

CLAT LLM

ONLINE SELF STUDY KIT

SUBJECT: CRIMINAL LAW

Number of Questions: 2000 Plus

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1. Who among the following opined that 'the admirable Penal code was not the least achievement of Lord Macaulay's genius and hoped that it undoubtedly destined to serve some day as a model for the Criminal law of England'?

- (a) Kenny
- (b) Glanville Williams
- (c) Blackstone
- (d) Sir Henry Maine

2. Who among the following defined crime as an act or omission in respect of which legal punishments may be inflicted on the person who is in default either by acting or omitting to act?

- (a) James Fitz Stephen
- (b) Lord Macaulay
- (c) Sir William Blackstone
- (d) Kenny

3. The world famous debate regarding the extend to which criminal law ought to be applied in dealing with human behaviour, was between

- (a) Lord Devlin and H.L.A.Hart
- (b) Hart and Mullar

- (c) Kenny and Blackstone
- (d) None of the above

4. Where the rape is committed when consent is obtained by putting the victim in fear of death or hurt the actus reus is in respect of

- (a) Place
- (b) Time
- (c) Person
- (d) State of mind of the victim

5. The Supreme Court examine the impact of exclusion of Mens rea from the definition of Crime in

- (a) State of Maharashtra Vs M.H.George
- (b) Rupan deol Bajaj Vs K.P.S.Gill
- (c) Rathinam Vs Union of India
- (d) None of the above

6."Although, prima facie and as a general rule, there must be a mind at fault before there can be a crime, it is not an inflexible rule, and a statute may relate to such a subject-matter and may be so framed as to make an act criminal whether there has been any intention to break the law or otherwise to do wrong, or not.". This expression of Wills is in the classis case

- (a) R Vs Huggins
- (b) R Vs Prince
- (c) R Vs Tolson
- (d) None of the above

7. The accused was a passenger from Zurich to Manila in a Swiss plane which left Zurich on 27.11. 1962. When the plane landed at Bombay airport 34 Kilos of Gold were found in the possession of the accused. He pleaded that he had no Mens rea since he was unaware of the new notification which imposed a ban on procuring gold through India. Supreme Court rejected the contention and uphold the conviction. These facts belongs to the leading case

- (a) State of Maharashtra Vs M.H.George
- (b) Nathu lal Vs State of MP
- (c) Kartar Singh Vs State of Punjab
- (d) None of the above

8. The accused, husband deliberately starved his wife and denied her food. He also prevented her from going from house. Once she escaped and filed a case under S.307 against her husband. The Supreme Court held him guilty on the ground of his illegal omission. These facts belongs to the leading case

- (a) Om Prakash Vs State of Punjab

- (b) Nathu lal Vs State of MP
- (c) Kartar Singh Vs State of Punjab
- (d) None of the above

10. Accused was tried for unlawfully taking Annie Philip, an unmarried girl under the age of 16, out of the possession and against the will of her father. It was proved that the accused reasonably believed that she was eighteen. In this case the House of Lords by a majority of 15 to 1, held that he is guilty. The facts are of the leading case

- (a) R Vs Tolson
- (b) R Vs Prince
- (c) R Vs Mcnamara
- (d) None of the above

11. "A layman might find it painfully ridiculous that, after a thousand years of legal development, lawyers should still be arguing about the expression used to denote the basic ideas". Glanville Williams expressed these words regarding

- (a) Crime
- (b) Mens rea
- (c) Actus Reus
- (d) None of the above

13. Venkalu locked the only door of a single room hut in which Moinudeen was sleeping, sprinkled Kerosene around it and set the room on fire. Those who came to rescue after hearing the cries were kept at bay by Venkalu. Moinudeen was found dead by the police next morning. In this case

- (a) Venkalu is liable for murder
- (b) Venkalu is liable for culpable homicide not amounting to murder
- (c) Venkalu is not liable for murder
- (d) None of the above

14. Accused, a Pakistani made false representation to the complainant in India, through letters, telegrams etc, for importing rice to India. As a result complainant parted with money to the tune of Rs.5 Lakhs to the agents of the accused. Rice was not shipped and the money was not returned. The accused is found guilty by the Supreme Court holding that for holding an accused criminally liable for an offence under Indian Penal code. The facts are related to the case of

- (a) State of Maharashtra Vs M.H.George
- (b) Mobarak Ali Ahmed Vs State of Bombay :
- (c) Dawood Ibrahim Vs Union of India
- (d) None of the above

15. A person was prosecuted U/S. 292 IPC, for selling the book 'Lady Chatterley's lover' written by D.H.Lawrence. The accused pleaded that he

had no knowledge of the contents of the book and hence did not have the necessary mens rea. In this case

(a) The accused is not guilty because IPC offences need mens rea is an essential ingredient.

(b) S.292 does not contain the word 'knowingly' and hence knowledge of obscenity is not an essential ingredient of the offence

(c) Accused should prove the absence of mensrea

(d) None of the above.

17. In which of the following cases the Constitution bench of the Supreme Court has held that judges of superior courts cannot be excluded from the definition of 'public servant'?

(a) K.Ramaswamy Vs State of TN

(b) R.S.Nayak Vs A.R.Antulay

(c) K.Veera swamy Vs union of India

(d) None of the above.

18. In which of the following Case Supreme court declared S.27(3) of the Arms Act unconstitutional as it imposes mandatory death penalty, which is violative of Articles 14 and 21 of Constitution of India.

(a) Mithu Vs State

(b) Bachan Singh Vs State

- (c) State of Punjab Vs Dalbir Singh
- (d) None of the above

20. In which of the following Case Supreme court declared that the woman with whom second marriage is contracted by suppressing the fact of former marriage would be entitled to maintain complaint against her husband under Sections 494 and 495 IPC?

- (a) Subash Babu Vs State of AP
- (b) Revathy Vs State
- (c) Lilly Thomas Vs Dalbir Singh
- (d) None of the above

21. In which of the following Case, Supreme Court held that a serious re-look of the entire provision of section 498-A IPC is warranted by legislation?

- (a) Preeti Gupta Vs. State of Jharkhand
- (b) Revathy Vs State
- (c) Lilly Thomas Vs State
- (d) None of the above

22. Which of the following Law Commission report suggested making Section 498A compoundable?

- (a) 237th

- (b) 238th
- (c) 239th
- (d) 240th

23. The deceased owed some money to the accused. He demanded the same from the deceased. The deceased told him that he had no money and would pay him later. On hearing the accused kicked the deceased in his stomach. The deceased collapsed and died due to shock. He is liable to be punished for

- (a) Murder,
- (b) Culpable homicide not amounting to murder
- (c) Voluntary Causing hurt
- (d) None of the above

25. In which of the following Case, Supreme Court held Passive euthanasia is permissible?

- (a) Preeti Gupta Vs. State of Jharkhand
- (b) Aruna Shanbaug Vs Union of India
- (c) Rekha Vs State of TN
- (d) None of the above

26. In which of the following Case, Supreme Court directed to condone minor indiscretions made by young people rather than to brand them as criminals for the rest of their lives?

- (a) Commissioner of Police Vs. Sandeep Kumar
- (b) Kushboo Vs State
- (c) Harijit Singh Vs State
- (d) None of the above

28. In which of the following Case, Supreme held that Government doctors cannot be prosecuted for corruption for engaging in private practice?

- (a) State of Punjab Vs. Dalbeer Singh
- (b) Srjeet Singh Vs State
- (c) Kanwarjit Singh Kakkar Vs State of Punjab
- (d) None of the above

29. In which of the following Case, Supreme Court held that 'Honour killing' comes under the category of 'rarest of rare' and the perpetrators deserve Death penalty?

- (a) Bhagwan Dass vs. (NCT) of Delhi AIR 2011SC 1863,
- (b) Prakash Kadam vs. R.V. Gupta AIR 2011 SC 1945
- (c) Satya Narayan Tiwari vs. State of U.P. (2010) 13 SCC 689
- (d) None of the above.

30. In which of the following Case, Supreme Court held that all members of an illegal organization cannot be automatically held to be guilty?

- (a) Bhagwan Dass vs. (NCT) of Delhi,
- (b) Prakash Kadam vs. R.V. Gupta
- (c) Raneef vs. State of Kerala
- (d) None of the above
- (d) None of the above:

31. In which of the following Case, Supreme Court directed all trial Courts in India to ordinarily add Section 302 to the charge of section 304B, so that death sentences can be imposed in such heinous and barbaric crimes against women.

- (a) Dalbeer Singh Vs. State
- (b) S.S.Multani Vs State
- (c) Rajbir@ Raju Vs State of Haryana
- (d) None of the above

32. The repair and construction work of the Carter Road, Bandra (West) was being carried out by New India Construction Company. The labourers were engaged by the construction company for executing the works. The temporary sheds (huts) were put up for the residence of labourers on the pavement. In the night of November 11, 2006 and November 12, 2006, the labourers were asleep in front of their huts

on the pavement. Between 3.45 to 4.00 a.m., that night, Mr. Alister Anthony Pareira while driving the car bearing Registration No. MH-01-R-580 rashly and negligently with knowledge that people were asleep on footpath rammed the car over the pavement; caused death of seven persons and injuries to eight persons. At the time of incident, he was found to have consumed alcohol. A liquor bottle was recovered from the appellant's car. On his medical examination, he was found to have 0.112% w/v liquor (ethyl alcohol) in his blood. He was fully familiar with the area being the resident of Carter Road.

(a) Mr. Alister Anthony Pareira is liable to be punished under Section 304A of IPC since he caused death by rash and negligent driving

(b) Mr. Alister Anthony Pareira is liable to be punished under Section 304-Part II of IPC since he caused death by driving rashly and negligently with knowledge that people were asleep on footpath rammed the car over the pavement

(c) Mr. Alister Anthony Pareira is liable to be punished under Section 302 of IPC since he caused death with the intention of causing death

(d) None of the above.

33. In State of West Bengal Vs Shew Mangal Singh (AIR 1981 SC 1917) the Deputy Commissioner of police ordered to open fire to a violent mob. A sub-ordinate police officer opened fire and it caused the death of two persons. The accused took the defence that the act is excusable U/S 76 IPC. A question was raised as to whether the command of a superior officer to open fire affords a complete defence to a subordinate officer if, while acting in the execution of' that command he causes injury or death. In this case the Supreme Court held that

- (a) Accused is liable since they are not supposed to obey the illegal orders of Superior officers.
- (b) Accused is entitled to the protection U/S 76 IPC.
- (c) Accused is not entitled to the protection U/S 76 IPC.
- (d) None of the above

34. A and B were on board a boat. The boat was cast away on the high seas about 100 miles away from the seashore. On 20th day when they had no food for 8 days and no water for 5 days, A and B killed the cabin boy and ate his flesh in order to save their life. Here

- (a) A and B are guilty of offence
- (b) A and B are not guilty of offence
- (c) They are acted in self defence
- (d) None of the above

35. Which of the following principles were emerged from R Vs Dudley and Stephens [(1884)14 QBD 273]?

- (a) Self- preservation is not an absolute necessity
- (b) No person has a right to take another's life to preserve his own
- (c) There is no necessity that justifies homicide.
- (d) All the above