

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

S-2019-1661

Time : **10.00 AM TO 01.00 PM**
Max. Marks : **60**

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 Enumerate the most important recommendations made by the Law Commission to the Indian Evidence Act meant to update the Act after the change in position or appreciation of the principles of the Courts with special reference to the admissibility of Digital Evidence in the Courts of Law.

OR

Q.1 “Relevant facts could depict any set of closely interrelated facts, to the extent that they rely on each other to establish an event as these facts make the event more or less likely than it would be in their absence as they are logically probative”. Discuss the statement in regards to the ‘Relevancy of Facts’.

Q.2 “Inference drawn from an opportunity is not a strong one. However, it prevents the accused from denying the presence at the scene of offence at that particular period”. Comment in the light of Section 7 of the Indian Evidence Act.

OR

Q.2 “Hearsay rule states that what is clearly expressed about the fact under discussion is irrelevant” Discuss the statement as to how Admission and Confession are two exceptions to this rule and that are used to contrast each other.

Q.3 “When a matter, whether on a question of facts or Law, has been decided between two parties in one suit and the decision is final, either because no appeal was taken to the Higher Court, or no appeal lies in such case, neither party will be allowed in the future to initiate a suit between the same parties to canvass the matter again”. Discuss.

OR

Q.3 “Judicial Notice is a rule that allows a fact to be introduced in evidence if the truth of that fact is so notorious or well known, or so authoritatively attested, that it cannot reasonably be doubted”. Discuss.

Q.4 “The contents of a will of which probate has been granted in India may be proved by the Probate”. Discuss the statement as an exception to Section 91 of the Indian Evidence Act.

OR

Q.4 “If a document is required by law to be attested, it shall not be used as evidence until one attesting witness at least has been called for the purpose of proving its execution, if there be an attesting witness alive, and subject to the process of the Court and capable of becoming a witness”. Comment in the light of Section 68 of the Indian Evidence Act, 1872.

Q.5 “A hostile witness is a witness who from the manner in which he gives his evidence shows that he is not desirous of telling the truth to the Court”. Discuss.

OR

Q.5 “A witness declaring another witness to be unworthy of credit may not, upon his examination-in-chief, give reasons for his belief, but he may be asked his reasons in cross-examination, and the answers which he gives cannot be contradicted, though, if they are false, he may afterwards be charged with giving false evidence”. Explain in detail the abovementioned statement in the light of Section 155 of the Evidence Act.