

(3 Hours)

[Total Marks : 100

N.B. (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) What do you mean by 'Document' ? Give three examples.
 - (b) What do you mean by Res Gestae ?
 - (c) What is the meaning of a 'Hostile Witness' ?
 - (d) What is the meaning of a 'Leading question' ? When can it be asked and when it cannot be asked ?
 - (e) What are Scandalous questions ? Can the court allow them to be asked to witnesses ?
 - (f) To which proceedings the Indian Evidence Act is not applicable ?
 - (g) Can a child be a witness ? What is the condition to do so ?
 - (h) When will the opinion of a hand writing expert be relevant ?
 - (i) Distinguish between a 'Judgement in rem' and 'Judgement in personam'.
 - (j) What are the four stages of a crime ? Which two of them may not be punishable ?
2. Write short notes on any four :— 20
- (a) Relevancy of facts
 - (b) Primary Evidence and Secondary Evidence
 - (c) Conspiracy
 - (d) Burden of proof
 - (e) A deaf and dumb witness
 - (f) Relevancy of 'Character' of accused.
3. Solve any two of the following with reasons or justification :— 12
- A. Ram was angry with his friend Raju and decided to set Raju's new scooter on fire. He purchases kerosene for it. He carries a can of kerosene and a matchbox till the parked scooter. He keeps both the things near scooter and runs away.
- (a) Which of the stages of a crime has Ram performed ?
 - (b) Has he committed any crime ? Why ?
- B. Rani met advocate Tushar for filing a divorce petition against her husband Deepak. Later on, Rani and Deepak compromised and withdrew the divorce petition and started living together. Later on Deepak wanted a divorce. He met advocate Tushar.
- (a) Can advocate Tushar take the case of Deepak against Rani ?

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- (b) Can he at least give information and evidence in court about what Rani had told Tushar at the time she had filed divorce petition ?
Why ?
- C. A thief agrees to show, where he has hidden the stolen articles, to the police.
 - (a) How will the police record his statement and under what provision of Evidence Act ?
 - (b) How far will such statement be admissible and which specific portion of his statement will not be admissible in evidence ?

4. Answer in full details any **four** of the following :—

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- (a) Explain what you understand by examination of witnesses. Name types of examinations and narrate at least four basic rules of various types of examination of witness.
 - (b) Explain the concept of judicial notice and narrate all those facts which need not be proved. Give example.
 - (c) Explain in full 'Oral evidence is excluded by documentary evidence.'
 - (d) What do you mean by burden of proof ? How it is different from onus of proof ?
 - (e) Who is an 'accomplice' ? When is he called as an 'approver' ? Critically comment on his evidential value.
 - (f) Explain 'he who perceives things by his senses, can only depose before the court' and bring out the concept of 'hearsay evidence' in your answer.
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