

## Examrace

### Legal Aptitude MCQs – Commonly Asked Questions for Exams – Must Know Topics and Concepts Part 3

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16. Legal Principle Attempt to commit culpable homicide - 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 culpable homicide not amounting to murder, shall be punished with imprisonment of description for a term which may extend to three years, or with fine, or with both; and, if hurt is caused to any person by such act, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

Factual Situation A, on grave and sudden provocation, fires a pistol at Z, under such circumstances that if he thereby caused death, he would be guilty of culpable homicide not amounting to murder. A has committed the offence defined in this section.

Which offence has committed by A?

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

Ans: (c)

17. Legal Principle Extortion - Whoever intentionally puts any person in fear of any injury to that person, or to any other, and thereby dishonestly induces the person to put in fear to deliver to any person any property or valuable security, or anything signed or sealed which may be converted into a valuable security, commits 'extortion' .

Factual Situation A threatens Z that he will keep Z's child in wrongful confinement, unless Z will sign and deliver to A, a promissory note binding Z to certain monies to A. Z signs and delivers the note. A has committed extortion.

Whether the offence is

- a) extortion
- b) theft
- c) wrongful confinement

d) criminal misappropriation

Ans: (a)

18. Legal Principle Assault - Whoever makes any gesture, or preparation intending or knowing it to be likely that such gesture or preparation will cause any person present to apprehend that he who makes that gesture or preparation is about to use criminal force to that person, is said to commit an assault.

Factual Situation A begins to unloose the muzzle of a ferocious dog, intending or knowing it to be likely that he may thereby cause Z to believe that he is about to cause the dog to attack Z. A has committed an assault upon Z.

Whether it is

- a) criminal force
- b) criminal assault
- c) assault
- d) attempt to assault

Ans: (c)

19. Legal Principle Theft - Whoever, intending to take dishonestly any moveable property out of the possession of any person without that person's consent, moves that property to such taking is said to commit theft.

Factual Situation A meets a bullock carrying a box of treasure. He drives the bullock in a certain direction, in order that he may dishonestly take treasure. As soon as the bullock begins to move, A has committed theft of the treasure.

The offence committed by A is

- a) theft
- b) extortion
- c) robbery
- d) dacoity

Ans: (a)

20. Legal Principle Who ever being in any manner entrusted with property, or with any dominion over property, dishonestly misappropriates or converts to his use that property, or dishonestly uses or disposes of that property is violation of any direction of law presenting the mode in which such trust is to be discharged shall commit criminal breach of trust.

Factual Situation A software engineer with an MNC having a car has fine transferred to USA. While leaving for USA he entrust his car to B with the direction of safekeeping and shall be return to A as it is and when he returned from USA and asked for the same, B without the consent of A gave this car to C who took the car and never returned on A's return.

- a) A can lodge a suit against B for recovery as car
- b) is not liable as he has said Honesty
- c) A should saw C for renting car
- d) B has committed criminal breach of trust

Ans: (d)

21. Legal Principle Whoever intending to take dishonestly any moveable property out of the possession of any person without that person's consent moves that property to such taking is said to commit theft.

Factual Situation 'X' being a close friend of 'A' enters into his room. X notices watch lying on the table, pick it up without A's consent and walked out he was caught by A and on search of his personal watch was found in X's pocket.

- a) X has committed no offence
- b) X attempted to commit theft
- c) X has committed an offence of theft
- d) X had implied consent of being his close friend

Ans: (c)

22. Legal Principle Whoever by becoming any person fraudulently or dishonestly induces the person so deceived to deliver any property to any person or to consent that any person shall retain any property or intentionally induces the person to deceived to do or on it to anything which he would not do or omit to do if he were not so deceived and which act or omission causes or is likely to cause damage or harm to that person body mind, reputation or property is said to cheat.

Factual Situation A intentionally deceives Z into a belief that A means to deliver to Z certain quantity of indigo plant which he does not intended to deliver and thereby dishonestly induces Z to give him advance money upon the faith of such delivery. Here

- a) An attempt to cheat Z
- b) A cheats B
- c) A might deliver indigo plant latter on
- d) A commits no offence

Ans: (b)

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