# Haryana Prelims Test Series – 2024
# TEST 30 (Full Test - 10)
# EXPLANATIONS

1. D- Refer to section 173(1A) of CrPC
2. D- Refer to section 41 of the CrPC
3. A- Refer to footnote appended to Chapter XXIA of CrPC
4. A- Refer to section 167(2) of CrPC
5. B- Refer to section 441A of CrPC- Declaration by sureties
6. B- Refer to section 275(1) of CrPC- Provided that evidence of a witness under this sub-section may also be recorded by audio-video electronic means in the presence of the advocate of the person accused of the offence.
7. C- Refer to section 357A(2)- Whenever a recommendation is made by the Court for compensation, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded under the scheme referred to in sub-section (1)
8. A- Refer to section 320(8) of CrPC_ The composition of an offence under this section shall have the effect of an acquittal of the accused with whom the offence has been compounded.
9. B- Refer section 380 of CrPC.

10. B- An inquiry under CrPC is a formal examination conducted by either a Magistrate or the Court to ascertain the facts and circumstances surrounding a legal matter. It serves as a critical procedural step in the criminal justice system, distinct from a trial, typically occurring after the investigative phase
11. A- Refer to section 110 of IEA- Burden of proof as to ownership.—When the question is whether any person is owner of anything of which he is shown to be in possession, the burden of proving that he is not the owner is on the person who affirms that he is not the owner.
12. A- Dying declaration will be admissible in evidence only when the person making the statement dies and the cause of the person's death comes into question. If the person who has made a dying declaration survives, such a

statement will not come within the purview of Section 32(1) of the Evidence Act.

13. C- the Punjab and Haryana High Court has made it clear that evidence gathered by a sniffer dog is obviously a hearsay evidence and not scientific
14. D- The Supreme Court ruled in the Selvi vs State of Karnataka & Anr case (2010) that no lie detector tests should be administered without the accused's consent. Volunteers must also have access to a lawyer and have the physical, emotional, and legal implications of the test explained to them by police and the lawyer. The results of the tests cannot be considered "confessions," but any information or material discovered as a result of such a voluntarily administered test can be admitted as evidence,
15. B- Refer to section 65 of IEA- Cases in which secondary evidence relating to documents may be given.
16. B- Refer to section 31 of the IEA- Admissions not conclusive proof, but may estop
17. B- Refer to section 3 of the IEA- "Evidence". —"Evidence" means and includes — (1) all statements which the Court permits or requires to be made before it by witnesses, in relation to matters of fact under inquiry; such statements are called oral evidence;
18. B- Refer to section 116 of the IEA- No tenant of immovable property, or person claiming through such tenant, shall, during the continuance of the tenancy, be permitted to deny that the landlord of such tenant had, at the beginning of the tenancy, a title to such immovable property;
19. A- Refer to section 124 of the IEA- Official communications
20. C- Refer to section 102 of the IEA- On whom burden of proof lies. — The burden of proof in a suit or proceeding lies on that person who would fail if no evidence at all were given on either side.
21. C- Refer to section 73 of the IPC- Whenever any person is convicted of an offence for which under this Code the Court has power to sentence him to rigorous imprisonment, the Court may, by its sentence, order that the offender shall be kept in solitary confinement for any portion or portions of the imprisonment to which he is sentenced, not exceeding three months in the whole,

22. A- Doli incapax is a Latin phrase used in the legal system, which means 'incapable of doing harm or committing a crime. ' This principle presumes that a child cannot form the necessary criminal intent to commit an offence. (Section 82 of IPC)
23. B- Refer to section 396 of IPC- Dacoity with murder
24. A. Malice-in-Fact refers to performance of an act which may be legal, but with ill-will, or hatred, or bad intention. Whereas, Malice-in-Law, refers to a wrongful act, done intentionally, without just cause or legal excuse.
25. B- Refer to section 34 of IPC- When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.] Criminal act is a pre requiste
26. C- Refer to section 326A of IPC- Voluntarily causing grievous hurt by use of acid, etc.
27. B- Refer to Explanation already been sent on group by Moonak ma'am
28. B- Refer to Schedule in CrPC
29. C- Refer to section 376 of IPC- shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine.
30. B- Refer to section 399 of IPC- . Making preparation to commit dacoity.
31. A- Refer to section 202(3) of the Indian Consitution
32. C- This term is used for schedules which are lists in the constitution that categorise and tabulate bureaucratic activity and government policy.
33. C- Words secular, socialist were added later on by 42nd amendment
34. C- Refer to Article 11 of the Constitution- Parliament to regulate the right of citizenship by law
35. B- In India The Doctrine has been under Article 14 of the Constitution. Under this article this states constitutional provision imposes the duty to act fairly on all public authorities and therefore, people can have legitimate expectation that they will be treated fairly by the states. Thus 'non-arbitrariness and unreasonableness' have been made the necessary qualifiers for assessing whether there was a denial of Legitimate Expectation or not.
36. D- All the statements are correct

37. C- Refer to Article 18(4) of the Indian Constitution- No person holding any office of profit or trust under the State shall, without the **consent of the President**, accept any present, emolument, or office of any kind from or under any foreign State.
38. B- Refer to Article 22(2) of the Indian Constitution- Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.
39. C- Refer to Article 34 of the Indian Constitution- Restriction on rights conferred by this Part while martial law is in force in any area.
40. B- Refer to Article 57 of the Indian Constitution- Eligibility for re-election.—A person who holds, or who has held, office as President shall, subject to the other provisions of this Constitution, be eligible for re-election to that office.
41. A- Refer to section 51(1) of SOGA- Goods are deemed to be in course of transit from the time when they are delivered to a carrier or other bailee for the purpose of transmission to the buyer, until the buyer or his agent in that behalf takes delivery of them from such carrier or other bailee.
42. A- In H. Anraj v. Government of Tamil Nadu, reported in AIR 1986 SC 63, Shri. Tulzapurkar J. has held that the sale of Lottery tickets is sale of goods within the meaning of "Goods" and "Sale" as defined by S. 2(j) and (h) of the Tamil Nadu General Sales Tax Act, 1959 (hereinafter referred to as the Act). His Lordship after considering the various authorities cited at the bar held that when a purchaser purchases a Lottery ticket, he pays consideration (Price) not merely for the right to claim in future a prize in the draw but also for the right in presenti to participate in the draw and the Lottery tickets to the extent that they comprise the entitlement to participate in the draw are "Goods" properly so called within the meaning of Section 2(j) of the Act.
43. B- Refer to section 12(3) of SOGA- A warranty is a stipulation collateral to the main purpose of the contract, the breach of which gives rise to a claim for damages but not to a right to reject the goods and treat the contract as repudiated.

44. C- Sec 16(3) provides for an exception where the conditions are implied by the usage of this particular trade. So, in a case there is an implied warranty with regards to the fitness and quality of the goods and seller doesn't abide by that then in that case, the seller would be liable.
45. D- Refer to section 33 of the SOGA- Delivery of goods sold may be made by doing anything which the parties agree shall be treated as delivery or which has the effect of putting the goods in the possession of the buyer or of any person authorised to hold them on his behalf.
46. B- Refer to section 46 of the SOGA- Unpaid seller's sights
47. C- Refer to section 15 of CPC- Court in which suits to be instituted.
48. A- Refer to section 61 of CPC- Partial exemption of agricultural produce.
49. D- Refer to section 80(2) Proviso of CPC- Provided that the Court shall, if it is satisfied, after hearing the parties, that no urgent or immediate relief need be granted in the suit, return the plaint for presentation to it after complying with the requirements of sub-section (1).
50. A- Refer to section 96(3) of CPC- No appeal shall lie from a decree passed by the Court with the consent of parties.
51. D- Refer to section 97 of CPC- Appeal from final decree where no appeal from preliminary decree.—Where any party aggrieved by a preliminary decree passed after the commencement of this Code does not appeal from such decree, he shall be precluded from disputing its correctness in any appeal which may be preferred from the final decree.
52. C- Refer to section 144 of CPC- Application for restitution
53. C- Refer to section 147 of CPC- Consent or agreement by persons under disability.—In all suits to which any person under disability is a party, any consent or agreement, as to any proceeding shall, if given or made with the express leave of the Court by the next friend or guardian for the suit, have the same force and effect as if such person, were under no disability and had given such consent or made such agreement.
54. A- Refer to Order XI Rule 3 of CPC
55. B- Refer to Order XXVII Rule 8 of CPC- Procedure in suits against public officer.
56. A- Refer to order XVI-A of CPC- Attendance of WitnessesConfined or Detained in Prisons

57.B- Refer to Order XXXII-A Rule 2- —In every suit or proceeding to which this Order applies, the proceedings may be held in camera if the Court so desires and shall be so held if either party so desires.

58.B- Refer to section 2(d) of the Limitation Act- "bond" includes any instrument whereby a person obliges himself to pay money to another, on condition that the obligation shall be void if a specified act is performed, or is not performed, as the case may be;

59.C- Refer to Article 110 of the Limitation Act

60.D- Refer to section 17 of the Limitation act- Effect of fraud or mistake.

61.C- Refer to section 19 Explanation (b) of the Limitation Act- "debt" does not include money payable under a decree or order of a court.

62.D- Refer to section 21 of the Limitation Act- Effect of substituting or adding new plaintiff or defendant.

63.B- Refer to section 18(2) of the Limitation Act- Where the writing containing the acknowledgment is undated, oral evidence may be given of the time when it was signed; but subject to the provisions of the Indian Evidence Act, 1872 (1 of 1872), oral evidence of its contents shall not be received.

64.D- Refer to section 39 of the Specific Relief Act- Mandatory injunctions.

65.C- Refer to section 5 of the Specific Relief Act- A person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Civil Procedure, 1908

66.D- Refer to section 6(3) of the Specific Relief Act- No appeal shall lie from any order or decree passed in any suit instituted under this section, nor shall any review of any such order or decree be allowed.

67.B- Refer to section 23 of the Specific Relief Act- Liquidation of damages not a bar to specific performance.

68.Refer to section 19 of the Specific Relief Act- Relief against parties and persons claiming under them by subsequent title.

69.C- Refer to section 20(1) of the Specific Relief Act- Without prejudice to the generality of the provisions contained in the Indian Contract Act, 1872 (9 of 1872), and, e

70. B- Refer to section 21(1) of the Specific Relief Act- In a suit for specific performance of a contract, the plaintiff may also claim compensation for its breach in addition to such performance.
71. D- Refer to section 182 of the Indian Contract Act- "Agent" and "principal" defined
72. B- Refer to illustration (b) to section 197 of the Indian Contract Act
73. D- Refer to illustration to section 134 of the Indian Contract Act
74. B- Refer to Explanation to section 20 of the Indian Contract Act- An erroneous opinion as to the value of the thing which forms the subject-matter of the agreement, is not to be deemed a mistake as to a matter of fact.
75. A- General damages refers to harm which arises directly and inevitably from breach of contract or tort
76. C- Refer to section 150 of the Indian Contract Act- Bailor's duty to disclose faults in goods bailed
77. B- Refer to Illustration (a) to section 133 of the Indian Contract Act
78. B- "Ex nudo pacto non oritur actio" is a Latin maxim that translates to "a bare promise without consideration cannot be enforced."
79. A- Hochster v De La Tour [1853] EWHC J72 is a landmark English contract law case on anticipatory breach of contract. It held that if a contract is repudiated before the date of performance, damages may be claimed immediately.
80. B- Refer to section 143 of the Indian Contract Act- Any guarantee which the creditor has obtained by means of keeping silence as to material circumstances, is invalid.
81. D- Refer to section 3(4) of the Punjab Courts Act (In the question options, erroneously 2 has been mentioned instead of 3)
82. C- Refer to section 20 of the Punjab Courts Act
83. C- Refer to section 31 of the Punjab Courts ACt
84. C- Refer to section 40 of the Punjab Courts ACt
85. C- Refer to section 44-A(1) of the Punjab Courts Act
86. D- Refer to section 15(2)(b) of the Hindu Succession Act- any property inherited by a female Hindu from her husband or from her father-in-law shall devolve, in the absence of any son or daughter of the deceased (including the children of any pre-deceased son or daughter) not upon the

other heirs referred to in sub-section (1) in the order specified therein, but upon the heirs of the husband

87.B- Refer to section 22 of the Hindu Marriage Act- Proceedings to be in camera and may not be printed or published.—(1) Every proceeding under this Act shall be conducted in camera…..

88.B- Refer to Proviso to section 12 of the Hindu Minority and Guardianship Act- Provided that nothing in this section shall be deemed to affect the jurisdiction of a High Court to appoint a guardian in respect of such interest

89.C- Refer to section 27 of the Hindu Adoptions and Maintenance Act- Maintenance when to be a charge.

90.A- Refer to section 6(c) of the Hindu Minority and Guardianship Act- Natural guardians of a Hindu minor.

91.D- Refer to section 8 of the Hindu Succession Act- General rules of succession in the case of males

92.C- Refer to footnote appended to section 13A and section 13B

93.C- Refer to section 12 of the Hindu Succession Act- Order of succession among agnates and cognates.

94.C- Statement III is wrong. Refer to section 4 of the Act- Punishment for pronouncing talaq.—Any Muslim husband who pronounces talaq referred to in section 3 upon his wife shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

95.A- In Ila, the husband takes an oath not to have sexual intercourse with his wife. Followed by this oath, there is no consummation for a period of four months. After the expiry of the fourth month, the marriage dissolves irrevocably.

96.C- If a person gives revocable ṭalāq during death-illness and dies during the 'iddah period, the wife will not be deprived of her share in the inheritance of the husband.

97.B- Refer to section 4 of Muslim Women (Protection of Rights on Divorce) Act- Any Muslim husband who pronounces talaq referred to in section 3 upon his wife shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

98. A- According to Mulla, if a person is a minor ie., not attained the age of puberty, the consent of the guardian is required to make the marriage lawful. The persons recognized as guardians under Muslim law are : a. Father, b. Paternal father, c. brother or any other male member of father's family, d. Mother, e. Members of maternal relation. The right passes from on guardian to other, in absence of the previous one, in order of priority. In absence of any of these guardians marriage may be contracted by Qazi.

99. D- The sources of the law were acknowledged as the Quran, the sunna or practice of the prophet, the hadith or sayings of the prophet

100. D- [7th October, 1937.] An Act to make provision for the application of the Muslim Personal Law (Shariat) to Muslims.

101. C- refer to section 20 of the Registration Act

102. A- refer to Section 23 of the Registration Act

103. refer to Section 17 of the Registration Act

104. B- refer to Section 17 of the Registration Act

105. C- refer to Section 32A of the Registration Act

106. B- Refer to Section 34 of the Registration Act

107. D- Refer to Section 44 of the IPA

108. Refer to Modes of Dissolution under the IPA.

109. C- Where no provision is made by contract between the partners for the duration of their partnership, or for the determination of their partnership, the partnership is "partnership-at-will". (Section8)

110. C- Refer to Section 18 of the IPA

111. C- Refer section 23 of IPA.

112. C- Section 25 of the Partnership Act, Liability of a partner for acts of the firm Every partner is liable, jointly with all the other partners and also severally, for all acts of the firm done while he is a partner.

113. C- Refer to Section 4 of the Haryana Urban (Control or Rent and Eviction) Act

114. D- Inserted by Haryana Act 16 of 1978.

115. C- Refer to Section 13(3) of the Haryana Urban (Control or Rent and Eviction) Act

116. A- Refer to section 13(7) of the Haryana Urban (Control or Rent and Eviction) Act

117. C- Section 15 of the Haryana Urban (Control or Rent and Eviction) Act

118. C- Since 2016, the Chief Minister has consistently celebrated the International Gita Mahotsav at an international level, with this year's partner state being Assam,

119. A- The main objective of the Atom on Wheels campaign is to remove the misconceptions of the common people regarding nuclear energy.

120. A- Haryana's Chief Minister, Manohar Lal Khattar recently inaugurated a hot air balloon safari project in Pinjore, Panchkula district.

121. B- Aurangabad and Osmanabad districts in Maharashtra have been officially renamed as Chhatrapati Sambhajinagar and Dharashiv respectively, Chief Minister Eknath Shinde said on Saturday.

122. B- Millets Giveaway is a special marketing campaign being undertaken by Small Farmers' Agri-Business Consortium, a Society promoted by Ministry of Agriculture and Farmers Welfare, Govt. of India.

123. C- ISRO's heaviest rocket LVM3 belonging to UK-based OneWeb Group was launched at around 9 am. "LVM3 standing 43.5 metres tall and weighing 643 tonnes lifted off from the second launch pad rocket port carrying OneWeb's final installment of 36 Gen1 satellites.

124. B- The State Bank of India, the authorised seller of these poll bonds, was directed by the apex court to provide details of donations made through these bonds, as well as all relevant info on whoever the money went to.

125. B- India's Kiran Baliyan won a bronze medal in the women's shot put event at the Asian Games 2023 in Hangzhou, the People's Republic of China on Friday. It was India's first medal in athletics at the Asian Games 2023