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HPJS (Prelims)

**Previous Year Paper
(Criminal Law) Paper-III
2017**



DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE ASKED TO DO SO**TEST BOOKLET SERIES**

**TEST BOOKLET
PAPER III
CRIMINAL LAW**

B

Time Allowed : 1 Hour

[Maximum Marks : 100]

All questions carry equal marks.

INSTRUCTIONS

1. Write your Roll Number only in the box provided alongside. Do not write anything else on the Test Booklet.
2. This Test Booklet contains 50 items (questions). Each item comprises four responses (answers). Choose only one response for each item, which you consider the best/correct.
3. After the candidate has read each item in the Test Booklet and decided which of the given responses is correct or the best, he has to mark the circle containing the letter of the selected response by blackening it completely with ball point pen as shown below. In the following example, response "C" is so marked :



4. Do the encoding carefully as given in the illustrations. While encoding your particulars or marking the answers on answer sheet, you should blacken the circle corresponding to the choice in full and no part of the circle should be left unfilled. In the test ball point pen of black or blue ink is to be used as such you should be very careful while marking the responses. Double marking in the answer sheet will fetch zero mark. You may clearly note that since the answer sheets are to be scored/evaluated on O.M.R., any violation of the instructions may result in reduction of your marks for which you would yourself be responsible.
5. You have to mark all your responses ONLY on the ANSWER SHEET separately given to you. No erasing/correction fluid is allowed.
6. All items carry equal marks. Attempt *all* items. Your total marks will depend only on the number of correct responses marked by you in the Answer Sheet. There will be no negative marking.
7. Before you proceed to mark responses in the Answer Sheet, fill in the particulars in the front portion of the Answer Sheet as per the instructions sent to you.
8. After you have completed the test, hand over the Answer Sheet only to the Invigilator. You are permitted to take away with you the Test Booklet.

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CRIMINAL LAW

Time Allowed : 1 Hour]

[Maximum Marks : 100

1. A warrant case does *not* mean :
 - (A) an offence punishable with death
 - (B) an offence punishable for a term exceeding one year
 - (C) an offence punishable with life imprisonment
 - (D) an offence punishable with imprisonment for a term exceeding two years
2. Find out the INCORRECT statement :
 - (A) Every Court of Session shall be presided over by a Judge, to be appointed by the State Government
 - (B) In every State, the classes of Criminal Courts shall include Executive Magistrates
 - (C) The presiding officers of the Courts of Judicial Magistrates shall be appointed by the High Court
 - (D) Every Chief Judicial Magistrate shall be subordinate to the Session Judge; and every other Judicial Magistrate shall, subject to the general control of the Session Judge, be subordinate to the Chief Judicial Magistrate

3. When a private person may arrest any person under the provisions of the Code of Criminal Procedure ?

(A) If any person commits a bailable and non-cognizable offence

(B) If any person commits non-bailable and non-cognizable offence in his presence

(C) If any person commits a bailable and cognizable offence

(D) If any person commits non-bailable and cognizable offence in his presence

4. Which one of the following Sections of the Code of Criminal Procedure is not amended by the Criminal Law (Amendment) Act, 2013 ?

(A) Section 160

(B) Section 161

(C) Section 162

(D) Section 164

5. Which one of the following Courts shall take cognizance in case of Section 326B, IPC ?

(A) Court of any Magistrate

(B) Court of Session

(C) High Court

(D) Supreme Court

6. Who among the following is empowered for recording of confessions and statements under Section 164 of the Code of Criminal Procedure, 1973 ?

(A) The Superintendent of Police

(B) The Public Prosecutor

(C) The District Government Counsel (Criminal)

(D) Any Metropolitan Magistrate or Judicial Magistrate

7. Which one of the following parts is *not* an essential part of the prescribed form of the report made by a police officer on completion of investigation under Section 173 of the Code of Criminal Procedure, 1973 ?

(A) The nature of information

(B) The names of the parties

(C) Whether the accused has been arrested and released on his bond, if so, with or without sureties

(D) Whether during investigation the accused has been provided help of legal counsel, if so, particulars of the Counsel

8. Who among the following is authorized especially to empower any Magistrate of the second class to take cognizance of any offence under Chapter XIV of the Code of Criminal Procedure ?

(A) The Chief Justice of the High Court

(B) The Session Judge

(C) The Chief Justice of the Supreme Court

(D) The Chief Judicial Magistrate

9. How many offences of the same kind committed within a year may be charged together ?

(A) Not exceeding five (B) Not exceeding seven

(C) Not exceeding twelve (D) Not exceeding three

10. Any person, convicted on a trial held by a Magistrate of the second class, may Appeal to which one of the following Courts ?

(A) The High Court

(B) The Magistrate of the first class

(C) The Court of Session

(D) The Assistant Session Judge

11. When the prisoner is to be confined in a jail, the warrant shall be lodged with :

(A) Officer in charge of the police station

(B) The Executive Magistrate

(C) The Jailer

(D) The Public Prosecutor

12. Which one of the following may remit whole or any part of the punishment, if any person has been sentenced to punishment for an offence ?

(A) The appropriate Government, either Central or State Government
(B) The Supreme Court
(C) The High Court
(D) The Court of Session

13. The period of limitation, in relation to an offence, where the commission of the offence was not known to the person aggrieved by the offence, shall commence :

(A) from the date of actual commission of the offence
(B) from the first day of that month in which month such offence comes to the knowledge of such person
(C) from the first day on which such offence comes to the knowledge of such person
(D) from the date of lodging an FIR by aggrieved person for the offence

14. Which one of the following Sections of the Code of Criminal Procedure provides that an accused person shall be a competent witness for the charges of an offence made against him ?

(A) Section 312

(B) Section 313

(C) Section 314

(D) Section 315

15. Which one of the following Offences described under the IPC may be compounded by the person mentioned in the third column of the table given in Section 320(1) of the Code of Criminal Procedure, 1973 ?

(A) Bigamy

(B) Adultery

(C) Murder

(D) Rape

16. Which one of the following is a prescribed period of limitation for taking cognizance to the Court against the offence committed under Section 138 of the Negotiable Instruments Act, 1881 ?

(A) 60 days from the date of writing the cheque and if informed to the Court in writing only

(B) 90 days from the date of writing the cheque and if complaint made to the Court orally

(C) 15 days from the date of writing the cheque and if informed to the Court written or orally both

(D) 30 days from the date of cause of action arises if the complaint made in writing to the Court

17. Who among the following is empowered to take cognizance of any offence committed under Section 138 of the Negotiable Instruments Act, 1881 ?

(A) The Chief Managing Director of the Bank

(B) The Banking Ombudsman

(C) The Metropolitan Magistrate or Judicial Magistrate of the 1st Class

(D) The Executive Magistrate

18. What procedure of trial is provided to the Court against the matter related with penalties if comes under any Section of the Chapter XVII of the Negotiable Instruments Act, 1881 ?

(A) Session Trial
(B) Summary Trial
(C) Warrant Trial
(D) Summons Trial

19. In every trial, under Section 143 of the Negotiable Instruments Act 1881, an endeavour shall be made to conclude the trial :

(A) within six months from the date of filling the complaint
(B) within nine months from the date of filling the complaint
(C) within twelve months from the date of filling the complaint
(D) within one month from the date of filling the complaint

20. Which one of the following is *not* meant by the term 'Company' for the purpose of the Section 141 of the Negotiable Instruments Act, 1881 ?

- (A) A firm
- (B) Any body corporate
- (C) Any educational institute
- (D) Other association of individuals

21. Which one of the following is *not* included expressly in the meaning of the term "beer" given under the HP Excise Act, 2011 ?

- (A) Black beer
- (B) Ale
- (C) Brandy
- (D) Stout

22. Section 15 of the HP Excise Act, 2011 is relating to which one of the following provisions ?

- (A) Prohibition of manufacturing of the liquor
- (B) Prohibition of removal of liquor manufactured or stored
- (C) Prohibition of possession of liquor
- (D) Prohibition of liquor unlawfully manufactured, imported or transported

23. Who among the following is authorized for granting license for sale of liquor on specified place and its consumption at any public place under Section 23 of the HP Excise Act, 2011 ?

- (A) The Financial Commissioner only
- (B) The Collector only
- (C) The Excise Officer only
- (D) The Financial Commissioner or the Collector, as the case may be

24. Which one of the following Sections of the HP Excise Act, 2011 deals with 'power to withdraw the license etc.' ?

- (A) Section 29
- (B) Section 30
- (C) Section 31
- (D) Section 32

28. What is prescribed time-limit for completion of acquisition proceedings to inquire into, and determine, the existence, nature and extent of the rights of any person in or over the land comprised within the limits of the sanctuary notified ?

(A) One year from the date of notification

(B) Two years from the date of notification

(C) Three years from the date of notification

(D) Four years from the date of notification

29. Which one of the following Chapters of the Wildlife (Protection) Act, 1972 deals with the 'Protections of Specified Plants' ?

(A) Chapter II

(B) Chapter III

(C) Chapter III A

(D) Chapter IV

36. Who among the following was *not* member of the First Law Commission constituted to draft Penal Code ?

37. Which one of the following Justices of the Supreme Court has authored the judgment in *Suresh Kumar Koushal & Anr Vs. Naz Foundation & Ors* relating to the constitutionality of the Section 377, Indian Penal Code, 1860 ?

- (A) Justice G. Singhvi
- (B) Justice Jyoti Mukhopadhyaya
- (C) Justice Dipak Misra
- (D) Justice (Dr) D.Y. Chandrachud

38. Which one of the following Sections of the IPC defines its intra-territorial jurisdiction ?

(A) Section 4 (1)

(B) Section 4 (2)

(C) Section 2

(D) Section 3

39. 'Voyeurism' has been declared as an offence under the Indian Penal Code by which one of the following Criminal Law (Amendment) Acts ?

(A) The Criminal Law (Amendment) Act, 1983

(B) The Criminal Law (Amendment) Act, 2000

(C) The Criminal Law (Amendment) Act, 2005

(D) The Criminal Law (Amendment) Act, 2013

40. Which one of the following punishments is provided under the Indian Penal Code for voluntarily causing grievous hurt by use of acid etc. and thereby disfigures any part of body ?

- (A) Imprisonment which shall not be less than 10 years and which may extend to imprisonment for life and with fine
- (B) Imprisonment which may extend to 10 years and with fine
- (C) Imprisonment for life and with fine
- (D) Imprisonment which shall not be less than 7 years and which may extend to imprisonment for life and with fine

41. Which one of the following Sections of the IPC declares 'trafficking of a person' as an offence ?

- (A) Section 370 A
- (B) Section 369
- (C) Section 370
- (D) Section 371

42. While substituting new section for Section 375 of the Indian Penal Code by the Criminal Law (Amendment) Act 2013, how many exceptions are inserted in it ?

(A) One exception (B) Two exceptions
(C) Three exceptions (D) No exception

43. In which one of the following cases the Supreme Court has held unconstitutional to the section 303 of the IPC ?

(A) Aruna Ramachandra Shanbaug Vs. Union of India
(B) Gian Kaur Vs. State of Punjab
(C) Mitthu Singh Vs. State of Punjab
(D) Bachan Singh Vs. State of Punjab

44. Which one of the following cases is *not* related with Section 84, IPC ?

(A) Ashiruddin Ahmed Vs. King
(B) R Vs. Dudley & Stephens
(C) Dayabhai Chhaganbhai Thakkar Vs. State of Gujarat
(D) State of M. P. Vs. Ahmadulla

48. The case of S. Varadarajan Vs. State of Madras (AIR 1965 SC 945) is associated with which one of the following offences ?

(A) Kidnapping from India

(B) Kidnapping from Lawful Guardianship

(C) Kidnapping and Abducting to compel her for marriage

(D) Kidnapping and Abducting with intent secretly and wrongfully to confine

49. Which one of the following provisions of the punishment is provided to the accused of an offence of Affray ?

(A) Simple imprisonment which may extend to one year and no fine

(B) Rigorous imprisonment which may extend to one year and fine

(C) Only fine and no imprisonment

(D) Simple imprisonment which may extend to one year or fine or both

50. Match List-I with List-II and find out *correct* matches in the following ?

List-I

List-II

(A) A **dishonest** misappropriation of : No misappropriation within property for a time only the meaning of Section 403, IPC

(B) **Taking** away of movable property : Theft under Section 378, dishonestly without consent for a time only IPC

(C) An imputation in the form of an alternative or expressed ironically : No defamation under Section 499, IPC

(D) A **threat** to injury the reputation : No offence under Section of any **deceased** person in whom the person threatened is interested 503, IPC