

UTTARAKHAND EXAM 2010

1. The distinction between culpable homicide and murder as defined in 1.P.C. was pointed out in the decision of

- (a) Rv. Beard
- (b) Rv. Tolson
- (c) **R. v. Govinda**
- (d) Rv. Prince

2. The maxim "de minimis non curat lex" is related to which of the following Sections of the I.P.C.?

- (a) **Section 95**
- (b) Section 89
- (c) Section 94
- (d) Section 93

3. Attempt to commit is provided in Indian Penal Code under

- (a) Section 305
- (b) Section 306
- (c) Section 307
- (d) **Section 308**

4. Against which of the following offences right of private defence of body does not extend to the causing of death?

- (a) Rape
- (b) Gratifying unnatural lust
- (c) **Causing miscarriage**
- (d) Kidnapping

5. Which one of the following is presumed under law to be 'doli incapax to commit a crime?'

- (a) **A child of under 7 years of age.**
- (b) A child of under 10 years of age.
- (c) A child above 7 years and under 12 years of age.
- (d) A child between 10 years and 14 years of age.

6. There were verbal exchanges between the husband 'A' and wife 'B'. A fell the wife, sat on her chest with a knife in his hand. On her cries her sister and

mother working nearby in the same field ran to her rescue. B snatched the knife and inflicted wounds of which A died.

Choose the correct answer given below:

- (a) B has committed offence of murder of A.
- (b) B has acted in her right of self defence.**
- (c) B has committed offence of culpable homicide.
- (d) B her sister and mother all has committed offence of murder of A.

7. A is at work proper caution with a hatchet. The head flies off and kills a man who is standing by. 'A' is guilty of the offence of

- (a) Murder
- (b) Attempt of murder
- (c) Culpable homicide not amounting to murder
- (d) None of the above**

8. Imputations, assertions prejudicial to national integration have been provided under which of the following Section of the Indian Penal Code?

- (a) Section 154
- (b) Section 153-A
- (c) Section 153-B**
- (d) None of the above

9. A, a police officer, tortures 'B' in order to induce 'B' to confess that he committed a crime. Under which Section of I.P.C. the police officer is guilty of an offence?

- (a) Section 325
- (b) Section 326
- (c) Section 328
- (d) Section 330**

10. A threatens to set a savage dog at 7. if Z goes along a path which Z has a right to go

- (a) No offence
- (b) Offence of hurt
- (c) Wrongful restraint.**
- (d) Wrongful confinement

11. 'A' forcibly carries or entices 'B' away from his home in order that 'B' may be murdered. 'A' has committed the offence in Indian Penal Code under

(a) Section 362

(b) Section 364

(c) Section 365

(d) Section 367

12. Which of the following Section of the Indian Penal Code is related to 'dowry death'?

(a) Section 304

(b) Section 304-B

(c) Section 113-A

(d) Section 113-B

13. In which of the following provision of the Indian Penal Code 'forgery is defined'?

(a) Section 460

(b) Section 461

(c) Section 462

(d) Section 463

14. Which one of the following defences is related to Mc Naghten's Case (1843)?

(a) Infancy

(b) Insanity

(c) Intoxication

(d) Consent

15. The abetment of an abetment is an offence in Indian Penal Code under

(a) Section 107

(b) Section 108

(c) Section 109

(d) Section 110

16. A commits sexual intercourse with his own wife aged under 15 year with her consent.

(a) No offence

(b) Rape

(c) Assault

(d) Use of criminal force

17. In which of the following Section of the Indian Penal Code, the provision relating to intercourse by public servant with woman in his custody is given?

- (a) Section 376-A
- (b) Section 376-C**
- (c) Section 376-B
- (d) Section 376

18. Which one of the following offences cannot be committed at a private place?

- (a) Murder
- (b) Riot
- (c) Assault
- (d) Affray**

19. With whom the offence of adultery may be committed under the Indian Penal Code?

- (a) Married woman**
- (b) Unmarried woman
- (c) Both (a) and (b) above
- (d) None of the above

20. The term 'thug' has been defined in which of the following Section of the Indian Penal Code?

- (a) Section 306
- (b) Section 307
- (c) Section 310**
- (d) Section 311

21. The case of K.M. Nanawati v. State of Maharashtra is related to

- (a) Theft
- (b) Dacoity
- (c) Abetment
- (d) Grave and sudden provocation**

22. 'A' spits over 'B' which caused annoyance to 'B'. In this case 'A' is guilty of

- (a) Hurt

(b) Assault

(c) criminal force

(d) Both (b) and (c) above

23. Point out the case where actual commission of an offence cannot be punished.

(a) Theft

(b) Attempt to theft

(c) Suicide

(d) None of the above

24. Under Indian Penal Code, in robbery there is

(a) Theft and dacoity

(b) Extortion and dacoity

(c) Neither theft nor extortion

(d) Either theft or extortion

25. Under which one of the following Sections of Indian Penal Code, the principle of joint criminal liability is applicable?

(a) Section 36

(b) Section 39

(c) Section 34

(d) Section 40

26. How many kinds of hurt are designated as grievous hurt under Section 320. I.P.C.?

(a) Five

(b) Six

(c) Seven

(d) Eight

27. Which Section of I.P.C. defines criminal conspiracy?

(a) Section 120-A

(b) Section 120-B

(c) Section 121

(d) Section 121-A

From Student to Lawyer to Judge

28. 'A' makes an attempt to steal some jewels by breaking open a box and finds after so opening the box, that there is no jewel in it. What is the offence of A'?

- (a) Theft
- (b) Attempt to commit theft**
- (c) Robbery
- (d) No offence

29. Section 387 L.P.C. relates to

- (a) Extortion by putting a person in fear of death.
- (b) Putting person in fear of death or of grievous hurt in order to commit extortion.**
- (c) Extortion by threat of accusation of an offence punishable with death or imprisonment for life etc.
- (d) None of the above

30. A finds a rupee on the highway not knowing to whom the rupee belongs. A picks up the rupee. A has committed the offence of

- (a) Dishonest appropriation of property
- (b) Theft
- (c) Dishonestly receiving stolen property
- (d) No offence**

31. Z, under the influence of madness attempts to kill A. In this case which of the following is correct?

- (a) Z is guilty of attempt to murder, but A has right of private defence.
- (b) Z is guilty of no offence, but A has the right of private defence.**
- (c) Z is guilty of no offence, but A has no right of private defence.
- (d) None of the above is correct.

32. The maxim ignorantia juris non excusat

- (a) does not apply to criminal offences,
- (b) admits exceptions.
- (c) admits exception only in case of a foreigner who cannot reasonably be supposed to know the law of the land.
- (d) admits no exception.**

33. Which in the following is not inchoate crime?

- (a) Attempt

- (b) Criminal conspiracy
- (c) Abetment.
- (d) Kidnapping

34. A, a school teacher for the purposes of enforcing discipline inflicts moderate punishment upon a student aged about 11 years. In this case.

- (a) A is entitled to claim defence under Section 89 of I.P.C.
- (b) A is guilty of causing simple hurt.
- (c) A is guilty of using criminal force.
- (d) A is entitled to claim defence under Section 88 of I.P.C.

35. A, knows Z to be behind a bush. B does not know it. A intending to cause or knowing it to be likely to cause Z's death, induced B to fire at the bush. B, fires and killed Z. In this case what would be the offence of A and B?

- (a) B is not guilty of any offence, but A has committed the offence of murder.
- (b) B is guilty of culpable homicide and A has committed the offence of murder.
- (c) B is not guilty of any offence, but A has committed the offence of culpable homicide.
- (d) B and A both have not committed any offence

36. A says to 'B' that he has finished his wife forever. Under Indian Evidence Act this statement amounts to

- (a) admission
- (b) confession

37. Which one of the following Sections of Indian Evidence Act deals with relevancy of opinion as to digital signature?

- (a) Section 48-A
- (b) Section 46-A
- (c) Section 49-A
- (d) Section 47-A

38. Facts which form part of the same transaction are relevant under which Section of Evidence Act?

- (a) Section 6
- (b) Section 7

(c) Section 5

(d) Section 9

39. Tape recorded statements are

(a) Documentary evidence

(b) Oral evidence

(c) Both (a) and (b)

(d) None of the above

40. Confession made by a person in police custody shall not be proved as against such person under which Section of the Evidence Act?

(a) Section 25

(b) Section 26

(c) Section 27

(d) Section 28

41. Queen Empress v. Abdullah is a leading case on.

(a) admission confession

(b) confession

(c) statement

(d) dying declaration

42. How many Sections and Chapters are there in Indian Evidence Act?

(a) 164 Sections and 10 Chapters

(b) 167 Sections and 10 Chapters

(c) 167 Sections and 11 Chapters

(d) 167 Sections and 9 Chapters

43. Under Section 8 of the Evidence Act. which of the following is relevant?

(a) Motive

(b) Preparation

(c) Conduct

(d) All the above

44. Admissibility of electronic records is prescribed under

(a) Section 65-A

(b) Section 65-B

(c) Section 65

(d) Section 66

45. Death may be presumed. if it is proved that one has not been heard of for

(a) 10 years

(b) 20 years

(c) 12 years

(d) 7 years

46. The question is, whether a certain. document was written by A. In this case which of the following is/are relevant?

(a) Another document is produced which is written by A.

(b) The opinion of experts on the question whether the two documents were written by A.

(c) The opinion of experts on the question whether the two documents were written by different persons.

(d) Both (b) and (c).

47. Which Section of the Indian Evidence Act makes the provision that there shall be no new trial on the ground of improper admission or rejection of evidence?

(a) Section 166

(b) Section 165

(c) Section 167

(d) Section 161

48. Evidence of an accomplice is relevant

(a) Under Section 133

(b) Under Section 124

(c) Under Section 134

(d) Under Section 167

49. What is the definition of "not proved in the Indian Evidence Act?"

(a) A fact is said not to be proved when it is not proved.

(b) A fact is said not to be proved when it is not disproved.

(c) A fact is said not to be proved when it is neither proved nor disproved.

(d) None of the above.

50. Leading question may be asked in

(a) examination-in-chief

(b) cross-examination

(c) re-examination

(d) all the above

51. Anything, state of things or relation of things, capable of being perceived by the senses, is

(a) an evidence

(b) fact

(c) facts in issue

(d) none of the above

52. The principle of estoppel is given under which of the following Sections of the Indian Evidence Act?

(a) Section 115

(b) Section 114

(c) Section 114-A

(d) None of the above

53. Dagdu v. State of Maharashtra is related with

(a) Accomplice

(b) Burden of proof

(c) Res-gestae

(d) Hostile witness

54. The object of cross-examination is to examine

(a) the Intelligence of the witness

(b) impartiality of the witness

(c) reliability of the witness

(d) good behaviour of the witness

55. Which Provision of the Indian Evidence Act deals with dying declaration?

(a) Section 32(4)

(b) Section 32(1)

(c) Section 125

(d) Section 131

56. Things said or done by a conspirator in reference to common design is relevant fact under which Section of the Evidence Act?

- (a) Section 11
- (b) Section 13
- (c) Section 10
- (d) Section 12

57. Indian Evidence Act came into force on

- (a) 1st September, 1872
- (b) 1st January, 1872
- (c) 9th September, 1872
- (d) 9th January, 1872

58. Which one of the following is a leading case on entries in books of account when relevant?

- (a) Rv. Govinda
- (b) Pakla Narayan Swamy v. King Emperor
- (c) Moti Singh v. State of UP

(d) L.K. Advani v. C.B.I.

59. Which one of the following is a leading case on confession to persons in authority?

- (a) Ramesh Chahdra Mehta y State of WB.
- (b) Pyare Lal Bhargawa v. State of Rajasthan
- (c) Queen Empress v. Babu Lal
- (d) Sita Ram v. State

60. Who among the following is not an accomplice?

- (a) Trap witness
- (b) A raped girl
- (c) An eye witness to a murder
- (d) All the above

61. Under which one of the following Section of the Criminal Procedure Code, 1973 a police officer can arrest a person without an order from a Magistrate and without warrant?

- (a) Section 40
- (b) Section 51
- (c) Section 42
- (d) Section 41

62. Under which one of the following Sections of Criminal Procedure Code, 1973 an accused person can himself be a competent witness?

- (a) Section 315
- (b) Section 313
- (c) Section 300
- (d) Section 317

63. Which one of the following Section of Criminal Procedure Code, 1973 provides that "no statement made by any person to a Police Officer in the course of investigation shall, if reduced in writing, be signed by the person making it"?

- (a) Section 164
- (b) Section 163
- (c) Section 162
- (d) Section 161

64. Under which one of the following Section of Criminal Procedure Code, 1973 armed forces can be used disperse assembly for maintaining of public security?

- (a) Section 132
- (b) Section 131
- (c) Section 129
- (d) Section 130

65. Under which Section of the following Criminal Procedure Code, 1973 the accused shall be supplied the copy police report; and other documents by the Magistrate?

- (a) Section 205
- (b) Section 209
- (c) Section 207
- (d) Section 208

66. An Assistant Session Judge is appointed by

- (a) State Government
- (b) State Public Service Commission
- (c) Session Judge

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(d) High Court of the concerned State

67. Under Criminal Procedure Code, 1973 the nature of non-cognizable offence is

(a) bailable and simple

(b) bailable and grave

(c) only of grave nature

(d) all the above

68. Under which one of the following of Criminal Procedure Code, 1973 summons to produce documents may be issued to the person in whose possession they are?

(a) Section 90

(b) Section 95

(c) Section 94

(d) Section 91

69. In which one of the following Sections of the Criminal Procedure Code, 1973 provisions relating to free legal aid has been provided?

(a) Section 304

(b) Section 305

(c) Section 307

(d) Section 310

70. Which one of the following Sections of Criminal Procedure Code, 1973 provides sentence of imprisonment by the Court of Magistrate in default of fine?

(a) Section 30(1)

(b) Section 31

(c) Section 32

(d) Section 34

71. Which one of the following Sections of Criminal Procedure Code, 1973 is when the officer in-charge of a police station receives any information that a person has committed suicide?

(a) Section 154

(b) Section 174

(c) Section 147

(d) Section 181

72. Criminal Procedure a person who is avoiding execution of a warrant may be proclaimed absconder?

- (a) Section 81
- (b) Section 83
- (c) Section 82**
- (d) Section 84

73. "The Public Prosecutor or Assistant Public Prosecutor in-charge of a a case may with the consent the Court, at any time before the judgment is pronounced withdraw from the prosecution of any person either generally or in respect of any one or more of the offences for which he is tried. This is related with which of the following Section of the Code of Criminal Procedure?"

- (a) Section 323
- (b) Section 322
- (c) Section 321**
- (d) None of the above

74. In which of the following Sections of the Cr.P.C. the term "investigation" has been defined?

- (a) Section 2(h)**
- (b) Section 2(g)
- (c) Section 3
- (d) None of the above

75. Which one of the following Sections of Criminal Procedure Code, 1973 provides that a person once convicted or acquitted cannot be tried again for the same offence?

- (a) Section 298
- (b) Section 299
- (c) Section 300**
- (d) Section 301

76. Which one of the following Sections of Criminal Procedure Code. 1973 provides for joint trial of several offences?

- (a) Section 224

(b) Section 221

(c) Section 222

(d) Section 223

77. Which one of the following Sections is related to the appointment of Assistant Public Prosecutor under Criminal Procedure Code, 1973?

(a) Section 20

(b) Section 24

(c) Section 13

(d) Section 25

78. Which one of the following offence is triable summarily?

(a) Wrongful restraint

(b) Abduction

(c) Mischief

(d) Offences not punishable with death, imprisonment of life or imprisonment for a term exceeding two years

79. Under which one of the Sections of Criminal Procedure Code, 1973 High Court's power of revision is provided?

(a) Section 399

(b) Section 400

(c) Section 401

(d) Section 403

80. Under which one of the following Sections of Criminal Procedure Code, 1973 inherent powers can be exercised by the High Court?

(a) Section 482

(b) Section 483

(c) Section 484

(d) Section 480

81. Under which of the following Sections of the Code of Criminal Procedure provides issue of commission for the examination of the President or the Vice-President of India as a witness?

(a) Section 286

(b) Section 284

- (c) Section 287
- (d) None of the above

82. Which one of the following Sections of Criminal Procedure Code, 1973 is related to the prosecution for offences against marriage?

- (a) Section 198
- (b) Section 199
- (c) Section 196
- (d) Section 197

83. Which one of the following Sections of Criminal Procedure Code, 1973 is related to "Interpretator is bound to interpret truthfully"

- (a) Section 272
- (b) Section 284
- (c) Section 280
- (d) Section 282

84. Under Criminal Procedure Code, 1973 the object of investigation is

- (a) to arrest the accused,
- (b) to punish the accused
- (c) to collect evidence against the accused
- (d) none of the above

85. Under Criminal Procedure Code, 1973 a reference can be made to

- (a) Supreme Court
- (b) High Court
- (c) Session Court
- (d) High Court or Session Court

86. Under Section 18 of the Uttarakhand Police Act; 2007 St. Govt. may appoint a Legal Advisor and a Financial Controller to assist and advise the Director General of Police on legal and financial matters respectively?

- (a) Director General of Police himself.
- (b) Police Establishment Committee.

(c) On the recommendation of the Police Establishment Committee by the State Government

(d) State Government.

87. Under which Sec. of the Uttarakhand Police Act, 2007 it is contained that it shall be the duty of every officer in-charge of a police station to keep a general diary?"

(a) Section 44

(b) Section 47

(c) Section 48

(d) Section 46

88. Who is authorised for over all administration of Public Force under the Uttarakhand Police Act. 2007?

(a) Inspector General of Police

(b) Director General of Police

(c) Superintendent of Police

(d) None of the above

89. Under the Uttarakhand Police Act 2007. a Police Officer posted as an officer in charge of a police station, shall have a minimum term of

(a) Two years

(b) One year

(c) Three years

(d) Six months

90. Under which Section of the Uttarakhand Police Act, 2007, penalties for neglect of duty by police officer are given?

(a) Section 85

(b) Section 88

(c) Section 86

(d) Section 87

91. Under the Uttarakhand Police Act, 2007 who creates police station?

(a) Director General of Police

(b) State Government

(c) High Court of the State

(d) District Magistrate

92. The administration of Police District shall be vested in

(a) Superintendent of Police.

(b) Inspector General of Police.

(c) Deputy Inspector General of Police.

(d) Superintendent of Police under the general coordination and direction of the

93. Who amongst the following may create a State Intelligence Department?

(a) Legislature of the Uttar Pradesh

(b) Director General of Police

(c) Inspector General of Police

(d) State Government

94. Section 84 of the Uttarakhand Police Act, 2007, deals with

(a) Penalties for neglect of duty by Police Officer etc.

(b) Unauthorised use of Police uniform.

(c) Power to make Rules and Regulations.

(d) Offences of disorderly conduct.

95. Which of the following punishments may be awarded as disciplinary penalties under Section 23 of the Uttarakhand Police Act, 2007?

(a) Dismissal

(b) Removal from service

(c) Reduction in salary

(d) Withholding promotion

96. Select the correct answer with the help of the codes given below: Codes:

(a) 1, 2 and 3

(b) 1, 3 and 4

(c) 1, 2 and 4

(d) 1,2, 3 and 4

97. Under which Section of the Uttarakhand Police Act, 2007 police officer is mandated not to withdraw himself from duties of his offices?

(a) Section 44

(b) Section 42

(c) Section 45

(d) Section 31

98. "A senior police officer may perform any duty assigned by law or by a lawful order to any officer subordinate to him. This has been provided in which of the following Sections of the Uttarakhand Police Act, 2007?"

(a) Section 30

(b) Section 38

(c) Section 40

(d) Section 41

99. Under the Uttarakhand Police Act, 2007 to whom appeal lies against the punishment given by the Director General of Police?

(a) Police Establishment Committee

(b) State Government

(c) Home Minister of the State

(d) High Court

100. Who shall prescribe an insurance coverage for all police officers against injury, disability or death caused while on duty?

(a) Police Establishment Committee

(b) Police Welfare Bureau

(c) Director General of Police

(d) State Government

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