

## **THE INDIAN EVIDENCE ACT, 1872**

1. **Indian Evidence Act was drafted by**
  - (a) Lord Macaulay
  - (b) Sir James F. Stephen
  - (c) Huxley
  - (d) Sir Henry Summer Maine.
2. **The law of evidence consists of**
  - (a) ordinary rules of reasoning
  - (b) legal rules of evidence
  - (c) rules of logic
  - (d) all the above.
3. **Relevancy and admissibility under the Indian Evidence Act are**
  - (a) synonymous
  - (b) co—extensive
  - (c) neither synonymous nor co-extensive
  - (d), synonymous & co-extensive both.
4. **‘Self-regarding’ statements**
  - (a) can be self-serving statements
  - (b) can be self-harming statements
  - (c) can be self-serving or self-harming
  - (d) none of the above.
5. **What is correct as regards the admissibility of self-regarding statements**
  - (a) self-harming statement is admissible but a self-serving statement is not generally admissible
  - (b) self-serving statement is admissible but a self-harming statement is not generally admissible
  - (c) self-serving and self-harming statements both are generally admissible
  - (d) self-serving and self-harming statements both are generally inadmissible.
6. **Under the law of evidence, as a general rule**
  - (a) opinion on a matter of fact is relevant but not on a matter of law
  - (b) opinion on a matter of law is relevant but not on a matter of fact
  - (c) opinion on a matter of fact and law both are relevant
  - (d) opinion whether on a matter of fact or law, is irrelevant.

**7. Indian Evidence Act applies to**

- (a) proceedings before tribunals
- (b) proceedings before the arbitrator
- (c) judicial proceedings in courts
- (d) all the above.

**8. Law of evidence is**

- (a) lex tallienis
- (b) lex fori
- (c) lex loci solutionis
- (d) lex situs.

**9. Law of evidence is**

- (a) a substantive law
- (b) an adjective law
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**10. Facts can be**

- (a) physical facts
- (b) psychological facts
- (c) physical as well as psychological facts
- (d) only physical facts & not psychological facts.

**11. Under the Evidence Act, fact means**

- (a) factum probandum
- (b) factum probans
- (c) both factum probandum and factum probans
- (d) none of the above.

**12. Fact in issue means**

- (a) fact, existence or non-existence of which is admitted by the parties
- (b) fact, existence or non-existence of which is disputed by the parties
- (c) fact existence or non-existence of which is not disputed by the parties
- (d) all the above.

**13. Evidence under the Indian Evidence Act means & includes**

- (a) ocular evidence
- (b) documentary evidence
- (c) ocular and documentary evidence both

(d) ocular evidence based on documents only

**14. Propositions under Evidence Act are Affidavit is an evidence.**

**I. Affidavit Is an evidence.**

**II. Everything produced before the court for inspection is evidence.**

**III. Anything of which judicial notice can be taken is evidence.**

**IV. Written statement of an accused is evidence. Which of the following is true in respect of the aforesaid propositions**

- (a) I, II, III & IV all are correct
- (b) I, II & III are correct but IV is incorrect
- (c) I, II & IV are correct but III is incorrect
- (d) I, II & IV are incorrect but III is correct
- (e) I & II are correct but III & IV are incorrect
- (f) I is incorrect but II, III & IV are correct.

**15. Proof of a fact depends on**

- (a) accuracy of the statement and not upon the probability of its existence
- (b) not upon the accuracy of the statement but upon the probability of its existence
- (c) artificial probative value assigned to a fact
- (d) rigid mathematical demonstration.

**16. Standard of proof in**

- a) civil and criminal cases is the same
- b) criminal cases is much more higher than in civil cases
- (c) criminal case is lower than in civil cases
- (d) either (a) or (c) are correct

**17. Presumptions under the law of evidence are**

- (a) presumption of facts
- (b) presumptions of law
- (c) both (a) & (b)
- (d) only (b) & not (a).

**18. Propositions under Evidence Act are**

**I. Presumptions of facts are always rebuttable**

**II. Presumption of facts can be either rebuttable or irrebuttable**

**III. Presumption of law are always irrebuttable**

**IV. Presumption of law can be either rebuttable or irrebuttable.**

**Which is true of the aforesaid propositions**

- (a) I & III are correct but II & IV are incorrect

- (b) I & IV are correct but II & III are incorrect
- (c) II & III are correct but I & IV are incorrect.
- (d) II & IV are correct but I & III are incorrect.

**19. Under the law of evidence, the relevant fact**

- (a) must be legally relevant
- (b) must be logically relevant
- (c) must be legally & logically relevant
- (d) must be legally & logically relevant and admissible.

**20. Relevancy is**

- (a) question of law and can be raised at any time
- (b) question of law but can be raised at the first opportunity
- (c) question of law which can be waived
- (d) question of procedure which can be waived.

**21. Question of mode of proof is**

- (a) a question of law which can be raised at any time.
- (b) a question of procedure but has to be raised at the first opportunity and stands waived if not raised at the first opportunity
- (c) a question of procedure & can be raised at any time
- (d) a mixed question of law & fact.

**22. Which of the following documents are not admissible in evidence**

- (a) documents improperly procured
- (b) documents procured by illegal means
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**23. The facts which form part of the same transaction are relevant**

- (a) under section 5 of Evidence Act
- (b) under section 6 of Evidence Act
- (c) under section 7 of Evidence Act
- (d) under section 8 of Evidence Act.

**24. A fact forming part of the same transaction is relevant under section 6 of Evidence Act**

- (a) if it is in issue and have occurred at the same time & place
- (b) if it is in issue and may have occurred at different times & places
- (c) though not in issue and may have occurred at the same time & place or at different times & places

(d) though not in issue, must have occurred at the same time & place.

**25. Several classes of facts, which are connected with the transaction(s) in a particular mode, are relevant**

- (a) under section 6 of Evidence Act
- (b) under section 7 of Evidence Act
- (c) under section 8 of Evidence Act
- (d) under section 9 of Evidence Act.

**26. Motives, of preparation and conduct are relevant**

- (a) under section 6 of Evidence Act
- (b) under section 7 of Evidence Act
- (c) under section 8 of Evidence Act
- (d) under section 9 of Evidence Act.

**27. Under section 8 of Evidence Act**

- (a) 'motive is relevant
- (b) preparation is relevant
- (c) conduct is relevant
- (d) all the above.

**28. For conduct to be relevant under section 8 of Evidence Act, it**

- (a) must be previous
- (b) must be subsequent
- (c) may be either previous or subsequent
- (d) only subsequent & not previous.

**29. Facts which are necessary to explain or introduce relevant facts of place, name, date, relationship & identity of parties are relevant**

- (a) under section 8 of Evidence Act
- (b) under section 9 of Evidence Act
- (c) under section 10 of Evidence Act
- (d) under section 11 of Evidence Act.

**30. Under section 9 of Evidence Act**

- (a) the identification parades of suspects are relevant
- (b) the identification parades of chattels are relevant
- (c) both (a) & (b) are relevant
- (d) only (a) & not (b) is relevant.

**31. Identification of a suspect by photo is**

- (a) admissible in evidence
- (b) not admissible in evidence
- (c) section 9 of Evidence Act excludes identification by photo
- (d) section 8 of Evidence Act excludes identification by photo.

**32. Things said or done by a conspirator in reference to the common design is relevant**

- (a) under section 12 of Evidence Act
- (b) under section 6 of Evidence Act
- (c) under section 10 of Evidence Act
- (d) under section 8 of Evidence Act.

**33. A confession made 'by a conspirator involving other members is relevant against the co-conspirator jointly tried with him and is admissible**

- (a) under section 8 of Evidence Act
- (b) under section 10 of Evidence Act
- (c) under section 30 of Evidence Act
- (d) both (b) & (C).

**34. Alibi is governed by**

- (a) section 6 of Evidence Act
- (b) section 8 of Evidence Act
- (c) section 12 of Evidence Act
- (d) section 11 of Evidence Act.

**35. Transaction and instances relating to a right or custom are relevant**

- (a) under section 6 of Evidence Act
- (b) under section 8 of Evidence Act
- (c) under section 10 of Evidence Act
- (d) under section 13 of Evidence Act.

**36. Section 13 of Evidence Act applies to**

- (a) corporal rights '
- (b) incorporeal rights
- (c) both corporal and incorporeal rights
- (d) neither (a) nor (b).

**37. Section 13 of Evidence Act**

- (a) is confined to public rights & does not cover private rights
- (b) is not confined to public rights and covers private rights also

- (c) is confined to private rights and does not cover public rights
- (d) either (a) or (c) is correct.

**38. Mode of proof of a custom is contained in**

- (a) section 32(4) of Evidence Act
- (b) section 32(7) of Evidence Act
- (c) section 48 of Evidence Act
- (d) all the above.

**39. Section 14 of Evidence Act makes relevant the facts which show the existence of**

- (a) any state of mind
- (b) any state of body or bodily feeling
- (c) either state of mind or of body or bodily feeling
- (d) a particular state of mind and a state of body.

**40. Under section 14 of Evidence Act Explanation I**

- (a) evidence of general disposition, habit or tendencies is inadmissible
- (b) evidence having a distinct and immediate reference to the particular matter in question is admissible
- (c) both (a) & (b) are correct
- (d) both (a) & (b) are incorrect.

**41. Previous conviction of a person is relevant under**

- a) explanation I to section 14 of Evidence Act
- b) explanation II to section 14 of Evidence Act
- c) explanation III to section 14 of Evidence Act
- d) explanation IV to section 14 of Evidence Act.

**42. Under section 15 of Evidence Act, facts showing series of similar occurrences, involving the same person are relevant**

- (a) when it is uncertain whether the act is intentional or accidental I
- (b) when it is certain that the act is with guilty knowledge
- (c) when it is certain that the act is done innocently
- (d) either (b) or (c).

**43. Admission has been defined as a statement made by a party or any person connected with him, suggesting any inference as to a fact in issue or relevant fact under certain circumstances, under**

- (a) section 16 of Evidence Act
- (b) section 17 of Evidence Act

- (c) section 18 of Evidence Act
- (d) section 19 of Evidence Act.

**44. Admissions**

- (a) must be examined as a whole and not in parts
- (b) can be examined in parts
- (c) can be examined as a whole or in parts
- (d) both (b) & (c) are correct.

**45. Admissions bind the maker**

- (a) in so far as it relates to facts
- (b) in so far as it relates to question of law
- (c) both on questions of facts & of law
- (d) neither (a) nor (b).

**46. Admissions**

- (a) must be in writing
- (b) must be oral
- (c) either oral or in writing
- (d) only in writing & not oral.

**47. Admission to be relevant**

- (a) must be made to the party concerned & not to a stranger
- (b) must be made to a stranger
- (c) it is immaterial as to whom admission is made and an admission made to a stranger is relevant
- (d) it is immaterial to whom the admission is made but must be made to someone intimately connected & not a stranger.

**48. Propositions under Evidence Act are Statement is a genus, admission is a species & confession is a sub species.**

**I. Statement & admission are species & confession is a sub species.**

**II. Statement & admission are genus & confession is a (species).**

**III. 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.



**49. Admission can be**

- (a) formal only
- (b) informal only
- (c) either formal or informal
- (d) only formal & not informal.

**50. Admissions**

- (a) are conclusive proof- of the matters admitted
- (b) are not conclusive proof of the matters admitted but operate as estoppel
- (c) are conclusive proof of the matter and also operate as estoppel
- (d) both (a) & (c) are correct.

**51. Persons who can make admissions are mentioned in**

- (a) section 17 of Evidence Act
- (b) section 20 of Evidence Act
- (c) section 19 of Evidence Act
- (d) section 18 of Evidence Act.

**52. Admissions by agents are A**

- (a) admissible in civil proceedings under all circumstances
- (b) admissible in civil proceedings only if the agent has the authority to make admissions
- (c) never admissible in criminal proceedings
- (d) both (b) & (c). I

**53. Admissions made by a party are evidence against**

- (a) privies in blood
- (b) privies in law
- (c) privies in estate
- (d) all the above.

**54. Which of the following admission is no evidence**

- (a) an admission by one of the several defendants in a suit against another defendant
- (b) an admission by a guardian ad litem against a minor
- (c) an admission by one of the partners of a firm against the firm or other partners
- (d) Only (a) & (b).

**55. When the liability of a person who is one of the parties to the suit depends upon the liability of a stranger to the suit, then an admission by the stranger in respect of his liability shall be an admission on the part of that person who is a party to the suit. It has been so provided**

- (a) under section 21 of Evidence Act
- (b) under section 20 of Evidence Act .
- (c) under section 19 of Evidence Act
- (d) under section 17 of Evidence Act.

**56. In a reference made over a disputed matter to a third person, the declaration so made by that person shall be an evidence against the party making a reference, by virtue of**

- (a) section 17 of Evidence Act
- (b) section 19 of Evidence Act
- (c) section 20 of Evidence Act
- (d) section 21 of Evidence Act.

**57. Communication made 'without prejudice' are protected**

- (a) under section 22 of Evidence Act
- (b) under section 23 of Evidence Act
- (c) under section 24 of Evidence Act
- (d) under section 21 of Evidence Act.

**58. Confession caused by inducement, threat or promise is contained in**

- (a) section 24 of Evidence Act
- (b) section 25 of Evidence Act
- (c) section 26 of Evidence Act
- (d) section 27 of Evidence Act.

**59. Section 24 of Evidence Act applies**

- (a) when the inducement, threat or promise comes from a person in authority
- (b) when the inducement is of a temporal kind
- (c) when the inducement is spiritual or religious,
- (d) only (a) & (b) are correct.

**60. A confession made to a police officer is inadmissible under**

- (a) section 24 of Evidence Act
- (b) section 25 of Evidence Act
- (c) section 26 of Evidence Act
- (d) section 27 of Evidence Act.

**61. A confession to be inadmissible under section 25 of Evidence Act**

- (a) must relate to the same crime for which he is charged
- (b) must relate to another crime
- (c) may relate to the same crime or another crime

(d) only (a) is correct and (b) is incorrect.

**62. Which of the following is not given by section 25 of Evidence Act**

- (a) confessions made to custom officers
- (b) confession made to a member of Railway Protection Force
- (c) confession made to an officer under FERA
- (d) all the above.

**63. A retracted confession**

- (a) can be made solely the basis of conviction
- (b) cannot be made solely the basis of conviction under any circumstances
- (c) can not be made solely the basis of conviction unless the same is corroborated
- (d) both (a) & (c) are incorrect.

**64. A confession made by a person while in police custody is inadmissible as per**

- (a) section 25 of Evidence Act
- (b) section 26 of Evidence Act
- (c) section 27 of Evidence Act
- (d) section 30 of Evidence Act.

**65. A confession made while in police custody is admissible under section 26 of Evidence Act**

- (a) if made in the presence of a doctor
- (b) if made in the presence of a captain of a vessel
- (c) if made in the presence of a Magistrate
- (d) all the above.

**66. A section 27 control**

- (a) section 24 of Evidence Act
- (b) section 25 of Evidence Act
- (c) section 26 of Evidence Act
- (d) all the above.

**67. Section 27 applies to**

- (a) discovery of some fact which the police had not previously learnt from other sources and was first derived from the information given by the accused
- (b) discovery of some fact which the police had previously learnt from other sources
- (c) discovery of some fact which the police had previously learnt from other sources and the accused has also given information regarding the same

(d) all the above.

**68. Under section 27 of Evidence Act, 'discovery of fact' includes**

- (a) the object found
- (b) the place from where it is produced
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**69. Section 27 of Evidence Act applies**

- (a) when the person giving information is an accused but not in police custody
- (b) when the person giving information is an accused and is in police custody
- (c) when the person is in police custody but not an accused
- (d) when the person is neither in police custody nor an accused.

**70. Under section 27 of Evidence Act**

- (a) the whole statement is admissible
- (b) only that portion which distinctly relates to the discovery is admissible
- (c) both are admissible depending on the facts & circumstances of the case
- (d) only (a) & not (b).

**71. Facts discovered in consequences of a joint information**

- (a) are not admissible and can not be used against any of the accused person
- (b) are admissible and can be used against any one of the accused person
- (c) are admissible and can be used against all the accused persons
- (d) both (a) & (c) are correct.

**72. Confession of an accused is admissible against the other co-accused**

- (a) under section 28 of Evidence Act
- (b) under section 29 of Evidence Act
- (c) under section 30 of Evidence Act
- (d) under section 31 of Evidence Act.

**73. Confession of one accused is admissible against co-accused**

- (a) if they are tried jointly for the same offences
- (b) if they are tried jointly for different offences
- (c) if they are tried for the same offences but not jointly
- (d) if they are tried for different offences and not jointly.

**74. Confession of a co-accused, not required to be on oath and cannot be tested by cross-examination**

- I. is no evidence within the meaning of section 3 of Evidence Act and cannot be the foundation of a conviction
- II. the only limited use which can be made of a confession of a co-accused is by way of furnishing an additional reason for believing such other evidences as exists
- III. it is a very weak type of evidence and is much weaker even than the evidence of an approver.

**In the aforesaid propositions**

- (a) all I, II & III are correct
- (b) only I & III are correct
- (c) only I & II are correct
- (d) only II & III are correct.

**75. 'Necessity rule' as to the admissibility of evidence is contained in**

- (a) section 31 of Evidence Act
- (b) section 32 of Evidence Act
- (c) section 60 of Evidence Act
- (d) section 61 of Evidence Act.

**76. Necessity rule as to the admissibility of evidence is applicable, when the maker of a statement**

- (a) is dead or has become incapable of giving evidence
- (b) is a person who can be found but his attendance can not be procured without unreasonable delay or expenses
- (c) is a person who can not be found
- (d) all the above.

**77. Under section 32 of Evidence Act, a statement of a person who is dead, to be admissible**

- (a) must relate to the cause of his own death
- (b) may relate to the cause of someone else' death .
- (c) may relate to the cause of his own death or someone else' death
- (d) both (b) & (c) are correct.

**78. The person whose statement is admitted under section 32 of Evidence Act**

- (a) must be competent to testify
- (b) need not be competent to testify
- (c) may or may not be competent to testify
- (d) only (a) is correct and (b) & (c) are incorrect.

**79. A dying declaration is admissible**

- (a) only in criminal proceedings

- (b) only in civil proceedings
- (c) in civil as well as criminal proceedings 'both
- (d) in criminal proceedings alone 8: not in civil proceedings.

**80. 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 unless corroborated by independent witness
- (d) only (b) & (c) are correct.

**81. A dying declaration to be admissible**

- (a) must be made before a Magistrate
- (b) must be made before the police officer
- (c) may be made before a doctor or a private person
- (d) may be made either before a magistrate or a police officer or a doctor or a private person.

**82. Declaration in course of business are admissible**

- (a) under section 32(1) of Evidence Act
- (b) under section 32(2) of Evidence Act
- (c) under section 32(4) of Evidence Act
- (d) under section 32(7) of Evidence Act.

**83. Declaration as to custom are admissible**

- (a) under section 32(1) of Evidence Act
- (b) under section 32(2) of Evidence Act
- (c) under section 32(4) of Evidence Act
- (d) under section 32(7) of Evidence Act.

**84. Under section 32(4) of Evidence Act, the declaration**

- (a) as to public rights & customs are admissible
- (b) as to private rights & customs are admissible K
- (c) as to both public and private rights and customs are admissible V
- (d) only as to customs are admissible.

**85. Opinions of experts are relevant**

- (a) under section 45 of Evidence Act
- (b) under section 46 of Evidence Act
- (c) under section 47 of Evidence Act
- (d) under section 48 of Evidence Act.

86. **Under section 45 of Evidence Act, the opinion of expert can be for**
- (a) identity of hand writing
  - (b) identity of finger impression
  - (c) both (a) & (b)
  - (d) neither (a) nor (b).
87. **Under section 45 of Evidence Act the opinion of expert can be on the question of**
- (a) Indian law
  - (b) Foreign law
  - (c) both (a) & (b)
  - (d) only (a) & not (b).
88. **Opinion of an 'expert under section 45 of Evidence Act**
- (a) is a conclusive proof
  - (b) is not a conclusive proof
  - (c) is supportive & corroborative in nature
  - (d) either (a) or (c).
89. **A disputed handwriting can be proved**
- (a) by calling an expert
  - (b) by examining a person acquainted with the handwriting of the writer of the questioned document
  - (c) by comparison of the two-admitted & disputed handwritings
  - (d) all the above.
90. **The res inter alia acta is receivable**
- (a) under section 45 of Evidence Act
  - (b) under section 46 of Evidence Act
  - (c) under section 47 of Evidence Act
  - (d) under section 48 of Evidence Act.
91. **Entries in the books of accounts regularly kept in the course of business are admissible under section 34 of Evidence Act**
- (a) if they by themselves create a liability
  - (b) if they by themselves do not create a liability
  - (c) irrespective of whether they themselves create a liability or not
  - (d) either (a) or (b). '

**92. When the court has to ascertain the relationship between one person and another, the opinion of any person having special means of knowledge and expressed by conduct is admissible ‘**

- a) under section 51 of Evidence Act
- b) under section 50 of Evidence Act
- c) under section 52 of Evidence Act
- d) under section 49 of Evidence Act.

**93. The relationship in section 50 of Evidence Act means**

- a) relationship by blood only
- b) relationship by blood or marriage
- c) relationship by blood or marriage or adoption
- d) only (a) and not (b) & (c).

**94. Opinion as to relationship of marriage under section 50 of CPC**

- a) is admissible in cases of offences against marriage
- b) is admissible in proceedings under Indian Divorce Act
- c) is admissible both in (a) & (b)
- d) is neither admissible in cases of offences against marriage nor in proceedings under Indian Divorce Act

**95. Propositions under Evidence Act are**

- I. In civil cases, character evidence is inadmissible unless the character of a party is a fact in issue.
- II. In criminal cases, the evidence of good character is admissible generally.
- III. In criminal proceedings, evidence of bad character is inadmissible unless the same is a fact in issue.
- IV. In criminal proceedings evidence of bad character is admissible when evidence of good character has been given.

In relation to the above propositions which of the following is correct statement

- (a) all the four (I, II, III & IV) are correct
- (b) I, II & III are correct but IV is incorrect
- (c) I & II are correct but III & IV are incorrect
- (d) I & III are correct but II & IV are incorrect
- (e) I, II & IV are correct but III is incorrect
- (f) II, III & IV are correct but I is incorrect.

**96. Facts of which the judicial notice is to be taken are stated in**

- (a) section 56 of Evidence Act
- (b) section 57 of Evidence Act



- (c) section 58 of Evidence Act
- (d) section 55 of Evidence Act.

**97. List of facts of which the judicial notice has to be taken under section 57 of Evidence Act**

- (a) is exhaustive
- (b) is illustrative only
- (c) is both (a) & (b)
- (d) is neither (a) nor (b).

**98. Facts which need not be proved by the parties include**

- (a) facts of which judicial notice has to be taken
- (b) facts which have been admitted by the parties at or before the hearing
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**99. The court may in its discretion call for proving the facts**

- (a) of which judicial notice has to be taken
- (b) which have been admitted otherwise than such admissions
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**100. Oral evidence under section 60 of Evidence Act may be**

- (a) direct only
- (b) hearsay
- (c) both (a) & (b)
- (d) either (a) or (b).

**101. Contents of a document under section 59 of Evidence Act**

- (a) can be proved by oral evidence
- (b) can not 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 order of the court.

**102. Contents of a document may be proved under section 61 of Evidence Act**

- (a) by primary evidence
- (b) by secondary evidence
- (c) either by primary or by secondary evidence
- (d) only by primary evidence & not by secondary evidence.

103. **Secondary evidence of a document means**

- (a) copies of that document
- (b) oral account of the contents of the documents
- (c) both (a) & (b)
- (d) only (a) & not (b).

104. **Secondary evidence of a document is admissible as a substitute for**

- (a) admissible primary evidence
- (b) inadmissible primary evidence under certain circumstances
- (c) inadmissible primary evidence under all the circumstances
- (d) both (a) & (b) are correct.

105. **The circumstances under which the secondary evidence is admissible have been enumerated in**

- (a) section 63 of Evidence Act
- (b) section 64 of Evidence Act
- (c) section 65 of Evidence Act
- (d) section 66 of Evidence Act.

106. **Secondary evidence is admissible**

- (a) where the non-production of primary evidence has not been accounted for
- (b) where the non-production of primary evidence has been accounted for
- (c) irrespective of whether the non- production of primary evidence has been accounted for or not
- (d) both (a) & (c) are correct.

107. **Oral account of the contents of a document is admissible**

- (a) when given by a person who has seen & read the document A
- (b) when given by a person who has seen but not read the document
- (c) when given by a person to whom the document was read over
- (d) when given by any of the above. V

108. **A document required by law to be attested can be proved under section 68 of Evidence Act only**

- (a) by calling both the attesting witnesses
- (b) by calling at least one of the attesting witnesses
- (c) by calling none of the attesting witnesses but by calling some other person who has the knowledge of the contents
- (d) all of the above are correct.

**109. The calling of at least one attesting witness to prove a document under section 68 is not necessary**

- (a) when the document other than a will is registered under the Indian Registration
- (b) when the document including Will is registered under the Indian Registration Act, 1908
- (c) when the document irrespective of whether it is a Will, is registered under the Indian Registration Act, 1908
- (d) both (b) & (c) are correct.

**110. A will is required to be proved by calling at least one attesting witness**

- (a) when it is registered
- (b) when it is unregistered
- (c) when it is admitted
- (d) all of the above.

**111. Public documents are mentioned in**

- (a) section 72 of Evidence Act
- (b) section 73 of Evidence Act
- (c) section 74 of Evidence Act
- (d) section 75 of Evidence Act.

**112. Documents which are not covered under section 74 of Evidence Act are called**

- (a) semi-public documents
- (b) quasi-public documents
- (c) private documents
- (d) all the above.

**113. Maxim 'Omnia proesumuntur rite esse acta' means**

- (a) all acts are presumed to be rightly done
- (b) all acts are presumed to be not rightly done
- (c) all acts are presumed to be wrongly done
- (d) all acts are presumed to be not wrongly done.

**114. Admissibility of electronic record has been prescribed under**

- (a) section 65 of Evidence Act
- (b) section 65A of Evidence Act
- (c) section 65B of Evidence Act
- (d) section 66 of Evidence Act.

**115. Principle of 'Omnia proesumuntur rite esse acta' is contained in**

- (a) section 78 of Evidence Act

- (b) section 79 of Evidence Act
- (c) section 80 of Evidence Act
- (d) section 81 of Evidence Act.

**116. Section 79 of Evidence Act applies to**

- (a) certificates issued by a Government officer
- (b) certified copies issued by a Government officer
- (c) other documents duly certified to be genuine. by a Government officer
- (d) all the above.

**117. Section 79 of Evidence Act contains**

- (a) an irrefutable presumption of law
- (b) a rebuttable presumption of law
- (c) a presumption of fact
- (d) no presumption either of fact or law.

**118. Sections 79 to 85 of Evidence Act contain**

- (a) presumption of facts
- (b) rebuttable presumptions of law
- (c) irrebuttable presumption of law
- (d) irrebuttable presumptions of facts.

**119. Presumption as to the accuracy of maps 8: plans made by the authority of Government is contained in**

- (a) section 81 of Evidence Act
- (b) section 82 of Evidence Act
- (c) section 83 of Evidence Act
- (d) section 84 of Evidence Act.

**120. Under section 83 of Evidence Act, presumption as to accuracy of maps 8: plans can be raised in respect of**

- (a) maps & plans made by private persons
- (b) maps & plans made by the authority of Government
- (c) both (a) & (b) above
- (d) only (a) & not (b).

**121. Due execution and authentication of a power of attorney shall be presumed under section 85 of Evidence Act when executed before & authentication by**

- (a) anotary
- (b) a judge

- (c) amagistrate
- (d) all the above.

**122. Due execution of a document more than thirty years old coming from proper custody, IS a**

- (a) presumption of fact
- (b) rebuttable presumption of law
- (c) irrebuttable presumption-of law
- (d) presumption of fact & law both.

**123. The presumption under section 90 of Evidence Act can be drawn in respect of**

- (a) original documents
- (b) certified copies
- (c) uncertified copies
- (d) all the above.

**124. Period of thirty years under section 90 of Evidence Act is to be reckoned from**

- (a) the date on which the document is relied upon
- (b) the date on which the document is filed in the court
- (c) the date on which the document is ten-dered in evidence, when its genuineness becomes a subject of proof
- (d) all the above.

**125. Section 90 of Evidence Act applies to**

- (a) non-testamentary documents
- (b) testamentary documents
- (c) both testamentary and non-testamentary documents
- (d) none of the above.

**126. In cases of Wills, the period of thirty years shall run**

- (a) from the date of the will
- (b) from the date of the death of the testator
- (c) from the date of registration of the Will, if registered
- (d) either (a) or (b).

**127. Presumption as to the genuineness of gazettes in electronic form has been dealt with under**

- (a) section 81 A of Evidence Act .
- (b) section 88A of Evidence Act
- (c) section 90A of Evidence Act

(d) section 73A of Evidence Act.

**128. Section 88A of Evidence Act provides for**

- (a) presumption as to the electronic message forwarded corresponds with the message as fed in the computer
- (b) presumption as to the person by whom the message is sent
- (c) both (a) & (b)
- (d) only (b) but not (a).

**129. Electronic record in proper custody gives rise to a presumption as to the digital signature, to be affixed by that particular person under section 90A of Evidence Act if the electronic record produced is**

- (a) 20 years old
- (b) 15 years old
- (c) 10 years old
- (d) 5 years old.

**130. Section 91 of Evidence Act applies to**

- (a) transactions which under the law must be in writing
- (b) transactions which are reduced into writing voluntarily
- (c) both (a) & (b)
- (d) only (a) & not (b).

**131. Section 91 of Evidence Act**

- (a) permits admission of oral evidence to prove the contents of a document where the writing is a fact in issue
- (b) prohibits admission of oral evidence to prove the contents of a document, where the writing is a fact in issue
- (c) prohibits admission of oral evidence to prove the contents of a document where the writing is not a fact in issue and is merely a collateral memorandum '
- (d) both (b)&(c).

**132. Section 91 of Evidence Act applies to documents which are**

- (a) unilateral
- (b) bilateral
- (c) tripartite
- (d) all the above.

**133. Section 91 of Evidence Act**

- (a) prohibits admission of oral evidence as to the existence or non-existence of a factum

- (b) permits admission of oral evidence as to the existence or non-existence of a factum but prohibits admission of oral evidence of the terms of that factum, if in existence
- (c) prohibits admission of oral evidence as to the existence or non-existence of a factum and also the terms of the factum if in existence
- (d) both (a) & (c).

134. **Section 92 of Evidence Act prohibits admission of oral evidence, in respect of a written document, for the purpose of**

- (a) contradicting its terms
- (b) varying its terms
- (c) adding to its terms
- (d) all the above.

135. **Section 92 of Evidence Act is applicable to**

- (a) disputes between the parties to the instrument only
- (b) disputes between a party to the instrument and a stranger
- (c) disputes between two strangers where the document is in question
- (d) all the above.

136. **Section 92 of Evidence Act applies to**

- (a) unilateral documents
- (b) bilateral documents
- (c) both (a) & (b)
- (d) either (a) or (b).

137. **Oral evidence of a fact invalidating the document is admissible**

- (a) under proviso 1 to section 92 of Evidence Act
- (b) under proviso 2 to section 92 of Evidence Act
- (c) under proviso 4 to section 92 of Evidence Act
- (d) under proviso 6 to section 92 of Evidence Act.

138. **The want or failure of consideration as contemplated under proviso 1 to section 92 of Evidence Act invalidating a document**

- (a) is a complete want or failure
- (b) is a partial want or failure
- (c) is a substantial want or failure
- (d) may be complete or may be partial want or failure.

139. **Mistake referred to in proviso 1 to section 92 of Evidence Act refers to**

- (a) unilateral Mistake

- (b) mutual mistake
- (c) both (a) & (b)
- (d) only (b) not (a).

140. **Under section 92 of Evidence Act oral evidence to explain the real nature of the transaction is admissible**

- (a) where the document does not record all the terms of the contract
- (b) where the document records all the terms of the contract
- (c) where the documents is complete in itself
- (d) all the above.

141. **Under proviso 2 to section 92 of Evidence Act oral evidence is admissible**

- (a) where the instrument provides for the matter sought to be proved and the agreement sought to be proved is consistent with the terms of the document
- (b) where the instrument is silent on the matter sought to be proved and the agreement to be proved is consistent with the terms of the document
- (c) where the instrument is silent on the matter sought to be proved and the agreement to be proved is inconsistent with the terms of the document
- (d) all the above.

142. **Under proviso 4 to section 92 of Evidence Act, oral evidence is admissible in cases**

- (a) where the contract has been written voluntarily & not required by laws to be so written
- (b) where the law required the contract to be in writing
- (c) where the contract has been registered under the law of registration of documents
- (d) all the above.

143. **Extrinsic evidence to show the meaning or supply the defects in an instrument, is prohibited under section 93, in respect of**

- (a) ambiguitas patens
- (b) ambiguitas lateens
- (c) both (a) & (b)
- (d) only (b) & not (a).

144. **The test of ascertaining on which side the burden of proof lies is contained in**

- (a) section 100 of Evidence Act
- (b) section 101 of Evidence Act
- (c) section 102 of Evidence Act
- (d) section 103 of Evidence Act.



145. **Burden of proof' means**

- a) the burden of proof as a matter of law & pleadings is burden of establishing a case
- b) the burden of proof as to introduction of evidence
- (c) both (a) &: (b)
- (d) only (b) & not (a).

146. **Burden of proof**

- (a) partially determines the right to begin
- (b) substantially determines the right to begin
- (c) wholly determines the right to begin
- (d) only (c) & not (a) or (b).

147. **Burden of proof under section 101 of Evidence Act**

- (a) never shifts
- (b) goes on shifting as the trial proceeds
- (c) may shift
- (d) both (b) & (C) are correct.

148. **Burden of proof is lightened by**

- (a) presumptions
- (b) admissions
- (c) estoppels
- (d) all the above.

149. **Burden of introducing evidence under section 102 of Evidence Act**

- (a) never shifts
- (b) occasionally shifts
- (c) constantly shifts
- (d) only (a) and not (b) or (c).

150. **In criminal proceedings, the burden of proof is**

- (a) on the prosecution to prove the guilt of the accused
- (b) on the accused to prove his innocence
- (c) on both the parties
- (d) either (a) or (b).

151. **Which of the following is true as to the standard of proof in criminal 81; civil proceedings**

- (a) in criminal proceedings the standard is beyond reasonable doubt and also in civil proceedings

- (b) in criminal proceedings the stand is beyond reasonable doubt while in civil proceedings it is 'upon the balance of probabilities'
- (c) in criminal & civil proceedings both it is upon the balance of probabilities'
- (d) in criminal proceedings it is 'upon the balance of probabilities' while in civil 'beyond reasonable doubt'.

**152. Section 105 of Evidence Act applies to**

- (a) criminal trials
- (b) civil trials
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**153. In criminal trials, the onus is on the accused to prove that his case falls in**

- (a) any of the general exception
- (b) any of the special exception
- (c) any of the proviso to any provision
- (d) all the above.

**154. In criminal trials, it is bound to presume**

- (a) that the case of the accused falls in any of the general or special exceptions
- (b) that the case of the accused falls in proviso to the provision under which he is charged
- (c) the absence of the case of the accused falling in any general or special exceptions or the proviso to the provision under which the accused is charged
- (d) both (a) & (b) and not (c).

**155. In criminal trials, the accused has to establish his plea mitigation or justification of an offence**

- (a) beyond reasonable doubt
- (b) prima facie
- (c) substantially
- (d) either (a) or (c).

**156. Section 106 of Evidence Act is applicable**

- (a) to such matters of defence which are supposed to be especially within the knowledge of the defendant
- (b) to such matters which are capable of being known to the persons other than the defendant
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**157. Any person' in section 106 of Evidence Act refers to**

- (a) a party to the suit
- (b) a stranger to the state
- (c) a person who is not a party to the suit but interested in the outcome of the suit
- (d) a witness

(e) all the above.

**158. The presumption of continuance of life is contained in**

- (a) section 106 of Evidence Act
- (b) section 107 of Evidence Act
- (c) section 108 of Evidence Act
- (d) section 109 of Evidence Act.

**159. Section 108 of Evidence Act relates to**

- (a) presumption of death
- (b) presumption of life
- (c) presumption of legitimacy
- (d) presumption of relationship.

**160. For presumption under section 107 of Evidence Act, the person is to be shown to be alive**

- (a) within 7 years
- (b) within 12 years
- (c) within 3 years
- (d) within 30 years.

**161. For presumption of death under section 108 of Evidence Act, the person is shown to be not heard for a period of**

- (a) 3 years
- (b) 7 years
- (c) 12 years
- (d) 30 years.

**162. The presumption under section 109 of Evidence Act as to certain human relationship**

- (a) is obligatory and arises irrespective of the lapse of time
- (b) is permissive and operates only for a period for which the state of things which are the subject matter of presumption ordinarily lasts
- (c) is obligatory and operates only for a period for which the state of things which are the subject matter of presumption ordinarily lasts
- (d) either (b) or (c).

**163. The principle that possession is prima facie proof of ownership is contained in**

- (a) section 109 of Evidence Act
- (b) section 110 of Evidence Act
- (c) section 111 of Evidence Act
- (d) section 112 of Evidence Act.

**164. The possession contemplated under section 110 of Evidence Act is**

- (a) juridical possession
- (b) symbolic possession

- (c) actual physical possession
- (d) all the above.

**165. Section 110 of evidence Act in its operation**

- (a) is limited to immoveable property
- (b) is limited to moveable property
- (c) is not limited to immoveable property and applies to moveable property as well
- (d) is not limited to immoveable property but applies only to certain moveable property.

**166. Section 112 of Evidence Act provides for**

- (a) presumption of life
- (b) presumption of marriage
- (c) presumption of death
- (d) presumption of legitimacy.

**167. Section 112 of Evidence Act contains**

- (a) a presumption of fact
- (b) a rebuttable presumption of law
- (c) an irrebuttable presumption of law
- (d) a mixed presumption of fact & law.

**168. Presumption under section 112 of Evidence Act is raised**

- (a) when a child is born during the continuance of valid marriage
- (b) when a child is born within 280 days of dissolution of marriage, the mother remaining unmarried
- (c) in both (a) & (b)
- (d) in only (a) & not (b).

**169. In cases 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 in (a) or (b).

**170. Section 112 of Evidence Act applies when there is a dispute regarding**

- (a) maternity of a child
- (b) paternity of a child
- (c) both (a) & (b)
- (d) either (a) or (b).

**171. The deciding factor under section 112 of Evidence Act is**

- (a) the date of birth of the child
- (b) the date of conception of the child
- (c) the date of birth or the date of conception depending on the facts & circumstances

(d) only (b) & not (a).

**172. Section 114 of Evidence Act provides for certain**

- (a) presumption of facts
- (b) rebuttable presumptions of law
- (c) irrebuttable presumptions of law
- (d) presumption of facts & law both.

**173. An accomplice is**

- (a) not a competent witness against an accused
- (b) a competent witness against an accused
- (c) cannot be a competent witness against an accused
- (d) either (a) or (c).

**174. Presumption**

- (a) is an evidence
- (b) is a proof
- (c) shows on whom the burden of proof lies
- (d) all the above.

**175. Presumption as to abetment of suicide by a married woman has been provided**

- (a) under section 111A of Evidence Act
- (b) under section 113A of Evidence Act
- (c) under section 113B of Evidence Act
- (d) under section 113 of Evidence Act.

**176. Presumption under section 113A of Evidence Act can be raised if the suicide by the married woman is committed**

- (a) within 7 years of marriage
- (b) within 5 years of marriage
- (c) within 3 years of marriage
- (d) within 1 year of marriage.

**177. Presumption as to dowry death is contained in**

- (a) section 111A of Evidence Act
- (b) section 113A of Evidence Act
- (c) section 113B of Evidence Act
- (d) section 113 of Evidence Act.

**178. Presumption under section 114 of Evidence Act can be raised having regard to the common course of**

- (a) natural events
- (b) human conduct
- (c) public and private business
- (d) all of the above.

**179. The doctrine of estoppel is contained in**

- (a) section 115 of Evidence Act
- (b) section 114 of Evidence Act
- (c) section 113 of Evidence Act
- (d) section 112 of Evidence Act.

**180. The doctrine of estoppel is a**

- (a) substantive law
- (b) rule of equity
- (c) rule of evidence
- (d) law of pleadings.

**181. Estoppels are binding**

- (a) upon litigating parties
- (b) upon privies of the litigating parties
- (c) upon strangers to the lis
- (d) both (a) & (b) only.

**182. Estoppel is a rule of**

- (a) civil action
- (b) criminal action
- (c) both civil and criminal action
- (d) only (b) and not (a).

**183. Estoppel can be**

- (a) by matter of record resulting from the judgment of a competent court
- (b) by deed resulting from entering into a solemn engagement as to certain facts
- (c) by pais arising from agreement or contract and from act or conduct of misrepresentation resulting in a change of position
- (d) all the above.

**184. The estoppel in section 115 of Evidence Act**

- (a) is an estoppel by record
- (b) is an estoppel by deed
- (c) is an estoppel by pais
- (d) all the above.

**185. In which of the following there is no estoppel**

- (a) on a point of law
- (b) against a statute
- (c) attestation of a deed
- (d) all the above.

**186. Estoppel can be**

- (a) by silence
- (b) by negligence

- (c) by election
- (d) all the above.

**187. Estoppel deals with**

- (a) question of facts
- (b) question of right
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**188. Estoppel**

- (a) is a cause of action in itself
- (b) creates a cause of action
- (c) both (a) & (b) are correct
- (d) neither (a) nor (b) is correct.

**189. Estoppel**

- (a) should be specifically pleaded
- (b) need not be specifically pleaded
- (c) may be specifically pleaded or may not be specifically pleaded
- (d) both (b) & (c) are correct.

**190. Rule of estoppel of tenants and of licence of person in possession is contained in**

- (a) section 116 of Evidence Act
- (b) section 117 of Evidence Act
- (c) section 118 of Evidence Act
- (d) section 119 of Evidence Act.

**191. Estoppel operates in case of a tenant**

- (a) during the continuance of tenancy
- (b) who remain in possession after the termination of tenancy by notice to quit
- (c) both (a) and (b)
- (d) only (a) and not (b).

**192. Under section 116 of Evidence Act, the tenant is estopped**

- (a) from denying the title to the property, of the landlord
- (b) from denying the title to the property, of the actual owner
- (c) both (a) & (b)
- (d) only & not (a).

**193. A tenant or licensee under section 116 of Evidence Act is estopped from denying the title of landlord**

- (a) during the continuance of tenancy
- (b) after the creation of tenancy or licence
- (c) after the surrender of possession under tenancy or licence
- (d) all the above.

**194. Under section 118 who amongst the following are competent witnesses**

- (a) child
- (b) accused
- (c) lunatic
- (d) all the above.

**195. A person is competent to testify**

- (a) if he understands the question put to him
- (b) if he is able to give rational awareness to those questions
- (c) if has both (a) & (b)
- (d) if has (a) only and not (b).

**196. A dumb person is a competent witness as provided under**

- (a) section 118 of Evidence Act
- (b) section 119 of Evidence Act
- (c) section 120 of Evidence Act
- (d) section 121 of Evidence Act.

**197. Husband & wife both are competent witness for & against each other**

- (a) in civil proceedings
- (b) in criminal proceedings
- (c) in both civil & criminal proceedings
- (d) neither in civil nor in criminal proceedings.

**198. Section 121 of Evidence Act provides for privilege in respect of**

- (a) husband & wife
- (b) judges & magistrates
- (c) affairs of the state
- (d) official communication.

**199. Privilege in respect of judges & magistrates under section 121 of Evidence Act relates to**

- (a) questions which a witness cannot be compelled to answer
- (b) question which a witness cannot be permitted to answer
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**200. Privilege under section 121 of Evidence Act is**

- (a) available to an arbitrator
- (b) not available to an arbitrator
- (c) may or may. not be available to an
- (d) arbitrator both (b) & (c) are correct.

**201. Privilege in respect of husband & wife under section 122 of Evidence Act relates to**

- (a) question which a witness cannot be compelled to answer
- (b) question which a witness cannot be permitted to answer



- (c) both (a) & (b)
- (d) only (b) & not (a).

**202. Admissibility of the evidence under section 122 of Evidence Act has to be adjudged**

- (a) in the light of the status on the date when the communication was made
- (b) in the light of the status, on the date when the communication is sought to be tendered in court
- (c) in the light of the status, on the date when the evidence is to be given in the court
- (d) either (a) or (b) or (c).

**203. A communication made to the spouse during marriage, under section 122 of Evidence Act**

- (a) remains privileged communication after the dissolution of marriage by divorce or death
- (b) does not remain privileged after the dissolution of marriage by divorce or death
- (c) does not remain privileged after the dissolution of marriage by divorce, but remains privileged even after death
- (d) remains privileged after the dissolution of marriage by divorce but not so on after death.

**204. A document containing a communication from a husband to a wife or vice versa, in the hands of a third person**

- (a) Is not admissible in evidence until consented to by the writer of the communication
- (b) is not admissible in evidence at all is not admissible in evidence until-
- (c) is admissible in evidence
- (d) either (a) or (b).

**205. A husband or wife are permitted to disclose any communication between them during marriage**

- (a) in civil proceedings between the parties
- (b) in criminal proceedings between the parties
- (c) in matrimonial proceedings between the parties
- (d) all the above.

**206. Protection under section 122 of Evidence Act is available to**

- (a) a witness
- (b) husband & wife as a witness
- (c) both (a) & (b)
- (d) either (a) or (b).

**207. Protection under section 122 of Evidence Act is**

- (a) confined to confidential communication and not applicable to general communication between the husband & wife
- (b) not confined to confidential communications only but extends to communication of whatever nature
- (c) confined to confidential communication and may be extended to communications of general nature
- (d) only (c) and not (a) or (b).

**208. Protection under section 122 of Evidence Act**

- (a) can be waived by the witness without the consent of the husband or wife
- (b) can be waived by the witness with the consent of husband or wife, only
- (c) cannot be waived by the witness under any circumstances
- (d) either (a) or (c).

**209. Communication in respect of the affairs of the state are privileged communication on the grounds of public policy**

- (a) under section 123 of Evidence Act
- (b) under section 124 of Evidence Act
- (c) under section 125 of Evidence Act
- (d) under section 126 of Evidence Act.

**210. Documents in respect of which privilege has been provided under section 123 of Evidence Act.**

- (a) is a published official record
- (b) is an unpublished official record
- (c) both (a)&(b)
- (d) either (a) or (b).

**211. In deciding whether the document falls in the category of 'unpublished official record' the court**

- (a) has the jurisdiction to inspect the documents itself
- (b) the court is banned from inspecting the document
- (c) the court can compel the production of the document for inspection
- (d) both (a) & (c) are correct. -

**212. Section 124 of Evidence Act provides for privileged in respect of**

- (a) professional communications
- (b) official communications
- (c) communications as to information of commission of offence
- (d) none of the above.

**213. For protection under section 124 of Evidence Act, the communication is to be made**

- (a) to a public officer in official confidence
- (b) to a public officer as a routine matter
- (c) to a public officer as an ordinary cause of his duties
- (d) either (a) or (b) or (c).

**214. The professional privilege under section 126 of Evidence Act is available in respect of communication made**

- (a) for the purposes of professional employment
- (b) the cause of employment
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**215. Legal advisor**

- (a) I can disclose the communication after his clients death
- (b) f can disclose the communication after the relation with his client has ended
- (c) cannot disclose the communication even when the relation is ended or the client has died
- (d) both (a) & (b) are correct.

**216. The protection under section 126 of Evidence Act extends to**

- (a) communication made in furtherance of any illegal design
- (b) any fact observed showing the communication of any offence or fraud committed since commencement of employment
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**217. An accomplice is a competent witness**

- (a) under section 118 of Evidence Act
- (b) under section 119 of Evidence Act
- (c) under section 133 of Evidence Act
- (d) under section 132 of Evidence Act.

**218. An accomplice is a person**

- (a) who participates in the commission of the crime for which the accused has been charged
- (b) who is a pretended confederate
- (c) who is an informer
- (d) all the above both (a) & (b).

**219. Testimony of an accomplice before it is accepted &: 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).

**220. Question as to admissibility of evidence**

- (a) should be decided as they arise
- (b) should be reserved until judgment
- (c) may be decided as they arise or may be reserved until judgment
- (d) either (b) or (c).

**221. Examination in chief of a witness**

- (a) shall be by the party calling the witness
- (b) shall be by the adverse party
- (c) both (a) & (b)
- (d) either (a) -or (b).

**222. Re-examination of a witness**

- (a) shall be by the party calling the witness
- (b) shall be by the adverse party

- (c) both (a) & (b)
- (d) either (a) or (b).

**223. Re-examination of a witness can be done**

- (a) after examination in chief but before cross-examination
- (b) after examination in chief and after cross-examination
- (c) either (a) or (b)
- (d) neither (a) nor (b).

**224. 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.

**225. Re-examination of a witness**

- (a) can be for the purposes of filling what is left-over in examination in chief
- (b) can be for the purposes of explaining the matters referred to in cross-examination
- (c) can be for the purposes of explaining the matters referred to in the examination in chief
- d) all the above.

**226. After re-examination of a witness, the adverse party has a**

- a) right to further cross-examine the witness afresh in general
- b) has no right to further cross examine the witness
- c) right to further cross-examine the witness only when a new matter is introduced in the re-examination
- d) either (a) or (b).

**227. 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).

**228. A co-defendant in a case**

- (a) cannot be cross-examined by another co- defendant under any circumstance
- (b) can be cross-examined by another co-defendant if their interests are identical
- (c) can be cross-examined by another co-defendant when their interests adverse to each other
- (d) can be cross-examined by another co-defendant as a matter of right.

**229. It Cross-examination of a witness 229. Leading questions can be asked during**

- (a) examination in chief

- (b) cross-examination
- (c) re-examination
- (d) all the above.

**230. Court can permit leading questions during examination in chief or re-examination**

- (a) if they refer to the matters which are introductory
- (b) if they refer to the matters which are undisputed
- (c) if they refer to the matter which are sufficiently proved
- (d) if they refer to either (a) or (b) or (c).

**231. A leading question has been defined as a question suggesting the answer which the person putting it wishes or expects to receive, under**

- (a) section 140 of Evidence Act
- (b) section 141 of Evidence Act
- (c) section 142 of Evidence Act
- (d) section 143 of Evidence Act.

**232. During examination in chief or re-examination**

- (a) leading questions cannot 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).

**233. Under section 145 of Evidence Act, a witness may be cross-examined as to previous statement in writing**

- (a) without proving the same and without showing the same to the witness
- (b) only after proving the same, may be without showing the same to the witness
- (c) without proving the same but only after showing the same to the witness
- (d) only after proving the same & showing the same to the witness.

**234. Under section 145 of Evidence Act, a witness may be contradicted as to previous statement in writing**

- (a) without proving the same and without showing the same to the witness
- (b) without proving the same but only after showing the same to the witness
- (c) after proving the same may be before showing the same to the witness
- (d) after proving the same & showing the same to the witness.

**235. Objections as to the admissibility of a document in evidence**

- (a) can be made at any state during the trial
- (b) can be made at the first opportunity when the document is tendered in evidence
- (c) can be raised for the first time in appeal
- (d) all the above.

**236. A party/person who calls the witness can be permitted to cross-examine the witness so called by him, as provided**

- (a) under section 152 of Evidence Act
- (b) under section 153 of Evidence Act
- (c) under section 154 of Evidence Act
- (d) under section 155 of Evidence Act.

**237. Section 162 of Cr PC**

- (a) controls section 157 of Evidence Act
- (b) controls section 156 of Evidence Act
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**238. Court questions can be put by virtue of**

- (a) section 164 of Evidence Act
- (b) section 165 of Evidence Act
- (c) section 166 of Evidence Act
- (d) section 167 of Evidence Act.

**239. Court question under section 165 of Evidence Act can be put to**

- (a) any witness
- (b) any party
- (c) both (a) & (b)
- (d) neither (a) nor (b).

**240. To an answer to a court question, the adverse party**

- (a) has a right to cross-examination as a matter of right
- (b) has a right to cross-examine only with the permission of the court
- (c) has no right to cross-examine the witness
- (d) either (a) or (c).

**241. The right to cross-examine on an answer to court question is available**

- (a) to the adverse party only
- (b) to the party calling the witness only
- (c) to either of the parties if the answer is adverse to either of the parties
- (d) only (a) and not (b).

**242. Under section 41 of Evidence Act the presumption is with respect to**

- (a) judgments in rem when they are inter- parts
- (b) judgment in rem whether such judgments are inter-partes or not
- (c) judgments in personam
- (d) all the above.

**243. The presumption under section 41 of Evidence Act is a**

- (a) "presumption of fact
- (b) rebuttable presumption of law
- (c) irrebuttable presumption of law .
- (d) presumption of fact & law.

**244. Delhi High Court issued guidelines for the protection of witness in**

- (a) Neelam Katara case (2003)
- (b) Naina Sahni case (2007)
- (c) Ilphaar Cinema case (2005)
- (d) Parliament attack case (2006).

**245. Though the contempt proceedings are judicial proceedings, the strict rules of evidence contained in the Evidence Act do not apply to proceedings under the Contempt of Courts Act because**

- (a) of summary nature of inquiry
- (b) contempt matters are governed by special Acts
- (c) contempt of courts does not require enquiry and the investigation
- (d) contempt proceedings are tried in higher judiciary.

**246. Where there are three different dying declarations, Higher Court is**

- (a) not to uphold the conviction awarded by lower court
- (b) to uphold the conviction awarded by lower court
- (c) to go through the circumstantial evidence to uphold the conviction awarded by lower court
- (d) to rely upon the versions of witnesses to uphold the conviction awarded by lower court.

**247. Zahira Sheikh was prime witness in**

- (a) Best Bakery case (2004)
- (b) Best Bakery retrial case (2006) '
- (c) Sukh Ram disproportionate assets case (2005)
- (d) Gujjar killings case (2003).

**248. "Relationship is not a factor to affect credibility of a witness" held by the Supreme Court in**

- (a) S. Sudershan Reddy v. State of Andhra Pradesh, AIR 2006 SC 2716
- (b) S/Jed Ibrahim v. State of Andhra Pradesh, AIR 2004 SC 2596
- (c) Renuka Bai v. State of Maharashtra, AIR 2006 SC 3056
- (d) Minu Kumari v. State of Bihar, AIR 2006 SC 150.

**249. In which case the Supreme Court held that material evidence and not the number of witnesses has to be taken note to ascertain the truth of the allegations made**

- (a) Surendra Prasad Tiwari v. State of Uttar Pradesh, AIR 2005 SC 125
- (b) Syed Ibrahim v. State of Andhnz Pradesh, AIR 2006 SC 2908
- (c) Rajinder v. State of Haryana, AIR 2006 SC 21
- (d) Iagdish Murav v. State of Llttar Pradesh, AIR 2007 SC 35

**250. Dying declaration can be sole basis of conviction if it inspires full confidence of the court. The court should be satisfied**

- (a) that deceased was in a fit state of mind at the time of making the statement
- (b) that it was not the result of tutoring, prompting or product of imagination
- (c) that deceased was not in a fit state of mind at the time of making the statement

(d) both (a) & (b)

**251. Examination of witnesses in criminal cases through video conferencing is**

- (a) permissible
- (b) impermissible
- (c) permissible at the option of the witness
- (d) permissible at the option of the accused.

**252. Which confession needs a closer scrutiny**

- (a) confession made to officers under NDPS Act
- (b) confession made to private citizens
- (c) confession made to officials who do not have investigation powers under NDPS Act
- (d) when confessional statement found voluntary and free from pressure

**253. For taking the dying declaration from the deceased, the presence of Magistrate is**  
**260**

- (a) mandatory
- (b) not mandatory
- (c) required at the request of the police
- (d) required at the request of the relative of the deceased

**254. The evidence unearthed by the sniffer dog falls under**

- (a) 'oral evidence
- (b) documentary evidence
- (c) hearsay evidence
- (d) scientific evidence

**255. It is a well-settled law that the rule of prudence requires that the evidence of an accomplice should ordinarily be corroborated by some other evidence. It was held by Supreme Court in**

- (a) Francis Stanly v. Intelligence Officer, AIR 2007 SC 794
- (b) Youaraj Rai v. Clzander Balzadur Karki, AIR 2007 SC 561
- (c) Kamla Devi v. Khushal Kanwar, AIR 2007 SC 663
- (d) Bablu v. State of Rajasthan, AIR 2006 SC 115

**256. The possession or ownership of property of the grand father of defendant on the basis of documents 30 years old can**

- (a) be proved
- (b) not to be proved
- (c) be proved at the option of plaintiff
- (d) be proved at the option of defendant

**257. An accused can be convicted on the basis of his extra judicial confession only if it is made before**

- (a) a credible person
- (b) a police officer



- (c) a Magistrate
- (d) none of these.

**258. Falsus in unum, falsus in omni bus is**

- (a) a rule of evidence
- (b) a rule of criminal law
- (c) a rule of evidence in criminal trial
- (d) not a rule of evidence in criminal trial.

**259. Photostat copy of family settlement is allowed to be produced before court as**

- (a) primary evidence
- (b) secondary evidence
- (c) electronic evidence
- (d) original evidence.

**260. A judgment in an election petition is not one of the judgments specifically recognised by**

- (a) section 41 of the Evidence Act
- (b) section 42 of the Evidence Act
- (c) section 56 of the Evidence Act
- (d) section 57 of the Evidence Act

**261. Which section of the Indian Evidence Act was amended by the Criminal Law (Amendment) Act, 2005**

- (a) section 154
- (b) section 118
- (c) section 32
- (d) section 90A

**262. What essential change was made in section 154 of the Indian Evidence Act, 1872 vide Criminal Law (Amendment) Act, 2005?**

- (a) two statements sought to be contradicted in addition should be drawn to previous statement
- (b) the party is entitled to rely on any part of the evidence of the witness to whom he has called to put any question to him, which might be put in cross-examination by the adverse party
- (c) corroborating a witness by questioning him on surrounding circumstances
- (d) former statement of witness may be proved to corroborate later testimony as to same fact.

**263. A confession to be inadmissible under section 25 of the Evidence Act**

- (a) must relate to the same crime for which offender is charged
- (b) may relate to the same crime for which offender is charged
- (c) must relate to another crime
- (d) none of the above.

**264. The provision "hostile witness" is provided under section ..... of Indian Evidence Act**

- (a) section 155
- (b) section 133
- (c) section 154
- (d) section 145.

**265. In which of the following cases Supreme Court held that "Test identification parade is only an aid to investigation. The practice is not born out of prudence"?**

- (a) Siddharth Vashist @ Manu Shzzrma v. State (NCT of Delhi), AIR 2010 SC 2352
- (b) Shivaji v. Nagendra, AIR 2010 SC 2261
- (c) S. Iaiswal v. Alok, AIR 2010 (NOC) 805
- (d) Sujata v. S.K. Behem, AIR 2010 (NOC) 812.

# ANSWERS THE INDIAN EVIDENCE ACT, 1872

1	(b)	39	(c)	77	(a)	115	(b)	153	(d)	191	(c)	229	(b)
2	(b)	40	(c)	78	(c)	116	(d)	154	(c)	192	(a)	230	(d)
3	(c)	41	(b)	79	(c)	117	(b)	155	(b)	193	(a)	231	(b)
4	(c)	42	(a)	80	(a)	118	(b)	156	(a)	194	(d)	232	(c)
5	(a)	43	(b)	81	(d)	119	(c)	157	(a)	195	(c)	233	(a)
6	(d)	44	(a)	82	(b)	120	(b)	158	(b)	196	(b)	234	(b)
7	(c)	45	(a)	83	(c)	121	(d)	159	(a)	197	(c)	235	(b)
8	(b)	46	(c)	84	(a)	122	(a)	160	(d)	198	(b)	236	(c)
9	(b)	47	(c)	85	(a)	123	(a)	161	(b)	199	(d)	237	(a)
10	(c)	48	(a)	86	(c)	124	(c)	162	(a)	200	(a)	238	(b)
11	(c)	49	(c)	87	(b)	125	(c)	163	(b)	201	(c)	239	(c)
12	(b)	50	(b)	88	(c)	126	(a)	164	(c)	202	(a)	240	(b)
13	(c)	51	(d)	89	(d)	127	(a)	165	(c)	203	(a)	241	(c)
14	(d)	52	(d)	90	(b)	128	(a)	166	(d)	204	(c)	242	(b)
15	(b)	53	(c)	91	(c)	129	(d)	167	(c)	205	(d)	243	(c)
16	(b)	54	(d)	92	(b)	130	(c)	168	(c)	206	(b)	244	(a)
17	(c)	55	(c)	93	(c)	131	(b)	169	(c)	207	(b)	245	(a)
18	(b)	56	(c)	94	(d)	132	(d)	170	(b)	208	(a)	246	(a)
19	(a)	57	(b)	95	(a)	133	(a)	171	(a)	209	(a)	247	(b)
20	(a)	58	(a)	96	(b)	134	(d)	172	(a)	210	(b)	248	(a)
21	(b)	59	(d)	97	(b)	135	((a))	173	(b)	211	(b)	249	(b)
22	(d)	60	(b)	98	(c)	136	(b)	174	(c)	212	(b)	250	(d)
23	(b)	61	(c)	99	(b)	137	(a)	175	(b)	213	(a)	251	(a)
24	(c)	62	(d)	100	(a)	138	(a)	176	(a)	214	(c)	252	(a)
25	(b)	63	(c)	101	(b)	139	(c)	177	(c)	215	(c)	253	(b)
26	(c)	64	(b)	102	(c)	140	(a)	178	(d)	216	(d)	254	(d)
27	(d)	65	(c)	103	(c)	141	(b)	179	(a)	217	(c)	255	(a)
28	(c)	66	(d)	104	(a)	142	(a)	180	(c)	218	(a)	256	(a)
29	(b)	67	(a)	105	(c)	143	(a)	181	(d)	219	(b)	257	(a)
30	(c)	68	(c)	106	(b)	144	(c)	182	(a)	220	(a)	258	(d)
31	(a)	69	(b)	107	(a)	145	(c)	183	(d)	221	(a)	259	(b)
32	(c)	70	(b)	108	(b)	146	(a)	184	(c)	222	(a)	260	(a)
33	(c)	71	(a)	109	(a)	147	(a)	185	(c)	223	(b)	261	(a)
34	(d)	72	(c)	110	(d)	148	(d)	186	(d)	224	(b)	262	(b)
35	(d)	73	(a)	111	(c)	149	(c)	187	(a)	225	(b)	263	(b)
36	(c)	74	(a)	112	(c)	150	(a)	188	(d)	226	(c)	264	(c)
37	(b)	75	(b)	113	(a)	151	(b)	189	(a)	227	(b)	265	(a)
38	(d)	76	(d)	114	(c)	152	(a)	190	(a)	228	(c)		

*The answers are suggestive. Kindly verify from the basic documents, statutes, judgments, gazette notifications or recommended text books to remove any doubt or clearance.*