

2021  
LL.B., Fifth Semester  
Paper – I: Law of Evidence

Time allowed: 3 Hours

Max. Marks: 80

**NOTE:** Attempt five questions in all, including Question No. I (Unit-I) which is compulsory and selecting one question each from Unit II-V.

x-x-x

**UNIT – I**

I. Answer the following: -

- a) What is distinction between relevancy and admissibility of fact?
- b) Discuss: "Ordinarily the judgement binds only the parties to it".
- c) Oral admission as to contents of electronic records and its relevancy.
- d) Write a short note on Accomplice Evidence.

(4x5)

**UNIT – II**

II. The accused in police custody provides information to the Investigation Officer (IO) under Section 27 of the Indian Evidence Act. The IO, to ensure its sanctity, soon thereafter calls independent public witnesses and records the same in their presence. Whether such information is admissible in evidence? (15)

III. 'A', the Bank Manager and 'B' the accountant of the Bank are being tried to conspiracy to cheat 'C' by wrongfully taking Rs. 500000 from the Bank Account of 'C'. After the transaction 'B' made an entry in his diary, showing both 'A' and 'B' had profited of Rs. 25000 in the said transaction. Whether the entry can be used as evidence admissible against 'A' under section 10 of the Indian Evidence Act? (15)

**UNIT – III**

IV. Under what circumstances can evidence given in a former judicial proceeding be used to prove in a subsequent proceeding the truth of facts stated therein? Discuss. (15)

V. 'A', an woman, whose throat had been cut by some sharp-edged weapon, indicated by gestures before her death that 'B' was the person who had cut her throat. Is the statement of 'A' made by gestures admissible as evidence against 'B'? (15)

P.T.O.

(2)

**UNIT – IV**

- VI. Explain and illustrate the following: 'What is in writing shall only be proved by the writing'? (15)
- VII. With the help of at least two illustrations of each, explain the distinction between Primary evidence and Secondary evidence. (15)

**UNIT – V**

- VIII. What conditions must be satisfied by a person before he can raise the plea of estoppel? (15)
- IX. Explain the judge's power to put questions or require production of documents from a party during trial of a case. (15)

x-x-x