BLOGS

Passage-Based Question on Criminal Law for CLAT PG

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The Indian law, relevant to the present enquiry, may be stated thus:

1. The test of “grave and sudden” provocation is whether a reasonable man, belonging to the same class of society as the accused, placed in the situation in which the accused was placed would be so provoked as to lose his self-control.
2. In India, words and gestures may also, under certain circumstances, cause grave and sudden provocation to an accused so as to bring his act within the first Exception to s. 300 of the Indian Penal Code.
3. The mental background created by the previous act of the victim may be taken into consideration in ascertaining whether the subsequent act caused grave and sudden provocation for committing the offence.
4. The fatal blow should be clearly traced to the influence of passion arising from that provocation and not after the passion had cooled down by lapse of time, or otherwise giving room and scope for premeditation and calculation.

Judgement Excerpt from K M Nanavati V. State of Maharashtra AIR 1962 SC 605

1) Which of the following judge was among the panel of judges who gave the judgment of K M Nanavati V. State of Maharashtra ?

a) Justice Y.C Chandrachud
b) Justice Pinaki Chadra Ghose
c) Justice P.N Bhagwati
d) Justice Raghubar Dayal

2) How many judges did the panel of the Supreme Court comprised while delivering the judgement in the above mentioned case?

a) 5 judge bench
b) 3 judge bench

c) 2 judge bench

d) 7 judge bench

3) What was discussed in the above mentioned case?

a) Jury Trials

b) Circumstantial Evidence

c) Premediation and sudden rage

d) All of the Above

4) Who gave a dissenting opinion in the above mentioned case?

a) Justice Raghubar Dayal

b) Justice K. Subbarao

c) Justice S.K Das

d) No dissenting opinion was given in this case

5) What was the ratio of verdict delivered by jury in the above mentioned?

a) 8:1

b) 7:2

c) 6:3

d) 5:4

6) Whether the jury system was abolished after the above mentioned case?

a) Yes

b) No

c) It depends upon the discretion of the judges

d) It is still into existence in criminal cases in India

7) Which of the following tests were applied in the above mentioned case?

a) Test for sudden and grave provocation

b) Test of jury trials

c) All of the Above

d) None of the Above

8) Which of the following cases highlighted the word ‘ the ends of justice’?

a) Ramanugrah Singh .V. King Emperor

b) Emperor .V. Ramdhar Kurmi

c) K M Nanavati V. State of Maharashtra

d) Akhalakali Hayatalli .V. The State of Bombay

9) Which case served as a litmus test to understand the efficiency of the jury system in India?

a) Ramanugrah Singh .V. King Emperor

b) Emperor .V. Ramdhar Kurmi

c) K M Nanavati V. State of Maharashtra

d) Akhalakali Hayatalli .V. The State of Bombay

10) Which article of the Constitution of India was discussed in the above mentioned case with respect to the pardoning powers of the governor?

a) Article 160

b) Article 161

c) Article 162

d) Article 163

11) The Supreme Court in the above mentioned case stated that the powers under 2 certain articles of the Constitution of India cannot be used together. Which are those powers?

a) Article 136 and Article 160

b) Article 132 and Article 160

c) Article 136 and Article 161

d) Article 134 and Article 161

12) The above mentioned case was transferred to Bombay High Court under which section of CrPC, 1973?

a) Section 304

b) Section 305

c) Section 306

d) Section 307

13) Which section of Indian Evidence Act, 1872 states that the burden of proof except under exception is always on the accused?

a) Section 102

b) Section 103

c) Section 105

d) Section 104

14) Which section of IPC, 1860 was discussed in the above mentioned case?

a) Section 302

b) Section 301

c) Section 299

d) Section 300 Exception 1

15) The appellant in the above mentioned case was charged under which of the following sections of IPC, 1860?

a) Section 302 and 304

b) Section 299 and 300

c) Section 301 and 302

d) Section 300 and 301

Answers

1. Option d
2. Option b
3. Option d
4. Option d
5. Option a
6. Option a
7. Option c
8. Option a
9. Option c
10. Option b

11. Option c
12. Option d
13. Option c
14. Option d
15. Option a