



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December 2021**

**Course: Law of Evidence**  
**Program: B Tech. LLB (Hons) CSE & IPR**  
**Course Code: CLCC 2008**

**Semester : VII**  
**Duration : 03 hrs.**  
**Max. Marks: 100**

**Instructions:**

<b>SECTION A</b> (Scan and upload) (5Qx 4M = 20 Marks)			
		Marks	COs
Q 1	.Discuss in brief fact in issue and relevant fact.	4	CO1
Q 2	. Define the doctrine of <i>res gestae</i> .	4	CO1
Q 3	.Write short note on patent and latent ambiguity.	4	CO1
Q 4	Explain secondary evidence. Under what circumstances it is admissible?	4	CO2
Q 5	Explain the concept of promissory estoppel.	4	CO2
<b>SECTION B</b> (Scan and upload) (4Qx10M = 40 Marks)			
<b>Q 1</b>	<b>Statement of question</b>		
Q 1	Explain the concept of accomplice. How far and to what extent the testimony of an accomplice can be relied upon?	10	CO2
Q 2	Hearsay evidence is not admissible. Are there any exception to this rule? Explain.	10	CO2
Q 3	Explain the concept of confession. How much of information received from accused may be proved? Discuss with the help of illustrations.	10	CO3
Q 4	(A) 'A' the sister of deceased 'B' makes her statement to her mother about the cause of 'B's death. Later on A dies, whether statement made by A to her mother regarding cause of B's death may be used as Dying Declaration. Can a dying declaration be the sole basis of conviction? Discuss with the help of relevant case laws.	10	CO3
<b>SECTION-C</b> (Scan and upload) (2Qx 20M= 40 Marks)			
<b>Q 1</b>	<b>Statement of question</b>		
Q 1	(A) Geeta married Aman on 1 <sup>st</sup> January, 2018. Soon after, Geeta also started having an adulterous relationship with Rajesh. On 1 <sup>st</sup> June, 2019, Aman divorced Geeta under Section 13(1)(i) of the Hindu Marriage Act; A child was born to Geeta on 1 <sup>st</sup> January 2020. It is an established fact Rajesh had access to Geeta throughout the period of her marriage and also thereafter. (a) Is the child a legitimate child in terms of Section 112 of Indian Evidence Act? Answer in light of language, object and purpose of the provision. ( 10 Marks) Also discuss in light of judicial pronouncements whether in given circumstances Aman can claim DNA test of the child to establish that he is not the biological father of the child. ( 10 Marks)	20	CO4
Q 2	Ramesh, a student got marks-sheet from Haryana Education Board, showing that he had passed in biology, physics & chemistry with good marks. Ramesh as a matter of fact had never opted or appeared for	20	CO4

	<p>biology. However, he remained silent and sought admission in first year of MBBS course at Guru Nanak Dev Medical College. When he had to appearing his first professional course of MBBS, Haryana Board realizing the error, served a notice on him for wrong mark sheet. Subsequently, the medical college cancelled his admission. Ramesh consults you for using estoppel against Haryana Board. Give your opinion with reasons.</p>		
--	---	--	--