

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : MAY-JUNE - 2022
FIFTH SEMESTER
Sub.: Law of Evidence (LW-18 – 502)

Date : 28/05/2022

Total Marks : 60

Time: 10.00 am to 12.30 pm

- Instructions:** 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Choose correct option from the following. (10)

- 1) Which of the following is not included in the expression 'Court' under the Indian Evidence Act
- a) All Judges
b) All the persons legally authorized to take evidence
c) All Magistrate
d) All Arbitrator
- 2) Under which of the following Provisions of Indian Evidence Act makes relevant opinions as to existence of Customs
- a) Sec 47
b) Sec 48
c) Sec49
d) Sec 50
- 3) An attesting witness is:
- a) one who signs his name to an instrument, at the request of the party or parties, for the purposes of proving or identifying it
b) a witness who has attested the document
c) both (A) and (B)
d) None of the above
- 4) The Law of Evidence consist of which of the following
- a) Ordinary Rules of reasoning
b) Legal Rules of reasoning
c) Rules of Logic
d) All the above
- 5) Identifiacion parade can be held by
- a) Police Officers only
b) Magistrate only
c) Public Servant Only
d) Any Person
- 6) According to section 61 of the Indian Evidence Act, 1872
- a) The contents of documents must be proved by primary evidence
b) The contents of documents must be proved either by primary or secondary evidence
c) The contents of documents must be proved by secondary evidence
d) None of the above
- 7) The burden of proof generally lies on :
- a) Prosecution
b) Accused
c) The Description of thr court
d) A and B both
- 8) Dying declarations are admissible as evidence under-
- a) Sec 35
b) Sec 23
c) Sec 32
d) Sec 34

- 9) The principle on which a dying declaration is admitted in evidence is indicated in legal maxim:
- a) nemo moriturus proesumitur mentiri
 - b) lex fori
 - c) res judica
 - d) None of the above
- 10) A fact is said to be “not proved”....
- a) When it is disproved
 - b) When after considering matter before it , the court believes that it does not exist
 - c) When a prudent man considers that the fact does not exist
 - d) When it is neither proved nor disproved

Q. 2. Answer the following in short. (up to 30 words) (10)

- 1) Document
- 2) Fact & Fact in Issue
- 3) Proved
- 4) Leading Question
- 5) Hostile Witness

Q. 3. Short Notes. (any four) (20)

- 1) Write a short note on Estoppel
- 2) Child Witness
- 3) Write short note on Public and Private documents
- 4) Explain the Concept of Res Gestae
- 5) What is the Difference between Admission and Confession

Q. 4. Answer the following questions. (Any two) (20)

- 1) What is Presumption? State the provisions regarding presumption as to dowery death of a married woman
 - 2) What is primary and secondary evidence? When is the secondary evidence admissible
 - 3) What is Dying Declaraion? How it is to be recorded
 - 4) What is Confession? Explain Judicial and Extra-Judicial Confession
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