

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 : DECEMBER - 2022
SEVENTH SEMESTER/THIRD SEMESTER
Sub.: Law of Evidence (LW-7001/301)

Date : 05/12/2022

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.

Q. 1. Answer the following question. (15)

A) Whether accused can be convicted on the basis on uncorroborated dying declaration?
Explain

OR

B) What are the Presumption of Fact and Presumption of Law under Indian Evidence Act

Q. 2. Answer the following question. (15)

A) Explain Admission and Confession , when it would be admissible under Indian Evidence Act and Give 5 differences between it.

OR

B) Explain Opinion of third person when relevant give appropriate case Laws

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

- a) Facts which court may take as a Judicial Notice
- b) Person Who can not be called as witness
- c) Proved , Disproved And Not-Proved
- d) Estoppel
- e) Best Evidence Rule
- f) Identification Parade

Q. 4. Answer the following questions. (Practical OR Open Ended Question) (10)

1) 'A' is accused of murdering 'B' . 'C' is a wife of 'A' , while sitting in a lonely place 'C' asked 'A' whether he has killed 'B' . 'A' hesitated to answer . 'C' said " I swear by God that I will not tell it to anybody if you tell me the truth" . 'A' confessed to his wife 'C' . After 12 months A & C's marriage dissolved. Explain the relevancy of this statement

OR

2) What are the general rules relating to burden of proof? Decide, with reasons, upon who does the burden of proof lie in the following fact situations?

(a) Bell is accused of theft in a jewellery shop and Den of receiving stolen property. Both are being tried jointly. Bell wants the court to believe that he was elsewhere on the date and time of theft. Den wants the court to believe that he had no knowledge that he jewellery was stolen.

(b) ' A' (27yrs) a married woman died in gas cylinder blast after 4 years of marriage and death was not natural death. In Postmortum injury marks found in her back and legs. But soon before her death husband and his relatives tortured her for car from her parents , parents of 'A' have also deposed that 'A' was subjected to cruelty at her husbands house.