

# PU LLB Legal Aptitude

## Sample Paper – 3

Duration: 36 Minutes

Maximum Marks: 40

### Instructions

- This paper contains **40** Multiple Choice Questions (Single Correct Answer), modelled on the Legal Aptitude section of the **PU LLB** (Panjab University 3-Year LLB) entrance.
- Each correct answer carries **+1 mark**. **0.25 marks** are deducted for every incorrect answer. Unattempted questions carry **no penalty**.
- In principle-fact questions, assume the given principle is true and apply it to the facts, even if the principle differs from the actual law.
- Only **one** option is correct. Choose carefully.
- The actual exam is held **offline** on an OMR sheet in English, Hindi, or Punjabi.
- Use of mobile phones, calculators, or other electronic gadgets is strictly prohibited.

**Q1. Principle:** An act is not an offence if it is done by accident, without any criminal intention or knowledge, while doing a lawful act in a lawful manner by lawful means and with proper care and caution. **Facts:** P, a licensed shooter, is practising at an authorised range with due care. A spectator suddenly jumps over the safety barrier into the firing zone and is hit. Is P liable?

- (A) Yes, because P fired the shot that hit the spectator.
- (B) Yes, because shooting is always a dangerous activity.
- (C) No, because the act was an accident done lawfully with proper care.
- (D) No, because the spectator was an adult.

**Q2. Principle:** Whoever does an act towards the commission of an offence,



with the intention to commit it, and the act is more than mere preparation, is guilty of attempt even if the offence is not completed. **Facts:** Q, intending to kill R, points a loaded gun at R and pulls the trigger, but the gun fails to fire due to a defective cartridge. Is Q guilty of attempt to murder?

- (A) Yes, because Q did everything towards the killing with the intention to kill.
- (B) No, because R was not actually harmed.
- (C) No, because the gun did not fire.
- (D) Yes, but only if Q tries a second time.

**Q3. Principle:** Nothing is an offence if it is done by a person who, by reason of a mistake of fact and in good faith, believes himself bound or justified by law in doing it. **Facts:** S, a police officer, in good faith and after due enquiry, arrests T believing him to be the person named in a valid warrant, though T is in fact a different person of the same name. Is S guilty of wrongful arrest?

- (A) Yes, because the wrong person was arrested.
- (B) Yes, because a warrant must always name the exact person.
- (C) No, because police officers can never be sued.
- (D) No, because S acted in good faith under a mistake of fact.

**Q4. Principle:** A person who instigates another to commit an offence is guilty of abetment, and is liable even if he does not take part in the actual commission of the offence. **Facts:** U repeatedly urges and provokes V to set fire to W's shop. Acting on U's instigation, V burns the shop down. Is U liable?

- (A) No, because U did not light the fire himself.
- (B) Yes, because U instigated V to commit the offence.
- (C) No, because only V can be punished.
- (D) Yes, but only for half the punishment given to V.



- Q5. Principle:** The right of private defence extends only to causing as much harm as is reasonably necessary to repel the attack; harm that is clearly excessive is not protected. **Facts:** A child throws a stone at K and runs away. K chases the unarmed child and beats him severely with an iron rod, breaking his arm. Is K protected by the right of private defence?
- (A) Yes, because the child started it by throwing the stone.
- (B) Yes, because any force may be used against an attacker.
- (C) No, because the harm caused was clearly excessive.
- (D) No, because a child can never be attacked.
- Q6. Principle:** Whoever causes the death of a person by an act done with the intention of causing death commits culpable homicide, even if the person killed is not the one he intended to kill. **Facts:** M aims a fatal blow at N intending to kill N, but N ducks and the blow strikes and kills O, a bystander. Is M liable for the death of O?
- (A) Yes, because M acted with the intention to kill and a death resulted.
- (B) No, because M never intended to kill O.
- (C) No, because O was only a bystander.
- (D) Yes, but only for hurt, not for the death.
- Q7. Principle:** An act is not an offence (except murder and certain grave offences) if it is done by a person compelled to do it by threats which, at the time, reasonably cause a fear of instant death. **Facts:** A gang surrounds C, holds a loaded gun to his head, and forces him to break open a locked gate so they can enter. Fearing instant death, C breaks the gate. Is C guilty of the property offence?
- (A) Yes, because C actually broke the gate.
- (B) Yes, because fear is never an excuse.
- (C) No, because property offences are always excused.
- (D) No, because C acted under a threat causing fear of instant death.



- Q8. Principle:** The right of private defence of the body begins when a reasonable apprehension of danger to the body arises and continues only so long as such apprehension lasts. **Facts:** After D had finished attacking E and was walking away with his back turned, E ran after D and stabbed him from behind. Can E claim the right of private defence?
- (A) Yes, because D had attacked E first.
- (B) No, because the apprehension of danger had already ended.
- (C) Yes, because E was angry and provoked.
- (D) No, because E used a knife.
- Q9. Principle:** A person who instigates another to commit an offence is guilty of abetment even if the offence instigated is not in fact committed. **Facts:** F instigates G to poison H and supplies the poison, but G changes his mind and never administers it. Is F guilty of abetment?
- (A) No, because H was never harmed.
- (B) No, because G refused to act.
- (C) Yes, because instigation itself amounts to abetment.
- (D) Yes, but only if H later falls ill.
- Q10. Principle:** A person is presumed to intend the natural and probable consequences of his deliberate act. **Facts:** J, in order to frighten a crowd, deliberately throws a heavy iron bar from the roof of a building into the middle of a busy street below. The bar strikes and kills a passer-by. What is J's position?
- (A) He is taken to intend the natural and probable result of his deliberate act.
- (B) He is not liable, because he only wanted to frighten people.
- (C) He is not liable, because he did not aim at anyone in particular.
- (D) He is liable only to pay a small fine.



- Q11.** The Fundamental Duties of citizens are contained in which Part of the Indian Constitution?
- (A) Part III
  - (B) Part IVA
  - (C) Part IV
  - (D) Part II
- Q12.** The Fundamental Duties are listed under which single Article of the Constitution?
- (A) Article 21
  - (B) Article 32
  - (C) Article 44
  - (D) Article 51A
- Q13.** Fundamental Duties were added to the Constitution by which amendment, on the recommendation of the Swaran Singh Committee?
- (A) 42nd Amendment, 1976
  - (B) 44th Amendment, 1978
  - (C) 1st Amendment, 1951
  - (D) 73rd Amendment, 1992
- Q14.** The Right to Freedom of Religion is guaranteed under which group of Articles of the Constitution?
- (A) Articles 14 to 18
  - (B) Articles 19 to 22
  - (C) Articles 25 to 28
  - (D) Articles 29 to 30
- Q15.** Which Article guarantees to all persons the freedom of conscience and the right freely to profess, practise and propagate religion?



- (A) Article 21
- (B) Article 25
- (C) Article 19
- (D) Article 14

**Q16.** Article 28 of the Constitution mainly deals with the freedom relating to:

- (A) formation of religious trusts
- (B) payment of religious taxes
- (C) management of temples by the State
- (D) religious instruction in certain educational institutions

**Q17.** Under the Indian Contract Act, consent is said to be “free” when it is NOT caused by:

- (A) coercion, undue influence, fraud, misrepresentation or mistake
- (B) delay in performance
- (C) absence of a written document
- (D) the death of one party

**Q18.** Where one party is able to dominate the will of another and uses that position to obtain an unfair advantage, the consent is said to be caused by:

- (A) coercion
- (B) fraud
- (C) undue influence
- (D) mistake

**Q19.** A false statement of fact made without any intention to deceive, which the maker honestly believes to be true, amounts to:

- (A) fraud



- (B) misrepresentation
- (C) coercion
- (D) undue influence

**Q20.** Obtaining the consent of a party by committing or threatening to commit an act forbidden by the penal law, or by unlawfully detaining property, is known as:

- (A) fraud
- (B) misrepresentation
- (C) undue influence
- (D) coercion

**Q21.** When the consent of a party is caused by coercion, fraud or misrepresentation, the contract is:

- (A) voidable at the option of the party whose consent was so caused
- (B) void from the beginning
- (C) fully valid and binding
- (D) illegal and punishable

**Q22.** When a criminal act is done by several persons in furtherance of the common intention of all, each such person is liable:

- (A) only for the part he personally did
- (B) not at all unless he struck the fatal blow
- (C) as if the act were done by him alone
- (D) only if he is the leader of the group

**Q23.** An “unlawful assembly” under criminal law must consist of at least how many persons sharing a common unlawful object?

- (A) three persons



- (B) five persons
- (C) two persons
- (D) ten persons

**Q24.** When force or violence is used by an unlawful assembly, or by any member of it, in furtherance of the common object, the offence committed is:

- (A) affray
- (B) criminal trespass
- (C) sedition
- (D) rioting

**Q25.** In the case of an unlawful assembly, every member is liable for an offence committed by any member, provided the offence was committed in prosecution of the:

- (A) common object of the assembly
- (B) personal grudge of one member
- (C) order of the police
- (D) written agreement of the members

**Q26.** Which of the following best states a difference between common intention and common object?

- (A) Both require exactly five persons.
- (B) Common intention needs at least seven persons.
- (C) Common object requires an unlawful assembly of five or more, while common intention may exist among as few as two persons.
- (D) There is no difference at all between them.

**Q27.** Under the rule in *Rylands v. Fletcher*, a person who, for his own purposes, brings and keeps on his land something likely to do mischief if it escapes is:



- (A) liable only if he was negligent
- (B) liable for all damage caused by its escape, even without negligence
- (C) never liable once it escapes
- (D) liable only if he intended the escape

**Q28.** The rule of strict liability in *Rylands v. Fletcher* applies only where the defendant makes a “non-natural” use of his land. “Non-natural use” here means:

- (A) growing ordinary trees on the land
- (B) ordinary domestic use of water
- (C) leaving the land vacant
- (D) a special use bringing increased danger to others

**Q29.** Which of the following is a recognised exception (defence) to the rule of strict liability in *Rylands v. Fletcher*?

- (A) Act of God
- (B) Carelessness of the defendant
- (C) Profit earned by the defendant
- (D) Wealth of the plaintiff

**Q30.** Strict liability under *Rylands v. Fletcher* does NOT arise where the escape is due to:

- (A) a small leak from a large reservoir
- (B) the defendant’s storage of water
- (C) the plaintiff’s own default or his consent to the thing kept
- (D) the defendant’s failure to insure the land

**Q31.** The maxim “ignorantia juris non excusat” means:

- (A) ignorance of the law is no excuse



- (B) ignorance of fact is an excuse
- (C) the law presumes innocence
- (D) the judge knows the law

**Q32.** The doctrine “stare decisis” requires that courts:

- (A) decide every case afresh without any precedent
- (B) stand by decided cases and follow earlier precedents
- (C) hear only the prosecution’s side
- (D) apply only foreign judgments

**Q33.** In a judgment, “obiter dicta” refers to:

- (A) the binding reason that decides the case
- (B) the order passed against the convict
- (C) observations by the judge that are not essential to the decision
- (D) the evidence given by witnesses

**Q34.** The “ratio decidendi” of a case is:

- (A) a passing remark of the judge
- (B) the name of the losing party
- (C) the date of the judgment
- (D) the binding legal principle on which the decision is based

**Q35.** In which landmark case did the Supreme Court uphold reservation for backward classes but fix a ceiling of 50% on total reservations?

- (A) Indra Sawhney v. Union of India
- (B) Shah Bano case
- (C) M. C. Mehta v. Union of India
- (D) A. K. Gopalan v. State of Madras



- Q36.** In which case did the Supreme Court hold that a divorced Muslim woman was entitled to maintenance from her former husband under the general law?
- (A) Indra Sawhney v. Union of India
  - (B) M. C. Mehta v. Union of India
  - (C) Mohd. Ahmed Khan v. Shah Bano Begum
  - (D) Vishaka v. State of Rajasthan
- Q37.** The principle of “absolute liability” for hazardous industries, with no exceptions, was laid down by the Supreme Court in which case arising from the Oleum gas leak?
- (A) Shah Bano case
  - (B) Indra Sawhney v. Union of India
  - (C) Kesavananda Bharati v. State of Kerala
  - (D) M. C. Mehta v. Union of India
- Q38.** Which is the oldest High Court in India, established in 1862?
- (A) Calcutta High Court
  - (B) Delhi High Court
  - (C) Punjab and Haryana High Court
  - (D) Allahabad High Court
- Q39.** What is the age of retirement of a judge of the Supreme Court of India?
- (A) 62 years
  - (B) 65 years
  - (C) 60 years
  - (D) 70 years
- Q40.** Who was the first Chief Justice of India?



- (A) M. Patanjali Sastri
- (B) B. R. Ambedkar
- (C) H. J. Kania
- (D) M. Hidayatullah



**Detailed Solutions**

Q1.

**Solution**

**Concept — Accident:** The principle excuses harm caused by accident while doing a lawful act lawfully and with proper care.

**Step 1 — Apply the principle:** P was lawfully practising at an authorised range and exercised due care, so his act was lawful and careful.

**Step 2 — Conclusion:** The spectator's own sudden jump into the firing zone made the harm a pure accident, so P commits no offence.

**Why other options are wrong:**

- Option A: Merely firing the shot does not create liability when the harm was accidental.
- Option B: A lawful, regulated activity is not treated as an offence simply because it can be dangerous.
- Option D: The spectator's age is irrelevant to the defence of accident.

**Final Answer:** The act was a lawful accident with proper care ⇒ **C**

**Answer: (C)** [Go Back to Q1](#)

Q2.

**Solution**

**Concept — Attempt:** An act beyond mere preparation, done with intent to commit an offence, is an attempt even if the offence fails.

**Step 1 — Apply the principle:** Q intended to kill R and went well beyond preparation by aiming and pulling the trigger.

**Step 2 — Conclusion:** The offence failed only because of a defective cartridge, so Q is guilty of attempt to murder.

**Why other options are wrong:**

- Options B and C: Attempt does not require actual harm or that the weapon fire; the failure does not erase the attempt.
- Option D: A second try is not needed; the first act already completed the attempt.

**Final Answer:** Q did all that was needed with intent to kill ⇒ **A**



**Answer: (A)** [Go Back to Q2](#)

Q3.

### Solution

**Concept — Mistake of Fact:** A person acting in good faith under a mistake of fact, believing himself justified by law, commits no offence.

**Step 1 — Apply the principle:** S acted under a valid warrant and, after due enquiry, honestly believed T was the named person.

**Step 2 — Conclusion:** S's good-faith mistake about identity is protected, so the arrest is not a wrongful act.

**Why other options are wrong:**

- Options A and B: The mere fact that the wrong person was arrested does not defeat the good-faith defence.
- Option C: The defence rests on good faith under mistake, not on any blanket immunity for the police.

**Final Answer:** S acted in good faith under a mistake of fact ⇒ **D**

**Answer: (D)** [Go Back to Q3](#)

Q4.

### Solution

**Concept — Abetment by Instigation:** One who instigates an offence is liable as an abettor even without taking part in the act.

**Step 1 — Apply the principle:** U repeatedly urged and provoked V to burn the shop, which is instigation.

**Step 2 — Conclusion:** Since V acted on that instigation, U is liable for abetment.

**Why other options are wrong:**

- Options A and C: An abettor need not commit the act personally; both V and U can be liable.
- Option D: The principle fixes liability for abetment; it does not automatically halve the punishment.

**Final Answer:** U instigated the offence and is liable ⇒ **B**



**Answer: (B)** [Go Back to Q4](#)

Q5.

### Solution

**Concept — Limit of Private Defence:** The right extends only to harm reasonably necessary to repel the attack; excessive harm is not protected.

**Step 1 — Apply the principle:** The threat was a child throwing a stone and running away, which posed no continuing serious danger.

**Step 2 — Conclusion:** Chasing the unarmed child and breaking his arm with an iron rod is plainly excessive, so K is not protected.

**Why other options are wrong:**

- Options A and B: Being the first to throw a stone does not justify unlimited force; the law requires proportion.
- Option D: The defence fails because of excessive harm, not because a child can never be resisted.

**Final Answer:** The harm caused was clearly excessive ⇒ **C**

**Answer: (C)** [Go Back to Q5](#)

Q6.

### Solution

**Concept — Transferred Intention:** An intention to kill carries over where the act meant for one person kills another.

**Step 1 — Apply the principle:** M struck a fatal blow intending to kill N, and a death actually resulted.

**Step 2 — Conclusion:** The intention to kill is transferred to the death of O, so M is liable for that death.

**Why other options are wrong:**

- Options B and C: That M did not aim at O personally does not save him, because the intent transfers.
- Option D: A fatal blow with intent to kill makes him liable for the death, not merely for hurt.

**Final Answer:** M's intent to kill transfers to O's death ⇒ **A**



**Answer: (A)** [Go Back to Q6](#)

Q7.

### Solution

**Concept — Duress:** Acts (except murder and grave offences) done under threats causing fear of instant death are excused.

**Step 1 — Apply the principle:** A gun was held to C's head, creating a reasonable fear of instant death.

**Step 2 — Conclusion:** Breaking the gate is a property offence, not murder, so C is excused under duress.

**Why other options are wrong:**

- Options A and B: Although C broke the gate, the threat of instant death is exactly what the defence excuses.
- Option C: Property offences are not "always" excused; the excuse here depends on the threat of instant death.

**Final Answer:** C acted under a threat of instant death ⇒ **D**

**Answer: (D)** [Go Back to Q7](#)

Q8.

### Solution

**Concept — Duration of Private Defence:** The right lasts only while a reasonable apprehension of danger continues.

**Step 1 — Apply the principle:** D had finished his attack and was walking away with his back turned, so no danger to E remained.

**Step 2 — Conclusion:** With the apprehension gone, E's stabbing of D is retaliation, not private defence.

**Why other options are wrong:**

- Options A and C: An earlier attack or anger does not revive the right once the danger has passed.
- Option D: The defence fails because the threat had ended, not merely because a knife was used.

**Final Answer:** The apprehension of danger had already ended ⇒ **B**



Answer: (B) [Go Back to Q8](#)

Q9.

### Solution

**Concept — Abetment without Commission:** Instigation is abetment even if the instigated offence is never committed.

**Step 1 — Apply the principle:** F instigated G to poison H and even supplied the poison.

**Step 2 — Conclusion:** The instigation itself is abetment, so F is guilty even though G never administered the poison.

**Why other options are wrong:**

- Options A and B: The principle expressly makes the abettor liable even when no harm follows and the doer refuses.
- Option D: H's later illness is not required; the abetment was complete on instigation.

**Final Answer:** Instigation itself amounts to abetment ⇒  C

Answer: (C) [Go Back to Q9](#)

Q10.

### Solution

**Concept — Natural and Probable Consequences:** A person is presumed to intend the natural and probable result of a deliberate act.

**Step 1 — Apply the principle:** Throwing a heavy iron bar into a busy street is a deliberate act whose natural and probable result is death or serious injury.

**Step 2 — Conclusion:** J is taken to intend that probable consequence, so he is liable for the death.

**Why other options are wrong:**

- Options B and C: Wanting only to frighten, or not aiming at a particular person, does not displace the presumed intention.
- Option D: A death caused this way is not met with a mere small fine.

**Final Answer:** J is taken to intend the natural and probable result ⇒  A



**Answer: (A)** [Go Back to Q10](#)

Q11.

### Solution

**Concept — Fundamental Duties:** These were inserted as a distinct Part of the Constitution.

**Explanation:** Fundamental Duties are contained in **Part IVA** of the Constitution, which was added by the 42nd Amendment.

**Why other options are wrong:**

- Part III holds Fundamental Rights, Part IV the Directive Principles, and Part II deals with citizenship.

**Final Answer:** Fundamental Duties are in Part IVA ⇒ **B**

**Answer: (B)** [Go Back to Q11](#)

Q12.

### Solution

**Concept — Article 51A:** A single Article lists the duties of citizens.

**Explanation:** The Fundamental Duties are listed in **Article 51A** (the only Article in Part IVA).

**Why other options are wrong:**

- Article 21 protects life and liberty, Article 32 provides constitutional remedies, and Article 44 deals with a uniform civil code.

**Final Answer:** Fundamental Duties are in Article 51A ⇒ **D**

**Answer: (D)** [Go Back to Q12](#)



Q13.

**Solution**

**Concept — Origin of Fundamental Duties:** They were a later addition to the original Constitution.

**Explanation:** Fundamental Duties were added by the **42nd Amendment, 1976**, on the recommendation of the Swaran Singh Committee.

**Why other options are wrong:**

- The 44th Amendment (1978) dealt with the right to property; the 1st (1951) with land reforms; the 73rd (1992) with panchayats.

**Final Answer:** Added by the 42nd Amendment, 1976 ⇒

[Go Back to Q13](#)

Q14.

**Solution**

**Concept — Freedom of Religion:** This right spans a set of Articles.

**Explanation:** The Right to Freedom of Religion is guaranteed by **Articles 25 to 28**, covering freedom of conscience, management of religious affairs, religious taxes, and religious instruction.

**Why other options are wrong:**

- Articles 14 to 18 cover equality; 19 to 22 cover freedoms and liberty; 29 to 30 cover cultural and educational rights.

**Final Answer:** Freedom of Religion is in Articles 25 to 28 ⇒

[Go Back to Q14](#)

Q15.

**Solution**

**Concept — Article 25:** This Article is the core of religious freedom.

**Explanation:** **Article 25** guarantees to all persons freedom of conscience and the right freely to profess, practise and propagate religion, subject to public order, morality and health.

**Why other options are wrong:**



- Article 21 protects life and liberty, Article 19 the freedoms of speech and movement, and Article 14 equality before law.

**Final Answer:** Freedom of conscience is in Article 25 ⇒

**Answer: (B)** [Go Back to Q15](#)

Q16.

### Solution

**Concept — Article 28:** This Article protects against forced religious teaching.

**Explanation:** Article 28 deals with freedom as to **religious instruction in certain educational institutions**, generally barring such instruction in institutions wholly maintained out of State funds.

**Why other options are wrong:**

- Formation of trusts, religious taxes (Article 27), and State management of temples are not the subject of Article 28.

**Final Answer:** Article 28 concerns religious instruction in educational institutions ⇒

**Answer: (D)** [Go Back to Q16](#)

Q17.

### Solution

**Concept — Free Consent:** Consent must be untainted by certain listed factors.

**Explanation:** Consent is “free” when it is not caused by **coercion, undue influence, fraud, misrepresentation or mistake**.

**Why other options are wrong:**

- Delay in performance, absence of a written document, or the death of a party do not define free consent.

**Final Answer:** Free consent excludes those five vitiating factors ⇒

**Answer: (A)** [Go Back to Q17](#)



Q18.

**Solution**

**Concept — Undue Influence:** Domination of will to gain an unfair advantage vitiates consent.

**Explanation:** Where one party can dominate the will of the other and uses it to obtain an unfair advantage, the consent is caused by **undue influence**.

**Why other options are wrong:**

- Coercion involves force or threats; fraud involves deceit; mistake is an erroneous belief, none of which is mere domination of will.

**Final Answer:** Domination of will for unfair advantage is undue influence ⇒

[Go Back to Q18](#)

Q19.

**Solution**

**Concept — Misrepresentation:** An innocent false statement is misrepresentation, not fraud.

**Explanation:** A false statement of fact made without intent to deceive, which the maker honestly believes to be true, is **misrepresentation**.

**Why other options are wrong:**

- Fraud requires an intention to deceive; coercion involves threats; undue influence involves domination of will.

**Final Answer:** An innocent false statement is misrepresentation ⇒

[Go Back to Q19](#)

Q20.

**Solution**

**Concept — Coercion:** Threats forbidden by penal law, or unlawful detention of property, amount to coercion.

**Explanation:** Obtaining consent by committing or threatening an act forbidden by the penal law, or by unlawfully detaining property, is **coercion**.

**Why other options are wrong:**



- Fraud is deceit, misrepresentation is an innocent false statement, and undue influence is domination of will, none involving such threats.

**Final Answer:** Such threats or detention of property are coercion ⇒

**Answer: (D)** [Go Back to Q20](#)

Q21.

### Solution

**Concept — Effect of Vitiating Consent:** A contract spoiled by these factors is voidable, not automatically void.

**Explanation:** When consent is caused by coercion, fraud or misrepresentation, the contract is **voidable at the option of the party** whose consent was so caused.

**Why other options are wrong:**

- It is not void from the start, not fully binding, and not illegal; the aggrieved party may choose to affirm or avoid it.

**Final Answer:** The contract is voidable at the aggrieved party's option ⇒

**Answer: (A)** [Go Back to Q21](#)

Q22.

### Solution

**Concept — Common Intention:** A shared intention makes each participant liable for the whole act.

**Explanation:** When a criminal act is done by several persons in furtherance of the common intention of all, each is liable **as if the act were done by him alone**.

**Why other options are wrong:**

- Liability is not limited to one's own part, does not require striking the fatal blow, and does not depend on being the leader.

**Final Answer:** Each is liable as if he did the act alone ⇒

**Answer: (C)** [Go Back to Q22](#)



Q23.

**Solution**

**Concept — Unlawful Assembly:** A minimum number of persons is required.

**Explanation:** An unlawful assembly must consist of **five persons** or more who share a common unlawful object.

**Why other options are wrong:**

- Two or three persons are too few, and ten is not the minimum; the law fixes the number at five.

**Final Answer:** The minimum is five persons ⇒

[Go Back to Q23](#)

Q24.

**Solution**

**Concept — Rioting:** Force used by an unlawful assembly becomes rioting.

**Explanation:** When force or violence is used by an unlawful assembly, or any member of it, in furtherance of the common object, the offence is **rioting**.

**Why other options are wrong:**

- Affray is fighting in a public place disturbing the peace; criminal trespass and sedition are entirely different offences.

**Final Answer:** Force by an unlawful assembly is rioting ⇒

[Go Back to Q24](#)

Q25.

**Solution**

**Concept — Common Object:** Membership liability flows from the assembly's shared object.

**Explanation:** Every member of an unlawful assembly is liable for an offence committed by any member in prosecution of the **common object** of the assembly.

**Why other options are wrong:**

- Liability is not based on a single member's personal grudge, a police order,



or a written agreement.

**Final Answer:** Liability flows from the common object ⇒ **A**

**Answer: (A)** [Go Back to Q25](#)

Q26.

### Solution

**Concept — Common Intention vs Common Object:** The two doctrines differ chiefly in the number of persons required.

**Explanation: Common object** requires an unlawful assembly of **five or more** persons, while **common intention** can exist among as few as **two** persons sharing a prior meeting of minds.

**Why other options are wrong:**

- Both do not require exactly five; common intention does not need seven; and there is a real difference between the two.

**Final Answer:** Common object needs five or more; common intention may be just two ⇒ **C**

**Answer: (C)** [Go Back to Q26](#)

Q27.

### Solution

**Concept — Rule in Rylands v. Fletcher:** Bringing a dangerous thing onto land carries liability if it escapes.

**Explanation:** A person who brings and keeps on his land something likely to do mischief if it escapes is **liable for all damage caused by its escape, even without negligence**.

**Why other options are wrong:**

- The rule does not require proof of negligence or an intention to cause the escape, and liability is not avoided once escape occurs.

**Final Answer:** Liability arises on escape even without negligence ⇒ **B**

**Answer: (B)** [Go Back to Q27](#)



Q28.

**Solution**

**Concept — Non-Natural Use:** The rule applies only to special, dangerous uses of land.

**Explanation:** “Non-natural use” means a **special use bringing increased danger** to others, and not the ordinary use of land for everyday purposes.

**Why other options are wrong:**

- Growing ordinary trees, ordinary domestic use of water, and leaving land vacant are all natural uses, not non-natural ones.

**Final Answer:** Non-natural use is a special use bringing increased danger ⇒

[Go Back to Q28](#)

Q29.

**Solution**

**Concept — Exceptions to Strict Liability:** The rule has recognised defences.

**Explanation:** **Act of God** is a recognised exception to the rule in *Rylands v. Fletcher*; where escape is caused by natural forces beyond human control, liability does not arise.

**Why other options are wrong:**

- The defendant’s own carelessness, the profit he earns, or the plaintiff’s wealth are not defences to strict liability.

**Final Answer:** Act of God is a recognised exception ⇒

[Go Back to Q29](#)

Q30.

**Solution**

**Concept — Plaintiff’s Default and Consent:** These too are defences to the rule.

**Explanation:** Strict liability does not arise where the escape is due to the **plaintiff’s own default**, or where the plaintiff consented to the thing being kept for common benefit.

**Why other options are wrong:**



- A leak from a reservoir or mere storage of water is the very situation that attracts the rule, and a failure to insure is irrelevant.

**Final Answer:** Plaintiff's own default or consent is an exception ⇒  C

**Answer: (C)** [Go Back to Q30](#)

Q31.

### Solution

**Concept — Ignorance of Law:** Not knowing the law is no defence.

**Explanation:** “Ignorantia juris non excusat” means **ignorance of the law is no excuse**. A person cannot escape liability merely by claiming he did not know the law.

**Why other options are wrong:**

- Ignorance of fact (not law) may sometimes be an excuse; the presumption of innocence and “the judge knows the law” are different ideas.

**Final Answer:** It means ignorance of the law is no excuse ⇒  A

**Answer: (A)** [Go Back to Q31](#)

Q32.

### Solution

**Concept — Doctrine of Precedent:** Courts follow earlier decisions for consistency.

**Explanation:** “Stare decisis” requires courts to **stand by decided cases and follow earlier precedents**, so that the law remains certain and consistent.

**Why other options are wrong:**

- It does not mean deciding afresh without precedent, hearing only one side, or applying only foreign judgments.

**Final Answer:** It means stand by decided cases ⇒  B

**Answer: (B)** [Go Back to Q32](#)



Q33.

**Solution**

**Concept — Obiter Dicta:** Some remarks in a judgment are not binding.

**Explanation:** “Obiter dicta” are **observations by the judge that are not essential** to the decision, and so they are persuasive but not binding.

**Why other options are wrong:**

- The binding reason is the ratio decidendi; the order against the convict and the evidence of witnesses are different things.

**Final Answer:** Obiter dicta are non-essential observations ⇒

[Go Back to Q33](#)

Q34.

**Solution**

**Concept — Ratio Decidendi:** The binding core of a judgment is its reasoning.

**Explanation:** The “ratio decidendi” is the **binding legal principle on which the decision is based**, and it is this principle that operates as precedent.

**Why other options are wrong:**

- A passing remark is obiter dicta; the name of the losing party and the date of the judgment are not the ratio.

**Final Answer:** Ratio decidendi is the binding principle of the decision ⇒

[Go Back to Q34](#)

Q35.

**Solution**

**Concept — Reservation Ceiling:** The Supreme Court capped total reservations.

**Explanation:** In **Indra Sawhney v. Union of India** (1992), the Supreme Court upheld reservation for backward classes but fixed a ceiling of **50%** on total reservations.

**Why other options are wrong:**

- Shah Bano concerned maintenance, M. C. Mehta concerned hazardous in-



dustries, and A. K. Gopalan concerned preventive detention.

**Final Answer:** The case is Indra Sawhney v. Union of India ⇒

**Answer: (A)** [Go Back to Q35](#)

Q36.

### Solution

**Concept — Maintenance of Divorced Woman:** The Court applied the general maintenance law.

**Explanation:** In **Mohd. Ahmed Khan v. Shah Bano Begum** (1985), the Supreme Court held that a divorced Muslim woman was entitled to maintenance from her former husband under the general law.

**Why other options are wrong:**

- Indra Sawhney dealt with reservation, M. C. Mehta with absolute liability, and Vishaka with workplace harassment.

**Final Answer:** The case is Mohd. Ahmed Khan v. Shah Bano Begum ⇒

**Answer: (C)** [Go Back to Q36](#)

Q37.

### Solution

**Concept — Absolute Liability:** A stricter Indian rule replaced the old exceptions for hazardous industries.

**Explanation:** In **M. C. Mehta v. Union of India** (1987), arising from the Oleum gas leak, the Supreme Court laid down “absolute liability” for hazardous enterprises, with **no exceptions** to the rule.

**Why other options are wrong:**

- Shah Bano concerned maintenance, Indra Sawhney reservation, and Kesavananda the basic structure doctrine.

**Final Answer:** The case is M. C. Mehta v. Union of India ⇒

**Answer: (D)** [Go Back to Q37](#)



Q38.

**Solution**

**Concept — Oldest High Court:** One High Court predates the others.

**Explanation:** The **Calcutta High Court**, established in 1862, is the oldest High Court in India.

**Why other options are wrong:**

- The Bombay and Madras High Courts were also set up in 1862, but the Delhi, Punjab and Haryana, and Allahabad High Courts came later.

**Final Answer:** The oldest High Court is the Calcutta High Court ⇒

[Go Back to Q38](#)

Q39.

**Solution**

**Concept — Retirement of SC Judge:** The Constitution fixes a retirement age.

**Explanation:** A judge of the Supreme Court of India holds office until the age of 65 years.

**Why other options are wrong:**

- 62 years is the retirement age for a High Court judge; 60 and 70 years are incorrect for the Supreme Court.

**Final Answer:** A Supreme Court judge retires at 65 years ⇒

[Go Back to Q39](#)

Q40.

**Solution**

**Concept — First CJI:** India's judiciary had a first head in 1950.

**Explanation:** **H. J. Kania** was the first Chief Justice of India, taking office when the Supreme Court was inaugurated in 1950.

**Why other options are wrong:**

- M. Patanjali Sastri and M. Hidayatullah were later Chief Justices; B. R. Ambedkar was the chief architect of the Constitution, not a CJI.



**Final Answer:** The first CJI was H. J. Kania ⇒

**Answer: (C)** [Go Back to Q40](#)



Answer Key

Q	Ans	Q	Ans	Q	Ans	Q	Ans	Q	Ans
1	C	2	A	3	D	4	B	5	C
6	A	7	D	8	B	9	C	10	A
11	B	12	D	13	A	14	C	15	B
16	D	17	A	18	C	19	B	20	D
21	A	22	C	23	B	24	D	25	A
26	C	27	B	28	D	29	A	30	C
31	A	32	B	33	C	34	D	35	A
36	C	37	D	38	A	39	B	40	C

