

C

436

B.A. LL.B. (IX Sem.)

Paper-9.41

21

B.A. LL.B. (IX Semester) (Integrated Course) EXAMINATION, 2016

Paper-9.41

LAW OF EVIDENCE

Time allowed : Three hours

Maximum marks : 80

All questions of Parts A and B are compulsory. Attempt any three questions from Part C.

Part-A
Answer the following questions in one sentence each. Each question carries two marks.

1. Define Documentary Evidence.
2. What is the extent and applicability of Evidence Act, 1872?
3. How many types of expert evidence are there?
4. What is the main judicial standard for appreciation of evidentiary value of dying declaration?
5. What is confession by co-accused?
6. What is the evidence of common intention?
7. What are the main principles of Relevancy of Judgement?
8. When custodial confession is admissible?
9. What is circumstantial evidence?
10. What is Non-admissibility?

Part-B

Answer the following questions in 4-5 lines each. Each question carries six marks :

11. What is the difference between admission and confession?

PTO

354

12. What is statements made under special circumstances?

13. Write short note on any one of the following:

(a) Who is an expert?

(b) Difference of evidentiary value of oral and documentary evidence.

14. Explain any one:

(a) Confession by co-accused

(b) Difference between admission and confession

Part-C

Answer the following questions in 400 words each. Attempt any three of your choice. Each question carries 12 marks:

15. Explain the main features of Indian Evidence Act. Has time come to transform Indian evidence law radically?

16. What is the doctrine of Res Gestae? Explain evidence of common intention in detail.

17. What is dying declaration? What are the justification and judicial standards for appreciating evidentiary value of dying declaration?

18. What is relevancy of judgements? What is admission of judgement in criminal and civil matters under Indian Evidence Act, 1872?

Part-B

This question paper contains 3 printed pages]

B.A. LL.B. (IX Semester)

9.41 (Int.)

Paepr 9.41

B.A. LL.B. (IX Semester) EXAMINATION, Dec. 2016

(Integrated Course)

Paper 9.41

LAW OF EVIDENCE

Time : Three Hours

Maximum Marks : 80

13 All questions of Parts A and B are compulsory.

Attempt any *three* questions from Part C.

Parts A

Answer the following questions in *one* sentence each.

Each question carries *two* marks.

10×2=20

1. ✓ What do you mean by leading questions ?
2. ✓ Who is accomplice ?
3. ✓ Defien Re-examination.
4. ✓ What do you mean by "Court" ?
5. ✓ State the sections/provisions related to irrelevant confession provided under the Indian Evidence Act

1872.

P.T.O.

6. On which authorities Evidence Act will apply ?

7. State the concept of refreshing memory.

8. What do you understand by conclusive proof ?

9. Define the term "Plea of Alibi".

10. State two leading cases regarding dying declaration ?

Parts B

Answer the following questions in about 4-5 lines each.

Each question carries six marks. 4×6=24

11. State the difference between Direct and Hearsay Evidence.

12. In a criminal trial the burden of proof is always on the prosecution. Has this rule any exceptions ?

13. Distinguish 'presumptions of law' and 'presumptions of fact'.

14. Elucidate the rules of evidence on which Evidence Act prevails.

Parts C

Answer the following questions in 400 words each.

Attempt any three of your choice. 3×12=36

15. "Oral Evidence in all cases must be direct." Explain this rule with illustrations and exceptions.

9.41(Int.)

2

16. P was the wife of X. Two months after the death of X, she marries Y. Five months after the marriage, son Z is born to P. Who is legally the father of Z ? Answer with relevant provision and case study ?

17. Elaborate the order of examinations with their objects and scope.

18. Confession made by the accused is inadmissible in evidence. Discuss the statement in detail giving exceptions.

This question paper contains 2 printed pages/

Roll No. 1798881.....

Sl.No. 0000

9.41

B.A. LL.B. (IX Sem.)

B.A. LL.B. (IX Semester) EXAMINATION, 2017

(Integrated Course)

Paper 9.41

LAW OF EVIDENCE

Time : Three Hours/

[Maximum Marks : 80

Note: - Write your roll numbers on question paper before start writing answers of questions.

All questions of Parts A and B are compulsory. Attempt any three questions from Part C.

PART-A

Answer the following questions in one or two sentences each. Each question carries two marks. **[10×2=20]**

1. What do you understand by relevancy of facts?
2. What is Judicial Confession?
3. How far can the statements of the accused made before the Police be used against him?
4. What is leading question?
5. What is Judicial Presumption?
6. Can a wife be competent witness against her husband.
7. What do you understand by Burden of Proof?
8. Who is an expert.
9. A prosecution witness turned hostile during examination in chief. The Public Prosecution wants to cross examine him. Can he do so?
10. How many witnesses can be called from Defence side in a Criminal Case? Is there any upper limit?

R-1886

P.T.O.

PART-B

Answer the following questions in about 4-5 lines each. Each question carries six marks [4×6=24]

11. Distinction between Judgements in rem and Judgements in Personam?
12. Explain the Presumption of legitimacy of a child?
13. Explain the doctrine of Res Gestae?
14. Discuss the law regarding competency of a witness?

PART-C

Answer the following questions in 400 words each. Attempt any three questions. Each question carries twelve marks. [3×12=36]

15. 'In a criminal trial the burden of proof is always on the Prosecution. Has this rule any exceptions? Discuss.
16. 'Oral evidence is excluded by documentary evidence'. Explain this rule and state the exceptions if any, to this rule?
17. Discuss the relevancy of direct evidence and circumstantial evidences?
18. What is meant by dying declaration? Explain its evidentiary value.



This question paper contains 2 printed pages.

Roll No.

B.A. LL.B. (IX Sem.)

Sl. No. 10065

9.41

B.A. LL.B. (IX SEMESTER) EXAMINATION, DECEMBER-2018

(Integrated Course)

Paper 9.41

LAW OF EVIDENCE

Time Allowed : Three Hours

Maximum Marks : 80

Note : Write your roll number on question paper before start writing answers of questions.
All questions of Parts A and B are compulsory. Attempt any three questions from Part - C.

PART - A

Answer the following questions in one or two sentences each. Each question carries two marks.

10x2=20

1. What is appreciation of Evidence ?
2. Define 'Document'.
3. Difference between 'Relevancy and Admissibility'.
4. Whether a confession made in answer to the questions Does become admissible or not ?
5. When leading questions must not be asked ?
6. Who is a approver witness ?
7. What do you understand by Estoppel by deed ?
8. What are the different stages of the Examination of witness ?
9. Difference between Burden of Proof and Onus of Proof.
10. What do you understand by Patent ambiguity ?

PART - B

Answer the following questions in 4 - 5 lines each. Each question carries six marks.

4x6=24

11. Define fact and explain the relevancy of facts connected with the fact in issue.
12. Discuss the law relating to statements made under special circumstances.
13. Explain the concept of opinion of Experts and States its evidentiary value.
14. Discuss the various Presumption under Indian Evidence Act.

9.41

PART - C

Answer the following questions in 400 words each. Attempt **any three** questions. Each question carries **twelve** marks

3x12=36

15. Explain the doctrine of Res Gestae. Do you agree with the view that this doctrine is not only useless but is also harmful.
16. What is in writing, shall only be proved by the writing itself? Discuss are there any exceptions to this rule?
17. What do you mean by Confession? Explain the necessary conditions for relevancy and admissibility of confession. A Confession made to a Police Officer is not admissible. Explain the exceptions.
18. How and in what manner the credit of a witness may be impeached? Illustrate.

- o o o -

Alpesh
Savani

~~Chetan J. J.~~

9.41

Law of Evi.

B.A. LL.B. (Semester - IX) EXAMINATION - Dec. 2020 (Held on Mar. 2021)

(Integrated Course)

Paper - 9.41

LAW OF EVIDENCE

Time Allowed: Three Hours

Maximum Marks : 80

Note :- No supplementary answer-book will be given to any candidate. Hence the candidate should write their answers precisely in the main answer - book only.

Write your roll number on question paper before start writing answers of questions.

All questions **Parts - A** and **B** are compulsory. Attempt **any three** questions from **Part - C**.

PART - A

(10x2=20)

1. What do you mean by 'evidence'?
2. Define to the court.
3. Point out the judicial proceedings.
4. Focus light on 'fact'.
5. Trace out an eye - witness.
6. What is meaning of burden of proof?
7. What do you understand about circumstantial evidence?
8. What do you mean by 'presumption'?
9. Eluciate to the principle of res gestae.
10. Focus light on leading question.

PART - B

(4x6=24)

11. Differentiate between an admission and confession.
12. Explain the concept of Dying Declaration in India with leading cases.
13. Discuss the principle of estoppel and its kinds.
14. Discuss the law relating to presumption in cases of dowry death and rape in Indian context.

15. Who is an accomplice and co-accused? Can court pass order of conviction on the basis of statement made by an accomplice and co-accused.
16. What is meant by primary and secondary evidence? In which cases secondary evidence relating to documents may be given. Explain.
17. What is character? What are laws and practices relating to relevancy and justification of character.
18. What is examination-in-chief, cross-examination and re-examination? What are the various rules governing them.

G2 G7
G3 G5

This question paper contains 2 printed pages

B.A. LL.B. (Int.) (Sem. - IX)

Roll No. 2190455

9.41

000153

Law of Evi.

B.A. LL.B. (Int.) (Semester - IX) EXAMINATION - Dec. 2021 (Held in 2022)

(Integrated Course)

Paper - 9.41

LAW OF EVIDENCE

Time Allowed: Three Hours

Maximum Marks: 80

Note: No supplementary answer-book will be given to any candidate. Hence the candidates should write their answers precisely in the main answer-book only.

Write your roll number on question paper before start writing answers of questions.

All questions of Part-A and Part-B are compulsory. Attempt any three questions from Part - C.

PART - A

10X2=20

1. Write the preamble to the Indian Evidence Act?
2. The law of Evidence is adjective in nature. Do you agree? Give reasons.
3. What are the different stages of examination of a witness by the party who calls him? Discuss in brief.
4. Mention the crux of Section 27 of the IEA, 1872 in brief?
5. What is expert opinion? Why is it relevant in law?
6. "S" gives "B" a receipt in writing for the money paid by "B", Oral Evidence is offered of the payment by B. Is this admissible in law? Justify your answer citing sufficient reasons?
7. Mention the circumstances where the privilege offered by Section 126 of IEA, 1872 does not applies?
8. What is a secondary evidence? Give examples?
9. What is the crux of Section 112 of the IEA, 1872?
10. What is your understanding on the term "Public Documents"?

PART - B

4X6=24

11. What is a leading question? When they may and may not be asked? Give examples for your answer?
12. All persons shall be competent to testify under the IEA, 1872. Do you agree? Explain citing relevant provisions?

13. What do you understand by the term "Burden of Proof"? How and when burden of proof shifts? Write a critical note explaining step by step the provisions relating to the "Burden of Proof" in the IEA, 1872 ranging from sections 101 to 104? Support your answer with illustrations.
14. What is the difference between "May Presume", "Shall Presume" and "Conclusive Proof"?

PART - C

ATTEMPT ANY THREE QUESTIONS FROM THIS PART

3X12=36

15. What is your understanding on the term Test Identification Parade (TIP)? Is conducting a TIP mandatory under the law? What are the provisions and guidelines attached to this concept? Discuss in detail with decided cases?
16. "Prior evidence given by a Hostile witness need not be discarded altogether as a matter of law". Do you agree with this statement? In this regard, what do you understand by a hostile witness? What are the major factors which influence a witness to turn hostile during the trial? Explain citing relevant provision of the IEA, 1872 in this regard?
17. Oral evidence must be direct? Do you agree? Fully explain?
18. Write a general note regarding the admissibility and acceptance of dying declaration in India with decided case-laws and relevant provisions of the IEA, 1872?