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PRESIDENCY UNIVERSITY

BENGALURU

Mid - Term Examinations –October2025

Date: 07-10-2025

Time: 11.45am to 01.15pm

School: SOL	Program: B.A.LL.B./B.B.A.LL.B.,/B.Com.LL.B. (Hons.)	
Course Code: LAW2034	Course Name: Bharatiya Sakshya Adhiniyam	
Semester: V	Max Marks: 50	Weightage: 25%

CO - Levels	CO1	CO2	CO3	CO4	CO5
Marks	25	25	-	-	-

Instructions:

- (i) *Read all questions carefully and answer accordingly.*
- (ii) *Do not write anything on the question paper other than roll number.*

Part A

Answer ALL the Questions. Each question carries 2marks.

5Q x 2M=10M

1	Discuss briefly the main reason for enactment of the Bharatiya Sakshya Adhiniyam.	2 Marks	L1	CO1
2	Define the term “document” under the Bharatiya Sakshya Adhiniyam.	2 Marks	L1	CO1
3	Explain the difference between “ <i>may presume</i> ” and “ <i>shall presume</i> .”	2 Marks	L1	CO1
4	Why is motive considered important in criminal cases?	2 Marks	L1	CO2
5	Briefly discuss the importance of Test Identification Parade.	2 Marks	L1	CO2

Part B

Answer the Questions.

Total Marks 40M

6.	Hari is accused of murdering Vinod by violently beating him in a crowded public park. At the time of the incident, several bystanders were present. Some immediately shouted warnings, tried to intervene, or called for help. Shortly before the beating, Vinod had allegedly shouted at Hari over a personal dispute, attracting the attention of nearby people. Immediately after the beating, Hari was seen fleeing the scene while making statements to the crowd about what had occurred. One of the bystanders also	10 Marks	L2	CO2
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	attempted to restrain Hari, shouting that he should stop, while another rushed to help Vinod. Decide which of these facts and statements can be considered relevant under the principle of Res Gestae.		
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Or

7.	<p>The question is whether Ramesh murdered Suresh. During the investigation, one witness, Meera, shouted in Ramesh's presence, "<i>The police have found the knife used to kill Suresh, and they are coming to arrest the killer.</i>" On hearing this, Ramesh suddenly turned pale, dropped the bag he was carrying, and ran away towards the railway station. Later, the police recovered from that very bag bloodstained clothes matching Suresh's blood group. Ramesh's defense argues that his flight was out of fear of being falsely implicated, as he had quarrelled with Suresh a week earlier and believed the villagers would blame him. The prosecution, however, contends that his conduct on hearing Meera's statement points towards a consciousness of guilt.</p> <p>Decide whether Meera's statement in Ramesh's presence and Ramesh's subsequent conduct are relevant facts and discuss how they should be weighed in deciding the issue of murder.</p>	10 Marks	L3	CO2
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8.	<p>"It is often said that motive, preparation, and conduct do not by themselves constitute proof of guilt, yet they play a crucial role in establishing the chain of circumstances in criminal cases." In light of this statement, explain the relevancy of facts showing motive, preparation, and conduct in the law of evidence. In your answer, discuss how these facts aid the court in inferring intention, the difference between motive and preparation, the evidentiary value of conduct before and after the occurrence, and illustrate your answer with suitable examples and judicial pronouncements.</p>	10 Marks	L2	CO1
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Or

9.	<p>Anita sues Bhavesh for damages caused when Bhavesh's horse violently attacked her in the marketplace, leaving her seriously injured. Anita alleges that Bhavesh knew the horse to be dangerous and prone to attacking people, yet failed to restrain it properly. During the trial, it is revealed that the same horse had previously trampled two children in the neighbourhood and bitten a vegetable vendor, all of whom had lodged formal complaints with Bhavesh. Despite these incidents, Bhavesh continued to use the horse in crowded areas without any muzzle or special control. The defence argues that those earlier accidents were due to provocation by strangers and cannot be treated as evidence of the horse's vicious nature.</p> <p>Decide whether the past incidents and the complaints made to Bhavesh</p>	10 Marks	L3	CO2
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	are relevant in deciding his liability, and discuss how such facts should be weighed in determining whether Anita's injury was the result of negligence or unavoidable accident.			
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10.	"Evidence is the foundation of the judicial process, as it provides the means by which facts in issue and relevant facts are proved or disproved before a court of law." In the light of this statement, analyze the scope of the term evidence under the Bharatiya Sakhya Adhiniyam, 2023. Illustrate your answer with suitable examples.	10 Marks	L2	CO 1
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Or

11.	Ravi, Neeraj, and Kabir are accused of conspiring to rob a jewelry store. During the investigation, it was revealed that a week before the robbery, Ravi and Neeraj met at a café where Ravi said, "Kabir will arrange the vehicle, and once we get the gold, we will all leave town together." This conversation was overheard by a waiter. On the day of the robbery, Kabir was seen waiting outside the store in a car while Ravi and Neeraj entered the shop. After the robbery, all three were caught at a nearby lodge where stolen ornaments were recovered. At trial, the prosecution seeks to rely on Ravi's statement at the café and Kabir's act of waiting with the car as evidence against all three, arguing that these acts and statements were made in reference to their common design. The defense objects, claiming that the café conversation is mere hearsay against Kabir and that simply waiting outside the store does not prove participation in the conspiracy. Decide whether the statement made by Ravi and the acts done by Kabir are relevant against all the accused in proving the conspiracy, and explain how such facts should be weighed in determining the existence of a common design.	10 Marks	L2	CO 2
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12.	"Circumstantial evidence, when properly established, can be as conclusive as direct evidence, but it requires a strict standard of proof to sustain a conviction." In the light of this statement, discuss the nature and evidentiary value of circumstantial evidence.	10 Marks	L3	CO 1
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Or

13.	Meera, a professional dancer, filed a suit for damages against Ajay after his negligent driving caused an accident in which she fractured her leg. She claims that apart from medical expenses, she lost several months of income because she was unable to perform on stage. During the trial, Meera produced her hospital bills, receipts for physiotherapy sessions, and contracts for upcoming shows that she had to cancel due to the injury. She also brought evidence of her previous earnings from stage performances over the past two years. On the other hand, Ajay argued that Meera was	10 Marks	L3	CO 2
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exaggerating her losses, pointing out that she had already signed a movie contract before the accident, which would have limited her stage performances in any case. He further produced statements from doctors suggesting that her injury was not so severe as to prevent her from resuming work after two months.

Decide which of these facts are relevant for determining the amount of damages payable and explain how the court should weigh them while assessing compensation.