Haryana Prelims Test Series – 2024

TEST 25 (Full Test - 5)

EXPLANATIONS

Q. No.	Explanation
1.	Ans. d Refer section 50(2) of CrPC
2.	Ans. c Refer section 58 of CrPC.
3.	Ans. d Refer section 96 of CRPC.
4.	Ans. a Refer section 107 of CrPC.
5.	Ans. c Refer section 125 of CrPc.
6.	Ans. c Refer section 129, 130 and 131 of CrPC.
7.	Ans. c As per section 146(1) of CrPC, If the Magistrate at any time after making the order under sub-section (1) of section 145 considers the case to be one of emergency, or if he decides that none of the parties was then in such possession as is referred to in section 145, or if he is unable to satisfy himself as to which of them was then in such possession of the subject of dispute, he may attach the subject of dispute until a competent Court has determined the rights of the parties thereto with regard to the person entitled to the possession thereof
8.	Ans. b Refer section 2(x) of CrPC.
9.	Ans. a Refer section 2(g) of CrPC.
10.	Ans. a Refer Schedule part II of CrPC.

11.	Ans. a Section 8-Motive, preparation and previous or subsequent conduct Section 4-"May Presume." "Shall presume." "Conclusive proof". Section 5-Evidence may be given of facts in issue and relevant facts. Section 21-Proof of admissions against persons making them, and by or on their behalf.
12.	Ans. c The English doctrine of *Res Gestae* has place in india and has been incorporated under section 6 of IEA,1872.
13.	Ans. a Refer State of haryana v. charanjit singh (**AIR 2006 SUPREME COURT 161**)
14.	Ans. c Section 114-Court may presume existence of certain facts Section 114A-Presumption as to absence of consent in certain prosecution for rape Section 116-Estoppel of tenants and of licensee of person in possession
15.	Ans. a Section 167-No new trial for improper admission or rejection of evidence Section 165-Judge's power to put questions or order production Section 163- Giving, as evidence, of document called for and produced on notice
16.	Ans. a Section 11-When facts not otherwise relevant become relevant Section 12-In suits for damages, facts tending to enable Court to determine amount are relevant Section 13-Facts relevant when right or custom is in question. Section 14-Facts showing existence of state of mind, or of body, or bodily feeling
17.	Ans. a Maxim Consuetude loci est observand means that "The custom of the place should be observed." it is embodied under proviso (5) of Section 92 of the Evidence Act.

18.	Ans. a Jeremy Bentham has said that "Witnesses are the eyes and ears of justice." In cases involving heinous crimes, witnesses turn hostile because of threat to life and property. Witnesses feel that there is no statutory legal-obligation on the part of the State to extend any protection to them.
19.	Ans. a Refer section 119 of IEA.
20.	Ans. c Section 44-Fraud or collusion in obtaining judgment, or incompetency of Court, may be proved. Section 46- Facts bearing upon opinions of experts Section 45 -Opinions of experts Section 47 -Opinion as to handwriting, when relevant
21.	Ans. b Refer explanation to section 312 of IPC.
22.	Ans. b Section 169 of IPC-Public servant unlawfully buying or bidding for property Section 505 of IPC-Statements conducing to public mischief. Section 171 of IPC-Wearing garb or carrying token used by public servant with fraudulent intent Section 172 of IPC-Absconding to avoid service or summons of other proceeding
23.	Ans. c Section 77-Act of Judge when acting judicially Section 78-Act done pursuant to the judgment or order of Cour Section 80-Accident in doing a lawful act Section 82-Act of a child under seven years of age.
24.	Ans. b Refer section 79 of IPC.
25.	Ans. a Section 354 of IPC-Assault or criminal force to woman with intent to outrage her modesty Section 355 of IPC-Assault or criminal force with intent to dishonour

	person, otherwise than on grave provocation Section 356 of IPC-Assault or criminal force in attempt to commit theft of property carried by a person Section 357 of IPC-Assault or criminal force in attempt wrongfully to confine a person
26.	Ans. d Section 421 of IPC-Dishonest or fraudulent removal or concealment of property to prevent distribution among creditor Section 422 of IPC-Dishonestly or fraudulently preventing debt being available for creditor Section 423 of IPC-Dishonest or fraudulent execution of deed of transfer containing false statement of consideration Section 424 of IPC-Dishonest or fraudulent removal or concealment of property
27.	Ans. c Section 29 of IPC-Document Section 29A of IPC-Electronic record Section 52 of IPC-Good faith Section 52A of IPC-Harbour
28.	Ans. a Refer illustration to section 117 of IPC
29.	Ans. b Refer section 145 of IPC.
30.	Section 296-. Disturbing religious assembly Section 297-Trespassing on burial places, etc Section 298-Uttering words, etc., with deliberate intent to wound the religious feelings
31.	Ans- d While Article 14 forbids class legislation, it permits reasonable classification of persons, objects and transactions by the law. But the classification should not be arbitrary, artificial or evasive. Rather, it should be based on an intelligible differentia and substantial distinction.
32.	Ans- b The court in DC Wadhwa v. Union of India ruled that the mechanical

	re-promulgation of the ordinances for a period of one to fourteen years without going to the legislation was a colourable exercise of power by the executive and ruled that re-promulgation of ordinances was unconstitutional.
33.	Ans- b In the case of Justice K.S. Puttaswamy (Retd.) and Anr. vs Union of India and Ors. The Supreme Court held that the Right to Privacy is a fundamental right protected under Article 21 and Part III of the Indian Constitution.
34.	Ans- d President exercises its legislative powers by promulgating ordinances under Article 123 of the Indian Constitution and governor exercises its legislative powers by promulgating ordinances under Article 213 of the Indian Constitution
35.	Ans- c Refer Article352(4) of the Indian Constitution
36.	Ans- c Article 352-Proclamation of Emergency Article 254-Inconsistency between laws made by Parliament and laws made by the Legislatures of State Article 355-Duty of the Union to protect States against external aggression and internal disturbance Article 266-Consolidated Funds and public accounts of India and of the States
37.	Ans- c The 91st Constitutional Amendment Act 2003, states that the total number of ministers, including the Prime Minister, in the Council of Ministers shall not exceed 15% of the total strength of the Lok Sabha.
38.	Ans- b Refer Article 80(1)(a)
39.	Ans- b Refer section 100(4) of Indian Constitution.
40.	Ans- a Refer Navtej Singh Jauhar v. Union of India(**AIR 2018 SUPREME COURT 4321**)

41.	Ans. d Refer section 12 of SOGA.
42.	Ans. a Ascertainment of price- Section 9 Conditions and warranties- Section 12 Agreement to sell-Section 4
43.	Ans. d Section 2 Clause 2 defines the term 'delivery' to involve a transaction of a transfer of possession which is done voluntarily. Delivery can be actual or constructive. It becomes 'actual' when the buyer receives the actual products or receives the key to the warehouse where the goods are kept. Whereas, when a delivery is made without affecting the custody or actual ownership of the item, such as when attornment (acknowledging) a delivery or making a symbolic delivery, it is said to be a constructive delivery.
44.	Ans. c Refer section 12(2) of SOGA.
45.	Ans. b SEction 14(b) provides that In a contract of sale, unless the circumstances of the contract are such as to show a different intention, there is an implied warranty that the buyer shall have and enjoy quiet possession of the goods.
46.	Ans. b Suit for damages for non-delivery is provided under Section 57
47.	Ans- b Section 6-Pecuniary jurisdiction
48.	Ans- c Refer section 35A of CPC.
49.	Ans- c Refer section 59(2)(a) of CPC.
50.	Ans- c
51.	Ans- c Order XI Rule 7 provides that Interrogatories may also be set aside or struck off by the Court, if these are unreasonable or vexatious or are prolix, oppressive or scandalous.

52.	Ans- d Refer Order XIX Rule 2 of CPC.
53.	Ans- a Refer section 32 of CPC.
54.	Ans- c The expression, "Each party shall bear his own costs" implies that both the parties are to be deprived of costs.
55.	Ans- b Refer section 88 read with Order 35 of CPC.
56.	Ans- b Refer Order XXXIX, Rule 2 of the Civil Procedure Code
57.	Ans – d Refer Order 21 Rule 32 of the Civil Procedure Code.
58.	Ans- b Refer section 15(1) of the Limitation Act
59.	Ans- c Refer article 124 of the Limitation Act
60.	Ans: a Refer Section 5 of the limitation act.
61.	Ans- a Refer Section 7 of the limitation act.
62.	Ans: a Refer section 2(m) of the limitation act.
63.	Ans- c Refer section 3 of the limitation act.
64.	Ans- b Refer section 6(2) of the Specific Relief Act.
65.	Ans- d Refer section 41 of the Specific Relief Act.
66.	Ans- d Refer section 41 of the Specific Relief Act.
67.	Ans- d Refer section 22 of the Specific Relief Act.
68.	Ans- d Refer section 32 of the Specific Relief Act.

69.	Ans- b Section 38-Perpetual injunction
70.	Ans- a Refer section 29 of the Specific Relief Act.
71.	Ans- a Refer section 4 of the Contract Act.
72.	Ans- b Refer section 11 of the Contract Act.
73.	Ans- a Refer illustrations to section 16 of ICA.
74.	Ans- d It has been laid down by the Supreme Court, in Gherulal Parekh v. Mahadeo Das that though a wager is void and unenforceable it is not forbidden by law . Hence a wagering agreement is not unlawful under section 23 of the Contract Act and therefore the transactions collateral to the main transaction are enforceable.
75.	Ans- a Refer section 38 of the Contract Act.
76.	Ans- d Refer section 41 of the Contract Act.
77.	Ans- d Refer section 45 of the Contract Act.
78.	Ans- d Refer section 170 and 171 of the Contract Act.
79.	Ans- c Refer section 176 of the Contract Act.
80.	Ans- c Section 182-agent and principal
81.	Ans- d Refer section 3(3) of the Punjab Courts Act.
82.	Ans- b Section 20-District judge
83.	Ans- a Refer section 24 of the Punjab Courts Act.
84.	Ans- a

	Refer section 27 of the Punjab Courts Act.
85.	Ans- b Refer section 28 of the Punjab Courts Act.
86.	Ans. c Where a Hindu widow surrenders her widow's estate to the reversioners, after a third person has acquired title to the properties by adverse possession against her, the reversioners are entitled to recover possession of the properties from that person immediately as heirs of the last male holder.
87.	Ans. a Escheat is the right of a government to take ownership of estate assets or unclaimed property in the event there are no heirs or beneficiaries. Escheat rights can also be granted when assets are unclaimed for a prolonged period.
88.	Ans. d Refer section 3(c) of Hindu Succession Act.
89.	Ans. b Human offspring (descendants) are referred to as children
90.	Ans. c A partition cannot be re-opened by Mother.
91.	Ans. a Guardian by affinity is the guardian of a minor widow. These types of guardians are not recognized in HMGA,1956 or in any other present law.
92.	Ans. b Section 19-Maintenance of widowed daughter-in-law Section 20-Maintenance of children and aged parents. Section 22-Maintenance of dependants Section 24-Claimant to maintenance should be a Hindu
93.	Section 20-Contents and verification of petitions Section 21A-Power to transfer petitions in certain cases Section 21B-Special provision relating to trial and disposal of petitions under the Act. Section 21C-g to trial and disposal of petitions under the Act. 21C.
94.	Ans. c

	According to Shia law, the right to succession to property is based on two categories of relations: • Nasab: Blood relationships or consanguinity • Sabab: Marriage (affinity)
95.	Ans. a When in case, the total sum of the specific shares allotted to various shares exceeds the unity then the doctrine of increase (Aul) comes into the application. In this doctrine, the specific share of each sharer is reduced in a proportionate manner.
96.	Ans. a The School of Mitakshara bases its inheritance law on the principle of propinquity. It means the one who is closest in the relationship with respect to the blood succeeds.
97.	Ans. b A guardian of property in Muslim law is called Wasi.
98.	Ans. d Mother has the right of custody and care of children during the period laid down in Muslim law. Hizanat is recognized in the sense that it can be enforced against the father or any other person. But it is a right to which obligations are attached.
99.	Ans. c The mother in Hanafi law is entitled to the custody of her male child till the child attains the age of seven years and in case of female child till the child attains the age of puberty. In case of Shia law, up to two years for the male child and seven years in case of female child.
100.	Ans. d Refer Ali Akbar vs. Mst Fatima 1929
101.	Ans. b Refer section 4 of the The Partnership Act, 1932
102.	Ans. b A partnership, unlike a company, is not a separate legal entity from its members. It is unable to possess property, incur debts, or file lawsuits in its own name. Furthermore, the partners of a partnership firm are jointly and severally accountable for the firm's liabilities.

103.	Ans. b Refer section 52 of IPA
104.	Ans. d Refer section 44 of IPA.
105.	Ans. d Duty to indemnify for loss caused by fraud is dealt within section 9 of the Indian Partnership Act, 1932.
106.	Ans. d Refer section 91 of Registration Act.
107.	Ans. c Refer section 23 of Registration Act.
108.	Ans. d
109.	Ans. a Refer section 17 and 18 of Registration Act.
110.	Ans. c Section 85-. Destruction of unclaimed documents
111.	Ans. a Section 54-Current indexes and entries therein.
112.	Ans. b Section 84-Registering officers to be deemed public servants.
113.	Ans- c Refer section 1 of Haryana Urban (Control of Rent and Eviction) Act.
114.	Ans- a The authorities under the Haryana Urban (Control of Rent and Eviction) Act includes Controller(Section 2(b)
115.	Ans- c Section 6-landlord shall not claim anything in excess of fair rent
116.	Ans- d Refer section 10 of the Haryana Urban (Control of Rent and Evidence) Act.
117.	Ans- c Refer section 19 of the Haryana Urban (Control of Rent and Evidence) Act.
118.	Ans- b Refer section 21 of the Haryana Urban (Control of Rent and

	Evidence) Act.
119.	Ans- c Haryana police force has recently become the first force in India to use drones for tear gas.
120.	Ans- d National level Saras Aajeevika Mela 2023 to begin in Gurugram, Haryana. A national level Saras Aajeevika Mela 2023 will begin today in Gurugram, Haryana. The 17-day fair, which is being held at Leisure Valley Ground, Gurugram will continue till 11th of next month.
121.	Ans- c Hon'ble President of India has conferred the prestigious 'Jeevan Raksha Padak' to Railway Protection Special Force (RPSF) constable Sh. Shashikant Kumar for the year 2023, on the occasion of Republic Day 2024.
122.	Ans- a NITI Aayog and UNDP sign Memorandum of Understanding on fast tracking SDGs.
123.	Ans- b In Jammu and Kashmir, two world-famous local specialty products namely Bhaderwah Rajma and Ramban Sulai Honey have earned the coveted Geographical Indication (GI) Tag. The process for GI Tagging of these products was initiated by the Department of Agriculture & Farmers Welfare, Jammu.
124.	Ans- a For most of August 2023, Rishikesh in Uttarakhand held the record as the wettest town in the country. Between August 1 and August 25, the town received 1,901 millimetres of rainfall, according to Vineet Kumar Singh, a research scientist at the Typhoon Research Centre of Jeju National University in South Korea.
125.	Ans. a Union Environment, Forest and Climate Change Minister Bhupender Yadav on Thursday announced awards under the Swachh Vayu Sarvekshan 2023 (clean air survey) in Bhopal, with Indore in Madhya Pradesh clinching the top rank in the million-plus population cities.