Haryana Prelims Test Series – 2024

TEST 26 (Full Test - 6)

EXPLANATIONS

Q. No	Key/Explanation
1.	Ans. c Refer section 320(8) of CrPC.
2.	Ans. c Refer section 258 of CrPC.
3.	Ans. c Refer section 438 of CrPC.
4.	Ans. a Refer section 82(2) of CrPC.
5.	Ans. c As per section 389(3) CrPc, Where the convicted person satisfies the Court by which he is convicted that he intends to present an appeal, the Court shall,— (i) where such person, being on bail, is sentenced to imprisonment for a term not exceeding three years, or (ii) where the offence of which such person has been convicted is a bailable one, and he is on bail, order that the convicted person be released on bail, unless there are special reasons for refusing bail, for such period as will afford sufficient time to present the appeal and obtain the orders of the Appellate Court under sub-section (1); and the sentence of imprisonment shall, so long as he is so released on bail, be deemed to be suspended.
6.	Ans. b Refer proviso to section 200 of CrPC.
7.	Ans. a Refer proviso to section 125(3) of CrPC.
8.	Ans. c Refer section 164(1) of CrPC.
9.	Ans. a

	Refer proviso to section 372.
10.	Ans. d Refer Section 258 of CrPC.
11.	Ans. a As per section 25 of IEA, No confession made to a police-officer , shall be proved as against a person accused of any offence. Therefore, the FIR, in which all the details regarding the commission of the crime was given, is hit by Section 25 of the Indian Evidence Act and hence is inadmissible as evidence. However, the fact that 'A' filed the FIR is admissible under Section 8 of the Indian Evidence Act by virtue of explanation 1 to section 8 of IEA.
12.	Ans. b Refer section 53A of IEA.
13.	Ans. c Refer section 68 of IEA.
14.	Ans. b Refer section 72 of IEA.
15.	Ans. c Section 65, Indian Evidence Act, permits secondary evidence to be led in the contingencies mentioned therein. Section 65 does not contemplate the filing of any application or seeking prior permission of the court for leading secondary evidence.
16.	Ans. d Refer section 118 of IEA.
17.	Ans. a In the case of **Sharat Chandra Dey Vs. Gopal Chandra Laha**, A widow was holding property under a hibanama (hiba-bil-ewaz) executed by her husband in her favour. She mortgaged the property. During the transaction, her son acted on her behalf under a power of attorney. He has signed the mortgage on her behalf and in her name and received the money from the mortgagee. The mortgagee filed a suit on his mortgage and in the execution of a decree, the Appellant and purchased the property. Meanwhile, the son claiming to the owner of the property had sold a part of it to the respondent and the respondent filed a suit for partition and possession of the part purchased by him. The Appellant set up the widow's title to the property and also that is if the Hibanama was ineffective her son was

	estopped from denying her title under Section 115.
18.	Ans. a As per section 154 of IEA, The Court may, in its discretion, permit the person who calls a witness to put any questions to him which might be put in cross examination by the adverse party." This Section refers to what is called, the evidence of the 'hostile witness'.
19.	Ans. a Refer section 90 of IEA.
20.	Ans. a Refer section 68 of IEA.
21.	Ans. d Refer Explanation 2 to section 94 of IPC.
22.	Ans. b In the above mentioned situation, all the ingredients of theft provided under section 378 are present.
23.	Ans. d Refer explanation 3 to section 299 of IPC.
24.	Ans. a As per section 511 of IPC,Whoever attempts to commit an offence punishable by this Code **with imprisonment for life or imprisonment,** or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall, where no express provision is made by this Code for the punishment of such attempt, be punished with 2 [imprisonment of any description provided for the offence, for a term which may extend to one-half of the imprisonment for life or, as the case may be, one-half of the longest term of imprisonment provided for that offence], or with such fine as is provided for the offence, or with both.
25.	Ans. a Refer Section 320(seventhly) of IPC.
26.	Ans. c Refer section 146 of IPC.
27.	Ans. c Refer Explanation (b) to section 498A of IPC.
28.	Ans. c Refer section 379 of IPC.
29.	Ans. a

	Culpable rashness lies in running the risk of doing an act with recklessness and with indifference as to the consequences. Criminal negligence is the failure to exercise duty with reasonable and proper care and precaution guarding against injury to the public generally or to any individual in particular.
30.	Ans. a Refer exception 1 to section 300.
31.	Ans- c Under section 105 of The Constitution of India, members of parliament also enjoy Parliamentary Privileges. Moreover, There is provision of punishment as well in case of breach of privilege or contempt of the House may be given i.e. A person found guilty of breach of privilege or contempt of the House may be punished either by imprisonment, or by admonition (warning) or reprimand. Two other punishments may also be awarded to the members for contempt, namely, 'suspension' and 'expulsion' from the House.
32.	Ans- c As per Article 66(3) of the Indian constitution of India, No person shall be eligible for election as Vice-President unless he— (a) is a citizen of India; (b) has completed the age of thirty-five years; and (c) **is qualified for election as a member of the Council of States**.
33.	Ans- b **Zonal councils** • Northern Zonal Council. Chandigarh. Delhi. Haryana. ... • Southern Zonal Council. Andaman and Nicobar Islands. Andhra Pradesh. Karnataka. ... • Central Zonal Council. Chhattisgarh. Madhya Pradesh. Uttar Pradesh. ... • Eastern Zonal Council. Bihar. Jharkhand. Odisha. ... • Western Zonal Council. Dadra and Nagar Haveli and Daman and Diu. Goa.
34.	Ans- d Refer Article 86 and 87 of Indian Constitution.
35.	Ans- d

	Directive Principle of State Policy Encourage the establishment, autonomy, democratic control, and professional administration of cooperative societies. Prohibit the use of intoxicating drinks and substances that are harmful to health.
36.	Ans- b One of the most historic cases on the doctrine of pith and substance is the case of Prafulla Kumar Mukherjee v. Bank of Commerce Ltd[10]. Where Lord Porter concluded that "what is pith and substance is the effect of the enactment of which complaint is made and in what list is its true nature and character to be found."
37.	Ans- a At its core, Wednesbury's principle revolves around the concepts of irrationality and perversity. A decision is considered unreasonable under Wednesbury's principle if it is so "outrageous" or "perverse" that no reasonable authority could have made it.
38.	Ans- a "The ghost of Section 377 lives on inspite of the decriminalization of the sexual offense and the recognition of the rights of queer persons in Navtej Singh Jauhar case"-Justice DY Chandrachud
39.	Ans- d Refer Article 139A(Transfer of certain cases)
40.	Ans- c The deputy prime minister of India, although not a Constitutional post, is the second-highest ranking minister of the Union in the executive branch of the Government of India and is a senior member of the Union Council of Ministers.
41.	Ans. c Refer section 32 of SOGA.
42.	Ans. b Refer section 4 of SOGA.
43.	Ans. d The exceptions to the rule that a seller of goods cannot give to the buyer a better title than he himself has over them are provided under sections 28, 29 and 30 of SOGA.
44.	Ans. c Refer section 2(7) of SOGA.
45.	Ans. c

	Refer section 16 of SOGA.
46.	Ans. d
47.	Ans- d Refer Order IX Rule 2, 3 and 8 of CPC.
48.	Ans- b An ex-parte proceeding against a defendant implies The Court may proceed with the case in the absence of the defendant on the particular day of hearing on which the defendant remains absent.(Refer order IX rule 7 of CPC)
49.	Ans- d It is settled law that in a plaint, written statement, writ petition of counter affidavit evidence is not required to be pleaded.
50.	Ans- d Refer Order V Rule 9 and 9A.
51.	Ans- d Lamenting the long delay in the execution of decrees, the Supreme Court observed that under Section 47 of the Code of Civil Procedure, the Executing Court can only go into questions that are limited to the execution of decree and can never go behind the decree.
52.	Ans - C Refer section 50 of CPC.
53.	Ans- a Refer section 77 of CPC.
54.	Ans- c As per Order 1 Rule 8 of CPC, One person may sue or defend on behalf of all where there are **numerous persons having the same interest in one suit.**
55.	Ans- d Refer Order I Rule 8(4) of CPC.
56.	Ans- a As per Order 10 R. 2 of C.P.C, at the first hearing of the suit, the Court shall with a view **to elucidating matters in controversy in the suit** examine orally such of the parties to the suit appearing in person or present in Court, as it deems fit.
57.	Ans- c Order XI, Rule 21-Non-compliance with order for discovery
58.	Ans- a

	Refer section 3(1) of Limitation Act.
59.	Ans- a Refer section 3(2)(c) of Limitation Act.
60.	Ans- c Refer section 15 of Limitation Act.
61.	Ans- b Refer Debasish Paul & Anr V. Amal Boral
62.	Section 19-. Effect of payment on account of debt or of interest on legacy Section 21-Effect of substituting or adding new plaintiff or defendant Section 22-Continuing breaches and torts Section 24-Computation of time mentioned in instruments
63.	Ans- a Refer Article 54 of Limitation Act.
64.	Ans- C Section 6 is applicable if the plaintiff proves: • That he is in lawful possession of immovable property in dispute. • That he had been dispossessed of such property without his consent and without due process of law. • That dispossession took place within six months of the date of the suit.
65.	Ans- c Refer section 15(h) of SRA.
66.	Ans- d Refer section 16(a)and(b) of SRA.
67.	Ans- b Refer section 26 of SRA.
68.	Ans- d Under section 27 of the Specific Relief Act, Any person interested in a contract may sue to have it rescinded.
69.	Under section 30 of the Specific Relief Act, —On adjudging the rescission of a contract, the court may require the party to whom such relief is granted to restore, so far as may be, any benefit which he may have received from the other party and to make any compensation to him which justice may require.
70.	Ans- d

	Refer section 35 of SRA.
71.	Ans- c Burrough, J., protesting against public policy, said that "it is a very unruly horse, and when once you get astride it, you never know where it will carry you". "Public policy or the policy of law is an elusive concept.
72.	Ans- d Ajudhia Prasad v. Chandan Lal is a judgment of the Allahabad High Court
73.	Ans- a Refer section 168 of ICA.
74.	Ans- b Section 171-. General lien of bankers, factors, wharfingers, attorneys and policy-brokers. Section 170-Bailee's particular lien Section 169-When finder of thing commonly on sale may sell it Section 168-Right of finder of goods, may sue for specific reward offered.
75.	Ans- c Refer section 179 of ICA.
76.	Ans- d Refer section 188 of ICA.
77.	Ans- b "Misrepresentation" does not include the suggestion, as a fact, of that which is not true, by one who does not believe it to be true as this is fraud as per section 17 of ICA.
78.	Ans- c Refer section 19A of ICA.
79.	Ans- c Section 33-Enforcement of contracts contingent on an event not happening Section 32-Enforcement of contracts contingent on an event happening. Section 31-"Contingent contract" defined Section 30-Agreements by way of wager void
80.	Ans- b Taylor v Caldwell is a landmark English contract law case, with an

	opinion delivered by Mr Justice Blackburn which established the doctrine of common law impossibility.
81.	Ans- d Refer section 20 of the Punjab Courts Act.
82.	Ans- a Refer section 21 of the Punjab Courts Act.
83.	Ans- c Section 24-District Court to be principal Civil Court of original jurisdiction Section 25-Original jurisdiction of District Judge in suits Section 26- Pecuniary limits of jurisdiction of subordinate Judges Section 27-Local limits of jurisdiction
84.	Ans- a Refer section 31 of the Punjab Courts Act.
85.	Ans- c Section 33 provides that Subject to the **general superintendence and control of the High Court**, the District Judge shall have control over all the Civil Courts under this Part within the local limits of his jurisdiction.
86.	Ans. d Refer section 7(1) of the Hindu Marriage Act, 1955
87.	Ans. b Refer section 8 of the Hindu Marriage Act, 1955
88.	Ans. d Refer section 7 of Hindu Adoption and Maintenance Act, 1956.
89.	Ans. d Refer section 11 of the Hindu Adoption and Maintenance Act, 1956
90.	Ans. b Section 22 provides that Proceedings to be in camera and may not be printed or published
91.	Ans. d Refer section 13 of HMA.
92.	Ans. c Section 21 provides that Where two persons have died in circumstances rendering it uncertain whether either of them, and if so which, survived the other, then, for all purposes affecting succession to property, **it shall be presumed, until the contrary is proved, that**

	the younger survived the elder.
93.	Ans. A Refer section 5 of IPA.
94.	Ans. c Mutual right of inheritance remains intact in case of death of Muslim husband or wife during the period of iddat, following a revocable pronouncement of divorce.
95.	Ans. b Refer secretion 4 of THE MUSLIM WOMEN(PROTECTION OF RIGHTS ON MARRIAGE) ACT, 2019
96.	Ans. c Waqf is the property given in the name of God for religious and charitable purposes. In legal terms, permanent devotion by a person professing Islam, of any movable or immovable property for any purpose recognized by the Muslim law as pious, religious or charitable.
97.	Ans. c Refer Section 2 of the Dissolution of Muslim Marriage Act, 1939.
98.	Ans. a Both the. spouse is entitled to terminate their marriage that was contracted before they reached their puberty. This right is known as Khyar- ul- Bulugh.
99.	Ans. c The religious preceptor and the manager of a Khankah is called Sajjandanshin.
100.	Ans. c Refer SABIR ALI KHAN versus SYED MOHD. AHMAD ALI KHAN AND OTHERS
101.	Ans. a REfer section 54 of IPA.
102.	Ans. d REfer section 72 of IPA.
103.	Ans. a Refer Section 2(a) of IPA.
104.	Ans. b REfer section 32(3) of IPA.
105.	Ans. a

	A partner retires when he ceases to be a member of the firm without ending the subsisting relations between the other members of the firm or between the firm and other parties. If a partner withdraws from a firm by dissolving it, then it is a dissolution and not retirement of a partner.
106.	Ans. d Refer section 44 of IPA.
107.	Ans- c Refer section 11 of the Registration Act
108.	Ans- c Refer section 24 of the Registration Act
109.	Ans- d Refer section 38 of the Registration Act
110.	Ans- c Section 49-Effect of non-registration
111.	Ans- c With the passage of the Punjab Reorganization Act (and in accordance with the earlier recommendations of the States Reorganization Commission), Haryana was separated from Punjab in 1966 to become the 17th state of India.
112.	Ans- c Manohar Lal Khattar, the Chief Minister of Haryana, launched the Nirogi Haryana Yojana with the primary goal of offering free health checkup services to all residents of the state. Any disease that will found during the physical examination will receive free medical care.
113.	Ans- a Refer section 4(3) of Haryana Urban (Control of Rent and Eviction) Act.
114.	Ans- c Refer section 4(5) of Haryana Urban (Control of Rent and Eviction) Act.
115.	Ans- b Refer section 14 of Haryana Urban (Control of Rent and Eviction) Act.
116.	Ans- c Section 16-. Power to summon and enforce attendance of witnesses Section 17-Costs

	Section 18-. Execution of-orders Section 19- Institution and disposal of application
117.	Ans- b Refer section 22(3) of the Haryana Urban (Control of Rent and Eviction) Act.
118.	Ans- a Refer section 23 the Haryana Urban (Control of Rent and Eviction) Act.
119.	Ans- a Chairperson of the National Human Rights Commission-Justice Arun Kumar Mishra
120.	Ans. b On November 7, 2022, Justice Rituraj Awasthi (Former Chief Justice of the Karnataka HC) was appointed as the chairperson of the 22nd Law Commission
121.	Ans. a On December 18, 1996 in D.K. Basu Versus State of West Bengal (1997 (1) SCC 416), this court laid down certain basic "requirements" to be followed in all cases of arrest or detention till legal provisions are made in that behalf as a measure to prevent custodial violence.
122.	Ans. c Arjun Ram Meghwal is an Indian politician who is currently serving as the Minister of Law and Justice, Government of India since 2023
123.	Ans. a Manan Kumar Mishra is the current chairman of the Bar Council of India.
124.	Ans. c Manan Kumar Mishra's first term is from 17.04.2012-16.04.2014 and second term is from 09.11.2014 to till date.
125.	Ans. a Every year, India celebrates Army Day on January 15 to commemorate the achievements of the first Commander-in-Chief of the Indian Army, General Kodandera Madappa Cariappa. Later, he went on to become the Field Marshal