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# **HPJS (Prelims)**

**Previous Year Paper  
(Criminal Law) Paper-III  
2019**



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T.B.C: HPJS(P)/2019

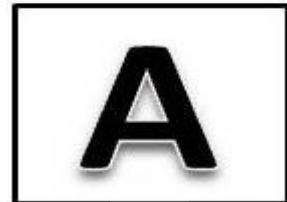
TEST BOOKLET SERIES

**TEST BOOKLET  
CRIMINAL LAW**

TIME ALLOWED: SIXTY MINUTES

MAXIMUM MARKS: 100

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**INSTRUCTIONS**

1. IMMEDIATELY AFTER THE COMMENCEMENT OF THE EXAMINATION, YOU SHOULD CHECK THAT THIS TEST BOOKLET DOES NOT HAVE ANY UNPRINTED OR TORN OR MISSING PAGE(S) OR ITEM(S), ETC. IF SO, GET IT REPLACED BY A COMPLETE TEST BOOKLET.
2. *Please note that it is the candidate's responsibility to encode and fill in the Roll Number, application No. and Test Booklet Series A, B, C or D carefully and without any omission or discrepancy at the appropriate places in the OMR Answer Sheet. Any omission / discrepancy will render the Answer Sheet liable for rejection.*
3. You have to enter your Roll Number on the Test Booklet in the Box provided alongside. DO NOT write anything else on the Test Booklet.
4. This Test Booklet contains 50 items (questions). Each item is printed in English. Each item comprises four responses (answers). You will select the response which you want to mark on the Answer Sheet. In case you feel that there is more than one correct response, mark the response which you consider the best. In any case, choose *ONLY ONE* response for each item.
5. You have to mark all your responses *ONLY* on the separate Answer Sheet provided. See directions in the Answer Sheet.
6. All items carry equal marks.
7. Before you proceed to mark in the Answer Sheet the response to various items in the Test Booklet, you have to fill in some particulars in the Answer Sheet as per instructions.
8. After you have completed filling in all your responses on the Answer Sheet and the examination has concluded, you should hand over to the invigilator *only the Answer Sheet*. You are permitted to take away with you the Test Booklet.
9. Sheet(s) for rough work are appended in the Test Booklet at the end.
10. There will be no penalty for wrong answers marked by the candidate.

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## CRIMINAL LAW

**TIME ALLOWED: 60 MINUTES**

**MAXIMUM MARKS: 100**

## List I

- (a) Attempt
- (b) Mens rea
- (c) Insanity
- (d) Common Intention

## List II

1. Girija Shankar v. State of U.P.
2. Dahyabhai Chhaganbhai Thakkar v. State of Gujarat
3. State of Maharashtra v. M.H. George
4. Koppula Venkat Rao v. State of Andhra

### Codes:

	A	B	C	D
(a)	1	2	3	4
(b)	4	3	2	1
(c)	3	4	1	2
(d)	1	3	4	2

(a) Lord Denman      (b) Lord Coleridge      (c) Lord Acton      (d) Justice Pollock

7. Section 153-AA has been inserted in the IPC 1860 by which of the following Criminal Law Amendment Act?

(a) Act of 2001      (b) Act of 2003      (c) Act of 2005      (d) Act of 2006

8. In which one of the following cases common intention and similar intention were differentiated?

(a) R. v. Prince      (b) R. v. Govinda  
(c) Mahboob Shah v. Emperor      (d) Barendra Kumar Ghosh v. Emperor

9. A denied food to his wife B for several days by keeping her confined in a room with an intention to accelerate her death. B ultimately managed to escape. In this case

(a) A is guilty of attempt to murder.  
(b) A is guilty of wrongful confinement  
(c) A is guilty of wrongful restraint  
(d) A is guilty of no offence

10. An Indian citizen murders an Australian citizen in Sydney 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 Australian Government

11. "A" meets a bullock carrying a box of treasure. He drives the bullock in a certain direction in order that he may dishonestly take the treasure. In this case "A" commits:

(a) Criminal misappropriation of property  
(b) No offence until the treasure is being taken away  
(c) Theft, as soon as the bullock begins to move  
(d) Criminal breach of trust

12. In which of the following cases, the Supreme Court held that legal and valid marriage is not a necessary ingredient to attract Section 498A of the Indian Penal Code?

(a) Reema Agarwal v. Anupam and others

- (b) Sushil Kumar Sharma v. Union of India and others
- (c) Arun Vyas v. Anita Vyas
- (d) None of the above

13. Every doctor is not responsible under Section 304 (A) of the Indian Penal Code 1860, for death of a person due to his negligent operation unless his intention is culpable. This has been laid down in:

- (a) Gyanendra v. State, 1972
- (b) Sarveshwar Prasad Sharma v. State, 1978
- (c) Jacob Mathew v. State of Punjab, 2005
- (d) Munna v. State (2005)

14. A intending to commit theft enters the house of B at night and removes from one of the rooms a box to the courtyard where he opens it. He does not find in the box anything worth taking and leaving the box there goes away. In this case:

- (a) A is liable only for house trespass
- (b) A is liable for theft
- (c) A has committed no offence
- (d) A is liable for house trespass and attempt to commit theft

15. "An act committed or omitted in violation of a public law forbidding or commanding it is crime." It has been said by:

- (a) J.F. Stephen
- (b) William Blackstone
- (c) Henry Maine
- (d) Kenny

16. In which of following case, prosecution witness was prosecuted for perjury?

- (a) Nitish Katara Case (2007)
- (b) Priyadarshini Matto Case (2006)
- (c) Jessica Lal Case (2007)
- (d) None of these

17. Power to direct tender of pardon under section 307 of the Code of Criminal Procedure is available to:

- (a) Any magistrate
- (b) The Committal court
- (c) The trial court
- (d) None of these

18. "High Court cannot directly entertain the bail application of POTA accused person without its refusal by special court." This was laid down by SC in:

- (a) State of Maharashtra v. S.K. Dhinde



25. Who can commute the sentence of imprisonment for life under CrPC?

(a) Appropriate Government (b) The President of India  
(c) The Governor of the State (d) The Home Minister of the State

26. If in a trial of a warrant case, the magistrate finds the accused not guilty, he shall:

(a) Discharge him (b) Acquit him (c) Convict him (d) Rehear the case

27. In the Code of Criminal Procedure, 1973, power of court to convert summons cases into warrant cases is available under:

(a) Section 254 (b) Section 259 (c) Section 262 (d) Section 263

28. How many minimum number of Judges of the High Court are required to sign the confirmation of death sentence?

(a) 3 (b) 4 (c) 2 (d) 5

29. The mandatory provision in relation to providing "medical treatment by all hospitals to victims of specific crimes free of cost and immediately" is provided in which section of the Code of Criminal Procedure, 1973?

(a) Section 357 A (b) Section 357 B (c) Section 357 C (d) Section 357

30. In which of the following case it was held that "Identity of victim is not to be disclosed even in judgment of the court"?

(a) Shashikant v. C.B. IAIR 2007 SC 351  
(b) Dinesh v. State of Rajasthan, AIR 2006 SC 1267  
(c) Naveen Chandra v. State of Uttarakhand AIR 2007 SC 363  
(d) None of the above

31. Provision contained in Section 141 creates a constructive liability on the person responsible for the conduct of the business of the company was laid down in:

(a) Laxmi Dyechem v. State of Gujarat  
(b) Mandvi Cooperative Bank Ltd v. Nimesh B Thakore  
(c) Standard Chartered Bank v. State of Maharashtra  
(d) S.V. Manzumdar v. Gujarat State Fertilizer Corporation Ltd.

32. Section 142A of the Negotiable Instruments Act, 1881 was inserted by:

(a) Act 26 of 2015, Sec. 4 (w.e.f. 15.6.2015)

(b) Ins. By Act 55 of 2002, Sec. 10 (w.e.f. 6.2.2003)  
(c) Ins. By act 66 of 1988.  
(d) None of the above

33. For the purposes of Explanation to Section 138 of the Negotiable Instruments Act, 1881 "Debt or other liability means  
(a) "a part debts" (b) "a legally enforceable debt or other liability  
(c) An existing debt (d) A future debt

34. Complaint under Section 138 of the Negotiable Instruments Act, 1881 must contain the following ingredients  
(a) That there is a legally enforceable debt  
(b) That the cheque was drawn from account of bank for discharge in whole or in part of any debt or other liability which presupposes a legally enforceable debt  
(c) Cheque so issued had been returned due to insufficiency of funds  
(d) All of the above

35. Section 145 of the Negotiable Instruments Act, 1881 deals with –  
(a) Cognizance of offences (b) Presumption in favour of holder  
(c) Offences by companies (d) Evidence on affidavit

36. Section 2 (j) of the Himachal Pradesh Excise Act, 2011 deals with the definition of –  
(a) "denatured" (b) "Medicinal preparations" (c) "Warehouse" (d) "export"

37. What is the penalty for unlawful production, manufacture, possession, import, export, transport, sale etc. under the Himachal Pradesh Excise Act, 2011 –  
(a) Imprisonment for a term which may extend to three years and with fine which may extend to two lakh rupees  
(b) Imprisonment which shall not be less than six months but which may extend to five years and fine which may extend to 50,000 rupees  
(c) Imprisonment for a term which may extend to five years and with fine which may extend to three lakh rupees  
(d) Fine of Rs.1,00,000/-

38. Section 79 of the Himachal Pradesh Excise Act, 2011 deals with –  
(a) Measures, weights and testing Instruments

- (b) Protection of Action taken in good faith
- (c) Power of Collector to take grants under his management or resell and recover deficiency
- (d) Penalty in lieu of confiscation

39. Chapter IX of the Himachal Pradesh Excise Act, 2011 deals with –

- (a) Appeal and Revision
- (b) General Provisions
- (c) Confiscation
- (d) Composition

40. License for sale in more than one district as provided under Section 28 of the Himachal Pradesh Excise Act, 2011 shall be granted by,

- (a) State Government only
- (b) Collector
- (c) Financial Commissioner only
- (d) Financial Commissioner after approval of the State Government

41. Section 2 (15) of the Wild Life (Protection) Act, 1972 defines

- (a) Collector
- (b) Dealer
- (c) Habitat
- (d) Manufacturer

42. Chapter III A of the Wild life (Protection) Act, 1972 deals with

- (a) Protected Areas
- (b) Recognition of Zoos
- (c) Protection of Specified plants
- (d) Prevention and detection of offences

43. The Time limit for completion of acquisition proceedings under Section 25 A of the Wild life (Protection) Act, 1972 is

- (a) Within a period of two years from the date of notification of declaration of sanctuary under Section 18
- (b) Within a period of six months from the date of notification of declaration of sanctuary
- (c) Within a period of three years from the date of notification of declaration of sanctuary under Section 18
- (d) Within three months of the date of notification of declaration of sanctuary



(d) Imprisonment for a term which is not less than 3 months but which may extend to six months, or fine of Rs.1000 or with both.

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