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**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
MID TERM EXAMINATION - APR 2024**

Semester : Semester VI -

Course Code : LAW3006

Course Name : Law of Evidence

Program : BA LLB Honors

Date : Apr 2, 2024

Time : 2:00 PM - 3:30 PM

Max Marks : 50

Weightage : 25%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

PART A

ANSWER ANY 5 QUESTIONS

5Q X 10M = 50

1. A was tried on the charge of committing theft of three chemical drums from the premises of Bombay Port Trust on 17.08.2023. During the investigation of case he made the following statement to the investigating officer of the case while in custody: "I will tell the place of deposit of three chemical drums which I took out from Haji Bander (Bombay port trust) on 17th August." The statement was given on 26.09.2023. As a result of this statement of A the three stolen drums were recovered from the compound of a musafirkhana i.e., writing place. Discuss whether the whole or any part of statement of A was admissible in evidence against A at his trial.

(CO1) [Comprehension]
2. Hari Shankar is tried for the murder of Baisakhi. He says to a police officer, "I have buried the knife with which I committed the murder of Baisakhi in the field of Ram." He tells the knife was buried and the knife is taken out. Analyze whether the above statement of Hari Shankar is admissible in court either as a whole or in part. Refer to decided cases.

(CO2) [Comprehension]
3. Test Identification Parade has no independent value of its own. Comment upon the statement and also explain the evidentiary value of the Test Identification Parade.

(CO4) [Comprehension]
4. Discuss the relevancy of the following facts under the provisions of the Indian Evidence Act, 1872:
 1. The fact testified to by D that soon before the alleged murder by A, C had peeped through the window and exclaimed "Look A is aiming his gun towards B".
 2. In a trial of rape of Kamla, the fact that on the night of rape, the police had received a distress telephonic call from a woman in which just before abrupt disconnection, she could only say "save me or I will be ravished".

(CO1) [Comprehension]

5. Point out whether in the following case, the facts sought to be proved are relevant:
1. Mr. A was charged with murder of B in Calcutta. A shows his railway ticket and hotel bills in his name of a Mumbai Hotel one day earlier than the day of incident.
 2. The fact that B was seen coming out of the house of A distressed and sobbing soon after her alleged rape by A.
- (CO4) [Application]
6. Discuss fully the evidentiary value of a confession. Illustrate your answer.
- (CO4) [Application]
7. What is a relevant fact? Explain. A victim of rape while coming back to village, was weeping and abusing the accused. State what part of fact is relevant and in what form?
- (CO2) [Application]