

2020

LAW OF EVIDENCE

Fourth Paper

Full Marks : 80

The figures in the margin indicate full marks.

*Candidates are required to give their answers in their own words
as far as practicable.*

Answer **any five** questions.

1. (a) 'When facts not otherwise relevant become relevant'. Explain.
(b) Define the terms 'Proved', 'Disproved', 'Not proved'. 10+6
2. (a) Define 'Admission'.
(b) 'Admission cannot be proved by or on behalf of the persons who make them.' Is there any exception to this rule? If so, discuss.
(c) Distinguish between 'Admission' and 'Confession'. 4+6+6
3. (a) Discuss the importance of 'Expert opinion' in the Indian Evidence Act.
(b) Explain 'Opinion of Examiner of Electronic Evidence'.
(c) 'In Civil cases the character of any person is irrelevant'. Discuss. 6+6+4
4. (a) Discuss the 'doctrine of Alibi' with decided case laws.
(b) Explain the term 'Res Gestae'. 10+6
5. (a) 'Facts judicially noticable need not be proved'. Explain.
(b) Discuss the evidentiary value of 'Extra Judicial Confession'. 10+6
6. Discuss the 'Doctrine of Estoppel' as laid down in the Indian Evidence Act. 16
7. Write a critical note on effects of the Information Technology Act, 2000 on the Indian Evidence Act. 16
8. (a) Define 'Burden of Proof'. Who will take the 'Burden' in both the civil and criminal cases?
(b) Distinguish between burden of proof and onus of proof. 8+8
9. (a) Define the terms 'Examination', 'Cross-examination' and 'Re-examination'.
(b) Can a party cross-examine his own witness? 9+7

Please Turn Over

10. Distinguish between (*any two*) :

- (a) Primary Evidence and Secondary Evidence
 - (b) May Presume and Shall Presume
 - (c) Direct Evidence and Circumstantial Evidence
 - (d) Expert witness and Ordinary witness.
-