

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 - 2023
NINETH/FIVE SEMESTER
Sub.: Law of Evidence (LW-9002/18-502)

Date : 30/05/2023

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. Answer the following question. (15)

A) What are the two ways in which the phrase “direct evidence” is used in the law of evidence? Discuss fully with suitable illustrations.

OR

B) Who is a co-accused and what is the evidentiary value of confession of a co-accused? Cite statutory rules and case law to elaborate your answer.

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

A) Evaluate the rules relating to dying declaration and admissibility of dying declaratio

OR

B) Who can make an Admission under Indian Evidence Act,1872

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

a) Write the details about Evidence by Accompliance

b) ESTOPPEL

c) What do you understood by Burdon of Proof under Indian Evidence Act, 1872?

d) Explain the doctrine “Res Gestae”

e) What are the importance of Evidence and write the difference between Oral and Documentary Evidence

f) Examination in Chief, Cross Examination and Re Examination under Indian Evidence Act, 1872.

Q. 4. Answer the following questions. (10)

A) What is a relevant fact? Consider the following and determine the „relevant facts“ which may be offered in evidence by the prosecution, should the police treat it as a murder case: Roger was found dead in his home where he lived with his wife Rosy and a younger cousin Peter. When the police arrived, Rosy and Peter told them that Roger had committed suicide by hanging from a hook in their store room. However, the body was lying on the floor of the store room and had strangulation marks on the neck. Peter told the police that Roger was taken off the hook as they believed him to be still alive. He also told the police that they had tried to revive Roger but in vain. The police closely observed the scene of occurrence and also noticed the following:

- (a) The store room had a hook in the ceiling but the hook had cobweb around it.
- (b) A nylon rope was lying beside the dead body.
- (c) Roger was wearing a sleeping suit.
- (d) The storeroom is attached to the front bedroom which was used only as a guest room in the three BHK flat.

Upon further investigation, the police also found that

- (e) Rosy and Peter were in a relationship.

OR

B) Explain Plea of Alibi and Give three appropriate Examples of when Plea of Alibi is relevant
