

LAW OF EVIDENCE

Time: 3 Hours

Maximum Marks: 50

Answer ANY FIVE of the following. Each question carries TEN marks

(5x 10 = 50)

- I. How far are the tests of spontaneity and contemporaneity relevant in interpreting the term "facts forming part of the same transaction" in Section 6 of the Indian Evidence Act ? Cite case law.
- II. Do admissions have to be self-harming statements to be regarded as relevant? When and why are admissions relevant and what are the consequences of an admission?
- III. "Opinions of third persons, though not direct evidence, has to be regarded as relevant owing to necessity and as a rule of prudence". How far is this statement true?
- IV. Comment on the rule regarding exclusion of oral by documentary evidence with its exceptions.
- V. "A witness, though expected to answer all questions put to him in a court, can legitimately refuse to disclose information and produce documents in a court of law under certain circumstances". Elucidate.
- VI. On whom is the burden to prove facts ? Discuss the rules relating to burden of proof
- VII. Write short notes on ANY TWO of the following:
 - (a) Indian Supreme Court's approach to electronic evidence
 - (b) Relevance of scientific tests in deciding questions of legitimacy of a child
 - (c) Estoppel as a rule of evidence
- VIII. Write short notes on ANY TWO of the following:
 - (a) Certified copies and their admissibility
 - (b) Relevance of character in civil and criminal cases as provided under the Indian Evidence Act
 - (c) Questions not permitted during examination-in-chief and cross examination
