

N.S. (1) Attempt **all** questions.

(2) **Figures** to the **right** indicate the marks allotted.

1. Answer the following in not more than **two** lines :- **20**
 - (a) Define a 'Court of law'.
 - (b) What do you understand by 'relevant' as defined in the Indian Evidence Act?
 - (c) What is 'evidence' ?
 - (d) How many (numbers) witnesses are required to 'prove' a given fact in a court ?
 - (e) What do you understand by a 'judicial confession' ?
 - (f) What is a "Res Gestae" ?
 - (g) Briefly state what you understand by a "hearsay evidence" ?
 - (h) What do you mean by a 'document' ? Give any three examples.
 - (i) Who is qualified to testify in a court of law?
 - U) State what you know by a "leading question?"
2. Write short notes on any **four** :- **20**
 - (a) Facts which need not proved.
 - (b) Opinions of 'third persons' when relevant.
 - (c) Character of person in Civil and Criminal Cases.
 - (d) Define and explain an 'Approver'.
 - (e) What is the meaning of a 'Hostile Witness'? What part of his evidence can be used by court?
 - (f) Burden of proof *vis* Onus of proof.
3. Solve any two 'Situation-based' problems out of the following .. Give adequate reasons **12** for your answers.
 - (a) Miss Neela, an unmarried girl was accused of murder of her newly born child. She was sent in police custody and later on sent for medical examination. While being examined by the Doctor, Miss Neela made a confession to the Doctor that she has committed murder of her said newly born child. at that time a Police Constable was waiting outside to take back Miss Neela to the police custody -
 - (i) Is the confession made by Miss Neela to the Doctor 'admissible' in evidence ?
 - (ii) What is the binding effect of such confession on Miss Neela ?
 - (b) Advocate Mr. X was appointed in the criminal case against a pauper, by Magistrate. The advocate appeared in the case at Trial and found that the witness tendered by the prosecution is a 'dumb' person, and prosecutor himself was narrating to court what that 'Dumb Witness' had 'seen' on the scene of offence -
 - (i) Can such witness testify in a case at the court ?
 - (ii) Was the prosecutor correct? What should have he done?
 - (c) Mr. Ram a panch witness in a case of dacoity, refreshes his memory by reading the panchanama. The panchanama was not proved and hence was rendered inadmissible in the evidence.
 - (i) Can Mr. Ram refresh his memory by the use of such panchanama ?
 - (ii) Narrate the rules for refreshing memory which Mr. Ram could use.
4. Answer in full details (any four) of the following :- **48**
 - (a) Discuss the kinds of Evidence and the evidential value of each of them.
 - (b) Discuss the evidentiary value of an admission and a confession. Also elaborate distinction between the two:
 - (c) What is the meaning and necessity of examination of a witness? What is the order of examining a witness? Explain in detail.
 - (d) Elaborate fully the 'burden of proof'.
 - (e) Enumerate 'facts which need not be proved' giving at least three examples of your own.
 - (f) Which are the various circumstances in which secondary evidence relating to documents may be given?