer:- Option-A

Question36:-Limit of punishment of offence made up of several offences the offender shall _____

- A:-be punished with a more severe punishment than for one of such offence
- B:-not be punished with a more severe punishment than for one of such offence
- C:-be punished with lowest of the punishment
- D:-be punished with the average of total punishment

Correct Answer:- Option-B

Question37:-Solitary confinement shall not exceed _____ in the whole.

- A:-one year
- B:-6 months
- C:-3 months
- D:-one month

Correct Answer:- Option-C

Question38:-A soldier fires on a mob by the order of his superior officer in conformity with the commands of law a has committed _____

- A:-offence
- B:-offence but not punishable
- C:-no offence
- D:-offence but excusable

Correct Answer:- Option-C

Question39:-The right of private defence includes

- A:-his own body
- B:-body of any other person
- C:-his property
- D:-all of the above

Correct Answer:- Option-D

Question40:-Which of the following is a defence under IPC?

- A:-mistake of law
- B:-mistake of fact
- C:-both 1 and 2
- D:-all of the above

Correct Answer:- Option-B

Question41:-A person who abets the doing of a thing who _____

- A:-instigates
- B:-engages
- C:-intentionally aids
- D:-all of the above

Correct Answer:- Option-D

Question42:-A instigates B to give false evidence. B does not give false evidence. Here A has _____

- A:-committed the offence and is punishable
- B:-committed the offence but not punishable
- C:-not punishable if B says that he has no complaint
- D:-none of the above

Correct Answer:- Option-A

Question43:-Punishment for abetting to wage war against Government of India is

- A:-Death
- B:-Imprisonment for life
- C:-Fine
- D:-All of the above

Correct Answer:- Option-D

Question44:-Punishment for rioting, armed with deadly weapons is _____

- A:-imprisonment for a term which may extend to two years
- B:-imprisonment for a term which may extend to three years
- C:-imprisonment for a term which may extend to five years
- D:-imprisonment for a term which may extend to seven years

Correct Answer:- Option-B

Question45:-When two or more persons by fighting in a public place disturb public peace they are said to commit?

- A:-sedition
- B:-rioting
- C:-affray
- D:-assault

Correct Answer:- Option-C

Question46:-A public servant knowingly disobeys law with intent to cause injury to any person shall be punished with _____

- A:-simple imprisonment for a term which may extend to one year or with fine or with both
- B:-rigorous imprisonment for a term which may extend to one year or with fine or with both
- C:-simple imprisonment for a term which may extend to three year or with fine or with both
- D:-simple imprisonment for a term which may extend to six months or with fine or with both

Correct Answer:- Option-A

Question47:-Falsely personating a public servant is punishable with _____

- A:-imprisonment for a term which may extend to one year or with fine or with both
- B:-imprisonment for a term which may extend to two year or with fine or with both
- C:-imprisonment for a term which may extend to three year or with fine or with both
- D:-imprisonment for a term which may extend to six months or with fine or with both

Correct Answer:- Option-B

Question48:-A being legally bound to appear before the District Judge as a witness in obedience to a summons issued by the district judge, intentionally omits to appear. A has committed the offence under section _____

- A:-S.153
- B:-S.162
- C:-S.174
- D:-S.185

Correct Answer:- Option-C

Question49:-Which of the statement is true?

- A:-Causing death by negligence is murder
- B:-All culpable homicide is murder
- C:-All murder is culpable homicide
- D:-All of the above

Correct Answer:- Option-C

Question50:-Who ever been habitually associated with any others for the purpose of committing robbery or child stealing by means of or accompanied with murder is a _____

- A:-Robbery
- B:-Dacoity
- C:-Thug
- D:-Affray

Correct Answer:- Option-C

Question51:-Which one of the following is grievous hurt?

- A:-Dislocation of a bone
- B:-Privation of any member or joint
- C:-Emasculation
- D:-All of the above

Correct Answer:- Option-D

Question52:-A causes Z to go within a walled space and locks Z in. Z is thus prevented from proceeding in any direction beyond that wall. Which offence is committed here

- A:-wrongful restraint
- B:-wrongful confinement
- C:-no offence
- D:-use force against

Correct Answer:- Option-B

Question53:-A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about strike Z. What is the offence committed by A?

- A:-Assault
- B:-Battery

C:-Criminal force

D:-Mischief

Correct Answer:- Option-A

Question54:-Whoever by force compels or by any deceitful means induces, any person to go from any place is said to _____ that person.

A:-Kidnap

B:-Wrongful confine

C:-Abduct

D:-Extortion

Correct Answer:- Option-C

Question55:-A threatens to publish a defamatory libel concerning Z unless Z gives him money. He thus induces Z to give him money. The offence committed by A is _____

A:-extortion

B:-battery

C:-sedition

D:-intimidation

Correct Answer:- Option-A

Question56:-A holds Z down and fraudulently takes Z's money and jewels from Z's cloths without Z's consent. Which offence A has committed?

A:-theft

B:-extortion

C:-robbery

D:-dacoity

Correct Answer:- Option-C

Question57:-A, by falsely pretending to be in the civil service, intentionally deceives Z and dishonestly induces Z to let him have on credit goods for which he does not mean to pay. Here the offence committed by A is

A:-criminal breach of trust

B:-dishonestly receiving property

C:-embezzlement

D:-cheating

Correct Answer:- Option-D

Question58:-Dishonest or fraudulent removal or concealment of property to prevent distribution among creditors is given in which section of Indian Penal Code

A:-S.383

B:-S.412

C:-S.415

D:-S.421

Correct Answer:- Option-D

Question59:-A voluntarily burns a valuable security belonging to Z intending to cause wrongful loss to Z. A has committed _____

A:-mischief

B:-Nuisance

C:-Sedition

D:-Battery

Correct Answer:- Option-A

Question60:-Whoever enters into or upon property in the possession of another with intent to commit an offence or to intimidate, insult or annoy any person in possession of such property is said to commit _____

A:-House breaking

B:-House trespass

C:-Criminal trespass

D:-Criminal intimidation

Correct Answer:- Option-C

Question61:-A signs his own name to a bill of exchange, intending that it may be believed that the bill was drawn by another person of the same name. A has committed _____

A:-no offence

B:-fraud

C:-mischief

D:-forgery

Correct Answer:- Option-D

Question62:-Punishment for possession of forged or counterfeit currency notes believing that it is not original and intending to use as original

A:-imprisonment which may extend for three years or with fine or with both

B:-imprisonment which may extend for five years or with fine or with both

C:-imprisonment which may extend for seven years or with fine or with both

D:-imprisonment which may extend for ten years or with fine or with both

Correct Answer:- Option-C

Question63:-Marrying again during the life time of husband or wife is punishable with

A:-imprisonment which may extend for one years and shall liable to fine

B:-imprisonment which may extend for three years and shall liable to fine

C:-imprisonment which may extend for five years and shall liable to fine

D:-imprisonment which may extend for seven years and shall liable to fine

Correct Answer:- Option-D

Question64:-Chapter XX of the Indian Penal Code deals with offences relating to _____

A:-marriage

B:-defamation

C:-property

D:-criminal intimidation

Correct Answer:- Option-A

Question65:-A, for the purpose of inducing Z to desist from prosecuting a civil suit, threatens to burn Z's house. A is guilty of _____

A:-extortion

B:-battery

C:-sedition

D:-criminal intimidation

Correct Answer:- Option-D

Question66:-A makes an attempt to pick the pocket of Z by thrusting his hand into Z's pocket. A fails in his attempt as Z have nothing in his pocket. A is guilty under _____ section of Indian Penal Code.

A:-S.378

B:-S.383

C:-S.406

D:-S.511

Correct Answer:- Option-D

Question67:-Classification of offences under Indian Penal Code is given in _____

A:-first schedule of IPC

B:-first schedule of CrPC

C:-Ninth schedule of IPC

D:-Second schedule of CrPC

Correct Answer:- Option-B

Question68:-Committing affray is _____ offence

A:-bailable an non cognizable

B:-bailable and cognizable

C:-non cognizable and non bailable

D:-none of the above

Correct Answer:- Option-B

Question69:-Facts are relevant if they are _____

A:-facts forming part of the same transaction

B:-facts which are occasion, cause or effect of the fact in issue

C:-facts inconsistent with facts in issue

D:-all of the above

Correct Answer:- Option-D

Question70:-Previous judgements relevant to bar a second suit or trial is given in Section _____ of Evidence Act.

A:-S.38

B:-S.39

C:-S.40

D:-S.41

Correct Answer:- Option-C

Question71:-The basic principle underlined in Section 10 of Evidence Act is _____

A:-Rule of hearsay

B:-rule of agency

C:-rule of res gestae

D:-none of the above

Correct Answer:- Option-B

Question72:-Burden to prove the plea of alibi raised by the accused is on _____

A:-Prosecution

B:-Accused

C:-Witnesses

D:-State

Correct Answer:- Option-B

Question73:-A partisan witness is one who is _____

A:-related to the victim of crime

B:-related to the offender

C:-a government officer

D:-one who is reliable

Correct Answer:- Option-A

Question74:-Which of the statements is not true?

A:-presumption of fact is based on logic

B:-the court cannot ignore presumption of law

C:-position of presumption of fact is transitory

D:-presumption of law is not mandatory

Correct Answer:- Option-D

Question75:-Whenever there is a provision to the effect that the court shall presume a fact the court

A:-Cannot exercise its discretion

B:-Can exercise discretion

C:-Not compelled to take the fact as proved

D:-None of the above

Correct Answer:- Option-A

Question76:-The principle of res geste is given in which section of Evidence Act

A:-S.3

B:-S.6

C:-S.9

D:-S.12

Correct Answer:- Option-B

Question77:-The evidence of Test Identification Parade is _____evidence.

A:-substantive

B:-corroborative

C:-incidental

D:-none of the above

Correct Answer:- Option-B

Question78:-When facts not otherwise relevant becomes relevant

A:-if they are inconsistent with any facts in issue

B:-if they are inconsistent with any relevant facts

C:-if by themselves or in connection with other facts they make the non existence of any facts in issue highly probable

D:-all of the above

Correct Answer:- Option-D

Question79:-Admission is defined in section _____ of Evidence Act.

A:-S.2

B:-S.3

C:-S.17

D:-S.23

Correct Answer:- Option-C

Question80:-Which of the following statement is true?

A. confessions are a species of which admission is a genus

B. admissions are a species of which confession is a genus

C. all admissions are not confessions but all confessions are admission

D. all confessions are not admission but all admissions are not confession

- A:-A and C
- B:-A and D
- C:-B and C
- D:-B and D

Correct Answer:- Option-A

Question81:-Exceptions to hearsay evidence is given in _____ section of Evidence Act.

- A:-S.32
- B:-S.14
- C:-S.58
- D:-S.53

Correct Answer:- Option-A

Question82:-Dying declaration must be related to _____

- A:-cause of his death
- B:-statement not connected with the cause of death
- C:-statement about death of another person
- D:-all of the above

Correct Answer:- Option-A

Question83:-Which of the following documents are primary evidence?

- A:-Photostat copy of a document
- B:-Certified copy of a document
- C:-Number of documents made by one uniform process like lithography
- D:-None of the above

Correct Answer:- Option-C

Question84:-Section 67 A of the India Evidence Act deals with proof as to _____

- A:-hand writing
- B:-execution
- C:-electronic signature
- D:-cyber security

Correct Answer:- Option-C

Question85:-In which of the following cases the opinion of experts relevant

- A:-finger impression
- B:-arts
- C:-foreign law
- D:-all of the above

Correct Answer:- Option-D

Question86:-If the attesting witness denies the execution of the document its execution

- A:-may be proved by other evidence
- B:-cannot be proved
- C:-new document should be executed
- D:-no need to prove as it is considered as executed

Correct Answer:- Option-A

Question87:-Presumption as to thirty years old document is given in _____ section of Indian Evidence Act.

- A:-S.80
- B:-S.82
- C:-S.90
- D:-S.91

Correct Answer:- Option-C

Question88:-A gives B a receipt for money paid by B. Oral evidence is offered of the payment. The evidence is _____

- A:-admissible
- B:-inadmissible
- C:-documentary evidence needed
- D:-corroborative evidence needed

Correct Answer:- Option-A

Question89:-When a person is accused of any offence, the burden of proving the existence of circumstances bringing the case within any of the general exceptions in the Indian Penal Code is upon _____

- A:-accused
- B:-prosecution
- C:-police
- D:-court

Correct Answer:- Option-A

Question90:-If a person has not been heard of for _____ years by those who would naturally have heard of him is presumed to be dead.

- A:-5 years
- B:-7 years
- C:-9 years
- D:-10 years

Correct Answer:- Option-B

Question91:-Presumption of abetment of suicide by the husband if wife committed suicide within a period of _____ years of marriage.

- A:-5 years
- B:-7 years
- C:-9 years
- D:-10 years

Correct Answer:- Option-B

Question92:-Which of the following sections in the Indian Evidence Act gives irrebuttable presumption?

- A:-S.107
- B:-S.110
- C:-S.113
- D:-S.112

Correct Answer:- Option-C

Question93:-Estoppel of tenant and of licensee of person in possession is given in _____ section of Indian Evidence Act.

- A:-S.115
- B:-S.116
- C:-117
- D:-118

Correct Answer:- Option-B

Question94:-Who among the following is exempted from giving evidence under section 121 of Indian Evidence Act?

- A:-Husband and wife
- B:-Judge and magistrate
- C:-Lawyer and client
- D:-Doctor and patient

Correct Answer:- Option-B

Question95:-No one can compel the disclosure of

- A:-communication between barrister and client in professional capacity
- B:-official communication by public officer made in official confidence
- C:-when any information as to the commission of offence by police officer
- D:-all of the above

Correct Answer:- Option-D

Question96:-Which of the following statement is true?

- A:-Witness not excused from answering on ground that answer will criminate
- B:-Production of documents which another person having possession could refuse to produce
- C:-A witness cannot be compelled to produce title deeds where he is not a party
- D:-All of the above

Correct Answer:- Option-D

Question97:-Who is a competent witness against an accused where conviction can be based on that evidence?

- A:-Approver
- B:-Accomplice
- C:-Co-accused
- D:-All of the above

Correct Answer:- Option-B

Question98:-When an accomplice is pardoned under section 306 of CrPC he becomes _____

- A:-Government Witness
- B:-Independent witness
- C:-Hostile witness
- D:-Principal witness

Correct Answer:- Option-A

Question99:-Examination of a witness by the adverse party is called his _____

- A:-cross examination
- B:-examination-in-chief
- C:-re-examination
- D:-none of the above

Correct Answer:- Option-A

Question100:-The Court shall forbid during examination of witness

- A:-questions intended to insult
- B:-questions intended to annoy
- C:-indecent questions
- D:-all of the above

Correct Answer:- Option-D