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 THIRD/SEVENTH SEMESTER Sub.: Law of Evidence (LW-301/LW-7001)

Date : 27/05/2022 Total Marks : 60 Time: 2.00 pm to 4.30 pm **Instructions:** 1) All questions are compulsory. 2) Figure indicate to the right full marks. Choose correct option from the following. (10)**Q. 1**. 1) The plea of alibi is admissible under section-----of the Indian Evidence Act, 1872. a) 09 b) 10 d) 12 c) 11 In suits in which damages are claimed, any fact which will enable the Court to ------2) -----which ought to be awarded, is relevant. a) determine the amount of damages b) identify of the accused person c) identify of the complainant d) determine the guilty of the accused As per section 7 of the Indian Evidence Act, 1872, facts which are the occasion, cause or 3) effect, -----, of relevant facts or facts in issue, are relevant. a) immediate only b) immediate or otherwise c) motive d) preparation 4) A fact is said not to be ------when it is neither proved nor disproved. a) proved b) disproved d) rejected c) admissible 5) As per section 4 of the Indian Evidence Act, 1872, whenever it is directed by this Indian Evidence Act, 1872, that the Court shall presume a fact, it shall regard such fact as proved, unless and until-----a) it is disproved b) it is proved c) rejected d) allowed The Indian Evidence Act, 1872, came into force on-----. 6) b) 01st April, 1872 a) 01st September, 1872 c) 01st September, 1860 d) 01st April, 1860 7) The Indian Evidence Act, 1872, applied to------. a) proceedings before Tribunal b) proceedings before an Arbitrator c) all judicial proceedings in or before any d) all non-judicial proceedings only Court 8) Relevancy of facts forming part of the same transaction is discussed in section -----of the Indian Evidence Act, 1872. a) 5 b) 6 c) 7 d) 8 Admission not conclusive proof, but may estop is comes under section ----- of the Indian 9) Evidence Act, 1872. a) 31 b) 32 c) 33 d) 34

10)	Presumption as to absence of consent in certain prosecution for rape is dealt under section		
	a) 113-A	b) 113-B	
	c) 111-A	d) 114-A	
Q. 2.	Answer the following in short. (up to 30 words)		(10)
	1) What is the meaning of 'Estoppel'?		
	2) Who may testify?		
	3) What are the order of production and examination of witnesses?		
	4) What is the meaning of 'Accomplice'?		
	5) What is the meaning of 'Refreshing memory'?		
Q. 3.	Short Notes. (any four)		(20)
	1) Difference between Admission and Confe	ssion	
	2) Dying Declaration		
	3) Doctrine of Estoppel		
	4) Conclusive Proof		
	5) Presumption of Dowry Death		
	6) Relevancy of Judgements of Courts of Jus	stice.	
Q. 4.	Answer the following questions. (Any two)		(20)
-	1) Discuss the provisions relating to opinion of third persons, when relevant?		
	2) Discuss in detail the concept of 'burden of	f proof' and 'onus of proof' with case laws, if	
	any.		
	 Explain the Examination-in-Chief, Cross- scope and limits. 	Examination and Re-Examaination with their	
	*	er the Indian Evidence Act, 1872 and discuss	