PROVISIONAL ANSWER KEY

Paper: The Indian Penal Code (Paper II) Medium of Question: Date of Examination English 05-03-2019 Question1:-Which of the following statement is not true with respect to criminal intention? A:-Proof of facts is necessary to justify the existence of intention B:-The burden of proving intention lies upon prosecution irrespective of nature of offence C:-Criminal intent need not be proved in offences under special Acts if it is rules out expressly or by necessary implications D:-None of the above Correct Answer:- Ontion-B Question2:-The central Act that repealed section 161 to 165A of IPC A:-Representation of People Act B:-Prevention of Anti Corruption Act C:-Administrative Tribunals Act D:-The Public Servant Inquiries Act Correct Assect-Option-B Question3:-In which landmark case the doctrine that "mensrea is not essential in cases criminal in form but are only a summary mode of enforcing a civil right" is emphatically reasserted? A:-Sherras v. De Rutzen B:-Anderson v. Ryan C:-R v. Miller D:-Reg v. Cassidy Correct Answer:- Option-A Questiond:-Which one of the following is not a correct ingredient of the offence of theft? A:-Dishonest intention to take property B:-Property must be movable C:-Property must be taken without the consent of the person in whose pos D:-Property must be taken without consent of the owner of the property Correct Answer:- Option-D Question5:-Who defined crime in terms of public rights and duties due to the whole community? A:-Blackstone B:-Goodhart C:-Austin D:-Kenny Correct Answer:- Option-A Question6:-The provision that deals with the extra territorial application of IPC. A:-Section 2, 3 and 4 B:-Section 2 and 5 C:-Section 3, 4 and 5 D:-Section 3 and 4 Correct Answer:- Option-D Question7:-The decisive factor or sinequanon of a court to designate a person as judge under section 2(19) IPC A:-Official designation as Judge B:-Right to exercise jurisdiction in a suit or proceedings C:-Right to pronounce definitive judgment D-Right to sit in criminal proceedings Correct Answer-Option-C Question8:-The essential requirement with regard to the offence under section 191 IPC A:-Legal obligation to state truth B:-Making of false statement C:-Sworn matter must be material to the case D:-Belief in falsehood Correct An instance of the following case the right of private defence of body does not extend to causing of death? A:-Assault with the intention to commit kidnapping B:-Assault with the intention of gratifying unnatural lust C:-Wrongful restraint D:-Assault with the intention of committing abduction Correct Answer:- Option-C Question10:-Attempt to commit robbery is punishable under A:-Section 392 I.P.C. B:-Section 393 I.P.C. C:-Section 390 I.P.C. D:-Section 394 I.P.C. Correct Answer:- Option-B Question11:-The accused can be made liable for the offence of false personation under section 205 if A:-Fraudulent gain to the offender B:-Cheating is by fictitious name C:-Making statements in that character in any suit D:-All the above Correct Answer-Option-C Question12:-In which of the aggravated situations caused by giving or fabricating false evidence that death sentence may be given to fabricator A:-Conviction to capital offence B:-Conviction and execution of innocent person C:-Conviction to life imprisonment D:-All the above Correct Answer:- Option-B Question13: The provision that prevents the abuse of getting one to file a collusive suits for recovery of the whole property and cause a decree A:-Section 208 B:-Section 207 C:-Section 206 D:-Section 209 Correct Answer:- Option-A Question14:-Which wrongful or intentional act is not an ingredient of 'dishonestly' under Section 2(24)? A:-Deprivation B:-Intention C:-Loss D:-Deceit Correct Answer- Option-D Question15:-Which of the following is not true with respect to participation in pursuit of common intention under section 34? A:-The essence of the section is participation in action B:-The degree of participation determines the liability under section 34 C:-The prior concert of common intention could be formed suddenly D:-None of the above Correct Answer:- Option-D Question16:-The making of false charge of offence made with intent to injure a person is punishable under section 211 if A:-False evidence is made against accused as prosecution witness B-A statement to police of a suspicion as to the commission of offence by a particular person C:-A statement made with intention to set the criminal law in motion D:-All the above Correct Answer- Option-C Question17:-Which of the following is an offence not punishable with death? A:-Section 121 B:-Section 302

C:-Section 194 D:-Section 376 Correct Answer:- Option-D Question 18:- A' removes B's book from his house without his consent with the intention to return it to him, if he as a friend rewards him for the return. 'A' is liable for A:-Theft B:-Attempt to theft C:-Criminal breach of trust D:-Attempt to criminal breach of trust Correct Answer- Option-A Question19:-In a dark night 'A' and 'B' were fighting. B's wife keeping her child on her shoulder reached there for separating them. In the meantime A's fist fell on the back of the child and the child died 'A' is liable for A:-Murder B:-Grievous hurt C:-Culpable homicide D:-Hurt Correct Answer:- Option-D Question 20:-Which of the following is necessary to sustain the conviction for making an incorrect record or entry by a public servant under section 218? A:-There must be entries that are incorrect, is sufficient B:-The incorrect document should be submitted to another person C:-The intention of the alleged offender to save the person from legal punishment D:-All the above Correct Asswers- Option-C Question21:-Which of the following is not true with respect to imprisonment for non payment of fine under section 64? A:-It is a penalty for the default B:-It is not a substantive sentence C:-It is added to ascertain the maximum period of imprisonment for the offence which is fined D:-The imprisonment may be either rigorous or simp Correct Answer:- Option-C Question22:-What is Section 377 of Indian Penal Code? A:-Criminalizes gambling B:-Criminalizes murder C:-Criminalizes sexual activities "against the order of nature", arguably including homosexual acts D:-Criminalizes money laundering Correct Answer:- Option-C Question23:-Solitary confinement cannot be awarded A:-In imprisonment in lieu of fine B:-As Cumulative sentences C:-On written consent and approval of higher authority as prisoner desires D:-All the above Correct Answer:- Option-A Question24:-"Mistake is a slip made not by design but by mischance" Observed in A:-R v. Kimber B:-Bilbie v. Lumley C:-R v. Williams D:-Standford v. Beal Correct Answer:- Option-D Question 25:- In which one of the following judgments of the Constitutional Bench of the Supreme Court of India, the 'rarest of rare' principle in the award of death penalty was first laid down? A:-Tukaram v. State of Maharashtra (1979) B:-Gopalanachari v. State of Kerala (1980) C:-Dr. Upendra Baxi v. State of UP (1983) D:-Bachan Singh v. State of Punjab (1960) Correct Answer: Option-D Question26:-The defence available for a person who causes fatal injuries to his only son in a moment of delusion caused by defect in vision due to a fall A:-Mistake of law B:-Mistake of fact C:-Act in good faith D:-Accident Correct Answer:- Option-B Question27:-An accused is protected on the ground of insanity A:-Incapable of knowing the nature of the act B:-Knows the nature of the act but did not know it as contrary to law C:-Knows the act as contrary to law but did not know it as wrong D:-All the above Correct Answer: Option-B Question28:-In context of the exception of grave and sudden provocation, which of the following is correct? A:-Provocation should not be voluntarily provoked by the offender B:-Lawful exercise of the right of private defence does not give provocation C:-Lawful exercise of powers by a public servant in obedience to the law does not amount to provocation D:-all the above Correct Answer:- Option-A Question29:-Match the following : Common Intention i. Theft Α. B. Common Object ii. Abetment C. Instigation iii. Joint Liability D. Dishonest intention iv. Constructive Liability A:-(iii), (i), (ii), (iv) B:-(iii), (iv), (ii), (i) C:-(i), (ii), (iii), (iv) D:-(iii), (iv), (i), (ii) Correct Answer:- Option-B Question 30:-Which of the following is not a consented act under section 89 IPC? A:-Consent by child above 12 years B:-Consent for voluntary causing hurt C:-Consent for causing voluntary hurt to prevent grievous hurt D:-All the above Correct Answer:- Option-C Question31:-Which of the following statements is not true with respect to section 95 of IPC? A:-It is intended to prevent penalising of negligible wrongs B:-It cannot be judged solely by the measure of physical or other injury the act causes C:-An assault by one child or another, or even by a grown-up person on another, which causes injury may still be regarded as so slight depending on certain circumstances D:-All the above Correct Answer:- Option-D Question32:-A knows Z to be behind a bush. B does not know that A, intending to cause, or knowing it to be likely to cause Z's death, induces B to fire and kill Z. A:-B may be guilty of no offence B:-A has committed the offence of culpable homicide C:-A has abetted B to commit culpable homicide D:-Both (1) and (2) Correct Asswer: Option-D Question33:-A without any intention to kill, gives Z a sword- cut or club-wound sufficient to cause the death of a man in the ordinary course of nature. Z dies in consequence. A:-A is guilty of murder

B:-A is guilty of culpable homicide C:-A is guilty of causing grievous hurt D:-A is guilty of causing rash murder Correct Answer: Option-B Question34:-The decision that has attained the status of being locus classicus for the understanding the difference between Sec. 299 and Sec. 300 A:-Reg.v.Govinda B:-Regina v. Gome C:-Reg v. Morris D:-All the above Correct Answer:- Option-A Question35: When can voluntary drunkenness be taken as an excuse under section 85 to reduce the severity of punishment? A:-Incapacity to resist the impulse to act or acted like an automaton B:-Incapacity to know the nature of the act D:-Incapability to know as it is contrary to law D:-Incapability to form the specific intent that is an essential element of an offence Correct Answer:- Option-D Question36:-The defence of duress is available under A:-Apprehension of death B:-Apprehension of serious bodily harm C:-Apprehension of grievous hurt D:-Both (1) and (3) Correct Answer: Option-A Question37:-Factor which is not considered in determining whether private defence is available? A:-Time for recourse to public authorities B:-Rule of necessity C:-Rule of proportionality D:-Rule of retreat Correct Answer:- Option-D Question38:-The right to private defence of property is available in which of the following A:-Robberv B:-Extortion C:-Dacoity D:-All the above Correct Answer:- Option-A Question39:-The punishment provided under S.302 of the IPC for murder defined under S.300 IPC A:-Death or Life Imprisonment B:-Life imprisonment, fine or both C:-Death, Life imprisonment, fine D:-Death, Rigorous Imprisonment, fine Correct Answer:- Option-0 Question40:-Which of the following acts constitute an abetment? A:-Mere verbal assent B:-Illegal omission of duty C:-Abetting an illegal act D:-None of the above Correct Answer: Option-B Question41:-When do abetment become an offence even though not committed, is punishable with life imprisonment? A:-If the abettor is a public servant B:-If the person abetted is a public servant C:-Offence to be committed is punishable with death D:-Both (1) and (3) Correct Answer:- Option-C Question 42:-The provision invoked against medical professionals in cases alleging professional negligence A:-Sec. 299 B:-Sec. 300 C:-Sec. 304A D:-Sec. 304 Correct Answer- Option-C Question43:-A is fighting with B and attempts to hit B with a lathi. C intervenes and attempts to stop the fight. In the scuffle, A hits C with a lathi, though A was trying to hit B. A:-A is punishable under S.302 B:-A is punishable under S.324 C:-A is punishable under S.325 D:-A is punishable under S.323 D:-A is punishable under S.323 Correct Answer:- Option-D Question44:-The mere fact that a victim or prosecutrix was of loose moral character and was used to sexual intercourse will not exempt from liability. It was held so in A:-State of Uttar Pradesh. v. Om B:-State of Uttar Pradesh v. Manoj Kumar Pandey C:-Bishnu Dayal v. State of Bihar D:-All the above Correct Answer:- Option-A Question45:-Z, going on a journey, entrusts his plate to A, the keeper of the warehouse, till Z shall return. A carries the plate to a goldsmith and sells it A:-A committed theft B:-A committed criminal breach of trust C:-A committed cheating D:-A has committed no offence as the plate was already in his possession Correct Answer:- Option-B Question46:-A head master of a school called a lady teacher and induced her to sign three blank papers by threatening an attack on her modesty. The nature of liability of the headmaster A:-Abetment B:-Disobeyance of law by a public servant C:-Extortion D:-Defamation Correct Answer:- Option-C Question47-Kidnapping or obtaining the custody of a minor in order that such minor may be employed or used for purposes of begging is dealt under A:-Section 363A of IPC B:-Section 364A of IPC C:-Section 365A of IPC D:-Section 366A of IPC Correct Answer:- Option-A Question48:-A holds Z down and fraudulently takes Z's money and jewels from Z's clothes without Z's consent A:-A committed theft B:-A committed robbery C:-A committed extortion D:-A committed criminal misappropriation Correct Answer:- Option-B Question49:-The rationale behind abetment A:-Punishing the preparatory stages of crime so that the law is a deterrence not only in theory but also in practice B:-Presence of mensrea is a necessary concomitant of instigation C-Mere presence at the commission of a crime cannot amount to intentional aid unless it was intended to have that effect D:All the above Correct Answer:- Option-A Question50:-A finds a rupee on the road, not knowing to whom the rupee belongs. A picks up the rupee A:-A committed theft B:-A has committed no offence C:-A committed criminal breach of trust

D:-A committed criminal misappropriation of property Correct Answer:- Option-B Question51:-Making preparations to commit the offence of dacoity is dealt under A:-Section 398 B:-Section 399 C:-Section 400 D:-Section 401 Correct Answer:- Option-B Question52: The provision which punishes instigation of a sect to meet at certain place and attack rival sect A:-Section 117 B-Section 111 C:-Section 107 D:-Section 112 Correct Answer-Option-A Question53:-In a fight between 'A' and 'B'. the two ladies, 'A' pulled 'B' by hair and removes some of her hair. 'A' is guilty of an offence of causing A:-Simple hurt B:-Grievous hurt C:-Simple hurt by rash and negligent act D:-Grievous hurt by rash and negligent act Correct Answer:- Option-B Question54:-A causes a ship to be cast away, intending thereby to cause damage to Z who has lent money on bottomry on the ship A:-A is guilty of mischief under Section 411, IPC B:-A is guilty of mischief under Section 415. IPC C:-A is guilty of mischief under Section 425, IPC D:-None of them Correct Asswer:- Option-C Question55:-A, intentionally deceives Z into a belief that A means to deliver to Z certain quantity of indigo plant which he does not intend to deliver, and thereby dishonestly induces Z to advance money upon the faith of such delivery A:-A is guilty of cheating under Section 412, IPC B:-A is guilty of cheating under Section 415, IPC C:-A is guilty of cheating under Section 420, IPC D:-None of them Correct Answer:- Option-B Question56: The substantial difference between conspiracy under section 120A and common intention under section 34 A:-Commission of a criminal act in furtherance of common intention B:-Even a single person can be convicted for section 34 read with other specific offence ment between parties forming common intention D:-Both (1) and (2) Correct Answer: Option-D Question57:-While attempting to commit culpable homicide if such act causes hurt to any person he is liable under A:-Section 306 of IPC B:-Section 307 of IPC C:-Section 308 of IPC D:-Section 309 of IPC Correct Answer:- Option-C Question58:-A, a carrier, is entrusted by Z with property to be carried by land or by water. A dishonestly misappropriates the property A:-A has committed offence under Section 368, IPC B:-A has committed offence under Section 380, IPC C:-A has committed offence under Section 405, IPC D:-None of them Correct Answer: Option-C Question59:-A, residing in Calcutta, is agent for Z, residing at Delhi. There is an express or implied contract between A and Z, that all sums remitted by Z to A shall be invested by A, according to Z's direction. Z remits a lakh of rupees to A, with directions to A to invest the same in Company's paper. A dishonestly disobeys the directions and employs the money in his own business A:-A has committed offence under Section 356, IPC B:-A has committed offence under Section 368, IPC C:-A has committed offence under Section 380. IPC D:-A has committed offence under Section 300, IPC Correct Answer:- Option-D Question60: Trespassing in place of worship or sculpture, disturbing funeral with intention to wound the feelings or to insult the religion of any person, or offering indignity to a human corpse is dealt under A:-Section 296 of IPC B:-Section 297 of IPC C:-Section 298 of IPC D:-Section 299 of IPC Correct Answer:- Ontion-B Question61:-In the offence of conspiracy under section 120A A:-There must be communication between conspirators B:-All the conspirators should agree to do a single illegal act C:-All the conspirators must take part in each and every act done in pursuance of conspiracy D:-All conspirators need not be bought to trial together Correct Answer:- Option-D Question62:-Which is a continuing offence? A:-Abetment B:-Conspiracy C:-Unlawful assembly D:-Both (2) and (3) Correct Answer:- Option-B Question63:-Keeping a lottery office is dealt under A:-Section 294 A of IPC B:-Section 295 A of IPC C:-Section 296 A of IPC D:-Section 297 A of IPC Correct Answer: Option-A Question64:-Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated is dealt under A:-Section 274 of IPC B:-Section 275 of IPC C:-Section 276 of IPC D:-Section 277 of IPC Correct Answer:- Option-B Question65:-A picks up Z's pocket, having posted several of his companions near him, in order that they may restrain Z, if Z should perceive what is passing and should resist, or should attempt to apprehend A A:-A committed offence under Section 368, IPC B:-A committed offence under Section 378, IPC C:-A committed offence under Section 382, IPC D:-A committed offence under Section 386, IPC Correct Answers- Option-C Question66:-"A bits here and few bits there on which the prosecution relies cannot be held to be adequate for connecting the accused in the offence of criminal conspiracy" Observed in A:-State v. Naviot Sandhu B:-State of Maharastra v. Somnath Thapa C:-Subramaniam Swami v. A Raja D:-Rajiv Kumar v. State of UP Correct Answer:- Option-A Question67:-The essential of the offence of waging war A:-Possession of armoury B:-Assemble of principal C:-Assembling of gathering

D:-Involvement of two or more persons Correct Answer:- Option-C Question68:-Using a Government stamp known to have been before used is dealt under A:-Section 262 of IPC B:-Section 263 of IPC C:-Section 264 of IPC D:-Section 265 of IPC Correct Answer:- Option-A Question69:-X, a police officer, has a warrant of arrest for Y. He asks Z as to the identity of Y. Z knowingly tells X that M is Y and consequently X arrests M A:-Z is not guilty of abetment of any kind but only of mischief B:-Z is guilty of abetment by aiding C:-Z is guilty of abetment by false representation D:-Z is guilty of abetment by instigation Correct Answer:- Option-D Question70:-The causing of death of child in the mother's womb is not homicide under A:-Indian law only B:-English law only C:-Both English and Indian law D:-None of these Correct Answer:- Option-C Question71:-A conspiracy to change the form of government constitute an offence under A:-Section 124 B:-Section 121 C:-Section 121 D:-Section 123 Correct Answer:- Option-B Question72:-Which of the constitutionally guaranteed fundamental right is affected by section 124 A? A:-Article 13(2) B:-Article 22 C:-Article 12 D:-Article 19(1)(a) Correct Answer:- Option-D Ouestion73:-The common object of the unlawful assembly must be to commit A:-Mischief B:-Criminal trespass C:-Defamation D:-Both (1) and (2) Correct Answer:- Option-D Question 74:-The expression "to enforce a right or a supposed right" can apply when A:-The party has undoubted possession over the subject of the right B:-The party claiming has no possession over the subject of the right C:-There is a real doubt whether the right belongs to whom D:-All the above Correct Answer:- Option-B Question75:-Which of the following amounts to rioting? A-Forcible removal by a group of hindus two cows from the possession of a mohamedan to prevent the killing of cows B:-Forcible removal of tresspassers with the help of collected number of men who are armed C:-Resistance to execute an illegal warrant D:-All the above Correct Answer:- Option-A Question76: A person who can be held guilty of unlawful assembly though he is not actually a member of it A:-Hirer of any person to join the assembly B:-Person who is having mere presence C:-A silent party aware of the facts of the assembly D:-AII the above Correct Answer: Option-A Question77:-A person unfastening the string of the National flag after hoisting and tried to trample on it can be punished under A:-Section 152 B:-Section 153 C:-Section 154 D:-Section 153B Correct Answer:- Option-D Question78:-Criminality under section 153A is attached to A:-Publication of political doctrine of extreme kind B:-Publication of historical part of narrative unpalatable to members of the community C:-Publication advocating forcible overthrowing of existing social condition D:-All the above Correct Answer:- Option-C Question79:-For a charge of escaping from lawful custody under section 225B the prosecution must first establish A:-Resistance and obstruction to arres B:-Defect in the warrant C:-Specific authority of the arresting official D:-All the above Correct Answer:- Option-C Question80:-The section introduced by Criminal Law Amendment Act 1983 to prevent social victimisation or ostracism of the victim of a sexual offence A:-Section 304A B:-Section 228A C:-Section 216B D:-Section 263A Correct Answer:- Option-B Question81:-The provision that contemplates to secure purity of coinage and its exact conformity with the legal standards fixed by law A:-Section 248 B:-Section 242 C:-Section 243 D:-Section 244 Correct Answer- Option-D Question82:-The provision intends to prohibit the use of fictitious stamps on letters coming from abroad A:-Section 263A B:-Section 263 C:-Section 262 D:-Section 261 Correct Answer:- Option-A Question83-what is the offence committed by a person, residing in a plague striken home and was in contact with a plague patient who died later, disobeys the orders and left the plague shed and travels to another village? A:-No offence is committed B:-Offence under section 270 C:-Offence under section 271 D:-Offence under section 272 D:-Offence under section 269 Correct Answer:- Option-D Question84:-Which of the following acts is punished as adulteration? A:-Mixing of noxious ingredients B:-Any adulteration for the purpose of getting profit C:-Any adulteration for the purpose of selling D:-All the above

Correct Answer:- Option-A Question85:-Offences against public safety are complete when A:-Resulted in injury to life and property B:-Presence of any person on the site C:-My disobeyance of rules of traffic D:-Probability of danger to person Correct Answer:- Option-D Question86:-Rash or negligent navigation of any vessel in inland waters causing danger to human life is an offence under A:-Dealt by special statutes B:-Section 281 C:-Section 279 D:-Section 280 Correct Answer:-Optio-D Question87:-Remedy available for false imprisonment other than IPC A:-Prohibition B:-Mandamus :-Certiorari D:-Habeas Corpus Correct Answer: Option-D Question88:-Minimum number of person required to commit affray A:-Five B:-Two C:-Ten D:-Eleven Correct Answer:- Option-B Question89:-A hurt become grievous if it causes sufferer to be in severe bodily pain or unable to follow his ordinary pursuits during a period of A:-15 days B:-20 days C:-25 days D:-30 days Correct Answer:- Ontion-B Question90:-Sexual intercourse with a divorced women below 16 years of age with her consent A:-Rape B:-Adultery C:-Not amounts to rape D:-None Correct Answer:- Option-A Question91:-A finds a gold anklet not knowing to whom it belongs. Even afterwards when he discovers that it belongs to B he did not return. A is guilty of A:-Theft B:-Criminal misappropriation C:-Criminal breach of trust D:-Cheating Correct Answer - Ontion-B Question 22:-Voluntary throwing or attempting to throw acid is punishable under A:-Section 326A B:-Section 326B C:-Section 228A D:-Section 228 Correct Answer:- Option-B Question93:-A demand or request for sexual favour from a woman is an offence under A:-Section 354A B:-Section 354B C:-Section 354C D:-Section 354D Correct Answer:- Option-A Question94:-How many types of punishment have been prescribed under IPC? A:-Three B:-Six C:-Five D:-Four D:-Four Correct Answer:- Option-C Question95:-In a heat of argument A struck B on the head rendering her unconscious. In the attempt to conceal the incident he dragged B to the store house. In the course, her head hit the pavement that caused her death. A is guilty of A:-A is not responsible for death due to lack of intention B:-A is responsible for assaulting B C:-A is responsible for B's death as it was caused by negligence D:-None of the above Correct Answer:- Option-C Question96:-An Indian citizen committed an offence in another country where it is not an offence A:-He is not liable as offence is committed in foreign soil B:-He is liable for punishment under section 3 of IPC C:-Can be tried only if an extradition agreement is there between the countries D:-None of the above Correct Answer:- Option-B Question97:-Law of contempt is exercised in case of A:-Contempt committed in facie curiae B:-Contempt committed in generalia specialibus C:-Contempt committed in ultra vires D:-Contempt committed in adhoc Correct Answer:- Option-A Question98:-The provision that is intended to penalise unlawful forced labour is A:-Section 371 B:-Section 373 C:-Section 374 D:-Section 372 Correct Answer:- Option-C Question99:-Assault of president with the intent to restrain the exercise of any lawful power is an offence under A:-Section 123 B:-Section 125 C:-Section 124 D:-Section 126 Correct Answer:- Option-C Question100:-Imputations or assertions prejudicial to national integration is punished under A:-Section 153B B:-Section 154B C:-Section 151B D:-Section 156B Correct Answer:- Option-A