

PROVISIONAL ANSWER KEY

Paper: 045 - Excise Test Part B- Criminal Law
Date of Test 19-05-2023

Question1:-Which provision deals with FIR?

- A:-Section 154
- B:-Section 155
- C:-Section 153
- D:-None of the above

Correct Answer:- Option-A

Question2:-Warrant cases are those offences which are punishable with imprisonment for a term exceeding

- A:-5 years but not less than two years
- B:-1 year
- C:-2 years
- D:-3 years

Correct Answer:- Option-C

Question3:-No court can take cognizance of an offence punishable with not more than three years after the expiry of

- A:-one year
- B:-two years
- C:-three years
- D:-Four years

Correct Answer:- Option-C

Question4:-Which provision of Cr.P.C. empowers the High Court to conduct trial?

- A:-Section 402
- B:-Section 483
- C:-Section 460
- D:-No trial before the High Court

Correct Answer:- Option-B

Question5:-Anticipatory bail can be granted in which type of offences?

- A:-Bailable offences
- B:-Non-Bailable offences
- C:-Cognizable offences
- D:-Warrant cases

Correct Answer:- Option-B

Question6:-In Cr.P.C. which provision deals with period of limitation?

- A:-Section 467
- B:-Section 468
- C:-Section 474
- D:-Section 469

Correct Answer:- Option-D

Question7:-The imprisonment for failure to give security for keeping peace, shall be

- A:-Simple
- B:-Rigorous
- C:-Either simple or rigorous
- D:-None of the above

Correct Answer:- Option-A

Question8:-In which of the following offences an accused can apply for plea bargaining?

- A:-Dacoity
- B:-Robbery
- C:-Theft
- D:-All the above

Correct Answer:- Option-C

Question9:-Who has the authority to order security for keeping peace and good behaviour from an habitual offender?

- A:-Chief Judicial Magistrate
- B:-Metropolitan Magistrate
- C:-First Class Judicial Magistrate
- D:-Executive Magistrate

Correct Answer:- Option-D

Question10:-Which of the following officer can issue a search warrant to search a Post Office?

- A:-Munsiff
- B:-Judicial Magistrate of the First Class
- C:-District Magistrate
- D:-Chief Judicial Magistrate

Correct Answer:- Option-C

Question11:-Who can grant anticipatory bail?

- A:-Court of Sessions
- B:-High Court
- C:-Supreme Court
- D:-All the above

Correct Answer:- Option-D

Question12:-Which provision in the Cr.P.C. deals with 'Revisional Power'?

- A:-Section 395
- B:-Section 401
- C:-Section 396
- D:-Section 400

Correct Answer:- Option-B

Question13:-Section 362 Cr.P.C. deals with what?

- A:-Alteration of Judgment
- B:-Adducing of evidence
- C:-Recording of statements
- D:-None of the above

Correct Answer:- Option-A

Question14:-Which of the following statement is correct?

- A:-Court can take cognizance of the offence of defamation on a police report

- B:-Court can take Suo motu cognizance in the case of defamation of the President of India
- C:-Court can take cognizance in the case of defamation when an aggrieved filed a complaint
- D:-All the above

Correct Answer:- Option-C

Question15:-Which of the following Officer can issue a conditional order for the removal of nuisance?

- A:-First Class Magistrate
- B:-District Judge
- C:-Munsiff
- D:-Revenue Divisional Officer

Correct Answer:- Option-D

Question16:-Inquiry is conducted by

- A:-Police
- B:-Magistrate
- C:-Any person
- D:-None of the above

Correct Answer:- Option-B

Question17:-Which of the following statement is correct?

- A:-The State Government can withdraw prosecution of any person before the pronouncement of the judgment
- B:-The aggrieved person can withdraw prosecution of any person at any time of the trial
- C:-The Public Prosecutor can withdraw prosecution of any person before the judgment
- D:-No one has the authority to withdraw prosecution once the trial is started

Correct Answer:- Option-C

Question18:-Which provision deals with free legal aid?

- A:-Section 301 Cr.P.C.
- B:-Section 408 Cr.P.C.
- C:-Section 309 Cr.P.C.
- D:-Section 304 Cr.P.C.

Correct Answer:- Option-D

Question19:-Under which provision the Court can order for compensation to the victims?

- A:-Section 367 Cr.P.C.
- B:-Section 351 Cr.P.C.
- C:-Section 359 Cr.P.C.
- D:-Section 357 Cr.P.C.

Correct Answer:- Option-D

Question20:-Disposal of property at the conclusion of trial is governed by

- A:-Section 452 Cr.P.C.
- B:-Section 436 Cr.P.C.
- C:-Section 456 Cr.P.C.
- D:-Neither (1) nor (2) nor (3)

Correct Answer:- Option-A

Question21:-With regard to the power granted under Section 482 Cr.P.C., which of the following statement is wrong?

- A:-High court can quash the FIR
- B:-High court can quash all proceedings pending before a Magistrate
- C:-High court can expunge derogatory remarks against a member of subordinate court
- D:-None of the above

Correct Answer:- Option-C

Question22:-Can the Magistrate dismiss a complaint?

- A:-Yes, under Section 200 Cr.P.C.
- B:-Yes, under Section 203 Cr.P.C.
- C:-Yes, under Section 201 Cr.P.C.
- D:-No, Magistrate cannot

Correct Answer:- Option-B

Question23:-Which of the following section provides identification of arrested person?

- A:-Section 54 Cr.P.C.
- B:-Section 55 Cr.P.C.
- C:-Section 60 A Cr.P.C.
- D:-Section 54 A Cr.P.C.

Correct Answer:- Option-D

Question24:-Ordinarily in a case, place of trial is

- A:-Where the offence is committed
- B:-From where the accused is arrested
- C:-Where the consequence ensured
- D:-All the above

Correct Answer:- Option-A

Question25:-A proclaimed offender can claim back his attached property on appearance in the Court

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

Correct Answer:- Option-C

Question26:-Free legal aid is provided under

- A:-Section 300 Cr.P.C.
- B:-Section 301 Cr.P.C.
- C:-Section 302 Cr.P.C.
- D:-Section 304 Cr.P.C.

Correct Answer:- Option-D

Question27:-Victim compensation is provided under

- A:-Section 354 Cr.P.C.
- B:-Section 360 Cr.P.C.
- C:-Section 355 Cr.P.C.
- D:-Section 357 Cr.P.C.

Correct Answer:- Option-D

Question28:-Which section provides that a person once convicted or acquitted cannot be tried again for the same offence?

- A:-Section 321 Cr.P.C.

B:-Section 302 Cr.P.C.

C:-Section 300 Cr.P.C.

D:-Section 306 Cr.P.C.

Correct Answer:- Option-C

Question29:-As per 313 Cr.P.C. Court can

A:-Summon a witness

B:-Issue warrant against a person

C:-Examine the accused

D:-Conduct inquiry

Correct Answer:- Option-C

Question30:-As per Section 354 Cr.P.C., the judgment shall

A:-Be written in the language of the court

B:-Contain points for determination, the decision and the reasons

C:-Specify the offence for which the accused is convicted

D:-All the above

Correct Answer:- Option-D

Question31:-When the Court can alter the charge?

A:-Before the evidence of the prosecution is taken

B:-Before the accused enters upon his defence

C:-Before the judgment is pronounced

D:-Only after the defence evidence

Correct Answer:- Option-C

Question32:-Which provision enables the SDM to pronounce conditional order for the removal of nuisance?

A:-Section 134 Cr.P.C.

B:-Section 133 Cr.P.C.

C:-Section 136 Cr.P.C.

D:-Section 110 Cr.P.C.

Correct Answer:- Option-B

Question33:-Who can commute the sentence of life imprisonment?

A:-Government

B:-The Governor

C:-The President of India

D:-Both the Governor and the President in appropriate cases

Correct Answer:- Option-A

Question34:-As per Cr.P.C. period of limitation shall commence

A:-On the date of taking cognizance

B:-On the date of filing the complaint

C:-On the date of offence

D:-Any of the above depends on the offence

Correct Answer:- Option-C

Question35:-What is the speciality of Section 164 Cr.P.C.?

A:-It is recorded on oath by the Police

B:-Recorded by the Magistrate without taking oath

C:-Recorded on oath by the Magistrate

D:-All the above

Correct Answer:- Option-C

Question36:-Chief Judicial Magistrate can pass a sentence of

A:-Imprisonment up to three years

B:-Imprisonment for life

C:-Imprisonment for 10 years

D:-Imprisonment upto seven years

Correct Answer:- Option-D

Question37:-Which provision empowers the Court to dispense with the personal attendance of an accused while recording the statement of the Witnesses?

A:-Section 299 Cr.P.C.

B:-Section 205 Cr.P.C.

C:-Section 273 Cr.P.C.

D:-Section 285 Cr.P.C.

Correct Answer:- Option-C

Question38:-The procedure for summary trial is provided in

A:-Sections 251 to 259 Cr. P.C.

B:-Sections 238 to 250 Cr. P.C.

C:-Sections 260 to 265 Cr. P.C.

D:-Sections 266 to 271 Cr. P.C.

Correct Answer:- Option-C

Question39:-What is the period of limitation for taking cognizance in a case of defamation?

A:-Six months

B:-One year

C:-Three years

D:-No limits

Correct Answer:- Option-C

Question40:-An Executive Magistrate can remand a person for a maximum period of

A:-15 days

B:-6 days

C:-10 days

D:-7 days

Correct Answer:- Option-D

Question41:-Which of the following person is exempted from criminal prosecution?

A:-UN official

B:-Governor of a State

C:-Foreign Army Person

D:-All the above

Correct Answer:- Option-D

Question42:-Which of the following is considered as 'mischief'?

- A:-Causing destruction of property and thereby causing damage to public
- B:-Causing changes in any property and thereby causing damage to any person
- C:-Doing something which diminishes the value of any property and thereby causing damage to any person
- D:-All the above

Correct Answer:- Option-D

Question43:-What is the main difference between dacoity and robbery?

- A:-The value of the article involved
- B:-The number of persons involved
- C:-The nature of harm caused
- D:-None of the above

Correct Answer:- Option-B

Question44:-Which of the following is not a stage of a crime?

- A:-Intention
- B:-Preparation
- C:-Abetment
- D:-Commission

Correct Answer:- Option-C

Question45:-When a foreign national commits a crime in India?

- A:-He can be prosecuted
- B:-He can plead ignorance of law
- C:-He can justify his act on the ground that the act is not considered as a crime in his country
- D:-Any of the above

Correct Answer:- Option-A

Question46:-Which Section in the IPC seeks to prevent acid attacks?

- A:-Section 326
- B:-Section 354B
- C:-Section 354C
- D:-Section 326A

Correct Answer:- Option-D

Question47:-By the latest criminal law amendment, the imprisonment for the offence Rape is increased from Seven years to

- A:-15 years
- B:-14 years
- C:-10 years
- D:-Life imprisonment

Correct Answer:- Option-C

Question48:-Who is considered as 'doli incapax'?

- A:-Person below the age of 16 years
- B:-Person below the age of 12 years
- C:-Person below the age of 7 years
- D:-Person below the age of 5 years

Correct Answer:- Option-C

Question49:-In which of the following cases the right of private defence of the body does not extend to causing death?

- A:-An assault with intention to commit rape
- B:-An assault with intention to gratify unnatural lust
- C:-An attempt to cause miscarriage without women's consent
- D:-An assault with intention to kidnap

Correct Answer:- Option-C

Question50:-Which of the following statement is not correct?

- A:-In order to attract Section 511 there must be an attempt to commit a crime
- B:-In order to attract Section 511, there should not be an express provision for punishment of such offence
- C:-In order to attract Section 511, the accused must have committed an act towards the commission of the crime
- D:-None of the above

Correct Answer:- Option-D

Question51:-If an offender is sentenced to an imprisonment for two years, the term of solitary confinement shall not exceed

- A:-One month
- B:-Two months
- C:-Three months
- D:-No limit

Correct Answer:- Option-C

Question52:-In case of assault causing reasonable apprehension of grievous hurt, the right of private defence extends to the voluntary causing of

- A:-Grievous hurt
- B:-Death
- C:-Any harm other than death
- D:-None of the above

Correct Answer:- Option-A

Question53:-What is the age prescribed under the offence kidnapping from lawful guardianship?

- A:-If male under fourteen years and if female under the age of eighteen
- B:-If male under sixteen years and if female under the age of twenty
- C:-If male under sixteen years and if female under the age of sixteen
- D:-If male under sixteen years and if female under the age of eighteen

Correct Answer:- Option-D

Question54:-What is the punishment prescribed for using criminal force on grave provocation?

- A:-One month imprisonment
- B:-Two months imprisonment
- C:-Three months imprisonment
- D:-Six months imprisonment

Correct Answer:- Option-A

Question55:-Which of the following amounts to house-breaking?

- A:-House trespass by entering another person's house through a window
- B:-House trespass by entering into another person's house through the door by breaking it
- C:-House trespass by entering another's house by using the key which the owner lost
- D:-All the above

Correct Answer:- Option-D

Question56:-A and B jointly own a car. A, in order to cause wrongful loss to B set ablaze the car. What offence A committed?

- A:-Cheating
 - B:-Criminal breach of trust
 - C:-Mischief
 - D:-House breaking
- Correct Answer:- Option-C

Question57:-A makes an attempt to pick the pocket of B by thrusting his hand into B's pocket. A, fails since nothing in the pocket. Which provision of IPC becomes applicable in this case?

- A:-Section 378
 - B:-Section 384
 - C:-Section 511
 - D:-He committed no offence
- Correct Answer:- Option-C

Question58:-P died due to heart attack. A, his servant removed the ornaments from the body and misappropriated it. His act constitute an offence under Section

- A:-420 IPC
 - B:-378 IPC
 - C:-404 IPC
 - D:-405 IPC
- Correct Answer:- Option-C

Question59:-Attempt to commit "Robbery" is punishable under

- A:-Section 390 IPC
 - B:-Section 392 IPC
 - C:-Section 393 IPC
 - D:-Section 394 IPC
- Correct Answer:- Option-C

Question60:-Offence of "stalking" is defined under

- A:-Section 354 IPC
 - B:-Section 354 C IPC
 - C:-Section 354 B IPC
 - D:-Section 354 D IPC
- Correct Answer:- Option-D

Question61:-Principle of 'Joint liability' is mentioned under

- A:-Section 34 IPC
 - B:-Section 149 IPC
 - C:-Section 120 B IPC
 - D:-In all the above
- Correct Answer:- Option-D

Question62:-Attempt to commit theft is punishable under

- A:-Section 378 IPC
 - B:-Section 379 IPC
 - C:-Section 511 IPC
 - D:-It is only attempted so not punishable
- Correct Answer:- Option-C

Question63:-Under which of the following offences, preparation to commit the offence is also punishable?

- A:-Robbery
 - B:-Rape
 - C:-Dacoity
 - D:-Murder
- Correct Answer:- Option-C

Question64:-Fraudulent marriage ceremony is punishable under

- A:-Section 493 IPC
 - B:-Section 496 IPC
 - C:-Section 494 IPC
 - D:-None of the above
- Correct Answer:- Option-B

Question65:-In which of the following cases 'Voyeurism' will be attracted?

- A:-A woman consents to capture her image with a condition that it should not be disseminated. The person violated the condition
 - B:-A person has physical contact with a woman and advances unwelcome sexual overtures
 - C:-A person monitors the internet usage of a woman
 - D:-All the above
- Correct Answer:- Option-A

Question66:-What is the common factor which can be seen in offences, 'dacoity', 'Unlawful Assembly' and 'Riot'?

- A:-Common intention
 - B:-Common object
 - C:-Conspiracy
 - D:-No common factor
- Correct Answer:- Option-B

Question67:-What is not necessary to constitute an offence of criminal conspiracy?

- A:-An agreement to do an illegal act
 - B:-An agreement to do a legal act by illegal means
 - C:-Five or more persons
 - D:-All the above are necessary
- Correct Answer:- Option-C

Question68:-Which Section involuntary intoxication is not a defence?

- A:-Section 84 IPC
 - B:-Section 85 IPC
 - C:-Section 86 IPC
 - D:-Section 87 IPC
- Correct Answer:- Option-C

Question69:-The offence 'Kidnapping for ransom' is punishable for

- A:-Imprisonment up to seven years
 - B:-Capital punishment
 - C:-Imprisonment up to ten years
 - D:-Imprisonment up to fourteen years
- Correct Answer:- Option-B

Question70:-What is meant by 'Good Faith'?

- A:-An act done with due care and caution
- B:-Actual belief that the act in question is not prohibited by law
- C:-An act done honestly
- D:-An act done with bonafide belief

Correct Answer:- Option-A

Question71:-'Procurator of minor girl' is punishable under Section

- A:-365 IPC
- B:-366 IPC
- C:-366A IPC
- D:-366 B IPC

Correct Answer:- Option-C

Question72:-Which of the following is not 'grievous hurt'?

- A:-Permanent loosing of hearing
- B:-Destruction of the power of hand
- C:-Dislocation of tooth
- D:-Fifteen days hospitalisation with severe bodily pain

Correct Answer:- Option-D

Question73:-M assaulted B on grave and sudden provocation. What punishment can be awarded to A?

- A:-One month imprisonment
- B:-Fine of Rs. 500
- C:-Two months imprisonment
- D:-No punishment

Correct Answer:- Option-A

Question74:-Right to private defence is provided in the IPC in

- A:-Sections 76 to 106
- B:-Sections 96 to 100
- C:-Sections 96 to 97
- D:-Sections 96 to 106

Correct Answer:- Option-D

Question75:-If an innocent person is convicted and sentenced for death in consequence of a false evidence given by a witness who was threatened by a third person, and in the prosecution the third person can be punished for

- A:-Life imprisonment
- B:-Capital punishment
- C:-Ten years imprisonment
- D:-Seven years imprisonment

Correct Answer:- Option-B

Question76:-When Section 84 IPC is applicable?

- A:-When an act is committed by an epileptic person
- B:-When an act is committed by a person who was taking medicine for depression
- C:-When act is committed by a person who is incapable of knowing the nature of his act due to unsoundness of his mind
- D:-All the above

Correct Answer:- Option-C

Question77:-Section 34 IPC is

- A:-Substantive offence
- B:-A rule of evidence
- C:-Both (1) and (2)
- D:-Neither (1) nor (2)

Correct Answer:- Option-B

Question78:-A Court of Justice means

- A:-A judge
- B:-Two or judges
- C:-A judge acting judicially alone
- D:-All the above

Correct Answer:- Option-C

Question79:-Sudden and grave provocation defence is given under

- A:-Section 91 IPC
- B:-Section 304 IPC
- C:-Section 94 IPC
- D:-Section 300 IPC

Correct Answer:- Option-D

Question80:-Rash riding on public way is an offence under

- A:-Section 304 A
- B:-Section 337
- C:-Section 279
- D:-Section 280

Correct Answer:- Option-C

Question81:-A incited a dog to B with intent to cause injury, A committed?

- A:-Criminal force
- B:-Assault
- C:-Criminal intimidation
- D:-Extortion

Correct Answer:- Option-A

Question82:-The word 'offence' is defined under

- A:-Section 23 IPC
- B:-Section Section 2 (c) Cr.P.C.
- C:-Section 2 (l) Cr.P.C.
- D:-Section 40 IPC

Correct Answer:- Option-D

Question83:-'Hearsay evidence is no evidence' Which of the following is an exception to this statement?

- A:-Section 14 Evidence Act
- B:-Section 27 Evidence Act
- C:-Section 23 Evidence Act
- D:-Section 6 Evidence Act

Correct Answer:- Option-D

Question84:-As per Section 61 contents of the document may be proved

- A:-By Primary evidence
- B:-By Secondary evidence
- C:-By either of the above
- D:-None of the above

Correct Answer:- Option-C

Question85:-The examination of witness by the adverse party is known as

- A:-Chief examination
- B:-Cross examination
- C:-Re-examination
- D:-Leading question

Correct Answer:- Option-B

Question86:-Confession to a doctor while in police custody is

- A:-Admissible
- B:-Not admissible
- C:-Relevant piece of evidence
- D:-Admissibility will be decided by the court

Correct Answer:- Option-B

Question87:-A fact which is neither proved or disproved is known as

- A:-Proved
- B:-Not proved
- C:-Disproved
- D:-None of the above

Correct Answer:- Option-B

Question88:-Admissibility of electronic records is dealt in

- A:-Sec. 65
- B:-Sec. 67
- C:-Sec. 66 B
- D:-No specific provision

Correct Answer:- Option-C

Question89:-Which section of the Indian Evidence Act deals with the power of the Judge to put questions to witnesses?

- A:-Sec. 126
- B:-Sec. 137
- C:-Sec 139
- D:-Sec 165

Correct Answer:- Option-D

Question90:-As per the Indian Evidence Act 'Court' does not include

- A:-All Judges
- B:-All Magistrates
- C:-All Persons legally authorised to take evidence
- D:-Arbitrators

Correct Answer:- Option-D

Question91:-Section 112 deals with

- A:-Presumption as to marriage
- B:-Presumption as to death
- C:-Presumption as to legitimacy
- D:-Presumption as to abetment of suicide

Correct Answer:- Option-C

Question92:-Which of the following statement is correct?

- A:-Any Magistrate can be testified in cases
- B:-A Magistrate can be testified as to his own conduct in court
- C:-A Judge can be testified in Court as to anything which came to his knowledge in Court
- D:-A Judge can be testified as to other matters which occurred in his presence

Correct Answer:- Option-D

Question93:-Presumption of life is explained in

- A:-Sec. 89 Evidence Act
- B:-Sec. 80 Evidence Act
- C:-Sec. 107 Evidence Act
- D:-Sec. 101 Evidence Act

Correct Answer:- Option-C

Question94:-Communication during marriage

- A:-Can be compelled to disclose
- B:-Can be permitted to disclose
- C:-Can be disclosed in another case with another person
- D:-None of the above

Correct Answer:- Option-D

Question95:-When leading questions can be asked?

- A:-In chief examination
- B:-In cross examination
- C:-In both
- D:-Only court can ask leading question

Correct Answer:- Option-B

Question96:-What kind of questions are lawful in cross examination?

- A:-Questions to test the veracity of the witness
- B:-Questions to injure the character of the witness
- C:-Questions to shake the credit of the witness
- D:-All the above

Correct Answer:- Option-D

Question97:-Oral evidence must be

- A:-Direct
- B:-Hearsay
- C:-Both (1) and (2)
- D:-None of the above

Correct Answer:- Option-A

Question98:-Section 110 contains the principle that

- A:-Possession is prima facie proof of ownership
- B:-Possession has to be proved to prove the ownership
- C:-Possession alone will not prove ownership
- D:- All the above

Correct Answer:- Option-A

Question99:-Section 7 of the evidence Act does not include

- A:-Cause
- B:-Effect
- C:-Occasion
- D:-Purpose

Correct Answer:- Option-D

Question100:-Which section of Evidence Act deals with principle of agency?

- A:-Section 7
- B:-Section 8
- C:-Section 9
- D:-Section 10

Correct Answer:- Option-D