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प्रश्नपुस्तिका क्रमांक
BOOKLET NO

वेळ : २ (दोन) तास

सराव प्रश्नपुस्तिका
विहित कायदेविषयक ज्ञान

एकूण प्रश्न : १००

एकूण गुण : १००

1) सदर प्रश्नपत्रिकेत 100 अनिवार्य प्रश्न आहेत. उमेदवारांनी प्रश्नांची उत्तरे लिहिण्यास सुरवात करण्यापूर्वी या प्रश्नपत्रिकेत सर्व प्रश्न आहेत किंवा नाहीत याची खात्री करून घ्यावी. असा तसेच अन्य काही दोष आढळल्यास प्रश्नपुस्तिका समवेक्षकांकडून लगेच बदलून घ्यावी.

2) आपला परीक्षा क्रमांक ह्या चौकोनांत न विसरता बॉलपेनने लिहावा.

परीक्षा क्रमांक							
							शेवटचा अंक

परीक्षा क्रमांक

केंद्राची संकेताक्षरे शेवटचा अंक

- 3) वर छापलेला प्रश्नपुस्तिका क्रमांक तुमच्या उत्तरपत्रिकेवर विशिष्ट जागी उत्तरपत्रिकेवरील सूचनेप्रमाणे न विसरता नमूद करावा.
- 4) (अ) या प्रश्नपुस्तिकेतील प्रत्येक प्रश्नाला 4 पर्यायी उत्तरे सुचविली असून त्यांना 1, 2, 3 आणि 4 असे क्रमांक दिलेले आहेत. या चार उत्तरांपैकी सर्वात योग्य उत्तराचा क्रमांक उत्तरपत्रिकेवरील सूचनेप्रमाणे तुमच्या उत्तरपत्रिकेवर नमूद करावा. अशा प्रकारे उत्तरपत्रिकेवर उत्तरक्रमांक नमूद करताना तो संबंधित प्रश्नक्रमांकासमोर छायांकित करून दर्शविला जाईल याची काळजी घ्यावी. ह्याकरिता फक्त काळ्या शाईचे बॉलपेन वापरावे, पेन्सिल वा शाईचे पेन वापरू नये.
- 5) सर्व प्रश्नांना समान गुण आहेत. यास्तव सर्व प्रश्नांची उत्तरे द्यावीत. घाईमुळे चुका होणार नाहीत याची दक्षता घेऊनच शक्य तितक्या वेगाने प्रश्न सोडवावेत. क्रमाने प्रश्न सोडविणे श्रेयस्कर आहे पण एखादा प्रश्न कठीण वाटल्यास त्यावर वेळ न घालविता पुढील प्रश्नाकडे वळावे. अशा प्रकारे शेवटच्या प्रश्नापर्यंत पोहोचल्यानंतर वेळ शिल्लक राहिल्यास कठीण म्हणून वगळलेल्या प्रश्नांकडे परतणे सोईस्कर ठरेल.
- 6) उत्तरपत्रिकेत एकदा नमूद केलेले उत्तर खोडता येणार नाही. नमूद केलेले उत्तर खोडून नव्याने उत्तर दिल्यास ते तपासले जाणार नाही.
- 7) प्रस्तुत परीक्षेच्या उत्तरपत्रिकांचे मूल्यांकन करताना उमेदवाराच्या उत्तरपत्रिकेतील योग्य उत्तरांनाच गुण दिले जातील. तेच “उमेदवाराने वस्तुनिष्ठ बहुपर्यायी स्वरूपाच्या प्रश्नांची दिलेल्या चार उत्तरांपैकी सर्वात योग्य उत्तरेच उत्तरपत्रिकेत नमूद करावीत. अन्यथा त्यांच्या उत्तरपत्रिकेत सोडविलेल्या प्रत्येक चार चुकीच्या उत्तरांसाठी एका प्रश्नाचे गुण वजा करण्यात येतील.

पर्यवेक्षकांच्या सूचनेशिवाय हे सील उघडू नये.

ह्या प्रश्नपत्रिकेसाठी आयोगाने विहित केलेली वेळ संपेपर्यंत ही प्रश्नपुस्तिका आयोगाची मालमत्ता असून ती परीक्षाकक्षात उमेदवारांला परीक्षेसाठी वापरण्यास देण्यात येत आहे. ही वेळ संपेपर्यंत सदर प्रश्नपुस्तिकेची प्रत/पती, किंवा सदर प्रश्नपत्रिकेतील काही आशय कोणत्याही स्वरूपात प्रत्यक्ष वा अप्रत्यक्षपणे कोणत्याही व्यक्तीस पुरविणे, तसेच प्रसिद्ध करणे हा गुन्हा असून अशी कृती करणाऱ्या व्यक्तीवर शासनाने जारी केलेल्या ‘‘परीक्षांमध्ये होणाऱ्या गैरवर्तनांना प्रतिबंध करण्याबाबतचा अधिनियम -८२’’ यातील तरतुदीनुसार तसेच प्रचलित कायद्याच्या तरतुदीनुसार कारवाई करण्यात येईल व दोषी व्यक्ती कमाल एक वर्षाच्या कारावासाच्या आणि/किंवा रुपये एक हजार रकमेच्या दंडाच्या शिक्षेस पात्र होईल.

तसेच ह्या प्रश्नपत्रिकेसाठी विहित केलेली वेळ संपण्याआधी ही प्रश्नपस्तिका अनधिकृतपणे बाळगणे हा सुद्धा गुन्हा असून तसे करणारी व्यक्ती आयोगाच्या कर्मचारीवृंदापैकी, तसेच परीक्षेच्या पर्यवेक्षकीयवृंदापैकी असली तरीही अशा व्यक्तीविरुद्ध उक्त अधिनियमानुसार कारवाई करण्यात येईल व दोषी व्यक्ती शिक्षेस पात्र होईल.

पुढील सूचना प्रश्नपुस्तिकेच्या शेवटच्या पानावर पहा.



कच्चा कामासाठी जागा / SPACE FOR ROUGH WORK

B.E. AVHAD'S LAW CLASSES, PUNE



1. A fact is said to be “not proved” :
- (A) When it is disproved
 (B) When, after considering the matters before it, the court believes that it does not exist
 (C) When a prudent man considers that the fact does not exist
 (D) When it is neither proved nor disproved
-
2. “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.”
 This provision is contained in which Section of the Indian Evidence Act?
- (A) Section-101 (B) Section-111
 (C) Section-102 (D) Section-113
-
3. A witness, who is unable to speak, gives his evidence in writing in the open court; evidence so given shall be deemed to be :
- (A) Primary evidence (B) Secondary evidence
 (C) Documentary evidence (D) Oral evidence
-
4. Provisions have been made under certain Sections of the Indian Evidence Act regarding relevancy of certain facts. Match the entries of List-I and List-II below and write the correct answer using the codes :
- | List-I
(Facts) | List-II
(Sections) |
|--|-----------------------|
| A. Opinion of Handwriting Expert | 1. 22 |
| B. State of relevant fact by person who is dead or cannot be found | 2. 47 |
| C. Previous good character in criminal cases | 3. 32 |
| D. Oral admissions as to contents of documents | 4. 53 |
- Codes :
- | | A | B | C | D |
|-----|---|---|---|---|
| (A) | 2 | 3 | 4 | 1 |
| (B) | 3 | 1 | 2 | 4 |
| (C) | 1 | 2 | 4 | 3 |
| (D) | 4 | 1 | 3 | 2 |



5. Legitimacy of child born during valid marriage is presumed under which Provision of the Indian Evidence Act?
- (A) Section-118 (B) Section-114
(C) Section-112 (D) Section-113
-
6. Which of the following is not correctly matched?
- (A) Matrimonial communication. Section 122
(B) Official communication Section 124
(C) Professional communication Section 126
(D) Confidential communication with legal advisers Section 127
-
7. Which one of the following is not included in the expression 'Court' under the Indian Evidence Act?
- (A) All judges
(B) All persons legally authorized to take evidence
(C) All Magistrates
(D) Arbitrator
-
8. Which Section of the Indian Evidence Act makes the provision that there shall be no new trial on the ground of improper admission or rejection of evidence?
- (A) Section 166 (B) Section 165
(C) Section 167 (D) Section 161
-
9. Under Section 57 (1) of the Indian Evidence Act, the Court shall take judicial notice of :
- (A) All laws in force in India (B) All laws including foreign laws
(C) All Indian and Asian laws (D) All Indian and British laws upto 1950
-
10. 'A' commits a crime and goes to Police Officer. He makes confession and gives other information. 'A' is charged with the offence. The confession :
- (A) Cannot be proved against him because of Section 25 of the Evidence Act
(B) Can be proved against him because of Section 27 of the evidence Act
(C) Can be proved against him because of Section 25 of the Evidence Act
(D) Cannot be proved against him because of Section 27 of the Evidence Act
-



11. Which of the following statements is incorrect regarding dumb witnesses?
- (A) A dumb witness may give his evidence by writing in open court
 - (B) A dumb witness may give his evidence by signs in open court
 - (C) Evidence given by a dumb witness in writing before the court shall be deemed to be documentary evidence
 - (D) A dumb witness may give evidence in any manner which can make it intelligible
-
12. In a Trial of murder of 'B' by 'A' which fact is not relevant?
- (A) 'A' was absconding immediately after the murder of 'B'
 - (B) 'A' and 'B' were seen together before murder
 - (C) 'A' had borrowed Rs. 50,000 from B.
 - (D) 'A' was in Bombay on that day while murder of 'B' was committed in Chennai
-
13. Under Proviso of Section 146(3) of the Evidence Act, in a prosecution for rape in her cross-examination, the prosecutrix :
- (A) Can be put question as to her general immoral character
 - (B) With the permission of the Court can be put questions as to her general immoral character
 - (C) Cannot be put questions as to her general immoral character
 - (D) Cannot be put question as to her rape
-
14. Which one of the following is a correct statement relating to cross examination?
- (A) Witnesses to character may be cross- examined
 - (B) Leading questions cannot be asked in cross-examination
 - (C) A person summoned to produce a document can be cross-examined
 - (D) A witness may not be cross-examined as to previous statements made by him in writing
-
15. To what facts of the following, the rules of relevancy have been discussed under Section 8 of the Indian Evidence Act?
- (A) Motive
 - (B) Preparation
 - (C) Previous or subsequent conduct
 - (D) All of the above
-



16. Which one of the following sections of the Indian Evidence Act makes relevant opinions as to existence of custom?

- (A) Section 47 (B) Section 48
(C) Section 49 (D) Section 50

17. Under which one of the following provisions of Indian Evidence Act the words “forming part of the same transaction” occurs?

- (A) Section 5 (B) Section 6
(C) Section 11 (D) Section 12

18. Point out the incorrect statement :

- (A) If a contract is contained in several, letters, all the letters in which it is contained, must be proved.
(B) If a contract is contained in a bill of exchange, the bill of exchange must be proved.
(C) If a bill of exchange is drawn in a set of three, one only need be proved.
(D) If ‘A’ gives ‘B’ receipt for money paid by ‘B’, oral evidence is offered of the payment, the evidence is not admissible.

19. Match List I with List II and select the correct answer by using the code given below the lists:

List I (Provisions)				List II (Sections of Evidence Act)			
A.	Burden of Proof			1.	Section 106		
B.	On whom burden of proof lies			2.	Section-103		
C.	Burden of Proof as to particular fact			3.	Section 102		
D.	Burden of proving-fact especially within knowledge			4.	Section 101		
	A	B	C	D			
(A)	3	4	1	2			
(B)	2	3	4	1			
(C)	4	3	2	1			
(D)	1	2	3	4			

20. Select the *incorrect* statements using the code given below:

1. The Indian Evidence Act does not apply to arbitration proceedings.
2. The Indian Evidence Act does not apply to proceedings before a Commissioner appointed by the court for recording evidence



3. The Indian Evidence Act applies to affidavits presented to Courts
4. The Indian Evidence Act applies to judicial proceedings held before all kinds of military courts
- (A) 2 and 3 are incorrect
- (B) 2, 3 and 4 are incorrect
- (C) 1 and 3 are incorrect
- (D) None of the above is incorrect
-

21. How many years old electronic record will be deemed to be proved, if it is produced from any custody which the court in the particular case considers proper?
- (A) Five years (B) Thirty years
- (C) Twenty years (D) Ten years
-

22. Which one of the following sections of the Indian Evidence Act applies to the pleaders relating to professional communications?
- (A) Section 128 only (B) Sections 129 and 130
- (C) Sections 133 and 134 (D) Sections 126 and 127
-

23. In Indian Evidence Act, the maxim "SALUS POPULI SUPREMA LEX" is related to
- (A) Section 121 (B) Section 122
- (C) Section 123 (D) Section 124
-

24. The Law of Evidence consists of which one of the following?
- (A) Ordinary rules of reasoning (B) Legal rules of evidence
- (C) Rules of logic (D) All of the above
-

25. 'X' sues 'Y' for damage done by a dog of 'Y', which 'Y' knew to be ferocious. The fact that the dog had previously bitten 'A', 'B' and 'C' are :
- (A) relevant (B) irrelevant
- (C) inadmissible (D) unreliable
-

26. Which one of the following is not inclusive in Section 8 of the Indian Evidence Act, 1872 for relevancy?
- (A) Intention (B) Motive
- (C) Preparation (D) Conduct
-



27. Identification parade can be held by
(A) Police Officer only (B) Magistrate only
(C) Public Servant only (D) Any person
-
28. Which one of the following does not fall within the definition of the term Court under Indian Evidence Act, 1872?
(A) All Judges
(B) All Magistrates
(C) All Consumer Forums
(D) All persons legally authorised to take evidence
-
29. Which one of the following is not a competent witness to testify under the Indian Evidence Act, 1872?
(A) Persons capable of understanding the questions put to them by the court
(B) Unchaste woman
(C) Witness unable to speak
(D) Idiot
-
30. Which one of the following is not an exception to the doctrine of estoppel under Indian Evidence Act, 1872?
(A) When the truth is known to both the parties
(B) On the question of law
(C) On the question of fact
(D) Against the law
-
31. Under Indian Evidence Act, 1872 power of judge to put questions or order of production of document or thing has been provided under
(A) Section 163 (B) Section 165
(C) Section 161 (D) Section 166
-
32. During re-examination of witness under Indian Evidence Act, 1872
(A) a new matter can be raised as a matter of right generally
(B) no new matter can be raised
(C) a new matter can be raised only with the permission of the court
(D) None of the above
-



33. Under Indian Evidence Act, 1872 the doctrine of res gestae applies to
(A) only civil proceedings (B) only criminal proceedings
(C) only to administrative tribunals (D) both (a) and (b)
-
34. Which one of the following under Indian Evidence Act, 1872 is not a kind of estoppel?
(A) Estoppel by will (B) Estoppel by deed
(C) Estoppel by conduct (D) Estoppel by record
-
35. Hostile witness means :
(A) An unfavourable witness
(B) A witness who is desirous of telling the truth
(C) A witness who is not desirous of telling the truth
(D) An overpowered witness
-
36. Which one of the following is primary evidence?
(A) Copies made from the original
(B) Document produced for the inspection of the court
(C) Certified copies of a document
(D) Photostat copies of a document
-
37. Which one of the following is not a public document?
(A) An unregistered family settlement
(B) A registered sale deed
(C) Judgment of High Court
(D) Judgment of Civil Judge
-
38. In case of suicide by a married woman, the court under Section 113-A of the Indian Evidence Act, may presume that suicide had been abetted by her husband, if :
1. Suicide was committed by the wife within a period of seven years from the date of her marriage.
2. The wife was subjected to cruelty.
3. The wife was illiterate and from a poor family.
4. The wife was deserted by the husband.
Select the correct answer using the codes given below :
(A) 1, 2, 3 (C) 2, 4 (B) 1, 3, 4 (D) 1, 2



39. Admissions are :

- (A) Not conclusive proof of the matters admitted
- (B) Conclusive proof of the matters admitted
- (C) Not to operate as estoppel
- (D) Of no value

40. "A's" death is caused due to negligent driving of 'B'. in the word "forming part of the same transaction" occurs?

- (A) The fact that 'A' was a young man of 30 years
- (B) The fact that 'A' was a youngman with good physique
- (C) The fact that 'A' had qualified in P.C.S. (J)
- (D) The fact that 'B' was in the habit of driving negligently

41. Match List-I and List-II and select the correct answer using the code given below the list :

List-I	List-II
(Relevancy of facts)	(Section of Evidence Acts)
(a) Facts as effect of facts in issue	1. Sec. 9
(b) Facts forming part of same transaction	2. Sec. 8
(c) Facts which constitute preparation for any fact in issue	3. Sec. 7
(d) Facts necessary to explain or introduce relevant facts	4. Sec. 6

Code :

- | | | | | |
|-----|-----|-----|-----|-----|
| | (a) | (b) | (c) | (d) |
| (A) | 1 | 2 | 3 | 4 |
| (B) | 4 | 3 | 2 | 1 |
| (C) | 3 | 4 | 2 | 1 |
| (D) | 2 | 3 | 1 | 4 |

42. That there are certain things arranged in a certain order in a certain place :

- (A) Is a fact
- (B) Is a document
- (C) Is a motive
- (D) Is an opinion



43. The burden of proof generally lies on :
(A) prosecution (B) accused
(C) the discretion of the court (D) on both
-
44. Section 90 of the Indian Evidence Act applies to :
(A) testamentary documents
(B) non testamentary documents
(C) testamentary and non testamentary documents
(D) none of the above
-
45. In Evidence Act, leading questions can be asked during :
(A) cross examination (B) examination in chief
(C) re-examination (D) all the above
-
46. A voluntary confession is admissible in evidence :
(A) when made to a police officer
(B) when made to Magistrate of competent jurisdiction
(C) when made to a village sarpanch with request to save him from police
(D) when made to a police officer who kept him in his custody
-
47. Contents of a documents under Section 59 of the Indian Evidence Act, 1872 :
(A) can be proved by oral evidence
(B) cannot be proved by oral evidence
(C) may or may not be proved by oral evidence
(D) can only be proved by oral evidence under the orders of the court
-
48. Who amongst the following is an expert under the Indian Evidence Act?
(A) Hand-writing expert (B) Fingerprint expert
(C) Ballistics expert (D) All of the above
-
49. In which of the following cases hearsay evidence is not admissible?
(A) Statement of experts expressed in treatises, if the author is dead or cannot be found,
(B) Where eye-witness told the facts to another person, statement of that person.
(C) If the statement is of a deceased person, when it relates to cause of his death.
(D) If the statement is part of the transaction-in-issue.
-



50. Who can make an admission under Indian Evidence Act?
(A) Witness to a Proceeding (B) A Party to Proceeding
(C) A Third Party (D) The Court
-
51. Which one in the following is not an exception to the 'Rule of hearsay'?
(A) Dying Declaration (B) Res Gestae
(C) Opinion of Expert (D) Confession
-
52. What is the nature of a statement given in NARCO Test?
(A) It is not an evidence. (B) It is a scientific evidence.
(C) It is an oral evidence. (D) It is a circumstantial evidence.
-
53. The term "Judicial notice" under the Indian Evidence Act, 1872, means
(A) Notice given by the court
(B) Information given to the court
(C) To ask for evidence
(D) To recognise without proof something an existing
-
54. Where a document is executed in several parts, there
(A) each part is a primary evidence of the document
(B) each part cannot be primary evidence of the document
(C) each counter part is secondary evidence
(D) only main part is primary while rest is secondary evidence of the document
-
55. The Draft of Indian Evidence Act, 1872 was prepared by
(A) Lord Macaulay (B) Sir James F. Stephen
(C) Huxley (D) Sir Henery Maine
-
56. In which of the following secondary evidence relating to a document cannot be given?
(A) When the original document shown to be in possession of the person against whom the document is sought to be proved
(B) When the original document is in possession of the person who wants to prove it
(C) When the original document is lost without any default or negligence on the part of the person who wants to prove it
(D) When the original document is of such nature which cannot be easily moved
-



57. When can prosecution be allowed to ask leading question to its own witness?
- (A) In examination-in-chief (B) When the witness is declared hostile
(C) In re-examination (D) In no circumstance
-
58. 'A' prosecutes 'B' for stealing a cow from him. 'B' is convicted. 'A' afterwards sues 'C' for the cow which B had sold to him before his conviction. The judgment against B is:
- (A) Relevant as between A & C
(B) Irrelevant as between A & C
(C) Is without jurisdiction
(D) Is conclusive proof against C
-
59. A hires lodgings of B and gives a card on which is written "Rooms Rs. 200 a month" A tenders oral evidence to prove a verbal agreement that these terms were to include partial board. The evidence is:
- (A) Inadmissible under section 91 of the Indian Evidence Act.
(B) Inadmissible under section 92 of the Indian Evidence Act
(C) Admissible
(D) Irrelevant
-
60. X sues Y for money due on a bond. The execution of the bond is admitted but Y says that it was obtained by fraud which X denies. The burden of proof is:
- (A) On Y (B) On X
(C) On the State (D) On X and Y both
-
61. Which of the following statements is correct:
- (A) Estoppel is not a rule of evidence
(B) Estoppel from record constitutes bar of res judicata
(C) There can be estoppel on a point of law
(D) There cannot be estoppel when the truth of the matter is known to both parties
-
62. Which one of the following statements is correct?
- A, who has taken vow of silence gives evidence in writing in an open court. His evidence shall be deemed to be
- (A) documentary evidence (B) circumstantial evidence
(C) oral evidence (D) secondary evidence



63. Consider the following statements :

1. Presumption as to documents thirty years old is mandatory
2. A child is not competent to testify
3. doctrine of promissory estoppel is applicable against the government
4. Privilege granted to lawyers under section 126 aims at the protection of lawyers

Which of the statements given above is/are correct?

- (A) 1 and 2 (B) 2, 3 and 4
(C) 4 only (D) 3 only
-

64. Consider the following statements :

The Indian Evidence Act is applicable to

1. the proceedings under chapter IX of Cr.P.C.
2. court martial under the Army Act
3. affidavits presented to any court
4. an execution proceeding

Which of the statements given above are correct?

- (A) 1, 2 and 3 (B) 2 and 4
(C) 2 and 3 (D) 1 and 4
-

65. "Facts not otherwise relevant are relevant if, they are inconsistent with any fact in issue or relevant fact"

Which of the following sections of the Indian Evidence Act contains the aforesaid principle of law?

- (A) Section 9
(B) Section 10
(C) Section 11
(D) Section 12
-

66. Which of the following statements is correct?

- (A) A dying declaration recorded by a Magistrate not empowered under section 164 Cr.P.C. cannot be proved by the oral evidence of the Magistrate
- (B) The credit of the declarant cannot be impeached
- (C) A dying declaration is substantive evidence
- (D) If the declarant is not examined although alive, his declaration is admissible
-



67. Which of the following facts can be proved under section 92 of the Indian Evidence Act?
- (A) The policy of insurance is affected on goods in ships from Kolkata to London. The goods are shipped in a particular ship which is lost a party says that the particular ship was orally excepted from the policy
 - (B) A agrees in writing to pay Rs. 1000 on the first of March, 2002. A party says that at the same time an oral agreement was made that money should not be paid till the 31st of March, 2002
 - (C) An estate called the Rampur Tea Estate is sold by a deed which contains a map of the property sold. One party says that land not included in the map had always been regarded as part of the estate and was meant to pass by the deed
 - (D) A enters into a written contract with B to work in certain mines, the property of B, on certain terms. A says that he was induced to do so by a misrepresentation of B as to their value
-
68. Which of the following observations is correct?
- (A) Section 91 and 92 of the Indian Evidence Act may not be abrogated by special law
 - (B) Where section 91 does not apply section 92 also does not apply
 - (C) The law of estoppel does not override sections 91 to 94 of the Indian Evidence Act
 - (D) Section 91 and 92 apply even if there is no completed and binding contract
-
69. Which one of the following facts is protected, from disclosure in a court of law?
- (A) A, a client, says to B; an attorney "I have committed forgery and I wish you to defend me"
 - (B) A, a client(says to B, an attorney "I wish to obtain possession of property by the use of a forged deed on which, I request you to sue"
 - (C) A, being charged with embezzlement retains B, an attorney to defend him. In the course of the proceedings, B observes that an entry has been made in A's account book charging A with the sum said to have been embezzled which entry was not in the book at the commencement of his employment
 - (D) A, a client says to his attorney B, "I want to murder my enemy C. Please advise me how I may be able to murder C"
-
70. Which of the following pieces of evidence is not relevant under the Indian Evidence Act?
- (A) A is accused of fraudulently delivering to another person a counterfeit coin which he knew to be counterfeit. Evidence is given that he was also in possession of other counterfeit coins



- (B) A sues B for damage done by B's dog which he knew to be ferocious. Evidence is given that the dog and previously bitten X, Y and Z and that they had made complaints to B
- (C) A is charged with shooting at B with intent to kill him. Evidence is given that A had previously shot at B
- (D) A is tried for the murder of B by intentionally shooting him dead. Evidence is given that A was in the habit of shooting at people with intent to murder them.

71. Consider the following statements :

1. The proceedings of the Parliament or State Legislatures of India are judicially noticeable facts.
2. Rules of the road on land or at sea are not judicially noticeable facts.
3. Criminal law in force in India is judicially noticeable fact.

Which of the statements given above is/are correct?

- (A) 1 only
(B) 2 and 3
(C) 1, 2 and 3
(D) 1 and 3

72. Both husband and wife are competent for and against each other :

- (A) In civil proceedings
(B) In criminal proceedings
(C) In both civil and criminal proceedings
(D) neither in civil nor in criminal proceedings

73. Which of the following is a primary evidence :

- (A) copies made from and compared with the original
(B) counterpart of document as against the parties who did not execute them
(C) counterpart of a document as against the parties who executed it
(D) certified copies of a document

74. Statement of a person who is dead or cannot be found is not relevant :

- (A) when it is made in the course of business
(B) when it is in favour of the interest of the maker
(C) when it relates to the circumstances of the transaction resulting in his death
(D) when it relates to existence of relationships



75. 'A' prosecutes 'B' for adultery with 'C', wife of 'A'. 'B' contested by denying the allegation. 'B' was found guilty and convicted in said case. Subsequently, 'C' was prosecuted on charge of bigamy on allegations that she had married 'B' during subsistence of her marriage with 'A'. 'C' contested by denying that she was ever married to 'A'. In the case against 'C', the judgment in the first case against 'B' is
- (A) relevant (B) irrelevant (C) binding (D) None of these
-
76. The essential conditions for the dying declaration to be relevant Include the
- (i) statement is made by a person as to the cause of his death
- (ii) statement is made by a person as to any of the circumstances of the transaction which resulted in his death
- (iii) person must have been under expectation of death at the time of making the statement
- Which of the above propositions is/are correct?
- (A) (i) and (ii) (B) (ii) and (iii) (C) (i) and (iii) (D) All these
-
77. Which of the following statements is correct?
- (A) Confession caused by inducement, threat or promise flowing from person in authority, giving reasonable impression to the accused that he would thereby avoid punishment is relevant.
- (B) Confession by accused while in custody of police, even if made in the immediate presence of a magistrate, shall not be proved,
- (C) The confession of the accused made while in custody of police may be proved if as a consequence of information received thereby a relevant fact is discovered.
- (D) None of these
-
78. 'C' is employed as cashier by a firm to receive money at its sale counter. It is his duty to make entries in the ledger showing the amounts received by him. He is prosecuted on the charge of criminal breach of trust in respect of rupees ninety thousand on the basis of evidence showing he made an entry showing that he had received rupees ten thousand only whereas he had actually received rupees one lakh. 'C' has taken the plea that the wrong entry was accidental and unintentional. The fact that other entries made in the same ledger are false, each showing receipt of less amount by 'C' is :
- (A) relevant as it has a bearing on the question of intention
- (B) not relevant as the other entries are not basis of charge
- (C) not relevant as the evidence is extraneous
- (D) not relevant as other entries are not in issue



79. Mark what is not a 'public document' within the meaning of the expression used in the Evidence Act?
- (A) The records of Motor Accident Claims Tribunal
 - (B) The register of private documents maintained in the office of Sub-Registrar under the Registration Act
 - (C) The record of proceedings of the House of the People maintained in the Lok Sabha Secretariat
 - (D) Pronote executed by 'A' while taking loan from a money lender
-
80. The evidence of contents of the information recorded or stored in a computer may be given through computer output, without production of the original, provided certain conditions are satisfied. The said conditions include that :
- (A) if the computer was not operating properly during the material part of the period over which it was used to store or process the information for purposes of the relevant activities, it was not such as to affect the electronic record or the accuracy of its content.
 - (B) the information contained in the electronic record is derived from such information fed into the computer in the ordinary course of such activities.
 - (C) Neither (A) nor (B)
 - (D) Both (A) and (B)
-
81. Which of the following is correct?
- (A) Rebuttable presumption arises that a man is alive if it is shown that he was alive within thirty years.
 - (B) Rebuttable presumption arises that a man is dead if it is proved that he has not been heard of for seven years by those who would naturally have heard from him if he had been alive.
 - (C) Both (A) and (B)
 - (D) None of these
-
82. Circumstantial evidence is considered weaker evidence as compared to direct evidence
- (A) Because it has 2 errors of fallibility (i) of the fact from which inference is drawn being proved and (ii) of the inference to be drawn from the fact proved.
 - (B) Because the inference in circumstantial evidence is based upon a presumption
 - (C) Because circumstances some times may tell a lie
 - (D) Because circumstances evidence is based upon the process of deductive logic
-



83. In the Law of Evidence 'Fact' means and includes :
- (A) Anything perceived by the senses
 - (B) State of things capable of being perceived by the senses
 - (C) Mental condition of which a person is conscious
 - (D) All of the above
-
84. 'A' rings up the police station and informs the Duty Officer that he has murdered his wife because she was not preparing food for him. The information is duly recorded by the Duty Officer. At the trial for having committed the offence of murder, the statement made by 'A' would be :
- (A) Admissible in evidence because when the statement was made 'A' was not in custody of the police
 - (B) Admissible only to the extent that 'A' was the informant
 - (C) Admissible to the extent that 'A' was the informant and was present in his house and had knowledge of his wife having been murdered
 - (D) Inadmissible in evidence
-
85. If on the carbon copies of a letter written on a typewriter, signature have been put on the first letter then other copies :
- (A) Will also be primary evidence
 - (B) Will be secondary evidence
 - (C) Will be no evidence
 - (D) None of the above
-
86. Which is the most appropriate definition in relation to a hostile witness? A hostile witness :
- (A) Is one who from the manner in which he gives the evidence shows that he is not desirous of telling the truth to the court
 - (B) Is a witness who is gained over by the opposite party
 - (C) Is one called by a party to prove a particular fact, who fails to prove such fact or proves an opposite fact
 - (D) Is one who is not produced out of the fear that he might disavour the party who has to produce him



87. Cross-examination of a witness :
- (A) Must relate to relevant facts and has to be confined to what the witness testified in examination in chief
 - (B) Must relate to relevant facts but need not be confined to what the witness testified in examination in chief
 - (C) May not relate to relevant facts but must relate to what the witness' testified in examination in chief
 - (D) May not relate to relevant facts & may not be confined to what the witness testified in examination in chief
-
88. Delhi High Court issued guidelines for the protection of witnesses in :
- (A) Neelam Katara Case (2003)
 - (B) Naina Sahni Case (2007)
 - (C) Uphaar Cinema Case (2005)
 - (D) Parliament Attack Case (2006)
-
89. Which of the following has been held to be questions of fact and not of law?
- (A) Whether a fact has been proved when evidence for and against has been properly received
 - (B) Whether a statutory presumption has been rebutted
 - (C) Whether an endowment is private or public, there being no questions of misconstruction of a document involved
 - (D) All of the above
-
90. Relevant entries in the books of account alone
- (A) are sufficient to charge any person with liability
 - (B) can be taken into consideration in a criminal trial
 - (C) are not sufficient to charge any person with liability
 - (D) can help a judge in deciding a suit
-
91. When a document purporting to be a power of attorney, duly authenticated as required by law is produced :
- (A) the court can take it as conclusive proof
 - (B) the court may presume its execution and authentication
 - (C) the court shall presume its execution and authentication
 - (D) nothing is required to be proved
-



92. Husband and wife
- (A) are competent witnesses against each other in matrimonial cases
 - (B) are not competent witnesses against each other as they are one person in law
 - (C) are competent witnesses against each other in civil cases only
 - (D) are competent witnesses against each other in civil as well as criminal cases
-
93. Which one of the following is the true statement in relation to the relevancy of character?
- (A) In criminal cases, previous good character is irrelevant
 - (B) In criminal proceedings, previous bad character is relevant
 - (C) In civil cases, character to prove conduct imputed is relevant
 - (D) In civil cases, character of any person affecting the amount of damages is relevant
-
94. 'Propositions under Evidence Act are :
- (I) Statement is a genus, admission is a species & confession is a sub species
 - (II) Statement & admission are species & confession is a sub species
 - (III) Statement & admission are genus & confession is a species
- In this context which of the following is correct:
- (A) I is correct, II & III are incorrect
 - (B) I & II are correct & III is incorrect
 - (C) II & III are correct & I is incorrect
 - (D) III is correct & I & II are incorrect
-
95. A dying declaration :
- (A) Can form the sole basis of conviction without any corroboration by independent evidence
 - (B) Can form the basis of conviction only on corroboration by independent witness
 - (C) Cannot form the sole basis of conviction under corroborated by independent witness
 - (D) Only (b) and (c) are correct
-
96. In case a child is born within 280 days of dissolution of marriage, the mother remaining unmarried the presumption of legitimacy of child under section 112 of Evidence Act arises:
- (A) If the father is alive on the day the child is born
 - (B) If the father is not alive on the day the child is born
 - (C) Irrespective of whether the father is alive or dead on the day the child is born
 - (D) Either (a) or (b)
-



97. Estoppel :
- (A) Is a cause of action in itself (B) Creates a cause of action
(C) Both (a) and (b) are correct (D) Neither (a) nor (b) is correct
-
98. Testimony of an accomplice before it is accepted and acted upon :
- (A) Must be corroborated from the testimony of another accomplice
(B) Must be corroborated from an independent source
(C) Need not be corroborated at all
(D) Either (a) or (c)
-
99. During re-examination of a witness :
- (A) A new matter can be introduced as a matter of right generally
(B) A new matter can be introduced only with the permission of the court
(C) No new matter can be introduced at all
(D) Either (a) or (c)
-
100. During examination in chief or re-examination: (A) Leading questions can't not be asked under any circumstances
(B) Leading questions on certain matters can be asked without the permission of the court, as a matter of right
(C) Leading question on certain matter can be asked only with the permission of the court
(D) Only (a) and not (b) or (c)

Best Of Luck