

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination-Jan-May -2025

UG-IV Semester

Subject- Law of Evidence (Compulsory)

Time: Three Hours**Marks. 100***Instructions:*

1. Attempt any five questions... Marks have been indicated against each question.
2. No clarifications can be sought during the examination.
3. Bare Act is not allowed.

Q1). When is opinion of expert relevant? What is the evidentiary value of expert opinion? (Marks 20)

Q2). Define the word "Evidence" and distinguish between oral and documentary evidence and direct and circumstantial evidence. (Marks 20)

Q3). What is burden of proof? Explain the law relating to burden of proof? (Marks 20)

Q4). Peter was arrested by police on suspicion of murder of Ajay. While he was taken for medical examination, Peter told the doctor and nurse carrying out the examination that "I killed Ajay". This statement was heard by the police constable, who was standing near the doctor at the time of medical examination. (Marks 10+10=20)

- i) Is the confession made by Peter to the doctor admissible in evidence?
- ii) What shall be the effect of such confession on Peter?

Q5). X is accused of murder. X alleges that he committed murder of Y under grave and sudden provocation from Y. (Marks, 10+10= 20)

- i) On whom the Burden of Proof shall lie in this scenario?

- ii) State the relevant provisions of law to this effect. What would be the impact if X fails to prove the element of grave and sudden provocation?

Q6). A witness about whom, nothing is known, is asked at random whether he is a dacoit? (Marks, 10+10= 20)

- i) Is this question allowed? Explain with reasons.
- ii) Explain relevant provisions under the Indian Evidence Act regarding asking such kinds of questions.

7 MAY 2025

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Q1). Who is an Accomplice? What is the credibility of approver's testimony? Does it require any corroboration? Discuss with the help of decided cases. (Marks 20)

Q2). Who may testify? When is a witness said to have turned hostile? Whether the evidence given by such a witness considered relevant and admissible. (Marks 20)

Q3). Discuss the object of examination-in-chief, cross-examination and re-examination of a witness. (Marks 20)

Q4). (a) Differentiate between admission and confession?

(Marks, 10)

(b) In a case, (servant) Bhim is charged for the murder of his master. After committing murder Bhim goes to the Police Station and makes a statement that "I have stabbed my master with a knife, as he used to beat me always. and not pay me enough for the work. I have thrown his body in the water tank and here is the knife with which I killed him. I can take you to the water tank, where his dead body is lying." The Police Officer found the dead body of the master in the water tank thereafter in the presence of Bhim and other independent witnesses. Can the prosecution use the statement of the servant made at the police station against the servant in this case? Discuss. (Marks 10)

Q5). State the provisions of Law and explain the concepts enshrined in the illustrations provided below. (Marks, 10+10 =20)

(a) A desires a Court to give judgment that he is entitled to certain land in the possession of B, by reason of facts which he asserts, and which B denies, to be true. A must prove the existence of those facts.

(b) A sues B for money due on a bond. The execution of the bond is admitted, but B says that it was obtained by fraud, which A denies. If no evidence were given on either side, A would succeed, as the bond is not disputed and the fraud is not proved. Therefore, the burden of proof is on B.

Q6). Sunita was set on fire over suspicion of her character and was tortured for not being able to conceive. In the hospital, Sunita succumbed to her injuries but before dying she made multiple dying declarations relating to her injuries before the doctor and nurse who were treating her and present there. Sunita in one statement implicated her husband and mother-in-law, while in the second statement she implicated her mother-in-law and brother-in-law and in her final statement before dying she did not implicate anybody and that she had set herself on fire.

Do the multiple dying declarations made by Sunita be considered as relevant? (Marks 20)

21 FEB 2025

NATIONAL LAW UNIVERSITY, JODHPUR
Law of Evidence
Mid Term Examination-2025
UG IV SEMESTER

Time: 90 Minutes

MM: 50

A. Answer the question below

1* 10 = 10

1. What are Primary and Secondary Evidences, explain with examples and relevant sections.

B. Answer any two

2 * 20 = 40

1. Define Motive, How far motive, preparation and conduct of a party are relevant?
2. Explain Electronic Evidence and its admissibility with the help of provisions and case laws.
3. Explain Direct and circumstantial evidence. What are the tests required when a case rests entirely on circumstantial evidence?

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25 APR 2025

**UG IV
LAW OF EVIDENCE
RE- MID TERM PAPER**

DURATION: 90 MINS

MAX. MARKS: 50

1. Are facts which are the occasion, cause or effects of facts in issue relevant. Illustrate & elucidate 25M
2. Relevancy and admissibility are not synonymous. Elucidate this statement with relevant provisions of law and judicial decisions. 25M