

VIDHIGYA[®] CLAT PG 2026

MOCK TEST

**EXPERIENCE CLAT PG
BEFORE D-DAY**



ANSWER & EXPLANATION**1. Answer. B**

Explanation. Option (a) is incorrect because economic policy does not automatically justify the exclusion of natural justice. Courts have held that even in such cases, if individual rights are affected, hearing may be required. Option (b) is correct because the Supreme Court in cases like *Swadeshi Cotton Mills v. Union of India* and *Sudhir Kumar Singh v. Union of India* held that a hearing can be denied only in rare cases where the facts are undisputed and a single legal outcome is inevitable. Option (c) is incorrect because *A.K. Kraipak v. Union of India* abolished the rigid distinction between administrative and quasi-judicial functions for purposes of natural justice. Option (d) is incorrect because the right to a hearing is not contingent on the discretion of an administrative authority but is derived from the principles of fairness and constitutional guarantees.

2. Answer. B

Explanation. Option (a) is incorrect because *Maneka Gandhi v. Union of India* reinforced the importance of natural justice, but it was not the earliest decision to establish this principle. Option (b) is correct because *State of Orissa v. Dr. (Miss) Binapani Dei* (1967) was the first major case where the Supreme Court held that even administrative decisions that affect rights must adhere to principles of natural justice. Option (c) is incorrect because *Swadeshi Cotton Mills* came after *Binapani Dei* and further developed the doctrine, not originated it. Option (d) is incorrect because *A.K. Kraipak* focused more on bias and the merger of administrative and quasi-judicial functions than specifically on denial of hearing.

3. Answer. C

Explanation. Option (a) is incorrect because statutory silence does not automatically authorize the exclusion of procedural fairness. Courts have repeatedly held that silence must not be read as exclusion. Option (b) is incorrect because public policy concerns alone are not sufficient to infer exclusion of hearing unless necessity is compelling and evident. Option (c) is correct because *Krishnadatt Awasthy*, reaffirming earlier rulings, clarified that silence in a statute does not exclude *audi alteram partem* unless there is a clear legislative intent or necessary implication to that effect. Option (d) is incorrect because statutory silence does not convert an administrative act into a quasi-judicial one per se—it requires context, purpose, and legal effect to be evaluated.

4. Answer. C

Explanation. Option (a) is incorrect because legal formalism adheres strictly to text without regard to broader constitutional values or outcomes, which is inconsistent with the Court's purposive approach. Option (b) is incorrect because positivism confines rights strictly to what is conferred by the statute. The Court, however, invoked fairness and constitutional values even in the absence of explicit procedural provisions. Option (c) is correct because the Court used structural constitutional reasoning—interpreting statutory silence to uphold embedded principles like fairness, justice, and equality, showing a purposive jurisprudence. Option (d) is incorrect because the judgment did not abstain from reviewing administrative discretion; it actively examined and limited it on constitutional grounds.

5. Answer. C

Explanation. Option (a) is incorrect because *Ridge v. Baldwin* extended natural justice to administrative acts, not just civil courts. Option (b) is incorrect because the case explicitly rejected the idea that disciplinary bodies could act without giving reasons or hearing. Option (c) is correct because *Ridge v. Baldwin* (UK, 1964) was seminal in recognizing that even administrative decisions—like dismissal from office—must comply with the rule of fair hearing, thereby extending natural justice beyond judicial and quasi-judicial bodies. Option (d) is incorrect because the case didn't abolish "at pleasure" dismissal as a concept—it held that such dismissal, if not following due process, would be invalid.

6. Answer. C

Explanation. Option (a) is incorrect because *Zee Telefilms* concerned BCCI's Article 12 status, not the effect of mere regulation. Option (b) is incorrect: *A.K. Kraipak* dealt with bias and the admin/quasi-judicial divide, not regulatory oversight. Option (c) is correct because *Binny Ltd. v. Sadasivan* (2005) held that RBI or other regulatory control over a private company does not convert its purely private actions into public functions amenable to writ jurisdiction. Option (d) is incorrect: *R.D. Shetty* established the "instrumentality" factors but did not formulate the specific rule that regulation alone is insufficient.

7. Answer. B

Explanation. Option (a) is incorrect as *Andi Mukta* never laid down a blanket rule treating every essential-services body as State. Option (b) is correct because the Court broadened *mandamus* by holding that it may issue to "any private

body or person performing a public duty,” irrespective of its legal status. Option (c) is incorrect; the decision focused on public-duty performance, not on all educational institutions. Option (d) is incorrect because mere tax exemption was not taken as the touchstone for public duty.

8. Answer. B

Explanation. Option (a) is incorrect: Indian Olympic Association has been treated as falling within Article 12 indicators because of extensive State control and funding. Option (b) is correct—Supreme Court decisions (e.g., *Rakesh Sood v. NSE*, 2012) have held that the National Stock Exchange, despite regulatory functions, is not “State.” Option (c) is incorrect: ICAI is a statutory creation and discharges public duties, hence a State instrumentality. Option (d) is incorrect: BPCL, although partly disinvested, remains a government-controlled PSU and ordinarily falls within Article 12.

9. Answer. C

Explanation. Option (a) is incorrect; deep control alone is never decisive without other factors. Option (b) is incorrect because financial aid on its own is inadequate post-Zee Telefilms. Option (c) is correct—the Court now applies a cumulative “instrumentality” test (ownership, deep/pervasive control, public importance, functional substitution of government); mere regulation does not satisfy Article 12. Option (d) is incorrect; providing a public service, standing alone, does not automatically confer State status.

10. Answer. A

Explanation. Option (a) is correct: High Courts may still entertain a writ when the dispute presents constitutional or significant public-law issues that rise above the contractual matrix, as laid down in cases like *Harbanslal Sahnia and Unitech Ltd.* Option (b) is incorrect because disagreements over wording/seats are arbitrable matters suited to the agreed forum. Option (c) is incorrect: the magnitude of money does not by itself create a public-law element. Option (d) is incorrect because a foreign-law clause does not, per se, justify bypassing arbitration or civil-suit remedies through writ jurisdiction.

11. Answer. A

Explanation. Option (a) is correct because Article 215 makes every High Court a “court of record” with inherent power to punish for contempt of itself, and § 10 of the Contempt of Courts Act, 1971, extends that power to contempt of “courts subordinate to it,” which includes District Judges; hence a High Court may act suo motu. Option (b) is incorrect because Article 129 concerns the Supreme Court’s own contempt power and does not oust High-Court jurisdiction. Option (c) is incorrect because Article 142 is an enabling provision for the Supreme Court, not High Courts. Option (d) is incorrect because Article 227 supervisory control is distinct from punitive contempt power and does not “supplant” it.

12. Answer. B

Explanation. Option (b) is correct because *Debabrata Bandhopadhyaya v. State of West Bengal* emphasised that for civil contempt wilful disobedience must be proved “beyond reasonable doubt,” likening the standard to criminal contempt. Option (a) is incorrect: unintentional or accidental breach is insufficient. Option (c) is incorrect because the Court rejected a mere civil balance-of-probabilities test. Option (d) is incorrect: impossibility of compliance, if bona fide, can be a valid defence and prevents guilt from being presumed.

13. Answer. A

Explanation. Option (a) is correct: § 13(b) (inserted by the 2006 Amendment) allows the Court to accept truth as a defence only when the statement is demonstrably true, made with bona-fide motive, serves substantial public interest, and is proportionate. Option (b) is incorrect: consent of the Chief Justice and absence of malice are not statutory prerequisites. Option (c) is incorrect because truth alone is not enough; public-interest and bona-fide criteria must also be met. Option (d) is incorrect: media accreditation or pendency of appeal is irrelevant under § 13(b).

14. Answer. C

Explanation. Option (c) is correct (that is, not recognised) because courts do not weigh “public-interest cost of compliance” against benefits when analysing impossibility; the test focuses on the contemnor’s capacity, not policy cost–benefit. Option (a) is recognised: the Court distinguishes genuine impossibility from self-created hurdles. Option (b) is recognised: prompt bona-fide steps mitigate contempt. Option (d) is recognised: readiness to purge contempt by alternative performance is relevant to excuse or mitigate.

15. Answer. A

Explanation. Option (a) is correct because sentencing escalates from least to most restrictive as follows:

P (conditional apology accepted) → Q (nominal fine) → R (simple imprisonment till the rising of the court) → S (maximum six-month imprisonment).

Option (b) is incorrect since a nominal fine (Q) is less restrictive than a conditional apology accepted (P). Option (c) is incorrect because imprisonment (R) is more restrictive than a nominal fine (Q). Option (d) is incorrect for the same reason: it places R before Q, reversing the proper order.

16. Answer. B

Explanation. Option (b) is correct because Section 52 TPA and cases such as *Nagubai Ammal* and *Vinod Seth* hold that a lis-pendens transfer is not void; it operates subject to the decree and binds the transferee to the suit's result. Option (a) is incorrect—the transfer is not nullity inter partes. Option (c) is incorrect because constructive notice by pendency suffices; absence of actual notice is irrelevant. Option (d) is incorrect—breach of injunction may attract contempt but does not automatically void the deed.

17. Answer. B

Explanation. Option (b) is correct: *Saila Bala Dassi* and later *Amit Kumar Shaw* recognise that a transferee pendente lite may rely on Section 146 and Order XXII Rule 10 to obtain leave to appeal despite earlier non-joinder. Option (a) is incorrect—Order I Rule 10 governs impleadment at suit stage, not appeal. Option (c) is incorrect because a non-party needs leave; Section 96 alone does not grant an unconditional right. Option (d) is incorrect—revision is not the exclusive remedy.

18. Answer. A

Explanation. Option (a) is correct: condonation turns on 'sufficient cause' under § 5, interpreted liberally in *N. Balakrishnan* but subject to diligence and bona fides. Option (b) is incorrect—§ 17 postpones limitation only when the right itself is concealed by fraud, not when a party delays appealing. Option (c) is inapt—§ 14 applies to pursuit in a wrong forum. Option (d) is incorrect—lis-pendens does not bar condonation though it affects merits.

19. Answer. D

Explanation. Option (d) is correct: the four-judge decision in *Saila Bala Dassi* (1958) recognised that a transferee pendente lite could, with leave, be impleaded or prefer appeal under Section 146. Option (a) and (b) are later applications/enrichments of the principle. Option (c) concerns locus of 'person aggrieved' in criminal-law context, not lis-pendens impleadment.

20. Answer. B

Explanation. Option (b) is correct: case-law (e.g., *Thomson Press*, *Vidur Impex*) distinguishes between the substantive validity of a pendente-lite transfer (which remains operative inter se parties) and contempt liability for breach of injunction. Option (a) is incorrect—transfer is not void. Option (c) is incorrect—contempt may still lie. Option (d) is incorrect—impleadment does not govern the deed's intrinsic validity.

21. Answer. B

Explanation. Option (a) is incorrect because the Court upheld the classification as reasonable. Option (b) is correct because *Anukul Chandra Pradhan* held that loss of liberty logically curtails voting; logistical and security constraints justified the bar under Article 14. Option (c) misreads the judgment; proportionality was not applied to strike it down. Option (d) is incorrect; the proviso itself exempts preventive-detention cases, so no partial unconstitutionality arose.

22. Answer. B

Explanation. Option (b) is correct: the Supreme Court has consistently ruled (e.g., *Jyoti Basu*, *Mithal, J. in Tahir Hussain*) that the right to stand for elections arises only from the statute, not the Constitution. Option (a) conflates free speech with candidacy. Option (c) misstates ICCPR obligations vis-à-vis domestic law. Option (d) misreads Article 326, which secures voting—not candidature.

23. Answer. B

Explanation. Option (b) is correct because *K.A. Najeeb* (and Justice Amanullah's dissent) hold that constitutional courts can override stringent bail fetters when Article 21 is jeopardised by inordinate delay. Option (a) ignores this constitutional override. Option (c) is incorrect; both Supreme Court and High Courts wield such power. Option (d) misstates the PMLA; there is no automatic suspension after 90 days (unlike CrPC default-bail).

24. Answer. B

Explanation. Option (b) is correct: SLP under Article 136 is the orthodox channel against bail refusal; interim bail can be prayed by interlocutory application. Option (a) requires exhaustion of review and is confined to egregious errors. Option (c) could lie but is atypical; electoral canvassing is not a fundamental right. Option (d) is inapposite; Article 131 governs federal disputes, not bail.

25. Answer. B

Explanation. Option (b) is correct: In Common Cause (2018) the majority carefully crafted procedural safeguards for “living wills” while noting flood-gate and misuse possibilities; manageability was central. Option (a) focused on privacy safeguards but not flood-gate logic. Option (c) dealt with constitutional validity of section 9 HMA, not systemic manageability. Option (d) expanded prisoner rights without flood-gate emphasis.

26. Answer. A.

Explanation. Option (a) is correct because the first Bhajan Lal ground covers allegations that, even if wholly true, do not constitute any offence; purely civil disputes fall precisely here. Option (b) concerns inherently absurd allegations (third category), not contracts. Option (c) targets malice-driven prosecutions (fifth category) and is not automatically triggered by a civil flavour. Option (d) relates to prosecutions barred by statute (seventh category), which is a different scenario.

27. Answer. C.

Explanation. Option (c) is correct: the Court requires assault or criminal force plus intent/knowledge to outrage modesty, with an act objectively indecent to a reasonable woman; actual alarm need not be proven. Option (a) omits the objective-indecency test. Option (b) wrongly insists on proving the victim’s alarm. Option (d) fails because mere words, without assault or force, do not invoke Section 354.

28. Answer. A.

Explanation. Option (a) is correct: Section 162 bars treating Section 161 statements as substantive evidence, limiting their use to contradictions or corroboration, which restricts reliance at the quash stage. Options (b), (c) and (d) address different CrPC provisions unconnected to this evidentiary bar.

29. Answer. B.

Explanation. Option (b) is correct: criminal intimidation is complete when a threat intended to alarm is communicated; actual alarm or assault is unnecessary. Option (a) adds an assault element not required. Option (c) describes conduct lacking intent to alarm and thus outside the offence. Option (d) is incorrect because oral threats suffice; written proof is not obligatory.

30. Answer. B.

Explanation. Option (b) is correct: State of Haryana v. Bhajan Lal is the leading authority cautioning that criminal law should not be misused for harassment and setting quash guidelines. Option (a) deals with discharge, not harassment misuse. Option (c) focuses on compromise quashing. Option (d) concerns defence material at charge stage, not the abuse-of-process doctrine.

31. Answer. B.

Explanation. Option (a) is incorrect because mere presence plus knowledge, without evidence of conscious concurrence, is inadequate for Section 34. Option (b) is correct because the Supreme Court—from Pandurang to the present case—allows inference of prior concert from conduct, yet insists on proof that each accused consciously shared the criminal aim. Option (c) is incorrect: “similar intention” is distinct and insufficient; Section 34 demands a unified intention. Option (d) is incorrect because obedience to a sudden unlawful order does not, by itself, establish pre-arranged common intention.

32. Answer. B.

Explanation. Option (b) is correct: Section 378(1)(b) CrPC empowers the State to appeal against an acquittal in a Sessions-triable case, but such appeal lies only with the High Court’s leave. Option (a) is wrong: Section 372 deals primarily with victim appeals, not State appeals. Option (c) is incorrect: revision under Section 397 is a distinct, narrower remedy and cannot substitute the statutory appeal. Option (d) is irrelevant: Section 384 allows summary dismissal of appeals already maintainable, not the institution of a State appeal.

33. Answer. C.

Explanation. Option (c) is correct: Section 34 hinges on a prior meeting of minds; Section 149 requires only that the offence be a likely or intended outcome of the unlawful assembly's common object, not a prior plan by every member. Option (a) is incorrect: Section 149 covers both cognisable and non-cognisable offences and has a different mental threshold. Option (b) is incorrect: the mental elements differ as noted. Option (d) reverses the numerical requirement: Section 34 may apply to even two persons, whereas Section 149 necessitates at least five.

34. Answer. A.

Explanation. Option (a) is correct because if two reasonable views are possible, the appellate court should not disturb an acquittal merely because it would prefer the other view; this is the restraint reiterated in Chandrappa, Rajesh Prasad, and the 2025 decision. Options (b), (c), and (d) each describe perversity or material omission—grounds that do justify interference.

35. Answer. B.

Explanation. Option (b) is correct: Section 27(3) targets the person who actually uses the firearm; constructive liability under Section 34 would require proof that others intentionally aided or shared that specific intention, which was lacking. Option (a) misstates the provision; liability is not strict for bystanders. Option (c) is incorrect: Section 27(3) does not adopt Section 149's common-object doctrine. Option (d) is wrong because hierarchy alone does not create a presumption of collective mens rea under the Arms Act.

36. Answer. A.

Explanation. Option (a) is correct because the proviso to Article 136 Limitation Act explicitly exempts decrees granting perpetual injunction from any limitation, and Supreme-Court and High-Court rulings (e.g., Jai Dayal, Benedito Dias) hold that each fresh interference revives execution. Option (b) misstates the statute; twelve years applies to other decrees, not injunctions. Option (c) is wrong: Article 137 concerns applications not covered elsewhere, whereas Article 136's proviso directly addresses perpetual injunctions. Option (d) confuses Rule 32(3) six-month attachment period with overall executability, which remains perpetual.

37. Answer. A.

Explanation. Option (a) is correct: Section 51 proviso requires a reasoned finding that the debtor is absconding, concealing assets, or refusing to comply despite means—amounting to wilful default—before detention. Option (b) is incorrect because mere non-compliance without such findings is insufficient; affidavit alone cannot replace judicial satisfaction. Option (c) adds an undertaking not required by the Code. Option (d) ignores that even ex-parte detention still demands recorded reasons on wilfulness per Section 51 and Rule 37–40 sequence.

38. Answer. B.

Explanation. Option (b) is correct: treating every violation as a continuing disobedience allows decree-holders to file successive execution petitions; res judicata and limitation do not attach, as recognised in Maga Ram, Dilbagh Singh, and CPC commentary. Option (a) is barred by Section 47, prohibiting separate suits on execution matters. Option (c) is wrong—execution and contempt are parallel, not substitutive; doctrine supports execution. Option (d) misconceives Rule 32(3): sale proceeds may yield compensation but do not convert decree nature.

39. Answer. A.

Explanation. Option (a) is correct: jurisprudence and Law-Commission notes say the absence of a Rule 11-A affidavit/grounds is mandatory, yet courts should first give the decree-holder a chance to supply it; defect is curable before ordering arrest. Option (b) overstates—dismissal is not automatic if opportunity to cure is afforded. Option (c) is incorrect—illegality is not washed away by supervisory approval; procedural compliance must precede detention. Option (d) is wrong: Rule 11-A applies to arrest for any decree, including injunctions, as underscored in the 2025 judgment.

40. Answer. A.

Explanation. Option (a) is correct because Order XXI Rule 32(3) stipulates that sale of the attached property is allowed only after the attachment has remained in force for six months without producing compliance and the court has, on application by the decree-holder, adjudged that the judgment-debtor continues in wilful default; these findings must be set out in a reasoned order. Option (b) is incorrect because no such approval by the Collector is required; circle-rate considerations relate to stamp duty, not execution sale under Rule 32. Option (c) is incorrect because Rule 66 notice is necessary for sale of property in satisfaction of a money decree; Rule 32 has its own built-in safeguards and does not

mandate an additional Rule 66 process. Option (d) is incorrect because Rule 32 permits sale to enforce performance of the injunction itself; quantification of damages is an alternative, not a prerequisite, and the decree does not convert into a money decree merely because sale is ordered.

41. Answer. A.

Explanation. Option (a) is correct because the non-obstante language “notwithstanding anything contained in any other law” allows statutory conciliation/arbitration to override contractual procedures, thereby disabling party-chosen clauses conflicting with section 18. Option (b) is incorrect: section 80 is not repealed; its interaction is disputed but statute does not expressly abrogate it. Option (c) is wrong: jurisdiction remains with Councils/regular courts, not the Supreme Court. Option (d) is incorrect: awards remain challengeable under section 34, subject to section 19 deposit.

42. Answer. A.

Explanation. Option (a) is correct because section 29A falls under part I; for foreign-seat arbitrations, part I (except sections 9, 27, 37(1)(a), 37(3)) does not apply by virtue of BALCO. Thus, the twelve-month clock is irrelevant. Option (b) is wrong: Indian courts cannot terminate a foreign-seat tribunal’s mandate under section 29A. Option (c) misstates the statutory scheme; the limit is not opt-in for foreign seats. Option (d) is incorrect; directory/mandatory debate is confined to Indian-seat arbitrations, not foreign seats governed by their own curial law.

43. Answer. B.

Explanation. Option (b) is correct because sections 12 and 13 establish a self-contained regime: the tribunal decides a bias plea, and the dissatisfied party may challenge only at the section 34 stage; immediate court intervention is barred. Option (a) is incorrect—section 11 court’s role ends with appointment. Option (c) misreads section 37, which contains no appeal against section 13 decisions. Option (d) is incorrect; Article 136 remains theoretically open, but the statutory bar intends to postpone court review until set-aside, making option (b) the accurate statement of law.

44. Answer. A.

Explanation. Option (a) is correct: an ongoing advisory relationship to a group affiliate squarely falls under entry 1 of the Seventh Schedule, rendering the arbitrator automatically ineligible unless the parties issue a post-dispute written waiver per section 12(5) proviso. Option (b) is wrong—affiliates are expressly covered. Option (c) errs: unanimous tribunal consent is irrelevant; only the parties can waive. Option (d) is incorrect—the Schedule does not limit conflicts to advocacy roles; continuous professional services suffice.

45. Answer. C.

Explanation. Option (c) is correct because section 17(2) deems the tribunal’s order “enforceable as if” it were an order of the court that would have jurisdiction; therefore, the decree-holder may move that competent court for execution without a fresh recognition petition, following the Act’s self-executing route. Option (a) is incomplete; although Order XXI procedure eventually applies, the initiating step is an application under section 17(2), not a standalone execution suit. Option (b) is incorrect since contempt is unnecessary when the Act supplies a specialised enforcement mechanism. Option (d) is wrong—the Act does provide coercive enforcement through section 17(2).

46. Answer. B.

Explanation. Option (b) is correct: Section 27 permits only that portion of the statement which distinctly relates to the fact discovered—typically place, concealment, or authorship of the weapon. Option (a) is incorrect as the whole confession remains barred by Sections 25–26. Option (c) is wrong: the oral portion describing the discovery is admissible; it is not totally excluded. Option (d) overstates requirements; witness signatures bolster weight but are not statutory pre-conditions for admissibility.

47. Answer. C.

Explanation. Option (c) is correct because a long eight-hour gap with no corroboration weakens the last-seen inference, making it least persuasive. Option (a) strongly supports inference; option (b) adds forensic corroboration; option (d) combines Section 106 silence with proximity, both strengthening the prosecution, making them more weighty than (c).

48. Answer. A.

Explanation. Option (a) is correct: Supreme Court precedent holds common intention may form on the spot, yet requires some active participation; mere presence is insufficient. Option (b) is incorrect: obedience does not conclusively establish intent. Option (c) is wrong: relationship does not create presumption. Option (d) misreads Krishna Govind Patil; prior or contemporaneous meeting of minds remains essential.

49. Answer. A.

Explanation. Option (a) is correct because Section 366 CrPC makes it compulsory for every death sentence to be submitted to the High Court for confirmation; until such confirmation, the sentence cannot be executed, and the High Court, exercising powers in Sections 368–371, may re-appraise evidence, order further inquiry, alter the conviction, or direct a fresh trial. Option (b) is incorrect because executive clemency under Articles 72/161 operates independently and does not precede judicial confirmation. Option (c) is incorrect because reference is mandatory irrespective of any appeal; the Sessions Court has no discretion to omit it. Option (d) is incorrect because confirmation jurisdiction lies with the High Court, not the Supreme Court; the latter's role is confined to appellate review under Articles 132–136 or special-leave jurisdiction.

50. Answer. B.

Explanation. Option (b) is correct because Supreme Court rulings such as *Basavaraj R. Patil v. State of Karnataka* and *Raj Kumar v. State of Rajasthan* hold that failure to put a specific inculpatory circumstance to the accused under Section 313 does not inevitably nullify the trial; the appellate court must assess whether prejudice occurred and may rectify by additional questioning or evaluation of the record. Option (a) is incorrect because the defect is not invariably fatal; it is curable if no prejudice is shown. Option (c) is incorrect since the right to be examined under Section 313 is independent and cannot be deemed waived by the mere possibility of testimony under Section 315. Option (d) is incorrect because an accused's election to remain silent or not adduce evidence does not cure judicial omission; nor does silence constitute admission.

51. Answer. A

Explanation. Option (A) is correct because section 106 of the Evidence Act places the burden on a person to explain facts especially within his knowledge; once the prosecution shows the accused was "last seen" with the deceased, only the accused can explain how they parted, attracting section 106. Option (B) (section 114) creates discretionary presumptions, not the specific burden. Option (C) (section 101) states the general rule of burden on the prosecution and is not confined to "last-seen" situations. Option (D) (section 113-B) concerns dowry-death presumptions and is unrelated.

52. Answer. D

Explanation. Option (D) is correct because the Court treats the duty to explain under the "last-seen" rule as a legal presumption derived from section 106, not as a reverse burden under section 105, a *res gestae* doctrine, or a vague "proximity" maxim. Thus the governing principle is the section 106 presumption. Option (B) mis-states the section; section 105 applies to general defences. Options (A) and (C) are inapposite.

53. Answer. C

Explanation. Option (C) is correct: in *Ramreddy Rajesh Khanna Reddy v. State of A.P.* (2006) the Court held "last seen" can ground conviction only if supported by other clinching circumstances. *Sharad Sarda* (Option A) laid down the five-golden-principles generally; *Mukesh* (Option B) turned on direct evidence; *Bachan Singh* (Option D) concerned the death penalty framework.

54. Answer. B

Explanation. Option (B) is correct because circumstantial-evidence cases still require proof **beyond reasonable doubt**; every link must be consistent only with the guilt of the accused. Options (A), (C) and (D) describe lower or preliminary standards.

55. Answer. B

Explanation. Option (B) is correct: the maxim "innocent until proven guilty" underscores that suspicion cannot replace legal proof. Options (A), (C) and (D) state other Latin maxims unrelated to that principle. The legal maxim "*nemo moriturus praesumitur mentire*" means "a man will not meet his maker with a lie in his mouth" according to legal resources. This maxim is the basis for the admissibility of dying declarations in court. "*Falsus in uno, falsus in omnibus*" is a Latin legal maxim meaning "false in one thing, false in everything." It suggests that if a witness lies about one aspect of their testimony, their entire testimony should be disregarded as untrustworthy. The Latin maxim "*Actus non facit reum, nisi mens sit rea*" translates to "An act does not make a person guilty unless the mind is also guilty".

56. Answer. B

Explanation. Option (b) is correct: Article 48-A (added by the 42nd Amendment) directs the State to protect and improve forests and wildlife. Article 39(b) addresses material resources distribution; Art 51A(g) sets a fundamental duty for citizens, not a State duty.

57. Answer. A

Explanation. Option (a) is correct: M.C. Mehta v. Kamal Nath (1997) is recognised as the first Indian case formally adopting the public-trust doctrine. Options (b), (c) and (d) dealt with environmental principles but did not pioneer that doctrine.

58. Answer. C

Explanation. Option (c) is correct: Section 2 of the Forest (Conservation) Act 1980 mandates prior approval of the Central Government (now MoEFCC) for any non-forest use or de-reservation. State departments, Chief Ministers, or the NGT cannot substitute this statutory approval.

59. Answer. B

Explanation. Option (b) is correct: the doctrine of inalienability of sovereign property (public trust) bars acquisition of title by adverse possession over Government forest land; long user cannot confer rights. Option (a) actually favours possessors, not the State; options (c) and (d) are unrelated.

60. Answer. B

Explanation. Option (b) is correct: Ambica Quarry Works v. State of Gujarat (1987) reached the Supreme Court via Article 136 special-leave jurisdiction concerning refusal to renew mining leases. Options a, c, d do not correspond to that procedural route.

61. Answer. B

Explanation. Option (b) is correct because preventive detention aims to avert future conduct and may be ordered without a prior criminal conviction, while punitive detention follows adjudication after proof of past guilt. Option (a) reverses the concepts; (c) mis-describes preventive detention as court-ordered and punitive as executive; (d) confuses Article 22 safeguards (which in fact limit preventive detention, not punitive).

62. Answer. B

Explanation. Option (b) is correct: the detenu may challenge “subjective satisfaction” for mala fides, non-application of mind, or missing proximity between conduct and threat. Option (a) is wrong because subjective satisfaction is reviewable on limited grounds. Option (c) is incorrect: Article 22(2) requires production before a magistrate for punitive arrest, not a judicial hearing for preventive detention. Option (d) misstates the Advisory Board’s role; it cannot replace the detaining authority’s satisfaction.

63. Answer. C

Explanation. Option (c) is correct because Article 22(5) obliges authorities to communicate “grounds of detention” with sufficient specificity so the detenu can make an effective representation. Articles 20(1) and 19(2) are unrelated; Article 21 provides general liberty protection but not this detailed safeguard.

64. Answer. B

Explanation. Option (b) is correct: proportionality demands that detention be the least-intrusive measure, truly necessary and not excessive relative to the preventive goal. Option (a) overstates; speech may be restricted proportionately even if violence has not yet occurred. Option (c) invents a minimum period; option (d) erroneously assigns detention power only to judges.

65. Answer. C

Explanation. Option (c) is correct: the Court held NSA cannot replace ordinary criminal process and must strictly follow constitutional/statutory limits. Option (a) contradicts the ruling; (b) suggests a liberal interpretation favouring detention; (d) wrongly says judicial review is barred.

66. Answer. C

Explanation. Option (c) is correct: *res ipsa* raises only a rebuttable inference of negligence; the ultimate burden remains on the plaintiff. Option (a) wrongly claims a legal burden-shift; (b) speaks of an irrebuttable presumption; (d) confines the doctrine to criminal negligence—each is incorrect.

67. Answer. C

Explanation. Option (c) is the element **not** required—plaintiff need not show the precise mechanism of injury. Options (a), (b) and (d) are essential ingredients: unusual occurrence, defendant's control, and an occurrence suggestive of negligence.

68. Answer. C

Explanation. Option (c) is incorrect and therefore the right choice: the *Rylands* rule does **not** apply automatically to every State activity; public/State enterprises enjoy no blanket liability exemption or inclusion. Options (a), (b) and (d) accurately describe the strict-liability rule and its exceptions.

69. Answer. C

Explanation. Option (c) is correct: the 1987 *Oleum Gas Leak* case (*M.C. Mehta v. Union of India*) created the rule of absolute liability for hazardous industries, dispensing with *Rylands* exceptions. Options (a), (b) and (d) do not lay down that doctrine.

70. Answer. C

Explanation. Option (c) is correct: absolute liability is meant to impose **exception-free** responsibility on enterprises handling inherently dangerous substances so as to ensure full compensation and deterrence. Options (a), (b) and (d) misstate or dilute that rationale.

71. Answer. C

Explanation. Option (c) is correct: Indian courts follow a **harmonious-construction** approach—international norms can aid constitutional interpretation when they advance fundamental-rights values, even if not statutorily incorporated. Options (a) and (b) respectively assert pure monism/dualism, which is not India's mixed approach; (d) misapplies sovereign-immunity principles.

72. Answer. B

Explanation. Option (b) is correct: the principle of **non-refoulement** bars returning a person to a State where they may face persecution. *Pacta sunt servanda* (a) deals with treaty observance; (c) and (d) concern other doctrines.

73. Answer. C

Explanation. Option (c) is correct: Article 51(c) directs the State to **foster respect for international law and treaty obligations**. The other options misstate Article 51(c)'s content.

74. Answer. C

Explanation. Option (c) is incorrect and thus the answer: refugee status does **not** automatically grant immunity from criminal prosecution or extradition. Options (a), (b) and (d) are accurate statements of customary principles.

75. Answer. B

Explanation. Option (b) is correct: the Court used **transformative constitutionalism**, reading evolving human-rights principles into Article 21. Options (a), (c) and (d) relate to different doctrines not applied here.

76. Answer. B

Explanation. Option (b) is correct: Article 51 recognises an **inherent right of self-defence** “if an armed attack occurs.” Option (a) speaks of preventive force; (c) requires prior Council approval (not in the text); (d) mischaracterises the relationship with Article 2(4).

77. Answer. C

Explanation. Option (c) is correct: the ICJ in *Nicaragua* stressed necessity, proportionality and that indirect force (arming rebels) breaches international law. Options (a), (b) and (d) misstate that judgment.

78. Answer. C

Explanation. Option (c) is correct: the “**unwilling or unable**” doctrine is invoked when a territorial State cannot or will not curb non-State actors, arguably permitting extraterritorial self-defence. Other options do not fit.

79. Answer. C

Explanation. Option (c) is correct: the doctrine lacks universal acceptance and clear codification, hence controversial. Options (a), (b) and (d) are inaccurate limitations.

80. Answer. A

Explanation. Option (a) is correct: the *Caroline* case formulated the classic criteria of imminent necessity and proportionality for anticipatory self-defence.

81. Answer. A.

Explanation. Option (a) is correct because courts adopt a reasonableness standard, considering mental or physical cruelty and other circumstances to judge “sufficient reason.” Option (b) is incorrect; Rina Kumari rejects automatic bar. Option (c) misapplies divorce grounds; Section 125 demands a broader, welfare-oriented enquiry. Option (d) invents a non-existent procedural presumption tied to Section 498-A.

82. Answer. B.

Explanation. Option (b) is correct: Sections 40–43 classify restitution decrees as judgments in personam, merely relevant; the Magistrate may reach a different finding on refusal. Option (a) is wrong since restitution is not judgment in rem. Option (c) misstates admissibility; civil judgments can be relevant. Option (d) misreads Section 42, which accords limited relevance, not conclusiveness.

83. Answer. A.

Explanation. Option (a) is correct: Explanation (b) allows a “divorced wife” maintenance until she remarries. Option (b) is incorrect because waiver may not preclude later maintenance if destitution arises absent explicit statutory bar. Option (c) is wrong; ex-parte nature doesn’t affect entitlement. Option (d) misstates law; adultery-based divorce does not automatically negate post-divorce maintenance unless provided by statute.

84. Answer. A.

Explanation. Option (a) is correct: Section 125(3) and Section 128 permit warrant for attachment and imprisonment up to one month per default month. Option (b) is incorrect; Order XXI CPC does not govern § 125 orders. Option (c) misstates procedure; no High-Court contempt sanction needed. Option (d) is irrelevant; criminal complaint under § 498-A is separate.

85. Answer. A.

Explanation. Option (a) is correct: Supreme Court decisions (e.g., Chaturbhuj, Bhuwan Mohan Singh) ground liberal interpretation in Article 15(3) and Directive Principles like Article 39. Option (b) and (c) misapply penal-statute canons; Section 125 is predominantly civil-remedial. Option (d) misunderstands the interpretive role; welfare orientation permits purposive reading consistent with constitutional mandates.

86. Answer. D

Explanation. Option (d) captures the precautionary principle: preventive action despite scientific uncertainty. Options (a), (b), (c) negate or dilute that principle.

87. Answer. B

Explanation. Option (b) is correct: section 3(1) empowers the Central Government to take all necessary measures.

88. Answer. C

Explanation. Option (c) is correct: the public-trust doctrine treats the State as trustee of natural resources.

89. Answer. B

Explanation. Option (b) is incorrect and thus the answer: the Court did **not** declare Paris pledges directly enforceable; it used them as interpretive aids. Options (a), (c), (d) are correct statements.

90. Answer. C

Explanation. Option (c) is correct: *Vellore Citizens' Welfare Forum* first integrated the precautionary and polluter-pays principles into Indian law. Options (a), (b), (d) came later or dealt with other facets.

91. Answer. B

Explanation. Option (b) correctly lists all four cumulative requirements of Exception 4 to section 300 IPC: absence of premeditation, sudden fight, heat of passion, and the offender neither taking undue advantage nor acting cruelly. Option (a) is wrong because "grave provocation" belongs to Exception 1 and "intention to kill" disqualifies the exception. Option (c) is incorrect—proof of exact mechanism and victim's consent are irrelevant. Option (d) speaks of prior enmity and opportunity of retreat, neither of which forms part of the statutory exception.

92. Answer. B

Explanation. Option (b) is accurate: section 299 defines "culpable homicide" in general, while section 300 stipulates when such homicide amounts to "murder." Option (a) is wrong because intent can exist under section 299; section 300 is not about recklessness alone. Option (c) mis-describes the provisions. Option (d) is incorrect—both sections involve mens rea.

93. Answer. A

Explanation. Option (a) (*State of A.P. v. R. Punnayya*, 1976) is the classic precedent clarifying the distinction between culpable homicide and murder. Options (b), (c) and (d) deal with different issues and do not formulate that test.

94. Answer. D

Explanation. Option (d) is not an IPC exception. Exceptions to section 300 are: sudden provocation; private defence exceeding limit; acts of public servants; consent in a duel; and sudden fight. Option (a) (Exception 1), (b) (Exception 3) and (c) (Exception 5) are recognised; preventing property destruction is not.

95. Answer. A

Explanation. Option (a) states the precise mens rea alternatives in section 300, clauses (1) & (3). Option (b) over-emphasises motive; motive is not an element. Options (c) and (d) describe negligence or lack of intent—insufficient for murder.

96. Answer. B

Explanation. Option (b) is correct: section 56 codifies frustration/impossibility. Other sections relate to repudiation (section 39), compensation (section 73) and agreements in restraint (section 28).

97. Answer. B

Explanation. Option (b) is right: force-majeure is contractual; frustration is a statutory doctrine applied irrespective of party intention. Options (a), (c) and (d) misstate the law.

98. Answer. C

Explanation. Option (c) (*Alopi Parshad v. Union of India*, 1960) laid down that mere rise in cost or commercial hardship is no frustration. Options (a), (b) and (d) address other aspects.

99. Answer. C

Explanation. Option (c) is NOT true—where parties expressly provide for contingencies (force majeure), section 56 normally does **not** apply. Options (a), (b) and (d) are correct attributes of section 56, so they are not the answer.

100. Answer. B

Explanation. Option (b) is correct: courts first look to the contractual force-majeure clause; section 56 applies residually. Options (a), (c) and (d) are contrary to established doctrine.

101. Answer. B

Explanation. Option (b) is correct: courts pierce the veil to prevent fraud. Option (a) ignores fraud accountability; (c) is limited to government companies; (d) misstates the law—related-party transactions alone don't remove personality.

102. Answer. C

Explanation. Option (c) is correct: section 447 defines fraud under the 2013 Act. Section 12 and 212 deal with registration and SFIO investigations; section 2(68) defines “private company.”

103. Answer. C

Explanation. Option (c) captures the statutory definition of a shadow director (section 2(60)(v)). Other options describe different roles.

104. Answer. B

Explanation. Option (b) (*LIC v. Escorts Ltd.*, 1986) is the Indian case where the Supreme Court lifted the veil to examine real ownership. Options (a), (c) and (d) are English precedent or deal with tax exemptions.

105. Answer. D

Explanation. Option (d) is incorrect and therefore the answer: companies themselves **can** be prosecuted (fines, disbursement). Options (a), (b) and (c) are correct statements.

106. Answer. B

Explanation. Option (b) correctly contrasts positivism (source-based validity) with natural-law (moral content). Options (a), (c) and (d) misrepresent both schools.

107. Answer. C

Explanation. Option (c): H. L. A. Hart introduced the “rule of recognition.” Others did not.

108. Answer. A

Explanation. Option (a) is incorrect—CLS claims law is **not** neutral. Hence it is the answer. Options (b), (c) and (d) are correct about CLS.

109. Answer. C

Explanation. Option (c) (*Kesavananda Bharati*, 1973) marked a move toward moral reasoning through the basic-structure doctrine. Others either pre-date it, upheld formalism or relate to criminal law.

110. Answer. B

Explanation. Option (b) attributes the quote to Justice O. W. Holmes Jr. Austin, Pound and Kelsen said other things.

111. Answer. A.

Explanation. Option (a) is correct because Section 415 demands deception ab initio, inducement based on that deception, and ensuing or likely damage to body, mind, reputation, or property. Option (b) is incorrect; a mere broken promise with later-formed intent does not satisfy contemporaneous mens rea. Option (c) misplaces temporal nexus; post-delivery misrepresentation cannot retroactively create cheating. Option (d) over-reads the Explanation: only dishonest concealment of present facts, not future intentions alone, amounts to deception.

112. Answer. B.

Explanation. Option (b) is correct: case-law from Kishori Lal to Sanjiv Kumar insists instigation entails active encouragement; mere familial presence or silence (option a) is insufficient. Option (c) errs; Section 109 punishes abetment only when the principal act occurs unless specific inchoate offences are charged. Option (d) wrongly presumes mens rea; each abettor’s intent must be independently proved.

113. Answer. A.

Explanation. Option (a) is correct: Bhajan Lal Category 1 addresses cases where allegations, even if accepted wholly, do not constitute an offence—precisely the ground used in Marippan to quash. Option (b) concerns improbability, not element-deficiency. Option (c) relates to malafides; option (d) to statutory bars—neither fits this scenario.

114. Answer. B.

Explanation. Option (b) is correct: Sections 40–43 deem personal decrees merely relevant; they do not bind criminal courts conclusively. Option (a) is wrong; restitution decrees are judgments in personam, not in rem. Option (c) misstates admissibility; relevance, not proof standard, governs. Option (d) misapplies Section 42, which accords limited conclusiveness to certain public judgments, not matrimonial restitution decrees.

115. Answer. A.

Explanation. Option (a) is correct: the Court applied natural-justice tenet (audi alteram partem) holding adverse remarks against an unheard non-party impermissible. Option (b) is irrelevant; res judicata deals with subsequent suits between same parties. Option (c) misuses the eclipse doctrine, pertinent to unconstitutional statutes, not judicial remarks. Option (d) mischaracterises separation of powers; courts may criticise when jurisdictionally proper but must follow due process.

116. Answer. B

Explanation. Option (A) is incorrect because: Audi alteram partem means "hear the other side," requiring that both parties—not just the authority—be heard before a decision is made. Option (B) is correct because: The principle of audi alteram partem is that no one should be condemned without being given a fair opportunity to present their case. Option (C) is incorrect because: The government cannot act without notice in tax matters if it affects the rights of individuals; notice and hearing are essential elements of natural justice. Option (D) is incorrect because: The principle applies to all authorities exercising quasi-judicial or administrative functions, not just judicial bodies.

117. Answer. B

Explanation. Option (A) is incorrect because: Nemo judex in causa sua refers to the rule against bias, not the right to be heard. Option (B) is correct because: Audi alteram partem requires that the affected party be given a fair opportunity to present their case and respond to allegations, which includes submitting evidence and witnesses. Option (C) is incorrect because: Delegated legislation relates to rule-making by authorities, not procedural fairness in individual decisions. Option (D) is incorrect because: The doctrine of precedent concerns following previous judicial decisions, not hearing both sides.

118. Answer. C

Explanation. Option (A) is incorrect because: Ultra vires (beyond the powers granted by the parent Act) is a classic ground for judicial review. Option (B) is incorrect because: Exclusion of personal liberty without procedure is a violation of natural justice and a valid ground for judicial review. Option (C) is correct because: Directive Principles of State Policy are not enforceable in courts and do not provide a valid ground for striking down delegated legislation. Option (D) is incorrect because: Violation of fundamental rights is a clear ground for judicial review.

119. Answer. C

Explanation. Option (A) is incorrect because: A.K. Kraipak v. Union of India (1969) expanded the scope of natural justice to administrative actions, not exclusion by implication. Option (B) is incorrect because: Maneka Gandhi v. Union of India (1978) is a landmark for procedural fairness and fundamental rights, but not specifically about exclusion by implication. Option (C) is correct because: Union of India v. Tulsiram Patel (1985) held that natural justice can be excluded only by necessary implication, not by express or implied provision alone. Option (D) is incorrect because: S.P. Gupta v. Union of India (1981) dealt with judicial appointments, not the exclusion of natural justice.

120. Answer. B

Explanation. Option (A) is incorrect because: Laws enacted by Parliament to implement treaties are primary legislation, not delegated legislation. Option (B) is correct because: Delegated legislation refers to rules, regulations, or orders made by an executive authority under powers granted by primary legislation. Option (C) is incorrect because: Ordinances passed by the President during recess are primary legislation, not delegated. Option (D) is incorrect because: Judicial directions are not delegated legislation; they are orders or guidelines issued by courts.