

INDIAN PENAL CODE, 1860

885 - Multi Choice Questions

Q.1. Match List-I (Case) with List-II (Subject) and select the correct answer using the codes given below the Lists:

List I (Case) List II (Subject)

- A. K.M.Nanavati Vs. Maharashtra 1. Criminal Conspiracy
B. Virsa Singh Vs. State of Punjab 2. Dacoity
C. Barindra Kumar Ghosh Vs. Emperor 3. Murder
D. Shyam Behari Vs. State of U.P. 4. Grave and sudden provocation
5. Unsoundness of Mind.

Codes:

	A	B	C	D
(a)	4	3	1	2
(b)	1	2	5	3
(c)	4	2	1	3
(d)	1	3	5	2

Ans.(a)

Q.2. Match List-I with List-II and select the correct answer using the codes given below the Lists:

List I List II

- A. Common Intention 1. Theft
B. Common Object 2. Abetment
C. Instigation 3. Joint liability
D. Dishonest Intention 4. Constructive liability
5. Vicarious liability.

Codes:

	A	B	C	D
(a)	3	1	2	4
(b)	2	4	5	1
(c)	3	4	2	1
(d)	2	1	5	4

Ans.(c)

Q.3. Match List-I with List-II and select the correct answer using the codes given below the Lists:

List I List II

- A. Instigation to commit an offence 1. Criminal conspiracy
B. Agreement to commit an offence 2. Necessity
C. Grave and sudden provocation 3. Abetment
D. Acts done without intention to prevent other than 4. Culpable homicide not amounting to murder
5. Attempt.

Codes:

A	B	C	D
(a) 2	4	5	3
(b) 3	1	4	2
(c) 2	1	4	3
(d) 3	4	5	2

Ans.(b)

Q.4. Match List-I (Case) with List-II (Subject) and select the correct answer using the codes given below the Lists:

List I (Case) List II (Subject)

- A. Kehar Singh Vs. Delhi Administration 1. Right of Private Defence
B. Nawab Ali Vs. State of U.P. 2. Criminal Conspiracy
C. Vishwanath Vs. State of U.P. 3. Common Intention
D. Mahbub Shah Vs. Emperor 4. Common Object
5. Mistake of Fact.

Codes:

A	B	C	D
(a) 2	4	1	3
(b) 3	1	5	2
(c) 3	4	1	2
(d) 2	1	5	3

Ans.(a)

Q. 5. Forgery is defined in :

- (a) Section 465
(b) Section 463
(c) Section 464
(d) Section 467

Ans. (b)

Q.6. Crime is:

- (a) Essentially an immoral act
(b) An illegal act
(c) Essentially a socially reprehensible act
(d) None of the above.

Ans.(b)

Q.7. The Indian Penal Code came into force from:

- (a) 6 October, 1860
(b) 1 September, 1873
(c) 1 July, 1882
(d) None of the above.

Ans.(a)

Q. 8. How many types of punishment have been prescribed under the Indian Penal Code:

- (a) Three
- (b) Six
- (c) Five
- (d) Four.

Ans. (c)

Q.9. Which is correct:

- (a) The categories of the criminal should be determined by general laws
- (b) The penal statutes should be strictly followed or construed.
- (c) There should be ex-post facto penal laws
- (d) All of them.

Ans.(b)

Q.10. Which is not an ingredient in means rea:

- (a) Strict or absolute liability
- (b) Public nuisance
- (c) Ignorance of law is no excuse – maxim
- (d) All are correct.

Ans.(d)

Q.11. Threatening to commit certain acts forbidden by Indian Penal Code is associated with which one of the following?

- (a) Misrepresentation
- (b) Fraud
- (c) Coercion
- (d) Mistake.

Ans.(c)

Q.12. "Active concealment of fact" is associated with which one of the following ?

- (a) Misrepresentation
- (b) Undue influence
- (c) Fraud
- (d) Mistake.

Ans.(c)

Q.13. A change of nature of obligation of a contract is known as:

- (a) Noation
- (b) Rescission
- (c) Alteration
- (d) Repudiation.

Ans.(a)

Q.14. A contract implied by law is known as:

- (a) Contingent contract
- (b) Quasi contract

- (c) Expressed contract
- (d) Implied contract.

Ans.(b)

Q.15. Law directed by the Supreme Court shall be binding on all the Courts with the territory of India. Here Courts means:

- (a) All Courts including the Supreme Court of India
- (b) All Courts except the Supreme Court of India
- (c) All Courts including the Supreme Court except such branches of the Supreme Court which consists of seven judges or more
- (d) All Courts including the Supreme Court except a Bench of the Supreme Court which consists of all the judges of the Supreme Court.

Ans.(d)

Q.16. A has grown a tree on his land. The branches of the tree are overhanging on the land of B. under the law, B is entitled to:

- (a) Enter into the land of A without his permission and cut his tree
- (b) Forcibly enter into A land and chop off the branches
- (c) Chop off the branches from his own land and take away those branches
- (d) Chop off the overhanging branches while ramming of his land and inform A about the same.

Ans.(d)

Q.17. 'Illegal' means everything which:

- (a) Is an offence
- (b) Is prohibited by law
- (c) Furnishes ground for a civil action.
- (d) All are correct.

Ans.(d)

Q.18. The term 'offence' means:

- (a) A thing made punishable by the Penal Code
- (b) A thing made punishable by the Penal Code or any special or local law, in certain case
- (c) Both (a) and (b)
- (d) None of the above.

Ans.(c)

Q.19. A man is defined by Section 10 of the Code as a male human being of:

- (a) Any age
- (b) Above 16 years of age
- (c) Above 18 years of age
- (d) None of the above.

Ans.(a)

Q.20. An idol of Lord Krishna is a temple is:

- (a) A natural person
- (b) A legal person

- (c) Not a person in the eye of law because only the priest of the temple will be a person
- (d) Not a person because no personality can be conferred on God.

Ans.(d)

Q.21. Which one of the following is not a “public servant”?

- (a) Liquidator
- (b) A civil Judge
- (c) Member of a panchayat assisting a Court of justice
- (d) Secretary of a Co-operative society.

Ans.(c)

Q.22. An Indian citizen commits any offence out of India, he:

- (a) Cannot be prosecuted in India, as the act was not committed in India
- (b) Can be prosecuted in the country where the offence was committed
- (c) Can be prosecuted in India in any place in which he may be found
- (d) None of the above.

Ans.(c)

Q.23. Under which of the following situations would Indian courts have jurisdiction?

1. Crime committed by an Indian in a foreign country
2. Crime committed by a foreign in India
3. Crime committed by a person on an Indian ship.

Select the correct answer using the codes given below:

Codes:

- (a) 1 and 2
- (b) 1 and 3
- (c) 2 alone
- (d) 1, 2 and 3.

Ans.(d)

Q. 24. Give correct response.

A an Indian citizen commits murder in America and makes good his escape to India.

- (a) A can be prosecuted in India in any place where he is found because by virtue of Section 4 of I.P.C. the code has extra territorial application in case of offences committed by Indian citizen.
- (b) A cannot be prosecuted in India because the act was not committed in this country.
- (c) A can neither be prosecuted in America nor in India.
- (d) A can only be prosecuted in America where the offence has been committed.

Ans. (a)

Q. 25. Give correct response.

A, a Korean national commits murder of B, an English lady on an Indian Air Lines plane while on a journey from India to Japan.

- (a) A can be tried either in Korea or in England because the murderer was a Korean and the victim was a national of England.
- (b) A can be prosecuted in India in any place where he is found because Section 4 of the I.P.C.

provides this the provisions of the code apply to any offence committed by any person on any ship or aircraft registered in India.

(c) A cannot be prosecuted in India because the offence has not been committed against an Indian citizen.

(d) A can only be prosecuted in Korea because only that country of which an offender is a national has jurisdiction to prosecute.

Ans. (b)

Q. 26. Point out incorrect response.

The following persons are exempted from the jurisdiction of criminal courts in India.

(a) Alien enemies committing acts of war.

(b) Foreign Sovereigns.

(c) Foreign army on Indian soil present with the consent of Government of India.

(d) Alien enemy committing a crime unconnected with war e.g., theft.

Ans. (d)

Q. 27. Point out incorrect response.

The following persons are exempted from the jurisdiction of criminal courts in India.

(a) The Governors of States in India.

(b) The President of India.

(c) Foreign Ambassadors.

(d) The Prime Minister of India.

Ans. (d)

Q.28. Which one of the following brings out the distinction between Section 34 and 149 of the IPC?

(a) Section 34 creates a specific offence whereas Section 149 does not

(b) Section 34 as well as Section 149 creates specific offences.

(c) Section 149 creates a specific offence whereas Section 34 does not.

(d) Section 34 as well as Section 149 do not create specific offences.

Ans.(c)

Q.29. Assertion (A): X and Y had independently entertained the idea to kill Z. Accordingly each of them separately inflicted wounds on Z, who dies in consequence. X and Y are liable for murder with the aid of Section 34 IPC.

Reason (R): When a criminal act is done by several persons in furtherance of common intention of all, each of such persons is liable as if the whole act is done by him alone.

Of the above statements.

(a) Both A and R are true and R is the correct explanation of A

(b) Both A and R are true and R is NOT a correct explanation of A

(c) A is true but R is false

(d) A is false but R is true.

Ans.(d)

Q.30. To constitute an offence of criminal conspiracy, what is the necessary condition to be proved?

(a) There must be a prior meeting of two or more persons.

- (b) There must be an agreement of two or more persons to do an illegal act or to do a legal act by illegal means.
- (c) A person does an illegal act with the help of two or more persons.
- (d) Two or more persons commit a crime on a sudden provocation with guilty mind.

Ans.(b)

Q.31. Which one of the following statements regarding Section 34 and 149 of the Indian Penal Code is correct?

- (a) Common intention and common object are the same
- (b) Both are distinct offences in themselves.
- (c) Section 34 enunciates a mere principle of liability and creates no offence while Section 149 creates a specific offence.
- (d) Section 34 and 149 are mutually helping Sections

Ans.(c)

Q.32. Section 34 of I.P.C. provides for liability based on common intention. Consider the following situations:

1. The weapon used in the offence was found in A's house.
2. A has procured the weapon of offence voluntarily to aid the criminal gang.
3. A was compelled under threat to his life to procure the weapon of offence.
4. The weapon was supplied on receipt of value of the weapon (sale).

Which of the situation given above reflect (s) the correct ingredients with regard of Section 34?

- (a) 1 and 2
- (b) 2 and 3
- (c) 2 only
- (d) 4 only.

Ans.(c)

Q. 33. Section 34 of IPC:

- (a) Creates a substantive offence
- (b) Is a rule of evidence
- (c) Both (a) and (b)
- (d) Neither (a) nor (b).

Ans. (b)

Q. 34. The difference between Section 34 and Section 149 of Indian Penal Code:

- (a) That whereas in Section 34 there must at least be five persons, Section 149 requires only two persons
- (b) That Section 149 is only a rule of evidence whereas Section 34 creates a specific offence and provides for its punishment.
- (c) That Section 34 requires active participation in action whereas Section 149 requires mere passive membership of the unlawful assembly
- (d) That Section 34 need not be joined with the principle offence, whereas Section 149 must be combined with the principle offence.

Ans. (c)

Q.35. To establish section 34 of IPC

- (a) Common intention be proved but not over act be proved
- (b) Common intention and overt act both be proved
- (c) Common intention need not be proved but overt act be proved.
- (d) None.

Ans.(a)

Q.36. Common intention under Section 34 implies:

- (a) Similar intention
- (b) Pre-arranged planning (privity of mind)
- (c) Presence of common knowledge
- (d) All of these.

Ans.(a)

Q.37. When a criminal act is done by several persons is furtherance of common intention of all:

- (a) Each of such person is liable for that act
- (b) Each of such person is liable for that act in the same manner as if it were done by him alone
- (c) Each of such person is liable according to their guilt
- (d) None is incorrect.

Ans.(b)

Q.38. Under Section 34:

- (a) Physical presence is necessary
- (b) Physical presence is not necessary at all
- (c) Physical presence is necessary for participation but not in all cases
- (d) All of these.

Ans.(c)

Q.39. For the application of Section 34, there must be at least:

- (a) Two persons
- (b) More than two persons
- (c) Five persons
- (d) None of the above

Ans.(a)

Q.40. The difference between Section 34 and Section 149 is:

- (a) That whereas in Section 34 there must be at least five persons, Section 149 required only two persons.
- (b) That Section 149 is only a rule of evidence whereas Section 34 creates a specific offence and provides for its punishment.
- (c) That Section 34 requires active participation in action whereas Section 149 requires mere passive membership of the unlawful assembly
- (d) None of the above

Ans.(c)

Q.41. When a criminal act is done by several persons in furtherance of common intention of all, each one of them is liable:

- (a) As if it was done by each one of them in singular capacity
- (b) Only for the part each one has done
- (c) For the abetment of the act
- (d) For an attempt to commit the act.

Ans.(a)

Q.42. Common intention implies:

- (a) Similar intention
- (b) Pre-arranged planning
- (c) Presence of planning
- (d) Presence of common knowledge.
- (e) Common design for common objects.

Ans.(d)

Q. 43. Give incorrect response.

The following are the requirements of the principle of joint liability under section 34 of the Penal Code:

- (a) Some criminal act must be done by several persons.
- (b) Criminal act must be done in furtherance of common intention of all of them.
- (c) Several persons must share the common intention, they may or may not participate in the commission of the act constituting the crime.
- (d) Common intention implies a pre-arranged plan between such persons.

Ans. (c)

Q. 44. Give correct response.

Common intention within the meaning of section 34 of the Penal Code means:

- (a) It implies a pre-arranged plan, prior meeting of minds, prior consultation in between all the persons constituting the group.
- (b) Evil intention of many persons to commit the same act.
- (c) A desire of many persons to commit a criminal act without any contemplation of the consequences.
- (d) The mens rea necessary to constitute the offence that has been committed by several persons.

Ans. (a)

Q. 45. Give correct response.

The principle of common intention within the meaning of section 34 of the Penal Code means:

- (a) Where each of the several persons did something criminal, all acting in furtherance of the common intention, each was punishable for what he had done as if he had done it by himself.
- (b) Where an act is done by several persons each one of them shall be jointly liable for any act done by any one of them provided their intention was same and they have acted jointly.
- (c) Section 34 deals with the doing of several acts, similar or diverse by several persons ; if all are done in furtherance of the common intention of all each of such persons is liable for the result of them all, as if he had done them himself.

(d) For joint liability under section 34 it would not be sufficient to show that the intention of the persons committing the crime was same or similar but it has also to be shown that they have acted jointly in furtherance of such intention.

Ans. (c)

Q. 46 Give the correct response?

When a criminal act is done by several persons in furtherance of common intention of all :

- (a) each of such person is liable for that act in the same manner as if it were done by him alone.
- (b) each of such persons is liable for that act.
- (c) each of such person is liable according to their guilt.
- (d) None of the above.

Ans. (a)

Q. 47. Give the correct response?

- (a) Sec. 34 does create a substantive offence.
- (b) Sec. 34 is only a rule of evidence.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 48. Under Sec. 34

- (a) Physical presence is necessary for participation but not in all cases.
- (b) Physical presence is not necessary at all.
- (c) Physical presence is necessary for participation in all cases.
- (d) None of the above.

Ans. (a)

Q. 49. A & B goes to murder C. A stood as guard with a spear in hand to facilitate murder of C by B

- (a) A is liable for murder only.
- (b) B is liable for murder only.
- (c) A and B are liable for murder only.
- (d) A is not liable.

Ans. (c)

Q. 50. Before a man can he held liable under Sec. 34

- (a) The person should have participated in some what manner in the act.
- (b) There was common intention.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 51. Common intention under Sec. 34 :

- (a) May develop at the spot as between a number of persons.
- (b) Implies a pre-arranged plan.
- (c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 52. Point out incorrect response.

In *Barendra Kumar Ghose Vs. Emperor*, 52 I.A. 40, the appellant was charged under section 302 read with section 34 of the I.P.C. with the murder of a sub-postmaster. Sub-postmaster was counting money in the backroom. Several persons appeared at the door of the office and demanded the postmaster to give up the money and immediately afterwards fired pistols at him. Postmaster died immediately and the assailants fled in different directions without taking money. One of them was chased and caught with a pistol in his hand. It was not clear as to who fired the fatal shot. While holding the appellant liable for murder the Privy Council laid down the following principles:

- (a) "Criminal act" means that unity of criminal behaviour which results in something for which an individual would be liable if it were all done by himself alone, in a criminal offence.
- (b) Even if the appellant did nothing as he stood outside the door, in crimes they also serve who only stand and wait.
- (c) Section 34 deals with the doing of separate acts, similar or diverse, by several persons ; if all are done in furtherance of a common intention, each person is liable for the result of them all, as if he had done them himself, for 'that act' in the latter part of the section must include the whole action covered by a "criminal act" in the first part because they refer to it.
- (d) Care must be taken not to confuse same or similar intention with the common intention.

Ans. (d)

Q. 53. Point out incorrect response.

The following principles were laid down in *Mahboob Shah v. Emperor* 72 I.A. 148.

- (a) Under section 34 the essence of liability is to be found in the existence of a common intention animating the accused leading to the doing of a criminal act in furtherance of such intention.
- (b) It is difficult if not impossible, to procure direct evidence to prove the intention of an individual; in most cases it has to be inferred from his act etc. Such an inference should never be reached unless it is necessary inference deducible from the circumstances of the case.
- (c) Common intention within in the meaning of section 34 implies a prearranged plan, and to convict the accused of an offence applying this section, it should be proved that the criminal act was done in concert pursuant to the prearranged plan.
- (d) Even though a person has not done anything but was only standing where the crime was committed by his co-conspirators the rule is that 'they also serve who only stand and wait.'

Ans. (d)

Q. 54. Give correct response.

In *J.M. Desai v. State of Bombay*, A.I.R. 1960 S.C. 889, Mr. Desai was the Managing Director of a Dying Company, the company entered into a contract with the textile Commissioner undertaking to dye a large quantity of cloth. Out of the lot some were returned back to the commissioner by the company while others, even after repeated demand, remained undelivered. Therefore, the Managing Director was charged for an offence and he pleaded that the clothes were eaten up by white ants and that he was not personally responsible for damage done to them and their non-delivery.

- (a) In order to punish a person by application of section 34 mental as well as physical participation was necessary, therefore, in absence of actual physical participation the Managing Director was not liable.
- (b) Since the act was not done in furtherance of a common intention, therefore, Managing Director cannot be punished for any offence, in the absence of evidence that the offence was committed with his consent or knowledge.
- (c) The Managing Director would be vicariously liable for the offence of criminal misappropriation under section 409 IPC because he was responsible for supervision and control of the servants of the company who might have caused the loss negligently.
- (d) The Managing Director would be liable under section 409 read with section 34 I.P.C. because physical presence is not necessary in offences involving diverse acts which may be done at different time and places.

Ans. (d)

Q. 55. What is the difference between Sec. 34 and 149?

- (a) While active participation is needed in Sec. 34 while not necessary in Sec. 149.
- (b) Sec. 34 does create specific offence while Sec. 149 does not.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q. 56. Give the correct response?

- (a) Sec. 34 needs active participation while Sec. 149 does not.
- (b) Sec. 34 does not create specific offence while Sec. 149 does.
- (c) Sec. 34 speaks of common intention while Sec. 149 speaks of common object.
- (d) All of these.

Ans. (a)

Q. 57. To apply Sec. 34 there must be at least :

- (a) 2 persons.
- (b) 5 persons.
- (c) More than two persons.
- (d) None of the above.

Ans. (a)

Q. 58. Several persons took part in beating a person which caused the death of that person:

- (a) All of them are guilty of causing murder.
- (b) All of them are guilty of causing grievous hurt.
- (c) None of them is guilty of causing murder.
- (d) All of them are guilty of causing of simple hurt.

Ans. (a)

Q. 59. Three persons A, B and C went to a Post office, B & C entered the Post office and asked Post Master to hand over Money. C fired pistol at him, he was shot dead.

- (a) Only C is liable for murder.

- (b) All of them will be guilty of causing death.
- (c) Both B & C are liable for murder.
- (d) None of the above.

Ans. (b)

Q. 60. A,B,C & D sent armed with guns to the house of K to commit robber. K being absent D with minor son of K went to the field where K was working . C stood a guard outside the house. A & B in the meanwhile shot dead two sons of K.

- (a) D is guilty of murder as well as robbery.
- (b) D is not guilty of any offence.
- (c) D is guilty of Robbery.
- (d) D is guilty of kidnapping.

Ans. (a)

Q. 61. In the above stated case:

- (a) All of them leaving D are guilty of murder.
- (b) All of them (A,B,C&D) are guilty of causing death.
- (c) Only A & B are guilty of murder.
- (d) None of the above.

Ans. (b)

Q. 62. Four accused with common intention to kill M shot R in the bonafide belief that R was M.

- (a) All accused are guilty of causing death.
- (b) This Sec. does not apply in this case.
- (c) All accused are guilty of causing death without invoking Sec. 34.
- (d) None of them is liable for the offence of murder.

Ans. (a)

Q. 63. This Section 34 deals when all the person in doing of an criminal act has :

- (a) Same intention.
- (b) Common intention.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 64. "Common intention" under Sec. 34 does mean:

- (a) Pre-concert of minds.
- (b) Similar intention.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q.65. Give correct response.

Eight dacoits attack a bank and take away currency notes of the value of 50,000 rupees. In the course of the dacoity, two of the dacoits shoot dead the cashier of the bank. A, B and C, three of the dacoits merely keep watch at the gate of the bank about 50 feet away from the scene of actual

killing, and do not take part in the shooting of the cashier by their accomplices. The liability of A, B and C is as follows:

- (a) A, B and C are not liable for committing murder but are, liable for committing dacoity.
- (b) A, B and C are not liable for committing dacoity but are liable for abetment by aiding in its commission by their presence.
- (c) Since dacoity was committed in furtherance of common intention of all of them, therefore, A, B and C would be jointly liable for any act committed by any one of their group because the rule is that they also serve who only stand and wait. Dacoity involves violence, therefore, A, B and C would be liable for conjointly committing dacoity with murder.
- (d) A, B and C are liable for abetting dacoity as well as murder.

Ans. (c)

Q.66. Under Section 46 of IPC, death denotes

- (a) Death of a human being
- (b) Death of an animal
- (c) Death of a human being and of an animal both.
- (d) None.

Ans.(a)

Q.67. Under section 65 of IPC sentence of imprisonment for non-payment of fine shall be limited to

- (a) One third of the maximum term of imprisonment fixed for the offence.
- (b) One-fourth of the maximum term of imprisonment fixed for the offence.
- (c) One-half of the maximum term of imprisonment fixed for the offence.
- (d) None.

Ans.(b)

Q.68. Imprisonment for non-payment of fine shall terminate

- (a) On payment of fine.
- (b) On expiry of the term of imprisonment for non-payment.
- (c) Both (a) and (b)
- (d) None.

Ans.(c)

Q.69. X is a good swimmer He finds Y, a child of seven years of age, drowning in a canal. He could have saved the child but did not do so. The child is drowned, X is guilty of:

- (a) No offence
- (b) Murder
- (c) Abetment of suicide
- (d) Culpable homicide not amounting to murder.

Ans.(a)

Q.70. A person who commits an offence in a state of voluntary intoxication shall be liable to be dealt with as if he had:

- (a) The same intention as he would have had if he had not been intoxicated.
- (b) The same knowledge as he would have had if he had not been intoxicated.

- (c) The same intention and knowledge as he would have had if he had not been intoxicated.
 - (d) Not the same intention and knowledge as he would have had if he had not been intoxicated.
- Ans.(b)

Q.71. A met with an accident and became unconscious. He was taken to the hospital by the police and there was none of identify him. The surgeon performed an operation on him to save him but A died. The police prosecuted the surgeon for murder on a complaint by A's relative. Since it was an act done in:

- (a) Good faith no offence was committed.
- (b) Good faith done for the benefit of the deceased, on offence was committed.
- (c) Good faith and for the benefit of A, and it was impossible to get consent in time, the surgeon is not liable.
- (d) Saving the life and under professional ethics, he is not liable.

Ans.(c)

Q.72. A an officer of a Court is ordered by the Court to affect the arrest of P. But believing Q to be P. He arrests Q A is guilty of:

- (a) Illegal arrest
- (b) No offence if after enquiries he arrested Q.
- (c) Wrongful restraint
- (d) Wrongful confinement.

Ans.(b)

Q.73. Consider the following statements:

To justify as a defence to a charge of crime:

1. Irresistible impulse per se is no defence to a charge of crime.
2. Diminished responsibility is a defence to a charge of a crime.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2.

Ans.(a)

Q.74. Assertion (A): X, because of unsoundness of mind, not knowing the nature of the act attacks Y, who in self-defence and in order to ward of the attack, hits him thereby causing him hurt. Y does not commit an offence.

Reason (R): Y had a right of private defence against X under Section 98 of the Indian Penal Code.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(a)

Q75. What is the age of a child if he is to be exempted from criminal liability?

- (a) Below 10 years
- (b) Below 7 years
- (c) Below 6 years
- (d) Below 12 years.

Ans.(b)

Q.76. Defence of Insanity is developed on which of the following?

- (a) Automatism
- (b) Mc. Naughten's Rules
- (c) Irresistible impulse
- (d) Equivocality test.

Ans.(b)

Q.77. Section 76 and Section 79 of IPC provide the general exception of:

- (a) Mistake of law
- (b) Mistake of fact
- (c) Both mistake of law and fact
- (d) Either mistake of law or of fact.

Ans. (b)

Q. 78. A hangman who hangs the prisoners pursuant to the order of the court is exempt from criminal liability by virtue of:

- (a) Section 76 of IPC
- (b) Section 78 of IPC
- (c) Section 77 of IPC
- (d) Section 80 of IPC

Ans. (b)

Q. 79. The expression 'harm' is used in Section 81 of the Indian Penal Code in the sense of:

- (a) Hurt
- (b) Injury or damage
- (c) Physical injury
- (d) Moral wrong or evil.

Ans. (b)

Q.80. Homicide is justifiable as provided:

- (a) Under Section 76 of IPC
- (b) Under Section 77 of IPC
- (c) Under Section 78 of IPC
- (d) All of these.

Ans.(d)

Q.81. If death of a major person is caused with his consent, suffers death or takes the risk of death with his known consent:

- (a) It is a murder

- (b) It is not a murder
- (c) It is a homicide
- (d) None of the above.

Ans.(b)

Q.82. An act will not be an offence, done by:

- (a) Accident or misfortune.
- (b) Accident or misfortune, without any criminal intention or knowledge.
- (c) Accident or misfortune, without any criminal intention or knowledge of a lawful act in a lawful manner.
- (d) Accident or misfortune, without any criminal intention or knowledge of a lawful act in a lawful manner by lawful means, and with proper care and caution.

Ans.(d)

Q.83. Nothing is an offence which is done by a person who a:

- (a) 60-year-old man
- (b) 6-year-old boy
- (c) 12-year-old girl
- (d) 18-year-old girl.

Ans.(b)

Q.84. Voluntary intoxication:

- (a) Makes an offence more serious or increase the gravity of an offence.
- (b) Is a weak defence to a criminal charge
- (c) Is no excuse for the commission of an offence
- (d) Reduces the gravity of all the offences.

Ans.(c)

Q.85. Which is correct:

- (a) The right of private defence is available only to adults
- (b) The right of private defence is available only to those who are capable of to lawfully commit crime.
- (c) The right of private defence is available only to the public servants
- (d) The right of private defence is available to all, irrespective of age and capacity.

Ans.(d)

Q.86. Every person has a right to defend him:

- (a) Against any offence affecting the human body
- (b) And the body of his friends, against any offence affecting the human body
- (c) And the body of any person, against any offence affecting the human body
- (d) None of the above

Ans.(c)

Q.87. Under Section 80, the exception of accident is available when an offence is committed while:

- (a) Doing a lawful act in a lawful manner by lawful means.
- (b) Doing a lawful act in any manner by any means

- (c) Doing a lawful act in a lawful manner by any means
- (d) None.

Ans.(a)

Q.88. Section 82 of IPC enunciates

- (a) A presumable of facts
- (b) A rebuttable presumption of law
- (c) A conclusive or irrebuttable presumption of law
- (d) None.

Ans.(c)

Q.89. Section 84 of IPC provides for

- (a) Medical insanity
- (b) Legal insanity
- (c) Moral insanity
- (d) None.

Ans.(b)

Q.90. The defence of consent applies to

- (a) Private wrongs
- (b) Public wrongs
- (c) Both (a) and (b)
- (d) None.

Ans.(a)

Q.91. The right of private defence is contained in

- (a) Section 94 of IPC
- (b) Section 95 of IPC
- (c) Section 96 of IPC
- (d) None

Ans.(c)

Q.92. Right to private defence is:

- (a) Available under all circumstances
- (b) Available where there is time to have the resource to the protection of public authorities
- (c) Available where there is not time to have resource to the protection of public authorities
- (d) None.

Ans.(c)

Q.93. Right of private defence is not available.

- (a) To the aggressor
- (b) To the person who is attacked.
- (c) To the aggressor against an act done in private defence by the person attacked.
- (d) None.

Ans.(a)

Q.94. Right to private defence of the body extends to causing death has been dealt with under:

- (a) Section 100 of IPC
- (b) Section 101 of IPC
- (c) Section 102 of IPC
- (d) None.

Ans.(a)

Q.95. Section 97 of IPC extends the right of private defence of property, to the offence of:

- (a) Cheating
- (b) Misappropriation
- (c) Theft & Robbery
- (d) None.

Ans.(c)

Q.96. The extent to which the right of private defence of body causing death can be exercising is laid down in

- (a) Section 100 of IPC
- (b) Section 95 of IPC
- (c) Section 99 of IPC
- (d) None.

Ans.(a)

Q.97. X while in the state of voluntary intoxication kills Z. prosecution fails to establish that X could form an intention of a sober man. X is guilty of:

- (a) Murder
- (b) Culpable homicide not amounting to murder
- (c) Death by rash or negligent act
- (d) No offence.

Ans.(b)

Q.98. Which of the following statements is correct?

- (a) Inevitable accident is not a defence at all but only a denial of liability.
- (b) Inevitable accident is not a denial of liability but only a defence
- (c) Inevitable accident is both defence and denial of liability
- (d) Inevitable accident is a chance event and can neither be a defence nor a denial of liability.

Ans.(c)

Q. 99. Give correct response.

In most of the defences, which a person being prosecuted for the commission of a crime, may plead, it is essential that the act alleged must have been done in good faith. Good faith means:

- (a) A simple and actual belief that the act is not contrary to law and whether a reasonable man would have done that act.
- (b) An act in fact done honestly whether it is done negligently or not.
- (c) A reasonable and bonafide belief that the act done is not contrary to law and an act done with

due care and attention.

(d) Logical infallibility in so far as the doing of act is concerned.

Ans. (c)

Q. 100. Give correct response.

A, the accused was an educated person living in a town where medical attendance was available, chained up his brother, who was suffering from periodical fits of violent insanity, for over three months in a unnecessarily cruel manner. Held that:

(a) The accused acted in good faith because every reasonable man would have acted in a similar way in those circumstances.

(b) The accused acted in good faith for the benefit of his brother and was, therefore, not liable.

(c) The accused acted in good faith because whatever he did was, in his judgment, in the interest of his brother and he reasonably believed that it was for his good, more over the chaining was without any malice or mens rea.

(d) The accused did not act in good faith because he failed to exercise due care and attention in as much as he did not avail of the medical care, instead hastened to subject the victim to undue cruelty.

Ans. (d)

Q. 101. Sec. 76 says -- Nothing is an offence which is done by a person who is or who by reason of :

(a) Mistake of fact believes himself to be right to do it.

(b) Mistake of fact believes himself to be bound by law to do it.

(c) Mistake of law in good faith believe himself to be bound by law to do it.

(d) Mistake of fact in good faith believes himself to be bound by law to do it.

Ans. (d)

Q. 102. A an officer was ordered to arrest B, believing Z to be B, he arrest Z.

(a) A has committed no offence.

(b) A has committed an offence.

(c) A has committed no offence by reason of mistake of fact under Sec. 76.

(d) None of the above.

Ans. (c)

Q. 103. A soldier beats an innocent person by the order of his superior officer :

(a) A is not entitled to get defence under Sec. 76.

(b) A is entitled to get defence as he was obeying the order of his superior offence.

(c) A is entitled to get defence under Sec. 76.

(d) A's officer will be liable only.

Ans. (a)

Q. 104. Give incorrect response.

The following are essentials of defence of mistake of fact under section 76 of the Penal Code:

(a) In mistake there must be an act done by a person who is either bound by law or believes himself to be bound by law in doing an act.

(b) Mistake may either relate to a fact or to law.

- (c) The belief must be by reason of a mistake of a fact.
- (d) Belief must be a bonafide belief in good faith.

Ans. (b)

Q. 105. According to Sec. 79 -- "Nothing an offence which is done by any person who is justified by law and who by reason of mistake of fact in good faith believes himself to be :

- (a) Bound by law in doing it.
- (b) Justified by law in doing it.
- (c) Right in doing it.
- (d) None of the above.

Ans. (b)

Q. 106. A attacked with sword B who was behind the bush believing B to be a tiger :

- (a) A is entitled to get benefit under Sec. 76 and 79 both.
- (b) A is entitled to get benefit under Sec. 76.
- (c) A is entitled to get benefit under Sec. 79.
- (d) A is not entitled to get any benefit.

Ans. (c)

Q. 107. Give the correct response?

- (a) Mistake of fact in a criminal case is not a good defence.
- (b) Mistake of law in a criminal case is not defence.
- (c) Mistake of law in a criminal case may be a good defence.
- (d) None of the above.

Ans. (b)

Q. 108. The maxim ignorantia juris non excusat does mean :

- (a) Mistake of court is no defence.
- (b) Mistake of judicial act is no defence.
- (c) Mistake of fact is no defence.
- (d) Mistake of law is no defence.

Ans. (d)

Q. 109. Point out incorrect response.

The following are ingredients of section 79 of the Indian Penal Code:

- (a) Such a belief must be by reason of a mistake of fact and not by reason of a mistake of law.
- (b) Act must have been done by a person who is either justified by law or believes himself to be justified by law in doing it.
- (c) One must be legally bound to do that act and not only legally justified to do it.
- (d) Belief must be a bona fide belief in good faith.

Ans. (c)

Q. 110. Point out incorrect response.

The following are the ingredients of the defence of accident under section 80 I.P.C. :-

- (a) The act must not be done with any criminal intention or knowledge.
- (b) The act must be an accident or misfortune and it must have been done with proper care and

caution.

- (c) The accident must be the outcome of a lawful act, done in lawful manner, by lawful means.
- (d) The act may be done with the knowledge of the consequences but in no case the act should have been done with criminal intention.

Ans. (d)

Q. 111. Give correct response.

In the following cases the defence of accident may successfully be claimed :

- (a) A was driving a pair of horses without reins. B was walking on the road and was intoxicated. A called out to him twice to get out of the way but since the speed of the horses was high B was run over and killed.
- (b) A big party consisting of about 100 men went out for shooting pigs. A boar rushed towards the accused who fired at her, but he missed the boar and shot struck the leg of a member of the party.
- (c) A trespassed into B's house in his absence and no return B demanded A to leave but A refused to do so. This led to an altercation which excited B who gave him a kick causing injury resulting in death.
- (d) A takes up a gun, not knowing whether it is loaded or not, posits it in sport at B and pulls the trigger. B is shot dead.

Ans. (b)

Q. 112. Give correct response.

A and his wife W went to have dinner with a friend. He carried his gun with him, and before going to dinner he discharged the gun and kept it in a private place in his friend's house. A, then went to church after dinner and in the night returned home with his gun. He carried the gun in the room. He in taking it up touched the trigger and the gun went off and killed the wife. It was found that when A was away to church another man had privately taken the gun out to shoot and had returned it loaded to the place where it was put in the friend's house. In this case :

- (a) A was negligent in so far as he did not try to ascertain whether the gun was loaded or not, therefore, he would be liable for negligently causing his wife's death.
- (b) A is liable not for murder but for culpable homicide because he would have exercised greater caution in handling the gun.
- (c) A has acted in a mistaken belief that the gun was not loaded, therefore, he was entitled to the defence of mistake and will not be liable.
- (d) A would not be liable because death was caused by accident as he had reasonable ground to believe that the gun was not loaded.

Ans. (d)

Q. 113. Point out incorrect response.

Mistake means and implies :

- (a) That facts exist.
- (b) That the sense impressions of facts i.e., sense is known as erroneous.
- (c) The sense impressions of facts (which we call sense) are different from the facts and that sense fit or do not fit the facts.

(d) That erroneous sense are for a time accepted as true.

Ans. (b)

Q. 114. Give incorrect response.

The following are the essential conditions of criminal liability.

- (a) Knowledge that the act is prohibited by law.
- (b) Knowledge of facts upon which the good and evil of an act may depend.
- (c) Intelligence to distinguish between good and evil.
- (d) Free will.

Ans. (a)

Q. 115. Point out incorrect response.

The following are some of the illustrations of defence of mistake of fact:

- (a) A in a moment of delusion thought that his only son was a tiger and he assailed him with an axe, thinking by reason of mistake of fact, that he was justified in destroying the deceased whom he did not regard to be a human being but who, as he thought, was a dangerous animal.
- (b) A was awakened in the night by strange noises in his house ; thinking that he was attacking a burglar, he ran his sword through a cabinet where the intruder was hiding and killed a friend of his servant present by the latter's invitation.
- (c) A was charged for selling liquor to B, an intoxicated person who had given no indication of intoxication. There the statute made it an offence for any licensed person to sell any intoxicating liquor to any drunken person. A did not know that B was intoxicated.
- (d) A, a rail conductor forcibly ejects a passenger believing that the passenger has not paid his fare. The passenger persistently refuses to pay or to show his ticket.

Ans. (c)

Q. 116. Give correct response.

A sees Z commit what appears to A to be murder. A in the exercise of the best of his judgment, exerted in good faith of the power which the law gives to all persons of apprehending murderers in the act seizes Z, in order to bring Z before the proper authorities, Later it was found that Z was acting in self-defence. Here:

- (a) A is liable because he has failed to make reasonable inquiries which must have elicited the true facts whether Z was a murderer or acting in self-defence.
- (b) A is liable for wrongfully apprehending Z because Z was acting in self-defence.
- (c) A is liable because he was neither bound by law nor justified by law to apprehend Z on a simple belief that Z was a murderer.
- (d) A has committed no offence because he is entitled to the defence of mistake of fact under section 79 of the Penal Code.

Ans. (d)

Q. 117. The accused was convicted of bigamy having gone through ceremony of marriage within 7 years after she had been deserted by her husband. She believed in good faith that her husband was dead. In this case :

- (a) she cannot be convicted as she was ignorant about 7 years rule.

- (b) she can be convicted.
- (c) she cannot be convicted as she is mistaken by the fact.
- (d) she cannot be convicted of bigamy as she had been deserted by her husband.

Ans. (c)

Q. 118. The accused took an unmarried girl below the age of sixteen without her father consent in a bonafide belief that girl was older than 16 :

- (a) As the tabbing in itself is unlawful and so cannot avail defence under sec. 79.
- (b) Accused can take good defence of mistake of fact.
- (c) Accused cannot take this defence as it is not a mistake of fact
- (d) None of the above.

Ans. (a)

Q. 119. When the act in itself is wrongful the defence of mistake of fact cannot be availed. It was held in an English case

- (a) R Vs. Prince.
- (b) R Vs. Tolson.
- (c) Baily case.
- (d) None of the above.

Ans. (a)

Q. 120. Nothing is an offence which is done by :

- (a) Misfortunate
- (b) Accident
- (c) Both (a) and (b)
- (d) None of the above

Ans. (c)

Q. 121. Nothing is an offence which is done without any criminal intention and knowledge in the doing of :

- (a) Lawful act in a lawful manner by lawful means.
- (b) Lawful act in a lawful manner by lawful means and with proper care and caution.
- (c) Any act in a lawful manner by lawful means.
- (d) Unlawful act in a lawful manner by lawful means.

Ans. (d)

Q. 122. A is at work with hatch, the head flies off and killed a person

- (a) Act of A is an offence and not executable.
- (b) A is guilty of not taking proper caution and care.
- (c) Act of A is an offence and executable.
- (d) None of the above.

Ans. (b)

Q. 123. Sec. 81 says that nothing is an offence of its being done with the knowledge:

- (a) To void or harm to other.
- (b) Without any criminal intention.

- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 124. Nothing is an offence if it is done with the knowledge that it is likely to cause harm, without any criminal intention and in good faith :

- (a) To avoid any harm to other person.
- (b) To avoid and prevent harm to other person's property.
- (c) To avoid and prevent harm to other person.
- (d) To avoid and prevent harm to other person and property.

Ans. (d)

Q. 125. Give the correct response?

- (a) A statute can exclude that element.
- (b) Mens Rea is an essential ingredient of criminal offence.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 126. Mens Rea is an essential element in every offence except in :

- (a) Cases criminal in form but which are really only a summary made of enforcing a civil right.
- (b) Cases not criminal in any real sense.
- (c) Cases of public nuisance.
- (d) All of these.

Ans. (d)

Q. 127. A & B, swimming in the sea after ship wrecked, got hold of a plank not large enough to support both. A pushes B who is drowned. In this case of B who is drowned. In this case :

- (a) A has good defence under Sec. 81.
- (b) A cannot take the defence under this Sec.
- (c) Cannot say.
- (d) None of the above.

Ans. (b)

Q. 128. A man in order to escape death from hunger kills another for the purpose of eating :

- (a) He is guilty of murder.
- (b) He has good defence under Sec. 81.
- (c) Although he is guilty but not of murder.
- (d) None of the above.

Ans. (a)

Q. 129. A Bus driver suddenly without any fault or negligence on his part finds himself in such a position that before he can stop the bus he will run down a school child or unless he incur the risk of turning the bus running down a Rickshaw poles. He chooses second option

- (a) He is not guilty as he has good defence under Sec. 81.
- (b) Cannot say.

- (c) He is guilty of death by rash and negligent driving.
- (d) None of the above.

Ans. (a)

Q. 130. Point out incorrect response.

The following are ingredients of the defence of necessity under section 81 of the Penal Code :

- (a) The act constituting the offence is known by the wrongdoer to be 29 likely to cause harm, but it is done without any criminal intention to cause harm.
- (b) The act must have been done in good faith.
- (c) The act must have been done for the purpose of preventing or avoiding other harm to person or property.
- (d) The act must be one done neither with the intention to cause harm nor with the knowledge to cause harm.

Ans. (d)

Q. 131. Give incorrect response.

The defence of necessity will be available in the following cases :

- (a) Browning was charged with reckless driving. He pleaded that he was trying to escape serious injury and illegal arrest by police officers who wished to ambush him.
- (b) A placed poison in his toddy pots knowing that if taken by a human being it would cause injury, but with the intention of thereby detecting an unknown thief who was in the habit of stealing the toddy from his pots. The toddy was drunk by soldier who purchased it from an unknown vendor.
- (c) A, a bargeman threw the goods of the plaintiff out of a barge in order to lighten it in a storm and for the safety of the passengers. It was found that the bargeman had overloaded the barge.
- (d) A sees a tiger attacking B and he feels sure that the tiger will be on him within a minute. A shoots the tiger fully knowing that B and the tiger are so close that he might kill B and not the tiger. A thus kills B.

Ans. (b)

Q. 132. Give best response.

A voted before he has attained the age of majority prescribed for exercising the right of franchise, believing that he was of age. Here:

- (a) A has violated the election law and cannot plead mistake in his defence.
- (b) A has committed no offence, he can plead mistake of fact in his defence as he believed in good faith to be of age.
- (c) Ignorance of law is no excuse; ignorance of fact only is an excuse. A is liable because he has committed mistake of law.
- (d) Since A was a minor not having attained the age of majority he can plead the defence under section 83 of the Penal Code.

Ans. (b)

Q. 133. Give correct response.

A, the accused was beating B with his fists, when the latter's wife with a baby on her shoulder interfered. A hit the woman but the blow struck the child on his head resulting in death. Held :

- (a) A was not liable for causing death of the child because he intended to hit the woman, and the

blow unfortunately fell upon the child.

(b) A was not liable for child's death because he never intended to kill the child who was hit only by accident.

(c) A was liable for causing death of the child because he intended to hit the woman and did not act in good faith knowing it fully well that she was having her baby on her shoulder.

(d) No doubt the child was hit by accident but the act of A was not a lawful act being done in lawful manner by lawful means, therefore, he would be liable.

Ans. (d)

Q. 134. Give correct response.

A, in a great fire, pulls down B's house in order to prevent the conflagration from spreading. He does this without the intention, in good faith, to saving human life or property. In this case :

(a) A would be liable because no amount of necessity can justify causing of harm to innocent parties.

(b) A would be liable for causing harm day doing mischief to B and will not succeed in his defence of necessity.

(c) A would not be liable because he had no intention to cause harm to B's property but to save it from being damaged by fire.

(d) A would not be liable because he has pulled down B's house in order to prevent the conflagration from spreading i.e. the act was done in good faith for the purpose of avoiding greater harm to person or property : the rule is that causing of lesser evil is justified to avoid greater evil.

Ans. (d)

Q. 135. Give correct response.

A, B and C three adults and D a boy were on a voyage in an open boat. They had no food after about 18 years of journey. C proposed to B and A to sacrifice the boy so that they may feed upon but B did not agree. On 20th day C with the consent of A only killed the boy and all the three fed upon the boy for four days when they were picked up. It was found that the boy was in a weaker condition and was likely to die before others and also if the men would not have fed upon the boy, they would not have survived. Held that:

(a) A, B and C would be liable for murder of the boy because self-pervations not an absolute necessity and there can be no necessity that justifies homicide.

(b) A, B, and C were not liable for murder of the boy because Sec.81 of the Penal Code justifies causing of lesser evil in order to avoid greater evil.

(c) A, B and C were not liable for murder of the boy because to preserve one's life is generally speaking a duty and in the present case there was no other way of saving the life of all the three except that some one was killed to save others from death by starvation.

(d) A, B and C would not be liable because, the rule that a necessity can never be a defence to a charge of homicide is not conclusive and justifies homicide in self-defence.

Ans. (a)

Q. 136. Give correct response.

Section 83 of the Indian Penal Code deals with the defence of infancy. It provides that :

(a) A child who is above 7 but below 12 years of age is deemed to be doli capax and he would not be liable only if it can be proved that he was doli incapax.

(b) A child who is above 7 but below 12 years of age is deemed to be doli incapax, therefore, he would be liable if it be proved that he was doli capax.

(c) Section 83 is based on the principle of presumption of innocence of the accused unless the prosecution proves otherwise.

(d) In order to avail the defence under section 83 it must be shown that the child was above 7 but below 12 years of age and if that much is proved the burden shall then lie upon the prosecution to prove that he was capable of knowing the nature and quality of his act.

Ans. (a)

Q. 137. Point out incorrect response.

The M' Neghten Rules relating to the defence of insanity provide :

(a) If the accused was conscious that the act was one which he ought not to do and if that act was at the same time contrary to the law of the land, he is punishable.

(b) That every man is presumed to be sane and to possess a sufficient degree of reason to be responsible for his crimes until the contrary be proved to the satisfaction of the jury or the Court.

(c) It must be shown that at the time of committing the act, the accused was laboring under such a defect of reason from disease of mind as not to know the nature and quality of the act he was doing, or if he did not know it that he did not know that what he was doing was wrong.

(d) Where the criminal act is done under insane delusion as to the surrounding facts which conceal from him the true nature of the act he is doing he would not be under the same degree of responsibility as he would have been on the facts as he imagined them to be.

Ans. (d)

Q. 138. Nothing is an offence which is done by a child under S.82

(a) 14 years of age.

(b) 18 years of age.

(c) 7 years of age.

(d) 10 years of age.

Ans. (c)

Q. 139. Give the correct response

(a) In England a child under 14 cannot be convicted of rape.

(b) In India a child of 12 years can be convicted of rape.

(c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 140. A child of 11 years stolen a necklace worth Rs. 1000 and sold it for Rs. 5/-

(a) He cannot be held guilty as he did not attain sufficient maturity.

(b) He is guilty of committing theft.

(c) A child below 12 years of age cannot be held guilty of any offence.

(d) None of the above.

Ans. (b)

Q. 141. Nothing is an offence which is done by a child, who has not attained sufficient maturity of understanding to judge of the nature of his conduct and consequence. This provision applies to children of age group of :

- (a) Below 7 years.
- (b) 7-12 years.
- (c) Below twelve years.
- (d) 7-14 years.

Ans. (b)

Q. 142. Under Sec. 84 a person is exonerated from liability for doing an act on the ground of unsoundness of mind :

- (a) Before the time of doing.
- (b) After the time of doing.
- (c) At the time of doing.
- (d) None of the above.

Ans. (c)

Q. 143. A person is exonerated from liability for doing an act on the ground of unsoundness of mind if he is either incapable of knowing:

- (a) That he is doing what is either wrong or contrary to law.
- (b) The nature of the act.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 144. Nothing is an offence which is done by a child above the age of seven years and below the 12 years and who :

- (a) Is handicapped.
- (b) Is an orphan.
- (c) Has not attained sufficient maturity of understanding the nature and consequence of his conduct.
- (d) None of the above.

Ans. (c)

Q. 145. Point out incorrect response.

The following are the ingredients of section 83 I.P. Code.

- (a) An act done by a child above 7 years but under 12 years of age.
- (b) A child of above 7 but below 12 years is in India presumed to be doli incapax, therefore, the prosecution has to establish that he was doli capax.
- (c) The child must not have attained sufficient maturity of understanding to judge of the nature and consequences of his conduct.
- (d) Incapacity must exist at the time of commission of the act.

Ans. (a)

Q. 146. Give correct response.

A married girl, Sudha aged about 10 years slept in the night with her mother-in-law. Her husband

Vinay aged about 19 years slept with his brother in another hut but in the same homestead. In the early hours of the fateful day the mother-in-law woke Sudha and told her to go about her household duties. Shortly after this Sudha was seen running out of the house and her husband was found mortally wounded on the neck by her. She was hiding herself in a field and could be found only in the afternoon.

- (a) Sudha was doli capax as it could be inferred from the case, therefore, she was liable unless proved to be doli incapax.
- (b) Sudha was doli incapax being below 12 years and was not liable.
- (c) The circumstances in which murder was committed and the conduct of Sudha were not so as to lead to an inference beyond reasonable doubt that she was guilty.
- (d) Sudha was not liable because a child below 12 years of age is absolutely immune from liability because of her immature age.

Ans. (a)

Q. 147. A person cuts off the head of a sleeping person because it would be great fun to see him looking for it when he woke up. He is :

- (a) Entitled to get benefit of sec. 84.
- (b) Not entitled to get such benefit.
- (c) Guilty of causing death.
- (d) None of the above.

Ans. (a)

Q. 148. An accused on being commanded in his dream by some one to kill his wife as being a denial, into the head of his wife. He is :

- (a) Entitled to the benefit of Sec. 84 IPC.
- (b) Not entitled as he knew the nature of act.
- (c) Not entitled to the benefit of Sec. 94 IPC.
- (d) None of the above.

Ans. (a)

Q. 149. Give the correct response.

- (a) Mere absence of motive of crime cannot in the absence of legal insanity bring the case within Sec. 84.
- (b) A person is exonerated from liability for his acts on the ground of unsoundness of mind.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 150. A man suddenly murdered his wife and sister in law and he made no attempt to run away. This case :

- (a) Falls within Sec. 84.
- (b) Does fall within Sec. 84 because of absence of motive.
- (c) Does not fall within Sec. 84 because of presence of motive behind the act.

(d) Does not fall within Sec. 84 because absence of motive does not imply unsoundness of mind.
Ans. (d)

Q. 151. Give the correct response:

- (a) Medical insanity and legal insanity under Sec. 84 are different.
- (b) Medical, insanity and legal insanity under Sec. 84 are same thing.
- (c) Legal insanity under Se. 84 meant the person's consciousness of the bearing of his acts on those affected by it.
- (d) Both (b) and (c).

Ans. (c)

Q. 152. A person suffering from fever killed his children as being annoyed at their crying. He :

- (a) Is entitled as he was annoyed.
- (b) Is entitled as he was suffering from decease.
- (c) Is not entitled to the benefit of Sec. 84 because he knows the nature of act.
- (d) Is entitled as he did not know the nature of act.

Ans. (c)

Q. 153. Give the correct response :

An intoxicated person is exonerated from liability of his acts provided

- (a) That the thing which intoxicated him was administered to him without his knowledge or against his will.
- (b) That at the time of doing it he was in such state of intoxication that he was unable to know the nature of his acts.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 154. Voluntary drunkenness is an excuse in case :

- (a) Delirium Tremens.
- (b) Where a specific intent is an essential element of an offence.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 155. The accused ravished a girl of 13 years in furtherance of the act of rape placed his hand upon her mouth thereby causing death by suffocation. The sole defence was a plea of drunkenness.

- (a) Accused is entitled to the benefit of Sec. 85 because drunkenness is excuse in every case.
- (b) Accused is entitled to the benefit of Sec. 85.
- (c) Accused is not entitled to the benefit of Sec. 85.
- (d) Cannot say.

Ans. (c)

Q. 156. In the above stated case the accused

- (a) Is guilty of rape and murder unless it is established that at the time doing he was so drunk that he was incapable of forming intent to commit it.

- (b) Is guilty of murder only.
- (c) Is guilty of rape only.
- (d) Is not guilty of rape any offence.

Ans. (a)

Q. 157. A drunken person killed his uncle. It was established that he was in such a state of intoxication, incapable of forming specific intent to kill. He is:

- (a) Guilty of Culpable homicide not amounting to murder.
- (b) Guilty of murder.
- (c) Entitled to the benefit of Sec. 85.
- (d) Not of these.

Ans. (a)

Q. 158. In the above stated question the person is guilty of culpable homicide not amounting to murder because in this case

- (a) 86 protect to assume specific intent.
- (b) Sec. 86 does not say any thing to assume knowledge on the part of accused.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q. 159. An accused committed murder without any motive under the epileptic fit . He :

- (a) Is guilty of murder.
- (b) Is entitled to get benefit under Sec. 84.
- (c) Is not entitled to get such benefit.
- (d) None of the above.

Ans. (b)

Q. 160. Point out incorrect response.

The following are the ingredients of the defence of unsoundness of mind under section 84 I.P.C. :

- (a) Act must be done by a person of unsound mind.
- (b) Such person must be incapable of knowing :
 - (i) the nature of the act, or
 - (ii) that the act was contrary to law, or
 - (iii) that the act was wrong.
- (c) A person must be suffering from some defect of reason whether it is because of some disease of mind or otherwise at the time of commission of the crime.
- (d) Incapacity must be by reason of unsoundness of mind of the offender and incapacity must exist at the time of doing of the act constituting the offence.

Ans. (c)

Q. 161. Point out incorrect response.

In order to claim exemption from criminal liability under section 85 the accused has to establish that at the time of doing the act by reason of intoxication he was :

- (a) Incapable of knowing that he was doing what was either wrong or contrary to law.

- (b) Incapable of knowing the nature of the act.
- (c) The thing which intoxicated a person was administered to him without his knowledge or against his will.
- (d) The thing which intoxicated a person was administered to him with or without knowledge but it must not have been administered against his will.

Ans. (d)

Q. 162. Point out incorrect response.

Indian law relating to drunkenness as defence may be summed up in the following propositions :

- (a) Voluntary drunkenness is no excuse for a crime which requires the mere presence of "knowledge" as distinct from intention.
- (b) Voluntary drunkenness is an excuse only as regards "intention".
- (c) Where actual knowledge exists it gives rise to an inference of presumed intention so as to make voluntary drunkenness an excuse.
- (d) Involuntary drunkenness is an excuse.

Ans. (c)

Q. 163. In cases where an act is not an offence unless done with particular knowledge and intents a person who does the act in state of intoxication shall be liable to be dealt as if he :

- (a) Had the same intent and knowledge as he would have had if he had not been intoxicated.
- (b) Had the same knowledge as he would have had if he had not been intoxicated.
- (c) Had the acknowledge and intent.
- (d) Had the knowledge.

Ans. (b)

Q. 164. The above stated provision applies to the person who :

- (a) Has drunk himself highly intoxicated thing.
- (b) Is highly intoxicated.
- (c) Is intoxicated by someone without his knowledge and intent.
- (d) None of the above.

Ans. (c)

Q. 165. Give incorrect response.

In order to avail the defence under section 87 of the I.P.C. the following conditions must be fulfilled:

- (a) Person giving consent is above 18 years of age.
- (b) If the act is done neither with the intention of causing death nor with the knowledge that it is likely to cause death or grievous hurt.
- (c) Harm is caused to any person with his consent whether express or implied.
- (d) Section 87 does not fix any age of the person consenting but section 90 says that consent in order to be valid must be of a person who is above 12 years, therefore, under section 87 also person giving consent must be above 12 years and not 18 years.

Ans. (d)

Q. 166. Give correct response.

A was charged with the murder of his wife, takes the defence of insanity and in the alternative of

being drunk at the time of commission of the crime and being thus incapable of forming the intent required in murder. It is also pleaded in defence that the accused was a psychopath. The evidence further discloses that the accused had indicated an intention to kill his wife before taking alcohol.

Here :

- (a) A is liable for murder, because the rule is that if the accused had been too drunk to form an intention to kill or do grievous bodily harm, he would, nevertheless have been guilty of manslaughter, either because he intended to commit a battery upon his wife or else because he would have been guilty of gross negligence.
- (b) A is liable for murder because he had indicated his intention to kill his wife before taking alcohol.
- (c) Since a was so deeply intoxicated that he was incapable of forming the criminal intent required in murder, therefore, A was not liable.
- (d) A is not liable for murder because the rule is that when due to alcoholic excess actual insanity supervenes, although temporarily, at the time of commission of the act, the prisoner is not to be held guilty for the act.

Ans. (a)

Q. 167. Give correct response.

A was charged with the murder of a boy aged 15 or 16 years who had accompanied him to a wedding party. A was drunk at the time he fired the fatal shot, when he asked the boy to step aside to enable him to occupy a convenient seat but the boy did not move. In this case it was held that :

- (a) A would be liable because he was voluntarily drunk and voluntary drunkenness is never a defence.
- (b) A would not be liable and would be entitled to the defence of intoxication.
- (c) A would be liable because the rule is that we must attribute to the intoxicated person the same knowledge as if he was quite sober, but so far as the intent is concerned we must gather it from the attending circumstances of the case with due regard to the degree of the intoxication.
- (d) A would not be liable because his mental faculties were so much affected by intoxicating drink that he was unable to know the nature of the act.

Ans. (c)

Q. 168. Give correct response.

A girl of 13 years while going to the market passed through the gate of a mill where B was the only watchman on duty. B in a bid to commit rape caught the girl. She struggled but the accused shut her mouth and pressed the thumb of the other hand on her throat to prevent her from screaming. The girl died. The accused was tried for murder. B pleaded intoxication in his defence. It was held that :

- (a) B was not liable for murder because he never intended to commit murder but intended only to commit rape.
- (b) B was not liable because he was so deeply drunk that he was unable to know that what he was doing was either wrong or contrary to law.
- (c) B was liable for murder because the capacity of the mind of the accused to form the criminal intent which murder involves was to be explored in relation to the ravishment and not in relation to the violent acts which gave effect to the ravishment.
- (d) B was liable for murder because he was voluntarily drunk and voluntary drunkenness is no

defence to a charge of murder.

Ans. (c)

Q. 169 Give correct response.

A, a surgeon knowing that a particular operation is likely to cause the death of Z, who suffers under the painful complaint but not intending to cause Z's death and intending in good faith Z's benefit performs that operation on Z with Z's Consent :

- (a) A would not be liable because Z consented to the performing of the operation and Z must be presumed to be aware with the evil consequences of it.
- (b) A would be liable because he knew that the operation was dangerous and was likely to cause death.
- (c) A would not be liable for any offence because the death was caused while performing an operation which act was done with the consent of Z, in good faith, for his benefit and without any intention to cause death.
- (d) A would be liable because operation though claimed to be performed in good faith and with Z's consent was performed by obtaining Z's consent unlawfully. Z's consent was not a free consent.

Ans. (c)

Q. 170. Give correct response.

A, the accused who professed to be a snake-charmer, persuaded D, the deceased to be bitten by a poisonous snake, by inducing him to believe that he has power to protect him from harm :

- (a) A was liable because he obtained D's consent deceptively and fraudulently knowing if fully well that he would not be able to cure the deceased.
- (b) A was not liable because death was caused by snake biting with the consent of D, the deceased.
- (c) A was not liable because he did not induce D to give his consent, A only represented that he would be able to cure and D volunteered to be bitten by snake on his own.
- (d) A was liable because the consent was not a valid one as it was given under a misconception of fact i.e., in the belief that accused had power by charms to cure snake bites and the accused knew that the consent was given in consequence of such misconception.

Ans. (d)

Q. 171. Give best response.

Z is carried off by a tiger. A fires at the tiger knowing it to be likely that the shot may kill Z, but not intending to kill Z and in good faith intending Z's benefit, A's bullet gives Z a mortal wound:

- (a) A is not liable because he never intended to kill and no person can be held liable unless the act resulting in death was done with the intention of causing death.
- (b) A is not liable because he is entitled to the defence under section 92. In this case the act was done in good faith for the benefit of the child (i.e. to save him from being taken off by the tiger) the likelihood of the harm was known but was not intended.
- (c) A is liable for murder and is not entitled to the defence under section 92 that 'an act done in good faith, for the benefit of a person without consent is not an offence'.
- (d) A is liable for murder because he knew that the shot may kill Z, in homicide intention to kill is not always necessary merely knowledge that the act is likely to cause death is sufficient.

Ans. (b)

Q. 172. Give correct response.

A is in a house which is on fire, with Z, a child. People below hold out a blanket, A drops the child from the house top, knowing it to be likely that the fall may kill the child, but not intending to kill the child, and intending in good faith the child's benefit. The child is killed by fall, Held that :

- (a) A is liable because he knew or had reasons to believe that fall was very likely to result in the death of the child.
- (b) A is liable because A's act cannot be said to have been done in good faith in as much as he knew that the boy was very likely to be killed by such fall, even then he did not take precautions to save him.
- (c) A has committed no offence, because A dropped the child to save him from being killed by fire, the act being done in good faith and intending child's benefit without any intention to harm him.
- (d) A is not liable because he had no intention to kill and no person can be held liable for homicide in absence of such intention.

Ans. (c)

Q. 173. Give the correct response.

- (a) Consent can justify intentional causing of death.
- (b) Sec. 88 allows any harm to be inflicted for his benefit in good faith by anyone with the consent of other.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 174. A person attacked by lion in a jungle asked his friends to fire. They fired and one bullet hit that person.

- (a) They are guilty of causing death.
- (b) They are not entitled to get benefit of Sec. 88.
- (c) They are entitled to get benefit.
- (d) They are guilty of causing death.

Ans. (c)

Q. 175. Under Section 88 the age of consenting party shall be :

- (a) At least 12 years.
- (b) At least 18 years.
- (c) At least 10 years.
- (d) At least 7 years.

Ans. (b)

Q. 176. A VADHYA not qualified as medical practitioner perform a major operation with the consent of that person :

- (a) He is not entitled as such vadhya can hardly be said to act in good faith.
- (b) He is entitled to get benefit because he knows that it is likely to cause his death.
- (c) He is not entitled to the benefit because he knows that it is likely to cause his death.
- (d) None of the above.

Ans. (a)

Q. 177. Give the correct response

- (a) A headmaster who administers in good faith reasonable corporeal punishment to the children is entitled to the benefit of Sec. 88.
- (b) A surgeon who performs major operation with consent of patient is entitled to the benefit of Sec. 88.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 178. Give incorrect response.

In order to avail the defence of section 88 I.P.C. :

- (a) Act must be done in good faith and without any intention to cause death or to cause any harm as may result in death.
- (b) Act must be done with the consent of the sufferer whether consent is express or implied.
- (c) Act must be done in good faith and without intention to cause death though it might have been done with the intention such harm as may result in death.
- (d) The act done must be for the benefit of the person who suffers injury.

Ans. (a)

Q. 179. A in good faith for his minor girl's benefit without her consent, had her hair cut for the removal of stone by the surgeon.

- (a) A is not within the exception.
- (b) A is within the exception.
- (c) Although A is not within the exception.
- (d) but he did not commit the offence.
- (e) A is guilty of causing grievous hurt.

Ans. (b)

Q. 180. Point out incorrect response.

The following cases are covered by the exception from criminal liability as contained in section 89 I.P.C. :

- (a) A, in good faith, for his child's benefit, has his child cut for the stone by a surgeon knowing it to be likely that the operation will cause the child's death but not intending to cause the child's death.
- (b) A, in good faith, for his child's pecuniary benefit emasculates his child.
- (c) A confines his child for its benefit.
- (d) A whips his child moderately for the child's benefit

Ans. (b)

Q. 181. Section 89 empowers the guardian to consent to the infliction of harm in good faith and of the benefit of :

- (a) An infant under 7 years of age.
- (b) An infant under twelve years of age.
- (c) An infant under fourteen years of age.
- (d) None of the above.

Ans. (b)

Q. 182. Acts which are offences independently of any harm which they may cause will not be covered by consent under general exception as for example:

- (a) Offence against public morals.
- (b) Public nuisance.
- (c) Offence against public safety.
- (d) all of these.

Ans. (d)

Q. 183. Causing miscarriage with common consent or her guardian's consent is:

- (a) Justified under exceptions.
- (b) Not justified.
- (c) Not justified as independently it is an offence.
- (d) None of the above.

Ans. (b)

Q. 184. Give the correct response

- (a) This exception shall not extend to the intentional causing of death or attempt of death.
- (b) Nothing is an offence by reason of any harm which it may cause to a person for whose benefit is done in good faith without that person's consent, when it is not possible to obtain consent.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 185. Give incorrect response.

Section 90 I.P.C. lays down that in following cases consent shall not be a valid consent :

- (a) Consent given by a person under fear of injury or under a misconception of fact, provided the person doing the act knows or has reason to believe that the consent was given in consequence of such fear or misconception.
- (b) the consent is given by a person who from unsoundness of mind, or intoxication, is unable to understand the nature and consequence of that to which he gives his consent.
- (c) If the consent is given by a person who is under 18 years of age.
- (d) If the consent is given by a person who is under 12 years of age.

Ans. (c)

Q. 186. Word Benefit used in Sec. 88, 89 and 90 IPC means :

- (a) Other benefits than pecuniary benefits.
- (b) Mere pecuniary benefit.
- (c) Other as well as pecuniary benefit.
- (d) None of the above.

Ans. (c)

Q. 187. Point out incorrect response.

The principle underlying section 91 I.P.C. is that consent will only condone the act causing harm to the person giving the consent, which will otherwise be an offence. Acts which are offences independently of any harm which they may cause will not be covered by consent given by the

sufferer. Some instances of such acts are :

- (a) Offences against public safety.
- (b) Causing miscarriage to a woman.
- (c) Mischief.
- (d) Public nuisance.

Ans. (c)

Q. 188. Communication made is no offence by any harm to the person if it is made:

- (a) In good faith.
- (b) For the benefit of the persons to whom it is made.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 189. A surgeon in good faith told his patient that he cannot live. Patient dies in consequence of the shock.

- (a) He is within the exception.
- (b) He is guilty of causing death.
- (c) He is not within the exception.
- (d) None of the above.

Ans. (a)

Q. 190. Give correct response.

A, a surgeon in good faith, communicates to a patient his opinion that he cannot live. The patient dies in consequence of the shock:

- (a) A is liable for committing culpable homicide because death of a human being may be caused by innumerable means.
- (b) A is liable for attempting to cause death of the patient by such communication.
- (c) A has committed no offence because the communication was made in good faith, and for the benefit of the patient.
- (d) A is only liable for abetment.

Ans. (c)

Q. 191. Under Sec. 94 a person is not liable for any act done under :

- (a) Fear of grievous hurt.
- (b) Fear of simple hurt.
- (c) Fear of instant death.
- (d) All of these.

Ans. (c)

Q. 192. Give the correct response?

- (a) Menace of future death will be sufficient for this exception.
- (b) A person is excused for any act done under fear of death murder and offences against the state punishable with death.
- (c) Both (a) and (b).

(d) None of the above.

Ans. (b)

Q. 193. Under Sec. 94. A person is excused for any act done under fear of death except :

- (a) Murder and dacoity.
- (b) Murder and grievous hurt.
- (c) Murder and rape.
- (d) Murder and offences against the state punishable with death.

Ans. (d)

Q. 194. Give the correct response

- (a) Murder does not include abetment of murder.
- (b) Murder committed under a threat of instant death is not excused:
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 195. De minimus non curet let does mean :

- (a) The law takes no account of acts of insane.
- (b) The law takes no account of acts of a child.
- (c) The law takes no account of trifles.
- (d) None of the above.

Ans. (c)

Q. 196. Which is/are trifles under Sec. 95 IPC ?

- (a) Taking pads almost valueless from a tree standing on govt. waste land.
- (b) To dip a pen in another mens inkpot.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 197. Which one of these acts are not regarded as trifle matters under Section 95

- (a) Harm caused to a person's reputation by the imputation that he was traveling on wrong ticket.
- (b) An assault to cover a person with dust by riding past him.
- (c) Theft of cheque of no value.
- (d) None of the above.

Ans. (d)

Q. 198. Match the following?

1. de minimis non curat lex A. Sec. 87
2. Volenti non fit injuria B. Sec. 86
3. delirium tremens C. Sec. 90

D. Sec. 95

Codes:

1 2 3

- (a) D A C
- (b) C B D
- (c) A B D
- (d) D A B

Ans. (d)

Q. 199. Match the following ?

1. de minimis non curat lex

A. An alcoholic disease

2. delerium tremens

B. Who consents suffers no injury

3. Volenti non fit injuria

C. Law takes no account of trifles

Codes:

1 2 3

- (a) C A B
- (b) B C A
- (c) A B C
- (d) C B A

Ans. (c)

Q. 200. Give the correct response :

- (a) Mere use of abusive language does not give rise to Private defence.
- (b) Nothing is an offence which is done in the exercise of right of Private Defence.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 201. Give the correct response

- (a) There must be a reasonable apprehension of death or grievous hurt or hurt to the person or damage to the property concerned.
- (b) It there is sufficient time for recourse to public authorities.
- (c) More harm than that is necessary should not be caused.
- (d) All of these.

Ans. (d)

Q. 202. Give the correct response :

- (a) Right of private defence is available in case of free fight.
- (b) Right of private defence is not available to the aggressor.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (d)

Q. 203. Every person has right to defend

- (a) His own body and the body of other person.
- (b) His own body and body of other person against any offence affecting the body.
- (c) His own body.
- (d) None of the above.

Ans. (b)

Q. 204. Every person has right to defend:

- (a) The immovable property.
- (b) The moveable property.
- (c) Moveable as well as immovable property.
- (d) None of the above.

Ans. (c)

Q. 205. Every person has the right to defend the property of himself or of any other person against the attempts and :

- (a) Acts of theft and robbery.
- (b) Acts of theft, mischief and criminal.
- (c) Acts -- thefts, robbery, mischief.
- (d) Acts of theft, robbery, mischief and criminal trespass.

Ans. (d)

Q. 206. If a person goes with a gun to kill another:

- (a) The intended victim as well as that person has the right of P.D..
- (b) The intended victim has the right of private defence.
- (c) That other person has the right of P.D.
- (d) Neither intended victim nor that person is entitled to the right of P.D.

Ans. (b)

Q. 207. A man was cutting the throat of his wife, their son shot and killed the father:

- (a) Son is not entitled as right of P.D. is available against the offence affecting one's own body.
- (b) Son is not entitled to the benefit of this Sec. 96.
- (c) Son is entitled to the benefit.
- (d) Cannot say.

Ans. (c)

Q. 208. Give the correct response :

- (a) The true owner has right of P.D. if he dispossess the trespasser who is in settled possession.
- (b) Trespassers on the property of another cannot get any benefit of right of P.D.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 209. Some person, lawful tenant of Agriculture land having reasonable fear of being ejected by force, made a practice of keeping their clubs in readiness. They expected attack and one of them was killed in the fray.

- (a) Attackers are entitled to the right of P.D.
- (b) Tenants are entitled to the benefit of right of Private defence.
- (c) Both tenants and attacks can avail the right of private defence.
- (d) Tenants are not entitled to the benefit as they were prepared to anticipated any attacks.

Ans. (b)

Q. 210. The father of the accused was attacked by the deceased and suffered a simple injury on his head, the accused in order to protect his father administered a fatal blow on the chest of deceased with Ballam

- (a) The accused has no right of P.D..
- (b) The accused has the right of P.D..
- (c) Although accused has the right of P.D. he had exceeded it.
- (d) None of the above.

Ans. (c)

Q. 211. Give the correct response :

Z under the influence of madness attempts to kill A.

- (a) A has no right of private defence.
- (b) Z is guilty of no offence.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 212. A new tenant A enters by night in the building, B another tenant, suspecting him to be thief attacked A. In this case :

- (a) A has right of PD.
- (b) A has no right of P.D. because of no offence was committed by B.
- (c) A has no right of PD.
- (d) A has right of P.D. because B is guilty of an offence.

Ans. (a)

Q. 213. A police officer without any search warrant enters a house in search of stolen property in good faith. The owner obstructed and resisted the entrance:

- (a) He cannot plead the right of P.D. because police officer not justified was acting in good faith.
- (b) He is right to do that as police officer had no search warrant.
- (c) Cannot say.
- (d) None of the above.

Ans. (a)

Q. 214. A police officer attempted to execute a warrant the issue of which was illegal. The accused is :

- (a) Justified in his resistance.
- (b) Is not justified as police officer was performing his duty.
- (c) Is not justified in his resistance.

(d) Cannot say.

Ans. (b)

Q. 215. In which of the following case the right of P.D. is executed:

(a) A thief was held with his face down to ground to prevent his entrance by owner causing death of thief by suffocation.

(b) A person attacked by spear struck a below with a club causing death.

(c) In both case.

(d) In None of the above case.

Ans. (d)

Q. 216. In which case, the right of PD is exceeded

(a) A person killed a weak woman found stealing at night.

(b) A person attacked by another by a rod of iron struck a blow of lath:

(c) A thief was caught red handed, and then beaten till his death.

(d) In (a) and (c).

Ans. (d)

Q. 217. The right of P.D. of the body extends to the voluntary causing of death if the offence is :

(a) An assault with the gratifying lust.

(b) An assault with the intention of kidnapping or abducting.

(c) An assault with the intention of committing rape.

(d) All of these.

Ans. (d)

Q. 218. Give the correct response :

(a) It cannot confer any right of P.D. on the accused person unless he apprehends physical violence from his opponent .

(b) The right of private defence of the body extends to the voluntary causing of death of the offence is an assault as may reasonably cause the apprehension that death would otherwise be the consequence.

(c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 219. Give the correct response

(a) Even the husband cannot forcibly take out his wife from the house of his paramour.

(b) The right of P.D. of the body extends to the voluntary causing of death if it is an assault with the intention of kidnapping.

(c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 220. A was stabbed by B. His brother in law when he forcibly took his wife from his father in law house.

(a) B is entitled to the benefit of PD.

- (b) B is guilty of causing death.
- (c) B is not entitled to the benefit of PD., as A is doing lawful act.
- (d) Cannot say.

Ans. (a)

Q. 221. A person run away from a hotel without paying bill, he was caught by servants. In this course he killed one of the hotel servants. He took the plea of private defense.

- (a) He is not entitled to the right of P.D. as a person cannot take advantage.
- (b) He is entitled as right of PD extends to the causing of death against the assault of abduction.
- (c) Cannot say.
- (d) None of the above.

Ans. (a)

Q. 222. Give the correct response :

- (a) The right of P.D. commences as soon as reasonable apprehension of danger, to the body arises from an attempts only not from threat.
- (b) Every person has right of private defence against the offence affecting his body.
- (c) Both a and b
- (d) None of the above.

Ans. (c)

Q. 223. The right of PD property extends to the voluntary causing of death against the following offences :

- (a) House breaking by night.
- (b) Robbery.
- (c) Mischief by fire.
- (d) All of these.

Ans. (d)

Q. 224. In which of the following the right of PD of property extends to the voluntary causing of death ?

- (a) Criminal trespass.
- (b) Theft.
- (c) House breaking by night.
- (d) All of these.

Ans. (c)

Q. 225. A guard standing at the gate of Police Station challenged the passer by to stop. He did not stop. Guard fired a shot which hit him in the chest :

- (a) Guard is not entitled.
- (b) Guard is entitled to the benefit of PD of property.
- (c) Guard is not entitled as there is not question of guarding police station.
- (d) Cannot say.

Ans. (a)

Q. 226. The right of Private defence of property commences as soon as :

- (a) Reasonable apprehension of danger to the property appears.
- (b) Property is stolen.
- (c) Property is taken to some distance.
- (d) None of the above.

Ans. (a)

Q. 227. The right of PD of property against theft continues till :

- (a) The assistance of public authorities is obtained.
- (b) The property has been recovered.
- (c) The offender has effected his retreat with the property.
- (d) All of these.

Ans. (d)

Q. 228. The right of P.D. of property against robbery continues as long as :

- (a) Offender causes or attempts to cause to any person death or wrongful restrain.
- (b) Offender causes or attempts to cause to any person death.
- (c) Offender causes or attempts to cause to any person death or hurt or wrong-full restraint.
- (d) None of the above.

Ans. (c)

Q. 229. A person followed up purporting to be those of their stolen cattle's and proceeded to villages of thieves and fired on them. He pleaded the right of P.D.

- (a) He is entitled to the benefit of right of P.D. of property.
- (b) He is not entitled as he did not recourse to the public authorities.
- (c) He is not entitled as the defence has been put to on end by successful retreat of the thieves.
- (d) None of the above.

Ans. (c)

Q. 230. The right of P.D. against an assault which reasonable cause the apprehension of death extends to :

- (a) Cause harm to innocent person if he cannot effectively exercise right of P.D. without taking risk of harming innocent person.
- (b) Cause harm to innocent person.
- (c) Cause harm to the innocent person., if he suspect him to be assaulter.
- (d) None of the above.

Ans. (a)

Q. 231. A is attacked by mob who attempts to murder him. He cannot effectually exercise his right of P.D. without firing on the mob and without taking risk of the life of children mingled in the mob:

- (a) A did not commit offence if by firing he harms children.
- (b) A is guilty if by firing he harm children without recourse to the police authorities.
- (c) A is guilty of firing causes harms to children.
- (d) None of the above.

Ans. (a)

Q. 232. Give most accurate response.

A enters by night a house which he is legally entitled to enter. Z in good faith, taking A for a housebreaker, attacks A and causes injury. In this case :

- (a) Since A was legally entitled to enter the house, Z would be liable for voluntarily causing hurt to A.
- (b) Z will be liable because he has acted in haste without exercising proper care and attention to ascertain whether A was an inhabitant or a house-breaker.
- (c) Z will not be liable because he has acted under a mistaken belief that A was a burglar.
- (d) Z will not be liable because he has acted in the exercise of his right of private defence of property under a misconception that A was a house-breaker.

Ans. (d)

Q. 233. Give best response.

A entered the house of B at the dead of night with the intention of committing theft. B struck him with a lathi in the dark and A fell down unconscious. B gave him one more blow which fell on A's head, causing extensive bleeding and A's death. B is prosecuted for murder and takes the plea that the death was caused in exercise of the right of private defence of property. Here :

- (a) B acted in the exercise of his right of private defence and is, therefore, not liable.
- (b) B's right of private defence of property in case of apprehension of theft did not extend to the causing of death but any harm other than death. Therefore, B is not entitled to claim successfully the right of private defence but at the same time he would be entitled to avail the exception (2) to section 300 and would only be liable for committing culpable homicide.
- (c) Under section 104 of the Penal Code B could cause any harm other than death in defence of his property. Since B has caused death, he would be liable for murder.
- (d) Since A entered B's house at dead of night with a view to commit theft, B was entitled to claim the benefit of section 103 of the Penal Code and will not be liable for murder.

Ans. (b)

Q. 234. Give correct response.

A finding a thief B entering into his house at night, through an entrance made in the side-wall seized B while intruding his body and held him with his face down to the ground to prevent his further entrance and thereby caused his death by suffocation. Held :

- (a) A is liable for culpable homicide and is not entitled to the defence of right of private defence of property.
- (b) Since B was a thief, A could cause B any harm other than death in defence of his property. A has exceeded his right by causing death, he would, therefore, be liable not for murder but for culpable homicide.
- (c) A was entitled to claim private defence in his justification, he has not exceeded his right of private defence as he was only holding him to prevent his further entrance. The harm caused is proportionate and justifiable.
- (d) Since the rule under section 99 of the I.P.C. is that no harm more than that is necessary to inflict for the purpose of defence is justified and A has inflicted more harm than was necessary but he has no intention to cause death or bodily injury likely to cause death, therefore, A is liable for causing hurt only.

Ans. (c)

Q. 235. Give best response.

A is attacked by a mob who attempt to cause grievous hurt to him. He cannot effectually exercise his right of private defence without firing on the mob and he cannot fire without taking the risk of harming young children who are mingled with the mob. In this case :

- (a) A cannot claim the defence under section 106 because the right of private defence under this section permits taking of risk to cause harm to innocent persons only against deadly assault.
- (b) A commits no offence if by so firing he harms any of the children because section 106 permits taking of such risk in private defence.
- (c) A is liable for the offence committed because the right of private defence in no case permits taking risk of causing any harm to innocent persons.
- (d) A is not liable for any offence because the right of private defence justifies causing of any harm to avoid death or grievous hurt.

Ans. (a)

Q. 236. Give correct response.

A is attacked by a mob who attempt to murder him. He cannot effectually exercise his right of private defence without firing on the mob and he cannot fire without risk of harming children who are mingled with the mob. One of the children is killed by such firing. In this case:

- (a) A is liable for committing only culpable homicide not amounting to murder because he did not intend to cause death but death was caused in doing an act in the exercise of his right of private defence and this right was exceeded.
- (b) A is liable for committing murder because he knew that his act was dangerous and some one was very likely to be killed.
- (c) A is not liable for murder because the law relating to the right of private defence of body permits causing of any harm in the exercise of right of private defence provided that the apprehension was either of death or of grievous hurt.
- (d) A commits no offence because section 106 of the Penal Code permits taking of risk of causing any harm to innocent persons, by doing an act in the exercise of the right of private defence against an assault which reasonably causes the apprehension of death.

Ans. (d)

Q. 237. Point out incorrect response.

In order to avail the defence under section 94 I.P.C. the following conditions must be fulfilled.

- (a) Murder and offences against the State punishable with death are the two exceptions to the defence of compulsion as contained in section 94 I.P.C.
- (b) Act must be done by a person who is compelled to do it by threats.
- (c) The threat must be such, which at the time of doing of the act, reasonably causes the apprehension of instant death to that person.
- (d) However the person doing the act did not of his own or from reasonable apprehension of any harm to himself, place himself in the situation by which he became subject to such constraint.

Ans. (d)

Q. 238. Point out incorrect response.

The right of private defence of body extends to the causing of death if the offence which occasions

the exercise of the right of private defence is of the following description :

- (a) An assault with the intention kidnapping or abducting.
- (b) An assault with the intention of wrongfully restraining a person.
- (c) An assault with the intention of committing rape.
- (d) An assault with the intention of gratifying unnatural lust.

Ans. (b)

Q. 239. Point out incorrect response.

The right of private defence of body extends to the causing of death if the offence which occasions the exercise of the right of private defence is of the following description :

- (a) An assault with the intention of compelling a woman to marry against her will.
- (b) An assault which reasonably causes the apprehension of death or grievous hurt.
- (c) An assault with the intention of wrongfully confining a person under certain special circumstances.
- (d) An assault with the intention of gratifying unnatural lust.

Ans. (a)

Q. 240. Point out incorrect response.

The right of private defence of property extends to the voluntarily causing of death if the offence apprehended be of the following description:

- (a) Dacoity
- (b) House breaking by night.
- (c) Mischief by fire.
- (d) Extortion under such circumstances as may reasonably cause the apprehension of death or grievous hurt.

Ans. (d)

Q. 241. Point out incorrect response.

The right of private defence of property extends to the voluntarily causing of death if the offence apprehended be of the following description:

- (a) House trespass under such circumstances as may be reasonably cause the apprehension of death or grievous hurt.
- (b) Theft under such circumstances as may reasonably cause the apprehension of death or grievous hurt.
- (c) Mischief under such circumstances as may reasonably cause the apprehension of death or grievous hurt.
- (d) Public nuisance under such circumstances as may reasonably cause the apprehension of death or grievous hurt.

Ans. (d)

Q. 242. Point out incorrect response.

The exercise of the right of private defence under the Penal Code is subject to the following limitations as contained in section 99 of the code :

- (a) If the right of private defence is exceeded by the person exercising such right, the other party apprehended shall also have the right of private defence.

- (b) There is no right of private defence against an act done by public servant acting in good faith under colour of his office unless it causes apprehension of death or grievous hurt.
- (c) The right of private defence in no case extends to the inflicting of more harm than it is necessary to inflict for the purposes of defence.
- (d) There is no right of private defence in cases in which there is time to have recourse to the protection of public authorities.

Ans. (a)

Q. 243. A, a public officer is authorized by warrant to apprehend B. Z, knowing the fact C is not B willfully represent to A, C to be B.

- (a) A abets by instigation apprehension of C.
- (b) A is guilty to cause apprehension.
- (c) Z abets by instigation apprehension of C.
- (d) None of the above.

Ans. (c)

Q.244. Consider the following statements in respect of criminal conspiracy:

1. There has to be always an agreement to commit an offence.
2. The agreement must be between two or more persons
3. Unlawful means always be used.
4. The agreement may be for any act prohibited by the law.

Which of the statements given above is/are correct?

- (a) 1 and 3
- (b) 2 and 3
- (c) 3 only
- (d) 2 and 4.

Ans.(d)

Q.245. A instigates B to murder C. B refuses to do so. Under IPC:

- (a) A is guilty of abetting B
- (b) A is not guilty of abetting B
- (c) A is not guilty as C is not murdered
- (d) None of the above

Ans.(a)

Q. 246. Under Indian Penal Code, there can be abetment to:

- (a) A person of unsound mind
- (b) An infant
- (c) Both (a) and (b)
- (d) All of the above.

Ans. (c)

Q.247. A asks his servants to beat B. The servant did so:

- (a) A is guilty of criminal conspiracy
- (b) A is guilty of criminal assault

- (c) A is guilty of abetment by instigation
- (d) None of the above

Ans.(c)

Q.248. For abetment by conspiracy

- (a) A mere agreement between two or more persons to do an unlawful act is enough
- (b) Some act or illegal omission must take place in pursuance of an engagement between two or more persons to do an unlawful act.
- (c) There must be an intentional aid by one person to another for the doing of an offence.
- (d) None of the above

Ans.(b)

Q.249. Definition of criminal conspiracy is given in the IPC in:

- (a) Section 120
- (b) Section 120-A
- (c) Section 120-B
- (d) None of the above

Ans.(b)

Q.250. Which is correct:

- (a) In conspiracy, there is no distinction between principal and accessory
- (b) In conspiracy, principal and accessory are distinct
- (c) There has to be a distinction between principal and accessory in all offence
- (d) All of these.

Ans.(a)

Q.251. Punishment for criminal conspiracy is in:

- (a) Section 120-B, IPC
- (b) Section 120-A, IPC
- (c) Section 144, Cr PC
- (d) None of the above

Ans.(a)

Q.252. Abetment of an offence is

- (a) Always an offence.
- (b) Never an offence
- (c) May be an offence depending on the circumstances but not always
- (d) None.

Ans.(a)

Q.253. For conspiracy, the minimum number of persons required is

- (a) One
- (b) Five
- (c) Two
- (d) None.

Ans.(c)

Q.254. The abetment of offence is completed as soon:

- (a) The offence abetted has been committed
- (b) The abettor has incited another person to commit an offence
- (c) The person abetted has done some overt act towards the commission of the offence
- (d) All the above acts have taken place.

Ans.(b)

Q.255. Which one of the following statements is true in relation to the offence of abetment?

- (a) It is not necessary that the offence for which abetment is alleged should have been committed.
- (b) Unless an offence is successfully committed, there is no question of abetment
- (c) For the offence of abetment to be established, the abettor should have been proved to have done something at the time.
- (d) For the offence of abetment to be established, the abettor should have been proved to have done something at the time of commission of the offence itself to help its commission.
- (e) A returns a license weapon belonging to B on his demand with which B commits a murder. A is liable for abetment.

Ans.(a)

Q.256. The offence of criminal conspiracy lies not in doing the act or effecting the purposes for which the conspiracy is formed but in the forming of the scheme between the parties. A criminal conspiracy consists of:

- (a) An intentional act of one person with the connivance of another
- (b) An agreement of two or more persons to do an unlawful act or a lawful act by unlawful means.
- (c) Common intention of two or more persons to achieve an unlawful object
- (d) Two or more persons inducing a minor to commit an offence.

Ans.(b)

Q.257. Which one of the following statements is not correct?

- (a) Abetment can be committed by mere silence
- (b) An abettor is liable for abetment even if the abetted act is not committed
- (c) If abetted person is not liable for committing the abetted act, the abettor cannot be held liable.
- (d) An abettor is liable for all the likely consequences for his statement.

Ans.(c)

Q.258. Which one of the following statements is correct?

- (a) In conspiracy, there is not distinction between principal and accessory
- (b) In conspiracy principal and accessory are distinct
- (c) There has to be a distinction between principal and accessory in all offences
- (d) None of the above is correct.

Ans.(a)

Q.259. Give incorrect response.

A person abets the doing of a thing who :

- (a) Intentionally aids, by any act or illegal omission the doing of that thing.
- (b) Instigates any person to do that thing.

- (c) Instigates any person to do a thing which must also be done.
- (d) Engages with one or more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy and in order to the doing of that thing.

Ans. (c)

Q.260. Give correct response.

A instigates B to burn Z's house. B sets fire to the house and at the same time commits theft to property there :

- (a) A is guilty of theft by setting fire to the house.
- (b) A is guilty of abetting the burning of the house because it was committed during the same transaction.
- (c) A though guilty of abetting the burning of the house, is not guilty of abetting the theft.
- (d) A is neither guilty of abetting the burning of the house, nor of theft because both were distinct acts.

Ans. (c)

Q.261. Give best response.

A and B have been married for some time. Due to acute financial difficulties they decide to commit suicide. A procures some poison which both of them take. But A, the husband survives whereas B, the wife dies as a result of taking the poison. In this case :

- (a) A is liable for abetment. A by deciding to commit suicide with his wife has abetted her by counselling to commit suicide.
- (b) A is liable for murder and not for abetment. Where the parties mutually agreed to commit suicide, and one only accomplished that object the survivor will be guilty of murder and not for abetment only.
- (c) A is neither liable for murder not for abetment but attempting to murder his wife.
- (d) A is liable for murder as well as for abetment of murder.

Ans. (a)

Q.262. Give correct response.

A concert with B a plan of poisoning Z. It is agreed that A shall administer the poison. B then explains the plan to C mentioning that a third person is to administer the poison, but without mentioning A's name. C agrees to procure the poison, and procures and delivers it to B for the purpose of its being used in the manner explained. A administers the poison; Z dies in consequence. In this case C's liability is as follows :

- (a) C will not be liable for abetment by conspiracy because C can only be held liable if he had concerted with A and B.
- (b) C would be liable for attempting to commit murder but not for committing murder because the poison was administered by A.
- (c) C is not liable for murder because he never conspired with A.
- (d) Though A and C have not conspire together yet C has been engaged in the conspiracy in pursuance of which Z has been murdered. C has, therefore, abetted the offence of murder and would be liable to the punishment of murder.

Ans. (d)

Q.263. Give best response.

A suggests B to give false evidence. B in consequence of the suggestion commits that offence :

- (a) A is guilty of abetting the offence and is liable to the same punishment as B because mere suggestion amounts to instigation.
- (b) A is guilty of abetting the offence committed by B because mere suggestion amounts to instigation but B will not be liable for any offence.
- (c) A commits no offence because mere suggestion to some one to do an illegal act is not an offence but B is liable under section 193 I.P.C.
- (d) A commits no offence but B is liable for giving false evidence under section 193 I.P.C.

Ans. (a)

Q.264. Give incorrect response.

Criminal conspiracy means :

- (a) An agreement between two or more persons to do or cause to be done a legal or an illegal act by improper means.
- (b) An agreement between two or more persons to do an illegal act.
- (c) An agreement between two or more persons to do an act, which though not illegal by illegal means.
- (d) An agreement between two or more persons to commit an offence.

Ans. (a)

Q.265. Abetment is caused by :

- (a) Instigating a person to an offence.
- (b) Intentionally aiding a person to commit it.
- (c) Engaging in a conspiracy to commit it.
- (d) All of these.

Ans. (d)

Q.266. Give the correct response

- (a) It is necessary only in the case person abetting an offence but intentionally aiding another to commit that offence.
- (b) It is not necessary for the offence of abetment that the act abetted must be committed.
- (c) Both (a) and (b)
- (d) None of the above.

Ans. (c)

Q.267. The word INSTIGATE means :

- (a) To do unlawful act.
- (b) To provoke, to incite.
- (c) To cheat.
- (d) None of the above.

Ans. (b)

Q.268. Give the correct response :

- (a) Instigation necessarily connotes some suggestion or support or stimulates whether passive or

active.

- (b) Advice per se does not necessarily amount to instigation.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q.269. Give the correct response :

- (a) It is necessary to concert such person.
- (b) It is not sufficient if he engages in the conspiracy.
- (c) It is not necessary that abettor should concert the offence with the person who commits it.
- (d) None of the above.

Ans. (a)

Q.270. Give the correct response :

- (a) Conspiracy in S.120A is mere agreement to commit and offence.
- (b) Instigation by engaging in conspiracy requires an act or illegal omission.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q.271. Where the matter in law by her cruel conduct and suggestion goaded the daughter in law to commit suicide. She is

- (a) Liable for his cruel conducts only.
- (b) Not guilty of abetment of suicide.
- (c) Guilty of abetment of suicide.
- (d) None of the above.

Ans. (c)

Q.272. A person abets by aiding :

- (a) At the time of commission of an act.
- (b) Prior to the act is done.
- (c) Either prior to or at the time of commission of an act.
- (d) Either prior or posterior or at the time of commission of an act.

Ans. (c)

Q. 273. A person supplies food to another person known to be engaged in crimes is:

- (a) Criminal.
- (b) Abetment.
- (c) Not abetment.
- (d) None of the above.

Ans. (c)

Q. 274. A supplies food to a person who might go on a journey to the intended scene of the crime. A is :

- (a) Guilty of abetting an offence.
- (b) Not guilty of abetting an offence.

- (c) Cannot say.
- (d) None of the above.

Ans. (a)

Q. 275. Abetment by aid requires

- (a) Passive aiding.
- (b) Active aiding.
- (c) Intentional aiding.
- (d) None of the above.

Ans. (c)

Q. 276. A bigamous marriage took place in the presence of Pandit who officiate marriage and some other person who permitted its celebration:

- (a) All persons except Pandit is guilty.
- (b) All persons are guilty of abetment of an offence.
- (c) No one is guilty of abetment.
- (d) Only Pandit is liable for abetment of bigamous marriage.

Ans. (d)

Q. 277. A guardian, without consent of girl and in her absence, in her name caused a marriage ceremony and married her to other person while her husband was living:

- (a) It is abetment.
- (b) It is not abetment because to constitute abetment the accused must have instigated other person.
- (c) It is not abetment as father is authorized to do that.
- (d) None of the above.

Ans. (b)

Q. 278. A instigate B to murder C. B refused to do so :

- (a) A is guilty of abetting B to murder C.
- (b) A is not guilty as C is not murdered.
- (c) A is not guilty of abetting as refused to do that.
- (d) None of the above.

Ans. (a)

Q. 279. A instigates B to murder C. B stabbed C but C recovers from the wound:

- (a) A is guilty of abetting B to commit murder.
- (b) A is guilty of abetting B to commit grievous hurt.
- (c) A is not guilty of instigation as desire requisite not affected.
- (d) None of the above.

Ans. (a)

Q. 280. Give the correct response

- (a) It is not necessary that the person abetted should be capable by law of committing an offence.
- (b) To constitute the offence of abetment it is not necessary that act abetted should be committed.
- (c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 281. A with the intention of murdering Z instigate B a lunatic to give to Z. B in spite of giving Z take poison himself

(a) A is guilty of causing death of lunatic only.

(b) A is guilty of abetment.

(c) A is not guilty as B a lunatic cannot be an offender in the eyes of law.

(d) None of the above.

Ans. (b)

Q. 282. A instigates B a child below 7 years of age to set fire to a dwelling

(a) A is guilty of abetting B to set fire.

(b) A is not guilty as there is no question of abetment of child.

(c) Cannot say.

(d) None of the above.

Ans. (a)

Q. 283. Give the correct response :

(a) The abetment of an offence is an offence.

(b) But the abetment of such abetment is no offence.

(c) Both (a) and (b).

(d) None of the above.

Ans. (a)

Q. 284. A instigates B to kidnap son of Z. B instigates C to do so and C kidnaps son of Z.

(a) Only B is guilty of abetting C.

(b) Only A is guilty of abetment.

(c) Both A and B are guilty of abetment.

(d) None of the above.

Ans. (c)

Q. 285. Give the correct response :

(a) An offence can be abetted though the means which are intended to be employed are such which could not bring the desirous effect.

(b) It is not necessary for abetment that the person abetted should have the guilty intention or knowledge as that of abettor.

(c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 286. Accused asked the doctor to supply her medicine for the purpose of poisoning her husband:

(a) There is no abetment.

(b) There is not abetment as Doctor is bound by moral duty to give what is asked to him.

- (c) Doctor abetted an offence.
- (d) None of the above.

Ans. (c)

Q. 287. Give the correct response :

A in India abetted B, a foreigner in Pakistan to commit a murder in Islamabad

- (a) A is guilty of abetting B.
- (b) A is not guilty of abetting B.
- (c) A could not been guilty of abetting if he abetted B to murder in India.
- (d) All of these.

Ans. (a)

Q. 288. A instigates B to give false evidence B commits that offence:

- (a) A has abetting the offence but not liable to the same punishment as B.
- (b) A has abetted the offence but liable to the half of the punishment as B.
- (c) A has abetted the offence and is liable to the same punishment as B.
- (d) None of the above.

Ans. (c)

Q. 289. Whoever abets an offence & if the act abetted is committed & no express provision is made by this code for punishment of such abetment, the abettor will be punished --

- (a) With the 1/3rd of the punishment provided for the offence.
- (b) With the 1/4th of punishment provided for the offence.
- (c) With the half of the punishment provided for the offence.
- (d) With the punishment provided for the offence.

Ans. (d)

Q. 290. Where the accused was charged with the main offence but it was found in evidence that he had abetted the offence in fact

- (a) He can be convicted of abetment.
- (b) He can't be convicted of abetment.
- (c) Once acquitted can't be convicted for abetment.
- (d) None of the above.

Ans. (a)

Q. 291. When an act is abetted & a different act is done the abettor is liable-

- (a) For the act done in the same manner & to the same extent as if he had directly abetted it.
- (b) For the act which is abetted.
- (c) For the act which is done in some what different manner.
- (d) None of the above.

Ans. (a)

Q. 292. Give the correct response

- (a) It is not necessary that act done should be a probable consequence of the abetment and was committed under the influence of abetment.
- (b) When an act is abetted & different act is done the abettor is liable for the act done.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 293. A instigates B a child to put poison into the food of Z. B by mistake put poison into the food of Y & Y died consequently.

- (a) A is responsible for the death of Y in the same manner as if he had abetted the murder of Y.
- (b) A is not responsible for the death of B.
- (c) A is guilty of attempt of murder of Z.
- (d) None of the above.

Ans. (a)

Q. 294. A instigates B to set fire in Z's house. B set fire to the Z's house & same time commit theft of property there.

- (a) A is guilty of abetting setting fire.
- (b) A is guilty of abetting setting fire as well as abetting theft.
- (c) A is guilty of abetting theft only.
- (d) None of the above.

Ans. (a)

Q. 295. Give correct response

- (a) If one instigates another to perpetuate particular crime & that other in pursuance of instigation not only perpetrate that crime but in the course of doing so commits another crime. Abettor is liable for another crime.
- (b) Sec. 111 IPC proceeds on the maxim Every man is presumed to intend the natural consequence of his act.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 296. A, person instigates to B & his friend to beat C with lathis but one of the assailant took suddenly spearhead & stabbed the person

- (a) A is liable to abet stabbing.
- (b) A is liable to abet both with lathis & stabbing.
- (c) A is not liable for abetment of stabbing, because it is quite different act.
- (d) None of the above.

Ans. (c)

Q. 297. Give correct response.

A instigates a child B aged 6 years to put poison into the food of C and gives him poison for that purpose. The child in consequence of the instigation, by mistake, puts the poison into the food of D who is sitting by the side of C. D dies.

- (a) A will not be liable for the abetment of murder of D because he never abetted D's murder.
- (b) A will not be liable for the abetment of murder of D because he has never intended to commit murder of D.
- (c) A will not be liable for abetment of murder of D because murder was committed by B a child and nothing is an offence which is done by a child below 7 years of age.
- (d) A will be liable for the abetment of murder of D in the same manner and to the same extent as if he had instigated the child to put poison into food of D.

Ans. (d)

Q. 298. A person is said to instigate the doing of thing by:

- (a) Willful misrepresentation and concealment of fact which he is bound to disclose.
- (b) Willful concealment of fact.
- (c) Willful misrepresentation and concealment.
- (d) None of the above.

Ans. (a)

Q.299. Match List-I with List-II and select the correct answer using the codes given below the Lists:

List I List II

- A. Fighting by two or more person 1. Abetment
- B. Intentional aiding in commission of an offence 2. Sedition.
- C. Violence is caused by five or more persons. 3. Affray
- D. Offence is committed by words signs or visible representation. 4. Riot

Codes:

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

Ans.(c)

Q.300. The essence of sedition is:

- (a) Intention
- (b) Benefits or gains of the accused
- (c) Result
- (d) None of the above

Ans.(a)

Q.301. Which is an essential ingredient of sedition?

- (a) Dishonest intention

- (b) Mala fide intention
- (c) Words spoken must cause public disorder by acts of violence
- (d) Words spoken must be capable of exciting disaffection towards the Government.

Ans.(d)

Q.302. Which is punishable as sedition?

- (a) Bitter criticism of the government to overthrow it
- (b) Inducing people to cease to obey law and lawful authority
- (c) A publicist attack on policies of the government
- (d) None of the above

Ans.(b)

Q.303. Which is correct?

- (a) Amount and intensity of disaffection is immaterial under Section 124-A except in dealing with the question of punishment.
- (b) Amount and intensity of disaffection is material Under Section 124-A.
- (c) Amount and intensity of disaffection is not relevant for dealing with question of punishment.
- (d) All of the above.

Ans.(a)

Q.304. Which one of the following is an essential ingredient of sedition?

- (a) Dishonest intention
- (b) Malafide intention
- (c) Words spoken must cause public disorder by acts of violence
- (d) Words spoken must be capable of exciting disaffection towards the Government.

Ans.(d)

Q.305. Sedition is committed by:

- (a) Exhortation to the people not to pay governmental revenues
- (b) Exhortation to join a particular party
- (c) Expressing disapprobation of the administrative action of the government without exciting or attempting to excite hatred
- (d) Reciting seditious poem in a public meeting.

Ans.(b)

Q.306. The essential of sedition is:

- (a) Intention
- (b) Benefits or gains of the accused
- (c) Result
- (d) Both intention and result.

Ans.(a)

Q.307. Assertion (A): When murder is committed by a member of an unlawful assembly in prosecution of common object of the assembly, all those who are members of that assembly at that time are liable for the murder.

Reason (R): Members of an unlawful assembly are liable only if they participate in the commission of the murder.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(c)

Q.308. Section 149 of IPC is

- (a) Declaratory provision
- (b) Creates a distinct offence
- (c) A rule of evidence
- (d) None.

Ans.(b)

Q.309. For Application of Section 149 of IPC:

- (a) The offender must be a member of unlawful assembly
- (b) The offence must have been committed in prosecution of the common object
- (c) Both (a) and (b)
- (d) None.

Ans.(c)

Q.310. For an affray under Section 159 of IPC the minimum number of persons required is:

- (a) Five
- (b) Two
- (c) Four
- (d) None.

Ans.(a)

Q.311. Section 159 of IPC is attracted:

- (a) When there is exchange of abuses without exchange of blows.
- (b) When there is exchange of abuses with exchange of blows.
- (c) When there is exchange of abuses only
- (d) None.

Ans.(b)

Q.312. Fight under Section 159 of IPC signifies:

- (a) Two opposite parties actively involved
- (b) Two parties one of which is passive

- (c) Two parties both of which are passive
- (d) None of the above.

Ans. (a)

Q.313. For an unlawful assembly under Section 141 of IPC, the minimum number of persons required is:

- (a) Five
- (b) Seven
- (c) Ten
- (d) None.

Ans.(a)

Q.314. Give correct response.

The title to the plot no.125 Civil Lines. Allahabad had vested in the adopted son B, but the estate was managed for him by three ladies X, Y and Z, who appointed a manager who created a riot apparently to promote his own ends. In this case:

- (a) B is not liable but the manager is liable because he was responsible for managing the estate on behalf of B.
- (b) B is liable under section 154, I.P.C., because he was the owner of the land.
- (c) X, Y, Z the three ladies were liable under section 154 I.P.C. because the estate was managed by them and they had appointed the manager.
- (d) Neither B nor the three ladies but the manager only is liable for the offence.

Ans. (c)

Q.315. Give incorrect response.

An unlawful assembly is an assembly of five or more persons if the common object of the persons composing that assembly is:

- (a) To commit any mischief or criminal trespass, or other offences 27.
- (b) To resist the execution of any law, or of any legal process.
- (c) By means of criminal force, or show of criminal force to compel any person to do what he is legally found to do or to omit to do what he is not legally entitled to do.
- (d) To overawe by criminal force, or show of criminal force, the Central or any State Government or Parliament or the legislature of any State, or any public servant in the exercise of the lawful power of such public servant.

Ans. (c)

Q.316. Point out incorrect response.

Common object within the meaning of Section 149 means :

- (a) Offence must have been committed by such member in prosecution of the common object of the unlawful assembly.
- (b) Offence committed by any member of an lawful assembly.
- (c) Offence committed may be such as the members of the unlawful assembly knew to be likely to be

committed in prosecution of the common object of the assembly.

(d) No person can be punished only by virtue of his membership of the unlawful assembly, some act or participation in crime in some form by him is necessary

Ans. (d)

Q.317. Give the correct response?

- (a) Sec. 149 is only a rule of evidence.
- (b) Sec. 149 does create specific offence.
- (c) Sec. 149 does not create any specific offence.
- (d) None of the above.

Ans. (b)

Q.318. To apply Sec. 149 :

- (a) A person should be a member of unlawful assembly.
- (b) Active participation of each of the person is necessary.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q.319. Sec. 149 has the following essentials:

- (a) Such offence must have been committed in prosecution of the common object of the assembly.
- (b) Commission of an offence by any member of an unlawful assembly.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q.320. Under Sec. 149 if any offence is done by any member of unlawful assembly in furtherance of common object :

- (a) All the member of unlawful assembly only that member is liable for the offence who commit the offence.
- (b) Only that member is liable for that offence.
- (c) All of them will be guilty of that offence.
- (d) None of the above.

Ans. (c)

Q.321. Sec. 149 speaks of :

- (a) Common object.
- (b) Common intention.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q.322. To apply Sec. 149 there must be at least :

- (a) Fifteen persons.
- (b) Ten persons.
- (c) Five persons.
- (d) None of the above.

Ans. (c)

Q.323. "In prosecution of common object" -- this phrase does mean :

- (a) During the prosecution of the common object of unlawful assembly.
- (b) The offence committed was immediately unlawful assembly.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q.324. Six persons were charged under Sec. 302/ 149 IPC -- two were acquitted, the remaining four cannot be convicted under :

- (a) Sec. 302.
- (b) Sec. 149.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q.325. In the above said question the remaining four persons :

- (a) Cannot be convicted under Sec. 302/149 IPC.
- (b) Can be convicted under Sec. 302 only.
- (c) Cannot be convicted under Sec. 302/32 IPC.
- (d) Can be convicted under Sec. 302/32 IPC.

Ans. (a)

Q.326. Give incorrect response.

The following are the essentials of an unlawful assembly:

- (a) The object of the assembly must be to resist the execution of any law or of any legal process.
- (b) There must be more than five persons to constitute an unlawful assembly.
- (c) The object of the assembly must be to commit any mischief or criminal trespass or, other offence.
- (d) The object of the assembly may be to overawe by criminal force, or show of criminal force the Central or any State Government.

Ans. (b)

Q.327. Point out incorrect response.

An assembly of five or more persons is designated an "unlawful assembly" if the common object of the persons composing that assembly is :

- (a) By means of criminal force, or show of criminal force, to compel any person to do what he is not legally bound to do, or to omit to do what he is legally entitled to do.

(b) By means of criminal force or show of criminal force, to any person to take or obtain possession of any property, or to deprive any person of the enjoyment of a right of way, or of the use of water or other incorporeal right of which he is in possession or enjoyment, or to enforce any right or supposed right.

(c) To overawe by criminal force, or show of criminal force the union judiciary or the judiciary of the state, or any public servant in the exercise of the lawful power of such public servant.

(d) To overawe by criminal force, or show of criminal force the parliament or the legislature of any state or the central or any State Government.

Ans. (c)

Q.328. An assembly is unlawful if--

(a) The common object of the persons composes that assembly is unlawful.

(b) It consisted of five or person.

(c) Both (a) and (b).

(d) One of these.

Ans. (c)

Q.329. An assembly is unlawful if it consisted of five or more persons & the common object of that assembly is

(a) To resist the excluding of law & other legal process.

(b) It commit mischief, criminal trespass or any other offence.

(c) To overawe by criminal force, force the Central Govt., State Govt. etc.

(d) All of these.

Ans. (d)

Q.330. Give the correct response.

(a) Mere presence in an assembly does not make a person a member of unlawful assembly.

(b) It does not make unless it is shown that he had done something which will make him member of unlawful assembly.

(c) Both (a) and (b).

(d) None of the above (b).

Ans. (c)

Q.331. It is an lawful assembly -----

Where five or more person assembly forming by force a right

(a) Which they did not possess.

(b) Which they bona fide believe they do not possess.

(c) Which they supposed to be possessed.

(d) All of these.

Ans. (b)

Q.332. An assembly -----

(a) Can become unlawful unless it has been indicated to them by public authorities.

- (b) Can become unlawful for subsequent acts of its member.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q.333. Give the correct response

- (a) Itself acts of one or two members not acquiesced by others also change the character of assembly.
- (b) An assembly can become unlawful by subsequent acts of its members.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q.334. For being a member of unlawful assembly -----

- (a) The person knows the common object of assembly.
- (b) The person is along with assembly.
- (c) Some avert act should be done by that person.
- (d) All of these.

Ans. (a)

Q.335. A person a member of unlawful assembly was armed with deadly weapon while other's were not.

- (a) The enhanced punishment can be inflicted on all members if they knew that the member was equipped with deadly weapons.
- (b) The enhance punishment can be inflicted to all the members of assembly.
- (c) The enhanced punishment can be inflicted only on that particular member.
- (d) None of the above.

Ans. (c)

Q.336. Give the correct response

- (a) Rioting is an unlawful assembly in a particular state of activity.
- (b) Rioting is different from the offence of unlawful assembly.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q.337. Give the correct response

- (a) It is only the use of force which distinguish rioting from on unlawful assembly.
- (b) A riot is an unlawful assembly in a particular state of activity.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q.338. The following are the essentials of the offence of rioting --

- (a) That they were animated by a common object.
- (b) That the accused persons being five or more.
- (c) That the force or violence was used by the unlawful assembly.
- (d) All of these.

Ans. (d)

Q.339. Give the correct response?

- (a) If the common object is unlawful the assembly will be rioting assembly even if it did not use violence.
- (b) If the common object of assembly is lawful, the use of violence will turn it into a riot.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (d)

Q.340. Where on a sudden quarrel three of the accused actually & other two only kept abusing to the deceased's:

- (a) Only three who joined assault are guilty of rioting.
- (b) The remaining two can be guilty of rioting if they were armed too.
- (c) All of them are guilty of rioting.
- (d) None of the above.

Ans. (a)

Q.341. Several Hindus acting in conviction, forcibly removed an ox & two cows from the possession of Mahomedan for the purpose of preventing the killing of cows

- (a) It is theft not rioting.
- (b) It is robbery not rioting
- (c) They are guilty of rioting.
- (d) They are guilty of rioting as their object was lawful.

Ans. (c)

Q.342. When two opposite factions commit a riot, then both parties may be treated as _____

- (a) Can't be treated as one unlawful assembly as they belong to different factions.
- (b) Can be treated as one unlawful assembly as their objects are the same.
- (c) One unlawful assembly
- (d) Can't be as their objects can't be the same.

Ans. (d)

Q.343. Give the correct response.

- (a) Lathis and stones are not deadly weapons under this 148 I.P.C.
- (b) Whoever is armed with deadly weapons is guilty of rioting shall be punished with enhanced punishment.

- (c) Both (a) and (b).
 - (d) None of the above.
- Ans. (c)

Q.344. Give the correct response

- (a) So 149 is merely a rule of evident.
 - (b) So 149 does creates specific distinct offence.
 - (c) So 149 does not create specific distinct offence.
 - (d) None of the above.
- Ans. (b)

Q.345. To apply Section 149 I.P.C.

- (a) There must be commission of an offence by at least members of the assembly.
 - (b) There must be commission of an offence by all members of assembly.
 - (c) There must be commission of an offence by more then two members of assembly at least.
 - (d) There must be commission of an offence by any one of the members of assembly.
- Ans. (d)

Q.346. Give the correct response

The Section 149 has the following essentials --

- (a) Such offence must have been committed in prosecution of the common object of Assembly.
 - (b) There must be commission of an offence by all members of assembly.
 - (c) Both (a) and (b).
 - (d) None of the above.
- Ans. (a)

Q.347. When a member of an unlawful assembly is to be constructively found guilty of an offence, he must commit same offence of which the principle is convicted and not some other offence this statement is --

- (a) Partially correct.
 - (b) Correct.
 - (c) Incorrect.
 - (d) Can't say.
- Ans. (b)

Q.348. Give the correct response.

- (a) It is not possible to convict three out five constructively.
 - (b) For sc. 149 there must be at least five person.
 - (c) Both (a) and (b).
 - (d) None of the above.
- Ans. (c)

Q.349. It is possible to convict three out of five members of assembly even if---

- (a) Two members participation is doubtful.
- (b) Two members were acquitted.
- (c) Two members could not be convicted because of un-identification.
- (d) None of the above.

Ans. (c)

Q.350. Where a small compact body of men armed with lathis and headed by a person carrying Gun, endeavour to take forcible possession of a land, in the fight one person is shot dead by the head. They all were held guilty of murder the decision of court -----

- (a) Is surprising.
- (b) Is justified.
- (c) Is not justified.
- (d) Can't say.

Ans. (b)

Q.351. Where a compact body of persons armed with clubs headed by a man carrying a gun endeavored to take forcible possession of land one of the opponent was shot dead by their head :

- (a) All of them are guilty of murder.
- (b) Head person is only guilty or murder.
- (c) Head is guilty of murder while others of being a member of unlawful assembly.
- (d) All of them are guilty of being a member of unlawful assembly.

Ans. (a)

Q.352. In a faction ridden at large fight ensured, in the course of which one wounded person A & retired to the side of Road. Later a man was killed :

- (a) A is not guilty of murder as he ceased to be member of unlawful assembly.
- (b) A is guilty of being a member of unlawful assembly only.
- (c) A is guilty of murder as being a member of unlawful assembly.
- (d) A is not guilty of murder inspite of being a member of unlawful assembly.

Ans. (a)

Q.353. Some persons (more than five) killed a person but only three could be arrested

- (a) They can be convicted under sec. 302 only.
- (b) They can be convicted under sec. 302/34.
- (c) They cannot be convicted under sec. 302/149.
- (d) They can be convicted under sec. 302/149.

Ans. (d)

Q.354. Mere presence at the scene :

- (a) Does make the member of unlawful assembly if he shared the common object of unlawful assembly.
- (b) Does not make one a member of unlawful assembly.

- (c) Does make the member of unlawful assembly.
- (d) None of the above.

Ans. (a)

Q.355. Some peoples collected outside the police station to protest over police inaction in connection with the murder of child. They were charged as committing criminal trespass.

- (a) They cannot be held liable as such persons do not form unlawful assembly.
- (b) They can be held liable for criminal trespass.
- (c) They cannot be held liable as to protest is a fundamental right.
- (d) None of the above.

Ans. (a)

Q. 356. In a sudden free fight between groups one person died:

- (a) Only that person will be liable for causing death who did it as without any pre-mediation death cannot be the object of assembly.
- (b) All person s will be held.
- (c) No one is guilty of murder.
- (d) None of the above.

Ans. (a)

Q. 357. Five persons went to the house of K armed with clubs to beat K. Among those one A was carrying a pistol concealing it underneath his clothes. During beating A fired a shot resulting death of K. In such case

- (a) All of them will be liable for beating K.
- (b) All of them will be liable for causing death as they all were the members of unlawful assembly.
- (c) Only A Will be liable causing death.
- (d) None of the above.

Ans. (c)

Q. 358. Unlawful assembly is an offence against:

- (a) The State
- (b) The Public tranquility
- (c) Public Justice
- (d) None of the above

Ans.(b)

Q. 359. Unlawful assembly consists of five or more persons whose common object is:

- (a) To resist the execution of any legal process
- (b) To commit any mischief with criminal force
- (c) To mellow down all orders
- (d) None of the above.

Ans.(b)

Q. 360. Which is not an offence against the public tranquility?

- (a) Riot
- (b) Affray
- (c) Unlawful assembly
- (d) Assault.

Ans.(d)

Q. 361. The punishment for rioting is:

- (a) Two years
- (b) Three years
- (c) Four years
- (d) Seven years.

Ans.(a)

Q. 362. When two persons, by fighting in a public place, disturb the public peace, they are said to commit:

- (a) An Affray
- (b) An assault
- (c) Rioting
- (d) None of the above.

Ans.(a)

Q. 363. Assertion (A): One of the most difficult tasks in attempt cases has been to find out the dividing line between preparation and attempt.

Reason (R): Shooting at the shadow sufficiently near a person as to put him in danger is attempt to commit murder.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(a)

Q. 364. Assertion (A): A person compelled by threats, from another, which reasonably cause apprehension of his instant death, commits murder of the third person, can plead the defence of compulsion.

Reason (R): Consent of the deceased (above 12 years) is a defence to the charge of murder if the act causing death is done in good faith for the benefit of the deceased without intention to kill.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false

(d) A is false but R is true.

Ans.(d)

Q. 365. X is charge for murder of Y. About a month before the murder Y had attempted to rape the wife of X, X has an altercation with Y immediately before murder X is:

- (a) Entitled to the benefit of right of private defence as the deceased had attempt to rape his wife.
- (b) Not entitled to right of private defence as the right of private defence was available to defence his won body alone.
- (c) Not entitled to right of private defence since there was an interval of one month between attempted rape and the murder.
- (d) Entitled to the right of private defence since he was provoked on seeking the deceased.

Ans.(c)

Q. 366. X, with the intention to kill Y, supplies him powdered sugar believing it to be poison. Y eats the powder. X is guilty of:

- (a) No offence
- (b) Attempt to commit murder
- (c) Attempt to commit culpable homicide not amounting to murder.
- (d) Abetment to commit murder.

Ans.(b)

Q. 367. With an intention to cause bodily injury, A hit B with a lathi. He gave six blows, one of which hit B on his head as a result of which B died after 20 days. A guilty of:

- (a) Murder
- (b) Culpable homicide not amounting to murder.
- (c) Grievous hurt
- (d) Causing death by rash or negligent act.

Ans.(c)

Q. 368. X, with the intention to cause miscarriage, administered a drug to a pregnant lady Y. the child in the womb died. X is guilty of:

- (a) Murder
- (b) Culpable homicide not amounting to murder
- (c) No offence
- (d) Causing miscarriage.

Ans.(d)

Q. 369. Match the following offence

Grave and sudden provocation (a) Exception II to sec 300.

Death caused in sudden fight (b) Exception V to Sec. 300.

Death caused by consent (c) Exception I to Sec. 300.

Exceeding right of private defence

(d) Exception IV to Sec. 300

Codes:

(i) (ii) (iii) (iv)

(a) a c b d.

(b) b c d a.

(c) c a b d.

(d) d b d a.

Ans. (c)

Q. 370. X, with the intention to kill Y, supplies his a poisoned apple. Y discovers that the apple is poisoned and gives it to a minor child to eat. The child eats it and dies. In this case:

(a) X is guilty of murder and Y are guilty of abetment or murder.

(b) X as well as Y are guilty of murder.

(c) Y is guilty of murder and X does not commit any offence

(d) X is guilty of attempt to murder and Y is guilty of murder.

Ans.(d)

Q. 371. X intending to kill Y by poisoning purchases poison and mixes the same with a glass of milk. He gives the glass to Z to serve it to Y. Z drinks the milk and dies. Which one of the following statements is correct in this context?

(a) X commits no offence as Z drinks the milk voluntarily

(b) X commits the offence of abetment of suicide by Z

(c) X commits the offence of death of rash or negligent act

(d) X commits the offence of murder.

Ans.(d)

Q. 372. Causing death of a child in mother's womb:

(a) Is always homicide

(b) With intent to cause miscarriage is homicide.

(c) Is culpable homicide

(d) Is culpable homicide if any part of such child has been brought forth, though the child may not have breathed or been completely born

Ans.(d)

Q. 373. The distinction between culpable homicide and murder is based on:

(a) Exception given in Section 300 of Indian Penal code.

(b) Availability of direct evidence of culpable homicide.

(c) Intention or knowledge with respect to death

(d) Availability of direct evidence of murder.

Ans.(a)

Q. 374. A, on grave and sudden provocation from Z, fires a pistol at Z, does not die, A is guilty of L:

(a) Attempted murder

- (b) Culpable homicide not amounting to murder
- (c) Attempt to commit culpable homicide.
- (d) Grievous hurt.

Ans.(c)

Q. 375. T instigates C, a child under seven years of age to do an act which can cause X's death. In consequence of this C cause X's death in absence of T.

With reference to the above statement"

Assertion (A): T is liable for murder of X, even though the actual act has been committed by an infant.

Reason (R): The liability of the abettor depends upon the capability and knowledge or intention of the person abetted.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(c)

Q. 376. Assertion (A): X and Y independently intending to kill Z strike him with iron rod on his head. Z dies as a result of the injuries. Both X and Y are guilty of murder under Section 302/304, Indian Penal Code.

Reason (R): When a criminal act is done by several person in furtherance of common intention of all, each of them is liable as if it was done by him alone.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(d)

Q. 377. Assertion (A): X and Y sitting on the bank of a river suddenly start fighting, and X throws Y into the river Y starts shouting and request Z, a vendor on river bank, to save him, Z though knows swimming does not pay heed Y drowns. Z is not liable.

Reason (R): People must guard against reasonable probabilities but they are not expected to guard against fantastic possibilities.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(c)

Q. 378. 'A' instigates B to cause grievous hurt to X. In consequence of the instigation B causes grievous hurt to X. X dies in consequence. A is guilty of abetment of:

- (a) Murder if A knew that the grievous hurt abetted was likely to cause death.
- (b) Grievous hurt as A had instigated to commit grievous hurt and not murder.
- (c) Murder even if A did not know that the grievous hurt and not murder.
- (d) Culpable homicide not amounting to murder as death had resulted as a consequence of the grievous hurt.

Ans.(a)

Q. 379. Consider the following statements in respect of the offence of robbery:

- 1. Causing fear of death may be relevant
- 2. Causing hurt may be relevant
- 3. Causing fear of hurt may be relevant
- 4. Causing wrongful restraint may be relevant

Which of the statements given above are correct?

- (a) 1 and 2
- (b) 2 and 4
- (c) 1 and 3
- (d) 3 and 4.

Ans.(b)

Q. 380. Which one of the following is not punishable under the Indian Penal Code?

- (a) Preparation to wage war against the State.
- (b) Preparation to commit murder.
- (c) Preparation to commit dacoity.
- (d) Preparation to commit depredation on the territory of a friendly power.

Ans.(b)

Q. 381. A sacrificed his son before his Goddess who according to him appealed him in dreams and asked for the sacrifice. On being charged for murder he set up the plea of unsoundness of mind.

Can his plea be sustained?

- (a) No, because he knew that what he did was wrong and contrary to law.
- (b) No, because he knew the nature of what he did or what he did was wrong, or contrary to law.
- (c) Yes, because he was insane inasmuch as he had no sense of reality.
- (d) Yes, because he was innocent and he had done what he was asked to do by his Goddess.

Ans.(b)

Q. 382. P was picked up by a gang of robbers in a car from the street. He was given a revolver and asked to shoot at M. When P resisted, a revolver was put on his ear and he was told that if he did not shoot, he would be shot dead. Then P shot M dead. On a charge of murder, P argued that his act was not voluntary nor was there mens rea. P is guilty of:

- (a) Culpable homicide not amounting to murder.
- (b) No offence

- (c) Attempt to commit murder
 - (d) Murder.
- Ans.(d)

Q. 383. Section 300 of the IPC speaks of situations in which if a murder is committed, then it is treated as culpable homicide not amounting to murder.

Which one of the following situations is not covered under S. 300, IPC?

- (a) Exercise of the right of private defence.
- (b) Exercise of legal powers
- (c) Exercise of legal powers
- (d) Sudden fight.

Ans.(c)

Q. 384. X, a woman, who ran to a well stating that she would jump into it, was caught before she could reach it. Which one of the following statements is correct in this regard?

- (a) She is not guilty of an attempt to commit suicide although she intended to do so and prepared to carry out that intention yet she might have changed her mind.
- (b) She is guilty of committing offence of attempt to commit suicide as she categorically declared to do so.
- (c) She is guilty of no offence as whatever was done by her did not amount to preparation for committing suicide.
- (d) She is guilty of attempt to commit culpable homicide as she attempted to kill herself.

Ans.(a)

Q. 385. X knows that Y is suffering from enlarged spleen. H gives Y a first blow which ruptures the spleen and cause his death. X being a doctor knows that a moderate blow on that region would rupture the spleen and is likely to cause Y's death. What is X guilty of?

- (a) Culpable homicide not amounting to murder as X knew that his act is likely to cause death.
- (b) Murder as X knew that his act is likely to cause death of Y to whom the injury was inflicted.
- (c) No offence as the blow would not have caused death of a normal man in ordinary circumstances of the case.
- (d) An offence other than murder or culpable homicide not amounting to murder.

Ans.(b)

Q. 386. In which one of the following cases did the Supreme Court of India strike down Section 303 of IPC as unconstitutional?

- (a) Machhi Singh Vs. State of Punjab
- (b) Bachan Singh Vs. state of Punjab.
- (c) Santa Singh Vs. State of Punjab.
- (d) Mithu Vs. State of Punjab.

Ans.(d)

Q. 387. X instigates Y to murder Z. Y in pursuance of the instigation stabs Z who recovers from the wound. Which one of the following statement is correct?

- (a) Y is liable for attempt to murder and X is liable for abetment of attempt to murder.
- (b) Y is guilty of attempt to murder and x is guilty of abetment of murder.
- (c) Y is guilty of attempt to murder and X is guilty of no offence
- (d) X is guilty of attempt to murder and Y is guilty of offence.

Ans.(b)

Q. 388. X with the intention of causing death of Y instigates a child below 7 years of age to mix poison in the food of Y in the absence of X. Y takes the food and dies. What is X guilty of?

- (a) No offence
- (b) Abetment of murder
- (c) Murder
- (d) Culpable homicide not amounting to murder.

Ans.(c)

Q. 389. A is at work with a hatchet: the head flies off and kills a man who is standing by. What offence is committed by A in this situation?

- (a) A has committed the offence of culpable homicide.
- (b) A has committed the offence of culpable homicide not amounting to murder.
- (c) A has committed no offence as it was an accident.
- (d) A has committed no offence as use of hatchet was a necessary of his livelihood.

Ans.(c)

Q. 390. The statement "all murders are culpable homicide but all culpable homicide is not murder" is"

- (a) True
- (b) Not true
- (c) Sometimes
- (d) All of them.

Ans.(a)

Q. 391. Culpable homicide is described in:

- (a) Section 302 of IPC
- (b) Section 307 of IPC
- (c) Section 299 of IPC
- (d) None of the above.

Ans.(c)

Q. 392. Which section of IPC defines murder?

- (a) Section 302
- (b) Section 299
- (c) Section 300

(d) None of the above.

Ans.(c)

Q. 393. If two parties of men armed with deadly weapons deliberately enter into an unlawful fight and death takes place:

- (a) It is homicide
- (b) It is murder
- (c) It is not murder
- (d) None of the above.

Ans.(b)

Q. 394. Which section of IPC deals with homicide by negligence?

- (a) Section 302 of IPC
- (b) Section 307 of IPC
- (c) Section 304A of IPC
- (d) None of the above

Ans.(c)

Q. 395. Dowry death is described in section of IPC:

- (a) Section 304 of IPC
- (b) Section 304B of IPC
- (c) Section 306 of IPC
- (d) Section 308 of IPC.

Ans.(b)

Q. 396. Section 304 of IPC explain:

- (a) Punishment for murder by life convict
- (b) Punishment for culpable homicide not amounting to murder
- (c) Punishment for culpable homicide amounting to murder
- (d) None of the above

Ans.(b)

Q. 397. Culpable homicide is causing death:

- (a) With the intention of causing death
- (b) With the intention of causing such bodily injury as is likely to cause death
- (c) With the knowledge that it is likely, by such act, to cause death
- (d) All are correct.

Ans.(d)

Q. 398. Which defines the term 'murder'?

- (a) Act by which the death is caused must have been done with the intention of causing such bodily injury as is likely to cause death.
- (b) Death is caused with the knowledge that it is likely to cause death by his act.

(c) Death is caused with the intention of causing such bodily injury as the offender knows to be likely to cause death of the person to whom the injury is caused.

(d) None of the above

Ans.(c)

Q. 399. Which is correct?

(a) An intention to kill is not always necessary to make out a case of murder.

(b) A knowledge that the natural and probable consequence of an act would be death could make out a case of murder.

(c) Both (a) and (b)

(d) All of the above.

Ans.(c)

Q. 400. X with the intention of causing Z's death gave him a severe blow on his head. Z became unconscious. X believing Z to be dead and with a view to fabricate the evidence, throws X into a pond. It was found that Z died because of drowning. X is guilty of:

(a) Attempt to commit murder

(b) Committing murder

(c) Committing culpable homicide not amounting to murder

(d) None of the above.

Ans.(b)

Q. 401. X having sufficient food does not provide some food to a beggar who dies of hunger. X is guilty of:

(a) Attempt to assault

(b) Attempt to murder

(c) Murder

(d) None of the above.

Ans.(d)

Q. 402. Culpable homicide is not murder if it is committed:

(a) With the consent of the victim who has completed 12 years of age

(b) With the consent of the victim who has completed 18 years of age

(c) When the offender is acting under the spell of madness.

(d) None of the above

Ans.(b)

Q. 403. Culpable homicide is not murder, if it is committed under:

(a) Grave and sudden provocation

(b) Madness

(c) Moral conviction

(d) Intoxication

Ans.(a)

Q. 404. Culpable homicide is not murder if the accused is deprived of power of self control by:

- (a) Grave and sudden provocation by the deceased
- (b) Grave and sudden provocation by any one
- (c) Grave and sudden provocation by act of God.
- (d) None of the above.

Ans.(a)

Q. 405. Culpable homicide is not murder if:

- (a) Death is caused through provocation given by a public servant in the lawful exercise of his powers.
- (b) The offender loses his self control by grave and sudden provocation which is voluntarily sought
- (c) The victim being above the age of 18 years takes the risk of death with his own consent
- (d) None of the above.

Ans.(c)

Q. 406. Section 304-A does not apply to the case(s) of:

- (a) Death is caused with any intention or knowledge.
- (b) The act not amounting to culpable homicide.
- (c) Both (a) and (b)
- (d) None of the above

Ans.(c)

Q. 407. A mental pain is:

- (a) Also covered under the offence of simple hurt.
- (b) Not covered under the offence of simple hurt.
- (c) Sometimes covered under the offence of simple hurt
- (d) All of these.

Ans.(b)

Q. 408. Dislocation of tooth is a :

- (a) Simple hurt
- (b) Grievous hurt assault
- (c) Assault
- (d) None of the above.

Ans.(b)

Q. 409. Offence of simple hurt is made out:

- (a) Dragging by hair in aggressive manner
- (b) Fisting in course of attack
- (c) Kick on the back
- (d) All of the above.

Ans.(d)

Q. 410. Whoever voluntarily obstructs any persons, so as to prevent that person from proceeding in any direction in which that person has a right to proceed is guilty of:

- (a) Wrongful restraint
- (b) Wrongful confinement
- (c) Illegal detention
- (d) None of the above.

Ans.(a)

Q. 411. Criminal force implies:

- (a) Assault
- (b) Battery
- (c) Whipping
- (d) None of the above.

Ans.(b)

Q. 412. When offence of assault is made out:

- (a) A Shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z.
- (b) A medical examination of a woman without her consent
- (c) A person throws brickbats into the house of another person
- (d) All of the above.

Ans.(d)

Q. 413. A picks up a revolver and pointing towards B says "I will shoot and kill you". It amounts to:

- (a) Criminal assault
- (b) Criminal intimidation
- (c) Simple hurt
- (d) None of the above.

Ans.(a)

Q. 414. What is age of minor with regard to the offence of kidnapping?

- (a) Sixteen years
- (b) Eighteen years
- (c) Under sixteen years of age, if a male, and under eighteen years of age, if a female.
- (d) None of the above.

Ans.(c)

Q. 415. Which is not essential for the offence of kidnapping?

- (a) Minor child
- (b) Intention of the accused
- (c) Without the permission of lawful guardian
- (d) All of the above.

Ans.(b)

Q. 416. The person abducted should be:

- (a) Only minor
- (b) Only major
- (c) Minor or major
- (d) None of the above.

Ans.(c)

Q. 417. Sexual intercourse by a man with his own wife is not rape, if the wife is above:

- (a) 18 years of age
- (b) 15 years of age
- (c) 16 years of age
- (d) None of the above.

Ans.(b)

Q. 418. The essential ingredient of the offence of rape is:

- (a) Against her will
- (b) Without her consent
- (c) Both (a) and (b)
- (d) None of the above.

Ans.(c)

Q. 419. Illicit intercourse implies:

- (a) Sexual intercourse between two persons not united by marriage
- (b) Rape
- (c) Both (a) and (b)
- (d) None of the above.

Ans.(c)

Q. 420. Culpable homicide has been defined

- (a) Under Section 299 of IPC
- (b) Under Section 300 of IPC
- (c) Under Section 302 of IPC
- (d) None.

Ans.(a)

Q. 421. Murder has been defined:

- (a) Under Section 299 of IPC
- (b) Under Section 300 of IPC
- (c) Under Section 302 of IPC
- (d) None.

Ans.(b)

Q. 422. Grave & sudden provocation is

- (a) Question of fact
- (b) Question of law
- (c) Mixed question of fact & law
- (d) None.

Ans.(a)

Q.423. Culpable homicide not amounting to murder is punishable with:

- (a) Death
- (b) Imprisonment for life
- (c) Imprisonment for life or imprisonment for ten years
- (d) None.

Ans.(c)

Q. 424. Adultery is:

- (a) Has sexual intercourse with a person, who is, and whom he knows, or has reason to believe to be, the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to rape.
- (b) Has sexual intercourse with a person, who is, an whom he knows, or has reason to believe to be, the wife of another man, with the consent or connivance of that man, such intercourse not amounting to rape.
- (c) Has sexual intercourse with an unmarried woman.
- (d) None of the above.

Ans.(a)

Q. 425. Which of the following are grievous hurt

- (a) Emasculation
- (b) Permanent disfiguration of face
- (c) Privation of any member or joint
- (d) All of the above.

Ans.(d)

Q. 426. During the fight between A & B the two ladies, A pulls B by hair and removes some of her hair. A is guilty of an offence of causing:

- (a) Simple hurt
- (b) Grievous hurt
- (c) Simple hurt by rash and negligent act
- (d) None.

Ans.(b)

Q. 427. Assault cannot be caused by:

- (a) Mere words
- (b) Mere gestures

- (c) Mere preparation
- (d) None.

Ans.(a)

Q. 428. In kidnapping, the consent of minor is

- (a) Wholly immaterial
- (b) Partly immaterial
- (c) Wholly material
- (d) None.

Ans.(a)

Q. 429. Dowry death describes:

- (a) Murder
- (b) Culpable homicide
- (c) Culpable homicide not amounting to murder
- (d) None of the above.

Ans.(c)

Q. 430. Punishment for Dowry death is:

- (a) Not less than three years
- (b) Not less than five years
- (c) Not less than seven years and in rare circumstances may extend to death sentence
- (d) Not less than seven years but which may extend to imprisonment for life.

Ans.(d)

Q. 431. Which one of the following correctly identifies the remedies available to the victim in case of false imprisonment?

- (a) Self-help, abatement, action for damages
- (b) Habeas corpus, action for damages, injunction
- (c) Self-help, habeas corpus, action for damages
- (d) Injunction, abatement, action for damages.

Ans.(c)

Q. 432. X obtains property from Z by saying that your child is in the hands of my gang and will be put to death unless you send us ten lac rupees. X commits:

- (a) Criminal breach of trust
- (b) Robbery
- (c) Extortion
- (d) Theft.

Ans.(a)

Q. 433. X instigates Y to commit murder of Z. Y in consequence stabs Z but Z survives the wound. X is guilty of:

- (a) Murder
- (b) Attempt to murder
- (c) Abetment of attempt to murder
- (d) Abetment of murder.

Ans.(d)

Q. 434. Consider the following statements:

1. Five or more persons assembled where one killed A
2. A and B who are enemies of C decided distinctly to kill C. A killed C when B was also present.
3. The presence of any person, who participated in the prearranged plan, is not necessary at the time of actual commission of the crime.
4. Privity of mind of all the accused is an essential ingredient for the commission of a crime.

Of these statements:

- (a) 1, 2 and 4 are correct
- (b) 1, 2 and 3 are correct
- (c) 2, 3 and 4 are correct
- (d) 1, 3 and 4 are correct.

Ans.(a)

Q. 435. The principle of proximity to crime under criminal law is irrelevant while deciding the liability for the offences of:

- (a) Culpable homicide and murder
- (b) Theft and dacoity
- (c) Kidnapping and abduction
- (d) Abetment and conspiracy.

Ans.(d)

Q. 436. A with intention to kill her husband, purchased some poison-powder from a chemist who by mistake, dispensed plain sugar instead. She put the powder in a cup of tea and served it to her husband who drank it but did not die. Which one of the following statements is correct so far as the charge to attempt a murder is concerned?

- (a) She is liable because she had committed the penultimate act
- (b) She is liable because her intention to kill her husband is clear from the totality of acts
- (c) She is not liable because administration of sugar is not a step towards the commission of murder.
- (d) She is not liable because her husband did not die.

Ans.(b)

Q. 437. A shot at B with a view to kill him. When B was being taken to the hospital, a tree fell upon B on the way and B died in the hospital a few days later. If it was proved that the falling of the tree caused B's death then:

- (a) A shall be responsible for the death of B.
- (b) Falling of tree has broken the chain of causation
- (c) A is not liable to pay an compensation to the dependants of B

(d) None of the above statements is correct.

Ans.(a)

Q. 438. Punishment for culpable homicide not amounting to murder is given in the IPC in:

(a) Section 304

(b) Section 302

(c) Section 300

(d) None.

Ans.(a)

Q. 439. A intending to murder B by poison, purchases poison and mixes the same with a glass of water. He gives the glass to the bearer to serve B. the bearer while approaching B loses balance and the glass drops out of his plate. Which one of the following statements is correct in this context?

(a) A has committed no offence.

(b) A has committed the offence of attempt to commit culpable homicide.

(c) A has committed the offence of abetments

(d) A has committed the offence of attempt to murder.

Ans.(a)

Q. 440. Culpable homicide is not murder, it is committed under:

(a) Grave and sudden provocation

(b) Madness

(c) Moral conviction

(d) Anger.

Ans.(d)

Q. 441. Which one of the following statements correct defines the term murder?

(a) Act by which the death is caused must have been done with the intention of causing such bodily injury as is likely to cause death.

(b) Death is caused with the knowledge that, he is likely to cause death by his act.

(c) Death is caused with the intention of causing such bodily injury as the offender knows to be likely to cause death of the person to whom the injury is caused

(d) Death is caused under grave and sudden provocation.

Ans.(b)

Q. 442. Both A & B went to field to protect crop being reaped forcibly by opposite party and in course of he (A) killed a person.

(a) Only B is liable for murder.

(b) Both A and B are liable for murder.

(c) Only A is liable for murder.

(d) None of the above.

Ans. (c)

Q. 443. Give correct response.

A administers to B a drug in order to procure abortion believing her to be pregnant but in fact she is not pregnant, Held that :

- (a) A is liable for attempt because the actual commission of the offence was avoided by reason of a fact beyond A's control i.e. the fact that the lady was not pregnant.
- (b) A is not liable for attempt. Since the woman was not pregnant, therefore, causing of abortion was a factual impossibility.
- (c) Since the woman was not pregnant, therefore, A had attempted only a legal impossibility and, therefore, she would not be liable.
- (d) A is liable for causing hurt by poisoning.

Ans. (a)

Q. 444. Give incorrect response.

A, a woman with a view to poisoning her husband administered to him a substance which she believed to be arsenic but which in fact was sugar. In this case :

- (a) A is liable for attempt because she attempted to cause death of her husband by such means (i.e. poisoning) which she believed to be capable of causing death.
- (b) A is liable for attempting to kill her husband because her intention was to kill him by poisoning.
- (c) A is liable for attempt because her act was towards the commission of the desired offence.
- (d) A is not liable for attempting to cause death of her husband because A's act was not towards the commission of the desired offence in as much as the substance administered could never bring about the desired result.

Ans. (d)

Q. 445. Give best response.

Z, a pick-pocket attempts to take the purse of a gentleman who has a loaded pistol in his pocket. The thief touches the pistol and the trigger goes off, the gentleman is shot dead. The liability of the pick-pocket is as follows :

- (a) Z is liable for murder of the gentleman in whose pocket he has put his hand.
- (b) Z is liable for attempting to commit homicide.
- (c) Z is not liable for murder but for pick-pocketing only, because when a person engaged in the commission of an offence causes death by pure accident he shall suffer only the punishment of his offence.
- (d) Z is liable for murder and will not succeed in his defence of accident under section 80 because accident must be caused while doing a lawful act, in lawful manner by lawful means. Here Z caused death while doing an unlawful act.

Ans. (c)

Q. 446. Give correct response.

A under threat of instant death held the legs of B when he was being murdered by C. A under the same threat helped C in removing the dead body and concealing it. The accused did not mention in his statement that he protested against conveying body and was again threatened with death.

- (a) A will be liable for both, murder and helping in removing and concealing the dead body.

- (b) A will neither be liable for murder nor for helping in removing and concealing the dead body because he shall be deemed to be in continuous threat of his death.
- (c) A will be liable for helping in concealing the dead body but not for murder.
- (d) A will be liable for murder and will not get the defence of compulsion under section 94 but will not be liable for helping in removing and concealing the dead body.

Ans. (d)

Q. 447. Give most correct response.

The accused M had an intrigue with Sudha wife of A. One night Sudha and A were sleeping in a house about eighthly paces away from the place where M slept. In the early morning Sudha left her cot to visit M, the accused. A missed her, and suspecting where she had gone followed her with a hatchet. He assaulted the accused M and wounded him whereupon the accused M stabbed A with a knife and killed him. There was no evidence that causing of death of assailant A was necessary for the purposes of defence. In this case the liability of M is as follows :

- (a) M has inflicted injury in self defence so he will not be liable.
- (b) Since M had not established that voluntarily causing the death of A was necessary for the purposes of defence he will be liable for murder.
- (c) M will not be liable because he had no intention to kill, instead A himself was the aggressor.
- (d) M will be liable because he has put himself in such a situation by entering into illicit relation with A's wife that he could not claim the right of private defence.

Ans. (b)

Q. 448. Give the correct response.

- (a) All culpable homicides are murders.
- (b) All murders are culpable homicide but not vice versa.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 449. Homicide is the killing of human being by _____

- (a) Human being whether lawful or unlawful.
- (b) Human being whether lawful only.
- (c) Human being which is unlawful.
- (d) Any one whether animal.

Ans. (a)

Q. 450. Unlawful homicide includes \neg _____

- (a) Culpable homicide not amounting to murder.
- (b) Murder.
- (c) Negligent homicide.
- (d) Suicide
- (e) all of these

Ans. (c)

Q. 451. Culpable Homicide means the causing of death by doing _____

- (a) An act with the intention of causing such bodily injury as is likely to cause death.
- (b) An act with the knowledge that it was likely to cause death.
- (c) An act with the intention of causing death.
- (d) All of these.

Ans. (d)

Q. 452. The section 299 has following essentials

- (a) Such death must have been caused by doing an act.
- (b) Causing of death of a human being.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 453. Give the correct response

- (a) The offence is complete as soon as a person is killed.
- (b) It is immaterial if the person whose death has been caused is not the very person whom the accused intended to kill.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 454. Under see 299 the connection between act and death caused must be

- (a) Indirect.
- (b) Direct.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 455. Where bodily injury is sufficient to cause death it _____

- (a) Matters to find the intention.
- (b) Is immaterial to find the intention.
- (c) Intention is implied by the act.
- (d) None of the above.

Ans. (c)

Q. 456. The word knowledge under See. 299 is a strong word and

- (a) A probability.
- (b) A certainty.
- (c) Both certainty and probability.
- (d) None of the above.

Ans. (b)

Q. 457. Once it is established that an act was a deliberate act and was not the result of accident rashness or negligence it is obvious that the offence would be ---

- (a) Murder.
- (b) Culpable homicide.
- (c) Attempt to murder.
- (d) Grievous hurt.

Ans. (b)

Q. 458. The accused gave the deceased a severe push on the back _____ he fell down on the road and sustained injuries resulted in his death on the fifth day this was simply a case of

- (a) Using original force.
- (b) Murder.
- (c) Culpable homicide not amounting to murder.
- (d) Simply hurt.

Ans. (c)

Q. 459. The accused gave his wife a blow on her head with wooden rod rendering her unconscious. Believing her to be so dead the accused hanged her on a beam by rope in order to lay to foundation of a false defence of suicide and thereby caused her death by strangulation is guilty of causing

-
- (a) Culpable homicide not amounting to murder.
 - (b) Death.
 - (c) Grievous hurt.
 - (d) Hurt.

Ans. (c)

Q. 460. A struck B on the head a simple blow with a piece of firewood B fell down bleeding from nose and became senseless. A and his wife thought that B was dead hence they placed B on the wooden pyre and set fire to it which caused B's death. A and his wife are guilty of

- (a) Simple hurt.
- (b) Murder.
- (c) Grievous hurt.
- (d) None of the above.

Ans. (c)

Q. 461. Deceased did not actually die from the injuries but from the which set in consequence of sence duty substance because the injuries were not the cause of death, the person causing the injuries will be guilty of

- (a) Murder.
- (b) Hurt.
- (c) Grievous hurt.
- (d) None of the above.

Ans. (a)

Q. 462. A shoots Z with the intention of killing. Z dies in consequence. A commits

- (a) Assault.
- (b) Culpable homicide.
- (c) Murder.
- (d) Criminal use of force.

Ans. (c)

Q. 463. Culpable homicide is not murder if the accused is deprived of power of self control by

- (a) Grave and sudden provocation by any one.
- (b) Grave and sudden provocation by act god.
- (c) Grave and sudden provocation by the deceased.
- (d) All of these.

Ans. (c)

Q. 464. Y gives grave and sudden provocation to A. A on this fires from a pistol as a result Z is killed who is nearby, A has committed

- (a) Death by rash and negligent act.
- (b) Attempt to murder Y.
- (c) Murder.
- (d) Culpable homicide.

Ans. (d)

Q. 465. A attempts to pull Z's nose Z in the exercise of right of private defence hold A to protect him. A is moved to sudden and violent passion and killed Z this is

- (a) Murder.
- (b) Abetment of murder.
- (c) Culpable homicide.
- (d) Grievous hurt.

Ans. (a)

Q. 466. Give the correct response

- (a) A knowledge that the natural and probable consequence of an act would be death.
- (b) An intention to kill is not always necessary to make out a case of murder
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 467. Give the correct response

- (a) An offence can not amount to culpable homicide with out amounting to murder.
- (b) An offence can not amount to murder, if it does not fall within the definition of culpable homicide.
- (c) Both of the above.

(d) None of the above.

Ans. (b)

Q. 468. Match the following

Case Offence

- i) Res Vs. Govinda (a) Joint liability
- ii) Pyarelal sharma case (b) Theft
- iii) Bardeck Ghose case (c) Right Private defence
- iv) Vishwanth case (d) Murder

Codes:

(i) (ii) (iii) (iv)

A a b c d

B c a b d

C b a c d

D d b a c

Ans. (d)

Q. 469. Give the Correct Answer

- i) Mirza Akanar case (a) Sec. 120 A
- ii) Virsa Singh (b) Sec. 299
- iii) R Vs. Talson (c) Sec. 79
- iv) R Vs. Mcnaughton (d) Sec. 86

Ans. (d)

Q. 470. To apply Sec. 300 that particular bodily injury present is

- (a) Intentional.
- (b) Accidental.
- (c) Unintentional.
- (d) By mistake.

Ans. (a)

Q. 471. Joint intention of the accused was to give such a beating as would weak. the bones of arms and legs resulting in the death of A. All of the persons participating are guilty of the offence of

- (a) Grievous hurt.
- (b) Criminal assault.
- (c) Culpable homicide.
- (d) Murder.

Ans. (d)

Q. 472. The accused killed a girl by pouring acid on her person when he refused to marry him. She died after 12 days. The accused is guilty of

- (a) Murder.
- (b) Grievous hurt.

- (c) Culpable homicide.
- (d) Criminal assembly.

Ans. (a)

Q. 473. Where a snake charmer to show his own skill placed a venomous snake on the head of a spectator with out the intention to cause harm. Spectator is trying to push of the snake was beaten and died, the snake charmer is guilty

- (a) Under clause (1) of Sec. 300.
- (b) Under clause (3) of Sec. 299.
- (c) Under clause (1) of Sec. 299.
- (d) Under clause (2) of Sec. 300.

Ans. (d)

Q. 474. Give incorrect response.

Culpable homicide is the first kind of unlawful homicide. It is the causing of death of a human being by doing:

- (a) An act with the intention of causing such bodily injury as the offender knows to be likely to cause death of the person.
- (b) An act with the intention causing death.
- (c) An act with the knowledge that it was likely to cause death.
- (d) An act with the intention of causing such bodily injury as is likely to cause death.

Ans. (a)

Q. 475. Point out incorrect response.

Culpable homicide is murder :

- (a) If the act is done with the intention of causing such bodily injury to any person as the offender knows to be likely to cause death of any person.
- (b) If the person committing the act knows that it is so imminently dangerous that it must in all probability, cause death.
- (c) If the act is done with the intention of causing such bodily injury to any person and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death.
- (d) If the act is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused.

Ans. (a)

Q. 476. A woman ran away from her husband's house with her child. When she saw her husband following she got panicked jumped into a well, resulting in to the death of baby

- (a) The women is guilty of murder.
- (b) The women is not guilty of murder considering her state of panick.
- (c) A The husband is guilty of murder.
- (d) None of the above.

Ans. (b)

Q. 477. Give the incorrect response

- (a) Where there is sufficient time of cooling down, there would be no sudden provocation.
- (b) Only words of gesture can cause grave provocation .
- (c) Under exception first of sec. 300 the provocation must be grave and sudden.
- (d) Confession of adultery by wife to her husband by wife is grave and sudden provocation.

Ans. (b)

Q. 478. A person who intended to use a deadly weapon towards any one who might come forward commits

- (a) Murder.
- (b) Culpable homicide not amounting to murder.
- (c) No offence.
- (d) Grievous hurt.

Ans. (a)

Q. 479. Exception to Section 300 (Exception 1)

- (a) Death caused by consent.
- (b) Death caused in sudden fight.
- (c) Grave and sudden provocation.
- (d) All of these.

Ans. (c)

Q. 480. Give the correct response

- (a) The fight should not have been prearranged.
- (b) The word fight used in exception IV to sec. 300 is something more than a verbal quarrel.
- (c) Both of the above.
- (d) None of the above.

Ans. (c)

Q. 481. Point out the incorrect response.

To bring the Act within their exception_____

- (a) The act should be done before there was time to cool.
- (b) The provocation must be grave & sudden & of such a nature to deprive the accused of the power of self control.
- (c) All of these.
- (d) Death caused in free fight .

Ans. (d)

Q. 482. "The fatal blow should be clearly traced to the influence of passion arising from that provocation & not after the passion had cooled down by lapse of time". held in

- (a) Ram Prasad case.
- (b) K.M. Nan case.
- (c) Virsa Singh case.

(d) Dhiragea case.

Ans. (b)

Q. 483. Wife threatened to leave the accused husband forever without any prior reason & removed thali & throw it on her. In this case if husband kills wife his act_____

- (a) Is covered by exception 2 (private defence).
- (b) Will be covered by exceptions.
- (c) Will not be covered by this exception.

Ans. (b)

Q. 484. Give the correct response

- (a) A similar confession by a girl who is engaged to the accused does not fall within the exception.
- (b) A confession of adultery by wife to her husband is such a grave & sudden provocation.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 485. A boy involve with girl, seeing her engaged in sexual intercourse with other, shoot both of them

- (a) He is not entitled to get benefit of this.
- (b) He is not entitled as the rule of adultery by wife has no application where the woman is not his wife.
- (c) He is entitled to get benefit of exception.
- (d) Can't say.

Ans. (b)

Q. 486. Accused killed the deceased seeing him doing sodomy on his son. The case-----

- (a) Fell within the exception.
- (b) Does not fall within this exception as sodomy on his son is not such an act to deprive his of self control.
- (c) Does not fall within this exception.
- (d) Doesn't fall as there was time to coal.

Ans. (a)

Q. 487. The accused & his wife sister's husband B were sleeping out in the verandah. B got up & entered the accused wife's room accused also got up & peeping through door he saw B & accused wife was having intercourse. He returned to his charpai & lay down. After some time B come back & lay down on the charpai. When B began to snore accused cutted down him by a knife which he was having with him. This case

- (a) Falls within the exception.
- (b) Doesn't fall but why cant say.
- (c) Does not fall as there is sufficient time to cool.

(d) Doesn't as the accused attacked B with a knife a deadly weapon.

Ans. (a)

Q. 488. For grave and sudden provocation

(a) It is necessary for husband to plead seeing actual intercourse between his wife & paramour.

(b) It is not necessary to see actual intercourse.

(c) It is enough if his wife & paramour lying together almost naked.

(d) (b) and (c) are correct.

Ans. (d)

Q. 489. His wife followed her with a hatchet on one night & finding he was talking to her paramour there & killed her, accused case -----

(a) Falls within the exception.

(b) Falls within murder as the act was not done in fit of passion.

(c) Does not fall within the exception as the events are not such so as to provoke accuse.

(d) Is a case of grievous hurt.

Ans. (b)

Q. 490. Old man to dissuade them from quarrelling was hit by one of them on the head by an iron rod, he died as a result this case

(a) Doesn't fall within exception to s. 300.

(b) May or may not fall depending on the facts.

(c) Fall within exception 4 to s. 300.

(d) Can't say.

Ans. (a)

Q. 491. A Causes miscarriage to B. A commits

(a) Murder of unborn child.

(b) Culpable homicide of the unborn child.

(c) Grievous hurt to B.

(d) No offence.

Ans. (c)

Q. 492. Give the correct response

(a) In the scheme of penal code murder is genus & culpable homicide is specie.

(b) In the scheme of penal code culpable homicide is genus & murder its specie.

(c) Both (a) and (b).

(d) None of the above.

Ans. (b)

Q. 493. Give the correct response

(a) The only difference lies in the highest probability of death in case of S. 300.

(b) Clause (c) of Section. 299 and Section 300 both require knowledge of the probability of murder.

- (c) Both (a) and (b).
 - (d) None of the above.
- Ans. (c)

Q. 494. 'A' person neglected to provide his child with proper sustenance although repeatedly warned by doctor of the consequence the child died. A is guilty of ---

- (a) Murder.
- (b) Culpable homicide.
- (c) Death caused by each & negligent act.
- (d) No offence.

Ans. (a)

Q. 495. In a case of murder by poisoning the prosecution must establish that _____

- (a) The death took place by poisoning.
- (b) The accused had an opportunity to administer poison to the deceased.
- (c) The accused had the poison in his possession.
- (d) All of these.

Ans. (d)

Q. 496. Dalit indiscriminately fired at their purruers. They are _____

- (a) Guilty of murder.
- (b) Not guilty of murder as they did not enter to cause death.
- (c) Guilty of grievous hurt.
- (d) None of the above.

Ans. (a)

Q. 497. To apply clause 3 of Section 300 it must be proved that-

- (a) There was intention to cause particular bodily injury actually found to be on the person.
- (b) The injury is sufficient in the ordinary course of nature to cause death.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 498. Give the correct response

- (a) The person causing death knows that his act is so imminently dangerous that it must in all probability cause death.
- (b) This clause (4) S.300 is usually invoked in those cases where intention to cause death is absent.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 499. Give correct response.

A the owner of a house, finding that trespassers were entering his house and using his bath room

set a live electric wire in the passage leading to the bath room in order to deter trespassers. There was no warning given that the wire was a live one. Z, a trespasser enters the house unaware of the live wire and happens to touch the wire and gets a shock as a result of which he dies.

- (a) A will be guilty of murder of Z as he knew that his act of setting a live electric wire was so imminently dangerous that it must in all probability cause death.
- (b) A is not liable for any offence because he has every right to use his house in whatever manner he likes.
- (c) A will not be liable for any offence because the trespasser enters the house at his own risk and A owed no duty towards Z.
- (d) A is guilty of culpable homicide not amounting to murder because the act of setting a live electric wire was known by him to be likely to cause death, it was an imminently dangerous act but since the act was done in the exercise of right of private defence of property against trespass, which right was exceeded he would get the benefit of exception 2 to Section 300.

Ans. (d)

Q. 500. Give most correct response.

Z, a patient dies while under operation by a Doctor, who, after the death of the patient, removes his liver, for transplantation to another patient without the knowledge and consent of the deceased's wife. She lodges a complaint.

- (a) The Doctor will be guilty of the offence of theft, because he has taken the liver of the deceased which is a movable property without the consent of his wife.
- (b) The Doctor will not be liable for any offence because he has removed the liver for the benefit of another patient and Z was already dead at that time.
- (c) The Doctor will not be liable for theft because human corpse is not a movable property for the purposes of section 379 I.P.C.
- (d) The Doctor will be liable for causing indignity to human corpse by taking out the liver without the consent of deceased's wife because he must have known that her feelings would be wounded.

Ans. (d)

Q. 501. Give incorrect response.

The following are the ingredients of the offence of wrongful restraint under section 339 I.P.C.

- (a) The obstruction must be such as to prevent that person from proceeding in any direction.
- (b) The obstruction must be from proceeding beyond certain circumscribing limits.
- (c) Voluntary obstruction of a person.
- (d) The person obstructed must have a right to proceed in that direction.

Ans. (b)

Q. 502. Point out incorrect response.

The following are some of the illustrations of wrongful restraint :

- (a) A removes a ladder and thereby detains B on the roof of a house.
- (b) A locks the dwelling house of B in the absence of the inhabitants of the house.
- (c) A makes a bus, which he was driving, to stand along the road in a manner so as to obstruct another bus from proceeding.

(d) A puts a lock to a let house used as a shop in assertion of his right as a joint owner of the shop.
Ans. (d)

Q. 503. Point out incorrect response.

The following are ingredients of the offence of wrongful confinement under section 340 I.P.C.

- (a) Restraint may be partial or total.
- (b) Wrongful restraint of a person.
- (c) A prison must have its boundary, large or narrow, visible or tangible, real or imaginary, movable or fixed.
- (d) Such restraint must prevent that person from proceeding beyond certain circumscribing limits.

Ans. (a)

Q. 504. Point out incorrect response.

The following are illustrations of wrongful confinement :

- (a) A, a jail Doctor confines B, a prisoner in a cell within the jail for the purpose of administering injection against his will.
- (b) A, threatens B to set a savage dog if he goes along a path along which he has a right to go and causes B to think that the dog set is savage and hence it is dangerous to proceed.
- (c) A compels B to move in a particular direction by force of exterior will, suppression his own voluntary action.
- (d) A kept a woman W in a brothel under strict vigilance over her movements.

Ans. (b)

Q. 505. Point out incorrect response.

The following are the ingredients of the offence of kidnapping from lawful guardianship :

- (a) The taking or enticing must be out of the keeping of the lawful guardian of such minor or person of unsound mind.
- (b) The object of such taking or enticing must be with an intention to commit an offence.
- (c) Taking or enticing away a minor or a person of unsound mind. Such minor must be, if a male, below 16 years and if a female, below 18 years of age.
- (d) Such taking or enticing must be without the consent of such guardian.

Ans. (b)

Q. 506. Give correct response.

A was going in his car from Sector 17 to Panjab University. B requests for a lift in his car upto Sector 15 which was in a midway. A agrees to his request but instead of dropping her at Sector 15 inspite of her repeated requests, drives her to the University. What offence, if any, is committed by A.

- (a) A is liable for wrongfully restraining B.
- (b) A is liable for wrongfully confining B.
- (c) A is liable for kidnapping B.
- (d) A is liable for abducting B.

Ans. (b)

Q. 507. When there was no exchange of blows not any attack from the side of deceased, the accused attacked the deceased with an axe causing his death

- (a) Accused case fall within the exception.
- (b) Does not because deceased was unarmed.
- (c) Does not fall as there was no fight.
- (d) Accused is guilty of criminal assault. A gave several below to B a woman who was pregnant.

Ans. (c)

Q. 508. Which one of the following is NOT an essential elements of the offence of extortion?

- (a) Intentionally putting a person in a state of fear of injury of himself or to another
- (b) The property must always be a movable property
- (c) The property is delivered to the extortioner as a means of avoiding injury
- (d) Dishonestly putting a person in a state of fear of injury to him to deliver property of valuable security to another person

Ans.(b)

Q. 509. The watch of X had been stolen. One day he finds it tied on the wrist of Y. In this context which one of the following statements is correct?

- (a) X has a right of self-defence.
- (b) X has a right of private defence of property to recover the watch from Y even by use of force.
- (c) X's right of private defence of property had come to an end.
- (d) X's right of private defence of property revives as soon as he sees his watch in Y's possession.

Ans.(d)

Q. 510. B takes a gold ring of A out of A's possession without A's consent with the intention of keeping it till a gives B some money for its restoration to a. B is guilty of:

- (a) Cheating
- (b) Criminal breach of trust
- (c) Criminal misappropriation of property.
- (d) Theft.

Ans.(d)

Q. 511. X dishonestly took away a jewellery box from Y's possession. While he was proceeding towards his home he found that he was being followed by Y. he abandoned the box and threw stones at Y to deter him from continuing the pursuit. X has committed:

- (a) No offence
- (b) Extortion
- (c) Theft
- (d) Robbery.

Ans.(c)

Q. 512. X sends through his servant a typewriter to be delivered to Y, his friend. The servant takes the typewriter and uses it over a period of time. The servant to guilty of:

- (a) Extortion
- (b) Theft
- (c) Criminal misappropriation of property.
- (d) Criminal breach of that.

Ans.(d)

Q. 513. R takes a loan from M on the security of his bike. But when M was away. R took away the vehicle. The loan was not repaid. R is guilty of:

- (a) No offence as the bike belonged to him
- (b) No offence as what he owes is some money that could be repaid.
- (c) Theft as he takes away the vehicle from the possession of M with dishonest intention.
- (d) Dishonest misappropriation of property as he had no right to appropriate the property.

Ans.(c)

Q. 514. X, a rich person residing at Kochi, sends Rs. 50,000/- to his agent at Chennai with a direction that the money be given equal to two poor students A and B who are studying in the Engineering College over there. Instead of doing so, the agent gives the money equally to two other very poor deserving students. The agent has committed:

- (a) Criminal breach of trust.
- (b) No offence
- (c) Cheating
- (d) Criminal misappropriation of property.

Ans.(a)

Q. 515. A is the executor of a will of a deceased person. As per the will, the property of the deceased is to be divided equally between X and Y. Instead of doing so, A dishonestly divides the property of the deceased equally between Y and Z. A is guilty of:

- (a) No offence
- (b) Cheating
- (c) Criminal breach of trust
- (d) Criminal misappropriation of property.

Ans.(c)

Q. 516. A sets fire to a house to scare away the occupants. But the whole house was gutted and two occupants died. When charged with murder of two persons. A defended saying that he has no intention to cause death. This was accepted by the Court. The Court's ruling can be said to be:

- (a) Wrong; because A had intention to cause fire which was likely to cause death of the occupants.
- (b) Wrong; because A had intention to cause fire which in all probability would have caused death
- (c) Right; because A had no intention to cause death.
- (d) Wrong; because A had intention to cause fire which was inherently dangerous.

Ans.(d)

Q. 517. A lady wishing to get a railway ticket, finding a crowd at the ticket window at the station, asked X, who was near the window, to get a ticket for her and handed him over the money for the same. X took the money and instead of getting the ticket run away with the money. What offence has been committed by X?

- (a) No offence
- (b) Offence of criminal breach of trust.
- (c) Offence of criminal misappropriation
- (d) Offence of theft.

Ans.(b)

Q. 518. Which of the following elements constitute criminal misappropriation of property?

1. Movable property belonging to a person other than the accused.
2. Any property belonging to a person other than the accused.
3. The accused must have misappropriated the property to his own use.
4. There must be dishonest intention on the part of the accused.

Select the correct answer using the codes given below:

- (a) 1, 2, 3 and 4
- (b) 1, 3 and 4
- (c) 2 and 4
- (d) 2 and 3.

Ans.(b)

Q. 519. X cuts down a tree of Y's land with the intention of dishonestly taking the tree out of Y's possession without his consent. What is X guilty of?

- (a) No offence until the tree is taken away
- (b) The offence of criminal misappropriation of property
- (c) The offence of criminal breach of trust
- (d) The offence of theft as soon as the tree is severed from the ground.

Ans.(d)

Q. 520. X by putting Z in fear of grievous hurt, dishonestly induces Z to sign a blank paper and deliver it to X. Which offence is committed by X?

- (a) No offence
- (b) Criminal misappropriation
- (c) Extortion
- (d) Robbery.

Ans.(c)

Q. 521. Offence of theft is under:

- (a) Section 302 of IPC
- (b) Section 378 of IPC
- (c) Section 376 of IPC.

(d) None of the above

Ans.(b)

Q. 522. Removing ornaments from a dead body is:

(a) Robbery

(b) Theft

(c) Dacoity

(d) None of the above

Ans.(d)

Q. 523. Where the accused removed the bricks which had been left lying for eight years, it was held that:

(a) He was guilty of theft

(b) He was not guilty of theft

(c) He was guilty of robbery

(d) None of the above

Ans.(b)

Q. 524. If the property is removed under mistake of fact, it is:

(a) Robbery

(b) Dacoity

(c) Theft

(d) None of the above

Ans.(d)

Q. 525. A finds a ring belonging to Z on a table in the house which Z occupies. Here the ring is in Z's possession and if A dishonestly removes it, A commits:

(a) Robbery

(b) Theft

(c) Dacoity

(d) None of the above.

Ans.(b)

Q. 526. Section 379 of IPC defines:

(a) Robbery

(b) Extortion

(c) Theft

(d) Punishment for theft.

Ans.(d)

Q. 527. Theft in dwelling house is described in:

(a) Section 378 of IPC

(b) Section 379 of IPC

- (c) Section 380 of IPC.
 - (d) None of the above
- Ans.(c)

Q. 528. Extortion is describes in:

- (a) 379 of IPC
 - (b) 382 of IPC
 - (c) 383 of IPC
 - (d) 380 of IPC.
- Ans.(c)

Q. 529. Some persons may use the threat and others may receive the property. In such a case, all would be guilty of:

- (a) Theft
 - (b) Robbery
 - (c) Extortion
 - (d) None of the above
- Ans.(c)

Q. 530. In which section extortion by putting a person in fear of death or grievous hut is defined:

- (a) Section 379 of IPC
 - (b) Section 380 of IPC
 - (c) Section 386 of IPC
 - (d) None of the above.
- Ans.(c)

Q. 531. Theft and Extortion are the offences against:

- (a) Body
 - (b) The state
 - (c) The property
 - (d) All of these.
- Ans.(c)

Q. 532. Punished of extortion shall be punished with imprisonment of either description for a term which may extent to:

- (a) Three years and with fine
 - (b) Ten years and with fine
 - (c) Six months and with fine
 - (d) None of the above.
- Ans.(a)

Q. 533. Theft is an offence against movable property when the consent is:

- (a) Not obtained at all

- (b) Obtained by force
- (c) Obtained by fraud
- (d) All of the above.

Ans.(a)

Q. 534. Robbery is under:

- (a) Section 379 of IPC
- (b) Section 386 of IPC
- (c) Section 390 of IPC
- (d) All of the above.

Ans.(c)

Q. 535. Which is not an element of theft:

- (a) Dishonest intention
- (b) Removal from possession
- (c) Immovable property
- (d) None of the above.

Ans.(c)

Q. 536. For the offence of theft, the taking of property should be:

- (a) Permanent
- (b) Temporary
- (c) Either permanent or temporary
- (d) None of the above

Ans.(c)

Q. 537. Z takes away a golden chain of his wife which was given by her father as dowry, without her consent, and pledges it to raise money for domestic use. Z is:

- (a) Not guilty of theft as the chain was their joint property.
- (b) Not guilty of theft as the property was temporarily taken away
- (c) Guilty of theft
- (d) None of the above

Ans.(c)

Q. 538. Section 392 of IPC describes the punishment for robbery:

- (a) Imprisonment for 10 years
- (b) Imprisonment for 14 years
- (c) Imprisonment for 7 years
- (d) None of the above

Ans.(b)

Q. 539. When Robbery is a dacoity?

- (a) 4 five persons

- (b) Four persons
- (c) Three persons
- (d) Two persons.

Ans.(a)

Q. 540. If Death is caused after theft, in order to carry away the property, the offence will be:

- (a) Dacoity
- (b) Extortion
- (c) Robbery
- (d) None of the above

Ans.(c)

Q. 541. A, B and C are joint owners of some property. A removes the property without consent:

- (a) A is guilty of theft as property belongs to him
- (b) A is guilty of theft as he is only a joint owner
- (c) A is guilty of criminal misappropriation
- (d) A is guilty of breach of trust.

Ans.(b)

Q. 542. The punishment under Section 379 is extended up to:

- (a) One year
- (b) Two years
- (c) Three years
- (d) None of the above.

Ans.(c)

Q. 543. "A" took a sum of Rs. 50,000 from 'B' by putting 'B' in fear of death. 'A' has committed:

- (a) Cheating
- (b) Robbery
- (c) Mischief
- (d) Extortion.

Ans.(d)

Q. 544. Which statement correctly distinguishes theft from extortion?

- (a) In theft, there is dishonest intention whereas in extortion it is not there
- (b) In extortion, there is dishonest intention whereas in theft it is not there
- (c) In theft, there is dishonest intention whereas in extortion it is fraudulent intention.
- (d) In theft, there is taking of property whereas in extortion there is delivery of property.

Ans.(d)

Q. 545. Attempt to commit robbery is under:

- (a) Section 378 of IPC
- (b) Section 379 of IPC

- (c) Section 390 of IPC
 - (d) Section 393 of IPC.
- Ans.(d)

Q. 546. Which section of IPC defined dacoity?

- (a) Section 378 of IPC
 - (b) Section 390 of IPC
 - (c) Section 391 of IPC
 - (d) None of the above
- Ans.(c)

Q. 547. The essence of the offence of robbery is:

- (a) Fear or violence
 - (b) Imminent fear or violence
 - (c) Fear or violence-imminent or distant
 - (d) All of above.
- Ans.(b)

Q. 548. Dacoity is committed:

- (a) When 2 or more persons commit or attempt to commit robbery.
 - (b) When 5 or more persons co-jointly commit or attempt to commit robbery
 - (c) When robbery is committed with firearms or lethal weapons
 - (d) All of these.
- Ans.(b)

Q. 549. Attempt to dacoity is under:

- (a) Section 393
 - (b) Section 394
 - (c) Section 395
 - (d) None of the above.
- Ans.(a)

Q. 550. Assembling for dacoity is punishable under:

- (a) Section 396, IPC
 - (b) Section 391, IPC
 - (c) Section 399, IPC
 - (d) None of the above.
- Ans.(c)

Q. 551. Preparation to commit dacoity is under :

- (a) Section 379 of IPC
- (b) Section 399 of IPC
- (c) Section 392 of IPC

(d) None of the above.

Ans.(b)

Q. 552. Which is correct:

(a) Misappropriation of property takes place when one innocently comes into the possession of some movable property and thereafter changes his intention to keep it for his own use.

(b) If a person finds somebody else's property but does not know as to whom it belongs to and keeps it for his own use, it is not misappropriation

(c) Both (a) and (b)

(d) None of the above.

Ans.(a)

Q. 553. Which is correct?

(a) Removing ornaments from a dead body for one's own use is dishonest misappropriation of property.

(b) A partner who uses the car of the firm without permission or consent of other partners is guilty of criminal misappropriation of property.

(c) A person who takes possession of property which the rightful owners has lost is guilty of criminal misappropriation if he dishonestly converts the property.

(d) None of the above.

Ans.(c)

Q. 554. Under which section dacoity with murder is described:

(a) Section 378 of IPC

(b) Section 399 of IPC

(c) Section 396 of IPC

(d) None of the above.

Ans.(c)

Q. 555. Criminal misappropriation takes place when:

(a) The possession has been innocently come

(b) Dishonest appropriation or conversion of property for a person's own use.

(c) Such property must be movable

(d) All of the above.

Ans.(d)

Q. 556. Which is not an essential ingredient of criminal breach of trust:

(a) Misappropriation

(b) Entrustment

(c) Negligence

(d) None of the above

Ans.(c)

Q. 557. Criminal breach of trust has been committed?

- (a) B asked a goldsmith A to make a gold chain and paid him Rs. 3000 as cost of gold and his labour charges. But A neither prepared the chain by the given date nor returned the money.
- (b) 'A' a postmaster received money from the depositors but did not enter the same in their post office accounts.
- (c) The Government gave 100 bags of cement to A, a contractor, for a certain work. A after taking delivery of the bags used only 60 of them and passed on the rest to another person
- (d) None of the above.

Ans.(b)

Q. 558. Which is an essential element of criminal breach of trust?

- (a) Contractual relationship
- (b) Transfer of possession
- (c) Taking possession of the property by fraudulent means
- (d) None of the above.

Ans.(a)

Q. 559. Which section of IPC defines Criminal breach of trust:

- (a) Section 404 of IPC
- (b) Section 405 of IPC
- (c) Section 403 of IPC
- (d) None of the above.

Ans.(b)

Q. 560. Punishment of criminal breach of trust is described in:

- (a) Section 406 of IPC
- (b) Section 407 of IPC
- (c) Section 416 of IPC
- (d) None of the above.

Ans.(a)

Q. 561. In case of robbery or dacoity, the right of private defence extends voluntarily causing:

- (a) Any harm including death.
- (b) Any harm other than death
- (c) Any harm other than grievous hurt
- (d) None.

Ans.(a)

Q. 562. Can a person commit a breach of trust for his own property:

- (a) Yes
- (b) No
- (c) Sometimes

(d) None of the above.

Ans.(b)

Q. 563. Criminal breach of trust by public servant:

(a) Section 406 of IPC

(b) Section 409 of IPC

(c) Section 400 of IPC

(d) None of the above.

Ans.(b)

Q. 564. Mischief is an offence dealing with the:

(a) Damage to property

(b) Damage to person

(c) Damage to person or property

(d) All of these.

Ans.(a)

Q. 565. A voluntarily throws into a river a bag belonging to B with intention thereby causing wrongful loss to B. A has committed:

(a) Theft

(b) Extortion

(c) Robbery

(d) Mischief.

Ans.(d)

Q. 566. Entry upon another's land, the remedy is:

(a) Civil suit

(b) Criminal prosecution/Trespass

(c) Both (a) and (b)

(d) None of the above.

Ans.(a)

Q. 567. House-trespass is:

(a) Lurking house-trespass

(b) Lurking house-trespass by night

(c) House-breaking

(d) All of the above.

Ans.(d)

Q. 568. The punishment for house-trespass and house-breaking is:

(a) Imprisonment for one year or fine of Rs. 1000, or both; imprisonment for three years and fine.

(b) Imprisonment for two years or fine of Rs. 2000, or both; imprisonment for three years and fine.

(c) Imprisonment for six years, or fine of Rs. 2000, or both' imprisonment for two years and fine.

(d) None of the above.

Ans.(a)

Q. 569. Forgery is an offence relating to:

- (a) Documents
- (b) Property
- (c) Hurt
- (d) None of the above.

Ans.(a)

Q. 570. X committed theft in a government building. Z a Chowkidar of the building, kept the gate of the building open with the intention of facilitate X's safe retreat with the stolen property and thereby facilitated his retreat. Which one of the following statement is correct?

- (a) Guilty of abetment of theft by international aiding
- (b) Guilty of theft by instigation
- (c) Not guilty of abetment
- (d) Guilty of theft.

Ans.(a)

Q. 571. A had consensual sexual relations with Z wife. She gives to A valuable property which A knows to belong to her husband, Z and she has no authority from Z to give. A takes the property dishonestly. Which one of the following offences has been committed by A?

- (a) Criminal breach of trust and criminal misappropriation
- (b) Theft and criminal breach of trust
- (c) Theft
- (d) Criminal breach of trust.

Ans.(c)

Q. 572. A threatens to publish a defamatory libel concerning B unless B gives him money and B in consequence gives A money. A commits the offence of:

- (a) Theft
- (b) Robbery
- (c) Criminal intimidation
- (d) Extortion.

Ans.(d)

Q. 573. 'A' meets 'Z' on the road and asks him to part with his belonging on the instant threat of hurt to Z. while Z delivers his purse to A, A snatches away a golden chain from Z neck. Which one of the following offences is committed by A?

- (a) Extortion
- (b) Robbery by theft
- (c) Robbery by extortion

(d) Robbery by theft as well as robbery by extortion.

Ans.(a)

Q. 574. A is invited by B for a cup of tea. While B is in the kitchen preparing tea. A finds a golden ring on the table. He picks it up and places. It somewhere in the room with the intention of dishonestly taking it away some time later. A commits:

(a) No offence

(b) Extortion

(c) Attempt to commit theft

(d) Theft.

Ans.(b)

Q. 575. Which one of the following statements correctly distinguishes theft from extortion?

(a) In theft, there is dishonest intention whereas in extortion it is not there.

(b) In extortion there is dishonest intention whereas in theft it is not there.

(c) In theft, there is dishonest intention whereas in extortion it is fraudulent intention

(d) In theft there is taking of property whereas in extortion there is delivery of property.

Ans.(b)

Q. 576. Which one of the following conclusion can be drawn from de minimis non curat tax?

(a) Necessity knows no law

(b) Nothing is an offence done by a child under 7 years of age.

(c) Every person is liable for his own acts

(d) Trifling acts do not constitute an offence.

Ans.(d)

Q. 577. X and Y agree to commit theft in Z's house but no theft is actually committed. They are guilty of:

(a) No offence

(b) Criminal conspiracy

(c) Abetment by conspiracy

(d) Abetment by instigation.

Ans.(c)

Q. 578. Which one of the following statements correctly defines the offence of criminal breach of trust?

(a) Whoever is entrusted with the dominion of property, dishonestly converts it as his property is guilty of criminal breach of trust.

(b) Whoever dishonestly misappropriates any property for his own use, is guilty of criminal breach of trust.

(c) Whoever uses any movable property in violation of law or legal contract commits criminal breach of trust.

Ans.(b)

Q. 579. The offence of theft becomes robbery when it is:

- (a) Coupled with force
- (b) Committed by two or more but less than five persons
- (c) Committed by five or more persons
- (d) Coupled with imminent danger to life.

Ans.(d)

Q. 580. X a Hindu, turned his wife out of the marital home and refused to return her ornaments, money and clothes despite her repeated demands. What offence, if any, has X committed?

- (a) Cajolery
- (b) Cheating
- (c) Criminal intimidation
- (d) Criminal breach of trust.

Ans.(d)

Q. 581. X and Y were about to travel from Jammu Tawi to Delhi by the same train. Y had two tickets for Pathankot and X had a ticket for Delhi. X voluntarily handed over his ticket to Y in order to check that it was the right one. Y under the pretence of returning X's ticket substituted it by one of his own and kept X's ticket. What offence did Y commit?

- (a) Theft
- (b) Extortion
- (c) Misappropriation
- (d) Cheating.

Ans.(c)

Q. 582. A person who was not expected to be in office, created a brief that he would be in office and obtained gratification. Which one of the following offences has been committed by him?

- (a) Bribery
- (b) Misappropriation
- (c) Cheating
- (d) None of the above.

Ans.(c)

Q. 583. Robbery becomes dacoity when committed conjointly by

- (a) Two persons
- (b) More than two persons but less than five persons
- (c) Five persons or more
- (d) None.

Ans.(c)

Q. 584. In cases of dishonest misappropriation the initial possession of the property:

- (a) Is dishonest

- (b) Is fraudulent
- (c) Is innocent
- (d) None.

Ans.(c)

Q. 585. A finds a watch on the floor of a State Transport bus while he was leaving it as the last passenger. He picked it up and kept it in his pocket instead returning it to the State Transport authorities. Next day he sold it. A is liable for:

- (a) Theft
- (b) Extortion
- (c) Criminal misappropriation
- (d) Criminal breach of trust.

Ans.(c)

Q. 586. A servant collected money from the debtor of his master as authorized by him. The servant retained the money in his hands because it was due to him as wages. He commits:

- (a) Criminal breach of trust
- (b) Theft
- (c) No offence
- (d) Criminal misappropriation.

Ans.(a)

Q. 587. Offence of theft is related to:

- (a) Movable property only
- (b) Immovable property only
- (c) Property only
- (d) None.

Ans.(a)

Q. 588. Dishonest intention must precede the act of taking in

- (a) Criminal misappropriation
- (b) Criminal breach of trust.
- (c) Theft
- (d) None.

Ans.(c)

Q. 589. Which one of the following statements correctly defines the term theft?

- (a) Dishonest removal of one's property
- (b) Removal of property from the custody of a person without his consent
- (c) Dishonest removal of any property from one's possession without his consent
- (d) Dishonest removal of movable property from one's possession without his consent.

Ans.(c)

Q. 590. Which of the following is an essential element of criminal breach of trust?

- (a) Contractual relationship
- (b) Transfer of possession
- (c) Taking possession of the property by fraudulent means
- (d) Property must be movable.

Ans.(a)

Q. 591. Under the Indian Penal Code who among the following is liable for committing theft?

- (a) Child below 7 years of age.
- (b) Child below 8 years of age.
- (c) Child between 7 and 10 years of age
- (d) Child between 7 and 12 years of age having maturity of understanding.

Ans.(c)

Q. 592. On a foggy night A puts his scooter in the garage of B. On finding it, if B removes the scooter from the garage and puts it alongside the road then:

- (a) B has committed the tort of trespass to goods because he interfered with the property of another.
- (b) B has committed no tort because he acted in protection of his property.
- (c) B has committed no tort because he is not at fault.
- (d) B is liable as joint tortfeasor.

Ans.(b)

Q. 593. Extortion is defined in

- (a) Section 383 of IPC
- (b) Section 390 of IPC
- (c) Section 387 of IPC
- (d) None.

Ans.(a)

Q. 594. Which one of the following statements is correct:

- (a) An innocent principal is not liable for the fraud of his agent
- (b) An innocent principal is liable for the fraud of his agent
- (c) An innocent agent is liable for all frauds of his principal
- (d) None of the above is correct.

Ans.(a)

Q. 595. Point out incorrect response.

The following are the ingredients of theft :

- (a) Dishonest intention to take another's property. The Property must be movable.
- (b) Property should be taken out of the possession of another person without his consent.
- (c) There must be some moving of the property in order to accomplish the taking of it.
- (d) Taking of another's property must be with the intention to retain the property permanently.

Ans. (d)

Q. 596. Point out incorrect response.

The following are some of the illustrations of theft :

- (a) A, a mail-sorter secretes out a bearing letter with an intention to deliver it to the mail peon and to share the collections.
- (b) A takes B's stick out of his hand in order to beat him with it.
- (c) A cuts down a tree on B's ground with the intention of dishonestly taking the tree out of B's possession without B's consent.
- (d) A took a bundle belonging to himself which was in possession of a police constable and for which the constable was accountable.

Ans. (b)

Q. 597. Point out the incorrect answer :-

Theft consists of

- (a) Taking of immovable property.
- (b) Out of the possession of any person.
- (c) Dishonest intention.
- (d) Without his consent.

Ans. (a)

Q. 598. Offence of theft is related to

- (a) Movable property only.
- (b) Immovable property only.
- (c) Property only.
- (d) All of above.

Ans. (a)

Q. 599. Give the correct response

- (a) Immovable property becomes the subject of theft if it is severed from the earth.
- (b) Immovable property become the subject of theft as soon as it has been severed from the earth.
- (c) Immovable property is not capable of being the subject of theft.
- (d) All of the above.

Ans. (d)

Q. 600. A cuts down a tree on Z's ground with the intention of dishonestly taking the tree out of Z's possession with the consent of Z'. A has committed theft _____

- (a) As soon as he starts cutting the tree.
- (b) As soon as her intends to cut it.
- (c) As soon as tree is severed from earth.
- (d) All of the above.

Ans. (c)

Q. 601. A being Z's servant and entrusted to YZ with the care of Z's plate dishonestly runs away with the plate A commits

- (a) Criminal breach of trust.
- (b) Criminal misappropriation of property.
- (c) Extortion.
- (d) Theft.

Ans. (d)

Q. 602. A finds a ring lying on the road not in the possession of every person. A by taking it commits.

- (a) Criminal misappropriation of property.
- (b) Criminal breach of trust.
- (c) Theft.
- (d) Extortion.

Ans. (a)

Q. 603. A sees a watch belonging to Z lying on a table in Z's house, not wanting to misappropriate the watch immediately to avoid search and detection, hides the watch in a place from where it can not be found. A commits theft when the watch

- (a) Hidden by A.
- (b) Intended by A to subject it of theft.
- (c) First moved from its place.
- (d) A does not commit theft but criminal branch of trust.

Ans. (c)

Q. 604. A owes money to Z for repairing it. If Z retains the watch as a security. A takes the watch out of Z's possession.

- (a) A does not commit theft.
- (b) A commits theft if he takes dishonestly.
- (c) Z commits theft.
- (d) A and B both commits theft of each others property.

Ans. (b)

Q. 605. A being in family terms with Z, goes in Z's library in his absence and takes away a book for the purpose of reading it. A afterwards A keeps the book. A commit

- (a) Theft.
- (b) Theft if he keeps the book dishonestly.
- (c) No offence.
- (d) Attempt to commit theft.

Ans. (b)

Q. 606. A is paramour of Z's wife. She gives a ring of gold which A knows to belong to her husband Z.

- (a) A does not commit theft.
- (b) A commits theft of ring.
- (c) Z's wife commit theft.
- (d) None of the above.

Ans. (b)

Q. 607. A in good faith, believing property belonging to Z to be his own property. takes that property out of B's possession

- (a) A commits theft.
- (b) A commits no theft as he does not take away the property dishonestly.
- (c) A commits no theft because property belongs to Z was not takes from his possession.
- (d) A commits no theft because he takes the property out B's possession.

Ans. (b)

Q. 608. Give the correct response

- (a) It is not necessary that taking must cause wrongful gain to the person taking it or wrongful loss to the owner.
- (b) There must to dishonest intention of taking for the offence of theft.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 609. For the offence of theft the taking of property there should be

- (a) Temporary.
- (b) Permanent.
- (c) Either permanent or temporary.
- (d) Neither permanent nor temporary.

Ans. (c)

Q. 610. Accused took out an Indian Air Force plane for an authorized flight and afterwards did not return. A is guilty of

- (a) Extortion.
- (b) Theft.
- (c) Criminal breach of trust.
- (d) Criminal misappropriation of property.

Ans. (b)

Q. 611. Give the correct response

- (a) A person can not be Convicted of stealing his own property.
- (b) A person can be convicted of stealing his own property.
- (c) A person can be convicted of stealing his own property if he takes it dishonestly from an others possession.

(d) All of these.

Ans. (c)

Q. 612. For the offence of theft, the thing stolen must be-----

(a) Of Rs. 200/- in value.

(b) Of Rs. 5/- in value.

(c) Of raw value.

(d) All of the above.

Ans. (d)

Q. 613. The accused dropped in to the slit in a box, a brass disk, about the size and shape of a fifty paisa coin and there - by obtained a cigarette. He is guilty of

(a) Extortion.

(b) Criminal Breach of trust.

(c) Theft.

(d) No offence.

Ans. (c)

Q. 614. Give the correct response

(a) For the offence of theft the property must be movable.

(b) Though water running in the pipes is immovable, it may be subjected to theft.

(c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 615. A puts a bait for dogs in his pocket thus induces Z's dog to follow it without Z's consent

(a) A commits no theft.

(b) A commits criminal breach of trust.

(c) Commits the ft as soon as Z's dog had being to follow.

(d) Commits theft as soon as Z's dog began to follow A and A's intention is dishonest.

Ans. (d)

Q. 616. Point out incorrect response.

The following are the essential elements of the offence of extortion:

(a) Dishonestly inducing the person so put in fear of injury to deliver to any person or property or valuable security.

(b) Intentionally putting a person in fear of injury to himself or to another.

(c) The property is delivered to the extortionist as a means of avoiding injury.

(d) The property must always be a movable property.

Ans. (d)

Q. 617. Give correct response.

The following are illustrations of the offence of extortion :

- (a) A threatens B that he will kidnap his son unless B gives within 48 hours Rupees 500 to C. B gives Rs.500 to C.
- (b) A meets B on the high road, shows a pistol and extracts B's purse.
- (c) A meets B and his child C on the high road. A takes the child and threatens to fling it down a precipice unless B delivers his purse. B in consequence delivers his purse to A.
- (d) A in snatching a nose ring wounded a woman in the nostril and caused her blood to flow.

Ans. (a)

Q. 618. Extortion has following ingredients:--

- (a) Dishonestly inducing the person so put in fear to any person any property or valuable security.
- (b) Intentionally putting a person in fear of injury to himself or another.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 619. The offence of extortion can be committed against

- (a) Immovable property.
- (b) Valuable security.
- (c) Movable property.
- (d) All of the above.

Ans. (d)

Q. 620. The difference between theft and extortion is that

- (a) Former is related to immovable property while latter is related to movable property.
- (b) In former offence taken the property with out owner's consent while in latter by wrongfully obtaining the consent.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (b)

Q. 621. A threatens to publish a defamatory libel concerning Z unless Z gives him money. He thus induced Z to give his money. A has committed

- (a) Robbery.
- (b) Dacoity.
- (c) Theft.
- (d) Extortion.

Ans. (d)

Q. 622. A by putting Z in fear of grievous hurt dishonestly induces Z to sign or affix his seal on a blank paper and deliver it to A. Z sign and delivers a paper to A. A is guilty of

- (a) Theft.

- (b) Criminal breach of trust.
- (c) Cheating.
- (d) Extortion.

Ans. (d)

Q. 623. Match the following offence Punishment

- (a) Punishment of extortion (Simple) (i) Three Years
- (b) Extortion by putting a person in fear of death (ii) Two years
- (c) Putting a person in fear of death in order to commit extortion (iii) Seven Years
- (d) Putting person in fear of injury (iv) Ten years

Code:

- (a) (b) (c) (d)
- (a) (i) (iv) (iii) (i).
- (b) (iv) (iii) (ii) (i).
- (c) (i) (ii) (iii) (iv).
- (d) (i) (iii) (iv) (ii).

Ans. (d)

Q. 624. In the offence of extortion trust should be used against

- (a) Himself.
- (b) His family.
- (c) His relations.
- (d) Any one.

Ans. (d)

Q. 625. Which of the following act/acts amount/amounts to extortion

- (a) Refusal to allow people to carry away firewood collected in a government forest.
- (b) Obtaining of a bond under the threat of non-rendering of service as a wakil.
- (c) Refusal to perform a marriage ceremony without taking payment of Rs. 5/00.
- (d) None of the.

Ans. (d)

Q. 626. In all cases of robbery, there is

- (a) Either theft or extortion.
- (b) Theft.
- (c) Extortion.
- (d) Theft, extortion and mischief.

Ans. (a)

Q. 627. Give the correct response

- (a) The chief distinguishing element in robbery is the presence of imminent fear of violence.
- (b) There can be no robbing which does not fall with in the definitions of theft and extortion.
- (c) Both (a) and (b).

(d) None of the above.

Ans. (c)

Q. 628. A meets Z on a high way, shows a pistol and demands Z's purse. Z in consequence gives his purse. A has committed.

(a) Robbery.

(b) Extortion.

(c) Theft.

(d) Dacoity.

Ans. (a)

Q. 629. A meets B and his child in a jungle. A takes the child and threatens to kill him unless B delivers his purse. A has committed

(a) Theft.

(b) Robbery.

(c) Docoity.

(d) Extortion.

Ans. (b)

Q. 630. A person 'A' caused hurt to run away when caught while stealing. He is guilty of committing

(a) Robbery.

(b) Decoity.

(c) Theft.

(d) Extortion.

Ans. (a)

Q. 631. The accused abandoned the property obtained by theft and fired a shot in air to deter his persons from following him. A has committed

(a) Robbery.

(b) Theft.

(c) Dacoity.

(d) Extortion.

Ans. (b)

Q. 632. Give the correct response

(a) An accidental infliction of injury by a thief will not convert his offence in to robbery.

(b) The injury may be intended an unintended are.

(c) For the offence of robbery the presence of imminent fear or violence is necessary.

(d) All of these.

Ans. (c)

Q. 633. A person in snatching a mosering, wound a woman in the nostril and caused her blood to flow. He committed

- (a) Extortion (b) Dacoity
(c) Theft. (d) None of the above
Ans. (d)

Q. 634. Robbery is dacoity, if it is committed by

- (a) By at least four persons.
(b) By at least five persons.
(c) By at least two person.
(d) By at least three persons.

Ans. (b)

Q. 635. Which one of the following is an offence which is punishable at four stages

- (a) Dacoity (b) Murder
(c) Robbery (d) Rape

Ans. (a)

Q. 636. Dacoity is punishable

- (a) When five or more persons assemble for the purpose of committing dacoity.
(b) preparation to commit dacoity.
(c) Attempt of dacoity.
(d) Actual commission of dacoity.
(e) All of these.

Ans. (e)

Q. 637. The master of the house seeing the large number of dacoits, do not offer any resistance and no force or violence is used in taking away the property. The offence committed is

- (a) Dacoity (b) Robbery
(c) Theft. (d) Extortion

Ans. (a)

Q. 638. Where there were only five named accused who committed dacoity. out of these two were acquitted holding that only three took part in the offence. The remaining three can be convicted of

- (a) Robbery.
(b) Dacoity.
(c) Unlawful assembly.
(d) No offence.

Ans. (a)

Q. 639. If murder is committed by any one of the dacoits in commission of dacoity. Each shall be punished with

- (a) Death.
(b) Rigorous imprisonment for ten years.
(c) Imprisonment for life.

(d) Any one of the above.

Ans. (d)

Q. 640. The house of a person was raided by a gang of five dacoits. One of them was armed with a gun. Mean while a number of villagers had assembled outside the house and compelled dacoits to retreat with out the booty. The dacoits fired a shot resulted in the death of a villager

- (a) All dacoits are liable for murder.
- (b) Only the dacoit who fired the shot is liable.
- (c) Villagers are liable as they assembled at the spot.
- (d) None of the above.

Ans. (a)

Q. 641. For the offence of criminal misappropriation--

- (a) There must be dishonest misappropriations in conversion of property for a person's own.
- (b) Such property must be immovable.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (a)

Q. 642. The accused found a purse on the pavement of a temple in a crowded gathering and put it in his pocket but was immediately arrested. He is guilty of

- (a) Criminal breach of trust.
- (b) Criminal misappropriation.
- (c) Theft.
- (d) Of no offence.

Ans. (b)

Q. 643. A find a valuable ring on the road not knowing to whom it belongs. A picked up immediately. A is guilty of

- (a) Criminal misappropriation.
- (b) Criminals breach trust.
- (c) Theft.
- (d) No offence.

Ans. (a)

Q. 644. The accused purchased a watch for Rs.100 from a house. The accused is guilty of

- (a) Theft.
- (b) Criminal breach of trust.
- (c) Criminal misappropriations of property.
- (d) No offence.

Ans. (d)

Q. 645. A Hindu girl packed up a member's made it over to a sweeper girl. Her brother 'B' had found the original owner. B is guilty of

- (a) Theft.
- (b) Extortion.
- (c) Cheating.
- (d) Criminal misappropriation.

Ans. (d)

Q. 646. The difference between theft & criminal misappropriation is/are

- (a) Intention in former is manifested by wrongful taking while in later it is manifested when property is transformed in his own use.
- (b) In former the offender dishonestly takes property while in later possession comes innocently.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 647. A and B were about to travel by the same train from Benares city. A had a ticket for Ayodhya and B for Benares cantt. A voluntarily handed over her ticket to be checked. B under the pretence of returning his ticket substituted the tickets and kept A's ticket. A commits

- (a) Criminal misappropriation.
- (b) Criminal breach of trust.
- (c) Cheating.
- (d) Mischief.

Ans. (a)

Q. 648. Z dies in possession of furniture and money. His servant A' before he comes in to the possession of any person entitled for the same, uses it for his own purposes. A has committed

- (a) Criminal breach of trust.
- (b) Cheating.
- (c) Criminal misappropriation.
- (d) No offence.

Ans. (c)

Q. 649. A person sells the house of Z when he dies. A commits

- (a) Criminal misappropriation.
- (b) Extortion.
- (c) Theft.
- (d) None of the above.

Ans. (d)

Q. 650. The offence of criminal breach of trust requires

- (a) The person entrusted dishonestly misappropriates the property to his own use.
- (b) Entrusting any person with any property or any dominion over the property.

- (c) Both (a) and (b).
 - (d) None of the above.
- Ans. (c)

Q. 651. The offence of criminal breach of trust consists of

- (a) Conversion.
- (b) Disposal of property.
- (c) Misappropriation.
- (d) Any one of these.

Ans. (d)

Q. 652. A person who obtains possessions by a trick-----

- (a) Commits theft.
- (b) Commits theft.
- (c) Is an entrustment of property with in the meaning of this section.
- (d) Is not entrustment of property.

Ans. (d)

Q. 653. Accused 'A' obtained utensils representing that he was a tenant and would return after repairing but he did not return the utensils and it was found that he was not the tenant. A is guilty of

- (a) Cheating.
- (b) Criminal breach of trust.
- (c) Theft.
- (d) Mischief.

Ans. (a)

Q. 654. The offence of criminal breach of trust relates to

- (a) Movable property.
- (b) Immovable property.
- (c) Either of the above.
- (d) Neither of the above.

Ans. (c)

Q. 655. Give the correct response

- (a) Dishonest intention is gist of criminal breach of trust.
- (b) Negligence on the part of person does not amount to dishonest intention.
- (c) Both (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 656. An accountant in a bank receives some money from a customer instead of depositing it kept it, in his pocket, he is guilty of

- (a) Criminal misappropriation.

- (b) Criminal breach of trust.
- (c) Cheating.
- (d) Theft.

Ans. (b)

Q. 657. A the husband of B gave her some money to deposit in the bank in his name. She uses that money in purchasing a small house for herself. She is guilty of

- (a) Theft.
- (b) Criminal breach of trust.
- (c) Extortion.
- (d) No offence.

Ans. (d)

Q. 658. The husband and father in law turned out a Hindu woman from the marital home and refused to return her money and ornaments. They are guilty of

- (a) Criminal misappropriation.
- (b) Can not say.
- (c) Criminal breach of trust.
- (d) No offence.

Ans. (c)

Q. 659. Give incorrect response.

The following are ingredients of the offence of criminal misappropriation:

- (a) Misappropriation must be permanent.
- (b) Dishonest misappropriation or conversion of property for a persons own use.
- (c) The property may come into the possession innocently but its subsequent appropriation constitutes the offence.
- (d) Property must be movable.

Ans. (a)

Q. 660. Give correct response.

The following are illustrations of the offence of criminal misappropriation :

- (a) A shows his ticket from Allahabad to Delhi to B and inquires whether it was a correct one. B who was also a passenger to Delhi hands over his own ticket for a shorter journey to A and retains his ticket for his use.
- (b) A, a mail sorter secrets letters with intention to hand them over to the delivery peon and share the money payable thereon.
- (c) A takes his meals in a hotel and leaves the hotel without paying for the meals but because of forgetfulness.
- (d) A found a gold coin on an open plain and sold it next day and appropriated the sale proceeds. A had no information about the circumstances in which the coin was lost.

Ans. (a)

Q. 661. Point out incorrect response.

The following are the ingredients of the offence of criminal Breach of trust :

- (a) The trust for which a property is entrusted must always be in furtherance of any lawful object.
- (b) The person entrusted with the property dishonestly uses or disposes of that property in violation of any direction of law or any legal contract prescribing the discharge of such trust.
- (c) The person entrusted with the property dishonestly misappropriates or converts to his own use that property.
- (d) A person must have been entrusted with property or with any dominion over property.

Ans. (a)

Q. 662. Point out incorrect response.

The following are some of the illustrations of the offence of criminal breach of trust :

- (a) A had borrowed Rs.500/- from B. One day A left his trunk at B's house and went to enjoy holidays. On return A asked for his trunk from B. B did not allow A to take out his trunk unless the debt owed by A was paid to B.
- (b) A, a printer uses certain blocks, entrusted to him to print the complainants catalogue for the purpose of printing a rival firms catalogue.
- (c) A was employed at a liquor shop for selling liquor. He has agreed not to adulterate and sell adulterated liquor. One day he took out one gallon liquor for his own use and mixed an equal quantity of water and sold it.
- (d) A, an Inspector of the water works department who was entrusted to check the distribution of water permits his tenant to use water without paying the tax and gives no information to his employer.

Ans. (a)

Q. 663. Give correct response.

The following is an illustration of cheating :

- (a) A has already paid his house rent to his land lord B and obtained a receipt. A lost the receipt. A prepared a receipt for rent in lieu of the genuine receipt already lost and forged the signature of B, his landlord so that he may not be asked by B to pay the rent again.
- (b) A has no account at his bankers. But B supposes that A has and on that supposition B forges A's name on a cheque.
- (c) A altered his date of birth in his High School certificate and produced a copy of the forged certificate to his employer B in order to deceive him to get an employment.
- (d) A sells his land to B. A, knowing that he has no right to property in the land, makes a subsequent sale of the same land in favour of C without disclosing the fact of previous sale to B and receives the purchase money from C.

Ans. (d)

Q. 664. Which one of the following acts is not a mistake of fact?

- (a) Where an accused mistook a human being in the jungle as a wild animal at night and killed him.
- (b) Where an accused killed a person under the mistaken belief that the latter entered his house with the intention of killing him

- (c) Where an accused acting under a delusion killed his own son considering him to a tiger.
- (d) Where a constable wanting to settle personal scores with A, mistakenly apprehended B and caused injury to B.

Ans.(d)

Q. 665. Assertion (A): The Indian Penal code contains certain exceptions from criminal liability.

Reason (R): There cannot be universal criminal liability in all circumstances.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans.(a)

Q. 666. when a person is made to commit a crime after being put under fear of death, there is:

- (a) No mens rea
- (b) Mens rea
- (c) No offence
- (d) Neither mens rea nor offence.

Ans.(d)

Q. 667. The Courts have evolved some tests to determine at what stage an act or a series of acts done towards the commission of the intended offence would become an attempt. Identify which one of the following test is not correct?

- (a) Proximity test
- (b) Impossibility test
- (c) Locus standi test
- (d) Social danger test.

Ans.(c)

Q. 668. If acts no fact reum nisi means sit rea is a cardinal principle of criminal law, then which one of the following statements correctly reflects the above principle?

- (a) Mens rea is an essential element of a crime and there cannot be a crime without means rea.
- (b) Criminal liability under Indian Law always implies mens rea
- (c) To constitute a crime there must be actus rues and mens rea
- (d) Actus reus is not always necessary to constitute a crime.

Ans.(d)

Q. 669. Which one of the following is associated with Common Intention?

- (a) Similar intention
- (b) Pre-mediated concert
- (c) Same intention
- (d) Unanimous decision in a meeting to do a particular act.

Ans.(b)

Q. 670. Which is one of the following statements correctly describes the concept of 'Mens rea'?

- (a) Mens rea needs be present at the stage of planning, but not act the stage of commission of the offence.
- (b) Mens rea should be excluded unless the statute specifically requires it to be proved.
- (c) Absolute prohibition is not required to negate mens rea
- (d) If the statute is silent about mens rea, as a general rule it should be read into the statute.

Ans.(c)

Q. 671. A right which has a co-relative duty and can be legally enforced is called:

- (a) An antecedent right
- (b) A remedial right
- (c) A perfect right
- (d) An imperfect right.

Ans.(a)

Q. 672. The essential ingredients of a crime are:

- (a) Motive, mens rea and actus reus
- (b) Motive, intention and knowledge
- (c) Actus reus and mens rea
- (d) None.

Ans.(a)

Q. 673. Give correct response.

The true nature of criminal liability implies :

- (a) In criminal liability mens rea is always essential and there is no exception to this rule.
- (b) The nature of criminal liability is less punitive and more compensative.
- (c) Criminal liability generally implies the existence of mens rea except where a contrary intention can be gathered from the Statute creating liability.
- (d) Any remedy for criminal liability always takes into account the amount of injury caused to the sufferer that is why punishment must be true equivalent of the sufferings.

Ans. (c)

Q. 674. Give correct response.

The common law rule is that no person is criminally liable for the act of another unless he has authorised or assented to it. The following are exceptions to this rule:

- (a) Criminal Trespass.

- (b) Private Nuisance.
- (c) Riot.
- (d) Public Nuisance.

Ans. (c)

Q. 675. Point out best response.

Of all the doctrines that are of fundamental importance in criminal jurisprudence, the rule is that:

- (a) A man is presumed innocent until he is proved guilty and that the benefit of all reasonable doubts must be given to the accused.
- (b) Whenever a case is brought with in the forecorners of a statute, the burden lies upon the accused to prove that the act was done innocently and not intentionally or negligently.
- (c) Whenever the prosecution alleges the commission of a crime and prima facie establishes the guilt of the accused the burden lies upon the defence to disprove the prosecution story.
- (d) Where the evidence adduced by the accused fails to satisfy the court affirmatively of the existence of circumstances bringing the case with the general exception pleaded, the accused shall not be entitled to acquittal in any circumstance whatsoever.

Ans. (a)

Q. 676. Point out incorrect response

The following are the elements of a crime:

- (a) Actual reus in furtherance of the guilty intention.
- (b) Injury to another human being or society at large in consequence of an act done by a human being.
- (c) Any person, including natural and legal persons.
- (d) Mens rea or the guilty intention on the part of such human being.

Ans. (c)

Q. 677. Point out incorrect response.

There is a presumption that mens rea and evil intention or knowledge of the wrongfulness of the act, is an essential in every offence. However, the following are some of the exceptions to this general rule:

- (a) Acts which are not criminal in any sense, but are acts which in the public interest are prohibited under the penalty.
- (b) Cases of public nuisance where the employer is liable on indictment for nuisance caused by workmen without his knowledge and contrary to his orders.
- (c) There may be cases in which, although the proceeding is criminal in form, it is really as summary mode of enforcing civil right.
- (d) All cases of private nuisance.

Ans. (d)

Q. 678. Give best response.

Acts reus and mens rea are the two most essential elements of a crime. Actus reus means as follows :

- (a) External manifestation of will is known as actus reus.
- (b) Actus reus means the act, omission or other event indicated in the definition of the crime charged as being prescribed by criminal law.
- (c) Actus reus are such bodily movements as are prohibited by law.
- (d) Actus reus means such physical act of a human being as the law seeks to prevent.

Ans. (b)

Q. 679. Point out incorrect response.

The following are the examples of cases of strict liability at common law:

- (a) Private libel.
- (b) Public nuisance.
- (c) Contempt of Court.
- (d) Public as well as private nuisance.

Ans. (d)

Q. 680. Point out incorrect response.

The doctrine of mens rea requires a mind at fault in all offences. To this general rule, the exceptions are found in statutory offences. Some of the exceptions are offences relating to:

- (a) Public welfare offences relating to regulation of road traffic.
- (b) Public welfare offences, such as sale of adulterated drugs or food articles.
- (c) Abduction and Bigamy in common law.
- (d) Liability of the master for the acts of his servants.

Ans. (d)

Q. 681. Point out incorrect response.

The maxim nullum poena sine leg, nullum crimes sine leg, known as the principle of legality implies the following:

- (a) Non-retroactivity of penal laws i.e. no person shall be punished except in pursuance of a statute which fixes a penalty for a criminal conduct.
- (b) No person shall be prosecuted and punished for the same offence more than once.
- (c) Penal statutes are to be construed strictly against the state and in favour of the accused.
- (d) It lays down an injunction to the legislature not to lay down the law in broad general terms but it must be certain and also that penal laws should be accessible and intelligible.

Ans. (b)

Q. 682. Point out incorrect response.

The following are the fundamental principles of criminal jurisprudence:

- (a) No person accused of an offence shall be compelled to be a witness against himself.
- (b) No person can be put to peril twice for the same offence.
- (c) A man is presumed innocent unless he is proved guilty i.e., the burden of proving the guilt lies on the prosecution and benefit of all reasonable doubts is given to the accused.
- (d) Whenever insanity is pleaded in defence by the accused the burden shall lie upon the

prosecution to prove that the accused was of sound mind at the time of commission of the offence.

Ans. (d)

Q. 683. Give correct response.

Generally speaking the elements of a crime are:

- (a) Mens rea and acts reus are the two most important elements of a crime; whereas motive is never a relevant factor in determination of criminal liability.
- (b) Motive is never taken into consideration to determine the criminal liability of a person, only actus reus is important.
- (c) Motive, mens rea and actus reus; all are essential elements of a crime.
- (d) Motive is some times more important than mens rea to determine the criminal liability of a person.

Ans. (a)

Q. 684. Point out incorrect response.

Actus reus and mens rea are the two important elements of a crime. Actus reus may be defined as 'such result of human conduct as the law seeks to prevent.' It is made up of three constituent parts, namely :

- (a) Act may be done voluntarily or involuntarily.
- (b) Such act as is 'prohibited by law.'
- (c) Human action which is usually termed as 'conduct'.
- (d) The result of such act in the specified circumstances i.e., injury.

Ans. (a)

Q. 685. Give best response.

Actus non facit reum nisi mens sit rea, (act itself does not make a man guilty unless his intentions were so). Thus mens rea means:

- (a) Expectations in the mind that the bodily motions will lead to certain consequences.
- (b) Mens rea means the mental state expressly or impliedly mentioned in the definition of the crime charged, which mental state constitutes a necessary requirement of that crime.
- (c) Mens rea denotes that guilty frame of mind with which an act is done.
- (d) Mens rea means evil intent or knowledge of the wrongfulness of conduct.

Ans. (b)

Q. 686. Give correct response.

Negligence in crime means :

- (a) A man is said to be negligent with respect to the consequences of his act, if he foresees the probability that it will occur, but does not desire it, nor foresees it as certain.
- (b) The state of mind of a person who foresees the possible consequences of his conduct, but acts without any intention or desire to bring them about.
- (c) An attitude of mental indifference to obvious risk.
- (d) Want of care and precaution which a reasonable man would have taken under the particular circumstances of the case.

Ans. (d)

Q. 687. Give best response.

The liability to conviction of an individual depends not only on his having done some outward acts which the law forbids but on his having done them in a certain frame of mind or with a certain will. Exceptions to this general rule are strict liability offences which mean that:

- (a) Crimes not requiring any kind of fault or guilty mind on the part of the accused in doing the act constituting the offence but the doing of the act forbidden alone holds one responsible for it.
- (b) Crimes requiring some fault on the part of another but not the accused himself.
- (c) Crimes though not committed with some guilty intention but are acts in which the accused has acquiesced or connived or is negligent or reckless in some manner.
- (d) Crimes where a person is not himself guilty in so far as the actual commission of the act constituting the offences is concerned but he has either authorised the doing of the act or has failed to take precautions to prevent it.

Ans. (a)

Q. 688. Give correct response.

A Football pool promoter employed about a large number of collectors and instructed them that it was illegal to collect money until after the matches had been played and also that credit be always given until this event. One of the collectors accepted money at the investment:

- (a) The pool promoter was guilty.
- (b) The Pool promoter was not guilty of an offence.
- (c) Collector was guilty.
- (d) Both were guilty.

Ans. (b)

Q. 689. Give best response.

Vicarious liability means :

- (a) Liability of a person for the fault of some one else.
- (b) Liability without any kind of fault on the part of any body, but simple doing of an act forbidden by law or abstaining to do something which one is required by law to do.
- (c) Vicarious liability can only arise for wrongs committed by some one else provided that the accused has previously authorised or assented to the causing of the wrong or has failed to take precaution to prevent the commission of it.
- (d) He only is vicariously liable who permits the act to be done or who fails to prevent the commission of an act forbidden by law.

Ans. (c)

Q. 690. Give correct response.

In Allen v. Whitehead, the defendant, an occupier and licensee of a refreshment house employed a manager for running the refreshment house. He used to visit it only once or twice a week. He had given express instructions to the manager that no prostitutes were to be allowed to congregate on the premises of the house. The manager, in spite of his instructions to the contrary, allowed some

women, whom he knew to be prostitutes, to congregate on the premises. The defendant had no personal knowledge of it. Held that:

- (a) The defendant was not liable but the manager was liable because the defendant had given express instructions to the manager not to allow prostitutes to congregate on his premises.
- (b) The defendant was not liable for the offence of allowing prostitutes to congregate on his premises because he had no knowledge about it.
- (c) The defendant was held vicariously liable for knowingly suffering prostitutes to meet and remain in the refreshment house.
- (d) None of the above answers is correct.

Ans. (c)

Q. 691. Give best response about the justification of vicarious liability in crimes.

- (a) The justification of the doctrine of vicarious liability is based on public policy that a person may properly be punished for the crime of his subordinate servants, or agents because the threat of such punishment may induce him and others to exercise supervision over the subordinates and to make efforts to prevent the commission of the crime.
- (b) The expectation that the vicarious punishment of those whom he holds dear will deter the criminal himself.
- (c) Vicarious liability is necessary because the servant's pocket is usually too shallow to bear the damages that he may negligently occasion.
- (d) It is more convenient to punish the master for his failure to prevent the servant from committing unauthorized crimes.

Ans. (a)

Q. 692. The word 'takes' in Section 361 of IPC signifies:

- (a) Taking by force
- (b) Taking by fraud
- (c) Physical taking
- (d) All of the above.

Ans. (c)

Q. 693. Which one of the following is an inchoate crime?

- (a) Public nuisance
- (b) Criminal attempt
- (c) Unlawful assembly
- (d) Riot.

Ans.(c)

Q. 694. Which is an instance of criminal attempt?

- (a) A procures color with an intent to make false coins
- (b) A is in possession of some obscene photographs and he thought of publishing them
- (c) A, with an intent to kill B, administers sugar thinking it to be poison-powder.

(d) None of the above.

Ans.(d)

Q. 695. Defamation is related with:

- (a) Character of a person
- (b) Reputation of a person
- (c) Both (a) and (b)
- (d) None of the above.

Ans.(b)

Q. 696. The injury contemplated Under Section 503 is:

- (a) Illegal harm
- (b) Legal harm
- (c) Legal or illegal harm
- (d) All of these.

Ans.(a)

Q. 697. Section 511 does not apply in case of

- (A) Attempt of riot
- (b) Attempt of murder
- (c) Attempt of theft
- (d) None.

Ans.(b)

Q. 698. Give the correct response

- (a) An attempt is distinct from mere intention to commit offence.
- (b) Attempt is the direct movement towards the commission of an offence.
- (c) None (a) and (b).
- (d) None of the above.

Ans. (c)

Q. 699. Mere preparations of which of the following offence is not punishable_

- (a) To commit dacoity.
- (b) To commit depredations on the territories of any country.
- (c) Abetment of murder.
- (d) Wage was against govt. of India.

Ans. (c)

Q. 700. A successful attempt of which of the following is not punishable _____

- (a) Dacoity.
- (b) Suicide.
- (c) Murder.

(d) Kidnapping.

Ans. (b)

Q. 701. A makes an attempt to pick the pocket of Z by thrusting his hand in to the pocket of Z, but finds it empty. A is guilty of

(a) Pech of theft.

(b) Attempt of theft.

(c) Theft.

(d) Intention of theft.

Ans. (b)

Q. 702. S. 511 does not apply in case of

(a) Attempt of theft.

(b) Attempt of affray.

(c) Attempt of riot.

(d) Attempt of murder.

Ans. (d)

Q. 703. A woman ran to a well stating she would jump to it but she was caught before she could reach to it. She is guilty of--

(a) Attempt of murder.

(b) Attempt of culpable homicide.

(c) Attempt of suicide.

(d) No offence.

Ans. (d)

Q. 704. A, intending to cause miscarriage, administered a harmless substance. A is guilty of-

(a) No offence.

(b) Attempt to cause murder of unborn child.

(c) Attempt to cause abortion.

(d) Culpable homicide.

Ans. (a)

Q. 705. A accused ran after the complainant B with an axe in his hand but when he was only four paces away from B, the axe was snatched away from his hand. A is guilty of --

(a) Attempt of grievous hurt.

(b) Attempt of hurt.

(c) Attempt of murder.

(d) No offence.

Ans. (c)

Q. 706. A purchased a stamped paper in the name of a person whose name he intended to forge, A is guilty of --

- (a) Attempt of cheating.
- (b) Attempt of criminal misappropriation.
- (c) Attempt of forgery.
- (d) No offence.

Ans. (d)

Q. 707. Point out incorrect response.

Attempt implies three essential elements:

- (a) An act which constitutes the actus reus of criminal attempt.
- (b) Mens Rea on the part of the accused.
- (c) A stage of crime where the accused could stop the actual commission by his subsequent change of mind.
- (d) Failure in the accomplishment i.e., the act must fall short of completion of the crime intended because of some external intervention.

Ans. (c)

Q. 708. Whoever makes any false document or false electronic record or part of a document or electronic record, with intent to cause damage or injury, to the public or to any person, or to support any claim or title, or to cause any person to part with property, or to enter into any express or implied contract, or with intent to commit fraud or that fraud may be committed, commits forgery is :

- (a) Making a fake document
- (b) Forgery
- (c) Cheating
- (d) None of the above.

Ans. (b)

Q.709. A person is said to make a fake document or fake electronic record, who dishonestly or fraudulently –

- (a) Makes, signs, seals or executes a document or part of a document
- (b) Makes or transmits any electronic record or part of any electronic record
- (c) Affixes any electronic signature on any electronic record.
- (d) Makes any mark denoting the execution of a document or the authenticity of the electronic signature.
- (e) All of the above

Ans. (e)

Q. 710. A has a letter of credit upon B for Rs. 10,000/- written by Z. A, in order to defraud B, adds a cipher to the Rs. 10,000/-, and makes the sum Rs, 1,00,000/- intending that it may be believed by B that Z so wrote the letter.

- (a) A has committed no offence;
- (b) A has committed criminal misappropriation

- (c) A has committed forgery
 - (d) A has committed cheating
- Ans. (c)

Q. 711. A, without Z's authority, affixes Z's seal to a document purporting to be a conveyance of an estate from B the purchase-money. A has committed forgery.

- (a) A has committed forgery;
- (b) A has committed mischief.
- (c) A has committed no offence
- (d) None of the above.

Ans. (a)

Q. 712. A man's signature of his own name may amount to forgery

- (a) True
- (b) Cannot say
- (c) False
- (d) None of the above

Ans. (a)

Q. 713. A signs his own name to a bill of exchange, intending that it may be believed that the bill was drawn by another person of the same name. A

- (a) Has committed an offence;
- (b) Has committed an offence of cheating
- (c) Has committed no offence of forgery
- (d) Has committed an offence of forgery

Ans. (d)

Q. 714. A draws a bill of exchange upon a fictitious person and fraudulently accepts the bill in the name of such fictitious person with intent to negotiate it, A commits –

- (a) No offence;
- (b) An offence of bargaining
- (c) An offence of forgery
- (d) All of the above

Ans. (c)

Q. 715. The punishment for the commission of an offence of forgery is imprisonment of ____

- (a) 10 years
- (b) Either description for a term which may extend to two years or with fine or with both
- (c) Either description for a term which may extend to three years or with fine or with both.
- (d) Both (b) and (c)

Ans. (b)

Q. 716. A picks up a cheque on a banker signed by B, payable to bearer, but without any sum having been inserted in the cheque. A fraudulently fills up the cheque by inserting the sum of ten thousand rupees.

- (a) A is a simple person, claim the protection of general exception.
- (b) A has not committed the offence of forgery.
- (c) A has committed the offence of forgery.
- (d) All of the above.

Ans. (c)

Q. 717. Enticing or taking away or detaining with criminal intent a married woman is

- (a) No offence
- (b) An offence U/s 498 I.P.C.
- (c) A civil act.
- (d) None of the above

Ans. (b)

Q. 718. Husband or relative of husband of a woman subjecting her to cruelty is

- (a) No offence
- (b) Very serious act
- (c) Very serious offence
- (d) An offence U/s 498-A IPC.

Ans. (d)

Q. 719. Defamation as an offence is defined in _____

- (a) Section 500 IPC
- (b) Section 499 IPC
- (c) Section 501 IPC
- (d) None of these

Ans. (b)

Q. 720. A says –“Z is an honest man; he stole B’s watch,” intending to cause it to be believed that Z did steal B’s watch. This is _____

- (a) Defamation
- (b) Unless falls within one of the exceptions
- (c) Both (a) and (b)
- (d) None of these

Ans. (c)

Q. 721. How many exceptions are to the offence of Defamation.

- (a) Five
- (b) Six
- (c) Nine

(d) Ten

Ans. (d)

Q. 722. Marrying again during life time of husband or wife is punishable under Section.

(a) 493

(b) 494

(c) 495

(d) 496

Ans. (b)

Q. 723. A makes an attempt to steal jewels by breaking open a box, and finds after so opening the box, that there is no jewel in it. He has done an act towards the commission of theft, and therefore, is

(a) Not guilty of any offence

(b) Guilty of offence U/s 506

(c) Guilty of an offence U/s 511 IPC

(d) All of the above

Ans. (c)

Q.724. A makes an attempt to pick the pocket of Z by thrusting his hand into Z's pocket. A falls in the attempt in consequence of Z's having nothing in his pocket.

(a) A has not committed any offence

(b) A made an unsuccessful attempt, so no offence

(c) A has committed an attempt to commit an offence and punishable U/s 511 IPC.

(d) None of these

Ans. (c)

Q. 725. The maximum period of imprisonment under the Code is

(a) 13 years

(b) 14 Years

(c) 12 Years

(d) 10 years

Ans. (b)

Q.726. The lowest period of imprisonment under Code is

(a) 1 month

(b) 14 days

(c) 15 days

(d) 24 hours

Ans. (d)

Q. 727. In which the following cases, the punishment must be 'rigorous':

(a) Giving or fabricating false evidence with intent to procure conviction of a capital offence.

- (b) House-trespass to commit an offence punishable with death
- (c) Both (a) and (b)
- (d) None of the above.

Ans. (a)

Q. 728. In which of the following cases, the punishment must be 'simple':

- (a) Refusing to take oath
- (b) Disobedience to an order duly promulgated by a public servant
- (c) Wrongful restraint
- (d) All of the above.

Ans. (d)

Q. 729. Solitary confinement:

- (a) Means keeping a prisoner thoroughly isolated from any kind of contact with the outside world.
- (b) Has not been abolished in India
- (c) Both (a) and (b) are correct.
- (d) None of the above.

Ans. (c)

Q. 730. In executing a sentence of solitary confinement, such confinement must not exceed

- (a) Fourteen days at a time.
- (b) Fifteen days at a time.
- (c) One month at a time.
- (d) Twenty one days at a time.

Ans. (a)

Q. 731. When no sum is expressed to which a fine may extend, the amount of fine to which the offender is liable is

- (a) Unlimited, but cannot be excessive.
- (b) Unlimited, but can be excessive.
- (c) Unlimited .
- (d) None of the above.

Ans. (a)

Q. 732. Fine is awarded as a sentence by itself in the case of

- (a) The owner of occupier of land, on which a riot or an unlawful assembly is held, and any person having or claiming any interest in such land, and not using all lawful means to prevent such riot or unlawful assembly.
- (b) Illegal payments in connection with an election
- (c) Committing of public nuisance not otherwise punishable.
- (d) All of the above.

Ans. (d)

Q. 733. If the offence be punishable with fine only, and accused has been awarded with fifty rupees fine then the period of imprisonment in default shall be

- (a) Not exceeding one month
- (b) Not exceeding two months
- (c) Not exceeding three months
- (d) Not exceeding four months

Ans. (b)

Q. 734. For an offence to be punishable with fine only, if an offender is punished with a fine of Rs. 1,000/- then, inability to pay the fine may result in imprisonment for a maximum term of

- (a) Four months
- (b) Six months
- (c) One year
- (d) Two years

Ans. (b)

Q. 735. 'A' instigates 'B' to give false evidence. Here, if 'B' does not give false evidence, what offence 'A' has committed ?

- (a) 'A' is guilty of no offence
- (b) Attempt to give false evidence
- (c) Offence punishable with imprisonment of any description provided for that offence for a term, which may extend to one-fourth part of the longest term provided for that offence and with fine.
- (d) None of the above.

Ans. (c)

Q. 736. The imprisonment in case of default of payment of fine is:

- (a) Simple
- (b) Rigorous
- (c) Simple or rigorous
- (d) Solitary confinement

Ans. (a)

NDIAN PENAL CODE UNIT-2

Q.737. Assertion (A): An owner can take his chattels from the other even if force is required to be used.

Reason (R): A person has a right of private defence of property.

The following items consist of two statements one labeled the Assertion A and the other labeled the Reason R. You are to examine these two statements carefully and decide if the Assertion A and the Reason R are individually true and if so, whether the Reason is a correct explanation of the Assertion. Select your answers to these items using the codes given below and mark your answer sheet accordingly.

Codes:

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (a)

Q.738. B hires a hammer and a chisel from A. Thereafter with these instruments he breaks into the house of C and commits a theft there. A is charged with the offence of abetment. In this case:

- (a) A supplied the instruments for commission of the crime and hence is liable
- (a) A received money for supplying the instruments of the crime (motive) and hence is liable
- (b) A did not know that the hammer and chisel were being hired to commit a crime and hence is not liable
- (c) A has joint liability

Ans. (b)

Q. 739. X with a view of murdering Y enters Y's bedroom at night when Y is out of station. X is guilty of

- (a) Murder
- (b) House trespass
- (c) Attempt to murder
- (d) No offence

Ans. (b)

Q.740. There was a dispute between two brothers regarding some property matter. On a particular occasion wives of these two brothers were found quarrelling with each other. The elder of the two brothers came in and requested them to refrain from quarrelling. At that time the younger brother suddenly appeared and gave a lethal blow on the head of the elder brother who died after a few hours in the hospital.

Which one of the following offences has been committed by the younger brother?

- (a) Culpable homicide not amounting to murder
- (b) Culpable homicide amounting to murder
- (c) Simple hurt
- (d) Grievous hurt

Ans. (d)

Q. 741. X on receiving grave and sudden provocation from Z intentionally causes the death of Y who is Z's brother. X has committed the offence of

- (a) Murder
- (b) Grievous hurt
- (c) Culpable homicide not amounting to murder
- (d) Attempt to murder

Ans. (a)

Q. 742. Which one of the following is sufficient to prove the offence of sedition?

- (a) Comments expressing disapproval of the policies of the Government with a view to obtain a change in policies by lawful means
- (b) Proof of disloyalty or ill feelings
- (c) Comments expressing disapproval of the administrative action even though these do not excite hatred or disloyalty
- (d) Exciting disaffection towards the government

Ans. (d)

Q. 743. A bullock-cart carrying a box of treasure is intercepted by A. The offence of theft is committed by A if and as soon as

- (a) He seizes the bullock
- (b) The bullock is made to move by him in his direction
- (c) He takes the box of treasure
- (d) He takes the valuable contents of the treasure.

Ans. (b)

Q. 744. A obtained a sum of Rs. 10,000/- from B by putting B in fear of death. Which one of the following offences was committed by A?

- (a) Cheating
- (b) Robbery
- (c) Mischief
- (d) Extortion

Ans. (d)

Q. 745. A was relieved of his wrist watch worth Rs. 100/- by B in a running train. When the train was about to stop at a railway station, A raised an alarm. At this point of time C pushed A as a result of which A fell down and sustained sprain in the left knee. This was done by C to enable B to carry away the stolen watch. What offence has been committed by C?

- (a) Hurt
- (b) Grievous hurt
- (c) Abetment of an offence
- (d) Robbery

Ans. (d)

Q. 746. 'A' a revenue officer, is entrusted with public money and is directed by law to pay into treasury all the public money which he holds. He instead of paying the same into the treasury dishonestly misappropriates the same by buying a sofa set for his personal use. What offence has A committed?

- (a) Criminal breach of trust
- (b) Dishonest misappropriation of property
- (c) Cheating the Government

(d) None of the above.

Ans. (a)

Q. 747. In which one of the following cases criminal breach of trust has been committed?

- (a) B asked a goldsmith A to make a gold chain and paid him Rs. 3000/- as cost of gold and his labour charges. But A neither prepared the chain by the given date nor returned the money.
- (b) 'A' a post-master received money from the depositors but did not enter the same in their post-office accounts.
- (c) The government gave 100 bags of cement to 'A' a contractor for a certain work. A after taking delivery of the bags used only 60 of them and passed on the rest to another person.
- (d) A and B are the joint owners of a car. A who has the right to use the car, takes the car out of the possession of B with the consent of B but sells the same to C without the consent of B and pockets the whole proceeds of the car.

Ans. (d)

Q. 748. When a criminal act is done by several persons, in furtherance of a common intention of all, each of such persons is liable

- (a) For the part of the act done by him
- (b) As if the whole of the act is done by him alone
- (c) For abetting such an offence
- (d) For conspiracy of such an offence.

Ans. (c)

Q. 749. Use of violence by a member of an assembly of five or more persons in furtherance of common object will constitute

- (a) Affray
- (b) Assault
- (c) Rioting
- (d) Unlawful assembly

Ans. (d)

Q. 750. A sees B drowning but does not save him. B is drowned. A has committed

- (a) The offence of murder
- (b) The offence of abetment of suicide
- (c) The offence of culpable homicide not amounting to murder
- (d) No offence

Ans. (d)

Q. 751. A has knocked own two teeth of B. A has committed the offence of

- (a) Grievous hurt
- (b) Simple hurt
- (c) Culpable homicide

(d) Attempt to hurt

Ans. (a)

Q. 752. A instigates B to murder C who refuses to do so. A is guilty of

- (a) No offence
- (b) Abetment to commit murder
- (c) Criminal conspiracy
- (d) Criminal instigation.

Ans. (b)

Q. 753. 'A' a foreigner stabbed B another foreigner in a foreign vessel on the high seas. Both A and B were brought to Bombay for treatment where B dies. A is also available in Bombay. Which one of the following propositions is correct in respect of applicability of Indian Penal Code (IPC) to the trial of A?

- (a) As both the deceased and the accused belong to foreign countries and the occurrence of offence has taken place on the high seas, IPC is not applicable to A and hence he cannot be prosecuted in India.
- (b) IPC is absolutely not applicable to a foreigner and hence A cannot be tried in India
- (c) As the offence is completed in Indian territories and the accused A is available in India, IPC is applicable and he should be tried at Bombay
- (d) As IPC is applicable to Indians as well as to foreigners, A must be tried in India.

Ans. (a)

Q. 754. Z under the influence of madness, attempts to kill A. A hits Z with an iron rod seriouslyinjuring him. In this context which one of the following propositions is correct?

- (a) A has not right of private defence since Z is mad
- (b) A has right of private defence though Z is mad
- (c) A is guilty of inflicting grievous hurt on Z
- (d) A is guilty of inflicting simple hurt on Z.

Ans. (b)

Q. 755. There is a fire in a particular locality. A who sees this fire, pulls down house of others in order to prevent the conflagration from spreading and with the purpose of saving human life and property.

In this case

- (a) A will be guilty of the offence of mischief as he pulls down houses of others.
- (b) A will not be criminally liable as he wanted to bring benefit to others.
- (c) A will not be liable for any offence as he has done it for preventing other more dangerous harms to persons and their properties.
- (d) A will be guilty as he intentionally caused damage to the property of others.

Ans. (c)

Q. 756. Match List I with List II and select the correct answer using the codes given below the lists
List I List II

A. Insanity as a defence 1. Emp. v. Barendra Kumar Ghosh

- B. Common intention 2. R. v. Menaughten
 C. Necessity 3. State v. K.M. Nanavati
 D. Murder on grave and sudden provocation 4. R. v. Dudley and Stephens
 5. R. v. Govinda

Codes:

	A	B	C	D
(a) 1	2	3	4	
(b) 2	1	4	3	
(c) 3	2	4	5	
(d) 5	2	4	1	

Ans. (b)

Q. 757. A is found guilty of attempt to murder in furtherance of common intention. Under which one of the following situations can his offence be proved?

- (a) A procured the weapon of offence voluntarily
- (b) The weapon of offence was taken away from A's house without his knowledge
- (c) A was made to purchase the weapon of offence under the threat to his own life
- (d) When the weapon was snatched away from A he did not report the same to police.

Ans. (a)

Q. 758. Which one of the following statements correctly defines the term unlawful assembly?

- (a) An assembly of five or more persons
- (b) An assembly of five or more persons armed with lethal weapons
- (c) An assembly of five or more persons with common object of doing a crime
- (d) An assembly of two or more persons having some common object of doing a criminal act.

Ans. (c)

Q. 759. Inducing person with dishonest intention to part with his property by putting him in fear of physical injury amounts to an offence of

- (a) Criminal intimidation
- (b) Extortion
- (c) Criminal misappropriation
- (d) Theft.

Ans. (b)

Q. 760. X along with four other armed hoodlums seizes the child of Y and threatens to kill him unless Y parts with his watch and diamond ring. X has committed the offence of

- (a) Robbery
- (b) Dacoity
- (c) Attempt to murder
- (d) Theft.

Ans. (b)

X finds Y alone late in the night at a lonely place. He shows him a revolver and demands his purse, watch and a gold ring. X warns Y that if he does not hand over these things, he would kill him. Fearing injury or death, Y hands over the valuables demanded by X to Y. X is:

- (a) Guilty of theft because he has caused wrongful loss to Y
- (b) Guilty of robbery because he has caused wrongful loss to Y by threatening to cause injury or death
- (c) Guilty of dacoity because he has caused wrongful loss to Y with the help of a firearm
- (d) Not guilty since Y has given the property voluntarily.

Ans. (b)

Q. 761. Which one of the following statements is correct?

- (a) Removing ornaments from a dead body for one's own use is dishonest misappropriation of property.
- (b) A partner who uses the car of the firm without permission or consent of other partners is guilty of criminal misappropriation of property
- (c) A person who takes possession of property which the rightful owner has lost is guilty of criminal misappropriation if he dishonestly converts the property to his own use.
- (d) A person who found money from a plot of land purchased by him and appropriated it to his own use, has committed the offence of misappropriation of property.

Ans. (c)

Q. 762. Which one of the following is an essential element of criminal breach of trust?

- (a) Contractual relationship
- (b) Transfer of possession
- (c) Taking possession of the property by fraudulent means
- (d) Property must be movable.

Ans. (b)

Q. 763. Under the Indian Penal Code who among the following is liable for committing theft?

- (a) Child below 7 years of age
- (b) Child below 8 years of age
- (c) Child between 7 and 10 years of age
- (d) Child between 7 and 12 years of age having maturity of understanding.

Ans. (d)

Q. 764. The essence of sedition is

- (a) Intention
- (b) Benefits or gains of the accused
- (c) Result
- (d) Both intention and result

Ans. (a)

Q. 765. Which one of the following statements is NOT correct?

- (a) Abetment can be committed by mere silence
- (b) An abettor is liable for abetment even if the abetted act is not committed
- (c) If abetted person is not liable for committing the abetted act, the abettor too cannot be held liable
- (d) An abettor is liable for all the likely consequences of his abetment.

Ans. (c)

Q. 766. Which one of the following statements is correct?

- (a) In conspiracy there is no distinction between principal and accessory
- (b) In conspiracy principal and accessory are distinct
- (c) There has to be a distinction between principal and accessory in all offences
- (d) None of the above is correct.

Ans. (a)

Q. 767. Which one of the following will amount to criminal conspiracy?

- (a) Two or more persons agreed to commit a criminal act in furtherance of their common intention
- (b) Intention of each of the accused persons is known to the rest of them and is shared
- (c) Unity of criminal behavior actuated by common consent
- (d) Agreement to commit an offence even if no step is taken to carry out that agreement.

Ans. (d)

Q. 768. Consider the following two statements, one labeled as Assertion (A) and the other as Reason(R):

Assertion (A): There is no liability for an attempt to commit an impossible theft.

Reason (R): No criminal liability can be incurred under Section 511 of the Indian Penal Code for an attempt to do an act which, if done will not be an offence.

Of the above statements.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true and R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (d)

Q. 769. A intending to murder B by poison, purchase poison and mixes the same with a glass of water. He gives the glass to the bearer to serve B. The bearer while approaching B loses balance and the glass drops out of his plate. Which one of the following statements is correct in this context?

- (a) A has committed no offence
- (b) A has committed the offence of attempt to commit culpable homicide
- (c) A has committed the offence of abetment
- (d) A has committed the offence of attempt to murder.

Ans. (d)

Q. 770. Culpable homicide is not murder, if it is committed under

- (a) Grave and sudden provocation
- (b) Madness
- (c) Moral conviction
- (d) Anger.

Ans. (a)

Q. 771. Which one of the following statements correctly defines the term murder?

- (a) Act by which the death is caused must have been done with the intention of causing such bodily injury as is likely to cause death.
- (b) Death is caused with the knowledge that he is likely to cause death by his act.
- (c) Death is caused with the intention of causing such bodily injury as the offender knows to be likely to cause death of the person to whom the injury is caused
- (d) Death is caused under grave and sudden provocation.

Ans. (c)

Q. 772. X knows that Y is suffering from enlarged liver. Being a doctor, X knows that if he gives a fist blow to Y in that region with moderate force, it would result in rupture of Y's liver and is likely to cause his death. Knowing this, X gives Y a fist blow which ruptures Y's liver and causes his death. X is

- (a) Guilty of no offence since this blow would not have caused the death of a person in normal health
- (b) Guilty of culpable homicide not amounting to murder since he knew that his act is likely to cause death.
- (c) Guilty of murder since he had an intention to cause injury and also knew that it is likely to cause the death of Y.
- (d) Guilty of some offence other than culpable homicide or murder.

Ans. (c)

Q. 773. Sedition is committed by

- (a) Exhortation to the people not to pay governmental revenues
- (b) Exhortation to join a particular party
- (c) Expressing disapprobation of the administrative action of the government without exciting or attempting to excite hatred
- (d) Reciting seditious poem in a public meeting

Ans. (d)

Q. 774. A cuts down a tree on Z's ground without his permission and takes it away without Z's knowledge

- (a) It is a theft
- (b) It is an extortion
- (c) It is a dishonest misappropriation
- (d) It is a criminal trespass

Ans. (a)

Q. 775. Which one of the following statements correctly defines the term theft?

- (a) Dishonest removal of one's property
- (b) Removal of property from the custody of a person without his consent
- (c) Dishonest removal of any property from one's possession without his consent
- (d) Dishonest removal of movable property from one's possession without his consent.

Ans. (d)

Q. 776. Which one of the following correctly brings out the main distinction between Common Intention and Common Object?

- (a) Common intention creates specific offence whereas common object does not
- (b) Common intention as well as common object create specific offences
- (c) Common object creates specific offence whereas common intention does not
- (d) Both common objects as well as common intention do not create specific offence.

Ans. (c)

Q. 777. Assertion (A) : Crime is punishable because it is provided in the law.

Reason (R) : Crime is revolting to the moral sense of Society.

The following fifteen items consist of two statements, one labeled the Assertion A and the other labeled the Reason R. You are to examine these two statements carefully and decide if the Assertion A and the Reason R are individually true and if so, whether the reason is correct explanation of the Assertion.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is NOT a correct explanation of A
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (a)

Q. 778. In which of the following case(s) a dishonest misappropriation has NOT been committed?

1. A takes a book from his friend B's library for reading it overnight. B was not present when A took the book. The next day while coming to return the book, A was tempted to see a cinema but had no money so he pawned the book to pay for the cinema ticket.
2. A and B were joint owners of a horse. A took the horse to another station for his exclusive use without informing B. Later inspite of demand from B, A did not return the horse and when it grew old. A sold it and pocketed the money.
3. A found a purse on the road, he picked it up and kept it in his pocket. Immediately he was arrested and the purse was recovered

Select the correct answer using the codes given below:

- (a) 1 and 2
- (b) 2 and 3
- (c) 3 alone
- (d) 1, 2 and 3

Ans. (c)

Q. 779. A servant collected money from the debtor of his master as authorised by him. The servant retained the money is because it was due to him as wages. He commits

- (a) Criminal breach of trust
- (b) Theft
- (c) No offence
- (d) Criminal misappropriation.

Ans. (a)

Q. 780. Match list I with List II and select the correct answer:

List I List II

- | | |
|---|-------------------------|
| A. instigating a person to commit an offence | 1. Vicarious liability |
| B. Planning to commit a theft | 2. Abetment |
| C. An unlawful act without criminal intention | 3. No offence in itself |

D. Liability for the act of another person 4. Strict criminal liability

Codes:

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

Ans. (b)

Q. 781. A with intention to kill her husband, purchases some poison powder from a chemist who by mistake, dispensed plain sugar instead. She put the powder in a cup of tea and served it to her husband who drank it but did not die. Which one of the following statements is correct as far as the charge to attempt a murder is concerned?

- (a) She is liable because she had committed the penultimate act
- (b) She is liable because her intention to kill her husband is clear from the totality of acts
- (c) She is not liable because administration of sugar is not a step towards the commission of murder
- (d) She is not liable because her husband did not die.

Ans. (b)

Q. 782. X with the intention of causing Z's death gave him a severe blow on his head. Z became unconscious. X believing Z to be dead and with a view to fabricate the evidence throws him (Z) into a pond. It was found that Z died because of drowning X is guilty of

- (a) Attempt to commit murder
- (b) Committing murder
- (c) Committing culpable homicide not amounting to murder
- (d) No offence.

Ans. (b)

Q. 783. Match list I with List II and select the correct answer:

List I List II

A. Death is caused to safeguard property from mischief by fire 1. Exception 2 to section 300

B. Death caused by child of six years 2. Murder

C. Death by an act with the intention of causing bodily injury which is sufficient 3. No offence

D. Death of trespasser of the house who was escaping 4. Right of private defence

Codes:

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

Ans. (d)

Q. 784. A finds a watch on the floor of a State Transport bus while he was leaving it as the last passenger. He picked it up and put it in his pocket instead of returning it to the State Transport authorities. Next day he sold it A is liable for

(a) Theft

(b) Extortion

(c) Criminal misappropriation

(d) Criminal breach of trust.

Ans. (c)

Q. 785. The offence of criminal conspiracy lies not in doing the act or effecting the purpose for which the conspiracy is formed but in the forming of the scheme between the parties. A criminal conspiracy consists of

(a) An intentional act of one person with the connivance of another

(b) An agreement of two or more persons to do an unlawful act or a lawful act by unlawful means

(c) Common intention of two or more persons to achieve an unlawful object

(d) Two or more persons inducing a minor to commit an offence.

Ans. (b)

Q. 786. X a doctor informs his patient Y that he has cancer which is in its last stage. X requests Y to arrange his family affairs as he cannot survive for more than a couple of weeks. Y dies because of shock on hearing this X is

(a) Guilty of murder as he knew that such a disclosure will cause death

(b) Not guilty since communication was made in good faith for the benefit of Y

(c) Guilty of causing death by negligence

(d) Guilty of culpable homicide not amounting to murder as he knew that such a disclosure is likely to cause death

Ans. (b)

Q. 787. X while in the state of voluntary intoxication, kills Z. Prosecution fails to establish that X cloud form an intention of a sober man, X is guilty of

- (a) Murder
- (b) Culpable homicide not amounting to murder
- (c) Death by rash or negligent act
- (d) No offence.

Ans. (b)

Q. 788. It was alleged that L, M, N, P, Q and R with common object of taking forcible possession of land belonging to Y entered his land, P caused grievous hurt to Y for the purpose of taking such possession. Presence of Q and R was doubted by the Court. Which one of the following statements is correct in this regard?

- (a) L, M and N are guilty of the offence committed by P on the basis of section 149 IPC
- (b) L, M, N and P are guilty of unlawful assembly
- (c) L, M and N are guilty on the basis of section 34 IPC
- (d) L, M and N are not guilty at all.

Ans. (c)

Q. 789. Common intention implies.

- (a) Similar intention
- (b) Pre-arranged planning
- (c) Presence of common knowledge
- (d) Common design for common objects.

Ans. (b)

Q. 790. Under which of the following situations would the Indian Courts have jurisdiction?

1. Crime committed by an Indian in a foreign country
 2. Crime committed by a foreigner in India
 3. crime committed by a person on an Indian ship
- select the correct answer using the codes given below

- (a) 1 and 2
- (b) 1 and 3
- (c) 1 alone
- (d) 1, 2 and 3

Ans. (d)

Q. 791. Assertion (A): Where sister of X was being abducted by force from her parents house by her husband, X caused death of sister's husband in defence of the sister against an assault with intention of abducting her by force, it was held that the private defence of body extended in the above circumstances to the causing of death.

Reason (R): The word abducting in Section 100 IPC includes abduction simpliciter.

Direction: The following four items consist of two statements, one labeled the Assertion (A) and the other labeled the Reason (R). You are to examine these two statements carefully and decide if the

Assertion (A) and the Reason (R) are individually true and if so, whether the reason is a correct explanation of the Assertion. Select your answer to these items using the codes given below and mark your answer sheet accordingly.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (a)

Q. 792. Assertion (A): A, a boy of the age of six and a half years intentionally murders B. A is not liable to be convicted.

Reason (R): A child upto the age of 7 years is immune from criminal liability.

- (a) Both A and R are true and R is the correct explanation of A
- (a) Both A and R are true but R is not the correct explanation of A.
- (b) A is true but R is false
- (c) A is false but R is true.

Ans. (a)

Q. 793. Assertion (A): There is no liability for an attempt to commit an impossible theft.

Reason (R): No criminal liability can be incurred under Section 511 of the Indian Penal Code for an attempt to do an act which, if done, will not be an offence.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (d)

Q. 794. Assertion (A): A person is not guilty of dacoity unless he has committed, attempted to commit or aided in committing robbery.

Reason (R): When tow persons conjointly commit robbery, then every person so committing robbery is said to commit dacoity.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (c)

Q. 795. Match List I with List II and select the correct answer:

List I List II

- A. Mens rea 1. Always not necessary
- B. Motive 2. Condition precedent for any offence
- C. Law presumes innocence 3. Relevant and to impute intention
- D. Knowledge of the act to be unlawful 4. Until crime is proved beyond doubt

Codes:

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

Ans. (a)

Q. 796. Which one of the following statements correctly describes the concept of Mens rea ?

- (a) Mens rea need be present at the stage of planning but not at the stage of commission of the offence.
- (b) Mens rea should be excluded unless the statute specifically requires it to be proved.
- (c) Absolute prohibition is not required to negative mens rea.
- (d) If the statute is silent about mens rea, as a general rule it should be read it the statute.

Ans. (d)

Q. 797. Which of the following among item A and item B are correct?

Item A: Common intention within the meaning of Section 34 of the Penal Code means

- 1. Evil intention of many persons to commit the same act.
- 2. Implication of a pre-arranged plan, prior meeting of mind, between all the persons constituting the group.
- 3. A desire of several persons to commit an act without contemplating the consequences.

Item B: Within the meaning of section 149 in prosecution of common object of an unlawful assembly means

- 1. In relation to common intention of the group.
- 2. In order to attain the common object.
- 3. In relation to a common object.

Select the correct answer using the codes given below:

- (a) 1 and 2 of both items
- (b) 1 and 3 of both items
- (c) 2 alone of both items
- (d) 3 alone of both items.

Ans. (c)

Q. 798. Consider the following statements:

Section 34 of the IPC does NOT apply where

- 1. Five or more persons assembled where one killed A.
- 2. A and B who are enemies of C decided distinctly to kill C. A killed C when B was also present
- 3. The presence of any person, who participated in the prearranged plan, is not necessary at the time of actual commission of the crime.
- 4. Privity of mind of all the accused is an essential ingredient for the commission of a crime.

Of these statements

- (a) 1, 2 and 4 are correct

- (b) 1, 2 and 3 are correct
- (c) 2, 3 and 4 are correct
- (d) 1, 3 and 4 are correct.

Ans. (b)

Q. 799. A surgeon knowing fully well that except a miracle, nothing can save X, who is ailing from a disease. In good faith, if the surgeon operated on X, but a consequence of that operation X died, then which one of the following would be correct?

- (a) A is held guilty of murder for knowing will that X will not survive
- (b) A is guilty of murder because the death is the direct consequence of the operation.
- (c) A is not guilty because he has acted in good faith although knowing fully will that X will die.
- (d) The matter being subjective, no specific decision can be given.

Ans. (c)

Q.800. Which of the following among item A and item B are correct?

The right of private defence extends, subjects to Section 99, to the causing of death of the assailant or aggressor in the following circumstances:

Item A: For defence of body

1. Against an act which reasonably causes the apprehension of an assault to outrage the modesty.
2. Against an act which reasonably causes the apprehension that the assailant will kill his children living in another city.
3. Against an act which reasonably causes the apprehension that grievous hurt would otherwise be the consequence.

Item B: For defence of property:

1. While the trespasser is engaged in house breaking during day time.
2. Against a thief who reasonably causes the defender to believe that he would lose his property.
3. Against a person who commits mischief under such circumstances as may reasonably cause apprehension the grievous hurt would be a consequence.

Select the correct answer from the codes given below:

- (a) 1 and 3 of both items
- (b) 2 and 3 of both items
- (c) 3 alone of both items
- (d) 1 and 2 of both items.

Ans. (c)

Q. 801. Which of the following statements are correct in relation to criminal conspiracy?

1. When two or more persons agree to do an unlawful act by an unlawful means then they will be guilty of criminal conspiracy.
2. Several persons agreed to commit an offence by nothing was done in pursuance of the agreement.
3. When two or more persons agree to do a lawful act in a lawful manner by lawful means but an overt act is done by one of them.
4. Criminal conspiracy to commit an offence punishable with fine alone will not entail any liability.

Select the correct answer using the codes given below:

- (a) 1, 3 and 4
- (b) 2, 3 and 4
- (c) 1, 2 and 4
- (d) 1, 2 and 3.

Ans. (c)

Q. 802. A entered into an agreement with B to obtain undue favour from a member of the Government on the promise that A will pay Rupees one lakh to B, who will deliver the same to that member. A paid the amount to B, who in turn paid to C, a member of Government for the said purpose as reward. C subsequently refused to do any favour.

On the basis of above facts.

- (a) B alone is responsible for his actions.
- (b) Both B and C are liable as there was an abetment by conspiracy
- (c) C alone is responsible as he misappropriated the money for his own use.
- (d) A has no ground to bring prosecution against C, because at the time of agreement C's name was not known to B.

Ans. (b)

Q. 803. Which of the following statements are correct?

- 1. Abettor may be liable for a different offence than that for which principal is liable.
- 2. Abettor is liable even if principal is innocent.
- 3. Abettor's liability is dependent on the liability of the principal.
- 4. Abettor must have the same guilty intention or knowledge as the principal.

Select the correct answer using the codes given below:

- (a) 1, 2 and 3
- (b) 1, 3 and 4
- (c) 1, 2 and 4
- (d) 2, 3 and 4.

Ans. (d)

Q. 804. Consider the following provisions in Section 300 of the Indian Penal Code:

Several culpable states of mind are referred to with the

- 1. Intention to cause death.
- 2. Knowledge that the act is so imminently dangerous that it must in all probability cause death.
- 3. Intention to cause such bodily injury as the offender knows to be likely to cause death of the person to whom harm is caused.
- 4. Intention of causing such bodily injury as is sufficient in ordinary course of nature to cause death.

The correct order of the sequence in which they are placed in the provision is:

- (a) 1, 2, 3, 4
- (b) 1, 3, 4, 2
- (c) 1, 4, 3, 2

(d) 2, 3, 4, 1.

Ans. (b)

Q. 805. Consider the following statements:

To claim the benefit of provocation in reducing the liability for murder the offender must prove that the

1. Provocation was sufficient in ordinary course of nature to cause a person of ordinary temper to lose his self-control.
2. Provocation was grave and sudden to justify the killing
3. Provocation was so grave that it would stir a desire for revenge
4. Sufficient time did not elapse so as to cool down the passion

Of these statements:

- (a) 1 alone is correct
- (b) 2 and 3 are correct
- (c) 1, 3 and 4 are correct
- (d) 1, 2 and 4 are correct.

Ans. (d)

Q. 806. Which one of the following conditions if present would constitute the offence of sedition?

- (a) A film depicting corruption among politicians with a view to bringing into hatred and contempt and exciting dissatisfaction towards politicians.
- (b) An article in the most vociferous language expressing disapprobation of the measures adopted by the Government of India in relation to liberalization of economy and thereby exciting dissatisfaction towards government policy.
- (c) An audio cassette containing a speech expressing dissatisfaction towards the government's policy of reservation and exciting caste feeling among different section of society and whereby bringing the government into disrepute.
- (d) A speech made by dissident member of a national political party with a view to exciting disaffection towards the government and to change the government established by law by resorting to violent means.

Ans. (d)

Q. 807. X a Hindu, turned his wife out of the marital home and refused to return her ornaments, money and clothes despite her repeated demands. What offence, if any, has X committed?

- (a) Cajolery
- (b) Cheating
- (c) Criminal intimidation
- (d) Criminal breach of trust

Ans. (d)

Q. 808. X and Y were about to travel from Jammu Tawi to Delhi by the same train. Y had two tickets for Pathankot and X had a ticket for Delhi. X voluntarily handed over his ticket to Y in order to check that it was right one. Y under the pretence of returning X's ticket substituted it by one of his own and

kept X's ticket. What offence did Y Commit?

- (a) Theft
- (b) Extortion
- (c) Misappropriation
- (d) Cheating.

Ans. (c)

Q. 809. X instigates Y to commit murder to Z, Y in consequence stabs Z but Z survives the wound. X is guilty of:

- (a) Murder
- (b) Attempt to murder
- (c) Abetment of attempt to murder
- (d) Abetment of murder

Ans. (d)

Q.810. A person who not expected to be in office, created a belief that he would be in office and obtained gratification. Which one of the following offences has been committed of by him?

- (a) Bribery
- (b) Misappropriation
- (c) Cheating
- (d) None of the above.

Ans. (c)

Q. 811. A told his friend C that he was going to shoot down B in the evening. In the evening A with a loaded gun, entered the street in which B was living, shouting B come out and be killed. B did not come out and A went away. Which one of the following statements is correct in this regard?

- (a) A is liable for an attempt to murder because he carried a loaded gun
- (b) A is liable for an attempt to murder because his intention to kill was clear from his shouting
- (c) A is not liable for an attempt to murder because he had not committed the penultimate act
- (d) A is liable for an attempt to murder because he had clearly told C that he was going to shoot down B

Ans. (c)

Q. 812. X and Y swimming in the sea, after a shipwreck got hold of a plank. The plank was not large enough to support both X, with no other option, pushed Y who was drowned. X has committed:

- (a) Culpable homicide
- (b) Murder
- (c) The offence of causing death by negligence
- (d) No offence.

Ans. (d)

Q. 813. Which one of the following in an essential ingredient of sedition?

- (a) Dishonest intention

- (b) Malafide intention
- (c) Words spoken must cause public disorder by acts of violence.
- (d) Words spoken must be capable of exciting disaffection towards the Government.

Ans. (d)

Q. 814. Match List I with List II and select the correct answer from the codes given below the lists.

List I List II

- A. Common intention 1. Constructive liability
- B. Good faith 2. Joint liability
- C. Dishonest intention 3. Theft
- D. Common object 4. Mistake of fact

Codes:

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

Ans. (b)

Q. 815. Match List I with List II and select the correct answer from the codes given below the lists.

List I List II

- A. Dishonestly taking property 1. Criminal breach of trust
- B. Dishonestly inducing any person to deliver property 2. Extortion
- C. Entrustment of Property 3. Misappropriation
- D. Appropriating Property obtained as a bailee 4. Theft

Codes:

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

Ans. (a)

Q. 816 A person who is not qualified as a medical practitioner, performed an operation with the consent of a patient. The patient dies. Which one of the following grounds will be most appropriate to determine his liability?

- (a) Volenti non fit injuria is a complete defence
- (b) He has no intention to kill and has performed the operation in good faith for the benefit of the person
- (c) He has earlier done similar operations with a success
- (d) As he is not a medical practitioner and is unskilled the plea of consent and good faith will not be available.

Ans. (d)

Q. 817. Which one of the following is not correct in case of defence of intoxication?

- (a) Defence of intoxication is available both in case of involuntary and voluntary intoxication
- (b) Intoxication is a defence when the intoxicated person is incapable of working the nature of the act at the time of doing it.
- (c) Intoxication is a defence when the intoxicated person is incapable of knowing what he was doing was either wrong or contrary to law
- (d) Particular intention and not knowledge is attributed to the accused who has acted under voluntary intoxication.

Ans. (d)

Q. 818. Which one of the following is associated with Common intention?

- (a) Similar intention
- (b) Pre-meditated concert
- (c) Same intention
- (d) Unanimous decision in a meeting to do a particular act

Ans. (d)

Q. 819. When a criminal act is done by several persons in furtherance of common intention of all each one of them is liable:

- (a) As if it was done by each one of them in singular capacity
- (b) Only for the part each one has done
- (c) For an abetment to commit the act
- (d) For an attempt to commit the act

Ans. (a)

Q. 820. The principle of proximity to crime under criminal law is irrelevant while deciding the homicide and murder:

- (a) Culpable homicide and murder
- (b) Theft and dacoity
- (c) Kidnapping and abduction
- (d) Abetment and conspiracy

Ans. (d)

Q. 821. Which one of the following statements is true in relation to the offence of abetment?

- (a) It is not necessary that the offence for which abetment is alleged should have been committed
- (b) Unless an offence is successfully committed, there's no question of abetment.
- (c) For the offence of the abetment to be established, the abettor should have been proved to have done something at the time of commission of the offence itself to help its commission
- (d) A returns a licensed weapon belonging to B on his demand with which B commits a murder A is liable for abetment.

Ans. (a)

Q. 822. The abetment of offence is completed as soon:

- (a) The offence abetted has been committed
- (b) The abettor has incited another person to commit an offence
- (c) The person abetted has done some overt act towards the commission of the offence
- (d) All the above acts have been place.

Ans. (b)

Q. 823. X committed theft in a Government building Z a Chowkidar of the building, kept the gate of the building open with the intention of facilitate X's safe retreat with the stolen property and thereby facilitated his retreat. Which one of the following statement is correct?

Z is:

- (a) Guilty of abetment of theft by intentional aiding
- (b) Guilty of they by instigation
- (c) Not guilty of abetment
- (d) Guilty of theft

Ans. (a)

Q. 824. Z with intention to steal ornaments opened Y's box and found it empty. Which one of the following statements is correct?

Z is:

- (a) Not liable for attempt to commit theft as the box being empty, commission of theft was impossible
- (b) Not liable for attempt to commit theft as he did not do the penultimate act towards commission of theft
- (c) Not guilty of attempt to commit theft as he made only preparation to commit theft
- (d) Guilty of attempt to commit theft as he had an intention to commit theft and did an act towards.

Ans. (d)

Q. 825. Culpable homicide is not murder if it is committed:

- (a) With the consent of the victim who has completed 12 years of age
- (b) With the consent of the victim who has completed 18 years of age
- (c) When the offender is action under the spell of madness
- (d) When of offender is acting in anger

Ans. (b)

Q. 826. Which one of the following statements correctly describes the clauses thirdly of Section 300 IPC?

- (a) Intention to cause bodily injury sufficient in the ordinary course of nature to cause death
- (b) Knowledge that an act of that kind will be likely to cause death must be proved
- (c) It must be shown that the accused intended to inflict the very injury that is present
- (d) Nature of the injury need not be proved.

Ans. (a)

Q. 827. Sedition means.

- (a) Expressing disapprobation of the measures of the government with a view to obtain their alternation
- (b) Advocacy of boycott of foreign goods as a means of helping Indian industries.
- (c) Exciting or attempting to excite haltered towards the government though writing
- (d) Bringing or attempting to bring the government, into hatred through words, signs or visible representation.

Ans. (d)

Q. 828. A is invited B for a cup of tea. While B is in the kitchen preparing tea, A finds a golden ring on the table. He picks it up places it somewhere in the room with the intention of dishonestly taking it away some time later. A commits.

- (a) No offence
- (b) Extortion
- (c) Attempt to commit theft
- (d) Theft.

Ans. (d)

Q. 829. Which one of the following statements correctly distinguishes theft from extortion?

- (a) In theft, there is dishonest intention whereas in extortion it is not there.
- (b) In extortion there is dishonest intention whereas in theft it is not there.
- (c) In theft, there is dishonest intention, whereas in extortion it is fraudulent intention.
- (d) In theft there is taking of property whereas in extortion there is delivery of property.

Ans. (d)

Q. 830. X obtains property form Z by saying that "your child is in the hands of my gang and will be put to death unless you send us ten lac rupees". X commits

- (a) Criminal breach of trust
- (b) Robbery
- (c) Extortion
- (d) Theft.

Ans. (c)

Q. 831. Which one of the following statements correctly defines the offence of criminal breach of trust?

- (a) Whoever is entrusted with the dominion of property dishonestly converts it as his property is guilty of criminal breach of trust.
- (b) Whoever dishonestly misappropriates any property for his own use, is guilty of criminal breach of trust
- (c) Whoever uses any movable property in violation of law or legal contract commits criminal breach of trust.
- (d) None of the above.

Ans. (a)

Q. 832. If Actus non facit reum nisi mens sit rea is a cardinal principal of criminal law, then which one of the following statements correctly reflects the above principle?

- (a) Mens rea is an essential element of a crime and there cannot be a crime with out mens rea.
- (b) Criminal liability under Indian Law always implies mens rea
- (c) To constitute a crime there must be actus reus and mens rea
- (d) Actus reus is not always necessary to constitute a crime.

Ans. (c)

Q. 833. Assertion (A): There is either theft or extortion in robbery.

Reason (R): Theft or extortion precedes robbery.

Direction: The following two items consist of two statements, one labeled the Assertion (A) and the other labeled the Reason (R). You are to examine these two statements carefully and decide if the Assertion A and the Reason R are individually true and if so, whether the Reason is a correct explanation of the Assertion. Select your answers to these items using the codes given below and mark your answer sheet accordingly.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (a)

Q. 834. Assertion (A): The court can allow right of private defence even if not pleaded by the accused.

Reason (R): Accused claims it as a matter of right.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (c)

Q. 835. The offence of theft becomes robbery when it is:

- (a) Coupled with force
- (b) Committed by two or more but less than five persons
- (c) Committed by five or more person
- (d) Coupled with imminent danger to life.

Ans. (d)

Q. 836. A had consensual sexual relations with Z's wife. She gives to A valuable property which A knows to belongs to her husband, Z and she has no authority from Z to give, A takes the property dishonestly. Which one of the following offences has been committed by A?

- (a) Criminal breach of trust and criminal misappropriation
- (b) Theft and criminal breach of trust
- (c) Theft

(d) Criminal breach of trust.

Ans. (c)

Q. 837. A threatens to publish a defamatory libel concerning B unless B gives him money and B in consequence gives A money. A commits the offence of:

- (a) Theft
- (b) Robbery
- (c) Criminal intimidation
- (d) Extortion.

Ans. (d)

Q. 838. A meets Z on the road and asks him to part with his belonging on the instant threat of hurt to Z. While Z delivers his purse to A, A snatches away golden chain from Z's neck. Which one of the following offences is committed by A?

- (a) Extortion
- (b) Robbery by theft
- (c) Robbery extortion
- (d) Robbery by theft as well as robbery by extortion

Ans. (d)

Q. 839. X an employer deducts a certain percentage from the salary of his employees telling that it is their contribution to the provident fund but fails to credit it in the fund, X commits:

- (a) Criminal breach of trust
- (b) Criminal misappropriation
- (c) Theft
- (d) Cheating

Ans. (a)

Q. 840. X and Y agree to commit theft in Z's house but no theft is actually committed. They are guilty of:

- (a) No offence
- (b) Criminal conspiracy
- (c) Abetment by conspiracy
- (d) Abetment by instigation.

Ans. (b)

Q. 841. A is in the house which is on fire with Z a child. People below hold out a blanket. 'A' drops the child in good faith intending the child's benefit. But the child is killed by the fall A has committed:

- (a) Murder
- (b) Culpable homicide not amounting to murder
- (c) Culpable homicide as an exception to Section 300
- (d) No offence.

Ans. (d)

Q. 842. Which one of the following brings out the distinction between Section 34 and 149 of the IPC?

- (a) Section 34 creates a specific offence where as Section 149 does not
- (b) Section 34 as well as Section 149 create specific offences
- (c) Section 149 creates a specific offence whereas Section 34 does not
- (d) Section 34 as well as Section 149 do not create specific offences

Ans. (c)

Q. 843. The general remedy in law of tort is:

- (a) Action for damages
- (b) Action for injunction
- (c) Specific restitution of property
- (d) Action for unliquidated damages.

Ans. (d)

Q. 844. Which one of the following conclusions can be drawn from de minimus no curat tax?

- (a) Necessity knows no law
- (b) Nothing is an offence done by a child under 7 year of age
- (c) Every person is liable for his own acts
- (d) Trifling acts do not institute an offence.

Ans. (d)

Q. 845. Which one of the following : statements correctly defines abetment?

- (a) The principal accused must have the same intention as that of the abettor
- (b) The liability of the abettor is dependent on the liability of the principal accused
- (c) The abettor has aided the principal accused in commission of the offence
- (d) The abettor has wilfully misrepresented a fact to someone and caused an offence committed by the latter.

Ans. (c)

Q. 846. Preparation and attempt are two stages of commission of crime. Preparation is not punishable generally but attempt is. One basic reason as to why preparation is not punishable is that there

- (a) Is no nexus between preparation and attempt
- (b) Can be chances of change of mind before commission of offence
- (c) Is absence of intention
- (d) Is absence of attempt

Ans. (b)

Q. 847. Culpable homicide is not murder if

- (a) Death is caused through provocation given by a public servant in the lawful exercise of his powers
- (b) The offender loses self control by grave and sudden provocation which is voluntarily sought
- (c) The offender being a public servant exceeds the powers given to him by law and causes death

with ill-will

(d) The victim being above the age of eighteen years takes the risk of death with his own consent.

Ans. (d)

Q. 848. Which one of the following is punishable as sedition?

- (a) Bitter criticism of the government to overthrow it
- (b) Inducing people to cease to obey law and lawful authority
- (c) A publicist attack on policies of the government
- (d) An attempt to remove the ministers from power.

Ans. (b)

Q. 849. A instigates his six-year old daughter B to take away from C, a purse containing Rs. 1500. In this case which one of the following statements is correct?

- (a) B commits theft and A abets theft
- (b) A commits no offence but B commits theft
- (c) Both A and B commit no offence
- (d) B does not commit any offence but A commits abetments of theft

Ans. (d)

Q. 850. A inserts his hand into the pocket of B with a view to take away some currency notes, but A finds that the pocket is empty. In this case, A is guilty of

- (a) No offence because the offence cannot be completed
- (b) Attempt to commit theft
- (c) Abetment of theft
- (d) Mischief.

Ans. (b)

Q. 851. Which one of the following statements correctly defines murder?

- (a) Causing death by an act done with intention of causing bodily injury as is likely to cause death
- (b) Causing death by an act done with the knowledge that it is likely to cause death
- (c) Death is caused by an act which was done under grave and sudden provocation
- (d) Death is caused by an act done with the intention of causing bodily injury and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death.

Ans. (d)

Q. 852. A, cut down a tree on B's land with the intention of dishonestly taking the tree out of B's possession without B's consent. In this case, A commits

- (a) Criminal breach of trust
- (b) Criminal misappropriation of property
- (c) No offence until the tree is taken away
- (d) Theft as soon as the tree is severed from the ground

Ans. (d)

Q. 853. A took away three cows belonging to B without his consent and distributed them to his (B's) creditors. A is

- (a) Guilty of theft as it is causing wrongful loss to B even if there is no wrongful gain to A
- (b) Not guilty of theft because it is not causing wrongful gain to him (A)
- (c) Guilty of extortion
- (d) Guilty of criminal misappropriation.

Ans. (a)

Q. 854. Z takes away a golden chain of his wife which was given by her father as Stridhan, without her consent, and pledges it to raise money for domestic use. Z is

- (a) Not guilty of theft as the chain was their joint property
- (b) Not guilty of theft as the property was temporarily taken away
- (c) Guilty of theft
- (d) Guilty of criminal misappropriation.

Ans. (c)

Q. 855. Match List I with List II and select the correct answer:

List I List II

- A. Dishonestly taking property 1. Criminal breach of trust
- B. Dishonestly inducing any person to deliver property 2. Extortion
- C. Entrustment of property 3. Misappropriation
- D. Appropriation of property obtained as bailee 4. Theft.

Codes:

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

Ans. (a)

Q. 856. Consider the following statements:

- 1) Section 34 of IPC requires two persons whereas Section 149 of IPC requires five persons.
- 2) Section 34 of IPC required common intention, whereas Section 149 of IPC requires common object
- 3) Section 34 of IPC and Section 149 of IPC both require presence of a prior consent.
- 4) Section 34 of IPC and Section 149 of IPC both create specific offences.

Which of the above statements are correct?

- (a) 1 and 3
- (b) 2 and 3
- (c) 1 and 2
- (d) 2 and 4.

Ans. (c)

Q. 857. A, a police constable, used third-degree measures against a person on the order of his superior officer. As a result of this torture, the person lost one of his eyes. Which one of the following shall be the ground of defence to succeed in acquitting the accused constable?

- (a) Torture was committed on the order of the superior
- (b) Torture was committed on account of fear of losing the job.
- (c) Torture was committed on account of fear of being suspended
- (d) Torture was committed on account of fear of instant death.

Ans. (d)

Q. 858. Consider the following statements:

The accused, at the time of committing the act, because of unsoundness of mind, is incapable of knowing.

1. The nature of the act.
2. That the act is wrong or contrary to law.
3. That the act is unethical and wrong
4. That the act is wrong and contrary to law.

To claim benefit of Section 84 of IPC; which of these need to be proved?

- (a) 1 and 4
- (b) 1 and 2
- (c) 2 and 3
- (d) 3 and 4.

Ans. (b)

Q. 859. Against which one of the following offences, does the right of private defence of property extend to the voluntary causing of death?

- (a) Theft
- (b) Criminal misappropriation
- (c) Robbery
- (d) Criminal trespass.

Ans. (c)

Q. 860. Nothing is an offence which is done by a person who is a

- (a) 100-years-old man
- (b) 6-years-old boy
- (c) 12-year-old girl
- (d) 18-year-old girl.

Ans. (b)

Q. 861. Voluntary intoxication.

- (a) Makes an offence more serious or increases the gravity of an offence
- (b) Is a weak defence to a criminal charge
- (c) Is no excuse for the commission of an offence

(d) Reduces the gravity of all the offences.

Ans. (b)

Q. 862. Good faith within the meaning of the Indian Penal Code means

- (a) An act done with due care and attention
- (b) An actual belief that the act done is not contrary to law
- (c) An act, in fact, done honestly
- (d) An act done under bonafide belief.

Ans. (a)

Q. 863. A, a surgeon, in good faith communicates to a patient, his opinion that he (patient) cannot live. The patient dies in consequence of the shock. A is guilty of

- (a) Murder
- (b) Causing death by negligence
- (c) Culpable homicide not amounting to murder
- (d) No offence

Ans. (d)

Q. 866. Every person has a right to defend his own body

- (a) Against any offence affecting the human body
- (b) And the body of his friends, against any offence affecting the human body
- (c) And the body of any person, against any offence affecting the human body
- (d) And the body of his blood relatives against any offence affecting the human body.

Ans. (c)

Q. 865. Some militants are hiding in a house occupied by an individual. Militants are engaged in an attack on the police party by firing from the house. The police persons, to defend themselves, fire towards the house and an innocent person in the house is hit by the bullet and dies as a result. The police persons are guilty of

- (a) No offence
- (b) Culpable homicide not amounting to murder
- (c) Murder
- (d) Death by rash or negligent act.

Ans. (a)

Q. 866. Criminal conspiracy is an agreement between two or more persons to

- (a) Do or cause to be done an illegal act
- (b) Do or cause to be done an illegal act, or an act which is not illegal by illegal means.
- (c) Do or cause to be done an act which is illegal by illegal means
- (d) Commit an offence.

Ans. (b)

Q. 867. Public nuisance

- (a) Materially affects the reasonable comfort and convenience of life of a class of subjects who come within the sphere or neighbourhood of its operation
- (b) Affects life of a class of subjects who come within the sphere or neighbourhood of its operation
- (c) Affects a person who comes within the neighbourhood of its operation
- (d) Is described as unlawful interference with a person's use or enjoyment of land or some right over or in connection with it.

Ans. (a)

Q. 868. A, intending to cause theft instigates B, to take property belonging to Z out of Z's possession. A induces B to believe that the property belongs to A. B takes the property out of Z's possession in good faith, believing it to be A's property. With reference to the above statement

Assertion (A): A is guilty of abetment of theft even if B is innocent.

Reason (R): Liability of abettor is not dependent on the liability of the principal accused.

Directions:- the following item consist of two statements, one labeled as Assertion A and the other labeled as Reason R. You are to examine these two statements carefully and decide if the Assertion A and the Reason R are individually true and if so, whether the reason is a correct explanation of the Assertion. Select your answers to these items using the codes given below and mark your answer sheet accordingly.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (a)

Q. 869. Y owed some money to X. X the bullock of Y grazing by the side of a stream and kept it tied in his own house. When Y asked him to release the bullock, X told him that he would do so when the money was paid. X is guilty of

- (a) Criminal breach of trust
- (b) Criminal misappropriation
- (c) Extortion
- (d) Theft

Ans. (d)

Q. 870. A by putting Z in fear of grievous hurt dishonestly induces Z to sign or affix his seal in a blank paper, and delivers it to A. Z signs and delivers the paper to A. A has committed.

- (a) Robbery
- (b) Dacoity
- (c) Theft
- (d) Extortion

Ans. (d)

Q. 871. A threatens to publish a defamatory libel concerning Z unless Z gives him money. He thus induces Z to give him money. A has committed the offence of

- (a) Defamation
- (b) Extortion
- (c) Criminal intimidation
- (d) Mischief

Ans. (b)

Q. 872. X and his four associates attempted to commit theft at the place of Y and caused hurt to Y. They were forced to retreat without collecting the booty because of stiff resistance by the inmates. They are guilty of

- (a) Theft
- (b) Robbery
- (c) Criminal misappropriation
- (d) Dacoity

Ans. (d)

Q. 873. Match List I with List II and select the correct answer:

List I List II

- A. Delivery of property 1. Criminal breach of trust
- B. Taking property 2. Criminal misappropriation
- C. Entrustment of property 3. Theft
- D. Convertibility of property innocently got, to one's own use 4. Extortion

Codes:

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

Ans. (a)

Q. 874. X and Y agreed to commit murder of Z by poisoning and Y was to procure poison, but he did not procure it. X and Y are guilty of

- (a) Abetment of murder by conspiracy
- (b) Attempt to murder with the aid of section 34 IPC
- (c) No offence
- (d) Criminal conspiracy to murder Z.

Ans. (a)

Q. 875. Consider the following statements:

1. In conspiracy, it is in the fact of combination that the unlawfulness resides. Combination to injure gives cause of action
2. Where the element of combination is absent, the motive is immaterial

3. Combination for legitimate promotion of their interest give no cause of action

Which of the above statements are correct?

- (a) 1 and 2
- (b) 2 and 3
- (c) 1 and 3
- (d) 1, 2 and 3

Ans. (d)

Q. 876. X sees Z committing what appears to X to be a murder. X in exercise, to the best of his judgement, exerted in good faith, of the powers, which the law gives to all persons of apprehending murderers in the act, seizes Z in order to bring Z before proper authorities. But it turns out that Z was acting in exercise of his right of self defence. X is guilty of

- (a) No offence
- (b) Wrongful restraint
- (c) Wrongful confinement
- (d) Assault.

Ans. (a)

Q. 877. X a surgeon, amputates the right hand index finger of Y a 14 year old beggar, with Y's consent, and in good faith that this would enable Y to get more alms. In this case

- (a) X commits no offence as the act was done with the consent of Y
- (b) X commits an offence as the consent of a child of 14 years is of no avail
- (c) X commits no offence as the act was done in good faith for the benefit and with the consent of Y
- (d) X is not exempted from criminal liability as the act done was not in good faith within the meaning of Indian Penal Code.

Ans. (d)

Q. 878. X having sufficient food does not provide some food to a beggar who dies of hunger. X is guilty of

- (a) No offence
- (b) Attempt to murder
- (c) Murder
- (d) Causing death by rash or negligent act

Ans. (a)

Q. 879. Assertion (A): A servant removes wrist watch from the table and keeps it concealed under the carpet in the same room for fear of being detected. He is guilty of theft.

Reason (R): To be guilty of the offence of theft, a person must move and take away the property stolen.

Directions: - the following item consist of two statements, one labeled as Assertion A and the other labeled as Reason R. You are to examine these two statements carefully and decide if the Assertion A and the Reason R are individually true and if so, whether the reason is a correct explanation of the Assertion. Select your answers to these items using the codes given below and mark your answer

sheet accordingly.

- (a) Both A and R are true and R is the correct explanation of A
- (b) Both A and R are true but R is not the correct explanation of A.
- (c) A is true but R is false
- (d) A is false but R is true.

Ans. (a)

Q. 880. For abetment by conspiracy

- (a) A mere agreement between two or more persons to do an unlawful act is enough
- (b) Some act or illegal omission must take place in pursuance of an engagement between two or more persons to do an unlawful act.
- (c) There must be an intentional aid by one person to another for the doing of an offence
- (d) One person must instigate the other for the commission of an offence.

Ans. (b)

Q. 881. The India Penal Code came into effect from

- (a) 1st June, 1860
- (b) 1st August, 1860
- (c) 6th October, 1860
- (d) None of the above.

Ans. (c)

Q. 882. The Indian Penal Code is extended to :

- (a) All the States of India
- (b) Whole of India except the State of J&K
- (c) All Union Territories of India
- (d) None of the above.

Ans. (b)

Q. 883. Who prepared the draft of Indian Penal Code:

- (a) Lord Denning
- (b) Lord Chemsford
- (c) Lord Macaualy
- (d) Pollock

Ans. (c)

Q. 884. The Indian Penal Code is divided into :

- (a) XXIII Chapters & 511 Sections
- (b) XXIXI Chapters & 511 Sections
- (c) XXIX Chapters & 501 Sections
- (d) None of the above.

Ans. (a)

Q. 885. The jurisdiction to try a person for an offence depends upon, under the General Principle of Criminal Law is :

- (a) Nationality of the person
- (b) Place of commission of crime, within local area of such jurisdiction
- (c) A place where such person is found.
- (d) None of these

Ans. (b)