

FOR LL.B 6TH SEM STUDENTS PRACTICAL PAPER (K-6008)

1. The natural guardian of a minor Hindu boy is—

Ans: Father and mother both

2. In a cognizable offence a police officer.

Ans May arrest an accused without warrant

3. Which of the following sentence may be passed by a Magistrate of second class?

Ans Imprisonment for a term not exceeding one years

4. The Chief Judicial Magistrate may pass a—

Ans Sentence of imprisonment not exceeding 7

5. A private person may arrest any person who—

Ans In his presence commits a cognizable and non-bailable offence

6. A person arrested by a police officer may be kept in custody for—

Ans Twenty four hours

7. Adultery by a Hindu husband is—

Ans: Ground of divorce and Judicial separation of the both

8. To set aside forfeiture under section 96 of Criminal Procedure Code application may be given to—

Ans The High Court

9. In which case the supreme Court held that section 125 Cr. P.C. was applicable to all irrespective of their religion?

Ans Mohd. Ahmad Khan Vs. Shah Bano Begum

10. No wife shall be entitled to receive maintenance from her husband under section 125 of Cr. P.C. if—

Ans She is living in adultery

11. Which section of Cr. P.C. provides that no statement made by any person to police officer in course of an investigation shall, if reduced to writing be signed by person making it?

Ans Section 162

12. A marriage under the Hindu Marriage Act, 1955 between two persons within prohibited degrees of relationship is—

Ans: Void

13. Under section 198 of the Code of Criminal Procedure, the court can take cognizance of any offence laid down under section 497 and 498 to the Indian Penal Code on complaint of—

Ans Any of these

14. Which one of the following orders can be passed after trial of a case is over?

Ans Either an order of acquittal or conviction (: d)

15. Who can withdraw a case from the prosecution under Section 321, Cr. P.C.?

Ans Public Prosecutor Incharge of a case with permission of court

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16. Which one of the following is not included in the term 'Hindu' used in the Hindu Marriage Act, 1955?

Ans: Parsis

17. Whenever a Magistrate is of opinion after hearing evidence for the prosecution and accused that accused is guilty and that he ought to receive a severe punishment then such Magistrate is empowered to inflict, the Magistrate may forward case to?

Ans: The Chief Judicial Magistrate

18. Which of the following offence is not compoundable?

Ans: Offence under section 307 I.P.C.

19. There shall be no appeal by a convicted person where a Magistrate of first class passes only a Sentence of fine, not exceeding?

Ans One hundred rupees

20. In one trial A is awarded with sentence, which is not appealable, whereas sentence against B is appealable, whether A can file an appeal against his sentence—

Ans Yes

21. Which one of the following is not essential for an offence?

Ans Motive

22. In which of the following mens rea has been considered to be an essential element of an offence?

Ans Srinivasmal Barolia vs. Emperor, R. Vs. Tolsen, Nathulal Vs. State of Madhya

23. Which Section of the Hindu Marriage Act provides for the restitution of conjugal Rights?

Ans: Section 9

24. Common Intention means—

Ans Sharing of intention by all persons

25. Nothing is an offence which is done by a child of—

Ans Seven years

26. What punishment may be awarded to the person, whose act is covered under general exceptions?

Ans No punishment

27. Insanity is—

Ans Diseased mind

28. The Hindu Marriage Act, 1955 contains the provision regarding divorce in—

Ans: Section 13

29. Minimum number of persons required to commit an affray is—

Ans Two

30. A puts his hand in pocket of B for stealing money but pocket was empty. A is guilty of—

Ans Guilty of attempt to commit theft

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31. Any hurt is grievous if it causes sufferer to be in severe bodily pain or unable to follow his ordinary pursuits during space of—

Ans : Twenty days

32. Sexual intercourse by a man with a woman even with her consent is a rape if she is below age of

Ans 16 years

33. For abduction abducted person should be—

Ans Of any age

34. A does sexual intercourse with a widow below 16 years of age with her consent—

Ans A has committed Rape with B

35. Making preparation to commit dacoity is punishable in the Indian Penal Code 1860 under

Ans Section 398

36. There is no offence of adultery if it is committed, with consent of—

Ans Husband of woman

37. A cheats by pretending to be B, a person who is deceased. A commits—

Ans Cheating by presentation

38. A commits house trespass by entering Z's house through a window it is—

Ans House-breaking

39. A finds a purse with money not knowing to whom it belongs he afterwards discovers that it belongs to B and appropriates to his own use. A is guilty of—

Ans Criminal Misappropriation

40. A makes an attempt to pick pocket of B by thrusting his hand into B's pocket. A fails in attempt in consequence of B's having nothing in his pocket. A is guilty of—

Ans Attempt of theft

41. The object of investigation is

Ans: To collect evidence against the accused

42. Which of the following offence was made non bailable by the Cr.P.C. Amendment Act 2005?

Ans: 353

43. Which one of the following proceedings is known as judicial proceeding?

Ans: Enquiry and Trial

44. In a first information an offence is cognizable and other is non-cognizable. The whole case shall be deemed to be

Ans: Cognizable

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45. In the Indian Constitution Criminal Procedure is included in the

Ans: Concurrent list

46. Which of the following section inserted as per the Cr.P.C. (Amendment) Act 2005?

Ans: 50 A

47. Offence under S. 324 is

Ans: Compoundable with permission of court

48. In which of the following Cases the Supreme court has held that the Magistrate has ample powers to direct the officer in charge of the concerned police station to hold a proper investigation and take all such necessary steps that may be necessary for ensuring a proper investigation including monitoring the same

Ans: Sakiri Vasu Vs State of U.P

49. In computing the period limitation in a criminal case,

Ans: The day from which such period is to be computed shall be excluded.

50. A report made by a police officer in a case which discloses a commission of a non cognizable offence after investigation shall deemed to be

Ans: Complaint

51. All the proceedings for the collection of evidence conducted by a police officer under Cr.P.C. is called

Ans: Investigation

52. An investigation into an offence cannot be conducted by

Ans: Magistrate

53. Any proceedings in the course of which evidence is taken on oath is called

Ans: Judicial proceedings

54. The Code of Criminal Procedure 1973 came into force on

Ans: 1st April 1974

55. In which of the following cases the Kerala High Court has held that Even if earlier investigation was conducted by local police, there is no bar to refer the matter for investigation by the CBI in an appropriate case by the High Court

Ans: J.Prabhavathi Amma Vs State of Kerala

56. The provisions of Cr.P.C. 1973 other than those relating to Chapters 8, 9 and 10 shall not apply

Ans: B & C

57. Any act or omission made punishable by any law for the time being is called

Ans: Offence

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58. Under the Hindu Adoption and Maintenance Act, 1956 a female Hindu has the capacity to take a son or daughter in adoption if—

Ans: She is not married

59. The maximum sentence of imprisonment a C.J.M. can impose

Ans: 7 years

60. Power to arrest a person committing a non cognizable offence is given to a police officer on

Ans: On refusal to give name and residence

61. A private person can arrest an accused as provided under section

Ans: 43

62. Coparcenary property of a Hindu—

Ans: Devolves by survivorship, Can be partitioned

63. The categories of persons who can be arrested without a warrant is described in section

Ans: 41

64. An adoption made by a Hindu male without the consent of his wife is—

Ans: Void

65. (A) marries 'B', the widow of his elder brother. The marriage is—

Ans: Void

66. Who is the competent authority to decide as to who is the successor-in-office of any additional or assistant sessions Judge

Ans: Sessions Judge

67. The powers of superior police officers are mentioned in section

Ans: 36

68. Arrest by Magistrate is mentioned in section

Ans: 45

69. The guidelines regarding the arrest of judicial officers by the police were issued by the Supreme Court in

Ans: K. Basu Vs. State of West Bengal (AIR 1997 SC 610) d. Delhi Judicial Service Association Vs. State of Gujarat (AIR 1991 SC 2176)

70. The new chapter incorporated by the Criminal law (amendment) 2005.

Ans: XXI A

71. Members of Armed Forces cannot be arrested except after obtaining the consent of

Ans: Central Government

72. Who is given protection from arrest under 45 of Cr.P.C.

Ans: Members of Armed Forces

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73. The judicial pronouncement which led to the incorporation of section 46(4) of Cr.P.C. by the amendment Act of 2005

Ans: K. Basu Vs. State of West Bengal (AIR 1997 SC 610) d. State of Maharashtra Vs. Christian Community Welfare of India

74. In which of the following cases, the Supreme Court held that, even without the presence of a lady constable, police can arrest a female offender

Ans: K. Basu Vs. State of West Bengal (AIR 1997 SC 610) d. State of Maharashtra Vs. Christian Community Welfare of India

75. Section 265A deals with

Ans: Plea bargaining

76. The form of summons is mentioned in section

Ans: 61

77. The section newly added in Chapter V (arrest of persons) by the Cr.P.C. Amendment Act 2005

Ans: 46(4) , 50(A) , 53(A)

78. The procedure for arrest is described in section

Ans: 46

79. Rejection of anticipatory bail application itself is not a ground for the immediate arrest of the accused and the arrest of persons in all cases is unnecessary. The Supreme Court gave the above proposition in

Ans: Abraham Vs. State of Maharashtra (2003 (2) SCC 649) c.

80. In a case involving offence under section 304B, the period of remand under section 167(2) is

Ans: 90 days

81. The Kerala High Court has held the following proposition section 159 does not confer any power to the magistrate to proceed to the place and conduct local investigation in

Ans: In Re Sister Abhaya (2006 (2) KLT 1001)

82. An enquiry into the apparent cause of death is called

Ans: Inquest

83. Before accepting a Refer Report, court is bound to issue notice to

Ans: First informant (2006 (2) KLT 588)

84. Agreement entered into at Calcutta for a project to be carried at Calcutta, payments required to be made at Calcutta, cheques were issued from registered office at Ernakulam the court to having jurisdiction to quash the proceedings

Ans: Kerala High Court

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85. The procedure for inquest is mention in section

Ans: 174

86. A boy of 17 years marries a girl of 15 years. The marriage is—

Ans: Valid and punishable

87. The Bar under section 196 is against

Ans: Taking cognizance (2006)

88. Plea bargaining introduced in India by

Ans: The Criminal Law Amendment Act 2005

89. Power under section 319 Cr.P.C. covers

Ans: Post cognizance stage (2006 (1) KLT SN 60)

90. Under which of the following Sections of Criminal Procedure Code police can arrest an accused without warrant? MP APO -2002

Ans: Section 41

91. An executing court cannot determine the questions relating to which of the following?

Ans: Modification of decree

92. A person against whom summons has been issued may be compelled under Sec. 32 of C.P.C. to attend by—

Ans: Issue of a warrant, Attachment and sale of his property, Imposing a fine, Ordering him to furnish security for his appearance

93. Provision for interpleader suit is contained in which of the following sections of C.P.C.?

Ans: Section 88

94. Which one of the following is not a suit relating to immovable property?

Ans: Suit for rent in respect of immovable property

95. The Code of Civil Procedure (Amendment) Act, 2002 came into force on—

Ans: 1st July, 2002

96. Where the local limits of jurisdiction of courts are uncertain, the place of institution of suit shall be decided according to the provision of—

Ans: Section 18 of C.P.C.

97. In which of the following provisions 'mensae profit' has been defined in the C.P.C.?

Ans: Section 2(12)

98. The period of limitation within which defendant shall submit his written statement is—

Ans: 30 days from service of summons

99. In which of the following writs, the doctrine of res judicata is not applicable?

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Ans: Habeas Corpus

100. Which one of the following properties is liable to attachment and sale in the execution of a decree?

Ans: A promissory note

101. Which one of the following is not a suit of civil nature under C.P.C.?

Ans: A suit against deprivation from attending social functions

102. Which one of the following does not find a place under the provisions of Sec. 94, C.P.C. relating to supplemental proceedings?

Ans: Arrest before judgment

103. Which one of the following is not required in filing a representative suit under Order 1 Rule 8 of the C.P.C.?

Ans: Written permission of those who are being represented

104. The provision for the institution of suits is given in which of the following sections of C.P.C.?

Ans: Section 26

105. A right to sue for damages is—

Ans: Not an actionable claim

106. The doctrine of part performance as given in Sec. 53-A of T.P. Act is—

Ans: An equitable right, Available in defence

109. Remedy of 'foreclosure' is available in which one of the following mortgages?

Ans: Mortgage by condition sale

110. Which one of the following is not an essential element of sale?

Ans: Payment of price in cash

111. 'Rule against double possibilities' was recognized in which one of the following cases?

Ans: Whit by V/s Mitchell

112. Which one of the following sections of T.P. Act deals with doctrine of 'substituted security'?

Ans: Section—71

113. Which of the following ancient forms of marriages were not approved by Hindu Law?

Ans: Gandharva, Asura

114. Ram Coomar Kundoo V/s Mc Queen (1872) is related to—

Ans: Ostensible owner

115. The principle of the maxim "nemo dat quad non habet" is incorporated in which of the following sections of T.P. Act?

Ans: Sections 41, 42, 43 and 44

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116. Doctrine of Marshalling has been provided in which of the following sections of the T.P. Act?

Ans: Sections 56 and 81

117. Section 58 (a) of the T.P. Act defines—

Ans: Mortgage, mortgagor, mortgagee, mortgage money and mortgage deed

118. Under the Hindu Adoption and Maintenance Act, a mother is—

Ans: Entitled to have separate accommodation from her son