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Supreme Court of India

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Law Clerk Part I Multiple Choice Based Questions

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Comprehension Based Questions

Section Id :	70186560
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Mandatory or Optional :	Mandatory
Number of Questions :	3

Number of Questions to be attempted :	3
Section Marks :	15
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Sub-Section Id :	70186562
Question Shuffling Allowed :	No

Question Id : 701865238 Question Type : COMPREHENSION Sub Question Shuffling Allowed : Yes Group Comprehension Questions : No Question Pattern Type : NonMatrix

Question Numbers : (1 to 5)

Question Label : Comprehension

In *X v. State (NCT of Delhi)*, 2022 INSC 1035, the Hon'ble Supreme Court held, inter alia, as follows:

26. A Registered Medical Practitioner's decision to provide medical termination of a pregnancy is also influenced by social stigma surrounding unmarried women and pre-marital sex, gender stereotypes about women taking on the mantle of motherhood, and the role of women in society.

27. Due to a widespread misconception that termination of pregnancies of unmarried women is illegal, a woman and her partner may resort to availing of abortions by unlicensed medical practitioners in facilities not adequately equipped for such medical procedures, leading to a heightened risk of complications and maternal mortality. In *Surendra Chauhan v. State of Madhya Pradesh*, a two- Judge Bench of this Court upheld the Madhya Pradesh High Court's order to convict the accused under Section 314 read with Section 34 of the IPC for causing a woman's death by miscarriage. According to the facts of the case, the accused was in an "illicit relation" with the deceased, an unmarried woman of twenty-four years. The deceased woman had become pregnant as a result of this relationship. Both of them had approached the clinic of a so-called doctor (who was named as a co-accused) to terminate the pregnancy of around 3 months (approximately 12 weeks). The purported doctor was neither an RMP nor was his clinic approved by the government, in terms of the requirements laid down in the MTP Act. During the procedure for the termination of pregnancy, the woman passed away. This case is illustrative of the dangers of unsafe abortions, undertaken due to the social stigma surrounding pregnancies among unmarried women.

28. The social stigma that women face for engaging in pre-marital sexual relations prevents them from realising their right to reproductive health in a variety of ways. They have insufficient or no access to knowledge about their own bodies due to a lack of sexual health education, their access to contraceptives is limited, and they are frequently unable to approach healthcare providers and consult them with respect to their reproductive health. Consequently, unmarried and single women face additional obstacles.....

71. Married women may also form part of the class of survivors of sexual assault or rape. The ordinary meaning of the word 'rape' is sexual intercourse with a person, without their consent or against their will, regardless of whether such forced intercourse occurs in the context of matrimony. A woman may become pregnant as a result of non-consensual sexual intercourse performed upon her by her husband. We would be remiss in not recognizing that intimate partner violence is a reality and can take the form of rape. The misconception that strangers are exclusively or almost exclusively responsible for sex- and gender-based violence is a deeply regrettable one. Sex- and gender-based violence (in all its forms) within the context of the family has long formed a part of the lived experiences of scores of women.

72. Existing Indian laws recognize various forms of familial violence – the Pre-Conception and Pre-Natal Diagnostic Techniques Act 1994 criminalises the communication of the sex of the foetus to the pregnant woman or her relatives. Section 498A of the IPC criminalises physical, mental, and emotional abuse. The Dowry Prohibition Act 1961 criminalises the giving and taking of dowry (a form of economic and social violence). Physical abuse or sexual abuse by family members and female infanticide are also criminalized under the IPC. Marital assault merely forms a part of a long list of deeds that amount to violence in the context of the family.

73. It is not inconceivable that married women become pregnant as a result of their husbands having "raped" them. The nature of sexual violence and the contours of consent do not undergo a transformation when one decides to marry. The institution of marriage does not influence the answer to the question of whether a woman has consented to sexual relations. If the woman is in an abusive relationship, she may face great difficulty in accessing medical resources or consulting doctors.

74. It is only by a legal fiction that Exception 2 to Section 375 of the IPC removes marital rape from the ambit of rape, as defined in Section 375. Understanding "rape" under the MTP Act and the rules framed thereunder as including marital rape does not have the effect of striking down Exception 2 to Section 375 of the IPC or changing the contours of the offence of rape as defined in the IPC. Since the challenge to Exception 2 to Section 375 of the IPC is pending consideration before a different Bench of this Court, we would leave the constitutional validity to be decided in that or any other appropriate

proceeding.

75. Notwithstanding Exception 2 to Section 375 of the IPC,⁸⁵ the meaning of the words “sexual assault” or “rape” in Rule 3B(a) includes a husband’s act of sexual assault or rape committed on his wife. The meaning of rape must therefore be understood as including marital rape, solely for the purposes of the MTP Act and any rules and regulations framed thereunder. Any other interpretation would have the effect of compelling a woman to give birth to and raise a child with a partner who inflicts mental and physical harm upon her.

96. The ambit of reproductive rights is not restricted to the right of women to have or not have children. It also includes the constellation of freedoms and entitlements that enable a woman to decide freely on all matters relating to her sexual and reproductive health. Reproductive rights include the right to access education and information about contraception and sexual health, the right to decide whether and what type of contraceptives to use, the right to choose whether and when to have children, the right to choose the number of children, the right to access safe and legal abortions, and the right to reproductive healthcare. Women must also have the autonomy to make decisions concerning these rights, free from coercion or violence.

108. A woman can become pregnant by choice irrespective of her marital status. In case the pregnancy is wanted, it is equally shared by both the partners. However, in case of an unwanted or incidental pregnancy, the burden invariably falls on the pregnant woman affecting her mental and physical health. Article 21 of the Constitution recognizes and protects the right of a woman to undergo termination of pregnancy if her mental or physical health is at stake. Importantly, it is the woman alone who has the right over her body and is the ultimate decisionmaker on the question of whether she wants to undergo an abortion.

Sub questions

Question Number : 1 Question Id : 701865239 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The fundamental right to terminate a pregnancy under Article 21 is:

Options :

1. Available only to married women.
2. Available only to unmarried women.
3. Available to both married and unmarried women.
4. Not available to both, married as well as unmarried women.

Question Number : 2 Question Id : 701865240 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following statements can be said to be true?

Options :

1. Marital rape is an offence only under the Indian Penal Code.
2. Marital rape is an offence, both under the Indian Penal Code and Medical Termination of Pregnancy Act.
3. Marital rape is criminalised only under the Medical Termination of Pregnancy Act.
4. Marital rape is not a crime either under Medical Termination of Pregnancy Act or Indian Penal Code.

Question Number : 3 Question Id : 701865241 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Based on the above extracts, which one of the following statements is correct?

Options :

1. The Hon'ble Supreme Court has held that pre-marital sex is illegal.
2. The Hon'ble Supreme Court has frowned upon pre-marital sex but held that it's not illegal.
3. The Hon'ble Supreme Court has held that lack of adequate medical practitioners leads to miscarriages.
4. The Hon'ble Supreme Court has held that due to a widespread misconception that termination of pregnancies of unmarried women is illegal, a woman and her partner resort to abortions by unlicensed medical practitioners in facilities not adequately equipped for such medical procedures.

Question Number : 4 Question Id : 701865242 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

From a reading of the above extracts, please choose the most accurate option:

Options :

1. The Pre- Conception and Pre-Natal Diagnostic Techniques Act, 1994 criminalises pre-marital sex.
2. The Pre- Conception and Pre-Natal Diagnostic Techniques Act, 1994 criminalises both pre-marital sex as well as abortion, based on sex of the foetus.
3. The Pre- Conception and Pre-Natal Diagnostic Techniques Act, 1994 only criminalises the communication of the sex of the foetus.
4. The Pre- Conception and Pre-Natal Diagnostic Techniques Act, 1994 criminalises only prohibits communication of sex of a female foetus.

Question Number : 5 Question Id : 701865243 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The ambit of reproductive rights includes, among other things: i. The right of women to decide whether to have or not have children but not the right to choose when to have children.

ii. The right to access education and information about contraception and sexual health.

iii. The right to decide whether and what type of contraceptives to use.

iv. The right to access abortions, even if the same is unsafe.

Options :

1. Only (ii) and (iii).
2. Only (iii).
3. Only (ii) and (iii).
4. Only (iii) and (iv).

Note: For this question, ambiguity is found in question/answer. Candidate will get full marks for this question if any of the correct options are chosen.

Sub-Section Number :

2

Sub-Section Id :

70186563

Question Shuffling Allowed :

No

Question Id : 701865244 Question Type : COMPREHENSION Sub Question Shuffling Allowed : Yes Group Comprehension Questions : No Question Pattern Type : NonMatrix

Question Numbers : (6 to 10)

Question Label : Comprehension

In Justice K.S. Puttaswamy (Retd.) v. Union of India, 2018 INSC 880, Hon'ble Dr. Justice D.Y. Chandrachud has held, inter alia, as follows:

190. In the 2003 edition of his celebrated work, Granville Austin recounts the words of Prime Minister Morarji Desai that freedom and bread are not incompatible, but further adds, 'Neither could they easily be sought together'. As mentioned earlier, Granville Austin had insightfully spoken about how the strands of the Constitution of unity-integrity, democracy and social revolution could come in conflict with one another creating challenges for those who work with the Constitution. Some of the questions inherent in the Constitution according to him are "Democracy for whom? Justice for whom? What is Justice? What are the appropriate means of employing the Constitution's means' among citizens, between them and their government?" It was due to the foresight of the framers of the Constitution that they insisted that neither the strand of social revolution nor the strand of democracy was to be pursued at the expense of the other. The ostensible conflict between bread and freedom has also been explored in the works of Professor Upendra Baxi. In a seminal essay on human rights in 1984 which he calls the "the great gift of classical and contemporary human thought to culture and civilization", he discusses the widening sphere of human rights thought and action to new arenas and constituencies as "New rights arise from the womb of the old." He draws on the distinction between basic human needs and human rights and argues that the constant struggle between these two forces is the essence of the difference between the right to be human approach and the human rights approach... He opines that whatever meaning maybe ascribed to the term "development", it must ensure that people will not be deprived of the right to remain human:

"Whatever it may be made to mean, "development" must at least mean this: people will be given the right to be and remain human. Total and continuing destitution and impoverishment exposes people to a loss of their humanity. In no society that takes human rights seriously should there be allowed a state of affairs where human beings become subhuman—that is, when they perforce have to surrender even those sonorous recited "inalienable" rights of man... The expression "human rights" presupposes a level at which biological entities are bestowed with the dignity of being called human. The bearers of human rights must have an implicit right to be and remain human, allowing them some autonomy of choice in planning survival."

Thus, the broader matrix of human rights includes within it the inalienable and fundamental right to always 'be and remain human'. Professor Upendra Baxi notes that this broader debate between human rights and the 'right to be human' is reflective of the bread vs. freedom conflict. It is noted that historically, freedom might have been chosen over bread due to the vast enumeration of liberal rights it includes, despite the acute awareness that without bread, freedom of speech and assembly, of association, of conscience and religion, of political participation, symbolic adult suffrage may all be meaningless. At the same time, Baxi points out the danger in choosing bread at the cost of freedom, given that historically in the absence of freedom, human beings have been subject to the most egregious indignities: "The provision of "bread" may justify indefinite postponement of the provision of any kind of "freedom". In the absence of such freedom, even the promised "bread" may not be realized by the masses; indeed, they even lose, in the process, their power to protest at the indignity of regime sponsored starvation... Baxi concludes that the choice between bread and freedom is a false antithesis. The challenge is not a choice in the abstract between bread and freedom but rather the balancing of the two..... It is the foremost duty of the State to work towards achieving and maintaining a fine balance, taking into account these myriad considerations. The State must always be guided by the knowledge and sense of duty that in a true democracy, the citizens cannot be made to choose between rights and needs, as they are equally entitled to both. As the sentinel of justice and protector of fundamental rights, it is the responsibility of this Court to act as a check and ensure that government action or inaction does not endanger or threaten to disturb the balance that the Constitution seeks to achieve. It is imperative to remember that both 'bread' and 'freedom' play a vital role in the guaranteeing to our citizens the gamut of human rights and freedoms that make human existence meaningful.

196. These decisions indicate that the process of resolving conflicts arising out of the assertion of different fundamental rights and conflicts within the same fundamental right, necessarily involves judicial balancing. In finding a just balance this Court has applied norms such as the 'paramount public interest'. In

seeking to draw the balance between political freedoms and economic freedoms, the Court must preserve the euphony between fundamental rights and directive principles. It is on their co-existence that the edifice of the Constitution is founded. Neither can exist without the other. Economic rights have become justiciable because of the constitutional guarantees founded on freedom and the rule of law. The Constitution is founded on democratic governance and is based on the protection of individual freedom. Freedom comprehends both fundamental political freedoms as well as basic human rights. A just balance between the two is integral to the fulfilment of India's constitutional commitment to realise human liberty in a social context which is cognizant of the histories of discrimination and prejudice suffered by large segments of our society. Where the question is related to the limiting the right to privacy, Puttaswamy requires the test of proportionality. It has, therefore, to be tested whether the Aadhaar scheme fulfils the test of proportionality.

197. The test of proportionality, which began as an unwritten set of general principles of law, today constitutes the dominant "best practice" judicial standard for resolving disputes that involve either a conflict between two rights claims or between a right and a legitimate government interest.It has been raised to the rank of a fundamental constitutional principle, and represents a global shift from a culture of authority to a culture of justification.

198. Subjecting the Aadhaar scheme to the test of proportionality does not mean that the Court is second-guessing the wisdom of the legislature. State action must be subjected to judicial scrutiny to ensure that it passes constitutional muster. The test of proportionality stipulates that the nature and extent of the State's interference with the exercise of a right (in this case, the rights to privacy, dignity, choice, and access to basic entitlements) must be proportionate to the goal it seeks to achieve (in this case, purported plugging of welfare leakage and better targeting).

250. The Constitution recognizes, through the rights which it protects, a multitude of identities and the myriad forms of its expression. Our political identities as citizens define our relationship with the Nation State. The rights which the Constitution recognizes as fundamental liberties constitute a reflection of the identity of the self...Identity at a constitutional level is reflected in the entitlement of every individual, protected by its values, to lead a way of life which defines the uniqueness of our beings. The Constitution recognizes a multitude of identities, based on the liberties which it recognizes as an inseparable part of our beings. To be human is to have a multitude of identities and be guaranteed the right to express it in various forms. The State which must abide by a written Constitution cannot require any person to forsake one or more identities. Constitutional freedoms compel the state to respect them.

Sub questions

Question Number : 6 Question Id : 701865245 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following statement (s) are correct based on the aforesaid extracts?

- i. Conflict between 'bread' and 'freedom' refers to pricing of basic commodities very high so that people have to enslave themselves to afford it;
- ii. Conflict between bread and freedom refers to conflict between two or more fundamental rights under our Constitution;
- iii. Right to bread and freedom are always antithetical to each other.
- iv. Bread and freedom are both vital.

Options :

1. None of the above.
2. Only (ii) and (iv).
3. Only (i) and (iii).
4. Only (iii).

Question Number : 7 Question Id : 701865246 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Based on the above extracts, which one of the following statements most accurately reflects the view of the author?

Options :

1. Rights under Article 21 of the Constitution of India should always prevail over rights under Article 19 of the Constitution of India.
2. Courts must resolve the conflict between conflicting fundamental rights with a delicate sense of balance.
3. There can never be conflicting rights arising from the same Article of the Constitution.
4. None of the above.

Question Number : 8 Question Id : 701865247 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Based on the reading of the above extracts, which one of the following statements is the most accurate statement?

Options :

1. Judicial review of a policy of the Government is impermissible.
2. The test of proportionality being referred to above is only with regards to penalties being imposed in penal laws to punish a crime.
3. The test of proportionality can be used as a benchmark to determine validity of a Government Scheme or Policy.
4. While using the test of proportionality, the Court must accept the Government's assertions.

Question Number : 9 Question Id : 701865248 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

3. Based on the reading of the above extracts, which one of the following statements is the most accurate statement?

Options :

1. Citizenship is the only constitutionally recognized identity
2. A person is permitted to have only one identity which is protected under the Constitution
3. A person can have multiple identities, but can only have fundamental rights in respect of any one of them.
4. It is the bounden duty of the State to respect the different identities of each person.

Question Number : 10 Question Id : 701865249 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In the extracted paragraphs, what does the quote "New rights arise from the womb of the old" means:

Options :

1. When new rights are recognized, the old rights wither away.

2. As culture and civilization progresses, there is a widening sphere of human rights and human beings are given newer rights to help in their holistic development.
3. Whenever there is an ostensible conflict between bread and freedom, right to bread attains primacy
4. Younger generation of citizens will be given more rights vis-a- vis the older people.

Sub-Section Number : 3
Sub-Section Id : 70186564
Question Shuffling Allowed : No

Question Id : 701865250 Question Type : COMPREHENSION Sub Question Shuffling Allowed : Yes Group Comprehension Questions : No Question Pattern Type : NonMatrix

Question Numbers : (11 to 15)

Question Label : Comprehension

In *Banyan Tree Holding (P) Limited v. A. Murali Krishna Reddy*, 2009 SCC Online Del 3780, it was observed, inter alia:

3. The Plaintiff claims that it is part of a group of companies involved in the hospitality business. Since 1994 it adopted and used the word mark “Banyan Tree” and also the banyan tree device. It is claimed that on the account of the extensive and continuous use by the Plaintiff of the said mark and device in relation to its business, they have acquired secondary meaning, have become highly distinctive and have come to be associated with the Plaintiff and its sister concerns. The Plaintiff maintains the websites www.banyantree.com and www.banyantreespa.com since 1996. The said websites are accessible in India.

4. It is not in dispute that the Plaintiff does not hold a registration for the said mark and device in India. Its application for registration is stated to be pending.... In October 2007, the Plaintiff learnt that the Defendants had initiated work on a project under the name “Banyan Tree Retreat”. The Plaintiff has averred that the word mark and the device adopted by the Defendants in relation to their retreat is deceptively similar to that of the Plaintiff. The Plaintiff states that the Defendants have advertised their project on their website www.makprojects.com/banyantree. The Plaintiff alleges that the use of the said mark and device by the Defendants was dishonest and was an attempt to encash on the reputation and goodwill of the Plaintiff and was calculated to cause confusion and deception among the public by passing off the services of the Defendants as that of the Plaintiff. Accordingly, the present suit was filed by the Plaintiff for an injunction to restrain the Defendants from the use of the said mark and device....

8. At outset it needs to be noted that the present suit is not one for infringement by the Defendants of the Plaintiff’s trademark and the Plaintiff carries on business within the jurisdiction of the court. If it were, then in terms of Section 134 (2) of the Trademarks Act 1999 (TM Act) this court would have jurisdiction to entertain the suit although the defendants do not reside or carry on business within its jurisdiction. Section 134 (2) of the TM Act (like and Section 62 (2) of the Copyright Act 1957) is therefore a “long arm” provision in a limited sense, confined to infringement actions by Plaintiffs carrying on business within the jurisdiction of the forum court. The present suit is an action for passing off in which neither the Plaintiff nor any of the Defendants voluntarily resides or carries on business within the local limits of Delhi. Consequently, neither Section 20 (a) nor Section 20(b) CPC applies. The Plaintiff seeks to find the territorial jurisdiction of this Court in terms of Section 20(c) CPC. In other words, according to the Plaintiff the cause of action, wholly or in part, arises within the jurisdiction of this Court. This, according to the Plaintiff is on account of two factors. One, that the website of the Defendants is accessible in Delhi; it is not a passive website but used for soliciting business in Delhi. Second, that there was at least one instance of the Defendants’ brochure being sent to a Delhi resident for the purposes of sale of property.

42. This Court holds that jurisdiction of the forum court does not get attracted merely on the basis of interactivity of the website which is accessible in the forum state. The degree of the interactivity apart, the nature of the activity permissible and whether it results in a commercial transaction has to be examined. For the “effects” test to apply, the Plaintiff must necessarily plead and show prima facie that the specific targeting of the forum state by the Defendant resulted in an injury or harm to the Plaintiff within the forum state. For the purposes of a passing off or an infringement action (where the plaintiff is not located within the jurisdiction of the court), the injurious effect on the Plaintiff’s business, goodwill or reputation within the forum state as a result of the Defendant’s website being accessed in the forum state would have to be shown. Naturally therefore, this would require the presence of the Plaintiff in the forum state and not merely the possibility of such presence in the future. Secondly, to show that an injurious effect has been felt by the Plaintiff it would have to be shown that viewers in the forum state were specifically targeted. Therefore the “effects” test would have to be applied in conjunction with the “sliding scale” test to determine if the forum court has jurisdiction to try a suit concerning internet based disputes.

45. This court holds that in order to prima facie establish that the Defendant purposefully availed of the jurisdiction of this court, the Plaintiff would have to show that the Defendant engaged in some commercial activity in the forum State by targeting its website specifically at customers within that State. This is consistent with the law laid down in *Cybersell* and reiterated later in *Toys R Us*. It is also consistent with the application of the “tighter” version of the

“effects” test which is “targeting”. In any action for passing off or infringement, it would have to be shown that the Defendant by using its mark intended to pass off its goods as that of the Plaintiff’s. A mere hosting of a website which can be accessible from anyone from within the jurisdiction of the court is not sufficient for this purpose. Also a mere posting of an advertisement by the Defendant depicting its mark on a passive website which does not enable the Defendant to enter into any commercial transaction with the viewer in the forum state cannot satisfy the requirement of giving rise to a cause of action in the forum state. Even an interactive website, which is not shown to be specifically targeted at viewers in the forum state for commercial transactions, will not result in the court of the forum state having jurisdiction. In sum, for the purposes of Section 20 (c) CPC, in order to show that some part of the cause of action has arisen in the forum state by the use of the internet by the Defendant, the Plaintiff will have to show prima facie that the said website, whether euphemistically termed as “passive plus” or “interactive”, was specifically targeted at viewers in the forum state for commercial transactions. The Plaintiff would have to plead this and produce material to prima facie show that some commercial transaction using the website was entered into by the Defendant with a user of its website within the forum state and that the specific targeting of the forum state by the Defendant resulted in an injury or harm to the Plaintiff within the forum state. Question no. (ii) is answered accordingly.

Sub questions

Question Number : 11 Question Id : 701865251 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following statements is most accurate about the “long arm” principle under the Trade Marks Act?

Options :

1. The “long arm” principle under the Trade Marks Act would apply when the trademark is not registered in India.
2. The “long arm” principle under the Trade Marks Act would apply when the plaintiff is carrying on business within the jurisdiction of the forum Court which has been approached.
3. The “long arm” principle under the Trade Marks Act would apply when the defendant resides within the jurisdiction of the Court which has been approached.
4. The “long arm” principle under the Trade Marks Act would apply when both the plaintiff and the defendants reside within the jurisdiction of the Court where the suit has been instituted even though the trademark is not a registered one,

Question Number : 12 Question Id : 701865252 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

From a reading of the above passages, which of the following statements is true?

Options :

1. In order to invoke jurisdiction, any form of interactive website is sufficient, including the mere downloading of a brochure from the website of the defendant.
2. Jurisdiction is invoked merely by the defendant placing an advertisement on the website displaying the infringing trademark as it can be seen from anywhere in the world.
3. In order to invoke jurisdiction, the burden is on the plaintiff to show that a viewer of the infringing website can enter into a commercial transaction using it.

4. The plaintiff can only sue the defendant where the defendant actually carries on business, irrespective of whether its website is an interactive one or not.

Question Number : 13 Question Id : 701865253 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Rafa Inc. sells sports shoes on its website which is accessible from anywhere in the world. An interested buyer can place an order and upon payment through electronic means the product is delivered to the customer at the customer's address. Rafa Inc. has its registered office in Puerto Rico and Branch Offices in New York and Sydney. Rafa's trade mark is however, not registered in India. Easy Shoes Ltd., an India based company manufactures shoes at its factory in Bengaluru and has showrooms in Mumbai, Delhi and Bengaluru. It holds a registered trademark in India. Alleging infringement by Rafa Inc. of its registered trademark, Easy Shoes Ltd. approaches the Bombay High Court with a suit to restrain Rafa Inc. from selling shoes to Indian customers. In the given fact scenario and based on the law discussed in the extracts above, which of the following statements is most accurate?

Options :

1. The suit is not maintainable as the defendant Rafa Inc. doesn't carry on business through any office in India.
2. The suit is not maintainable in the Court in Mumbai but only in the Court in Bengaluru where Easy Shoes Ltd. has its factory.
3. The suit is maintainable since a customer in Mumbai can purchase shoes on the website of the Rafa Inc. and Easy Shoes Ltd. has a showroom in Mumbai.
4. Easy Shoes Ltd. has to necessarily file the suit only in Puerto Rico or in New York and cannot invoke the jurisdiction of Indian Courts.

Question Number : 14 Question Id : 701865254 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In any action for passing off or infringement, which of the following statements applies correctly?

Options :

1. The Defendant by using its mark intended to pass off its goods as that of the Plaintiff's
2. A mere hosting of a website which can be accessible from anyone from within the jurisdiction of the court would suffice to invoke jurisdiction of the court
3. A mere posting of an advertisement by the Defendant depicting its mark on a passive website which does not enable the Defendant to enter into any commercial transaction with the viewer in the forum State can satisfy the requirement of giving rise to a cause of action in the forum State
4. Even an interactive website, which is not shown to be specifically targeted at viewers in the forum State for commercial transactions, will result in the court of the forum State having jurisdiction.

Question Number : 15 Question Id : 701865255 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is/are true?

- i. The jurisdiction of the forum Court does not get attracted in cases of trademark infringement or passing off merely on basis of interactivity of the website which is accessible in the forum State.
- ii. The degree of the interactivity apart, the nature of the activity permissible and whether it results in a commercial transaction have to be examined in cases

of trademark infringement or passing off based on the long arm principle.

iii. Only when the Plaintiff pleads and shows prima facie that the specific targeting of the forum State by the Defendant resulted in an injury or harm to the Plaintiff within the forum State, can he get the relief as sought.

Options :

1. (i), (ii), and (iii).
2. Only (iii).
3. Only (ii) and (iii).
4. Only (i) and (iii).

Constitutional Law

Section Id :	70186561
Section Number :	2
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	20
Number of Questions to be attempted :	20
Section Marks :	20
Maximum Instruction Time :	0
Sub-Section Number :	1
Sub-Section Id :	70186565
Question Shuffling Allowed :	Yes

Question Number : 16 Question Id : 701865256 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In the famous Habeas Corpus case, the Respondent No. 1 was:

Options :

1. Union of India
2. State of Madhya Pradesh
3. ADM Jajpur
4. ADM Jabalpur

Question Number : 17 Question Id : 701865257 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following lawyers appeared for the petitioner in Maneka Gandhi v. Union of India, 1978 INSC 16?

Options :

1. Kapil Sibal
2. Madan Bhatia
3. KK Venugopal
4. LM Singhvi

Question Number : 18 Question Id : 701865258 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following was not a part of the conclusion of the 9-Judge Constitution Bench in the decision of State of Uttar Pradesh v. Lalta Prasad Vaish, 2024 INSC 812?

Options :

1. The States have the competence to legislate on denatured spirit.
2. Entry 52 of List I of the Seventh Schedule of the Constitution of India permits Parliament to make law with reference to intoxicating liquor notwithstanding Entry 8 of List II of the Seventh Schedule of the Constitution of India
3. The judgement of the 7-Judge Bench decision in Synthetics and Chemicals Ltd. v. State of UP stood overruled.
4. The judgement of Tika Ramji v. State of UP on the interpretation of 'industry' was not necessary in view of the majority's interpretation of Entry 8 of List II of the Seventh Schedule of the Constitution of India.

Question Number : 19 Question Id : 701865259 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The judgements in McDermott International v. Burn Standard (2006); Project Director, National Highways No. 45E and 220 National Highways Authority of India v. M. Hakeem (2019); and Ssangyong Engineering & Construction Co. Ltd. v. National Highways Authority of India (2019) on the one hand, and those in Tata Hydro-Electric v. Union of India (2003), Oriental Structural Engineers Pvt. Ltd. v. State of Kerala (2021), Vedanta v. Shenzhen Shandong Nuclear Power Construction Co. (2018), on the other hand, led to the recent reference to the Constitution Bench on which important issue in Commercial Law?

Options :

1. The legality of Clauses that allow the forfeiture of right to appoint an Arbitrator based on the conduct of a party
2. The power of a Court to modify an Arbitral Award.
3. The permissibility of MSMEs to invoke settlement of disputes under the MSME Act for disputes arising out of contracts entered into prior to the registration as an MSME.
4. The right of the Resolution Professional to include 'development rights' as part of the assets of a company under Corporate Insolvency Resolution Process.

Question Number : 20 Question Id : 701865260 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In Tej Prakash Pathak v. High Court of Rajasthan, 2024 INSC 847, the correctness of which landmark judgement on Service Law was up for reconsideration and what was the outcome?

Options :

1. Uma Devi v. Union of India; it was doubted and referred to a larger Bench
2. K. Manjusree v. State of A.P, 2008 INSC 195; it was held to be good law and followed
3. State of Haryana v. Subash Chander Marwaha, 1973 INSC 110; it was overruled
4. K. H. Siraj v. High Court of Kerala & Ors., 2006 INSC 352; it was overruled

Question Number : 21 Question Id : 701865261 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The 9 Judges Bench judgement in Property Owners Association & Ors. v. State of Maharashtra, 2024 INSC 835, does not lay down which of the following principles?

Options :

1. The 'doctrine of revival' does not apply to Constitutional amendments.
2. The observations in Mafatlal Industries Ltd vs. Union of India, 1996 INSC 1514, on Article 31-C applying to all privately held resources was merely an obiter.
3. Justice Krishna Iyer's views in State of Karnataka v. Ranganatha Reddy, 1977 INSC 196, were not a correct expression of the law.
4. Only some privately owned property could be treated as "Material resources of the community".

Question Number : 22 Question Id : 701865262 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The amended Article 45 of the Constitution, as it stands today, requires the State to endeavour to provide free and compulsory education to:

Options :

1. All children below the age of 18 years.
2. All girl children below the age of 6 years.
3. Only to girl children between the ages of 6 and 12 years.
4. To all children below the age of 6 years.

Question Number : 23 Question Id : 701865263 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is not included in Article 51A of the Constitution of India?

Options :

1. To develop a scientific temper, humanism and the spirit of enquiry and reform.
2. To ensure that everybody has free access to the internet so that he can take advantage of developments in the field of science and technology.
3. To value and preserve the rich heritage of our composite culture.
4. To defend the country and render national service whenever called upon to do so.

Question Number : 24 Question Id : 701865264 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Under Article 243-W of the Constitution of India read with Schedule XII, on which of the following topics can a Municipality not make a law on?

Options :

1. Fire Services
2. Electricity
3. Slum Improvement and Upgradation
4. Roads and Bridges.

Question Number : 25 Question Id : 701865265 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following judgments dealt with the Constitutional Validity of the Schedule X to the Constitution of India?

Options :

1. Subhash Desai v. Principal Secretary, Governor of Maharashtra & Ors., 2023 INSC 516
2. Hrimanth Balasaheb Patil v. Hon'ble Speaker, Karnataka Legislative Assembly And Others, 2019 INSC 1237
3. Kihoto Holohon v. Union of India, 1991 INSC 287
4. Ravi S. Naik and Anr. v. Union of India and Ors., 1994 INSC 57.

Question Number : 26 Question Id : 701865266 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following judgments deals with the concept of unjust enrichment for the purposes of the Customs Act and the Central Excises Act?

Options :

1. The India Cements Ltd. vs Commissioner of Central Excise, 2006 (194) ELT 3 (SC).
2. Union of India and Ors. v. Bombay Tyre International Ltd. and Ors., (1984) 1 SCC 467
3. MRF Limited v. Union of India, 1987(32) ELT 465 (Mad.)
4. Mafatlal Industries Ltd. v. Union of India, [1996] SUPP.10 S.C.R.

Question Number : 27 Question Id : 701865267 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following are not mandatory qualifications for a person to be eligible to be the President of India?

Options :

1. A person must be 35 years old or above.
2. A person must hold a post graduate degree in Political Science.
3. A person must be a citizen of India.
4. A person shouldn't hold an Office of Profit.

Question Number : 28 Question Id : 701865268 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

A person cannot be a Member of the Legislative Assembly if such a person is below the age of:

Options :

1. 20 years
2. 21 years
3. 18 years
4. 25 years

Question Number : 29 Question Id : 701865269 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is not a Constitutional Post?

Options :

1. Attorney General for India
2. Comptroller and Auditor General of India
3. Advocate General of a State
4. Solicitor General of India

Question Number : 30 Question Id : 701865270 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following Statements is untrue in the context of Article 131 of the Constitution of India?

Options :

1. No suit can be filed against the Government of India by a State before the Supreme Court of India
2. A State can sue the Union of India in a suit before the Supreme Court of India
3. One State can file a suit against another State in the Supreme Court of India
4. The Government of India can file a suit against a State in the Supreme Court of India.

Question Number : 31 Question Id : 701865271 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The Original Jurisdiction of the Supreme Court of India doesn't comprise one of the following?

Options :

1. A petition under Article 139A of the Constitution of India
2. A petition under Section 25 of the Code of Civil Procedure
3. An Election Petition under Article 71 of the Constitution of India
4. An Election Petition under Section 80A of the Representation of People Act.

Question Number : 32 Question Id : 701865272 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Under Article 226 of the Constitution, which of the following relief(s) cannot be claimed?

Options :

1. Relief seeking a declaration that a provision of the Supreme Court Rules is unconstitutional
2. Relief seeking production of a person by way of a writ of Habeas Corpus directed against the Central Armed Forces
3. Relief seeking a transfer of a case pending before the High Court to the Supreme Court of India.
4. Relief to declare a statute enacted by the Parliament to be unconstitutional.

Question Number : 33 Question Id : 701865273 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is a valid ground on which the Supreme Court can review its own judgments under Article 137?

Options :

1. Violation of a fundamental right under Part III.
2. Error apparent on the face of the record
3. Demonstrable bias
4. Lack of meaningful legal representation

Question Number : 34 Question Id : 701865274 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In Selvi v. State of Karnataka, (2010) 7 SCC 263, the Supreme Court held that: Narco-analysis tests:

Options :

1. Can be conducted only in cases that involve national security.
2. It is mandatory under Article 21 for the accused's lawyer to be present during narco-analysis tests.
3. It is violative of Article 20(3) to subject an accused to narco-analysis and polygraph tests without his consent
4. Narco-analysis may be used only when all other methods of investigation have failed and is so certified by a judicial officer

Question Number : 35 Question Id : 701865275 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In which of the following cases, the Supreme Court held the two finger test to be an affront to a woman's dignity and right to privacy, guaranteed under Article 21 of the Constitution?

Options :

1. Phillipa Anne v. State of Tamil Nadu, 1982 (2) SCC 389
2. Hameeda Sarfaraj v. M. S. Kashekar, 1980 (4) SCC 478
3. Lillu v. State of Haryana, (2013) 14 SCC 643
4. Kavita v. State of Maharashtra, (1981) 4 SCC145

Civil Procedure Code

Section Id :	70186562
Section Number :	3
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	10
Number of Questions to be attempted :	10
Section Marks :	10
Maximum Instruction Time :	0
Sub-Section Number :	1
Sub-Section Id :	70186566
Question Shuffling Allowed :	Yes

Question Number : 36 Question Id : 701865276 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following statements are true?

A Review Petition under CPC is only permissible:

- i. Against a decree or order against which an appeal lies under the Code of Civil Procedure.
- ii. Against a decree or order against which an appeal does not lie under the Code of Civil Procedure.
- iii. Only against a decree but not against an order which is appealable under the Code of Civil Procedure.
- iv. Against an order but not a decree against which an appeal lies under the Code of Civil Procedure.

Options :

1. Only i
2. Only ii
3. Both i and ii
4. All of the above

Question Number : 37 Question Id : 701865277 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In the context of Section 83 of the Code of Civil Procedure, choose the correct option(s):

- i. Alien enemies can never sue in any court in India.
- ii. Alien friends can sue in any court in India.
- iii. Alien enemies can sue with the permission of the Central Government.
- iv. Alien friends cannot sue in any court in India.

Options :

1. Only i
2. Only ii
3. Both ii and iii.
4. All of the above

Question Number : 38 Question Id : 701865278 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following statement(s) is the most accurate?

A substantial question of law in a proceeding under Section 100 of the Code of Civil Procedure is:

Options :

1. A question of general, public importance
2. A question of law relevant to the determination of the case which is not a settled principle of law
3. A question of law relevant to the determination of the dispute, which is a settled principle, but wrongly ignored by the Courts below.
4. All of the above.

Question Number : 39 Question Id : 701865279 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Company A has filed a civil suit against X. Thereafter, Company A merges into Company B. Company A in the agreements prior to the merger has assigned the rights underlying the civil suit to Company B. In such a case, which of the following applications should be filed in the court in which the civil suit instituted by Company A is pending, after the merger has taken place:

Options :

1. An application by Company A under Order 22 Rule 3 for bringing on record the legal heirs of the plaintiff
2. An application by Company B under Order 22 Rule 3 for bringing on record the legal heirs of the plaintiff
3. An application by Company B under Order 22 Rule 10 for the proceedings to be continued by the assignee.
4. A joint application by Company A and B under Order 22 Rule 10 for the proceedings to be continued by the assignee.

Question Number : 40 Question Id : 701865280 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following cases does not fall within the scope of a caveat under Section 148A CPC?

Options :

1. An eviction suit filed by the landlord against the tenant
2. A suit for declaration of title
3. An application for anticipatory bail
4. A suit for injunction

Question Number : 41 Question Id : 701865281 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

‘A’ filed a petition in a High Court under Article 226 of the Constitution for questioning the termination of his services and seeking consequential benefits. As the High Court was not inclined to entertain the petition, the counsel for the petitioner sought leave to withdraw with the liberty to avail alternative remedies. The order passed by the High Court reads as: “The petition is dismissed as withdrawn.” In these circumstances which of the following course of action would be most advisable for the petitioner.

Options :

1. The petitioner can file an application before the Labour Court seeking the same relief.
2. The petitioner can go before the Civil Court seeking the same relief.
3. The petitioner should apply to the High Court for modification of the order to grant the liberty as prayed for.
4. The petitioner refrains from any subsequent proceedings since the order does not grant the liberty prayed for.

Question Number : 42 Question Id : 701865282 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In a civil proceeding, issues usually arise when:

Options :

1. A material proposition of fact or law is affirmed by one party and denied by the other party
2. A material proposition of fact or law is admitted by one party.
3. A material proposition of fact or law is denied by both parties.
4. None of the above is correct.

Question Number : 43 Question Id : 701865283 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

‘A’ sues ‘B’ and ‘C’ on a promissory note. ‘B’ is the principal debtor and ‘C’ is the surety. An ex parte decree is passed against both ‘B’ and ‘C’. However, only ‘B’ filed an appeal to get the decree set aside. The Appellate Court set aside the decree as a whole since the liability was based on a common ground. An execution petition is filed by ‘A’ against ‘C’ for enforcement of the decree. Which of the following statements would be most accurate?

Options :

1. Since ‘C’ did not appeal against the decree, he will have to suffer the execution proceedings.
2. ‘C’ can still file an appeal to set aside the ex-parte decree
3. Execution petition shall not lie since the entire decree has been set aside.
4. None of the above.

Question Number : 44 Question Id : 701865284 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Ramesh discovers that Tina, his niece has been occupying a property owned by him. He files a suit for possession against Tina and is successful before the Trial Court. Of the options given below, select the statement which is the most correct:

Options :

1. Tina is the decree-holder and Ramesh is the judgment-debtor
2. Ramesh is the decree-holder and Tina is the decree-debtor
3. Ramesh is the decree-holder and Tina is the judgment-debtor.
4. Ramesh and Tina are both decree-holders given they are parties to a proceeding where an order capable of execution has been made.

Question Number : 45 Question Id : 701865285 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Judith lives in Goa and runs a boutique there. During her visit to Pune, at a party, she made a disparaging remark about her host Rosario, insinuating that his educational qualifications are fake, and all his certificates are forged. Based on the information provided above, please select the option which is most correct:

Options :

1. Rosario can opt to either institute the suit for defamation in Goa or Pune
2. Rosario can institute a suit for defamation only in Goa
3. Rosario can institute a suit for defamation only in Pune
4. Judith can exercise an option on where the suit by Rosario can be instituted.

Contract Act

Section Id :	70186563
Section Number :	4
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	10
Number of Questions to be attempted :	10
Section Marks :	10

Maximum Instruction Time : 0
Sub-Section Number : 1
Sub-Section Id : 70186567
Question Shuffling Allowed : Yes

Question Number : 46 Question Id : 701865286 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Samarth wants to sell a Vintage Car that he owns. He writes a letter to Priya proposing to sell her the car for Rupees Seventy-Five Lakhs. Priya receives this letter and prepares a letter accepting Samarth's proposal. Samarth, in the meantime develops cold feet. By when can Samarth revoke his proposal? From the options given below, please choose the most accurate option:

Options :

1. Samarth can revoke his proposal any time before Priya's letter reaches him.
2. Samarth can revoke his proposal any time before Priya posts her letter.
3. Samarth cannot revoke his offer once he made it
4. None of the above.

Question Number : 47 Question Id : 701865287 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Parul has a boutique showroom. She receives an order for a Louis Vuitton handbag from Kalpana. She delivers it to the house of Ena (Kulpreet's neighbor) by mistake. Ena knowing that she did not order it, starts using it anyway. Parul asks for payment for the handbag. Of the options below, please choose the most accurate option:

Options :

1. Since no handbag had been ordered by Ena, she isn't obligated to pay for it.
2. Since Ena took the benefit of a non-gratuitous act by Parul, she should pay for it.
3. The delivery of the handbag can be treated as a gratuitous act by Parul and therefore there cannot be an obligation to pay.
4. A and C both.

Question Number : 48 Question Id : 701865288 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Miley Turner, a well-regarded Blues singer, agrees to sing in a theatre owned and managed by Beyonce Swift for a fortnight for a sizable fee. Beyonce Swift advertises Miley Turner's performance for the fortnight and receives a lot of interest and pre-booking of tickets for the same. Miley Turner comes and sings for the first ten days, but thereafter she absents herself and does not come for any further shows. On being asked why, she responds that she 'did not feel the vibe'. This resulted in huge losses for Beyonce Swift and hence, Beyonce Swift refused to make any payment to Miley Turner. Of the options given below, please choose the one that is the most accurate:

Options :

1. Having violated the terms of the contract, Miley Turner is not entitled to any payment.
2. Miley Turner is entitled to be paid for the ten days that she did perform.
3. Beyonce Swift is entitled for compensation for the losses she sustained due to the non-performance of the contract by Carmen.
4. Both B and C.

Question Number : 49 Question Id : 701865289 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In continuation of the fact situation set out in question no. 3, the contract between Miley Turner and Beyonce Swift provides for liquidated damages to the tune of 1 crore in the event Miley Turner commits any breach of the contract. Which of the following options is accurate:

Options :

1. Beyonce Swift is entitled to be paid Rs. 1 crore by Miley Turner due to Miley Turner's breach.
2. Beyonce Swift is entitled to be paid only reasonable compensation commensurate with her loss irrespective of the stipulation in the contract pertaining to liquidated damages
3. The whole contract will be voided if the liquidated damages clause is found to be unconscionable.
4. The law prohibits stipulation of liquidated damages in case of contract for personal service

Question Number : 50 Question Id : 701865290 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Chitranshi requests a store known as 'R Store' in her locality to supply groceries to her on credit. 'R Store' agrees to do this if Chitranshi's friend Lipika will guarantee the payment of the price for groceries, since Lipika is an old customer of the store. Lipika promises to guarantee the payment of the price of supplies in consideration for the delivery of goods to Chitranshi. Of the options given below, please choose the most accurate option:

Options :

1. Chitranshi is the principal debtor, R Store is the surety, Lipika is the creditor.
2. Lipika is the surety, Chitranshi is the principal debtor and R store is the creditor
3. Chitranshi is the surety, Lipika the principal debtor and R store the creditor.
4. None of the above.

Question Number : 51 Question Id : 701865291 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which one of the statements provided below least accurately reflects the provisions of the Indian Contract Act, 1872 about a contract of agency:

Options :

1. Consideration is a sine-qua-non for the creation of an agency.
2. A minor or person of unsound mind cannot become an agent in terms of Chapter X of the Indian Contract Act.
3. An agent's authority may be express or implied.
4. In an emergency, an agent has the authority to take steps to protect the principal from loss by taking all the steps that a person of ordinary prudence would take in similar circumstances in their own case.

Question Number : 52 Question Id : 701865292 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which provision of the Indian Contract Act was invoked by the Supreme Court of India in its judgment in Central Inland Water Transport Corporation v. Brojo Nath Ganguly, 1986 INSC 66, while holding the 'hire and fire policy' in the employment terms to be illegal?

Options :

1. Section 28
2. Section 36.
3. Section 23
4. Section 30

Question Number : 53 Question Id : 701865293 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Ameesha, an RBI Officer, agrees to pay Bakshi, a Clerk in RBI, Rs. 20,000/- on 20.11.2017 in ten notes of Rs. 2,000/-. On 20.11.2017, Ameesha agrees to sell her second-hand car to Bakshi for Rs. 2 lacs. Bakshi agrees to buy the car subject to the condition that payment will be in cash only (in notes of Rs. 2000/- denomination only). Which of the following statements is correct in the above- context?

Options :

1. Agreement is valid
2. Agreement is voidable at the instance of A.
3. Agreement is voidable at the instance of B.
4. Agreement is void.

Note: For this question, ambiguity is found in question/answer. Candidate will get full marks for this question if any of the correct options are chosen.

Question Number : 54 Question Id : 701865294 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Akshay Kumar agrees to sell Boney Kapoor his laptop for 500 Euros or for 100 Cryptocurrency Units. In this context, which of the following statements is true?

Options :

1. The Agreement is valid.
2. The Agreement is void for uncertainty
3. The Agreement is voidable at the instance of Akshay Kumar.
4. The Agreement is voidable at the instance of Boney Kapoor.

Question Number : 55 Question Id : 701865295 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Jallikattu is an annual festival of bull fighting held in Tamil Nadu. A Company is formed allowing individuals to place bets on those who successfully tame a bull, by purchasing tickets of Rs. 100/- each, with the person successfully placing the bet being entitled to a share of the prize money. The agreement in question is (pick the correct answer):

Options :

1. Valid in terms of the exception to Section 30 of the Indian Contract Act
2. Void
3. Voidable at the option of the person placing the bet.
4. Voidable at the option of the Company in question.

Indian Penal Code

Section Id :	70186564
Section Number :	5
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	18
Number of Questions to be attempted :	18
Section Marks :	18
Maximum Instruction Time :	0
Sub-Section Number :	1
Sub-Section Id :	70186568
Question Shuffling Allowed :	Yes

Question Number : 56 Question Id : 701865296 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Ayushi has a large dog which is known to be ferocious. Ayushi frequently gets into verbal spats with her neighbor Mr. Kannabiran on whether the dog should be allowed in the apartment lift or not. One evening, after such a spat, Mr. Kannabiran runs into Ayushi and her muzzled dog in the basement of the apartment building. Ayushi is blocking the exit gate and she also begins to loosen the dog's muzzle. Mr. Kannabiran is terrified and shouts for help. On hearing the disturbance others come down to enquire and Ayushi leaves the place in a huff with her dog. Of the options given below, please choose the most accurate option:

Options :

1. Ayushi has used criminal force on Mr. Kannabiran.
2. Ayushi has committed an assault on Mr. Kannabiran
3. Ayushi has used criminal force and also committed an assault on Mr. Kannabiran
4. None of the above.

Question Number : 57 Question Id : 701865297 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Publication of the name or any other details of a victim of sexual offence under Section 376, Section 376A, 376AB, 376C, 376D, 376DA and 376DB or 376E Indian Penal Code, that make the identity of the victim known, is an offence under Section 228A of the Indian Penal Code. However, there are certain circumstances in which this provision is not attracted. Provided below are four statements.

I. Publication of the name or identity of the victim, with her written authorization, is not an offence.

II. Publication of the name or identity of a victim who has passed away, with the written authorization of her next of kin is not an offence, if such written authorization is given to a recognized welfare institution/ organization.

III. The rules governing the disclosure of the name and identity of a victim who is dead or of unsound mind or a minor, are the same.

IV. The offence of the disclosure of a victim's name or identity attracts the punishment of imprisonment, which may extend to two years along with a fine.

From the options given below, please select the most accurate option:

Options :

1. Statements I, III, and IV are correct, Statement II is false.
2. Statements I,II, III are correct and Statement IV is false.
3. Statements I, II, III and IV are all correct
4. Statements I, II, IV are correct and Statement III is false.

Question Number : 58 Question Id : 701865298 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Rakesh Sippy and his five-year-old daughter Tisca live with Rakesh's wealthy sister Lara. In the hopes of getting his hands on Lara's property, he had been instigating Tisca to poison Lara. On a day when he is out of town, he convinces Tisca to put a powder containing Strychnine (a poison) in Lara's morning tea. Tisca accidentally puts it in the tea of Lara's assistant, Ram Kishori, who consumes the tea and dies. Four statements are provided below:

I) Tisca's legal capacity to commit an offence is immaterial to whether Rakesh is guilty of abetment or not.

II) The fact that Rakesh did not intend for Tisca to put poison in Ram Kishori's tea will not affect his liability as an abettor.

III) Rakesh would only have been liable for abetment had Tisca's poison killed Lara i.e. the person whom Rakesh had originally intended to be killed.

IV) Rakesh would have been liable for abetment had Tisca been over the age of seven years, in view of the principle of doli incapax.

From the options given below, choose the most correct option:

Options :

1. Statements I and III are correct and Statement II and IV are incorrect.
2. Statements I and II are correct and Statement II and IV are incorrect.
3. Statements I and IV are correct and Statement II and III are incorrect.
4. Statements I, II and III are correct and Statement IV is incorrect.

Question Number : 59 Question Id : 701865299 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In which of the following scenarios is the offence of theft made out?

1. Jemima Khanna hands over her pearl necklace to Imran Khanna and asks him to take care of it while she is away on a work assignment. Imran Khanna takes the necklace to a jeweller and sells it.
2. Rahul Khanna who is a friend of Vinod Khanna visits his apartment and is let in by the domestic help of the latter. Rahul Khanna waits for Vinod Khanna but decides to leave as it begins to rain. On the way out, he notices Vinod Khanna's umbrella, and with the intention of returning it later, takes it with him to use during the walk back home in the unexpected rain.
3. Sunaina Roshan sees a pair of air-pods belonging to Asha Uthup at the gym. Since they are of the same make and brand as her own, Sunaina Roshan takes them along, mistaking them to be hers.
4. Shrey Ghoshal finds a gold ring on the road. He takes it and keeps it for himself.

From the options given below, please choose the most accurate option:

Options :

1. I, II, III and IV all amount of theft.
2. I and IV amount to theft while II and II do not.
3. Only I amounts to theft while none of the other examples amount to theft
4. None of the examples amount to theft.

Question Number : 60 Question Id : 701865300 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Section 498A of the Indian Penal Code pertains to cruelty by a husband or by the relatives of the husband of a woman. Please choose the incorrect statement from the options given below:

Options :

1. Wilful conduct that is likely to drive a woman to commit suicide amounts to cruelty.
2. Wilful conduct that would cause grave injury to the wife's mental health amounts to cruelty.
3. Cruelty, as mentioned in the explanation to Section 498A of the Indian Penal Code, must be related to a demand for dowry.
4. Harassment of a woman to coerce her relatives to meet an unlawful demand for property is also cruelty

Question Number : 61 Question Id : 701865301 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In Jacob Mathew v. State of Punjab, 2005 INSC 334, the Supreme Court held:

Options :

1. A medical practitioner with a post- graduate degree in a particular specialization cannot ever be charged with negligence if the patient being treated by him dies.
2. Only surgeons can be charged with medical negligence and not physicians.
3. No Ayurvedic doctor can be proceeded against for negligence.
4. So long as the doctor follows, a practise acceptable to the medical profession of that day, he cannot be held liable for negligence only because an alternative method of treatment was also available.

Question Number : 62 Question Id : 701865302 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

A group of five young women, including Raveena Thapar, was loitering in a park when they encountered Alberto Camus, against whom Raveena Thapar had some previous grudge. Raveena Thapar seemingly provoked by Alberto Camus's presence, suddenly lunged at him, punching her fist in the air and shouting "how dare you come to this park when we are here", as a consequence of which Alberto Camus stumbled backward, lost his balance and fell on the ground. The group of women, including Raveena Thapar, laughed at Alberto Camus's predicament before dispersing. In the light of these facts, choose the correct option:

Options :

1. Raveena Thapar has not committed any offence.
2. Raveena Thapar has committed the offence of assault.
3. Raveena Thapar has committed the offence of using criminal force.
4. Raveena Thapar and her group constitute an unlawful assembly.

Question Number : 63 Question Id : 701865303 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Anika Patel worked as a cashier at a high-end jewelry store. She was responsible for handling cash transactions, maintaining the daily sales records, and depositing the day's sale proceeds into the store's bank account at the end of each shift. The store owner, Mr. Amit Kapoor, trusted Anika implicitly, as she had been a loyal employee for several years. Over a period of six months, however, Mr. Kapoor noticed a discrepancy between the reported sales figures and the amount being deposited in the bank account by Anika. The discrepancies were small at first, but they gradually increased. He decided to discreetly monitor Anika's activities. He installed a hidden camera in the cash register area and reviewed the footage. The footage revealed that Anika was regularly pocketing small amounts of cash, ranging from ₹ 100 to ₹ 5000, after recording the correct amount in the sales register. Based on the provided facts, choose the correct option:

Options :

1. Anika has committed the offence of cheating.
2. Anika has committed the offences of criminal breach of trust and falsification of accounts.
3. Anika has committed the offence of criminal breach of trust.
4. None of the above.

Question Number : 64 Question Id : 701865304 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is false regarding the punishment for the offence of rape under Section 376 of the Indian Penal Code?

Options :

1. The minimum punishment for the offence of rape is ten years rigorous imprisonment.
2. The minimum punishment for rape is ten years rigorous imprisonment. However, the court may award a punishment of less than ten years imprisonment after recording special and adequate reasons.
3. The maximum punishment for rape is life imprisonment which shall mean remainder of the natural life of the convict.
4. All of the above.

Question Number : 65 Question Id : 701865305 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In Navtej Singh Johar v. Union of India, 2018 INSC 790 the Supreme Court held:

Options :

1. The offence of marital rape with one's spouse is a punishable offence.
2. The marriage of a gay couple is valid.
3. Consensual sexual intercourse between two adults, irrespective of gender, in private is not an offence.
4. Consensual sexual intercourse between an adult and a minor of the same sex is not an offence.

Question Number : 66 Question Id : 701865306 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The reports of which of the following committees/ commissions, recommended amendments to the Criminal Law to provide for quicker trial and enhanced punishments for criminals accused of committing sexual assault against women?

Options :

1. Justice B.N. Srikrishna Committee
2. Justice J.S. Verma Committee
3. Justice Liberhan Commission
4. Justice Malimath Commission

Question Number : 67 Question Id : 701865307 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is a correct statement of law?

Options :

1. A person's signature of his or her own name shall not amount to forgery under any circumstance.
2. The making of a false document in the name of a fictitious person intending it to be believed that the document was made by a real person may amount to forgery.
3. The making of a false document in the name of a deceased person, intending it to be believed that the document was made by the person in his lifetime amounts to forgery.
4. All of the above.

Question Number : 68 Question Id : 701865308 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Ayushman Khureena married Bindiya Ghosh while he was still married to Careena Chopra. During their courtship, Ayushman had represented to Bindiya that he is a divorcee and Bindiya had no reasons to suspect that Ayushman had lied to her. When Bindiya discovered that Ayushman had a lawfully wedded wife at the time of marrying her, she sought to prosecute Ayushman. In the light of the factual matrix, choose the most accurate option:

Options :

1. Ayushman can be prosecuted for the offence of bigamy under Section 494, IPC upon a complaint filed by Careena.
2. Ayushman can be prosecuted for the offence under Section 495, IPC upon a complaint filed by Bindiya.
3. Bindiya has no right to file a complaint for prosecuting Ayushman as she is an accomplice.
4. Options (a) and (b) are equally accurate.

Question Number : 69 Question Id : 701865309 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is true about the offence of counterfeiting (a bank note etc.) under the Indian Penal Code?

Options :

1. The accused may be held guilty only when the article counterfeited is an exact imitation of the original.
2. The accused may be held guilty even if the article counterfeited is not an exact imitation of the original.
3. There is no presumption that a counterfeit article which resembles with the original so much that a person may be deceived thereby, was produced, or made for practicing deception.
4. None of the above.

Question Number : 70 Question Id : 701865310 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The repeat offence of human trafficking attracts:

Options :

1. A minimum mandatory punishment of ten years in every case whether the person trafficked is a minor or an adult.
2. A minimum mandatory punishment of imprisonment for life which shall mean the remainder of the natural life of the convict, where the person trafficked is a minor.
3. A minimum mandatory punishment of imprisonment of life where the person trafficked is a woman.
4. None of the above.

Question Number : 71 Question Id : 701865311 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Choose the most accurate statement in the light of defence of infancy under the Indian Penal Code:

Options :

1. The presumption that a child between the age of seven and twelve is incapable of committing an offence is a rebuttable presumption.
2. The presumption that a child between the age of seven and twelve years is incapable of committing an offence is an irrebuttable presumption
3. The fact that a child is between the age of seven and twelve years is conclusive proof that the child is incapable of committing an offence
4. None of the above is accurate.

Question Number : 72 Question Id : 701865312 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following judgments struck down Section 303 of the Indian Penal Code?

Options :

1. Mithu v. State of Punjab, AIR 1983 SC 473
2. Bachan Singh v. State, AIR 1980 SC 898
3. Jagmohan v. State of Uttar Pradesh, (1973) 1 SCC 20
4. Macchi Singh v. State, (1983) 3 SCC 470.

Question Number : 73 Question Id : 701865313 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

What was the name of the petitioner in the landmark judgment of the Supreme Court which struck down Section 66A of the Information and Technology Act?

Options :

1. Indira Jaisingh
2. Nipun Saxena
3. Shreyashi Singhal
4. Shreya Singhal

Law of Evidence

Section Id :	70186565
Section Number :	6
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	13
Number of Questions to be attempted :	13
Section Marks :	13
Maximum Instruction Time :	0
Sub-Section Number :	1
Sub-Section Id :	70186569

Question Shuffling Allowed :

Yes

Question Number : 74 Question Id : 701865314 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In Balu Sudam Khalde v. State of Maharashtra, AIR 2023 SC 1736, what was not held by the Supreme Court of India?

Options :

1. A suggestion made by a defence counsel, if found to be incriminating in nature in any manner, shall bind the accused.
2. Any concession or admission of a fact by a defence counsel shall not be binding on his client.
3. If there be any exaggeration or immaterial embellishments in the evidence of an injured witness, then such contradiction, exaggeration or embellishment should be discarded from the evidence of injured, but not the whole evidence.
4. The broad substratum of the prosecution version must be taken into consideration and discrepancies which normally creep due to loss of memory with passage of time should be discarded.

Question Number : 75 Question Id : 701865315 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is correct?

Options :

1. A presumption of law is always irrebuttable
2. A presumption of fact is always irrebuttable
3. A presumption of law may be rebuttable or irrebuttable
4. None of the above.

Question Number : 76 Question Id : 701865316 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

The doctrine of exclusion of privileged communication under Section 122 of the Indian Evidence Act applies to:

Options :

1. Two persons who are in a live-in relationship.
2. A former husband and wife regarding a conversation made during the subsistence of a marriage, even when they were judicially separated.
3. Two persons who are engaged to be married.
4. Two persons who were in a romantic relationship regarding a communication exchanged before their breakup.

Question Number : 77 Question Id : 701865317 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following confessions is inadmissible in evidence?

Options :

1. A confession made to a Customs Officer.
2. A confession made to a Village Headman or a Sarpanch.
3. A confession made to one's parent
4. A confession made to a Head Constable

Question Number : 78 Question Id : 701865318 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Upamanyu Chatterjee produces an Identity document showing him to be 20 years of age at the time of sale of land through a registered deed of conveyance in favour of Byomkesh Bakshi. Later, Upamanyu files a suit to declare the sale to be void on the ground that the said identity document was in fact forged. Byomkesh can resist the suit as not maintainable under which of the following principles?

Options :

1. Locus Standi.
2. Estoppel.
3. Res Ipsa Loquitor.
4. Promissory Estoppel.

Question Number : 79 Question Id : 701865319 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Rihaana Swift is accused of murdering Serena Adams by hitting her on the head with a golf club. During course of investigation, Celine Christie, whose store is across the building where Serena Adams was murdered, is interrogated. Celine Christie's statement that she saw Rihaana Swift entering Serena Adams's building with her golf club around the time of the commission of the offence is recorded. Aniston also describes the colour of the clothing worn by Rihaana Swift. The CCTV camera in the lane, shows a hazy image of a lady entering the building with a bag which looks like a golf bag and wearing clothes which matches the description given by Celine Christie. There are no other eye witnesses. However, Celine Christie subsequently retracts her statement and turns hostile. Which is the most likely way in which the Court will consider the statement of Celine Christie?

Options :

1. The court will completely disregard the evidence of Celine Christie as she is a hostile witness.
2. The court will fully accept the prosecution version and only reject Celine Christie's version which contradicts the prosecution version.
3. The court will only rely on that part of Celine Christie's evidence which is corroborated by the images from the CCTV camera.
4. The court will believe the testimony given by Celine Christie during trial and disregard the prosecution's case.

Question Number : 80 Question Id : 701865320 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is incorrect?

Options :

1. Leading questions can always be asked during the course of a trial.
2. Leading questions can be asked during cross- examination of witnesses.
3. Leading questions can be asked in regard to undisputed facts.
4. Leading questions cannot be asked during examination in chief, if the opposite party objects, unless permitted by the court.

Question Number : 81 Question Id : 701865321 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is false regarding the plea of alibi?

Options :

1. The plea doesn't lessen the burden of the prosecution to prove that the accused was present at the scene of the crime and had participated therein.
2. Such plea is only to be considered after the prosecution has discharged its burden satisfactorily.
3. Plea of alibi must be proved beyond reasonable doubt.
4. Plea of alibi must be proved on a preponderance of probabilities.

Question Number : 82 Question Id : 701865322 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is the least correct?

Options :

1. A defective investigation is not always fatal to the prosecution where ocular testimony is otherwise found credible and cogent.
2. Where no prejudice is caused to the accused, mere non-examination of a witness is not fatal to the prosecution case.
3. The rule of prudence requires that the testimony of a witness who is neither wholly reliable nor wholly unreliable is discarded in totality.
4. Every discrepancy in the statement of a witness will not lead to rejection of his testimony.

Question Number : 83 Question Id : 701865323 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following statements is the most accurate?

Options :

1. A presumption regarding a document thirty years old applies to a Will.
2. A presumption regarding a document thirty years old doesn't apply to a Will
3. A Will has to be proved in terms of Section 63(c) of the Indian Succession Act read with Section 68 of the Indian Evidence Act.
4. None of the above

Question Number : 84 Question Id : 701865324 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In the context of Section 165 of the Indian Evidence Act, 1872, which of the following statements is correct?

Options :

1. A Judge may ask any question she pleases in any form to any witness or the party to obtain proper proof of relevant facts
2. A Judge can put questions only to hostile witnesses and to no one else
3. A Judge is not supposed to on her own put questions to any party or to any witness.
4. a. A Judge cannot order production of any document from any of the parties unless they themselves apply to the Court for that purpose.

Question Number : 85 Question Id : 701865325 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is TRUE?

Options :

1. A presumption of fact is always irrebuttable.
2. A presumption of law is always irrebuttable
3. A presumption of law may be rebuttable or irrebuttable
4. None of the above.

Question Number : 86 Question Id : 701865326 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is correct? A Court shall take judicial notice of:

Options :

1. The names of all Advocates authorised to appear before the Supreme Court of India.
2. All the geographical divisions of the world.
3. All the Awardees of the Filmfare Awards.
4. Winners of every year's IPL Edition.

Code of Criminal Procedure

Section Id :	70186566
Section Number :	7
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	10
Number of Questions to be attempted :	10
Section Marks :	10

Maximum Instruction Time : 0
Sub-Section Number : 1
Sub-Section Id : 70186570
Question Shuffling Allowed : Yes

Question Number : 87 Question Id : 701865327 Question Type : MCQ Option Shuffling : No
Correct Marks : 1 Wrong Marks : 0.25

The amount of bail bond executed under Chapter XXXIII of CrPC shall:

Options :

1. Be fixed with due regard to the circumstances of the case.
2. Not be excessive
3. Both (a) and (b) are true.
4. None of the above is true.

Question Number : 88 Question Id : 701865328 Question Type : MCQ Option Shuffling : No
Correct Marks : 1 Wrong Marks : 0.25

Where a police report is submitted to the Magistrate and cognizance is taken thereon against any person who is also an accused in a complaint case arising from the same facts, the Magistrate shall:

Options :

1. Proceed with the case only on the basis of the police report discarding the complaint.
2. Proceed with the case only on the basis of the complaint discarding the police report.
3. Inquire into or try together the complaint case and the case arising out of the police report, as if both the cases were instituted on a police report.
4. Inquire into or try together the complaint case and the case arising out of the police report as if both the cases were instituted on a complaint.

Question Number : 89 Question Id : 701865329 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Affidavits to be used before any Court under the CrPC, may be sworn or affirmed before:

Options :

1. Any Judge.
2. Any Judicial Magistrate.
3. Any Executive Magistrate
4. All of the above.

Question Number : 90 Question Id : 701865330 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

A private person directed by a Magistrate to conduct investigation in a complaint case wherein Magistrate has taken cognizance shall have:

Options :

1. All the powers conferred by the CrPC on a police officer in-charge of a police station including the power of arrest without warrant.
2. All the powers conferred by the CrPC on a police officer in-charge of a police station except the power of arrest without warrant.
3. All the powers conferred by the CrPC on a police officer in-charge of a police station except the power of search and seizure and the power to arrest without warrant.
4. None of the above is correct.

Question Number : 91 Question Id : 701865331 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is correct? A Magistrate recording the confession or statement under Section 164, CrPC:

Options :

1. Must send the record through the Chief Judicial Magistrate to the Magistrate by whom the case is to be inquired into or tried.
2. Must send the record directly to the Magistrate by whom the case is to be inquired into or tried.
3. Cannot be examined as a prosecution witness in the trial.
4. None of the above is correct.

Question Number : 92 Question Id : 701865332 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In terms of Section 187 Cr.P.C., who amongst the following has power to initiate action against any person within their jurisdiction who is reasonably suspected to have committed an offence triable by a Court outside that jurisdiction?

Options :

1. Judicial Magistrate of the First Class.
2. Both Judicial Magistrate of the First Class and Judicial Magistrate of the Second Class
3. Judicial Magistrate of the Second Class.
4. None of the above

Question Number : 93 Question Id : 701865333 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is false in relation to “minor offence” for the purposes of Section 222 of CrPC:

Options :

1. The major and minor offences must be cognate offences and not such as are constituted by totally different elements.
2. Section 306 IPC is a minor offence in relation to an offence under Section 302 IPC.
3. A person charged with a major offence may be convicted of a minor offence although he is not charged with it, provided that the facts are proved which reduce it to minor offence.
4. All of the above.

Question Number : 94 Question Id : 701865334 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is false with respect to the criminal revisional jurisdiction of the High Courts?

Options :

1. A High Court exercising revisional jurisdiction has authority to convert a finding of acquittal into one of conviction.
2. The power of revision shall not be exercised in relation to any interlocutory order passed by any inferior criminal court in any appeal.
3. In exercise of its revisional jurisdiction, a High Court can set aside an acquittal which is based on the compounding of the offence where the compounding is invalid under the law.
4. If a retrial is directed by the High Court in exercise of its revisional jurisdiction, the evidence already recorded at the initial trial cannot be completely erased or wiped out.

Question Number : 95 Question Id : 701865335 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Provided below are four statements concerning the application of Section 300 of the Code of Criminal Procedure, 1973.

- I) Avik is tried for causing grievous hurt to Jeetu, and is convicted. Jeetu subsequently dies of his injuries. Avik may be tried again for culpable homicide.
II) Avik is charged before the Court of Sessions and convicted of the culpable homicide of Jeetu. He may afterwards again be tried, on the same facts, for the murder of Jeetu.
III) If Avik is tried on a charge of theft as a servant and acquitted, he cannot again be charged and tried with theft as a servant or criminal breach of trust on the same set of facts, as long as the acquittal remains in force. IV) If Avik is tried and convicted by a Judicial Magistrate of the first class on a charge of lurking house trespass after preparation for causing hurt, he cannot subsequently be charged and tried again for grievous hurt caused while committing lurking house-trespass on the same facts by the Court of Sessions. Which of the above statements are incorrect:

Options :

1. Statement II and IV.
2. Statement I and III.
3. Statement IV.
4. All of the above.

Question Number : 96 Question Id : 701865336 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

Which of the following is incorrect in the context of Section 304 Cr.P.C.?

Options :

1. Where an accused in a trial in a Sessions Court is not represented by a lawyer and has no means to engage one, the Court shall assign a Pleader for his defence at the expense of the State.
2. The High Court can make rules regarding lawyers who may be selected to provide free legal aid services in Sessions Courts.
3. The State Government can make rules for providing legal aid in Courts other than in Sessions Courts.
4. No Legal Aid is available to persons accused of committing an offence under Section 376 IPC.

Latest Developments in Law

Section Id :	70186567
Section Number :	8
Section type :	Online
Mandatory or Optional :	Mandatory

Number of Questions :	4
Number of Questions to be attempted :	4
Section Marks :	4
Maximum Instruction Time :	0
Sub-Section Number :	1
Sub-Section Id :	70186571
Question Shuffling Allowed :	Yes

**Question Number : 97 Question Id : 701865337 Question Type : MCQ Option Shuffling : No
Correct Marks : 1 Wrong Marks : 0.25**

As per the judgment in Tej Prakash Pathak v. High Court of Rajasthan, 2024 INSC 847, which of the following statements are true regarding recruitment process in a Government Institution or a State instrumentality?

Statement 1: Eligibility criteria for being placed in the Select List, notified at the commencement of the recruitment process, cannot be changed midway through the recruitment process unless the extant Rules so permit, or the advertisement, which is not contrary to the extant Rules, so permit.

Statement 2: Even if such a change is permissible under the extant Rules or the advertisement, the change would have to meet the requirement of Article 14 of the Constitution and satisfy the test of non-arbitrariness.

Statement 3: Recruiting bodies, subject to the extant Rules, may devise appropriate procedure for bringing the recruitment process to its logical end provided the procedure so adopted is transparent, non-discriminatory/ nonarbitrary and has a rational nexus to the object sought to be achieved.

Statement 4: Placement in the select list gives an indefeasible right to appointment.

Options :

1. All Statements are true.
2. All Statements are untrue.
3. All Statements except Statement 4 are true.
4. Statements 1, 3 and 4 are true.

Question Number : 98 Question Id : 701865338 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

As per the judgment in Bilkis Yakub Rasool Vs Union Of India , 2024 INSC 24, which of the following statements are true regarding remission of sentences?

Statement 1: Remissions can be given both on a case-by-case basis as well as in a wholesale manner, with or without the opinion (with reasons) of the Presiding Judge of the convicting or confirming Court.

Statement 2: A prisoner serving a life sentence has an indefeasible right to be released on completion of fourteen years or twenty years of imprisonment.

Statement 3: A prisoner serving a life sentence has no such right and he is expected to remain in custody till the end of his life, subject to any remission granted by the appropriate Government under Section 432 of the CrPC which, in turn, is subject to the procedural checks in that section and the substantive check in Section 433-A of the CrPC.

Statement 4: In the case of convict undergoing life imprisonment, the period of custody is indeterminate. Remissions earned or awarded to such a life convict are only notional and Section 432 of the CrPC reduces the period of incarceration by an order passed by an appropriate Government which cannot be reduced to less than fourteen years as per Section 433-A of the CrPC.

Options :

1. All Statements are true.
2. All Statements are untrue.
3. Statements 1, 3 and 4 are true.
4. All Statements except Statement 1 are true.

Question Number : 99 Question Id : 701865339 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

As per the judgment in Sita Soren vs. Union of India, 2024 INSC 161, is a legislator who receives a bribe to cast a vote in a certain direction or speak about certain issues, immune from prosecution because of parliamentary privilege?

Options :

1. Yes, the legislator is completely immune from prosecution on account of privileges conferred by Articles 105 and 194 of the Constitution.
2. No, the legislator has no such immunity from prosecution.
3. Yes, the legislator is immune from prosecution on account of privileges conferred by Articles 105 and 194 of the Constitution, only if he casts his vote in the manner desired by the bribe giver.
4. No, if a legislator agrees to accept a bribe, but eventually decides to vote independently.

Question Number : 100 Question Id : 701865340 Question Type : MCQ Option Shuffling : No

Correct Marks : 1 Wrong Marks : 0.25

In which of the following judgments, was a distinction made between 'grounds of arrest' and 'reasons of arrest'?

Options :

1. Sharif Ahmed and Another v. State of Uttar Pradesh
2. Dablu Kujur v. State of Jharkhand
3. Nandini Satpathy v. P.L. Dani
4. Prabir Purkayastha v. State (NCT of Delhi)