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# **HPJS (Prelims)**

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

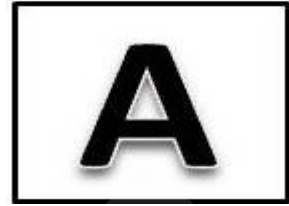


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T.B.C: HPJS(P)/2019

TEST BOOKLET SERIES

## TEST BOOKLET CRIMINAL LAW



TIME ALLOWED: SIXTY MINUTES

MAXIMUM MARKS: 100

### 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.

DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE TOLD TO DO SO

## CRIMINAL LAW

TIME ALLOWED: 60 MINUTES

MAXIMUM MARKS: 100

1. The Criminal (Amendment) Act, 2018 amended section 376 (1) (a) of the Indian Penal Code, 1860 increased the punishment for the offence of rape from 7 years to –  
(a) 8 years                      (b) 10 years                      (c) 12 years                      (d) 15 years
2. Which of the following cases is related to the defence on the ground of necessity?  
(a) R. v. Dudley and Stephen    (b) R. v. Lipman  
(c) R. v. Tolson    (d) D.P.P. v. Board
3. In which one of the following cases the "Wild beast test" was propounded?  
(a) Hadfield case              (b) Bowler's case              (c) Ferrer's case              (d) R. v. Arnold
4. Match list I and list II and select correct answer from the code given below:

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

5. Removal of ornaments from the body of one after causing his death constitutes an offence under Section:  
(a) 392 of the Indian Penal Code    (b) 379 of the Indian Penal Code  
(c) 420 of the Indian Penal Code    (d) 404 of the Indian Penal Code
6. "To preserve one's life is generally speaking a duty, but it may be the highest duty to sacrifice it". This observation was made in Queen v. Dudley and Stephens by:

- (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. Dhole

- (b) State of Gujarat v. Salim Bhai Abdul Guffor Shaikh  
 (c) State of Gujarat v. Santosh Kumar  
 (d) State of U.P v. S.N. Srivastava
19. Constitution Bench of Supreme Court in judgment "Hardeep Singh v. 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
20. The power to grant anticipatory bail under Section 438 Code of Criminal Procedure vests with:  
 (a) The Court of Magistrate  
 (b) Only in the Court of Sessions  
 (c) Only in the High Court  
 (d) Both the Court of Sessions and the High Court.
21. A refusal to answer questions put to a witness under Section 161 of the CrPC is an offence under:  
 (a) Section 176 of IPC    (b) Section 179 of IPC  
 (c) Section 187 of IPC    (d) Section 180 of IPC
22. A habitual offender may be asked to execute a Bond for his good behaviour for a period not exceeding:  
 (a) One Year                      (b) Two Years                      (c) Three Years                      (d) Four Years
23. As per the Amendment Act, 2008 of CrPC, the new definition that was inserted under Section 2 (wa) is of:  
 (a) Audio Video Electronic means    (b) Victim  
 (c) Victim Compensation    (d) Victim Compensation Scheme
24. As mentioned in section 300 (5) of the Code of Criminal Procedure, a person discharged under section \_\_\_\_\_ shall not be tried again for the same offence except with the consent of the court by which he was discharged or of any other court to which the first mentioned court is subordinate.  
 (a) 258                      (b) 239                      (c) 245                      (d) All of these

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 Uttaranchal 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

44. The National Tiger Conservation Authority means the Tiger Conservation Authority constituted under Section –  
(a) 38 K (b) 38 L (c) 38 F (d) 38 M
45. Section 38J of the Wildlife (Protection) Act, 1972 deals with  
(a) Constitution of Steering Committee  
(b) Prohibition of teasing etc. in a zoo  
(c) Annual Report  
(d) Offences by Companies
46. Section 2 (4A) of the Indian Forest Act, 1927 deals with the definition of  
(a) Forest offence (b) Owner (c) River (d) Tree
47. The power to impose duty on timber and other forest produce under Section 39 of the Indian Forest Act, 1927 vests in  
(a) The Central Government (b) The State Government  
(c) The Forest Settlement Officer (d) The Chief Conservator of Forests
48. Section 45 of the Indian Forest Act, 1927 deals with –  
(a) Certain kinds of timber to be deemed property of government until title thereto proved, and may be collected accordingly  
(b) Government and Forest Officers not liable for damage to forest produce at depot  
(c) Power to assume management of forests  
(d) Protection of forests at the request of owners
49. Formation of village forests are dealt by which of the following Section of the Indian Forest Act 1927  
(a) Section 20 (b) Section 28 (c) Section 36 (d) Section 45
50. Contravention of Acts prohibited under Section 26 of the Indian Forest Act, 1927 leads to a penalty of  
(a) Minimum imprisonment of one month which may extend to 2 years.  
(b) Imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.  
(c) Imprisonment for a term which may extend to two years or with fine which may extend to 1000 rupees or with both.

- (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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