


Name: Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: Law of Evidence Program: LL.B. (Hons.) Course Code: CLCC 2008		Semester: III Time: 03 hrs. Max. Marks: 100	
Instructions:			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	What you understand by hearsay evidence.	2	CO1
Q 2	Explain the concept of 'Extra - Judicial Confession'.	2	CO1
Q 3	Write a note on admissibility of Fact.	2	CO1
Q 4	Define the term "Fact in Issue".	2	CO1
Q 5	Define the term conclusive proof.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Define the term Fact as provided under Indian Evidence Act with the help of relevant examples.	5	CO2
Q 7	A was a customs officer and B the agent working for importer X & Co. at the custom House. B made some entries in his daily book about the goods passing them without paying full duty at the custom house. These entries and counterfoil of his cheque book showing that money was paid to A are produced by prosecution in a trial of A and B for the offence of conspiracy. Discuss relevancy of both these documents under section 10 of Indian Evidence Act.	5	CO2
Q 8	Who is competent to testify? Whether child can be competent witness.	5	CO2

Q 9	Law of Evidence is considered as “Lex-foi”. Explain.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Discuss the concept of “Plea of alibi” with the help of suitable case-laws.	10	CO3
Q 11	Discuss the various conditions mentioned under Indian Evidence Act, when Secondary Evidence can be given.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12	25 year old girl Seema works in a MNC, where she has to work in odd hours. She reaches the office around 10.00pm every night and gets back home around 6.00am in the morning. Her office has arranged for transport service so that she and other employees like her can be safely picked up and dropped back. On 1 st March 2020 she received a call at around 3.30 am from her home that her mother is seriously ill. Though the transport service would have taken her back around 5.30 am, Seema decided to leave at once and borrowed a two-wheeler from a friend for the same purpose. On her way back on the roads which were mostly lonely, she was confronted by a gang of drunk hooligans who beat her up severely and ravished her in their car and then threw her off on the road. Her colleagues spotted her when they were getting back from office in the company car around 5.50am. They were horrified at the scene of a bleeding Seema lying helplessly on the road. They picked her up and took her to the nearest hospital. Some of her colleagues suggested that Seema must first go to the police station but Seema did not want to register a complaint fearing a protracted legal proceedings which would put her to public humiliation. She mentioned the identity of one of the perpetrators to her colleague friends as Rajesh who works in the office opposite to the	25	CO4

	<p>call center. In the hospital, Seema breathed her last around 6.00pm the same evening. Enraged at the whole event, couple of her friends informed the police of the incident pursuant to which Rajesh was apprehended and sent for trial.</p> <p>Under which provisions of the Indian Evidence Act, the statements made by Seema to her colleagues in the may be relevant? Use provisions and case-laws in support of your response.</p>		
Q 13	<p>State the provisions of law and give reasons as to the relevancy of the following facts:</p> <p>a) In a charge of murder by domestic help of an elderly couple, evidence is given by prosecution that they received money sent by their son from U.S.A. on the same day.</p> <p>b) A is accused of kidnapping a child for ransom from Ghaziabad on 01.03.08. A produces a certificate that he was admitted in P.G.I. Chandigarh from 25.02.08 to 05.03.08 for treatment of lung infection.</p>	<p>12.5</p> <p>12.5</p>	<p>CO4</p>