

RJS 2019

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Questions for Rajasthan Judicial Services

RJS QUIZ 2

Directions: Study the following information carefully and answer the questions given below:

1. Every warrant of arrest shall remain in force until

- A. it is cancelled by the issuing court
- B. it is executed
- C. it is stayed by Higher Court
- D. both (a) and (b)

2. A warrant of arrest may be executed

- A. within the jurisdiction of the issuing court
- B. at any place in India
- C. none of the above
- D. both (a) and (b)

3. When the accused is brought under arrest on the basis of warrant of arrest of a foreign court for the offence which is a non-bailable the following persons may release the accused on bail

- A. Executive Magistrate
- B. Chief Judicial Magistrate
- C. Sessions Judge
- D. Both (b) and (c)

4. The following persons are authorised to grant a warrant to search for a document, parcel or other thing in the custody of the postal or telegraph authority

- A. District Magistrate
- B. Judicial Magistrate of the 1st class
- C. Chief Judicial Magistrate
- D. Both (a) and (c)

5. Search warrant must be executed by any police officer

- A. above the rank of Sub-Inspector of Police
- B. above the rank of Constable
- C. above the rank of Inspector,
- D. None of the above

6. Power to impound document is provided in

- A. section 104 of Cr PC
- B. section 104 of Cr PC
- C. section 105 of Cr PC
- D. section 102 of Cr PC

7. Security for good behaviour from habitual offenders has been enumerated in

- A. section 109 of Cr PC
- B. section 110 of Cr PC
- C. section 112 of Cr PC

D. section 108 of Cr PC

8. Issue of search warrant is

A. a judicial act

B. an administrative act

C. a ministerial act

D. None o the above

9. A telephonic message if it discloses a cognizable offence may constitute

A. first information report

B. complaint

C. G.D entry

D. both (b) and (c)

10. The following section empowers an officer-in-charge of a Police station to investigate a cognizable case without an order of a Magistrate

A. section 154 of Cr PC

B. section 155 of Cr PC

C. section 156 of Cr PC

D. section 157 of Cr PC



Correct answers:

1	2	3	4	5	6	7	8	9	10
A	D	D	D	B	A	B	A	C	C

Explanations:

1.

As per Section 70 of the Code of Criminal Procedure, every warrant of arrest issued by a Court under this Code shall be in writing, signed by the presiding officer of such Court and shall bear the seal of the Court. Every such warrant shall remain in force until it is cancelled by the Court which issued it, or until it is executed.

Hence option D is the answer.

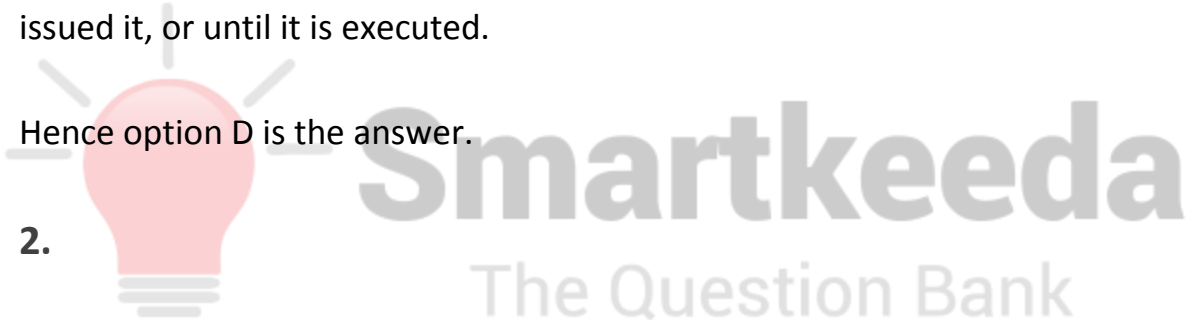
2.

According to the provisions of the Section 70 of the Code of Criminal Procedure, 1973, every warrant of arrest issued by a Court under this Code shall be in writing, signed by the presiding officer of such Court and shall bear the seal of the Court.

Hence option D is the answer.

3.

According to the Second proviso to the Section 81(1) of the Code of Criminal Procedure, 1973, with respect to the Procedure by Magistrate before whom person arrested is brought, if the offence is a non-bailable one, it shall be lawful for the Chief Judicial Magistrate or the Sessions Judge, of the district in which the arrest is made on consideration of the



information and the documents referred to in sub-section (2) of section 78, to release such person on bail.

Hence option D is the answer.

4.

According to the Section 93(3) of the Code of Criminal Procedure, 1973, with respect to the provisions when search-warrant may be issued, nothing shall authorise any Magistrate other than a District Magistrate or Chief Judicial Magistrate to grant a warrant to search for a document, parcel or other thing in the custody of the postal or telegraph authority.

Hence option D is the answer.

5.

Search warrant must be executed by any police officer under section 94.

94. Search of place suspected to contain stolen property, forged documents, etc.—(1) If a District Magistrate, Sub-divisional Magistrate or Magistrate of the first class, upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used for the deposit or sale of stolen property, or for the deposit, sale or production of any objectionable article to which this section applies, or that any such objectionable article is deposited in any place, he may by warrant authorise any police officer above the rank of a constable.

Hence, option B is the answer.

6.

According to the Section 93(3) of the Code of Criminal Procedure, 1973, Any Court may, if it thinks fit, impound any document or thing produced before it under this Code.

Hence option A is the answer.

7.

The provisions with respect to security for good behaviour from habitual offenders, are stated under the Section 110 of the Code of Criminal Procedure, 1973.

Hence option B is the answer.

8.

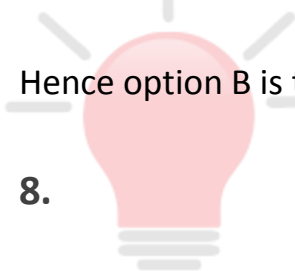
The issuance of a search warrant is normally the judicial function of a Magistrate as the same involves judicial application of mind.

Hence option A is the answer.

9.

As held by the Supreme Court in the Jessica Lal case i.e. Sidhartha Vashisht @Manu Sharma v. State (NCT of Delhi) and the Mundrika Mahato v. State of Bihar case read with the provisions of Section 154 of the Code of Criminal Procedure, 1973, enumerating requirements for information in cognizable cases i.e. lodging of FIR; the cryptic telephonic conversation recorded regarding the commission of an offence in general diary is not an FIR.

Hence option C is the answer.



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10.

According to the Section 156 of the Code of Criminal Procedure, 1973, any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII.

Hence option C is the answer.



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