BLOGS

Practice Legal Reasoning Questions for CLAT 2025

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LEGAL REASONING QUESTIONS FOR CLAT 2025

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PASSAGE 1

An encounter is a euphemism for an extrajudicial killing that involves the police or the armed forces and is specifically used in India. When the suspects are killed by the police or the armed forces when they are unarmed or in custody and the authorities make the claim that they had to shoot in self-defense, this is known as a “fake or manufactured incident.

In certain situations, the police may place firearms and other evidence next to the body to support the killing. 2560 police encounter cases have been reported to the National Human Rights Commission (NHRC) since October 1993. The NHRC reports that 1224 of these cases involved fictitious contacts.

It is important to note that while Indian law does not expressly permit interactions with criminals, regardless of the seriousness of the charges against them, there are some enabling laws that may be interpreted to provide police with some discretion in how they handle criminals.

Nearly always, when a confrontation occurs, the police officer defends himself out of self-defense. This typically occurs when the criminal tries to flee or opens fire while the police are trying to apprehend him. Section 96 of the Indian Penal Code recognizes the right to a private defense (IPC).

Nothing done in the exercise of the right to private defense, according to the provision, constitutes an offense. According to Section 100 of the IPC, a police officer is justified in invoking their right to self-defense, which can include killing someone, if they have a reasonable suspicion that their life or limb is in danger.

Additionally, in accordance with the exceptions to murder set forth in Section 300:

1. Culpable homicide is not murder if the offender exceeds the scope of his legal authority while acting in good faith to defend his person or property and killing the person against whom he is defending himself, without malice aforethought and without intending to cause more harm than is necessary.
2. In addition, culpable homicide is not murder if the offender is a public servant or who is assisting a public servant, exceeds the legal authority granted to him, and causes death by performing an act that he, in good faith, believes to be legal and necessary for the proper discharge of his duty as such a public servant, which he does without malice. toward the person whose death is caused.The following other statutes also partially indicate the punishment for an encounter: Criminal Procedure Code Section 46 (2) The police officer or other person may use any measures required to make the arrest if the subject violently opposes the attempt to have him arrested or makes an attempt to flee.
3. Nothing in this section grants the authority to murder someone who has not been charged with a crime carrying the death penalty or a life sentence. The text of the clause makes it clear that while the law enables the use of all reasonable means to effect an arrest of the person, it also sets inherent restrictions on this privilege with regard to minor offenses that are not punishable by death or life in prison.

1) Policeman Sachin is pursuing criminal Vedha. When he finally has Vedha under control, Vedha is unarmed. Vedha is then shot by Sachin because, in his opinion, she has no place in society. Vedha perishes. After being accused of murder, Sachin argues that the conduct was required to fulfill his obligations as a public employee. Decide.

a) Sachin is not guilty of murder since he was acting as a police officer and performing his duties under the same.

b) Sachin is guilty of murder since it was unnecessary on his part to kill him.

c) Sachin is liable for murder since he had malicious intentions towards Vedha.

d) Both b and c

2) A dacoit named Bunty threatens to assassinate Jai after learning about him. He tackles Jai before pulling out a gun and aiming it in Jai's direction. Jai tried numerous times to extricate himself but was unsuccessful. In the end, Jai pulls a knife from his

pocket and stabs Bunty, killing him. Determine whether Jai is a murderer.

a) Jai committed murder.

b) Because Jai killed Bunty while using his right to self-defense, he is not guilty of murder.

c) Because Bunty was a dacoit, Jai is not guilty of killing him.

d) Jai committed murder because he planned to kill Bunty; hence, he is at fault.

3) Theft is punishable by imprisonment of either sort for a term that may not exceed three years, a fine, or both, according to Section 379 of the IPC. Police attempt to apprehend Ashok after he is accused of theft. He tries to get away from him, but the policeman shoots him fatally. According to Section 46 of the CrPC, the police officer claims immunity. Decide.

a) Ashok was rightly killed by the policeman since he was attempting to elude capture.

b) Because he is protected by Section 46 of the CrPc, the police officer cannot be charged with murder.

c) both (a) and (b).

d) The police officer is unable to use Section 46 of the Criminal Procedure Code because the maximum penalty for stealing is three years in prison or a fine.

4) Choose the correct option.

a) Culpable homicide is never murder.

b) Culpable homicide is always murder.

c) Culpable homicide is sometimes murder.

d) None of the above

5) Which statement is accurate?

a) The passage claims that all encounters in India are fake.

b) No matter what crime a person is allegedly fleeing arrest for, a police officer may murder them under Section 46 of the Criminal Procedure Code.

c) Even if his life or limb is in danger, a police officer cannot use self-defense.

d) None of the above

PASSAGE 2

Sections 85 and 86 of the IPC, 1860, have codified the law relating to intoxication. Section 85 of IPC provides a complete defense to the person who committed an offense in the state of intoxication, if at the time of doing it, he was, by reason of intoxication, unable to understand the nature of the act or that his act was contrary to law, provided that the intoxicating substance was administered to him without his knowledge or against his will.

Section 86 of the IPC deals with cases of voluntary drunkenness and provides that in cases of voluntary drunkenness, knowledge will be imputed to the accused in the same manner as if there were no drunkenness. The point to be noted is that only knowledge is imputed, not the necessary intention. In other words, the section imputes the drunken man (voluntarily) with the same knowledge as that of a sober man if the facts and circumstances of the case do not give rise to the same intention.

The imputation of knowledge is a legal fiction, and constructive intention cannot be raised. Although the first part of the section talks about both intention and knowledge, the later part only talks about knowledge. If the parliament wanted the imputation of intention as well, it would not have omitted the term from the later part of the section.

6) X, Y, and Z were having a party in a bar, where X persuaded Y and X to take alcoholic drinks. Y and Z eventually succumbed to the persuasion and also consumed alcohol with X. Y and Z had never consumed alcohol before.

After intoxication, there was some argument between Y and Z, and Z pushed Y with full force, causing serious injury to Y.

a) Z is liable.

b) Z is not liable because he was intoxicated.

c) X is liable as he persuaded them to consume alcohol while they had never consumed alcohol.

d) The writ of prohibition would be issued when the case was still pending and the court lacked jurisdiction, but the writ of certiorari would be issued in cases where the decision had already been made.

7) Deepesh is a big trader in the stock market. One day, he had a profit of about 10 crore in the share market. He decides to throw a big cocktail party. During the party, he drank 10 glasses of alcohol and was completely incapable of knowing about his acts. Under this state of mind, he attacked Sanjana, his wife's best friend's daughter, and choked her to death. He pleads intoxication.

a) Deepesh is not liable since he is incapable of knowing the nature of his act.

b) Deepesh is not liable and will be granted protection under Section 85 of the Indian Penal Code.

c) Both (a) and (b)

d) Deepesh is liable.

8) Mr. Gaurav went to a birthday party. One of his friends, Shyam, wanted to see him drunk and requested that Gaurav drink one glass of wine with him. Gaurav, however, refused to do the same. Upset with this, Shyam decided to mix a drop of wine in a glass of cold drink and serve it to Gaurav, who drank it. Gaurav suspected a minor difference in taste in the cold drink but nevertheless finished the glass. He became drunk and slapped Ms. Pranjal Devi, one of the guests at the party. Decide.

a) Mr. Gaurav can be held liable since he was capable of understanding the nature of his acts.

b) Mr. Gaurav cannot be held liable since he shall be protected under Section 85 of the IPC, 1860.

c) Mr. Gaurav can be held liable since he got drunk voluntarily.

d) Mr. Gaurav can be held liable since he had knowledge of the wine being present in the drink and still drank it.

9) Jami was driving alone on the Meerut Expressway. She encountered some robbers who forced her to surrender all her money and valuable items to them. The robbers further forced Jami to consume the entire bottle of alcohol that she had with her. After Jami became drunk and was left in the forest by the robbers. In this state of intoxication, Jami hurled stones at a 10-year-old child who was severely injured. Jami pleads intoxication. Decide.

a) Jami can be held liable since she has knowledge of being intoxicated.

b) Jami shall be liable under Section 86 of the IPC, 1860.

c) Jami shall not be liable since she was involuntarily intoxicated.

d) Both a and b are correct.

10) Which of the following is true?

(A) If Anuj's friends insist on him drinking alcohol and he leaves with no option but to consume the same and thereafter hits a truck driver, he shall be protected under Section 85 of the Indian Penal Code.

(B) If a landlord orders his tenant to leave the house on the ground that he has not paid the rent and the tenant thereafter goes to the bar, gets drunk, and beats the landlord, he shall be protected under Section 85 of the Indian Penal Code.

Select the correct statements:

a) Only A is correct.

b) Only B is correct.

c) Both A and B are correct.

d) None of the above

ANSWERS

1) Option (d)

Sachin would be held liable for murder since he had malicious intentions towards Vedha and it was unnecessary at that point in time to shoot him, and hence he would be held liable.

2) Option (b)

Jai would not be held liable for murder since he shot in self-defense and it was necessary at that point in time to save himself.

3) Option (d)

There would be no defense under Section 46 of the CrPC since the maximum punishment for stealing is three years or a fine, and secondly, police officers use disproportionate force to tackle the thief.

4) Option (c)

Every murder is a culpable homicide, but not every culpable homicide is a murder. Some culpable homicides can be murders.

5) Option (d)

None of the above statements are accurate since police officers can use proportionate force while catching the thief.

6) Option (a)

As per Section 85, intoxication should be without the knowledge or against the will of the person drinking after persuasion, which does fall under the category of without knowledge or against the will. Since Z consumed alcohol voluntarily, he will be liable for causing injury to Y, and he cannot take the defense of intoxication.

7) Option (d)

The present case is one of voluntary drunkenness, and therefore Section 85 as given above shall not apply. Deepesh will therefore be liable as per Section 86 of the Indian Penal Code, 1860.

8) Option (b)

The present is a case of involuntary intoxication. Even though Gaurav doubted the taste of a cold drink, the deviation in taste was very minor, and hence the intoxication was not voluntary. Hence, Gaurav is protected under Section 85 of the IPC, 1860.

9) Option (c)

In the present case, Jami has been intoxicated by coercion and hence cannot be held liable. She was further incapable of understanding the nature of her acts and hence can be granted protection under Section 85 of the IPC, 1860.

10) Option (d)

In the first case, Anuj had knowledge of being administered alcohol, and in the second case, the intoxication was voluntary. Therefore, none of the above is correct.

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