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Manipur Police SI

**Previous Year Paper
(Criminal Law) Paper-III
2022**



LIMITED DEPARTMENTAL EXAMINATION, 2022

**IAS/MCS/JR. MCS
IPS/MPS
IFS/MFoS
SI/ ASI OF POLICE**

**(CRIMINAL LAW & PROCEDURE)
(With books)**

PAPER-I

Time Allowed: Two Hours

Maximum Marks: 100

I N S T R U C T I O N S

DO NOT OPEN THIS QUESTION BOOKLET SEAL UNTIL YOU ARE TOLD TO DO SO

1. Immediately after the commencement of the examination, you should check that this Test Booklet does not have any unprinted or torn or missing pages or items, etc. If so, get it replaced by a complete Test Booklet.
2. Write your Roll Number on the Test Booklet in the Box provided alongside.
3. This Test Booklet contains 100 items (questions). Each item comprises four responses (answers) written as **(A), (B), (C) and (D)**. You will select the response which you feel is correct and want to mark on the answer sheet.
4. You have to mark all your responses ONLY on the separate Answer Sheet provided. Also read the directions in the Answer Sheet. Fill in all the entries in the Answer Sheet correctly, failing which your Answer Sheet shall not be evaluated.
5. Count the number of questions attempted carefully and write it down in the space provided in the OMR Sheet. This has to be verified by the Invigilator before leaving.
6. 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 the Answer Sheet (in original). **You are permitted to take away 2nd Copy of OMR Answer Sheet and the Test Booklet.**
7. All items carry equal marks.
8. Candidature would be cancelled in case of non-compliance with any of these instructions.

There will be **NO PENALTY** for wrong answers.

1. The right to private defence is based on the natural instinct of
- self-preservation
 - self-respect
 - self-sufficiency
 - self-reliance
2. When a criminal act is done by several persons in furtherance of the common intention of all
- each of such person is liable for that act in the same manner as if it were done by him alone.
 - each of such person is liable for his own overt act
 - each of such person shall be liable according to the extent of his participation in the crime.
 - both (B) & (C)
3. To establish section 34 of IPC
- common intention be proved but not overt act be proved
 - common intention and overt act both be proved
 - common intention need not be proved but overt act be proved
 - all the above
4. Section 34 of IPC
- creates a substantive offence
 - is a rule of evidence
 - both (A) and (B)
 - neither (A) nor (B)
5. Illegal signifies
- everything which is an offence
 - everything which is prohibited by law
 - everything which furnishes ground for civil action
 - all the above
6. How many types of punishments have been prescribed under the Indian Penal Code?
- three
 - six
 - five
 - four
7. In the case of an offence punishable with fine only, imprisonment for non-payment of fine
- has to be rigorous
 - has to be simple
 - can be rigorous or simple
 - can be partly rigorous and partly simple
8. The maxim '*ignorantia juris non excusat*' means
- ignorance of law is no excuse
 - ignorance of fact is no excuse
 - ignorance of law is an excuse
 - ignorance of fact is an excuse
9. Section 82 of IPC provides that nothing is an offence which is done by a child under
- six years of age
 - seven years of age
 - nine years of age
 - ten years of age
10. Section 82 of IPC enunciates
- a presumption of fact
 - a rebuttable presumption of law
 - a conclusive or irrebuttable presumption of law
 - none of the above
11. Section 82 of IPC lays down the rule of
- wholly incapax
 - partially incapax
 - both (A) & (B)
 - neither (A) nor (B)
12. The maxim '*actus non facit rea nisi mens sit rea*' means
- crime has to be coupled with guilty mind
 - there can be no crime without a guilty mind
 - crime is the result of guilty mind
 - criminal mind leads to crime

13. In cases where the act involves a specific mens rea, in cases of intoxication under section 86 of IPC

- A. the existence of mens rea is presumed
- B. the existence of mens rea is not presumed
- C. the specific mens rea depends upon the attending circumstances & the degree of intoxication
- D. none of the above

14. The defense 'consent' applies to

- A. private wrongs
- B. public wrongs
- C. both (A) and (B)
- D. neither (A) nor (B)

15. Under section 99, the right of private defense is

- A. available at all against public servants engaged in the discharge of their lawful duties
- B. available under all circumstances against public servants engaged in the discharge of their lawful duties
- C. available against public servants only when their acts cause reasonable apprehension of death or grievous hurt
- D. available against public servants only when their acts cause reasonable apprehension of damage to property.

16. In cases of kidnapping & abduction the right of private defense extends voluntarily causing

- A. any harm other than death
- B. any harm other than death & grievous hurt
- C. any harm including death
- D. both (A) &(B)

17. Abetment under section 107 of IPC can be constituted by

- A. instigation
- B. conspiracy
- C. intentional aid
- D. all the above

18. Grave & sudden provocation is

- A. question of fact
- B. question of law
- C. mix question of fact & law
- D. a presumption under the law

19. A person who causes bodily injury to another who is laboring under a disorder, disease or bodily infirmity and thereby accelerates the death of that other, shall be deemed to have caused his death, by virtue of

- A. explanation I to section 299
- B. explanation I to section 300
- C. explanation II to section 299
- D. explanation III to section 299

20. Two ladies of young age, A & B fight with each other. A was having a blade with which 'A' inflicts injury on the face of B leaving a scar on the cheek of B. A is guilty of the offence of causing

- A. grievous hurt
- B. grievous hurt by rash or negligent act
- C. simple hurt
- D. simple hurt by rash or negligent act

21. Assault in order to outrage the modesty of a women is punishable

- A. under section 363 of IPC
- B. under section 354 of IPC
- C. under section 509 of IPC
- D. under section 511 of IPC

22. The word 'takes' in section 361 of IPC signifies

- A. taking by force
- B. taking by fraud
- C. physical taking
- D. all the above

23. 'A' puts 'Z' into fear of hurt & dishonestly induces 'Z' to sign a blank cheque & delivers it to A. 'A' is guilty of

- A. theft
- B. extortion
- C. robbery
- D. attempt to commit extortion

24. When in the committing of thief, hurt or wrongful restraint is cause to the person, the offence
- A. extortion
 - B. robbery
 - C. dacoity
 - D. theft only
25. Immovable property can be the subject matter of
- A. theft
 - B. extortion
 - C. robbery
 - D. dacoity
26. Preparation for the commission of a crime is
- A. punishable under the IPC
 - B. not punishable under the IPC
 - C. punishable when the propagation is with the intention of waging war against the Government of India or committing dacoity
 - D. not punishable when the preparation is with the intention of waging war
27. Section 511 does not apply in case of
- A. attempt a riot
 - B. attempt of murder
 - C. attempt of theft
 - D. attempt of affray
28. A woman ran to a well stating she would jump in it but she was caught before she could reach it. She is guilty of
- A. attempt to suicide
 - B. attempt to injure her
 - C. attempt to culpable homicide
 - D. no offence
29. Relevancy and admissibility under the Indian Evidence Act are
- A. synonymous
 - B. co-extensive
 - C. both (A) & (B)
 - D. None of the above
30. Under the Law of Evidence, as a general rule
- A. opinion whether on a matter of fact or law is irrelevant
 - B. opinion on a matter of law and not fact is relevant
 - C. opinion on both matter of fact and law is relevant
 - D. opinion on a matter of fact and not law is relevant
31. Law of Evidence is
- A. *lex talienis*
 - B. *lex fori*
 - C. *lex loci solutionis*
 - D. *lex situs*
32. Identification of a suspect by photo is
- A. admissible in evidence
 - B. not admissible in evidence
 - C. Section 8 of the Evidence Act excludes
 - D. None of the above
33. Alibi is governed by
- A. Section 9 of the Evidence Act
 - B. Section 19 of the Evidence Act
 - C. Section 11 of the Evidence Act
 - D. Section 21 of the Evidence Act
34. Section 14 of the Evidence Act makes relevant the facts which show the existence of
- A. any state of mind
 - B. any state of bodily feeling
 - C. both state of mind and bodily feeling
 - D. particular state of mind
35. Admission to be relevant
- A. must be made to the party concerned & not to a stranger
 - B. must be made to a stranger
 - C. it is immaterial to whom it is made and so admission made to a stranger is also relevant
 - D. None of the above

36. A confession made to a police officer is inadmissible under

- A. Section 15 of the Evidence Act
- B. Section 35 of the Evidence Act
- C. Section 25 of the Evidence Act
- D. Section 45 of the Evidence Act

37. Section 27 of the Evidence Act applies when the person giving information

- A. is not an accused and not in police custody
- B. is an accused and also in police custody
- C. is not an accused but in police custody
- D. All the above.

38. Confession of an accused is admissible against the other co-accused is provided under

- A. Section 20 of the Evidence Act
- B. Section 30 of the Evidence Act
- C. Section 40 of the Evidence Act
- D. None of the above

39. Under Section 32 of the Evidence Act, a statement of a person who is dead, to be admissible

- A. may relate to some other person's death also
- B. must relate to his own death only
- C. must relate to the accused statement
- D. both (A) & (B)

40. A Dying Declaration is admissible

- A. in criminal proceedings only
- B. in civil proceedings only
- C. both criminal proceedings as well as civil proceedings
- D. as specified under Indian Penal Code.

41. Facts which need not be proved by the parties include

- A. facts of which judicial notice has to be taken
- B. facts which have been admitted by the parties at or before the hearing
- C. facts which have been admitted but no judicial notice has to be taken
- D. both (A) & (B)

42. Oral account of the contents of a document is admissible

- A. when given by a person to whom the document was read over
- B. when given by a person who has seen and read the document
- C. when given by a person who has seen but not read the same
- D. All the above

43. Under which Section of the Evidence Act, admissibility of electronic record has been prescribed

- A. Section 22 A
- B. Section 45 A
- C. Section 65 B
- D. Section 85 B

44. Oral evidence of a fact invalidating the document is admissible

- A. under explanation 1 of Section 91 of the Evidence Act
- B. under explanation to Section 113 A of the Evidence Act
- C. under proviso 1 of Section 92 of the Evidence Act
- D. under proviso 6 of Section 92 of the Evidence Act

45. The test of ascertaining on which side the burden of proof lies is contained in

- A. Section 82 of the Evidence Act
- B. Section 94 of the Evidence Act
- C. Section 102 of the Evidence Act
- D. Section 104 of the Evidence Act

46. In criminal trials, the accused has to establish his plea mitigation or justification of an offence

- A. beyond reasonable doubt
- B. *prima facie*
- C. with justification
- D. None of the above

47. For presumption of death under the Evidence Act, the person is shown to be not heard for a period of

- A. 2 years
- B. 3 years
- C. 6 years
- D. 7 years

48. The deciding factor under Section 114 of the Evidence Act provides for

- A. certain presumption of law
- B. certain presumption of facts
- C. irrebuttable presumption of law
- D. All the above

49. The principle that possession is *prima facie* proof of ownership is contained in

- A. Section 90 of the Evidence Act
- B. Section 100 of the Evidence Act
- C. Section 110 of the Evidence Act
- D. Section 120 of the Evidence Act

50. Section 110 of the Evidence Act in its operation

- A. is limited to moveable property only
- B. is limited to immoveable property only
- C. is not limited to moveable property as well as immoveable property
- D. is not limited to immoveable property only but also applies to moveable property as well

51. An accomplice is

- A. is a competent witness against an accused
- B. is not a competent witness against an accused
- C. is a competent witness against the victim
- D. All the above

52. In the context of Section 112 of the Evidence Act, where there is a conflict between the conclusive proof as envisaged under law and a proof based on scientific advancement generally accepted to be true, which one will prevail over the other

- A. the conclusive proof as envisaged under law shall prevail
- B. the conclusive proof based on scientific advancement generally accepted to be true shall prevail
- C. both shall be treated at par
- D. All the above

53. Presumption

- A. is an evidence
- B. shows on whom the burden of proof lies
- C. is a proof
- D. All the above

54. The well settled law that the rule of prudence requires that the evidence of an accomplice should ordinarily be corroborated by some other evidence was held by Supreme Court in the case of

- A. Bablu Vs State of Rajasthan, AIR 2006 SC 115
- B. Francis Stanley Vs Intelligence Officer, AIR 2007 SC 794
- C. Syed Ibrahim Vs State of Andhra Pradesh, AIR 2006 SC 2908
- D. None of the above

55. Delhi High Court issued guidelines for the protection of witnesses in

- A. Best Bakery Case (2004)
- B. Naina Sahni Case (2007)
- C. Neelam Katara Case (2003)
- D. All the above

56. An accomplice is a person

- A. who participates in the commission of the crime
- B. who is a prefended confederate
- C. who is an informer
- D. All the above

57. Leading question can be asked during

- A. cross-examination
- B. examination-in-chief
- C. re-examination
- D. All the above

58. Court question under Section 165 of the Evidence Act can be put to

- A. any witness
- B. any party
- C. to the accused only and not the victim
- D. both (A) & (B)

59. An accused can be convicted on the basis of his extra-judicial confession only if it is made before

- A. any credible person
- B. police officer
- C. a Magistrate only
- D. None of the above.

60. Hostile witness is provided in the Evidence Act under

- A. Section 144
- B. Section 154
- C. Section 164
- D. Section 168

61. In which of the following cases the Supreme Court held that- *it is not absolute rule of law that dying declaration must be corroborated by other evidence before it can be acted upon*

- A. Bablu Vs State of Rajasthan, AIR 2006 SC 115
- B. Kaushal Rao Vs State of Bombay, AIR 1958 SC 22
- C. both (A) & (B)
- D. Neither (A) nor (B)

62. Which classification of offence comes under Criminal Procedure Code

- A. cognizable & non cognizable
- B. bailable & non bailable
- C. summons cases & warrant cases
- D. all the above

63. In a cognizable case under IPC, the police will have all the power to

- A. investigate except the power to arrest without warrant
- B. investigate including the power to arrest without warrant
- C. investigate and arrest without warrant only after seeking permission from the Magistrate
- D. investigate and arrest without warrant only after informing the Magistrate

64. A Magistrate has the power to direct the police to investigate into an offence in IPC under

- A. section 156(1) of Cr PC
- B. section 156(2) of Cr PC
- C. section 156(3) of Cr PC
- D. all of the above

65. A case which includes cognizable offences and non-cognizable offences is
- a cognizable case but requires sanction of the Magistrate for investigation into the non-cognizable part under section 155(2) of Cr PC
 - a cognizable case and as such the investigation of the case does not require any sanction of the Magistrate under section 155(2) of Cr PC
 - a non-cognizable case and as such the investigation of the case requires sanction of the Magistrate under section 155(2) of Cr PC
 - a non-cognizable case but does not require sanction of the Magistrate under section 155(2) of Cr PC
66. In a non-cognizable case, the accused
- can object to the grant of permission under section 155(2) of Cr PC as a matter of right
 - can object to the grant of permission under section 155(2) of Cr PC with the leave of the Magistrate
 - can object to the grant of permission under section 155(2) of Cr PC with the leave of the High Court
 - has no right to participate in the proceedings and cannot object to the grant of permission under section 155(2) of Cr PC
67. Leave to investigate into a non-cognizable offence can be granted by a
- Magistrate in any part of India
 - Magistrate in any part of the State
 - Magistrate having jurisdiction to try the case
 - Either (A) or (B) or (C).
68. Classification of summons case & warrant case
- is useful to determine the trial procedure to be adopted
 - is useful to determine the investigation procedure to be adopted
 - is useful to decide the question of issuance of process to the accused
 - (A) &(C) are correct
69. A proclamation under section 82 of Cr PC can be issued against whom a warrant has been issued. Thus, a proclamation can be issued against
- accused offender
 - a surety
 - a witness
 - all the above
70. A person who is required merely to produce a document(s) thing under section 91 of Cr PC
- has to attend personally to produce the document(s)/thing
 - can cause the document(s) /thing to be produced in the Court
 - either attend personally or cause the document(s) /thing produced in the Court
 - all the above
71. Search without warrant can be conducted under section 103 of Cr PC
- in the presence of the Magistrate who is competent to issue search warrant in respect of any place
 - in the presence of the Magistrate who is not competent to issue search warrant in respect of any place
 - both (A) &(B)
 - neither (A) nor (B).
72. The power to direct investigation under section 156(3) of Cr PC can be exercised by
- Magistrate
 - Session Judge
 - both (A) and (B)
 - either (A) or (B)
73. Under section 159 of Cr PC, a preliminary inquiry into the commission of offence can be conducted
- by the Magistrate having jurisdiction to take cognizance
 - by any Magistrate subordinate to the Magistrate having jurisdiction, under the orders of such Magistrate
 - by the police
 - both (A) & (B)

74. A trial on a police report initiate by the breach of the mandatory provision relating to investigation,
- is vitiated and liable to be set aside
 - is not vitiated and cannot be set aside unless the illegality in the investigation can be shown to have brought about a miscarriage of justice
 - is not vitiated and cannot be set aside all
 - either (A) or(B)
75. FIR can be given by accused also. If FIR is given by the accused, the same can be used
- for corroboration of accused
 - for contradiction of the accused
 - as an admission if the same in non-confessional
 - against the accused as confession
76. Section 162 of Cr PC provide that
- the statement made by a person to the police officer during investigation and reduce the writing, shall be signed by the person making the statement
 - the statement made by a person to the police officer during investigating and reduced to writing, may not be signed by the person making the statement
 - no statement made by a person to the police officer during investigation and reduced to writing shall be signed by the person making the statement
 - statement made by a person to the police officer during investigation and reduced to writing shall be signed by the person making the statement only if the police officer has obtained prior permission of the court to obtain signature thereon.
77. The word 'statement' within the meaning of section 162 of Cr PC, means
- narration
 - sign and gestures
 - both (A) and (B)
 - neither (A) nor (B)
78. Where the police submit a final report under section 173 of Cr PC, to a Magistrate, the Magistrate is
- bound by the conclusion drawn by the police and not order re-investigation
 - not bound by the conclusion drawn by the police and not order re-investigation, or issue process.
 - bound by the conclusions drawn by the police and has to issue process
 - both (A) and (C)
79. Under section 172 of Cr PC, it is mandatory for every investigating officer to maintain a case diary. The said case can be used, during trial
- by the court
 - by the police officer making a statement during trial to refresh his memory
 - by the accused to a very limited extent
 - all the above
80. For the purpose of computation of period of 90 days or 60 days as the case may be, for the purpose of section 167(2) of Cr PC
- the day of the arrest of the accused has to be excluded
 - the day on which the accused was remanded is to be excluded
 - the day of arrest of the accused and the day on which the accused was remanded, if different, both have to be excluded
 - the day of arrest of the accused only has to be excluded and the day on which the accused was remanded, even if different, cannot be excluded.
81. Maintenance under section 125 of Cr PC can be claimed
- by a legally wedded wife during the subsistence of marriage
 - by a divorced wife who has not remarried
 - both (A) and (B)
 - neither (A) nor (B)

82. The provisions of section 195 of Cr PC are
- directory, being procedural
 - discretionary, depending on the facts and circumstance of the case
 - optional for the court
 - mandatory
83. Section 210 of Cr PC provides for
- stay of police investigation
 - stay of proceedings in complaint case
 - both (A) & (B)
 - neither (A) nor (B)
84. In case of merger of the complaint with the police report the procedure to be followed for the trial
- shall be of the complaint case
 - shall be of the case instituted on the police report
 - shall be of both as per convenience during the trial
 - shall be the one as directed by the Magistrate
85. In a non-bailable offence triable by a Magistrate application for bail under section 437 of Cr PC can be moved before the Court of
- Magistrate competent to try & entertain the case
 - Chief Judicial Magistrate or additional Chief Judicial Magistrate
 - Court of Sessions
 - Only (A) &(C)
86. Section 438 of Cr PC can be invoked
- in cases of non-bailable offences
 - in case of bailable offence
 - both (A) & (B)
 - neither (A) nor (B)
87. The forms in which the charges may be framed are set forth in
- section 211 of Cr PC
 - section 214 of Cr PC
 - 1st Schedule of Cr PC
 - 2nd Schedule of Cr PC
88. Due to non-framing of charge, or due to any error, omission or irregularity in the charge, finding, sentence or any order by the court of competent jurisdiction
- shall be invalid always
 - shall be valid generally
 - shall be invalid only when in fact it has occasioned failure of justice
 - both (b) & (c)
89. During inquiry or trial, the accused is remanded to custody
- under section 167(1) of Cr PC
 - under section 167(2) of Cr PC
 - under section 309(1) of Cr PC
 - under section 309(2) of Cr PC
90. In a summons case, instituted on a complaint, the accused having been summoned is liable to be acquitted under section 256 of Cr PC
- on account of death of the complainant
 - on account of non-appearance of the complainant
 - both (A) & (B)
 - neither (A) nor (B).
91. Under section 315 of Cr PC
- an accused cannot be a witness
 - an accused can be compelled to give his own evidence generally
 - an accused can be called as a witness only on his own request in writing
 - either (A) or (B)
92. The Special Court is
- not subordinate to High Court
 - is subordinate to High Court
 - superior to High Court
 - supplement to High Court
93. Provision relating to plea bargaining comes under which Chapter in Criminal Procedure code
- XXI
 - XXA
 - VIIA
 - XXIA

94. The term "victim" is defined under
- A. section2(w) of the CrPC (Amendment) Act, 2008
 - B. section2(wa)of the CrPC (Amendment) Act, 2008
 - C. section2(u)of the CrPC (Amendment) Act, 2008
 - D. none of the above
95. 'Wrongful loss' means
- A. loss by unlawful means of property which the person losing it, is legally entitled
 - B. loss by unlawful means of property which the person losing it is not legally entitled
 - C. loss by lawful means of property which the person losing is not legally entitled
 - D. all the above
96. FIR can be lodged by the following person
- A. Victim
 - B. Aggrieved person
 - C. Accused person
 - D. Any one of them
97. Under the Code of Criminal Procedure "Petty Offence" means
- A. Any offence punishable with fine only
 - B. Any offence punishable under the Motor Vehicle Act
 - C. Any offence punishable only with fine not exceeding one thousand rupees
 - D. None of the above.
98. Withdrawal of complaint, results in the:
- A. Discharge of the accused in cases where the charge has not been framed
 - B. Acquittal of the accused where the charge has been framed
 - C. Acquittal of the accused irrespective of whether the charge has been framed or not
 - D. None of the above.
99. 'A' is a 17 year old daughter of 'B'. 'C' without consent of 'B' takes 'A' for a tour of Moreh. 'C' has committed the offence of:
- A. Abduction
 - B. Kidnapping
 - C. Wrongful confinement
 - D. Wrongful restraint
100. The Term "Proclaimed Offender" includes
- A. Any person proclaimed as an offender by any court or authority in any territory in India to which criminal procedure code does not extend, in respect of any act which if committed in the territories to which criminal procedure code exceeds
 - B. Any person proclaimed as an offender under foreign criminal laws
 - C. Any person who has escaped from a jail in India
 - D. None of the above