

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- 2024
NINETH/FIFTH SEMESTER
Sub.: Law of Evidence (LW-18-9002/18-502)

Date : 04/12/2024

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) Explain the concept of "Presumption of Fact" and "Presumption of Law" under the Act. Provide relevant case laws to support your answer

OR

B) Explain the rules governing "Oral and Documentary Evidence" under the Bhartiya Sakhya Adhinyam, 2023. How do courts determine the authenticity of documentary evidence?

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

A) Discuss the concept of "Relevancy of Facts" under the Bhartiya Sakhya Adhinyam, 2023. Illustrate your answer with examples

OR

B) Admission and Confession: Key differences and legal implications.

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

a) Doctrine of Estoppel under the Bhartiya Sakhya Adhinyam, 2023.

b) Expert Opinion

c) Dying declaration and its evidentiary value.

d) Burden of proof: Shifting of burden and its legal consequences.

e) Proved, Not Proved and Dis proved

f) res gestae

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

A) A dying declaration is recorded by a police officer in the absence of a magistrate. The declarant succumbs to their injuries shortly after. Under what circumstances would such a dying declaration be considered admissible in court? Discuss with reference to relevant sections of the Act.

OR

B) A murder weapon, allegedly used in a crime, is recovered based on the information provided by the accused. Discuss the admissibility of this evidence under the Bhartiya Sakhya Adhinyam, 2023. Which section governs this scenario, and what are its limitations?