

Seat No.	
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**Fifth Year of Five Year Law Course (Semester - IX) and
Third Year of Three Year Law Course (Semester - V)
Examination, November - 2018
LAW OF EVIDENCE (Paper - II)
Sub. Code : 51099/51124**

Day and Date : Wednesday, 28 - 11 - 2018

Total Marks : 80

Time : 10.30 a.m. to 1.30 p.m.

- Instructions :**
- 1) All questions are compulsory.
 - 2) Figures to the right indicate full marks.

Q1) What is 'Dying Declaration'? Explain the provisions of Indian Evidence Act, 1872 relating to the relevancy of Dying Declaration. What is the difference between Indian Law and English Law relating to Dying Declaration? **[16]**

OR

Comment on the relevancy of the Judgement of the Courts under the provisions of Indian Evidence Act, 1872.

Q2) Explain the facts which need not be proved and the grounds for dispensing the need to prove those facts? **[16]**

OR

Define 'Secondary Evidence'? In which of the cases the Secondary Evidence is permissible? Explain the procedure for leading Secondary Evidence.

Q3) Define 'Oral Evidence'? Why the Oral Evidence must be direct? What are the exceptions to this rule? **[16]**

OR

Explain the provisions of Indian Evidence Act, 1872 relating to the exclusion of Oral Evidence by Documentary Evidence.

P.T.O.

Q4) Comment on the following presumptions-

[16]

- a) Presumption as to abetment of suicide.
- b) Presumption as to Dowry Death.

OR

Who is a competent witness? Explain the provisions of Indian Evidence Act, 1872 relating to the Examination of Witnesses? How the credit of may be impeached?

Q5) Write short notes on (Any two).

[16]

- a) Accomplice
- b) Relevance of motive, Preparation and Conduct.
- c) Proof of Conspiracy.
- d) May Presume and Shall Presume.
- e) Plea of Alibi.

