

2016**LAW****(Law of Evidence)**

Paper No. 5:2

Full Marks : 100

Pass Marks : 40

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 short notes on *any four* of the followings- 4x5
 - a) May presume and shall presume
 - b) Public Documents
 - c) Onus of proof
 - d) Leading questions
 - e) Competent witness
 - f) Relevancy of character

2. Section 8 of the Indian Evidence Act provides for the relevancy of three principal facts, i.e, Motive, Preparation and Conduct. Explain these three principle facts. 5+5+6

3. Confession to police officer not be be proved as against a person accused of any offence. Explain? However, consequential discoveries thereby may be proved. Elaborate. 8+8

(Please turn over)

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4. What do you mean by Secondary Evidence? State and Explain in short the various cases in which Secondary Evidence relating to documents may be given? 4+12
5. Write short notes on *any two* of the following: 8+8
- a) Refreshing Memory
 - b) Expert opinion
 - c) Dying Declaration
6. State the facts and discuss the principles of law laid down in the case of 16
- Gurbachan Singh*
vs
Satpal Singh and others
(1990) 1 SCC 445
7. Explain the importance of Cross-Examination? Explain the rules regarding the examination of witness under different stages of Examination. 8+8
8. Distinguish between 8+8
- a) Estoppel and Res Judicata
 - b) Admission and Confession
9. What do you know about Accomplice and an Approver? An Accomplice is a competent witness against an accused. However, corroboration as a rule of caution has been followed. Elucidate? 8+8
10. Write short notes on the following: 8+8
- a) Plea of Alibi
 - b) Presumption as to the Documents 30 years old