

Examrace

Legal Aptitude MCQs – Commonly Asked Questions for Exams – Must Know Topics and Concepts Part 2

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9. Legal Principle Dishonest misappropriation of property - whoever dishonestly misappropriates to his own use any movable property, shall be punished with imprisonment of either description for a term which extend to two years, or with fine, or with both.

Factual Situation A takes property belonging to Z out of Z's possession, in good faith, believing, at any time when he takes it, that the property belongs to himself. A is not guilty of theft; but if A, after discovering his mistake, dishonestly appropriates the property to his own use, he is guilty of an offence under this section. whether it is

- a) theft
- b) extortion
- c) robbery
- d) criminal misappropriation

Ans: (d)

10. Legal Principle Robbery - In all robbery there is either theft of extortion.

When theft is robbery - Theft is 'robbery' if, in order to the committing of the theft, or committing the theft, or in carrying away or attempting to carry away property obtained by the theft, the offender, for that end, voluntarily causes or attempts to cause to any person death or hurt or wrongful restraint, or fear of instant death or of instant hunt, or of instant wrongful restraint.

Factual Situation A holds Z down and fraudulently taken Z's money and jewels from Z's clothes without Z's consent. Here A has committed theft, and to the committing of that theft, has voluntarily caused wrongful restraint to Z.

When theft become robbery, it contains

- a) fraudulent means
- b) without any consent.
- c) fear of death.

d) All of the above.

Ans: (d)

11. Legal Principle When extortion is robbery Extortion is 'robbery' if the offender, at the time of committing the extortion, is in the presence of the person put in fear, and commits the extortion by putting that person in fear of instant death, of instant hurt, or of instant wrongful restraint to that person or to some other person, and, by so putting in fear, then and there to deliver up the thing extorted.

Factual Situation A meets Z on the high roads, shows a pistol, and demands Z's purse. Z in consequence, surrenders his purse. Here A has extorted the purse from Z by putting him in fear of instant hurt and being at the time of committing the extortion in his presence. A has therefore committed robbery.

When extortion becomes robbery, it contains

- a) put a person in fear
- b) transfer of property is must
- c) wrongful restraint
- d) All of the above

Ans: (d)

12. Legal Principle Forgery - Whoever makes any false documents or false electronic record or part of a document or electronic record, with intent to cause damage or injury], to the public or to any person, or to support any claim or title, or to cause any person to part with property, or to enter into any express or implied contract, or with intent to commit fraud or that may be committed commits forgery.

Factual Situation A has a letter or credit upon B for ₹ 10000 written by Z, A, in order to defraud B, adds a cipher to the ₹ 10000, and makes the sum ₹ 100000 intending that it may be believed by B that Z so wrote the letter. A has committed forgery.

Whether it is

- a) false document
- b) forgery
- c) forge document
- d) cheating

Ans: (b)

13. Legal Principle Criminal breach of trust - Whoever, being in any manner entrusted with property, or with any dominion over property, dishonestly misappropriates or converts to his own use that property, or dishonestly uses or disposes of that property in

violation of any direction of law prescribing the mode in which such trust is to be discharged, or of any legal contract, express or implied, which he has made touching the discharge of such trust, or willfully suffers any other person to do So, commits ‘criminal breach of trust’ .

Factual Situation A, being executor to the will of a deceased person, dishonestly disobeys the law which directs him to divide the effects according to the will, and appropriate them to his own use. A has committed criminal breach of trust.

Which offence has been done by A?

- a) Criminal intimidation
- b) Criminal breach of trust
- c) Criminal misappropriation
- d) Dishonest misappropriation

Ans: (b)

14. Legal Principle Attempt to murder - Whoever does any act with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if hurt is caused to any person by such act, the offender shall be liable either to imprisonment for life, or to such punishment as is hereinbefore mentioned. Attempts by life convicts - When any person offending under this section is under sentence of imprisonment for life, he may, if hurt is caused, be punished with death.

Factual Situation A, intending to murder Z, buys a gun and loads it. A has not yet committed the offence. A fire the gun at Z. He has committed the offence defined in this section, and if by such firing he wounds Z, he is liable to the punishment provided by the later part of the first paragraph of this section.

A is liable to be punished under which offence?

- a) Culpable Homicide
- b) Attempt to murder
- c) Murder
- d) Culpable homicide not amounting to murder

Ans: (b)

15. Legal Principle Criminal force — Whoever intentionally uses force to any person, without that person’s consent, in order to the committing of any offence, or intending by the use of such force to cause, or knowing it to be likely that by the use of such force he

will cause injury, fear or annoyance to the person to whom the force is used, is said to use criminal force to that other.

Factual Situation A intentionally pull up a woman's veil. Here A intentionally uses force to her, and if he does so without her consent intending or knowing it to be likely that he may thereby injure, frighten, or annoy her, he has used criminal force to her.

Whether the offence committed by A is

- a) criminal force
- b) criminal intimidation
- c) attempt to murder
- d) culpable Homicide

Ans: (a)

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