



Teachingninja.in



Latest Govt Job updates



Private Job updates



Free Mock tests available

Visit - teachingninja.in

Bombay HC District Judge

**Previous Year Paper
21 Jul, 2019**



QUESTION BOOKLET

DJ-2019

Booklet Series

A

Booklet No.

Date: 21st July, 2019

Total Questions: 100

Time : 90 minutes.

Total Marks : 200

INSTRUCTIONS

1. The booklet contains 100 questions. All questions carry equal marks.
2. Immediately on receiving the question booklet, the candidate should check that the booklet does not have any unprinted or torn or missing pages or items, etc. If it is so found, the candidate should get it replaced by a complete Booklet. Question booklet will not be replaced after marking answers in answer-sheet.
3. Encode clearly the booklet series A,B,C or D, as the case may be, and indicate the series of question booklet, by completely shadowing the appropriate circle, **by black ink ball pen**, in the appropriate place in the answer-sheet. Any failure to shadow the appropriate circle will result in non evaluation of the answer-sheet.
4. If a candidate shadows the circle in the answer sheet which does not match the series of his/her question booklet, no marks will be allotted to such answer-sheet.
5. The candidate shall enter his Roll number on the Booklet in the box provided alongside.
6. The candidate has to mark his choices **Only** on the separate answer-sheet provided for the same. Please see instructions on last page of the answer-sheet.
7. Penalty for wrong answer:
There will be penalty for wrong answers marked by candidate.
 - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, **one fourth** of the marks assigned to that question (0.50) will be deducted as penalty.
 - (ii) If a candidate gives more than one answer, it will be treated as a wrong answer, even if one of the given answers happens to be correct and there will be same penalty as above to that question.
 - (iii) If a question is left blank, i.e., no answer is given by the candidate, there will be no penalty for that question.

5. Assertion(A): An adjudication not fulfilling the requisites of section 2(2) of Code of Civil Procedure cannot be said to be a decree.
- Reason(R): By a legal fiction, certain orders and determinations are deemed to be decrees under the Code.
- Both 'A' and 'R' are true and 'R' is the correct explanation of 'A'.
 - Both 'A' and 'R' are true but 'R' is not the correct explanation of 'A'.
 - 'A' is true but 'R' is false.
 - 'A' is false but 'R' is true.
6. 'A' is accused of receiving stolen goods knowing them to be stolen. It is proved that he was in possession of a particular stolen article. In view of the provisions of the Indian Evidence Act, the fact that, at the same time he was in possession of many other stolen articles, is relevant, as it tends to show his_____.
- knowledge that each and all the articles of which he was in possession, to be stolen .
 - intention of committing theft as found in possession of stolen articles.
 - motive to commit theft as found in possession of stolen articles.
 - none of the above.
7. A plaint can be returned for presentation before proper Court_____.
- only before filing the written statement.
 - before settlement of issues.
 - before evidenced is recorded.
 - at any stage of the suit.
8. 'A' promises 'B' to drop a prosecution which he has instituted against 'B' for robbery, and 'B' promises to restore the value of things taken.
- Agreement is valid since it is benefited to both the parties.
 - Agreement is void.
 - Agreement is voidable at the option of A.
 - Agreement is voidable at the option of B.

9. A prosecution witness was given up by the prosecution. The defence cited him as a witness. During the cross-examination the prosecutor tried to use his former statement recorded under section 161 Code of Criminal Procedure to contradict him. The defence raised serious objection. Decide from the following:
- Prosecution can use such statement of the witness recorded under section 161 Code of Criminal Procedure to contradict him as he is now defense witness.
 - Prosecution cannot use such statement of the witness recorded under section 161 Code of Criminal Procedure to contradict him.
 - Prosecution can use such statement of the witness recorded under section 161 Code of Criminal Procedure to contradict him but only with the permission of the Court.
 - None of the above.
10. Who may apply for rectification of instrument?
- Either party or his representative in interest may institute a suit to have the instrument rectified.
 - The plaintiff, in any suit in which any right arising under the instrument is in issue, claim in his pleading that the instrument be rectified.
 - A defendant in any suit in which any right arising under the instrument is in issue, in addition to any other defence open to him.
 - All of the above.
11. Which of the following is **incorrect** with reference to the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015?
- The claim of Juvenility may be raised at any time even after the final disposal of the case.
 - A child in conflict with law, aged 15 years, shall not suffer disqualification if any attached to a conviction of an offence.
 - Heinous offences includes the offences for which minimum punishment under the Indian Penal Code or any other law for the time being in force is imprisonment for ten years or more.
 - none of the above.

12. Who is a minor under section 4(a) of The Hindu Minority and Guardianship Act, 1956?
- a. One who has not completed the age of 18 years.
 - b. One who has not completed the age of 19 years.
 - c. One who has not completed the age of 21 years.
 - d. One who has not completed the age of 22 years.
13. With reference to the Indian Contract Act, 'Novation' means_____.
- a. Substitution of one creditor for another by operation of law.
 - b. Merger of two contracts.
 - c. Renewal of lapsed contract.
 - d. Substitution of new contract in place of old contract.
14. In which of the following cases, did the Supreme Court direct the Law Commission to review the law on rape?
- a. Delhi Domestic Women's Forum v. Union of India.
 - b. Sakshi v. Union of India.
 - c. Vishakha's case.
 - d. Sarala Mudgal's case.
15. Article 39-A of the Constitution of India pertains to_____.
- a. equality before law.
 - b. equality of opportunity in matters of public employment.
 - c. equal justice and free legal aid.
 - d. right of minorities to establish and administrate educational institutions.
16. Which of the following is **incorrect**?

A person other than a police officer or an officer of an Investigating agency or other law enforcement authority can make request for previous sanction for taking cognizance by the Court of any offences punishable u/s. 7, 11, 13 and 15 of the Prevention of Corruption of Act, 1988, unless -

- a. such person has filed a complaint in a competent Court about the alleged offences against the public servant sought to be prosecuted.
- b. the Court has directed the complainant to obtain the sanction for prosecution against the public servant for further proceeding.
- c. the appropriate government or the competent authority provides an opportunity of being heard to the concerned public servant before according sanction to prosecute such a public servant.
- d. None of the above.

17. Which of the following is **incorrect**?

As per the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989,

- a. even the dependent of atrocity victim has right to be heard in respect of bail, discharge of an accused.
- b. all proceedings relating to offences under this Act shall be video recorded.
- c. the atrocity victim has right to take assistance from non government organizations, social workers.
- d. none of the above.

18. After the commencement of the Maharashtra Rent Control Act, 1999, a landlord shall be entitled to increase of _____ percent per annum in the rent of the premises let out for residence or business.

- | | |
|------|-------|
| a. 4 | b. 5 |
| c. 6 | d. 10 |

19. Under Hanafi Law of Inheritance, who among the following is entitled to get the first prescribed share of the estate of the deceased property, after payment of his funeral expenses, debts and legacies?

- | | |
|---------------------|-----------------------|
| a. Sharers. | b. Residuaries. |
| c. Distant Kindred. | d. None of the above. |

20. Where a right of way has been peaceably and openly enjoyed over the Government property by any person claiming title thereto, as an easement and as of right, without interruption, and for _____ years. The right, to such access, shall be absolute.
- Twelve
 - Twenty
 - Thirty
 - Ten
21. The principle of criminal liability '*Actus non facit reum nisi mens sit rea*' means?
- The act alone does not amount to guilt; unless accompanied by a guilty mind.
 - Mens rea alone is punishable whether followed by actus reus, or not.
 - Actus reus without mens rea is punishable.
 - None of the above.
22. On the day of incident, myself along with B and C assaulted X and Y with swords. We ran away from the spot of incident with weapons. I have hidden swords under the bridge on national high way near Nasik. I will show you the place. We did all this at the instigation of 'Z.' From the above passage, which of the following is admissible under Section 27 of the Indian Evidence Act?
- We all assaulted X and Y with swords at the instigation of Z.
 - We all ran away from the spot with weapons.
 - I have hidden swords under the bridge on national high way near Nasik. I will show you the place.
 - All of the above.
23. "Specified Value" in relation to a commercial dispute under the Commercial Courts Act, 2015 shall not be less than _____ rupees.
- three lakh
 - ten lakh
 - fifty lakh
 - one crore

24. 'A' applies to a banker for a loan at a time when there is stringency in money-market. The banker declines to make the loan except at an unusually high rate of interest. 'A' accepts the loan on these terms.
- The contract between 'A' and 'B' was _____.
- vitiated by undue influence that 'B' had exercised over 'A' due to stringent market position.
 - void as the rate of interest being very high was unconscionable.
 - voidable at the option of 'A', as agreement is caused by undue influence.
 - valid as the transaction is in the ordinary course of business, and not induced by undue influence.
25. Any offence which includes cheating may, if the deception is practised by means of letters or telecommunication messages, be inquired into or tried by any Court within whose local jurisdiction, _____.
- such letters or messages were sent.
 - such letters or messages were received.
 - either 'a' or 'b'.
 - where the complainant resides.
26. In the State of Maharashtra, the application for registration of partnership firm (a statement in the prescribed form) has to be sent to the Registrar within _____.
- six months of its constitution.
 - a period of one year of its constitution.
 - a period of three years of its Constitution.
 - it may be done at any time after its formation.
27. 'X' and 'Y' have 'A' as their mother but their fathers are different, their relationship is _____.
- full Blood.
 - half Blood.
 - uterine blood.
 - none of the above.

28. A right of way annexed to A's house over B's land. This is a _____ easement.
- apparent
 - non apparent
 - continuous
 - discontinuous
29. Which of the following case established the natural guardian status to mothers of minor children?
- Mary Roy's Case.
 - Sarala Mudgal Case.
 - Geetha Hariharan's Case.
 - None of the above.
30. If the substance of a Statute is in reality beyond the competence of the legislature, the veil that covers it, will not save it. It is called _____.
- Doctrine of severability.
 - Doctrine of eclipse.
 - Doctrine of pith and substance.
 - Doctrine of colourable legislation.
31. Which of the following is **incorrect**?
- A commercial organization can be punished with fine for an offence under the Prevention of Corruption Act relating to bribing a public servant.
 - When it is proved that such offence has been committed by commercial organization with a consent of any Director, Manager or other Officer, such person shall be also liable for imprisonment.
 - The Prevention of Corruption Act, 1988 did not provide for punishment for abetment of any offence punishable under this Act.
 - None of the above.
32. With reference to the Maharashtra Rent Control Act, 1999, which of the following is **incorrect**?
- In Brihan Mumbai a decree of a Small Causes Court, Mumbai, an appeal shall lie to a bench of two Judges of the Court of Small Causes.
 - No appeal shall lie, against the order made upon an application by a tenant for restoration of essential supply to the rented premises.

38. Abhay a grand son, owes Rs.10,00,000/- to his Grand father B. But this debt has become barred by the Limitation Act. Abhay signs a unregistered written promise to pay Rs. 5,00,000/- on account of the debt. Which of the following is correct?
- a. There is no contract as the debt is already barred by limitation and so it cannot be revived by a subsequent promise.
 - b. There is no contract because Abhay has promised to give only a part of the debt.
 - c. This is a enforceable contract as it is made on account of natural love and affection between parties standing in a near relation to each other.
 - d. This is a enforceable contract as Abhay has given written promise to pay part of debt.
39. When an offence is committed outside India by a citizen of India, whether on the high seas or elsewhere, he can be tried at _____.
- a. any Court in India.
 - b. Delhi only.
 - c. any place within India at which he may be found.
 - d. where the victim resides in India.
40. Who can adopt by virtue of the provisions of the Hindu Adoption and Maintenance Act?
- a. Male and female Hindu can adopt a son or daughter.
 - b. Male Hindu can adopt, only a son.
 - c. Female Hindu can adopt, only a daughter.
 - d. Either 'b' or 'c'.
41. An easement is suspended when _____.
- a. the dominant owner becomes entitled to possession of the servient heritage for a limited interest therein.
 - b. When the servient owner becomes entitled to possession of the dominant heritage for a limited interest therein.
 - c. When servient owner dies.
 - d. either 'a' or 'b'.

46. 'X' owed 'Y' a number of lawful debts among which there was a promissory note for Rs. 10,000/- which had become barred by limitation on 1st June. On 2nd June, 'X' sent 'Y' a sum of Rs. 5000/- without any instruction as to its appropriation. There was no debt due from 'X' of that amount Rs. 5000/-. Can 'Y' appropriate the payment of Rs. 5000/- against the promissory note for Rs. 10,000/- referred above?
- Yes.
 - No, 'Y' should appropriate the payment only against the debt due from 'X', which is not barred by limitation.
 - No, 'Y' should seek clarification from 'X' as to the debt against which the payment should be appropriated.
 - No, as no payment can be appropriated against a debt barred by limitation.
47. Which of the following is **incorrect** ?
- Under section 202 Code of Criminal Procedure, Magistrate may inquire into the case himself.
 - Under section 202 Code of Criminal Procedure, Magistrate may direct an investigation by police.
 - Under section 202 Code of Criminal Procedure, Magistrate may direct an investigation by a person other than a police officer.
 - None of the above.
48. Prior to amendment of 2005 to the Hindu Succession Act, a common male ancestor of a joint family and his sons, grandsons and great grandsons would constitute a _____.
- cognate.
 - coparcenary.
 - agnate.
 - none of the above.
49. Judicial review means _____.
- the power of the Courts to examine the constitutionality of legislative and executive acts.
 - power of the Supreme Court to examine the decisions of the High Courts.
 - power of Courts to punish for their contempt.
 - power to entertain public interest litigation.

50. A person was prosecuted under section 292 of the Indian Penal Code, for selling an obscene book. The accused pleaded that although he sold the book, he had no knowledge of the contents of the book and hence did not have the necessary *mens rea*. In this case, _____.
- a. in absence of mens rea the accused is not guilty .
 - b. accused is guilty of offence.
 - c. no offence under IPC is made out.
 - d. none of the above.
51. In which of the following cases an evidence given by a witness in a judicial proceeding is relevant for the purpose of proving, in a subsequent judicial proceeding, or in a later stage of the same judicial proceeding, the truth of the facts which it states.
- a. Where the witness is dead or cannot be found.
 - b. Where the witness is incapable of giving evidence, or is kept out of the way by the adverse party.
 - c. Where presence of the witness cannot be obtained without an amount of delay or expense which, under the circumstances of the case, the Court considers unreasonable.
 - d. All of the above.
52. In absence of any order under Order XXI, Rule 33 of Code of Civil Procedure, the decree in which mode of enforcement is limited to attachment of property is _____.
- a. decree for payment of money.
 - b. decree for an injunction.
 - c. decree for restitution of conjugal rights.
 - d. decree for specific performance of contract.
53. 'A' and 'B' executed a note, where 'A' agreed to reimburse 'B' to the extent of Rs. 1,000/- on occurrence of loss. It is _____.
- a. a contract of indemnity.
 - b. a bailment.
 - c. only an undertaking without liability.
 - d. a pledge.

54. Any Court may alter or add to any charge at any time before the _____.
a. evidence is started.
b. evidence is closed.
c. recording statement of accused.
d. judgment is pronounced.
55. The 'property' mentioned in section 14 of the Hindu Succession Act, 1956 include property acquired by a female Hindu _____.
a. by inheritance or devise. b. at a partition.
c. in lieu of maintenance. d. all of the above.
56. What is meant by 'Court of Record' under the Constitution of India?
a. The Court which has powers to issue writs.
b. The Court which has power to punish for its contempt.
c. The Court that maintain records of all subordinate Courts.
d. The Court which has powers to direct the subordinate Courts to record evidence.
57. A person is said to cause an effect _____ when he causes it by means whereby he intended to cause it, or by means which, at the time of employing those means, he knew or had reason to believe to be likely to cause it.
a. wrongfully b. intentionally
c. dishonestly d. voluntarily
58. With reference to Section 36 of the Indian Evidence Act, which of the following maps is **not** relevant?
a. Published maps or charts generally offered for public sale.
b. Maps or plans made under the authority of the Central Government.
c. Maps or plans made under the authority of State Government.
d. None of the above.

59. A judgment-debtor who was detained in civil prison for non payment of decree debt was released on the expiry of the period of detention ordered by the Court?
- He is discharged from the debt.
 - He is not discharged from the debt.
 - He is liable to be re-arrested for the same debt.
 - He is not liable to be arrested for any debt.
60. 'A' becomes surety to 'C' for B's conduct as a manager in C's bank. Afterwards 'B' and 'C' contract without A's consent that B's salary shall be raised and that he shall become liable for one fourth of the losses on overdrafts. 'B' allows a customer to overdraw and bank loses a sum of money.
- 'A' is liable for to make the loss being surety.
 - 'A' stand discharged as surety.
 - In case of failure of 'C' to pay the amount, 'A' is liable to pay.
 - Either 'a' or 'c'.
61. Under Section 218(1) of the Code of Criminal Procedure, a magistrate may try together all or any number of the charges framed against an accused on an application by the _____.
- public prosecutor.
 - accused.
 - Advocate General.
 - victim.
62. Section 34 of the Indian Penal Code, _____.
- embodies a rule of procedure.
 - embodies the principle of equity.
 - it is only a rule of evidence and does not create a substantive offence.
 - provides for strict liability.

63. In which of the following cases can evidence be given as to the general result of the documents by any person who has examined them, and who is skilled in the examination of such documents?
- When the existence, condition or contents of the original have been proved to be admitted in writing by the person against whom it is proved or by his representative in interest.
 - When the original is of such a nature as not to be easily movable.
 - When the original is a public document within the meaning of Section 74.
 - When the originals consist of numerous accounts or other documents which cannot conveniently be examined in Court, and the fact to be proved is the general result of the whole collection.
64. With reference to section 11 of the Code of Civil Procedure, the expression 'former suit' shall denote a suit_____.
- which has been instituted prior to the suit in question.
 - which has been decided prior to the suit in question.
 - which has been instituted and decided prior to the suit in question.
 - Which has been instituted subsequent to the filing of the suit in question.
65. In absence of any fraud or willful wrong, for the acts of sub-agent, lawfully appointed,_____.
- the sub-agent is not responsible to anyone.
 - the sub-agent is responsible to the principal directly.
 - the agent is responsible to the principal.
 - the agent is not responsible to the principal.
66. In view of Section 228 of Code of Criminal Procedure, the Sessions Judge is of opinion that there is ground for presuming that the accused has committed an offence which is not exclusively triable by the Court of Session, he may, by order, transfer the case for trial to the Chief Judicial Magistrate, or any other Judicial Magistrate of the First Class,_____.
- after framing a charge.
 - before framing a charge.
 - after committal of case, he has to try it.
 - at any stage of trial.

67. If the offence is punishable with fine only, what is the maximum period of imprisonment that can be awarded for non-payment of fine when the amount of the fine does not exceed one hundred rupees?
- a. Two months.
 - b. Three months.
 - c. Four months.
 - d. Six months.
68. If a contract is contained in several letters,_____.
- a. all the letters in which it is contained must be proved.
 - b. any one of the letters in which it is contained may be proved.
 - c. contract can be proved only by proving the agreement and not by letters.
 - d. none of the above.
69. If the original suit is dismissed,_____.
- a. the counter claim shall be dismissed.
 - b. counter claim will fail for want of prosecution of original suit.
 - c. counter claim may be proceeded with.
 - d. counter claim may continue but only subject to the consent of Plaintiff in original suit.
70. 'B', the proprietor of a newspaper, publishes, at A's request, a libel upon 'C' in the paper, and 'A' agrees to indemnify 'B' against the consequences of the publication, and all costs and damages of any action in respect thereof. 'B' is sued by 'C' and has to pay damages, and also incurs expenses. Decide in the light of Section 224 of the Indian Contract Act, 1872.
- a. 'A' is not liable to 'C' upon indemnity.
 - b. 'A' is liable to 'B' upon indemnity.
 - c. 'A' is not liable to 'B' upon the indemnity.
 - d. None of the above.

71. To discharge an accused under section 245 of the Code of Criminal Procedure, the Magistrate has to consider,_____.
- whether a *prima facie* case is made out or not.
 - whether the charges are groundless or not.
 - whether any case against the accused is made out, which, if un-rebutted, would warrant his conviction or not.
 - none of the above.
72. Under Section 72 of the Indian Penal Code, in all cases in which judgment is given that a person is guilty of one of several offences specified in the judgment, but that it is doubtful of which of these offences he is guilty, the offender,_____.
- shall be punished with aggregate punishment of not exceeding seven years for all offences together.
 - shall be punished for the offence for which the lowest punishment is provided if the same punishment is not provided for all offences.
 - shall be punished for the offence for which the highest punishment is provided if the same punishment is not provided for all offences.
 - either 'b' or 'c' at the discretion of the Court.
73. What is the sentence which can be imposed by a Court while allowing an application for plea bargaining in case, where a minimum sentence is prescribed for the offence in the statute?
- Minimum sentence prescribed in the statute.
 - Half of such minimum sentence prescribed in the statute.
 - One-fourth of such minimum sentence prescribed in the statute.
 - At the discretion of the Court in the facts and circumstances at hand .
74. Section 76 of the Indian Penal Code is based on the Common Law maxim_____.
- 'Ignorantia facit doth excusat, ignorantia juris non excusat'.
 - Voluntati non fit injuria.
 - Res judicata pro veritate accipitur.
 - None of the above.

75. In the case of plea bargaining, a statutory appeal may lie from the judgment passed under section 265G of the Code of Criminal Procedure to the_____.
- High Court.
 - Sessions Court.
 - Either 'a' or 'b' depending upon quantum of sentence.
 - No appeal lies against the judgment.
76. 'X', a snake-charmer claiming magical powers of curing snake-bites, asked 'Y' to be bitten by his cobra. 'Y', an adult, under misconception that 'X' has such magical powers, offered himself for snake bite and died. Here:
- 'X' can not claim consent as good defence under general exceptions.
 - 'X' is entitled to claim consent as good defence under general exceptions as Y had agreed for the act.
 - 'X' has committed no offence.
 - None of the above.
77. Who among the following may be examined as witness by issuing a commission as per the proviso to section 284 of the Code of Criminal Procedure.
- | | |
|------------------------|----------------------------|
| a. President of India | b. Vice-President of India |
| c. Governor of a State | d. All of the above |
78. Which of the following statements is true?
- A person is not deprived of the right of private defence against an act done, or attempted to be done, by a public servant, as such, unless he knows or has reason to believe, that the person doing the act is such public servant.
 - A person is not deprived of the right of private defence against an act done, or attempted to be done, by the direction of a public servant, unless he knows or has the reason to believe, that the person doing the act is acting by such direction, or unless such person states the authority under which he acts, or if he has authority in writing, unless he produces such authority, if demanded.

84. 'A' intentionally gives 'Z' a sword-cut or club-wound sufficient to cause the death of a man in the ordinary course of nature. 'Z' dies in consequence. 'A' may not have intended to cause Z's death. Here, 'A' is guilty of_____.
- murder.
 - attempt to murder.
 - culpable homicide not amounting to murder.
 - causing grievous hurt by dangerous weapon.
85. A Magistrate to whom a complaint is made under section 340 or section 341 of the Code of Criminal Procedure shall proceed, as far as may be, to deal with the case as if it were instituted_____.
- on a police report.
 - otherwise than on a police report.
 - either 'a' or 'b'.
 - none of the above.
86. 'A' without any excuse fires a loaded cannon into a crowd of persons and kills one of them. He may not have had a premeditated design to kill any particular individual. 'A' is guilty of_____.
- murder.
 - homicide by rash and negligent act.
 - culpable homicide not amounting to murder.
 - none of the above.
87. With reference to Information Technology Act 2000, data, record or data generated, image or sound stored, received or sent in an electronic form or micro film or computer generated micro fiche means_____.
- Electronic record.
 - Computer network.
 - Computer resource.
 - Computer system.

88. 'A' intending to murder 'Z', by poison, purchases poison and mixes the same with food and places the food on Z's table.
- 'A' has committed an offence of attempt to murder.
 - 'A' has not committed any offence as 'Z' did not eat the food.
 - 'A' has committed an offence of attempt to commit culpable homicide.
 - 'A' has committed an offence punishable under Section 325 I.P.C.
89. The victim shall have a right to prefer an appeal against any order passed by the Court_____.
- acquitting the accused.
 - convicting for a lesser offence.
 - imposing inadequate compensation.
 - All of the above.
90. '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 and bullock starts following 'A'.
- 'A' has committed theft.
 - 'A' has committed criminal breach of trust.
 - A has committed cheating.
 - 'A' has not committed no offence.
91. Where a High Court passes only a sentence of imprisonment for a term not exceeding _____, no appeal will lie against it.
- | | |
|------------------|---------------|
| a. three months | b. six months |
| c. twelve months | d. one month |
92. 'A' is the paramour of Z's wife. She gives a valuable property, which 'A' knows to belong to her husband 'Z', and to be such property as she has no authority from 'Z' to give. 'A' takes the property dishonestly.
- 'A' has committed theft.
 - 'A' has committed Criminal misappropriation of property.
 - A has not committed any offence as property given to him by Z's wife.
 - A has committed mischief.

93. In an appeal from a conviction, the Appellate Court can _____.
- (i) reverse the finding and sentence and acquit the accused.
 - (ii) alter the finding, maintaining the sentence.
 - (iii) with or without altering the finding, alter the nature or the extent, or the nature and extent, of the sentence, so as to enhance the same.
- a. (i) and (ii) only.
 - b. (ii) and (iii) only.
 - c. (i) and (iii) only.
 - d. (i), (ii) and (iii).
94. 'A' holds 'Z' down, and fraudulently takes Z's money and jewels from Z's clothes, without Z's consent and, in order to the committing of the theft, he has voluntarily caused wrongful restraint to 'Z'. 'A' has, therefore, committed the offence of _____.
- a. robbery.
 - b. extortion.
 - c. dacoity.
 - d. wrongful confinement.
95. Which of the following irregularities done by a Magistrate not empowered by law to do those things, vitiate proceedings?
- a. to tender a pardon under section 306 of the Cr.P.C.
 - b. to make over a case under section 192(2) of the Cr.P.C.
 - c. attaches and sell property under section 83 of the Cr.P.C.
 - d. both 'a' and 'b'.
96. 'A' finds a cheque payable to bearer. He can form no conjecture as to the person who has lost the cheque. But the name of the person, who has drawn the cheque, appears. 'A' knows that this person can direct him to the person in whose favour the cheque was drawn. 'A' appropriates the cheque without attempting to discover the owner. 'A' has committed the offence of _____.
- a. theft.
 - b. criminal breach of trust.
 - c. dishonest misappropriation of property.
 - d. cheating.

97. By which of the following judgment the Hon'ble Supreme Court extended the benefit of Article 21 of the Constitution of India to ensure just, fair and resonableness in the procedure established by law?
- A.K. Gopalan Case.
 - Maneka Gandhi Case.
 - ADM Jabalpur Case.
 - None of the above.
98. Doctrine of Holding Out, with reference to Transfer of Property Act, is related to _____.
- transfer by ostensible owner.
 - election.
 - feeding the grant by estoppel.
 - none of the above.
99. 'A' commits house-trespass, by entering Z's house through the door, having lifted a latch by putting a wire through a hole in the door. This is _____.
- house breaking.
 - lurking criminal trespass.
 - lurking house trespass by night.
 - robbery.
100. Section 52 of the Transfer of Property Act is based on the principle embodied in the maxim _____.
- Ut lite pendente nihil innovetur.
 - Nemo est heres viventis.
 - Qui facit per alium facit per se.
 - None of the above.



Teachingninja.in