BLOGS

Practice Questions for Legal Reasoning

Ruchika Mohapatra · 06 May 2023

1. Principle: A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is capable of understanding it and of forming a rational judgment as to its effect upon his interests.

Facts: A and B entered into a contract for B to make a few art pieces for A. B signed the contract in one of his lucid interval. A was aware of B's condition. When A sought performance of the contract, B backed out stating that the contract cannot be enforced since he was suffering from insanity at the time of signing it.
Can A force B to make the art pieces?

a. No, because B suffers from insanity
b. Yes, because B signed the contract during the lucid interval
c. Yes, because B has signed a binding contract
d. None of the above

2. Keeping the same set of circumstances in mind, can A enforce performance if he had paid full price upfront?

a. Yes, because he has paid full price for it in advance
b. Yes, because B signed the contract when he was lucid
c. No, because A was aware that B was suffering from insanity
d. No, because a contract cannot be performed by someone who is insane

3. Per the principle of doli incapax, a child under the age of ___ cannot be held criminally liable.

a. 7 years
b. 8 years
c. 10 years
d. 12 years

4. Section 83 of IPC lays down:

a. A presumption of fact

b. An inconclusive or rebuttable presumption of law

c. A conclusive or irrebuttable presumption of law

d. An irrebuttable presumption of fact

5. **Principle:** Nothing which is not intended to cause death, is an offence by reason of any harm which it may cause, or be intended by the doer to cause, or be known by the doer to be likely to cause, to any person for whose benefit it is done in good faith, and who has given a consent, whether express or implied, to suffer that harm, or to take the risk of that harm.

Fact: A had been suffering from a heart condition for over a decade. To improve his condition, he reached out to Dr. Y to operate on him. Dr. Y informed him of all the risks involved and A decided to go ahead with the surgery. A passed away while he was being operated upon.

a. Doctor is to be held guilty of murder.

b. Doctor is guilty of culpable homicide and not murder.

c. Doctor is not guilty as A was aware of the risk and had given his consent

d. Doctor is guilty as A's consent is immaterial and the medical professional ought to have known better

6. **Principle:** Nothing which is not intended to cause death, is an offence by reason of any harm which it may cause, or be intended by the doer to cause, or be known by the doer to be likely to cause, to any person for whose benefit it is done in good faith, and who has given a consent, whether express or implied, to suffer that harm, or to take the risk of that harm.

Fact: A had been suffering from a heart condition for over a decade. To improve his condition, he reached out to Dr. Y to operate on him. Dr. Y is a quack and has been operating on patients for a long time despite being a fake doctor. Dr. Y informed him of all the risks involved and A decided to go ahead with the surgery. A passed away while he was being operated upon.

a. Doctor is guilty as A's consent is immaterial and the medical professional ought to have known better

b. Doctor is guilty of culpable homicide and not murder as he did not intend to kill A

c. Doctor is to be held guilty of murder

d. None of the above.

7. Insanity as a defence means that a person at the time of doing an act, by reason of unsoundness of mind is incapable of knowing:

a. The nature of the act

b. That what he is doing is wrong

c. That what he is doing is contrary to law

d. All of the above

8. Section 84 provides for _____

a. Legal Insanity

b. Medical Insanity

c. Both legal and medical insanity

d. None of the above

9. To escape criminal liability in cases of defence of intoxication, the intoxication:

a. can be self-administered

b. must be administered against his will or knowledge

c. should not be self-administered

d. all the above.

Answers

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