Roll No.												

PRESIDENCY UNIVERSITY

BENGALURU

End - Term Examinations – December 2025

Date: 08-12- 2025 **Time:** 01:00pm – 04:00pm

School: SOL	**Program:** BA.LLB/BBA.LLB/B.Com.LLB (Hons.)	
Course Code : LAW2034	**Course Name:** Bharatiya Sakshya Adhiniyam	
Semester: V	**Max Marks**: 100	**Weightage**: 50%

CO - Levels	CO1	CO2	CO3	CO4	CO5
Marks	15	15	25	25	20

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.		**10Q x2M=20M**		
1.	Why was the codification of the Law of Evidence considered essential before the Indian Evidence Act, 1872?	**2 Marks**	**L1**	**CO1**
2.	What is meant by the principle "Evidence must be read with fact in issue"?	**2 Marks**	**L1**	**CO1**
3.	How does the principle of "Best Evidence Rule" strengthen judicial reliability?	**2 Marks**	**L1**	**CO2**
4.	Differentiate between direct and circumstantial evidence with examples.	**2 Marks**	**L1**	**CO2**
5.	Discuss briefly the conditions under which a confession to a police officer become admissible?	**2 Marks**	**L1**	**CO3**
6.	How can the conduct of witnesses become a relevant fact in a case?	**2 Marks**	**L1**	**CO3**
7.	Explain with example how presumption affects the burden of proof.	**2 Marks**	**L1**	**CO1**
8.	Briefly mention the three kinds of admission.	**2 Marks**	**L1**	**CO4**
9.	Explain the difference between "estoppel by record" and "estoppel by conduct."	**2 Marks**	**L1**	**CO4**
10.	How does the court deal with a deaf or dumb witness during examination?	**2 Marks**	**L1**	**CO5**

Part B

Answer the Questions. **Total Marks 80M**

11.	**a.**	"*The law protects the confidentiality of communications between an advocate and his client to ensure full and frank disclosure in the course of professional engagement.*" In the light of this statement, explain the scope of privileged communications between an advocate and his client under BSA, 2023 and the exceptions where the advocate may be compelled to disclose such communications. Support your answer with suitable judicial decisions**.**	**10Marks** **(5+5)**	**L2**	**CO 2**
		Or			
12.	**a.**	*"Expert opinion is advisory and not conclusive."* In light of this statement, critically examine the evidentiary value and limitations of expert evidence under the relevant provisions of BSA, 2023. Support your answer with relevant case laws.	**10 Marks** **(5+5)**	**L2**	**CO 3**

13.	**a.**	A wishes to produce a document in court which was destroyed in a fire. To prove its contents, he offers to produce a photocopy of that document. The opposing party objects, claiming that only the original is admissible. In light of these facts, discuss whether A can legally produce and rely on the photocopy as evidence. Analyze your answer with reference to the provisions relating to primary and secondary evidence under the Bharatiya Sakshya Adhiniyam, 2023.	**10 Marks** **(5+5)**	**L2**	**CO 3**
		Or			
14.	**a.**	*"Character is generally irrelevant in determining liability, except where the law expressly allows it."* Distinguish between the rules relating to character applicable in civil and criminal cases and explain the circumstances under which the character of a person becomes relevant. Support your answer with suitable illustrations and case law.	**10 Marks** **(5+5)**	**L2**	**CO 3**

15.	**a.**	*"Courts are not experts; hence they rely on experts."* Discuss the role and evidentiary value of expert opinion in BSA with the help of relevant case laws.	**10 Marks**	**L2**	**CO 3**
		Or			
16.	**a.**	*"In the digital era, electronic records stand on the same footing as documentary evidence, provided their authenticity is duly established."* Discuss the conditions required for the admissibility of electronic records and the significance of the certificate under BSA, 2023.	**10 Marks**	**L2**	**CO 4**

17.	**a.**	There is a quiet little village touched by a road which ends there. Occasionally the driver A, who belongs to the village, comes there with his lorry for night rests. The night, on which the truck came, B, a man from the village was found lying dead by the road-side. The position of his (B's) body and nature of his injuries creates a doubt B was dragged by a vehicle for a little distance and then one wheel ran over him. There was no dust storm, rain or mist to obstruct visibility. From these circumstances, certain facts may reasonably be inferred and many others can be safely presumed as a matter of probability. The facts tell a story beyond a shadow of a doubt that it is the work of the village lorry and it must have been negligently handled. On the basis of above facts discuss the conditions with the help of case laws, are to be fulfilled when a case to be solely judged on the basis of circumstantial evidence and also differentiate between Direct and Circumstantial evidence with the help of case laws.	**15 Marks** **(8+7)**	**L3**	**CO 2**
		Or			
18.	**a.**	A woman, Priya, is found dead under suspicious circumstances. Prior to her death, she had sustained multiple injuries and was also allegedly subjected to sexual assault. The prosecution contends that Ravi, her employer, committed rape and thereafter caused her death to destroy evidence. The defence argues that Priya's injuries were accidental, sustained during a scuffle with a third person, and that her death was due to septicemia resulting from improper medical treatment, not due to any act of Ravi. During investigation, certain statements allegedly made by Priya shortly before her death was recorded by her neighbour, her attending doctor and a police constable. Decide with reference to the relevant provisions and judicial precedents whether the statements made by Priya regarding the cause and circumstances of her death are admissible.	**15 Marks**	**L3**	**CO 3**

19.	**a.**	Anisha and Bhuvan were married in 2015. Due to serious marital discord, Anisha left the matrimonial home in January 2022 and began living in another city. No physical contact between them was established thereafter. Their marriage was dissolved by a decree of divorce on 1st July 2023. On 10th January 2024, Anisha gave birth to a male child. Bhuvan denies paternity, asserting that he had no access to Anisha after January 2022 and that the child was fathered by Chetan, a colleague with whom Anisha was allegedly in a relationship. Anisha, however, claims that she and Bhuvan met briefly in April 2023 at a family function and that marital relations were resumed on that occasion. In a suit filed by Anisha for maintenance of the child she relies upon	**15 Marks**	**L3**	**CO 4**

		the presumption under law to assert legitimacy. Applying the relevant provisions and supporting case law, decide whether the presumption of legitimacy applies to the child born on 10th January 2024.			
		Or			
20.	**a.**	Rohan Mehta is accused for murder under the Bharatiya Nyaya Sanhita, 2023 for causing the death of his neighbour, Vikram Singh, by shooting him during a late-night altercation outside his residence. Evidence reveals that both men had a long-standing dispute over parking rights. On the night of the incident, they attended a party where Rohan consumed alcohol. Later, when Vikram parked his car near Rohan's gate, an argument ensued. Rohan went inside his house, brought out his licensed revolver, and fired a single shot at Vikram, resulting in his death. Applying the relevant provisions decide on whom does the burden of proof lie and whether Rohan Mehta is entitled to any benefit under BNS, 2023.	**15 Marks** **(5+10)**	**L3**	**CO 4**

21.	**a.**	*"In every system of justice, the search for truth is balanced against the protection of certain confidential relationships. The Bharatiya Sakshya Adhiniyam, 2023 recognizes this delicate balance through the doctrine of privileged communications, which protects certain disclosures from being compelled as evidence in court".* **a)** In this context, critically examine the concept privileged communications under the BSA. **b)** Discuss the legal and ethical justifications for granting such privileges. **c)** Explain the circumstances under which such privilege may be waived or lost. **d)** Does recognition of privilege obstructs the administration of justice, or does it protect the moral fabric of confidential relationships essential to the rule of law?	**20 Marks** **(5+5+5+5)**	**L4**	**CO 5**
		Or			
22.	**a.**	*"Confessions are often regarded as the most persuasive form of evidence, yet the law treats confessions made before police officers with great suspicion".* **a)** In this context, critically analyze the evidentiary value of a confession made by an accused before a police officer. **b)** Should the law evolve to allow voluntary police confessions under stringent safeguards, or would that erode the foundational principle of protecting accused persons from compelled self-incrimination?	**20 Marks** **(10+10)**	**L4**	**CO 3**