

2012

16

## LAW

( Law of Evidence )

Course No. 5:2

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks  
for the questions*

*Answer question no. 1 and any five questions from the rest.*

1. Write notes on any four of the followings- (5x4)
  - a) Secondary Evidence
  - b) Hearsay Evidence
  - c) Document
  - d) Res gestae
  - e) Judgment in Personam
  - f) Hostile witness
  
2. "The rules of evidence are in general the same in civil and criminal proceedings". Elucidate. Are there any exceptions to this rule? (8+8)
  
3. Define Admission and Confession. What distinguishes confession from admission? What is retracted confession? (6+6+4) 5+6

8

*(Please turn over)*

*over)er)*

4. 4. Explain the term "*Competency to testify*". Discuss the competency of the following witnesses: (6+5+5)
5. a) a lunatic  
b) a child witness below 7 years of age
5. 5. What is "*Privileged Communication*"? When can Privileged Communication be claimed? (6+10)
6. 6. Explain the followings- (4x4)
- a) Examination-in-chief  
b) Cross-Examination  
c) Re-Examination  
d) Refreshing of memory
7. 7. "*Corroborative evidences are not admissible by themselves, but become admissible to corroborate or support substantive evidence already given*". Explain and elaborate with illustrations. (16)
8. 8. "*Oral evidence must in all cases be direct*". Explain and discuss the exceptions, if any, to the rule. (16)
9. 9. State the facts and principles of law laid down in – (8+8)

10

Khujji -Vs- State of M.P.,  
AIR 1991 SC 1853

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