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5 Sem LLB (N) 2 LoEV

2012

(December)

**LAW OF EVIDENCE**

Paper : 502

(New Course)

Full Marks – 80

Pass Marks – 32

Time – Three hours

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

Answer any *five* questions.

1. 'Witness may lie but circumstances never do.' Explain with illustrations and case laws. 16  
Sec-133
2. (a) Define the terms 'proved', 'disproved' and 'not proved' with illustrations. 8
- (b) 'There is a high standard of proof in criminal cases than in civil cases, which is subject to the qualification that there is no absolute standard in either case.' Discuss. 8

3. 'Facts which ordinarily have nothing to do with the facts of a case and are not in themselves relevant become relevant.'

Discuss the statement with illustrations in the light of the relevant provision of the Indian Evidence Act, 1872. 16

4. (a) Define admission. What are the reasons for admissibility of admission in evidence ?

3+5=8

(b) 'Admissions are not conclusive proof of the matters admitted, but may operate as estoppel.' Explain. 8

5. 'There is no absolute rule of law or even a rule of prudence that dying declaration unless corroborated by other independent evidence is not fit to be acted upon and made the basis of convictions.'

Discuss the above statement with the aid of case laws. 16

6. 'All facts in issue and relevant facts need not be proved by evidence.' Elucidate the statement in the light of relevant provisions of the Indian Evidence Act, 1872. 16

7. 'In the nature of things, a negative is more difficult to establish than an affirmative.'

Examine the statement with reference to the rules relating to burden of proof citing relevant illustrations. 16

8. What is the order of examination of witness in court ? What types of questions may be put to a witness during cross examination ? Can a party to a case put a leading question to his own witness ? 16

9. State the facts, points of law decided and reasons laid down in : 16

Kishore Chand

Vs.

State of H.P.

(AIR 1990 SC 2140)