

Reg. No. :

Name :

**Sixth Semester B.A. LL.B./B.Com. LL.B./B.B.A.LL.B. (Five Year Integrated)
Degree Examination, February 2022**

Paper IV – LAW OF EVIDENCE

Time : 3 Hours

Max. Marks : 80

PART – I

Answer any **five** questions, Each question carries **2** marks, Answers should not exceed **60** words.

1. Proved, Disproved, Not Proved,
2. Admission.
3. Hostile Witness.
4. Estoppel.
5. Cross-Examination
6. Accomplice
7. Leading Questions

(5 × 2 = 10 Marks)

PART – II

Answer any **four** questions, Each question carries **4** marks, Answers should not exceed **120** words.

1. Examine critically the principle that hearsay evidence must not be admitted. Discuss the exceptions to this general principle.
2. Discuss the law relating to the opinion of third person when relevant under the Indian Evidence Act, 1872.

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3. What do you understand by burden of proof? On whom does the burden of proof lie? Are there any exemptions?
4. What do you understand by term "Judicial notice"? What are those facts of which a court can take judicial notice?
5. What are public and private documents? How such documents can be proved?

(4 × 4 = 16 Marks)

PART – III

Answer any **four** questions. **Each** question carries **6** marks.

1. A and B master and servant, respectively, are being jointly tried for the murder of X and also thereafter for having made away with the dead body to hide and crime (Section 302 and 201 I.P.C.). A confession is made by B, the servant to the effect that, without any previous knowledge of the crime, B was taken to the house of X by A and suddenly asked to throw light from a torch as a serpent had come out; at that time X came out of the house at the call of A, and A killed him without any complicity of B. The two together then disposed of the body. Is this confession relevant against A? Give reasons for or against.
2. On whom does the burden of proving the following facts lie:
 - (a) A accused of B's murder, alleges that by grave and sudden provocation given by 'B' he was deprived of the power of self-control.
 - (b) A who is charged with travelling on a Railway without a ticket says he had a ticket. P, the husband commits suicide due to the alleged cruelties and atrocities by the wife. Whether any presumption under the Indian Evidence Act, 1872, be raised against the wife?
3. B was prosecuted for murder of A. The widow of A deposed against B that two days before the murder. A had showed her a letter written by B's wife that A should go to Behrampur to collect his money. She further deposed that A had also told her that the next day he would proceed to Behrampur? Is the Evidence of A's widow admissible? Answer with reasons.

4. Ram, an accused of an offence of murder stated before a police officer that, "the knife by which I have killed Sohan has been hidden by me in the field, Which I can show", on this information the police officer discovers the said knife from the field, on which human blood is detected. Is the whole statement given by the accused admissible in evidence?
5. The question is whether A murdered B. During investigation of the case one X said in A's presence "The police are coming to arrest the man who murdered B". A, hearing these words of X immediately ran away. Is the above statement of X relevant?

(4 × 6 = 24 Marks)

PART – IV

Answer any **three** questions, **Each** question carries **10** marks. Answers should not exceed **300** words.

1. What do you mean by confession? What is judicial and extra-judicial confession? Discuss with case law.
2. Discuss the following:
 - (a) Res Gestae
 - (b) Motive as a relevant fact.
3. Write a brief note on Privileged communication.
4. Explain the following :
 - (a) Examination in Chief
 - (b) Reexamination
 - (c) Leading questions
 - (d) Fact in issue

(3 × 10 = 30 Marks)