

**B.B.A. LL.B. (5 Year Degree Course) SEM-VIII (2015 Course) :
SUMMER - 2019**

SUBJECT: LAW OF EVIDENCE

Day : **Saturday**
Date : **20/04/2019**

S-2019-1557

Time: **02.00 PM TO 05.00 PM**
Max. Marks: 60.

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1. “The ‘Best Evidence Rule’ is only applied in situations in which a party attempts to substantiate a non-original document submitted as evidence during a trial”. Elaborate the statement in the light of the introduction of British principles of evidence.

OR

Q.1. “Administrative and Quasi-Judicial Tribunals are fact-finding bodies and the method of fact-finding varies from that sanctioned by the Court of Law” Enumerate the statement in relations to problems of applicability of the Evidence Act to Administrative and Quasi-Judicial Tribunals.

Q.2. “Hearsay evidence signifies the evidence heard and said, also known as second hand or unoriginal evidence, a witness is merely reporting not what he saw or heard by himself and learnt about the fact through the medium of some third person”. Discuss.

OR

Q.2. “Conspiracy is an agreement between two or more persons to commit a crime at some time in future and anything said or written by any member of a conspiracy is evidence and admissible against the other if it relates to the conspiracy” Discuss the statement in relation to evidence led in cases of Section 120A of the Indian Penal Code, 1860.

Q.3. “Dying declaration is the statement made by a person as to the cause of his death or as to the circumstances of the transaction resulting in his death”. Discuss.

OR

Q.3. “When it is the duty of a public officer to make certain entries in any public or any other official book, it is admissible in evidence to prove the truth of the facts so entered, as well as the fact that entries were made by such officer”. Elaborate the statement in the light of the provisions of the Evidence Act which deals with ‘Statements made under Special Circumstances’.

Q.4. It is one of the cardinal rules of the Evidence Act that “while determining the admissibility of evidence, the production of best evidence should be extracted”. Discuss.

OR

Q.4. “It is presumed that if a document is altered, it was made before its execution, whereas in the case of a will, it is altered after its execution”. Discuss.

Q.5. Explain the process in which an Advocate asks their first questions to their own witness, in order to begin proving their legal argument.

OR

Q.5. “A witness cannot be treated hostile merely because his evidence goes in favor to the opponents and the fact that the witness has become hostile has to be established by eliciting information as could give an indication of hostility”. Discuss.

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