

P. Pages : 2

Time : Three Hours



GUG/W/16/7136

Max. Marks : 80

- Notes :
1. Attempt **eight** Questions in all including **Q. 1** which is compulsory.
 2. All Questions Carry equal marks.
 3. Indicate Appropriate Q. No. while answering.

1. Choose the appropriate alternative for the following.

- i) The law of evidence consists of -----
 - a) ordinary rule of reasoning
 - b) legal rules of evidence
 - c) rules of logic
 - d) all the above.
- ii) Under the law of evidence, as a general rule -----
 - a) opinion on a matter of fact is relevant but not on a matter of law
 - b) opinion on a matter of law is relevant but not on a matter of fact.
 - c) opinion on a matter of fact and law both are relevant
 - d) opinion whether on a matter of fact or law, is irrelevant.
- iii) Law of evidence is
 - a) lex tallienis
 - b) lex fori
 - c) lex loci solutionis
 - d) lex situs.
- iv) Facts can be
 - a) physical facts
 - b) psychological facts
 - c) physical as well as psychological facts
 - d) only physical facts & not psychological facts.
- v) Standard of proof in
 - a) civil and criminal cases is the same
 - b) criminal cases is much more higher than in civil cases
 - c) criminal case is lower than in civil cases
 - d) either (a) or (c) are correct
- vi) Under the law of evidences, the relevant fact
 - a) must be legally relevant
 - b) must be logically relevant
 - c) must be legally & logically relevant
 - d) must be legally & logically relevant and admissible.
- vii) Which of the following documents are not admissible in evidence
 - a) documents improperly procured
 - b) documents procured by illegal means
 - c) both (a) & (b)
 - d) neither (a) nor (b).

- viii) Identification of a suspect by photo is
- admissible in evidence
 - not admissible in evidence
 - section 9 of Evidence Act excludes identification by photo
 - section 8 of Evidence Act excludes identification by photo.
- ix) Admissions
- must be examined as a whole and not in parts
 - can be examined in parts
 - can be examined as a whole or in parts
 - both (b) & (c) are correct.
- x) A confession made while in police custody is admissible under section 26 of Evidence Act
- if made in the presence of a doctor
 - if made in the presence of a captain of a vessel
 - if made in the presence of a Magistrate
 - all the above.
2. Write short notes on **ANY TWO** of the following.
- May Presume, Shall Presume and conclusive proof
 - Dying declaration
 - Oral and documentary evidence
 - Hostile witness
3. What is evidence-State different kinds of evidence.
4. Define admission and point out the differences between admission and confession.
5. State the provision of Indian Evidence Act relating to facts which need not be proved.
6. What do you mean by Secondary Evidence? State the circumstances in which secondary evidence may be given.
7. Explain the provisions of Indian Evidence Act relating to Burden of proof.
- 8.
- Explain the provisions of Indian Evidence Act relating to competency of witnesses.
 - What are leading questions-When they can be asked
- 9.
- What do you mean by promissory estoppel?
 - 'A' has declared the value of goods as Rs. 500/- at the time of consignment. On loss of goods, he is claiming the value of goods much more than Rs. 500/- Can he be allowed to take this stand.
10. Discuss various types of examination of witnesses.
11. Write a note on Hearsay evidence.
12. Discuss the doctrine of **Res Gestae**.
