Haryana Prelims Test Series – 2024

TEST 22 (Full Test - 3)

EXPLANATIONS

1. A-Refer Section 228A IPC. It relates to disclosing the identity of the victim of certain offenses etc. The provision lists the circumstances under which one can legally name and publish the identities of the rape survivors, leaving the choice on adult victims.

In Bhupinder Sharma v. State of Himachal Pradesh (2003), SC "True it is, the restriction does not relate to printing or publishing of judgment by High Court or Supreme Court. But keeping in view the social object of preventing social victimisation or ostracism of the victim of a sexual offence for which Section 228-A has been enacted, it would be appropriate that in the judgments, be it of this Court, High Court or lower Court, the name of the victim should not be indicated we have chosen to describe her as 'victim' in the judgment".

2. C-Refer Section 2 (r) of the Code of Criminal Procedure, 1973.
3. A- Refer Section 125 (1) (c) of the Code of Criminal Procedure, 1973.
4. B- Richpal Kharra vs State revolves around Section 53A of CrPC which deals with the subject matter of medical examination of the accused when he is arrested on the charge of rape. The crux before the court was afflicted with the mandatory nature of the provision. Quite often we come across cases of false rape.
5. A-Refer to Section 144(2) of the Code of Criminal Procedure, 1973.
6. A-Refer to section 29 of the Code of Criminal Procedure, 1973.

7. C- In Ram Prasad v. Govt. of Andhra Pradesh(1999), the Division Bench, in brief, held as under : (a) In the appointment of a Public Prosecutor or Addl. PP for a district, the provisions of Section 24 of the code have to be complied with and any breach of the provisions would vitiate the orders of appointment.
8. C- The warrant issued under Section 97 CrPC, 1973 also performs a similar role as that of the writ of habeas corpus, wherein the police is allowed to intervene on behalf of a person who has been wrongfully imprisoned as a result of a magisterial order.
9. C-Refer Section 200 of the Code of Criminal Procedure, 1973.
10. C-Refer to Section 69 of the Code of Criminal Procedure, 1973.
11. B- Identification by photograph is another method used specifically at the investigation stage. It was held by the Supreme Court that there is no legal provision which states that identification by photograph is not admissible. In fact, it becomes a substantive piece of evidence when such identification is made in the Court.
12. D-Refer to Section 61 of the Indian Evidence Act, 1872.
13. C-Refer to Section 23 of the Indian Evidence Act, 1872.
14. A-Refer to Section 63 of the Indian Evidence Act, 1872.
15. B-Refer to section 65 of the Indian Evidence Act, 1872.
16. C-Section 102 tries to locate the party on whom the burden of proof lies. The burden of proof lies upon the party whose case would fail if no evidence were given on either side. This constantly shifts during trial.
17. D-Refer to Section 3 of the Indian Evidence Act, 1872.
18. C-Refer to Section 54 of the Indian Evidence Act, 1872.

19. B-In State of UP Vs. Deoman Upadhyay, the court held that Section 27 of the Indian Evidence Act and s. 162, sub-s. (2), of the Code of Criminal Procedure in so far as "that section relates to s. 27 of the Indian Evidence Act", are intra vires and do not offend Art. 14 of the Constitution.

20. A-Refer to Section 75 of the Indian Evidence Act, 1872.

21. A-In Emperor v. Faiyaz Hussain, a zamindar lent a house to a police officer who was investigating a case knowing that house would be used for torturing a suspected thief. He was guilty of abetment.

22. D-Refer to Section 107 of the Indian Penal Code, 1860.

23. A- In Jai Dev v. State of Punjab (AIR 1963 SC 612), it was observed that as soon as the cause for reasonable apprehension disappears and the threat has either been destroyed or has been put to route, there can be no occasion to exercise the right of private defence.

24. B-Refer to Section 105 of the Indian Evidence Act, 1872.

25. C-Refer to Section 195A of the Indian Penal Code, 1860.

26. A- Refer to Section 195A of the Indian Penal Code, 1860.

27. B-Refer to Section 120 of the Indian Penal Code, 1860.

28. A- Refer to Section 140 of the Indian Penal Code, 1860.

29. D-There is no remedy for private nuisance under IPC.

30. B- Section 149 of the IPC, saying this provision does not create a separate offence but only declares vicarious liability of all members of unlawful assembly for acts done in common object.

31. C-Refer to Article 108 of the Indian Constitution.

32. A- Refer to Article 148 of the Indian Constitution.

33. B- Refer to Article 169 of the Indian Constitution.

34. C- Refer to Article 393 of the Indian Constitution.

35. C-The 7th Schedule of Indian Constitution is the schedule that divides the legislative power between the Union and State Governments on the subject matters listed in three lists – the union list, the state list, and the concurrent list.

36. C-There are 22 official languages in India and they are covered under the 8th schedule of the Indian Constitution.

37. C-Rule 6 of the Tenth Schedule has given wide and absolute power to the Chairman or the Speaker of the House in deciding the cases pertaining to disqualification of members on the ground of defection.

38. C- Zero Hour occurs after the completion of Question Hour and before the start of the business of the day.

39. B- Zero Hour in Parliament is an Indian innovation since 1962 which allows MPs to raise matters of public important without giving the prior 10 days advance notice to the house of Parliament.

40. B-Refer to Article 61 of the Indian Constitution.

41. D-Refer to Section 6 of the Sale of Goods, Act, 1930.

42. A-Refer to Section 64 of the Sale of Goods, Act, 1930.

43. B-Refer to Section 49 of the Sale of Goods, Act, 1930.

44. D-Refer to Section 2 (4) of the Sale of Goods Act, 1930.

45. B-Refer to Section 9 of the Sale of Goods Act, 1930.

46. A-Refer to Section 11 of the Sale of Goods Act, 1930.

47. C-Refer the Code of Civil Procedure, 1908

Section 5 - Revenue Courts

Section 7 - Provincial Small Causes Court

Section 9 - Courts to try all civil suits unless barred

Section 8 - Presidency Small Causes Courts

Section 6- Pecuniary Jurisdiction of Courts.

48. A- "interlocutory" means not that decides the cause but which only settles some intervening matter relating to the cause. After the suit is instituted by the plaintiff and before it is finally disposed off, the court may make interlocutory orders as may appear to the court to be just and convenient.

49. A-Refer to Section 35, 35A and 95 of the Code of Civil Procedure, 1908.

50. C-Refer Order V, Rule 24 of the Code of Civil Procedure, 1908.

51. A- It was thus held that the civil courts jurisdiction may not be taken away by making the decision of a tribunal final because the civil courts jurisdiction to examine the order, with reference to fundamental provisions of the statute, non-compliance with which would make the proceedings illegal and without.

52. C-Refer to Section 21 of the Code of Civil Procedure, 1908.

53. A- Refer to Order VI, Rule 17 of the Code of Civil Procedure, 1908.

54. A- Refer to Order 9, Rule 9 of the Code of Civil Procedure, 1908.

55. C-Refer to Explanation Order 9, Rule 13 of the Code of Civil Procedure, 1908.

56. C-Refer to Order X, Rule 2(a) of the Civil Procedure Code, 1908.

57. B-Refer to Rule 6, Order 12 of the Civil Procedure Code, 1908.

58. C-Refer Article 64 of the Limitation Act, 1963.

59. B-refer Article 52 of the Limitation Act, 1963.

60. C-Refer Section 31 of the Limitation Act, 1963.

61. A- Refer Section 23 of the Limitation Act, 1963.

62. B- General Rule that the law of limitation only bars the remedy but does not bar the right itself. Section 27 is an exception to this rule.

63. A- Refer Section 18 of the Limitation Act, 1963.

64. D- Section 26 does not fix any time limit for the discovery of the mistake or fraud. It is the discovery of the mistake or fraud that furnishes the starting point of limitation.

65. A-Refer Section 37(2) of Specific Relief Act, 1963.

66. B-Refer Section 6(3) of Specific Relief Act, 1963.

67. C-Refer Section 13 of Specific Relief Act, 1963.

68. B-Refer Section 34 of Specific Relief Act 1963.

69. C-Refer Section 14 of the Specific Relief Act, 1963.

70. C-Grant of injunction is within the discretion of the court and such discretion is to be exercised in favour of plaintiff only if it is proved to the satisfaction of the court. The courts take into account the following factors when determining whether to grant or deny an interim injunction:

- The petitioner has successfully established a prima facie case.
- The balance of convenience is in his/her favour.
- Moreover, the petitioner would incur irreparable injury if their request is not granted.

71. C-Refer Section 2(g) of the Indian Contract Act, 1872.

72. B-Refer Section 65 of the Indian Contract Act, 1872.

73. A-Refer section 28 of the Indian Contract Act, 1872.

74. A-The Privy Council held that indication of lowest acceptable price does not constitute an offer to sell. Rather, it is considered a response to a request for information, specifically a "precise answer to a precise question" about the lowest acceptable price which the seller would consider.

75. C-Refer Section 37 of the Indian Contract Act, 1872.

76. A- Moreshwar Madan, AIR 1942, Bombay high court observed that the contract of indemnity held very little value if the indemnity holder could not enforce his indemnity until he actually paid the loss. If a suit was filed against him, he had to wait till the judgment and pay the damages upfront before suing the indemnifier.

77. C-Refer section 162 of the Indian Contract Act, 1872.

78. C-Refer section 183 of the Indian Contract Act, 1872.

79. A-Refer section 137 of the Indian Contract Act, 1872.

80. D-Refer section 7 of the Indian Contract Act, 1872.

81. C-Refer Section 21A of Punjab Courts Act.

82. C- Refer Section 28 of Punjab Courts Act.

83. C-Refer section 34 of the Punjab Courts Act.

84. D- Refer section 44 of the Punjab Courts Act.

85. B-Refer section 46-A of Punjab Courts Act,

86. A-Refer Section 25 Hindu Adoption and Maintenance Act, 1956.

87. C-Refer to Section 3(f)(ii) of Hindu Marriage Act, 1955.

88. C-The Hindu Succession Act groups the heirs of a male Hindu into four categories and lays down that his/her inheritable property devolves firstly upon the heirs specified in Class I.All these heirs inherit simultaneously and to the exclusion of other heirs. In the absence of any of the heirs in this category, the property devolves

upon the enumerated heirs specified in class II. Refer Section 7 & D of the Hindu Succession Act, 1956.

89. D-Partition could be brought about in the following ways: By agreement, conduct, suit, unilateral declaration,notice, arbitration, conversion, etc.

90. A-In Lachman Singh v. Kirpa Singh and Ors., AIR 1987 SC 1616, the issue raised was whether under the provisions of the Hindu Succession Act, 1956, a step-son of a female dying intestate is entitled to claim a share in her property simultaneously with her son ? It was held that a step-son or a step-daughter of a female Hindu dying intestate are not covered by the expression "son" or "daughter" in clause (a) of sub-section (1) of Section 15 of the Hindu Succession Act. They could merely be said to be falling under either clause(b) of sub-section(1) of Section 15 or sub-section(2) of Section 15.

91. B- Refer to Section 28 of Hindu Marriage Act, 1955.

92. D- Hindu Minority and Guardianship Act 1956 came into force 25 August,1956.

93. A-Refer section 21 of Hindu Adoptions & Maintenance Act, 1956.

94. D-Refer Section 3 of Dissolution of Muslim Marriages Act, 1939.

95. A- Deferred dower is payable on dissolution of marriage either by death or divorce. However, if there is an agreement that the payment of deferred dower will be made earlier than dissolution, then it will be a valid and binding agreement.

96. A- The iddat must be strictly observed on divorce where there is a valid marriage and consummation has taken place, under the

Qur'anic ruling "And divorced women shall wait [as regards their marriage] for three menstrual courses."

97. C- The husband can settle any amount of dower. However, he cannot settle the amount of dower less than ten Dirhams according to Hanafi law and three Dirhams according to Maliki law. Shia law does not state any minimum amount of dower.

98. C- Unlawful conjunction: means contemporaneously marrying two women so related to each other by consanguinity, affinity or fosterage, which they could not have lawfully intermarried with each other if they had been of different sexes. Thus a Muslim cannot marry two sisters, or an aunt and her niece.

99. D-Under the Hanafi law, the heirs of the deceased are either sharers or residuaries, and in the absence of both of these classes of heirs, the estate is passed down to other relatives of the deceased, who fall under the category of "distant kindred".

100. C-Refer Section 85 of the Wakf Act, 1995.

101. A-Refer Section 5 of the Partnership Act, 1932.

102. B- Refer Section 32 of the Partnership Act, 1932.

103. B- Refer Section 27 of the Partnership Act, 1932.

104. D-Refer Section 20 of the Indian Partnership Act, 1932.

105. C--Refer Section 30 of the Indian Partnership Act, 1932.

106. B-Refer Section 44(e) of the Indian Partnership Act, 1932.

107. B-Refer Section 7 of the Registration Act, 1908.

108. D-Refer Section 23 of the Registration Act, 1908.

109. B-Refer Section 32A of the Registration Act, 1908.

110. A-Refer Section 35 of the Registration Act, 1908.

111. C-Refer Section 19 of the Registration Act, 1908.

112. A-Refer Section 6 of the Registration Act, 1908.

113. B-Refer Explanation to Section 2(d) of the Haryana Urban (Control of Rent and Eviction) Act, 1973.

114. D-Refer Section 4 of the Haryana Urban (Control of Rent and Eviction) Act, 1973.

115. C-Refer Section 6A of the Haryana Urban (Control of Rent and Eviction) Act, 1973.

116. C-Refer Section 12 of the Haryana Urban (Control of Rent and Eviction) Act, 1973.

117. C-Refer Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973.

118. B-Refer section 23 of the Haryana Urban (Control of Rent and Eviction) Act, 1973.

119. D- On February 14, 2023, Union Home and Cooperation Minister Amit Shah presented 'President's Colour' to Haryana Police in Karnal, Haryana.

120. A- Japan is supporting India in its Delhi Mumbai Industrial Corridor (DMIC) project. Delhi Mumbai Industrial Corridor (DMIC) project was approved by Union Cabinet of India in 2007.

121. C- SAARC has eight member countries (Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri-Lanka).

122. B- Hockey Haryana's women's team won the Khelo India Youth Games 2022 Women's Under 18 Qualifiers after defeating Madhya Pradesh 2-0 in the final at Bhubaneswar.

123. B- On the first of January 2023, Croatia became the 20th country to join the eurozone. The kuna, the local currency, has been replaced by the euro.

124. B- The Samudrayaan Mission is India's first manned ocean mission to explore the deep ocean. It is a project of the Ministry of Earth Sciences (MoES) under the Deep Ocean Mission and is being developed by the National Institute of Ocean Technology (NIOT) in Chennai.

125. B- As per tradition, every year the Finance Ministry hosts a 'Halwa ceremony', around 9 to 10 days before the Union Budget is presented in the Parliament. The ceremony marks the commencement of the process of printing the Union Budget.