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Legal Aptitude MCQs – Commonly Asked Questions for Exams – Must Know Topics and Concepts Part 14

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120. Legal Principle No remedy for the injury caused by an act, to which one has voluntarily consented.

Factual Situation In an exhibition-cricket match, Sachin hit a full toss delivery of Shane Bond over the fence for a six. The ball fell on the head of Egghead, a spectator, and- severely injured him. Egghead had purchased a ticket costing ₹ 1000, to watch the match. Egghead and the organizers of the match are sworn enemies.

- a) Egghead can recover the costs of his medical expenses from Sachin
- b) Egghead can recover the cost of his medical expenses from Shane Bond
- c) Egghead can recover the cost of his medical expenses from the organizers
- d) Nobody would be liable to pay anything to Egghead

Ans: (d)

121. Legal Principle Agreements, the meaning of which are not certain or capable of being made certain are void.

Factual Situation A lease agreement between the landlord and tenant provided that the tenant would spend his own money in renovating the house and adjust it against the monthly rent of ₹ 4000. The tenant during renovation covered the courtyard, which was open and for covering the courtyard, spent ₹ 1 lakh. When he sought to adjust, it against the rent, landlord argued that the renovation did not include covering the courtyard. The landlord's submission was that the contract was void on account of uncertainty.

- a) the cause concerning renovation is valid because the cost incurred was clearly identified
- b) the cause concerning renovation is void because the landlord and Mount had different perceptions thereof
- c) the landlord must have taken care to define renovation; and for his oversight, he cannot blame the tenant

Ans: (b)

122. Legal Principle A contract induced by using undue influence, is voidable under Indian Contract Act.

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Factual Situation Rajaram, after completing his MBBS got admission for his MD Degree in Cambridge Academy of Medical Sciences. One of the conditions for admission was that Rajaram shall serve for two years as a tutor in the Academy after completing his MD for a monthly salary of ₹ 5000. The course was quite expensive and by the time of completion, Rajaram found-himself in a financial distress, having exhausted all his financial resources. Therefore, he took up a well-paying job in a private hospital. When the Academy filed a suit for the breach of contract, Rajaram argued that he is entitled to avoid a contract induced by undue influence.

- a) Rajaram will succeed, since the Academy simply exploited his vulnerability to insert the condition of service
- b) Cambridge Academy used its superior bargaining position to insert an unfair condition
- c) Rajaram and Cambridge Academy being two independent parties, academy cannot be said to dominate Rajaram and thereby to induce him to enter a contract

Ans: (b)

123. Legal Principle A person abets the doing of a thing, A who instigates any person to do that thing, or Engages of that thing ..., intentionally aids, by any act or illegal omission, he doing of that thing.”

Factual Situation My mother-in-law and husband and Sister-in-law harassed me. They beat me and abused me. My husband wants to marry second time. He has illicit connections with my Sister-in-law. Because of these reasons and being harassed, want to die by burning.”

Whether

- a) it is a case of suicide
- b) it is a case of abetment of suicide
- c) not a case of abetment
- d) it is a case of suicide of being harassment

Ans: (c)

124. Legal Principle If an offence is committed by any member of an unlawful assembly in prosecution of the common object of that assembly, or such as the members of that assembly knew to be likely to be committed in prosecution of that object, every person who, at the time of the committing of that offence, is a member of the same assembly, is guilty of that offence.

Factual Situation There have been inimical terms between the parties and the enmity between the parties had been aggravated on account of litigation with respect to the dispute over the mango trees. Accused person who came on the spot are shown to have come armed with deadly weapon and attacked on the other party due to which three precious lives were lost. Decide

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- a) there was a prior concert or meeting of minds before attack. So, it is a case of common object
- b) there was aggravated form of enmity between the parties on account of litigation, so it is a case of common object of a unlawful assembly
- c) the accused person having armed with deadly weapons to kill the person, so, it is the case of culpable homicide
- d) based on facts and circumstances, where the persons forming the assembly are shown to be having identical interest in pursuance of which some of them come armed, be deemed to be the members of the unlawful assembly

Ans: (d)

125. Legal Principle If any person commits suicide, whoever abets the commission of such suicide shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

Factual Situation There was a dispute between the husband and wife and the husband uttered 'You are free to do whatever you wish and go wherever you like.' Thereafter, the wife has committed suicide. Then

- a) It is the case of suicide by the wife.
- b) The wife has abetted by the husband to commit suicide.
- c) That it is not the case where the accused/ husband had by his acts or omission created such circumstances that the deceased / wife to commit suicide.
- d) The husband instigate the wife to commit suicide.

Ans: (c)

126. Legal Principle Whoever intentionally uses force to any person without that person's consent in order to the committing of any offence, or intending by the use of such force to cause, or knowing it to be likely that by the use of such force he will cause injury fear or annoyance to the person to whom the force is used, is said to use criminal force to that other.

Factual Situation A intentionally caught hold of the hand of a girl to entice her because of same she frighten and somehow, she get released form the hold of A and escaped from there, Here

- a) A is guilty no offence.
- b) A is guilty of attempt to use criminal force.
- c) A is guilty of offence of criminal force.
- d) A could do so as he had permission to do so.

Ans: (c)

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