## FINAL ANSWER KEY

Paper: PART 1 PAPER II CODE OF CRIMINAL PROCEDURE 1973 AND CRIMINAL RULES OF PRACTICE 12-04-2023 Date of Test Question1:-Under the code of Criminal Procedure, a complaint is to be made to A:-Police **B:-Magistrate** C:-Prosecutor D:-All of the above Correct Answer:- Option-B Question2:-Power to conduct inquiry is conferred under the Code of Criminal procedure upon A:-Magistrates B:-Advocate - commissioners C:-Police D:-None of the above Correct Answer:- Option-A Question3:-V is found to have been murdered on January 1, 2022. The period of limitation for taking cognizance of the offence by a court is A:-Seven years from the date of commission of the offence B:-One year from the date of commission of the offence C:-Three Years from the date of commission of the offence D:-None of the above Correct Answer:- Option-D Question4:-Which of the following statements is NOT true of S. 360 of the code of criminal procedure on probation? A:-The benefit of probation is not available to convicts who are below twenty-one years or less where the offence with which they are convicted is punishable with imprisonment for a term of seven years or more B:-Probation is available for convicts who are women also C:-The obligation of the convict released on probation to be of good conduct lasts for a period of three years from the date of commencement of probation D:-The power to release a convict on probation is available to Magistrates and higher criminal courts Correct Answer:- Option-A Question5:-An offence for which the police can arrest the offender without warrant is called A:-Non-Bailable offence B:-Summarily triable offence C:-Cognizable offence D:-Non-cognizable offence Correct Answer:- Option-C Question6:-Which of the following is a summarily triable offence? A:-Murder **B:-Grievous Hurt** C:-Theft of an umbrella of the value of two hundred Rupees D:-Stalking Correct Answer:- Option-C Question7:-An offence for which bail can be claimed as a matter of right is called A:-Non-bailable offence **B:-Bailable offence** C:-Cognizable offence D:-None of the above Correct Answer:- Option-B Question8:-As per S. 25-A of Cr. PC, every public prosecutor, Additional Public Prosecutor and special public prosecutor appointed by the State Govt under S. 24 of Cr. PC to conduct to conduct cases in the High Court shall be subordinate to the A:-Director General of prosecution B:-Govt. pleader C:-Advocate General D:-None of the above Correct Answer:- Option-A Question9:-In the session courts, the prosecution shall be conducted by A:-Assistant public prosecutor B:-Public prosecutor C:-Director General of prosecution D:-None of the above Correct Answer:- Option-B Question10: The population required to declare a city or town to be metropolitan area under the criminal procedure code is that it should exceed A:-One million B:-Ten million C:-Five lakh D:-Three lakh Correct Answer:- Option-B Question11: The minimum number of years for an advocate to be appointed as a special public prosecutor is A:-Three years B:-Five years C:-Seven years D:-Ten years Correct Answer:- Option-D Question12:-Under Section 25A, appointment of the Director of Public Prosecution shall be made by the State Government A:-In consultation of the chief justice of the High Court B:-On the recommendation of the Chief Justice of the High Court C:-On the advice of the Chief Justice of the High Court D:-With the concurrence of the Chief Justice of the High Court Correct Answer:- Option-D Question13:-Every member of the public is bound to assist a Magistrate or police officer reasonably demanding his aid A:-In the taking or preventing the escape of any other person whom such Magistrate or police officer is authorised to arrest B:-In the prevention or suppression of a breach of the peace C:-In the prevention of any injury attempted to be committed to any railway, telegraph or public property D:-All the above

Correct Answer:- Option-D Question14:-Section 37 imposes a duty to communicate to the officer in charge of the nearest police station any information which one may possess as to the permanent or temporary residence of any notorious receiver or vendor of stolen property in or near a village upon A:-Every Member of Panchayat of the Village B:-Every person residing in the Village C:-Both (1) and (2) D:-None of the above Correct Answer:- Option-C Ouestion 15:- A Magistrate can arrest an offender if the latter commits in such Magistrate's presence A:-Anv offence B:-Any cognizable offence C:-Any non-cognizable offence D:-None of the above Correct Answer:- Option-A Ouestion 16: The provisions on plea bargaining do not apply to accused who has been charged with A:-Socio-economic offences B:-Offences against women C:-Offences against child below 14 years D:-All of the above Correct Answer:- Option-D Question17:-In a proceeding governed by the provisions on plea bargaining, if the court finds the accused punishable and that minimum punishment is not provided for the offence committed by him, the court may sentence him to A:-Half of such punishment B:-One-fourth of such punishment C:-Full term of such punishment D:-None of the above Correct Answer:- Option-B Question18: Which of the following statements recorded by the police or magistrate under Cr PC is NOT to be signed by the persons making or giving such statement? A:-F.I.R recorded by the police B:-Statements given by a witness to the police during investigation C:-Statements of a person recorded by a Magistrate under proviso (c) to S, 154(1) D:-Statement given to a Magistrate under S. 164(1) Correct Answer:- Option-B Question19:-In which of the following cases can the accused NOT be prosecuted again? A:-A is tried for causing grievous hurt to V convicted. The person injured dies afterwards. A is tried for culpable homicide of V B:-A is tried by a Magistrate of Second class with, and convicted by the Magistrate of, theft of property from the person of B.A is afterwards tried for robbery on the same facts C:-A is tried upon a charge of theft as a servant and acquitted. He is again charged with and tried on the same facts for having committed criminal breach of trust D:-A, B and C are charged by a Magistrate of the first class with and convicted by him of, robbing D. A, B and C are afterwards charged with, and tried for, dacoity on the same facts Correct Answer:- Option-C Question 20:- In a trail before the Court of Session, after taking evidence for the prosecution, examining the accused and hearing the prosecution and the defence on the point, where the judge considers that there is no evidence that the accused committed the offence, the judge shall record an order of A:-Discharge B:-Release on probation C:-Acquittal D:-None of the above Correct Answer:- Option-C Question21:-Quashing of a frivolous and baseless first information Report can be made by the High Court in exercise of its A:-Inherent power of the High Court under S. 482 B:-Appellate Power under S. 374 C:-Revisional jurisdiction under S. 401 D:-None of the above Correct Answer:- Option-A Question22: Which of the following is true of tender of pardon to an accomplice? A:-It can be given only by CJM or Metropolitan Magistrate B:-It can be given only before the stage of trial begins C:-It can be given after commitment but before judgement in the case is passed by the court to which commitment of the case is made D:-None of the above Correct Answer:- Option-C Question23:-From the date of filing of the charge sheet the trial of an offence under S.376 IPC has to be completed within a period of A:-Two months B:-Six months C:-One year D:-Two years Correct Answer:- Option-A Question24:-An assistant sessions judge may pass any sentence authorised by law except a sentence of death, of imprisonment for life or a imprisonment exceeding A:-Seven years B:-Five years C:-Ten years D:-Three years Correct Answer:- Option-C Question25:-An appeal from sentence of three years passed by a Magistrate lies to A:-Chief judicial Magistrate B:-Court of sessions C:-High court D:-Supreme court Correct Answer:- Option-B Question 26:-A case relating to an offence punishable with death, imprisonment for life, or imprisonment exceeding two years is known as A:-Summons case B:-Summarily triable case

C:-Compoundable offence D:-Warrant Case Correct Answer- Ontion-D Question27:-A judge or magistrate making local inspection of any place in which any offence is alleged to have been committed can make such inspection A:-On the orders of the court which is superior to it B:-On the request of District Magistrate or any other Executive Magistrate C:-On a report by a subordinate judge or Magistrate D:-On its own after due notice to the parties Correct Answer:- Option-D Question 28:-The maximum punishment of imprisonment a chief judicial magistrate is empowered to pass is A:-Five years B:-Seven vears C:-Three years D:-Ten years Correct Answer:- Option-B Question29:-Which of the following is NOT true of a trial court's power to question under S. 313? A:-The court may put any question to the accused without previously warning him B:-After the examination of the witnesses for the prosecution have been examined and before the accused is called on for his defence question him generally on the case C:-Oath shall be administered to the accused when he is so examined D:-The court may seek the help of the prosecutor and defence counsel to prepare the relevant questions Correct Answer:- Option-C Question30:-Which of the following is an offence compoundable by the victim of the offence? A:-Theft **B:-Grievous hurt** C:-Rape D:-Attempt to murder Correct Answer:- Option-A Question31:-The power to withdraw from prosecution of an accused with the consent of the court is conferred upon A:-District Magistrate B:-Director of public prosecution C:-Assistant public prosecutor and public prosecutor D:-Executive Magistrate Correct Answer:- Option-C Question 32:-A proceeding in a court which is NOT open to the public attendance is called A:-In camera proceeding **B:-Summary proceeding** C:-Fast track proceeding D:-Open court proceeding Correct Answer:- Option-B Question 33: The requirement that the residence or change of residence of previously convicted offenders be notified after his release from detention does NOT apply to which of the following offences? A:-Counterfeiting currency notes B:-Possession of forged currency notes C:-Unlawfully taking coining instrument from mint D:-Murder Correct Answer:- Option-D Question34:-In order to claim maintenance u/s 125 of code of criminal procedure, the person against whom it is claimed should have A:-Sufficient means B:-Own property C:-Permanent employment D:-None of the above Correct Answer:- Option-A Question35:-The maximum amount of compensation to be paid under the Criminal procedure code to a person who was arrested groundlessly is A:-Four thousand rupees B:-Two thousand rupees C:-One thousand rupees D:-ten thousand rupees Correct Answer:- Option-C Question 36: The power to decide the quantum of compensation recommended to be awarded under the victim compensation scheme rests with A:-District Collector **B:-Legal services Authority** C:-State Government D:-Central Government Correct Answer:- Option-B Question37:-Where the government substituted life imprisonment for death sentence passed by a court, it is called A:-Commutation **B:-Remission** C:-Suspension D:-Respite Correct Answer:- Option-A Question38:-The power to reduce the bail required by a police officer or a magistrate is granted to A:-Chief judicial Magistrate **B:-District Magistrate** C:-Chief Metropolitan magistrate D:-High court or session court Correct Answer:- Option-D Question39:-A sentence of death passed by a session court has to be confirmed by A:-Governor B:-Another sessions court C:-High court D:-Supreme court Correct Answer:- Option-C Question40:-Schedule I of Cr P C contains

A:-Classification of offences B:-Various model forms C:-Provisions of probation of offenders Act D:-List of compoundable offences Correct Answer:- Option-A Question41:-In case of anticipatory bail the court granting the bail would direct that the applicant shall A:-be released a bail B:-be remanded to judicial custody C:-be released on executing a bond D:-appear before district magistrate Correct Answer:- Option-A Question42:-The act of reducing the quantum without affecting the nature of the punishment is A:-Pardon B:-Commutation C:-remission D:-reprieve Correct Answer:- Option-C Question43:-The maximum period of imprisonment that a Magistrate of first class can pass is A:-One year B:-Two year C:-Five year D:-Three year Correct Answer:- Option-C Question44:-Deprivation of a person's liberty by legal authority is A:-Bail **B:-Wrongful confinement** C:-Wrongful restraint D:-Arrest Correct Answer:- Option-D Question45: A police officer arrests an accused person and the accused escapes from custody. Here the police officer can immediately pursue and arrest the escapee A:-Only within the limits of the police station in or from which the accused escaped B:-anywhere in India C:-anywhere within the district from where he escapes D:-anywhere within the state from where he escapes Correct Answer:- Option-B Question46:-Where a court sentences a person to death, it shall commit the person to A:-Jail custody under a warrant B:-Police custody C:-either 1 or 2 D:-None of the above Correct Answer:- Option-A Question47:-Among the following the person who has right to prefer appeal against acquittal is A:-Government or complaint B:-Any member of the public C:-1 and 2 D:-None of the above Correct Answer:- Option-A Question48:-On confirming a sentence of death by it, the High Court shall send the order of confirmation to A:-Magistrate who committed the case to the trial court B:-The supreme court C:-Superintendent of prison in which the convict is detained D:-Sessions court which passed the death sentence Correct Answer:- Option-D Question49:-A magistrate can direct a warrant to any person within his local jurisdiction to the arrest of A:-Escaped convict B:-Proclaimed offender C:-Person accused of a non bailable offence D:-All of the above Correct Answer:- Option-D Question 50: Power to conduct inquiry into the question whether an accused is mentally unsound or not is exercised by A:-Magistrate or sessions court B:-Director of prosecutions C:-High court D:-Supreme court Correct Answer:- Option-A Question51:-A court of session at the time of delivering a judgement, finds that a witness appearing before the court has given false evidence, it A:-May try such witness summarily B:-May make a complaint of the matter to the Magistrate C:-Either 1 or 2 D:-Shall refer the matter to the high court Correct Answer:- Option-C Question52:-Confirmation of death sentence by a High court has to be signed by A:-Single judge B:-Three judges C:-Five judges D:-Two judges Correct Answer:- Option-C Question53:-Proceedings for maintenance under the code is within the jurisdiction of A:-Judicial Magistrate of second class B:-Judicial Magistrate of First Class C:-Chief Judicial Magistrate D:-Court of Session Correct Answer:- Option-B

Question54:-Judgement of any criminal court of original jurisdiction has to be A:-Pronounced in open court B:-Pronounced in the chamber of the judge of magistrate C:-Sent by registered post to the accused or his pleader D:-Exhibited on the court house Correct Answer:- Option-A Question55:-Judgment in a criminal case can be pronounced by A:-Delivering the whole judgment B:-Reading out the whole of the judgment C:-Reading out the operative part of the judgment and explaining the substance of the judgment in a language understood by the accused or his pleader D:-All of the above Correct Answer:- Option-D Question 56:-A judgment in a criminal case has to state special reasons where the punishment imposed is A:-Life imprisonment B:- Death sentence C:-Either death sentence or life imprisonment D:-None of the above Correct Answer:- Option-B Question 57:-A sentence of death passed by a court shall direct that the person sentenced to death be A:-Hanged by neck B:-Hanged by neck till he is dead C:-Either 1 or 2 D:-None of the above Correct Answer:- Option-B Question58:-An order to pay compensation can be made by A:-Trial court B:-Appellate court C:-High court or sessions court while exercising powers of revision D:-All of the above Correct Answer:- Option-D Question59:-Under S. 133 of Cr PC, the power to remove public nuisance is conferred upon A:-Executive Magistrate B:-Sessions court C:-High court D:-None of the above Correct Answer:- Option-A Question60:-No order under S. 144 shall remain in force for more than A:-Two weeks B:-three months C:-two months D:-six weeks Correct Answer:- Option-C Question61:-Under section 144-A of Cr PC the power to prohibit carrying of arms in procession is granted to A:-Sub-divisional magistrate B:-Additional district magistrate C:-Chief judicial magistrate D:-District magistrate Correct Answer:- Option-D Question62:-For the purpose of S. 82, a person is said to be 'absconding' when he A:-Changes his residence to a new place B:-Leaves the place for work C:-is unable to attend the court owing to hospitalisation D:-Hides himself Correct Answer:- Option-D Question63:-Under section 108 of Cr PC, Security for good behaviour can be obtained from A:-Vagrants and suspected persons B:-Person who disseminates seditious matter C:-Habitual offenders D:-Person suspected to have committed culpable homicides Correct Answer:- Option-C Question64: Appeal from a sentence of imprisonment for eight years passed by an Assistant sessions court can be heard and decided by A:-Session court B:-High court C:-Supreme court D:-None of the above Correct Answer:- Option-B Question65:-The code of criminal procedure divides every state into A:-District **B:-Sessions divisions** C:-Metropolitan area D:-Sub-district Correct Answer:- Option-B Question66: The period for disposal of an appeal against a sentence passed under S. 376 IPC is A:-within one year from the date of filing of the appeal B:-Within three months from the date of filing of the appeal C:-Within six months from the date of filing of the appeal D:-Two years from the date of filing of the appeal Correct Answer:- Option-C Question67:-In which of the following cases an appeal does NOT lie A:-Sentence of imprisonment for five months passed by High court B:-A sentence only of imprisonment for six months passed by a judicial magistrate of first class C:-Sentence only of ten years passed by a sessions court in a rape case D:-Sentence of confirmation of death sentence by High Court

Correct Answer:- Option-A Question68:-To present an appeal from an order of acquittal passed by a Magistrate, District magistrate can issue direction to A:-Director of Public Prosecution B:-Assistant public prosecutor C:-Public prosecutor D:-Government Pleader Correct Answer:- Option-C Question69:-Every appeal shall be made in the form of A:-Representation B:-Request C:-Petition D:-Review application Correct Answer:- Option-C Question70:-An appeal from judgment of acquittal passed by a session Court in exercise of its appellate power A:-Does not lie to any court B:-Lies to the High Court with its leave only C:-Lies to the supreme court D:-None of the above Correct Answer:- Option-B Question71:-The power to alter the finding, maintaining the conviction passed by a court is exercised in A:-Appeal B:-Revision C:-Reference D:-All of the above Correct Answer:- Option-A Question72:-Reference under S. 395 is to be exercised by A:-Supreme Court B:-High court C:-Asst Sessions Court D:-Chief judicial Magistrate Correct Answer:- Option-D Question73:-Where in an appeal heard by two judges of a High court are divided in their opinion, the appeal with their opinion shall be laid before A:-Another judge of that court B:-Supreme court C:-Constitution bench D:-None of the above Correct Answer:- Option-A Question74:-Once a question raised by a reference has been answered by the court exercising that power, the case shall be disposed by A:-The High Court B:-Supreme Court C:-Sessions Court D:-The court which made the reference Correct Answer:- Option-D Question75:-Which of the following courts have been given powers of revision in criminal cases by the Criminal Procedure Code? A:-Assistant sessions judge and chief judicial magistrate B:-Assistant sessions court and chief metropolitan magistrate C:-Sessions court and high court D:-None of the above Correct Answer:- Option-C Question76:-Additional sessions court can exercise powers of revision based on A:-Direction of the High Court B:-Orders of the State Government C:-Any general or special order of Sessions court D:-Orders of the supreme court Correct Answer:- Option-B Question77:-Which of the following involved re-hearing on facts as also law and is wider in scope? A:-Review **B:-Appeal** C:-Revision D:-Reference Correct Answer:- Option-C Question 78:-The power of supreme court to transfer a case or appeal from one high court to another high court may be exercised on the application of A:-Attorney General, Advocate General, or a party interested in the matter B:-Attorney General or any member of the public C:-Attorney General or a senior advocate of the supreme court D:-None of the above Correct Answer:- Option-A Question 79:-Every application to a High court for transfer of a case has to be accompanied by an affidavit of affirmation except when the applicant A:-Attorney General of India B:-Advocate General of the State C:-Accused or appellant D:-Director General of prosecution Correct Answer:- Option-B Question80:-In case of dismissal of a frivolous or vexations application for the transfer of a criminal case or appeal, the High court or the supreme court can order the applicant to pay a compensation not exceeding A:-One thousand rupees B:-Two thousand rupees C:-Five thousand rupees D:-Ten thousand rupees Correct Answer:- Option-A Question81:-Sessions judge has power to withdraw cases and appeals made over to A:-Assistant Sessions judge B:-Chief Judicial Magistrate, or Additional Session Judge

C:-Chief Judicial Magistrate, Assistant Sessions Judge or Additional Session Judge D:-None of the above Correct Answer:- Option-C Question82:-In case of sentence of fine only, the fine may be paid in instalments and such instalments can be A:-Two or three B:-three or four C:-instalments not exceeding five D:-None of the above Correct Answer:- Option-A Question83:-Which of the following shall NOT be set off against a sentence of imprisonment? A:-Period of detention during investigation B:-Imprisonment in default of fine C:-Period of detention during trial D:-None of the above Correct Answer:- Option-B Question84:-Power to suspend or remit sentence has been conferred upon A:-High court B:-Supreme court C:-Appropriate Government D:-Sessions Court Correct Answer:- Option-C Question85: A person accused of a non-bailable offence can be discharged on his first appearance on his executing a bond without sureties for his appearance if he is A:-Indigent and is unable to furnish security B:-A public servant C:-Central or State Minister D:-Celebrity or public figure Correct Answer:- Option-D Question86: A court will presume that a person accused of a non-bailable offence is indigent for the purpose of S.436 if he is unable to give bail within A:-A week from the date of his arrest B:-A month from the date of his arrest C:-Two weeks from the date of his arrest D:-Sixty days from the date of his arrest Correct Answer:- Option-A Question87:-To which of the following punishments is section 436-A of CrPC, does NOT apply A:-life imprisonment **B:-death sentence** C:-imprisonment for ten years or more D:-imprisonment for seven years Correct Answer:- Option-B Question88:-Who among the following is NOT subordinate to the District Magistrate as per section 23 of Cr PC? A:-Sub-divisional Magistrate B:-Executive Magistrate C:-Special Executive Magistrate D:-Additional District Magistrate Correct Answer:- Option-D Question89:-On the death of an appellant, the appeal in a criminal case A:-Goes on B:-Abets C:-Abates D:-None of the above Correct Answer:- Option-C Question90:-A special judicial magistrate can be appointed for a term not exceeding A:-One year B:-two years C:-four years D:-five years Correct Answer:- Option-B Question91:-Which of the following is NOT a valid mode of serving summons authorised by the Criminal Procedure Code? A:-Serving it personally on the summoned B:-Serving it up on servant of the person to e summoned C:-Serving it up on the eldest male member of the family of the person to be summoned D:-Serving it upon its secretary, where the person to be summoned is a corporation Correct Answer:- Option-B Question92:-Who among the following is NOT empowered to required a postal authority to deliver a postal document, parcel or thing for the purpose of an investigation, inquiry or trial? A:-District Magistrate **B:-Chief judicial Magistrate** C:-Sessions Court D:-Metropolitan Magistrate Correct Answer:- Option-D Question93:-When a thing needed for court proceeding and such thing is not known in the possession of any particular person, the court may issue A:-Special search warrant B:-General warrant for search C:-Summons D:-None of the above Correct Answer:- Option-B Question94:-The power to issue a warrant of search for to find out a wrongfully confined person is conferred up on A:-District Magistrate **B:-Sub-Divisional Magistrate** C:-Judicial Magistrate of First Class D:-All of the above Correct Answer:- Option-D Question95:-Every information furnished by a person to the police relating to the commission of a cognisable offence is known as

A:-First Information Report **B:-Police Report** C:-Confession D:-Admission Correct Answer:- Option-A Question96:-Power to inspect weights and measures is granted by the criminal procedure code to A:-Director General of police B:-Superintendent of police C:-District magistrate D:-Officer in charge of a police station Correct Answer:- Option-D Question97:-An officer in charge of a police station may, without the order of a Magistrate Investigate any A:-Cognizable offence B:-Non-cognizable offence C: Brivate complaint C:-Private complaint D:-None of the above Correct Answer:- Option-A Question98:-Inquest in the case of a suicide will be made by A:-Prosecutor B:-Executive Magistrate C:-CI of police D:-None of the above Correct Answer:- Option-C Question99:-Under Section 190 of Criminal procedure Code, power to take cognizance of an offence is conferred upon A:-High court B:-Session court C:-Chief Judicial Magistrate D:-Judicial Magistrate of first class Correct Answer:- Option-D Question100:-While they were in England A, an Indian citizen from Cochin, kills V, a person from Sri Nagar. A escapes to India and is found in Bombay. A can be tried and prosecuted in courts of A:-England only B:-Sri Nagar only C:-Kerala only D:-Any where within India in which he is found Correct Answer:- Option-D