

**THE GAUHATI HIGH COURT**

(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)  
**Preliminary Examination (Objective type multiple choice) for direct recruitment to Grade-II  
of Arunachal Pradesh Judicial Service, 2017**

Date: 18-03-2018 (Sunday)

Time: 11.00 am to 1.00 pm

Total marks: 100

Duration: 2 Hours

[Total No. of questions: 100, Each question carries 1 mark]

1. For computers, what is the full form of IP:

(A) Internet program	(B) Internet protocol	(C) interface program	(D) Interface protocol
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2. Find out the correct 'intent' of sentence: He shall not enter my house again.

(A) Threat	(B) Command	(C) Promise	(D) none of above
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3. For a valid custom, there are certain prerequisites. Which one of the following conditions of a valid custom are not valid:

(A) Custom must be continuous.	(B) Custom must be reasonable
(C) Custom might be contrary to statutory law.	(D) Custom must not be immoral.
4. Do you recognize the expression in the words: Excessively polite and fawning:

(A) querulous	(B) Obsequious	(C) supercilious	(D) Chivalrous
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5. What will come in the place of (?) in the given number series:

4	9	16	?	36	49	64
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(A) 20	(B) 25	(C) 30	(D) 32
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6. Pandit Ravi Shankar is associated with which of the following:

(A) Tabla	(B) Mandolin	(C) Flute	(D) Sitar
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7. Civil Procedure Code is of which year:

(A) 1901	(B) 1908	(C) 1973	(D) 2002
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8. Arunachal Pradesh Judicial Service Rules is of which year:

(A) 1947	(B) 2001	(C) 2005	(D) 2006
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9. Which Section of Civil Procedure Code deals with the principle of "res judicata":

(A) 9	(B) 10	(C) 11	(D) 24
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10. Which Court is vested with the power to transfer a suit or appeal or other proceeding from a High Court or other Civil Court in one State to a High Court of Civil Court of another State:

(A) Court of Deputy Commissioner	(B) District Judge	(C) High Court	(D) Supreme Court
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11. If anyone fails to attend the court on receipt of summons, does the civil court have the power to (note: answer is common, therefore, there will be only one answer):

1.	Issue warrant for his arrest	(A) Yes	(B) No.	(C) may be	(D) None of (A), (B) or (C)
2.	Attach and sell his property	(A) Yes	(B) No.	(C) may be	(D) None of (A), (B) or (C)
3.	Impose fine on him	(A) Yes	(B) No.	(C) may be	(D) None of (A), (B) or (C)
4.	Order him to furnish security for his appearance and in default commit him to the civil prison	(A) Yes	(B) No.	(C) may be	(D) None of (A), (B) or (C)

12. If a suit is dismissed for default, whether it would constitute a decree under Section 2(2) of Civil Procedure Code:

(A) Yes.	(B) No.	(C) may be	(D) None of (A), (B) or (C).
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13. Which provisions of Civil Procedure Code provides for power of the Court to award costs for causing delay:

(A) Section 35	(B) Section 35-A	(C) Section 35-B	(D) Section 34
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14. Court by which decree can be executed:

(A) Court which passed the decree	(B) Court to which decree is sent for execution	(C) both (A) and (B).	(D) none of (A) and (B).
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15. Whether Supreme Court has the jurisdiction to entertain original suits:

(A) Yes.	(B) No.	(C) may be	(D) None of (A), (B) or (C).
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16. Where is the provision in Civil Procedure Code which provides for the power of the Court for ordering restitution:

(A) 125	(B) 141	(C) 144.	(D) 151.
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17. For settlement of disputes outside the court Civil Procedure Code provides for power of the Court to send/refer the matter for settlement through which of the following modes:

(A) Arbitration & Conciliation	(B) mediation	(C) Judicial settlement including settlement through Lok Adalat	(D) all of (A) to (C)
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18. Does the Presiding Officer of a Civil Court have power to pass an order to bar any person or persons of public generally from having access or be remained in the Court room or building used by the Court:

(A) Yes	(B) No.	(C) may be	(D) none of (A), (B) and (C).
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19. During the pendency of appeal against the decree of divorce:

(A) the parties are competent to contract another marriage.
(B) the parties are not competent to contract another marriage and their incapacity to do so is absolute.
(C) the parties may contract another marriage with the leave of the Court.

(D) none of above.
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20. A defendant has preferred a counter-claim. Is such counter-claim liable to be treated as a plaint and governed by the rules applicable to the plaints:

(A) Yes	(B) No.	(C) It will be treated as a petition.	(D) None of above.
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21. What happens if the court permits a probate case to be contested by one or more objectors:

(A) The case proceeds as a Probate Case.
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(B) Relevant provisions of Succession Act, 1925 requires the Court to convert the probate case to a suit.
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(C) Probate Misc. Case must be returned to the petitioner to enable him to file a regular suit.
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(D) Court must first decide the probate case and then relegate the parties to a regular suit for declaration of their respective rights.
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22. A plaintiff has filed a suit for claiming damages for suffering defamation. During the pendency of the suit, he dies. Whether his legal representatives can continue the suit or not is a principle, which is governed by the legal maxim of:

(A) <i>Actio personalis moritur cum persona</i> ; meaning - A personal right of action dies with the person.
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(B) <i>Boni judicis est ampliare jurisdictionem</i> ; meaning - It is the duty of a judge to extend this jurisdiction.
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(C) <i>jura sanguinis nullo jure civili dirimi possunt</i> ; meaning - Rights of blood cannot be destroyed by the provision of the civil law.
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(D) none of above.
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23. The maxim *audi alteram partem* means:-

(A) Believe in God	(B) to allow alternative relief	(C) to provide opportunity of being heard	(D) to direct parties to submit written argument.
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24. Which provision in the Criminal Procedure Code provides for power of court to order to pay compensation to be applied for defraying the expenses properly incurred in the prosecution:

(A) Sec.29(2) Cr.P.C.	(B) 357(a) Cr.P.C.	(C) both (A) and (B)	(D) none of (A) and (B).
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25. Is there any provision in Criminal Procedure Code to issue injunction:

(A) Sec.142	(B) 144	(C) both (A) and (B).	(D) none of (A) and (B).
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26. Cognizable offence under Criminal Procedure Code has been defined under

(A) Sec.2(a)	(B) Sec.2(c)	(C) Sec.2(i)	(D) Sec.2(l)
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27. Does the police has the power to investigate non-cognizable case:

(A) Yes	(B) No	(C) Yes, with permission of C J M	(D) None of the above
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28. Search of an arrested person by a police officer is provided under:

(A) Sec.49	(B) Sec.50	(C) Sec.51	(D) 54
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29. Does the Magistrate have power to depute any Magistrate subordinate to him to proceed to hold a preliminary inquiry into the case:

(A) Yes	(B) No	(C) Yes, but with permission from District Judge	(D) None of the above
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30. Statements recorded under Section 161 of Criminal Procedure Code can be used during trial:

- |                                   |                                   |                      |                         |
|-----------------------------------|-----------------------------------|----------------------|-------------------------|
| (A) for corroborating the witness | (B) for contradicting the witness | (C) Both (A) and (B) | (D) None of (A) or (B). |
|-----------------------------------|-----------------------------------|----------------------|-------------------------|
31. Which provisions of Criminal Procedure Code provide for the power of the Court to alter charge:
- |             |             |                      |                        |
|-------------|-------------|----------------------|------------------------|
| (A) Sec.211 | (B) Sec.216 | (C) Both (A) and (B) | (D) None of (A) or (B) |
|-------------|-------------|----------------------|------------------------|
32. How many offence of same kind within a year may be charged together:
- |         |         |           |                          |
|---------|---------|-----------|--------------------------|
| (A) one | (B) two | (C) three | (D) Any number of cases. |
|---------|---------|-----------|--------------------------|
33. Does a Court exercising jurisdiction under Criminal Procedure Code has the power to dispense attendance of the witness and to issue commission for examination of witness:
- |         |         |   |                    |
|---------|---------|---|--------------------|
| (A) Yes | (B) No. | (C) Court has to compel appearance of witness by issuing warrant. | (D) None of above. |
|---------|---------|---|--------------------|
34. Is there any bar for the court to take cognizance of any offence which is punishable with fine only:
- |               |                  |                |               |
|---------------|------------------|----------------|---------------|
| (A) one month | (B) three months | (C) six months | (D) one year. |
|---------------|------------------|----------------|---------------|
35. Is there any bar for the court to take cognizance of any offence which is punishable with imprisonment for a term exceeding one year but not exceeding three years:
- |              |                 |                  |               |
|--------------|-----------------|------------------|---------------|
| (A) one year | (B) three years | (C) twelve years | (D) unlimited |
|--------------|-----------------|------------------|---------------|
36. Complaint is defined in the Code of Criminal Procedure under:
- |                  |                  |                  |                  |
|------------------|------------------|------------------|------------------|
| (A) Section 2(b) | (B) Section 2(c) | (C) Section 2(d) | (D) Section 2(g) |
|------------------|------------------|------------------|------------------|
37. 'Complaint' as defined in the Code of Criminal Procedure means:
- |  |
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| (A) any allegation made orally or in writing to a Magistrate.                  |
| (B) any allegation made orally in writing to a Magistrate or a police officer. |
| (C) any allegation made orally or in writing to a Magistrate or a Judge.       |
| (D) all of above.  |
38. The following section in Code of Criminal Procedure makes it mandatory for the police to give information about the arrest of the person as well as the place where he is being held to any one nominated by him is:
- |                 |                 |                 |                 |
|-----------------|-----------------|-----------------|-----------------|
| (A) Section 50A | (B) Section 50B | (C) Section 53A | (D) Section 53B |
|-----------------|-----------------|-----------------|-----------------|
39. If in a case one or more of the offence is cognizable and the rest are non cognizable, the whole case shall be deemed to be:
- |                     |                |   |                   |
|---------------------|----------------|---|-------------------|
| (A) non- cognizable | (B) cognizable | (C) depends upon the punishment provided for the cognizable offence | (D) none of above |
|---------------------|----------------|---|-------------------|
40. The Magistrate empowered under Section 94 of Code of Criminal Procedure to issue search warrant for the search of a place suspected to contain stolen property, forged documents or any objectionable articles like counterfeit coin, counterfeit currency is:
- |                         |                                |                               |                   |
|-------------------------|--------------------------------|-------------------------------|-------------------|
| (A) District Magistrate | (B) Sub- Divisional Magistrate | (C) Magistrate of First Class | (D) all the above |
|-------------------------|--------------------------------|-------------------------------|-------------------|
41. First Information Report:
- |  |
|--|
| (A) relates to cognizable or non-cognizable offence. |
| (B) is given to a Magistrate or a Police Officer.    |
| (C) relates prima facie to a cognizable offence.     |
| (D) relates to non-bailable offence.                 |
42. A confessional statement under Section 164 Cr.P.C. can be recorded:
- |  |
|--|
| (A) during the course of investigation only and not afterwards.  |
| (B) during the course of investigation or at anytime afterwards before the commencement of inquiry or trial. |

- (C) during investigation as well as during inquiry but before the commencement of trial.  
 (D) during the investigation, inquiry or trial.
43. Where an accused is granted bail under Section 167(2), proviso (a) of Cr.P.C. and on filing of charge-sheet the investigation revealed that the accused had committed a serious offence, the bail so granted to the accused under Section 167(2), proviso (a) of Cr.P.C.
- (A) cannot be cancelled in the absence of special reasons.  
 (B) can be cancelled under Section 435(5) Cr.P.C.  
 (C) can be cancelled under Section 439(2) Cr.P.C.  
 (D) none of above.
44. Under Section 199 Cr.P.C., no court can take cognizance of an offence punishable under Chapter XI of Indian Penal Code (defamation) except upon complaint made by:
- (A) the police (B) the person aggrieved by the offence (C) the Public Prosecutor (D) both (B) and (C)
45. Committal proceeding under Section 209 of Cr.P.C., are in the nature of:
- (A) investigation (B) inquiry (C) trial (D) none of above
46. Besides Section 209 Cr.P.C., which other Section of Code of Criminal Procedure also provides for committal of cases to Sessions Court:
- (A) Section 249 (B) Section 315 (C) Section 323 (D) Section 326
47. This section of the Code of Criminal Procedure dealing with condonation of delay where it is properly explained or it is necessary in the interest of justice is:
- (A) Section 469 (B) Section 470 (C) Section 472 (D) Section 473
48. A, B and C are charged for robbery and after trial convicted by a Magistrate of First Class. Can they be charged and tried thereafter for dacoity:
- (A) Yes (B) No (C) barred under Section 300 Cr.P.C. (D) only with the permission by the High Court.
49. If an accused is charged with a major offence, but on the facts established he cannot be held guilty of that major offence. At the same time, the facts established indicate that a minor offence has been committed, the person so tried for major offence can be convicted for such minor offence under:
- (A) Sec.222 Cr.P.C. (B) Sec.223 Cr.P.C. (C) barred under Section 300 Cr.P.C. (D) only with the permission by the Sessions Court.
50. During inquiry or trial, the accused is remanded to custody under which Section of Cr.P.C.
- (A) Sec.167(1) (B) Sec.167(2) (C) Sec.309 (1) (D) Sec.309(2)
51. Power under Sec.313 Cr.P.C. can be exercised:
- (A) to recall a witness already examined.  
 (B) to summon any witness who has been cited as a witness and not produced or examined before the evidence is closed.  
 (C) to summon any witness who has not been cited as a witness.  
 (D) all the above.
52. Power of court to convert summons cases into warrant cases is provided for by:
- (A) Sec.256 (B) Sec.257 (C) Sec.258 (D) Sec.259
53. Under Section 306 Cr.P.C., who amongst the following is not empowered to tender pardon to an accomplice:

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|--------------------------------|------------------------------|---|------------------------|
| (A) Chief Judicial Magistrate. | (B) Metropolitan Magistrate. | (C) Judicial Magistrate of First Class. | (D) None of the above. |
|--------------------------------|------------------------------|---|------------------------|
54. When the person competent to compound an offence under Section 320 Cr.P.C. is dead, then:
- |   |
|---|
| (A) The offence cannot be compounded.   |
| (B) The offence can be compounded by the prosecutor.  |
| (C) Legal representative of such person can compound the offence with the consent of the Court. |
| (D) Either (B) or (C).  |
55. A is accused of cheating B at a given time and place:
- |   |
|---|
| (A) The charge need not set out the manner in which A cheated B.        |
| (B) The charge must set out the manner in which A cheated B.            |
| (C) Whether the manner is set out or not is to be decided by the Court. |
| (D) None of above.  |
56. Examination of witness in the absence of the accused can be done under:
- |             |             |             |                        |
|-------------|-------------|-------------|------------------------|
| (A) Sec.231 | (B) Sec.299 | (C) Sec.321 | (D) None of the above. |
|-------------|-------------|-------------|------------------------|
57. Under Section 200 Cr.P.C., recording of pre-summoning evidence may be dispensed with if:
- |  |
|--|
| (A) The complaint is supported by an affidavit of the complainant.                                 |
| (B) The complaint is made in writing by a public servant.  |
| (C) The Magistrate feels that ends of justice require pre-summoning evidence to be dispensed with. |
| (D) None of above.   |
58. No wife shall be entitled to receive maintenance from her husband under Section 125 Cr.P.C. if:
- |   |
|---|
| (A) she has obtained a divorce from her husband and has not re-married.           |
| (B) she is unable to maintain herself.  |
| (C) she refuses to live with her husband on the ground that she keeps a mistress. |
| (D) she is living in adultery.  |
59. Under Section 436 Cr.P.C., if an arrested and detained person in a bailable offence is indigent and is unable to furnish surety then what procedure will be adopted by the court or the Officer-in-charge of the police station:
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|---|
| (A) such a person shall be released on bail.  |
| (B) such a person shall be discharged on his executing a bond, without sureties.    |
| (C) such person shall be released on his executing a bond with one surety.          |
| (D) such person shall be released on his executing a bond with or without sureties. |
60. What does the maxim res ipsa loquitur denote:
- |   |
|---|
| (A) a point, governed neither by any decision nor by any rule of law, which must be decided upon principle. |
| (B) The thing speaks for itself.  |
| (C) a thing adjudicated is received as the truth.   |
| (D) no one can have easement over property of others.   |
61. Equal Justice and Free Legal Aid a concept which is derived from which Article of the Constitution of India:
- |                |                |                |                   |
|----------------|----------------|----------------|-------------------|
| (A) Article 14 | (B) Article 19 | (C) Article 21 | (D) Article 39-A. |
|----------------|----------------|----------------|-------------------|
62. President's Rule imposed under Article 356 of the Constitution of India may remain valid for a maximum period of:
- |                                |                |              |                  |
|--------------------------------|----------------|--------------|------------------|
| (A) Pleasure of the President. | (B) six months | (C) one year | (D) three years. |
|--------------------------------|----------------|--------------|------------------|

63. Which is the last Constitution of India amendment Act:  

(A) 100 <sup>th</sup> Amendment	(B) 101 <sup>st</sup> Amendment	(C) 119 <sup>th</sup> Amendment	(D) 123 <sup>rd</sup> Amendment
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64. Which is the last Constitutional Amendment Bill introduced in Lok Sabha:  

(A) 100 <sup>th</sup> Amendment	(B) 101 <sup>st</sup> Amendment	(C) 119 <sup>th</sup> Amendment	(D) 123 <sup>rd</sup> Amendment
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65. Which Articles of the Constitution of India deals with regulation of the subordinate Courts:  

(A) Articles 78 to 101	(B) Articles 145 to 148	(C) Articles 233 to 237	(D) Articles 246 to 253
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66. Which of the following is more certain and precise:  

(A) Legislation	(B) Precedent	(C) Custom	(D) Both (A) and (B)
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67. Which of the following statement is correct?  
Rights and duties are correlative because:  

(A) a man who has a right has also a corresponding duty.
(B) a man having a right shall have no duty.
(C) if a man has a right another man or the whole world has a duty.
(D) rights and duties are independent of each other.
68. Generally in criminal trials:  

(A) Accused must prove his innocence.	(B) The accused must cross examine defence witness.	(C) The prosecution has to prove the charge against the accused.	(D) The prosecution can rely on the lapses of the defence case.
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69. As per Transfer of Property Act, Mango Tree, if bounded by bamboo boundary, falls within the definition of immovable property:  

(A) Yes	(B) No	(C) Only if there is any document to show that the tree is more than 12 years old.	(D) None of (A), (B) and (C).
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70. *A* lets out a farm to *B* on condition that he shall walk 50 kms an hour:  

(A) the lease is void.	(B) the lease is valid.	(C) If lease is written and registered, it is enforceable.	(D) none of above
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71. *A* has let out a house to *B* at a rent of Rs.5,000/-. Thereafter, he transfers the house to *C*. *B* has no notice of transfer, in good faith he pays rent to *A*. Whether:  

(A) <i>C</i> cannot charge <i>B</i> for rent so paid.	(B) <i>C</i> can charge <i>B</i> for rent so paid.
(C) <i>C</i> must forgo the rent money.	(D) None of above.
72. *A* sells a plot of land to *B*. *C* who is the father of *A* signs the deed as an attesting witness. Later on, *C* wants to get the sale deed declared void because *C* was the owner of the land and then *A* had no title to sell it.  

(A) such sale is void.	(B) the said sale is not void.	(C) <i>C</i> can do nothing as the dispute is now between <i>A</i> and <i>B</i> alone.	(D) None of above.
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73. *A* sells the land to *B* on condition that the sale consideration would be paid after one year. *B* does not pay after the stipulated period of one year.  

(A) such sale is voidable.
(B) the said sale is not voidable.
(C) there is no civil remedy, but <i>B</i> can be prosecuted only for cheating.
(D) none of above.

74. Rights and liabilities of the lessor and lessee is defined under which section of the Transfer of Property Act, 1882:

(A) Section 105	(B) Section 107	(C) Section 108	(D) Section 109
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75. A lease may be determined by efflux of time:

(A) Yes	(B) No	(C) Once a lease, always a lease.	(D) None of above.
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76. The right of the owner of land not to have trespassed upon it is:

(A) Ordinary Right	(B) Antecedent Right	(C) Remedial Right	(D) Proprietary Right
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77. Possession acquired through an agent or servant is an example of:

(A) corporeal possession	(B) mediate possession	(C) incorporeal possession	(D) immediate possession
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78. Law does not confer ownership on an:

(A) unborn child	(B) insane person	(C) both (A) & (B)	(D) none of above
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79. Which of the following agreements are not contracts:

(A) Agreement made by free consent of the parties, out of which one party is a minor.
(B) Agreement by A to transfer of a valuable property to B if B commits a murder.
(C) Agreement made by free consent of parties competent to contract, for a lawful consideration and with lawful object.
(D) Agreement willingly signed, but under threat that his family members may be harmed if he does not enter into the agreement.

80. A, who is the attorney of B enters into an agreement to sell the land of B to C. However, prior to such agreement, C had already died, but A and C were ignorant of the death of B.

(A) The agreement is void.	(B) The agreement is valid.	(C) Voidable.	(D) None of above
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81. Display of all articles in a showroom with price tag is:

(A) offer to sell articles at price mentioned	(B) counter offer	(C) invitation to offer	(D) Mere advertisement.
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82. A, B and C jointly promised to pay D a sum of Rs.30,000/-. A is very ill, so D releases him from making payment:

(A) B and C gets discharged of their liability to pay A.
(B) B and C are not discharged of their liability to pay A.
(C) D cannot discharge A of his liability without consent of B and C in writing.
(D) all of above.

83. A contracts with B to build his house at a fixed price, on condition that B will supply iron and cement. B does not provide iron and cement. The work could not be executed:

(A) A is bound to do the work and make a claim for iron and cement.
(B) A is not bound to do the work and can seek compensation from B.
(C) B is not liable for any compensation as A did not do the work.
(D) All of above.

84. A offers to B to discover treasure by magic.

(A) the agreement is valid.	(B) the agreement is void.	(C) This is not an agreement.	(D) None of above.
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85. In estimating the damage:

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|---|
| (A) the means available with the party claiming damages, to minimize the damages shall be considered. |
| (B) such means shall not be considered.   |
| (C) the party is not under any obligation to take steps within its reach to minimize the loss         |
| (D) both (A) and (B).   |

86. The rule of law upon which the decision is founded in a case is:

- |                       |                     |                  |                   |
|-----------------------|---------------------|------------------|-------------------|
| (A) decision incurium | (B) Ratio decidendi | (C) obiter dicta | (D) None of above |
|-----------------------|---------------------|------------------|-------------------|

87. A citizen of India, commits a murder in Nepal. He can be tried and convicted of murder:

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|--|
| (A) in any place in India in which he may be found.                |
| (B) in Nepal only where he is alleged to have committed the crime. |
| (C) either (A) or (B).   |
| (D) None of above. It would be International Court of Justice.     |

88. X having sufficient food does not provide some food to a beggar, who dies of hunger. X is guilty of:

- |                |                       |            |  |
|----------------|-----------------------|------------|--|
| (A) no offence | (B) attempt to murder | (C) murder | (D) causing death by rash and negligent act. |
|----------------|-----------------------|------------|--|

89. A takes a girl out of the custody of her lawful guardians. Which of the following is a complete defence if A is charged under Section 361 I.P.C. for kidnapping on the ground that the girl was below the age of 18 years when she was taken away.

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|---|
| (A) the girl was maltreated by her guardians and A promised her a better life.  |
| (B) the girl was a student in a college and could understand what was right or wrong for her.                               |
| (C) the girl looked more than 18 years of age and the accused had satisfied himself that she was more than 18 years of age. |
| (D) None of the above.  |

90. A is invited by B for a cup of tea. While B is in the kitchen preparing tea, A finds a gold ring on the table. He picks it up and places it somewhere in the room with the intention of dishonestly taking it away some time later. A commits:

- |                |               |           |                             |
|----------------|---------------|-----------|-----------------------------|
| (A) no offence | (B) extortion | (C) theft | (D) attempt to commit theft |
|----------------|---------------|-----------|-----------------------------|

91. The offence of theft becomes robbery when it is:

- |  |
|--|
| (A) coupled with force.                                  |
| (B) committed by two or more but less than five persons. |
| (C) committed by five or more persons.                   |
| (D) coupled with imminent danger to life.                |

92. Use of violence by an unlawful assembly or by any member thereof, in prosecution of the common object of such assembly will constitute:

- |            |             |                       |             |
|------------|-------------|-----------------------|-------------|
| (A) affray | (B) assault | (C) unlawful assembly | (D) rioting |
|------------|-------------|-----------------------|-------------|

93. Assault or criminal force to woman with intent to outrage her modesty is punishable with:

- |   |
|---|
| (A) imprisonment which may extend to two years or with fine or with both.                                 |
| (B) imprisonment which shall not be less than one year but which may extend to five years and also fine.  |
| (C) imprisonment which shall not be less than two years but which may extend to five years and also fine. |
| (D) imprisonment which shall not be less than one year but which may extend to three years and also fine. |

(204)

94. In case of a free fight between two parties:

- |   |
|---|
| (A) right of private defence is available to both parties.                  |
| (B) right of private defence is available to individual against individual. |
| (C) right of private defence is available to the defender.                  |
| (D) no right of private defence is available to either party.               |

95. To establish Section 34 I.P.C.

- |   |
|---|
| (A) common intention is to be proved.                                     |
| (B) overt act has to be proved.   |
| (C) common intention and overt act both need to be proved.                |
| (D) common intention has to be proved but no overt act need to be proved. |

96. In which of the following cases criminal breach of trust has been committed:

- |   |
|---|
| (A) B asked a goldsmith A to make a gold chain and paid him Rs.30,000/- as cost of gold and his labour charges. But A neither prepared the gold chain nor returned the money.           |
| (B) A a post master received money from the depositors but did not enter the same in their post office accounts.  |
| (C) the government gave 100 bags of cement to A, a contractor, for certain works. A after taking delivery of bags used only 60 of them and passed on the rest to another person.        |
| (D) A and B are joint owners of a car. A who has the right to use the car, takes the car out of the possession of B with the consent of B and pockets the whole proceed after its sale. |

97. A has knocked down two teeth of B. A has committed the offence of:

- |                   |                 |                       |             |
|-------------------|-----------------|-----------------------|-------------|
| (A) grievous hurt | (B) simple hurt | (C) culpable homicide | (D) assault |
|-------------------|-----------------|-----------------------|-------------|

98. A servant collected money from the debtor of his master as authorized by him. The servant retained the money with him because it was due to him as wages. He commits:

- |                              |                               |           |                 |
|------------------------------|-------------------------------|-----------|-----------------|
| (A) criminal breach of trust | (B) Criminal misappropriation | (C) theft | (D) no offence. |
|------------------------------|-------------------------------|-----------|-----------------|

99. Which of the following types of insanity is recognized as a defence under IPC:

- |                        |                    |                      |                       |
|------------------------|--------------------|----------------------|-----------------------|
| (A) Impulsive insanity | (B) legal insanity | (C) medical insanity | (D) All of the above. |
|------------------------|--------------------|----------------------|-----------------------|

100. Z under the influence of madness, attempts to kill A. A hits Z with an iron rod seriously injuring him. In this context, which one of the following propositions is correct:

- |   |
|---|
| (A) A has no right of private defence since Z is mad. |
| (B) A is guilty of inflicting grievous hurt on Z.     |
| (C) A is guilty of inflicting simple hurt on Z.       |
| (D) A has right of private defence though Z is mad.   |

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