



Teachingninja.in



Latest Govt Job updates



Private Job updates



Free Mock tests available

Visit - teachingninja.in



Teachingninja.in

Haryana Judicial Services

Previous Year Paper
16 July 2017



**Haryana Civil Services (Judicial Branch) Preliminary Examination-2017
(held on 16.07.2017)**

In order to ensure transparency and fairness, on the orders of Hon'ble Recruitment Committee, the Question Booklet Code 'A' with proposed answers in **bold** are uploaded hereunder for the information of all concerned:

Online Objection Module:

1. Any candidate may file online objection(s) through e.mail ID objectionshcs2017@gmail.com to any question or proposed answer as per question booklet Code 'A' only, though he/she have attempted questions as per booklet Code B, C or D.
2. The objections are permissible only through E-mail. Objection by way of hard copy, by hand or by post will not be entertained.
3. Filing of objection is permissible till **4.00 P.M on 19.07.2017**. No objection will be entertained in any eventuality after the given time. High Court shall not be maintaining E-mail account/data after the expiry of time given for filing of objections.
4. Candidate shall type his/her name, roll number and question number in the subject box of the E-mail.
5. The objection shall be written in the space given in the E-mail and supported by reasons. Before writing objection and reasons, candidate shall have to write the mandatory particulars as under:-
 - (a) Question No.....
 - (b) High Court proposed Answer.....
 - (c) Answer suggested by objector.....
6. Candidate can file objections to more than one question. Only one objection will be entertained in one E-mail message. For next objection, candidate will have to send new E-mail message. Candidate can send as many E-mails as the objections preferred.

7. If candidate wants to support his objection by way of reference to any judgment or book, the complete citation of the judgment; title of the book, name of the Author, year or edition of publication, name of publisher and relevant page number must be mentioned in the objection. Further such judgment / relevant book page must be uploaded by way of attachment in PDF format only.
8. The objections are being entertained in the interest of transparency, fairness and objectivity. Therefore, any attempt to play prank will be viewed seriously.
9. The High Court will not be responsible for any loss of contents, data, delay etc. due to any defect / fault.
10. **No objection(s) submitted in violation of these instructions will be entertained.**



Dated: 17.07.2017

Registrar Recruitment,
Punjab & Haryana High Court,
Chandigarh



Note: For filling up blanks/answering the questions, choose the best option out of the given five.

1. A compromise which is voidable under Indian Contract Act, 1872 shall not be deemed to be within the meaning of Order XXIII Rule 3 of Code of Civil Procedure, 1908.
 - a) void
 - b) voidable
 - c) illegal
 - d) lawful
 - e) None of the above
2. Where an appellant has withdrawn the appeal preferred against a decree passed *ex parte*, a subsequent application filed under Order IX Rule 13 of Code of Civil Procedure, 1908 shall be:-
 - a) Rejected
 - b) Returned
 - c) **Maintainable**
 - d) Referred to the appellate court
 - e) None of the above
3. Which provision of Code of Civil Procedure, 1908 debars a tenant from filing inter-pleader suit against his landlord?
 - a) Section 88
 - b) Section 90
 - c) Order XXXV Rule 3
 - d) Order XXXV Rule 4
 - e) **None of the above**
4. Composition of an offence under Code of Criminal Procedure, 1973 will result in _____ of the accused.
 - a) **acquittal**
 - b) discharge
 - c) compromise
 - d) probation
 - e) None of the above
5. In one trial, X is convicted against which no appeal lies, whereas conviction against Y is appealable. Whether X can file an appeal against his conviction?
 - a) No
 - b) **Yes**
 - c) Only with special leave
 - d) There is no such provision
 - e) None of the above
6. Under section _____ of Code of Criminal Procedure, 1973, it is mandatory for a police officer to inform the person arrested without warrants, about the right of bail if the offence is not non-bailable.
 - a) 41A
 - b) **50**
 - c) 50A
 - d) 54
 - e) None of the above
7. X, a blacksmith, is seized by a gang of dacoits and forced, by threat of instant death to take his tools and forced him to open the door of Y's house. The dacoits then looted Y's money and jewels and also killed Y's son Z. What, among the following offence under Indian Penal Code, 1860 has been committed by X?
 - a) Dacoity with murder
 - b) Abetment of dacoity and murder
 - c) **No offence**
 - d) Preparation to commit dacoity
 - e) None of the above
8. For constituting an offence of 'Abduction' under Indian Penal Code, 1860, the abducted male person should be :-
 - a) Below 16 years of age
 - b) Below 18 years of age
 - c) Insane
 - d) **Of any age**
 - e) None of the above
9. How many minimum number of persons are required to constitute the offence of rioting under Section 146 of Indian Penal Code, 1860?
 - a) 2
 - b) **5**
 - c) 7
 - d) 11
 - e) None of the above
10. The five golden principles which constitute the '*Panchsheel*' of the proof of a case based on circumstantial evidence are laid down in:-
 - a) Haricharan Kurmi v. State of Bihar (AIR 1964 SC 1184)
 - b) **Sharad v. State of Maharashtra** (AIR 1984 SC 1622)
 - c) Ram Singh v. Col. Ram Singh (AIR 1986 SC 3)
 - d) Kashmir Singh v. State of M.P. (AIR 1952 SC 159)
 - e) None of the above
11. What minimum number of witnesses are required to prove offence of dacoity in a trial?
 - a) 5
 - b) 8
 - c) Judge directs how many witnesses are to be examined
 - d) **No particular number of witnesses is prescribed**
 - e) None of the above

24. What can a catalogue of books, listing price of each book and specifying the place where the listed books are available, be termed as ?
 a) An offer
 b) An obligation to sell book
 c) **An invitation to offer**
 d) A promise to make available the book at the listed place
 e) None of the above
25. X, being in debt to Y, the moneylender of his village, contracts a fresh loan on terms which appear to be unconscionable. That the contract was not induced by undue influence is to be proved by :-
 a) **Y**
 b) X
 c) Both X and Y
 d) Either X or Y
 e) None of the Above
26. The principle 'facts speak for themselves' can be expressed by the maxim :-
 a) Ubi jus ibi remedium
 b) **Res ipsa loquitur**
 c) Novus actus interveniens
 d) Causa Causams
 e) None of the above
27. How many grounds of divorce are provided for a Muslim woman under Section 2 of the Dissolution of Muslim Marriage Act, 1939?
 a) 7
 b) 8
 c) **9**
 d) 10
 e) None of the above
28. 'X' and 'Y' are husband and wife having a son and a daughter. They have adopted a girl 'Z'. The adoption under Hindu Adoption and Maintenance Act, 1956, is :-
 a) Valid
 b) **Void**
 c) Voidable
 d) Illegal
 e) None of the above
29. Which Section of the Hindu Succession Act, 1956 lays down the order of succession among agnates and cognates?
 a) Section 8
 b) Section 10
 c) **Section 12**
 d) Section 14
 e) None of the above
30. If, at the time of solemnization of marriage, wife has been subject to re-current attacks of insanity, under Hindu Marriage Act, 1955 the marriage will be :-
 a) Valid
 b) Void
 c) **Voidable**
 d) Legal
 e) None of the above
31. Unavoidable delay upto _____ in presentation of a document for registration under the Registration Act, 1908 may be condoned by Registrar.
 a) two months
 b) **four months**
 c) six months
 d) one month
 e) None of the above
32. Which of the following is/are 'goods' according to Sale of Goods Act, 1930 ?
 a) Actionable claim
 b) Money
 c) **Stocks and Shares**
 d) All of the above
 e) None of the above
33. Alienation of the minor's property made by a natural guardian without the previous permission of the Court, under Section 8 (3) of Hindu Minority and Guardianship Act, 1956 will be voidable at the instance of :-
 a) Seller
 b) Purchaser
 c) **Minor**
 d) Both (b) & (c)
 e) None of the above
34. Pecuniary limits of jurisdiction of Civil Judges (Junior Division) are determined, under Punjab Courts Act, 1918 by _____.
 a) State Government
 b) **High Court**
 c) District Judge
 d) Civil Judge (Senior Division)
 e) None of the above
35. Who among the following was the first person to be honoured with 'Bharat Ratna' posthumously ?
 a) B.R. Ambedkar
 b) K. Kamaraj
 c) **Lal Bahadur Shastri**
 d) Vinoba Bhave
 e) None of the above
36. 'Decibel' is the unit used for measuring :-
 a) Speed of light
 b) **Intensity of sound**
 c) Intensity of heat
 d) Intensity of earthquake
 e) None of the above
37. Which of the following State in India has launched 'Quit India Movement 2' against social ills ?
 a) **Maharashtra**
 b) Bihar
 c) West Bengal
 d) Tamil Nadu
 e) None of the above

38. To compel the attendance of a person to whom a summon has been issued under Section 30 of Code of Civil Procedure, 1908, the court is empowered to impose upon him fine not exceeding _____ rupees.
 a) 500/- b) 1000/-
 c) **5000/-** d) 3000/-
 e) None of the above
39. Which Section of Code of Civil Procedure, 1908 states that place of trial is to be deemed to be open Court ?
 a) 153 b) 153A
 c) **153B** d) 153C
 e) None of the above
40. A decree for restitution of conjugal rights may be enforced under Order XXI Rule 32 of Code of Civil Procedure, 1908, by :-
 a) **Attachment of property**
 b) Detention in civil prison
 c) Imposition of fine
 d) All of above
 e) None of the above
41. If an indigent person succeeds in the suit, the due amount of Court fees shall be recoverable from :-
 a) The plaintiff
 b) The defendant
 c) **Any party ordered by the decree to pay the same**
 d) The State Government
 e) None of the above
42. Which of the following section of the Code of Criminal Procedure, 1973 declares accused person to be a competent defence witness ?
 a) **315** b) 300
 c) 313 d) 317
 e) None of the above
43. Which of the following is incorrect response in the light of Code of Criminal Procedure, 1973 ?
 a) Inquiry is conducted by the Court
 b) **Inquiry is conducted after framing of charge**
 c) Inquiry is conducted prior to framing of charge
 d) Inquiry is conducted by the Magistrate
 e) None of the above
44. Section 482 of Code of Criminal Procedure, 1973 saves inherent powers of _____. ?
 a) **High Court**
 b) Sessions Court
 c) Both (a) and (b) above
 d) Chief Judicial Magistrate
 e) None of the above
45. No court shall take cognizance of an offence, after the expiry of _____, if the offence is punishable with fine only.
 a) **Six months** b) One year
 c) Three years d) Five years
 e) None of the above
46. Section 73 of Indian Penal Code, 1860 prescribes the maximum limit of solitary confinement to be:-
 a) One year b) Two years
 c) **Three months** d) Six months.
 e) None of the above
47. An Indian citizen murders a French citizen in Paris and absconded. He is found by Indian police in Mumbai. He (with previous sanction of Central Government) can be:-
 a) prosecuted in India at the place fixed by Foreign Ministry
 b) prosecuted in national capital New Delhi only
 c) **prosecuted in Mumbai only**
 d) prosecuted at any place as per the request of French Government
 e) None of the above
48. 'A' finds a purse with money, not knowing to whom it belongs; he afterwards discovers that it belongs to 'B' but retains it for his own use. Under Indian Penal Code, 1860 'A' is guilty of :-
 a) Theft
 b) **Criminal misappropriation**
 c) Criminal breach of trust
 d) Cheating
 e) None of the above
49. Which of the following Section of the Indian Evidence Act, 1872 makes an accomplice a competent witness against accused?
 a) 130 b) 131
 c) 132 d) **133**
 e) None of the above

63. If a Hindu male dies intestate leaving behind Mother, Father, Son, Brother and Sister, the property will devolve on:-
 a) All 5 getting $1/5^{\text{th}}$ share each
 b) Father, Son & Brother being males getting $1/3^{\text{rd}}$ share each
 c) Father & Mother getting $1/2$ share each
d) Mother & Son getting $1/2$ share each
 e) None of the above
64. Which section of Registration Act, 1908 makes it compulsory to affix passport size photographs and fingerprints upon the documents to be registered?
 a) 16-A b) 23-A
c) 32-A d) 79-A
 e) None of the above
65. Warranty as per Section 12 of Sale of Goods Act, 1930, is :-
 a) a stipulation essential to main purpose of the contract
b) a stipulation collateral to the main purpose of the contract
 c) the same as a condition
 d) a ground for repudiating the contract
 e) None of the above
66. Who among the following under Hindu Minority and Guardianship Act, 1956, will be the natural guardian of minor wife's person?
a) Husband
 b) Her father
 c) Her mother
 d) Her father-in-law
 e) None of the above
67. 'Yad Vashem' is an Israeli :-
 a) Irrigation technique
b) Holocaust Memorial
 c) Nuclear Reactor
 d) Commando Force
 e) None of the above
68. Where is the headquarter of World Anti-Doping Agency(WADA) ?
 a) **Montreal** b) New York
 c) Athens d) Paris
 e) None of the above
69. Sir Creek, a disputed region between India and Pakistan is a :-
 a) coral island
 b) volcanic island
c) tidal estuary
 d) backwater lagoon
 e) None of the above
70. Sudirman Cup is associated with game of:-
 a) Judo b) Hockey
 c) Football d) **Badminton**
 e) None of the above
71. The propositions are: Under Order XVIII, Rule 2 of Code of Civil Procedure, 1908:-
 I. A copy of the written arguments shall be furnished simultaneously to the opposite party
 II. Adjournment shall be granted generally for the purpose of filing the written arguments
 III. The Court cannot fix any time-limit for oral arguments
 Which of the following is correct in respect of the aforesaid propositions:-
a) I is correct, II & III are incorrect
 b) I & II are correct, III is incorrect
 c) I & III are correct, II is incorrect
 d) II & III are correct, I is incorrect
 e) None of the above
72. Where an interim injunction has been granted under Order XXXIX of Code of Civil Procedure, 1908, without notice to opposite party, the court shall make an endeavour to finally dispose of the application within thirty days from the date on which _____.
 a) the application was filed
b) the injunction was granted
 c) the injunction order was served upon opposite party
 d) opposite party appears in court
 e) None of the above
73. Which of the following provision of Code of Civil Procedure, 1908 deals with attachment before judgment ?
 a) Order XXXVIII, Rule 1
 b) Order XXXVIII, Rule 3
c) Order XXXVIII, Rule 5
 d) Order XXXVIII, Rule 4
 e) None of the above
74. If trial Court is satisfied that convict intends to file appeal, it shall release him on bail under Section 389(3) of Code of Criminal Procedure, 1973 where:-
a) Convict is on bail, and awarded imprisonment is not exceeding 3 years
 b) Convict is on bail, and awarded imprisonment is not exceeding 5 years
 c) Convict is on bail, and awarded imprisonment is not exceeding 7 years
 d) Offence is exclusively bailable though convict is in jail
 e) None of the above

75. In the Indian Constitution, criminal procedure is included in the _____.
- Concurrent list**
 - Union list
 - State list
 - Residuary list
 - None of the above
76. A proclamation under Section 82 of Code of Criminal Procedure, 1973 shall specify time for not less than 30 days from the date of _____, of such proclamation :-
- Issuing
 - Receiving
 - Publishing**
 - Returning
 - None of the above
77. Under which section of Code of Criminal Procedure, 1973, Court can grant adjournment subject to payment of costs by a party:-
- 310
 - 311
 - 312
 - 316
 - None of the above**
78. If, in a complaint case it is made to appear to Magistrate that an investigation by the police is in progress in relation to the same offence, which of the following order(s) a Magistrate may pass under Section 210 of Code of Criminal Procedure, 1973 ?
- Return the complaint to be re-filed after police investigation
 - Stay the proceeding of inquiry or trial on such complaint
 - Call a report from the Investigating Officer
 - Refer the complaint for investigation by police
 - Refer the complaint to Chief Judicial Magistrate
- Answers:
- III and V
 - II and V
 - II and III**
 - II only
 - None of the above
79. Judgment in Mahboob Shah Vs. Emperor, AIR 1945 PC 118 explained the penal law relating to:-
- Right to private defence
 - Defence of unsound mind
 - Common object
 - Common intention**
 - None of the above
80. Which Section of the Indian Penal Code, 1860 defines 'sedition' ?
- Section 121-A
 - Section 123
 - Section 124
 - Section 124-A**
 - None of the above
81. The question is as to the date of Y's birth. An entry in the diary of a deceased surgeon regularly kept in the course of business, stating that, on a given day he attended Y's mother and delivered her of a son, is a relevant fact under which of the following Section of the Indian Evidence Act, 1872 ?
- Section 32**
 - Section 33
 - Section 34
 - Section 73
 - None of the above
82. The constitutional validity of which of the following section of Indian Evidence Act, 1872 has been upheld by Supreme Court in State of U.P. Vs. Deoman Upadhyaya (AIR 1960 SC 1125):-
- 27**
 - 32
 - 73
 - 119
 - None of the above
83. Who among the following is empowered to finally determine whether a Bill is Money Bill or not?
- The Prime Minister of India
 - The Council of Ministers
 - The Finance Minister
 - The Speaker of the Lok Sabha**
 - None of the above
84. Which of the following is not a writ issued by a superior court to an inferior Court ?
- Mandamus
 - Certiorari
 - Quo Warranto**
 - Prohibition
 - None of the above
85. Which of the following section of the Limitation Act, 1963 gives recognition to the concept of 'Adverse Possession' ?
- 22
 - 24
 - 26
 - 27**
 - None of the above
86. Who among the following was in news for *National Anthem* decision (2016)?
- Justice J.S. Khehar
 - Justice Dipak Misra**
 - Justice T.S. Thakur
 - Justice J. Chelameswar
 - None of the above
87. A and B jointly purchased a tea shop. Each of them contributed half of the expense incurred for pottery and utensils. Then they leased out the shop and shared the rent equally. They are :-
- Partners
 - Co-owners**
 - Co-obligants
 - Agent of each other
 - None of the Above

100. In all proceedings under Section 125 of Code of Criminal Procedure, 1973, the evidence shall be recorded in the manner prescribed for _____.
- a) **Summons cases** b) Warrant cases
c) Sessions cases d) Summary cases
e) None of the above
101. Sale of an obscene object to any person under the age of _____ years, is punishable under section 293 of Indian Penal Code, 1860.
- a) 14 b) 16
c) 18 d) **20**
e) None of the above
102. Which of the following section of Indian Penal Code, 1860 prescribes punishment for 'cheating' :-
- a) 416 b) **417**
c) 419 d) 420
e) None of the above
103. A intending or knowing himself to be likely permanently to disfigure B's face, gives B a blow which does not permanently disfigure B's face, but which cause B to suffer severe bodily pain for the space of more than three weeks. A has voluntarily caused _____
- a) Hurt b) **Grievous hurt**
c) Assault d) Mischief
e) None of the above
104. If a maker of dying declaration survives, his statement can be used under Indian Evidence Act, 1872:-
- I) As substantive evidence
II) To corroborate the testimony of maker if examined
III) To contradict the testimony of maker if examined
IV) Cannot be used at all
- Answers:
- a) **II and III** b) I and II
c) I and III d) IV only
e) None of the above
105. Which of the following section of Indian Evidence Act, 1872 is based upon the well known principle that 'possession is prima facie proof of ownership' ?
- a) **110** b) 112
c) 114 d) 115
e) None of the above
106. Constitution Bench of Supreme Court in 'Jindal Stainless Vs. State of Haryana' (AIR 2016 SC 5617), has explained the constitutional provisions regarding:-
- a) Use of religion in Elections
b) Liquor vends on Highway
c) National Anthem
d) **Restriction on trade commerce etc.**
e) None of the above
107. A suit for compensation for malicious prosecution shall be filed within _____ from the time when the plaintiff is acquitted or prosecution is otherwise terminated.
- a) 6 month b) **1 year**
c) 2 years d) 3 years
e) None of the above
108. Which of the following statement is incorrect in the light of provisions of Hindu Marriage Act, 1955 ?
- a) Documents not duly stamped or registered are admissible
b) **Proceedings may be held in Camera on the request of the party**
c) No appeal can be filed on the subject of costs only
d) Limitation for appeal against final Order under Section 25 of the Act is 90 days
e) None of the above
109. A contract of life insurance is in the nature of :-
- a) Agreement by way of wager
b) Quasi contract
c) **Contingent contract**
d) Gratuitous Contract
e) None of the above
110. A female Hindu inherited property from her husband. She died intestate. The said property shall, in the absence of any children or grand children of the deceased, devolve upon:-
- a) Government Charitable Trust
b) the heirs of her father
c) the heirs of her mother
d) **the heirs of her husband**
e) None of the above
111. Who is known as the 'Saint of the Gutters'?
- a) **Mother Teresa** b) Vinoba Bhave
c) Bindeshwar Pathak d) Kailash Satyarthi
e) None of the above

112. Which High Court declared Ganga Yamuna rivers as 'living human' ? :-
 a) Allahabad **b) Uttarakhand**
 c) Himachal Pradesh d) Delhi
 e) None of the above
113. 'X' residing in Chandigarh, publishes statements defamatory to 'Y' in Ludhiana. 'Y' may sue 'X' at :-
 a) Chandigarh only
 b) Ludhiana only
 c) anywhere in India
d) either in Chandigarh or in Ludhiana.
 e) None of the above
114. On production of a certified copy of the foreign judgment, the presumption as to the competency of the court, under section 14 of Code of Civil Procedure, 1908 is a :-
 a) presumption of fact
 b) presumption of fact & law both
c) rebuttable presumption of law
 d) irrebuttable presumption of law
 e) None of the above
115. Under Section 199 of Code of Criminal Procedure, 1973, in a prosecution for defamation of the Vice President of India, Sessions Court may take cognizance of such offence without the case being committed to it, but only upon a complaint in writing made by _____
 a) The President of India
 b) Director General of Police
 c) District Magistrate
d) Public Prosecutor
 e) None of the above
116. Constitution Bench of Supreme Court in judgment 'Hardeep Singh Vs. State of Punjab', decided on 10.01.2014 settled controversy regarding law containing in section _____ of Code of Criminal Procedure, 1973 :-
 a) 125 b) 311
c) 319 d) 357
 e) None of the above
117. Which section of Indian Penal Code, 1860 makes sexual intercourse by husband upon his wife, during separation, without her consent, punishable ?
 a) 376-A **b) 376-B**
 c) 376-C d) 376-E
 e) None of the above
118. A alongwith his gang members B, C and D holds X down and fraudulently takes X's money and jewels from X's clothes without his consent. Out of the following, what offence A and his gang members committed under Indian Penal Code, 1860:-
 a) Extortion **b) Robbery**
 c) Dacoity d) theft
 e) None of the above
119. Who wrote the book 'The Argumentative Indian' ?
 a) Jhumpa Lahiri b) Shashi Tharoor
 c) **Amartya Sen** d) Vikram Seth
 e) None of the above
120. Which of the following statement(s) is/are incorrect in the context of Section 165 of Indian Evidence Act, 1872 regarding judge's power ?
 I) A Judge can ask any question he pleases, even irrelevant
 II) Judge may order production of any document or thing
 III) Any party has right to make any objection to such question or order
 IV) The parties have inherent right to cross examine witness upon said question/answer.
Answers:
 a) I and II b) II and III
 c) **III and IV** d) I and IV
 e) None of the above
121. Which of the following judgment, Supreme Court laid down the procedure regarding dealing with the objections as to the admissibility of the documents and other items of evidence ?
 a) Baldev Singh Vs. State of Punjab, (AIR 2009 SC 913)
 b) Balu Yadav Vs. State of Bihar, (AIR 1997 SC 2678)
 c) Chhotanney Vs. State of UP, (AIR 2009 SC 2013)
d) Bipan Chander Panchal Vs. State of Gujrat, (AIR 2001 SC 1158)
 e) None of the above
122. Which of the following Directive Principle of State Policy, directs the state to take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle ?
 a) 46 b) 47
 c) **48** d) 48-A
 e) None of the above

123. M agrees to pay N 10,000 rupees if two parallel lines should enclose a space. The agreement is:-
- a) Voidable at the instance of Promisee
 - b) Void because of uncertainty and ambiguity
 - c) Void because of future event
 - d) Void because of impossible event.**
 - e) None of the above
124. If an intestate deceased has left no heir qualified to succeed his property under Hindu Succession Act, 1956 the property shall, devolve on :-
- a) Orphan home
 - b) Charitable trust
 - c) Government**
 - d) All the above
 - e) None of the above
125. The headquarters of SAARC Secretariat is situated in :-
- a) Kathmandu**
 - b) Thimphu
 - c) Dhaka
 - d) Colombo
 - e) None of the above