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HPJS (Prelims)

Previous Year Paper

(Criminal Law) 09 July, 2023



1. In which of the following cases, the Supreme Court held that it is necessary to get permission of the Chief Justice of India before registering an FIR against a sitting judge of High Court or Supreme Court

A. S.P. Gupta v. Union of India B. All India judges Association v. Union of India
C. Veeraswamy v. Union of India D. None of the above

2. The Medical Examination of a victim under the Protection of Children from Sexual Offences Act, 2012 shall be conducted

A. in accordance with section 161 of the Code of Criminal Procedure, 1973
B. in accordance with section 157 of the Code of Criminal Procedure, 1973
C. in accordance with section 164A of the Code of Criminal Procedure, 1973
D. none of the above

3. Which of the following section provides the definition of shared household under the Protection of Women from Domestic Violence Act, 2005?

A. Section 2 (d) B. Section 2 (f)
C. Section 2 (s) D. Section 3

4. Delhi Domestic Working Women's Forum v. Union of India and Others 1995 SCC (1) 14 is a landmark case in which Supreme Court provided some guidelines for assisting the victims _____ and was decided by the bench of _____

A. Rape & Justice S. Mohan, Justice M.N. Venkatachalliah, Justice S.B. Majmudar
B. Domestic Violence & Justice Umesh C. Banerjee and Justice K.G. Balakrishnan
C. Rape & Chief Justice Verma, Justice Sujata V. Manohar and Justice B.N. Kripal
D. Domestic Violence & Justice S. Mohan, Justice M.N. Venkatachalliah, Justice S.B. Majmudar

5. Section 12 of The Juvenile Justice Act 2015 deals with _____?

A. Bail to a person who is apparently a child alleged to be in conflict with the law
B. Preliminary assessment into heinous offenses by Board
C. Powers of Children's Court
D. Removal of disqualification on the findings of an offense

6. Which of the following is the competent court to try the offence under section 326A and section 326B of the Indian Penal Code 1860?

A. Court of Session
B. Court of Chief Judicial Magistrate
C. Court of Judicial Magistrate
D. Any of the above

7. Which of the following sections of the Indian Penal Code deals with the offence namely 'voyeurism'?

- A. Section 354A of the Indian Penal Code 1860
- B. Section 354B of the Indian Penal Code 1860
- C. Section 354C of the Indian Penal Code 1860
- D. Section 354D of the Indian Penal Code 1860

8. Assertion (A): Gender roles are culturally influenced than biologically determined

Reason (R): The cultural conception of gender divided the entire boundaries of the human quality into two opposite areas of masculinity and womanhood and their regressive behavior.

Codes:

- A. (A) is true, but (R) is false
- B. (A) and (R) both are true and (R) is the correct explanation of (A)
- C. (A) is false, but (R) is true and (R) is the correct explanation of (A)
- D. (A) and (R) both are false

9. In which of the following case the Supreme Court held that it is appropriate for National Legal Services Authority (NALSA) to set up a Committee to make a Model Rules for providing the compensation for the victims of rape and acid attack

- A. Laxmi v. Union of India
- B. Mukesh & Anr v. State for NCT of Delhi & Others
- C. Nipun Saxena v. Union of India
- D. Campaign and Struggle Against Acid Attacks on Women (CSAAW) v. Department of Women and Child Welfare

10. Recently the Supreme Court, in its landmark decision has recognized and reinforced the fundamental role of the judiciary in protecting the autonomy and dignity of children. The Court held that the words "physical contact" and "touch" cannot be qualified and restricted to "skin to skin" contact was held in the case of

- A. Attorney General for India and Ors. v. Satish and Others
- B. Jarnail Singh v. State of Haryana
- C. State of Karnataka v. Shivanna
- D. Bijoy @ Guddu Das v. The State of West Bengal

11. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 no court shall take cognizance of any offence punishable under section 138 except upon a complaint, in writing, made by the payee or, as the case may be, the holder in due course of the cheque and such complaint is made of the date on which the cause of action arises under clause(c) of the proviso to section 138:

- A. Within three months
- B. Within two months
- C. Within one month
- D. Within fifteen day

12. *Killing of wild animal in self defence is justified.* In which of the following case it was observed that if any animal is killed or wounded as by an individual as a means to protect himself, then such animal is the property of government. No claim should be made by any person who killed the animal

- A. Rajendra Kumar v. Union of India, AIR 1998 Raj
- B. Tilak Bahadur Rai v. State of Arunachal Pradesh, 1979 Cr. LJ 1404
- C. Wildlife v. Md. Ishaq Baig 2010
- D. Baburao v. State of Maharashtra and others (2012)

13. Match the following as per the sections of Himachal Pradesh Excise Act, 2011

i Powers of Excise Officers to obtain information	a. Section 30
ii Power to cancel or suspend licenses etc.	b. Section 72
iii Power to cancel any other license and to recover fee.	c. Section 12
iv Power of Collector to take grants under his management or resell and recover deficiency.	d. Section 29

- A. i-d, ii-a, iii-b, iv-c
- B. i-a, ii-b, iii-c, iv-d
- C. i-c, ii-d, iii-a, iv-b
- D. i-a, ii-c, iii-d, iv-b

14. *The landmark judgement in the case of Mohammad Ahmed Khan v. Shah bano Begum & Others (1985 AIR 945) was pronounced by*

- A. CJI Y.V. Chandrachud
- B. J. P.N. Bhagwati
- C. J. M. Hameedullah Beg
- D. J. Sabyasachi Mukharji

15. Which section of *The Protection of Children from Sexual Offences Act, 2012* deals with the Punishment for using child for pornographic purposes?

- A. Section 17
- B. Section 14
- C. Section 24
- D. Section 15

16. *In which of the following cases has the Supreme Court set aside the Delhi High Court judgement which decriminalised section 377 IPC?*

- A. Naz Foundation v. Union of India
- B. Suresh Kumar Kaushal v. Naz Foundation
- C. Sakshi v. Union of India
- D. None of the above

17. In which of the following case it was held by the court that DNA test is mandatory for the accused of rape provided under section 53-A of the Code of Criminal Procedure, 1973.

- A. Richal Kharra v. State
- B. Mir Md. Omar v. State of West Bengal
- C. Delhi Domestic Working Women's Forum v. Union of India and Others
- D. None of the above

18. Match the followings as per the sections of Indian Penal Code

i. Act done by a person bound, or by mistake of fact believing himself bound, by law	a. Section 92
ii. Act done in good faith for benefit of a person without consent	b. Section 268
iii. Abetment of mutiny, if mutiny is committed in consequence thereof	c. Section 132
iv. Public nuisance	d. Section 76

A. i-a, ii-b, iii-c, iv-d
B. i-d, ii-a, iii-c, iv-b
C. i-b, ii-c, iii-d, iv-a
D. i-d, ii-c, iii-a, iv-b

19. Liquor Vend or Bar or any other place where liquor or other intoxicants are sold or stored or served under section 26 of the HP Excise Act, 2011 is _____

- A. punishable with imprisonment for one three months
- B. punishable with fine which may extend to ten thousand rupees
- C. punishable imprisonment for one months and with fine which may extend to two thousand rupees
- D. punishable with imprisonment for a term which may extend to three months and with fine which may extend to fifty thousand rupees or with both.

20. The base of the 'Sexual Harassment of Women at Workplace Act, 2013' is 'Convention on the Elimination of all Forms of Discrimination against Women'. India ratified this convention on _____

- A. 25th June 1993
- B. 8th March 1995
- C. 14th March 1993
- D. 16th December 2013

21. F.I.R under section 154 of the Code of Criminal Procedure, 1973 is not a substantial piece of evidence. Its only use is to contradict or corroborate the matter thereof was held by Hon'ble Supreme Court in _____

- A. Shambhu Das v. State of Assam AIR 2010 SC 3300
- B. Mir Md. Omar v. State of West Bengal AIR 1989 SC 1875
- C. Joginder kumar v. State of U.P (1994) 4 SCC 260
- D. None of the above

22. Which section of The *Wildlife Protection Act 1972* deals with the Dealings in trophy and animal articles without license prohibited?

- A. Section 47
- B. Section 49
- C. Section 44
- D. Section 45

23. Match the followings:

i. Information in cognizable cases	→ a. Section 161CrPC
ii. Examination of witnesses by police	→ b. Section 173 CrPC
iii. Medical examination of victims of rape	→ c. Section 154 CrPC
iv. Report of Police Officer on completion of investigation	→ d. Section 164 A CrPC

A. i-c, ii-a, iii-d, iv-b
B. i-a, ii-b, iii-c, iv-d
C. i-c, ii-b, iii-a, iv-d
D. i-d, ii-c, iii-b, iv-a

24. In the case of any conviction in a summary trial under section 143 of Negotiable Instruments Act, 1881, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term:

- A. not exceeding two year and an amount of fine exceeding five thousand rupees.
- B. not exceeding one year and an amount of fine exceeding five thousand rupees:
- C. not exceeding six month and an amount of fine exceeding five thousand rupees:
- D. not exceeding one month and an amount of fine exceeding five thousand rupees.

25. Section 195A of Code of Criminal Procedure, 1973 provides a right to file a complaint to the witness of any other person in relation to an offence under Section of Indian Penal Code 1860

- A. Section 319
- B. Section 304A
- C. Section 141
- D. Section 195A

26. Which of the followings is not a power provided to an Excise Officer provided under section 8 of the HP Excise Act, 2011

- A. Power to enter and inspect, at any time, any place in which any licensed manufacturer carries on the manufacture of or stores any liquor;
- B. Power to examine any accounts and registers, test, measure or weigh any materials, *stills, utensils, implements, apparatus or testing instruments or liquor* found in that place;
- C. Power to seize any accounts, register, measure, weights or testing instruments which he has reason to believe to be false or incorrect;
- D. Power to punish if he has reasons to believe that the accounts are false or incorrect

27. Krishna Kumar v. State of Haryana & Another (2022) is a recent and very important case on
A. Victim's rights B. Bail
C. Probation of offender D. All the above

28. X while committing a murder, removed some ornaments from the dead body. Though the accused X was guilty of an offence of murder, the removal of ornaments amount to which one of the following?
A. Theft B. Robbery
C. Misappropriation D. None of the above

29. Which of the following statements is true?
(i) The Protection of Children from Sexual Offences Act, 2012 Act provides for compensation for medical expenses for the child offended
(ii) The medical expenses may be provided after the registration of FIR only
A. Only i
B. Only ii
C. Both i and ii
D. None of the above

30. _____ can proceed under section 340 of the Code of Criminal Procedure, 1973 and hold a preliminary enquiry.
i. Civil Court
ii. Revenue Court
iii. Criminal Court
A. i and ii
B. ii and iii
C. iii and i
D. i, ii and iii

31. Section _____ of the Code of Criminal Procedure, 1973 states that compensation payable to the victim under section 357-A will be in addition to the compensation payable under section 326-A or 376-D of the IPC.
A. Section 357
B. Section 357-A
C. Section 357-B
D. Section 357-C

32. As per Section 8 of the Indian Forest Act 1927 which of the following is/are the Powers of Forest Settlement-officer
A. Power to enter, by himself or any officer authorised by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and
B. The powers of a Civil Court in the trial of suits.
C. Only A
D. Both A & B

33. Section _____ of the Code of Criminal Procedure, 1973 deals with the power of the Magistrate to arrest?

- A. Section 40
- B. Section 44
- C. Section 48
- D. Section 52

34. X was convicted by an Additional Session Judge for an offence under section 302 of the Indian Penal Code. Later on the appointment of judge was quashed by the High Court on the ground that his appointment was in violation of the provisions of Art.233 of the Constitution. Thereupon, a point was raised that the judgements rendered by the Additional Sessions Judge were void and required to be set aside. Decide

- A. The judgement is void
- B. The judgement is not void
- C. Depends
- D. None of the above

35. How many categories of forests are established under the Indian Forest Act 1927?

- A. Two
- B. Three
- C. Four
- D. Eight

36. Dr. Rahul gave a statement to police that his 14 year old daughter Reema was killed by his servant Manu. The Police registered an FIR based on the statement of Dr. Rahul. The police questioned Dr. Geeta, wife of Dr. Rahul and she also gave statement in tune with the statement of Dr. Rahul. On investigation it was revealed that Reema was killed by the Doctor Couple. In such circumstances

- A. Police shall register a new FIR
- B. There is no need of registering a new FIR, only a report shall be filed
- C. The second FIR should be treated as the original FIR
- D. None of the above

37. The offence under section 138 of the Negotiable Instruments Act, 1881 is

- A. Cognizable and Bailable
- B. Non-cognizable and Non-bailable
- C. Cognizable and Non-bailable
- D. Non-cognizable and bailable

38. Order to pay costs in non-cognizable cases is covered under section _____ of the Code of Criminal Procedure, 1973

- A. Section 359
- B. Section 287
- C. Section 388
- D. ~

39. "A" is accused of a theft on one occasion and of causing grievous hurt on another occasion. Applying Section 218 of the Code of Criminal Procedure, 1973

- A. "A" must be charged and tried for the theft and causing grievous hurt
- B. "A" must be separately charged and separately tried for the theft and causing grievous hurt
- C. "A" can be charged and tried only for the theft
- D. none of them

40. Which one of the following cases is not related with Section 84, Indian Penal Code?

- A. Ashiruddin Ahmed v. King
- B. R v. Dudley & Stephens
- C. Dayabhai Chhaganbhai Thakkar v. State of Gujarat
- D. State of M.P. v. Ahmadullah

41. As per the Criminal Law (Amendment) Act, 2013, the right of private defence of body extends to the voluntary causing of death or of any harm to the assailant if the offence which occasions the exercise of the right is the act of

- A. Stalking
- B. Voyeurism
- C. Acid Attack
- D. All the above.

42. India has adopted the Convention on the Rights of the Child in the year of

- A. 1995
- B. 1992
- C. 2006
- D. 2013

43. Which of the following Amendment inserted Section 228A in the Indian Penal Code to prevent social stigma and shunning out of sexual offence victims

- A. The Criminal Law Amendment Act, 19
- B. The Criminal Law Amendment Act, 1983
- C. The Criminal Law Amendment Act, 2013
- D. The Criminal Law Amendment Act, 2018

44. The first biological theory of crime causation in the 19th century was given by

- A. Cesare Lombroso
- B. Sigmund Freud
- C. Robert K. Merton
- D. None of the above

45. Which of the following new sections have been introduced by the Negotiable Instrument (Amendment) Ordinance, 2015?

- A. Section 138A
- B. Section 139A
- C. Section 142A
- D. All the above