BLOGS

Sample Paper on CLAT PG 2026- PART V

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1. In *State of West Bengal v. Anwar Ali Sarkar* (1952), the Supreme Court struck down a provision under Article 14 for:

a. Allowing unreasonable classification in criminal trials

b. Imposing restrictions on freedom of speech

c. Curtailing right to property

d. Denying preventive detention safeguards

Correct Answer: a

Explanation: The Court held that arbitrary classification in criminal trials under the West Bengal Special Courts Act violated **Article 14**, as it permitted discrimination without reasonable basis.

2. Under Section 300 of IPC, which of the following situations would not amount to murder but culpable homicide not amounting to murder?

a. Intention to cause death

b. Intention to cause bodily injury likely to cause death

c. Death caused in sudden fight without premeditation

d. Intention to cause such bodily injury sufficient in ordinary course to cause death

Correct Answer: c

Explanation: Exception 4 to Section 300 states that homicide committed in a **sudden fight without premeditation**, in the heat of passion, is culpable homicide and not murder.

3. The principle of "aut dedere aut judicare" in international law refers to:

a. A state must either extradite or prosecute an alleged offender.

b. A state must recognize foreign judgments automatically.

c. A state cannot try foreign nationals for crimes abroad.

d. A state must surrender offenders only if treaty-bound.

Correct Answer: a

Explanation: The principle, meaning "**extradite or prosecute**," obliges states to either hand

over offenders for international crimes or prosecute them domestically.

4. Which case first held that "sovereignty is not absolute" and the State can be liable for torts committed by its employees?

a. P. & O. Steam Navigation Co. v. Secretary of State for India

b. State of Rajasthan v. Vidyawati

c. Kasturi Lal v. State of U.P.

d. Nilabati Behera v. State of Orissa

Correct Answer: a

Explanation: In *P. & O. Steam Navigation*, the Calcutta Supreme Court distinguished sovereign and non-sovereign functions, holding the State liable for tortious acts committed in **non-sovereign functions**.

5. Which Article of the Constitution was invoked to uphold the validity of preventive detention laws despite challenges to personal liberty?

a. Article 20

b. Article 21

c. Article 22

d. Article 19

Correct Answer: c

Explanation: Article 22 specifically provides safeguards and limitations for preventive detention. Courts have upheld detention laws within this framework, despite liberty challenges.

6. In the context of cyber law, the Supreme Court struck down Section 66A of the IT Act, 2000 in which case?

a. Shreya Singhal v. Union of India (2015)

b. PUCL v. Union of India (1997)

c. Puttaswamy v. Union of India (2017)

d. Naz Foundation v. Union of India (2009)

Correct Answer: a

Explanation: In *Shreya Singhal*, Section 66A criminalizing "offensive messages" online was struck down as unconstitutional, violating **Article 19(1)(a)** (freedom of speech).

7. The "Polluter Pays Principle" was explicitly applied in which Indian case?

a. MC Mehta v. Union of India (Oleum Gas Leak)

b. Indian Council for Enviro-Legal Action v. Union of India (1996)

c. Vellore Citizens Welfare Forum v. Union of India (1996)

d. Subhash Kumar v. State of Bihar (1991)

Correct Answer: b

Explanation: The Court in *Indian Council for Enviro-Legal Action* applied the **Polluter Pays Principle**, directing industries to compensate for environmental damage caused.

8. Which doctrine did the Supreme Court apply in *Vishaka v. State of Rajasthan* (1997) to frame guidelines against sexual harassment at the workplace?

a. Doctrine of proportionality

b. Doctrine of pith and substance

c. Doctrine of incorporation of international conventions

d. Doctrine of repugnancy

Correct Answer: c

Explanation: The Court used the **doctrine of incorporation**, applying **CEDAW (Convention on Elimination of All Forms of Discrimination Against Women)** into domestic law in absence of legislation.

9. Which landmark judgment read down Section 377 IPC to decriminalize consensual same-sex relations?

a. *Naz Foundation v. Union of India* (2009)

b. *Suresh Kumar Koushal v. Naz Foundation* (2013)

c. *Navtej Singh Johar v. Union of India* (2018)

d. *Joseph Shine v. Union of India* (2018)

Correct Answer: c

Explanation: In *Navtej Singh Johar*, a five-judge bench decriminalized consensual homosexual relations, holding Section 377 unconstitutional insofar as it criminalized private acts between consenting adults.

10. The case *Joseph Shine v. Union of India* (2018) struck down Section 497 IPC on adultery because it:

a. Criminalized private moral conduct not affecting public order.

b. Violated Article 21 but upheld Article 14.

c. Protected women in a paternalistic and unequal manner, violating Articles 14 and 21.

d. Was inconsistent with Directive Principles.

Correct Answer: c

Explanation: The Court held Section 497 unconstitutional as it treated women as property of their husbands, violating **Articles 14 and 21**, and being inconsistent with gender equality.