

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
MID TERM EXAMINATION - Nov 2022**

Semester : BAL - Semester Master

Course Code : LAW115

Course Name : Sem V - LAW115 - Law of Evidence

Program : BA LLB Honors

Date : 05-NOV-2022

Time : 09:30AM - 11:00AM

Max Marks : 60

Weightage : 30%

Instructions:

- (i) Read all questions carefully and answer accordingly.
(ii) Question paper consists of 3 parts.
(iii) Scientific and non-programmable calculator are permitted.

PART A

ANSWER ALL THE FIVE QUESTIONS

5 X 2=10M

1. What is *factum probandum*? (CO3) [Knowledge]
2. Explain the presumptions in dowry death and rape cases. (CO3) [Knowledge]
3. Whether oral admissions as to the content of the document relevant. Explain (CO3) [Knowledge]
4. What is conclusive proof? How is its evidentiary value different from other kinds of presumptions? (CO3) [Knowledge]
5. Rohit was accused of the murder of Niranjana. The deceased was found shot dead near the swimming pool of his house. Raana who was staying in the neighbourhood found Rohit, the friend of the deceased running out of the house with a pistol. Analyse and explain the relevancy of the facts. (CO3) [Knowledge]

PART B

ANSWER ALL THE THREE QUESTIONS

3 X 10 = 30M

6. What do you mean by 'Relevant Fact'? Explain with the help of case laws (CO3) [Comprehension]
7. A suit was filed under Rent Control Act, 1947. The parties made a compromise executable as a decree of the court. The tenant agreed to withdraw his defence and vacate unconditionally on the date stated but subsequently refused to do so. Can the Landlord use the agreement as an admission on the part of the tenant? Substantiate your argument for and on behalf of the tenant (CO3) [Comprehension]

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(CO3) [Comprehension]

PART C

ANSWER THE ONE QUESTION

1 X 20 = 20M

9. Yamuna, a young girl, a recently married woman, had been speaking to her parents and other relatives and writing to them expressing danger to her life due to the harassment by her in-laws. Later, she sent letters to his father, sister and one of her close friends stating that she was afraid that something was going to happen to her life. She died by poison after three months. The Police registered FIR and arrested her husband Mahesh. He is having an illicit relationship with Manjula and this fact was known to Yamuna during her lifetime. Further, Mahesh had instructed Yamuna that whatever Manjula tells her, she has to obey without any complaint. Whether the letters, telephonic conversations, etc. of Yamuna are relevant and admissible in evidence? Draft your argument for the Prosecution with provisions and case laws

(CO3) [Application]