

2013

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- (4x5)
 - a) May Presume, shall Presume
 - b) Admissions
 - c) Expert opinion
 - d) Oral Evidence
 - e) Dumb witness
 - f) Accomplice

2. a) Who are competent to give Evidence? Explain. (10)
b) Whether husband is a competent witness against the wife in a civil proceeding? (6)

3. a) Discuss the Relevancy of character. How far the character of a witness is relevant in a case? (10)
b) Which facts may be proved for the oral Evidence? (6)

(Please turn over)

4. Explain Primary and Secondary Evidence and when does Secondary Evidence become admissible? (16)
5. a) What is an Estoppel? Explain the law relating to Promissory Estoppel. (10)
b) Name different kinds of Estoppel. (6)
6. a) "*It is a well settled law that the plea of Alibi must be proved with absolute certainty*". Comment (10)
b) Is the court bound by the opinion of the Expert? Are the grounds of opinion relevant? (6)
7. Discuss elaborately what facts are relevant under the Indian Evidence Act. (16)
8. a) On whom does the burden of proof lies relating to a person's birth or death? (10)
b) Examine the Presumption as to Dowry death. (6)
9. a) When shall public officer be compelled to disclose the communication made to him? (10)
b) Can accomplice be a competent witness? (6)
10. State the facts and discuss the principles of law laid down in – (8+8)

Sharad
vs
State of Maharashtra
(AIR 1984) SC 1622

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