

B.A.LL.B – 901

Roll No.

**SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH
(HILSR)**

JAMIA HAMDARD, NEW DELHI

Even Semester Supplementary Theory Examination, August 2025

B.A.LL.B. IXth Semester

Subject: Law of Evidence-II (B.A.LL.B –901)

Time: 3 Hours

Maximum Marks: 75

Instructions

- I. Write your Roll Number on the top immediately on receipt of this question paper.*
- II. Attempt five questions selecting one from each Unit. All questions carry equal marks.*

Unit I (15 Marks)

1. Where the parties have led evidence and relevant facts are before the court and all that remains for decision is what inference is to be drawn from them, the question of burden of proof is not material. Comment with illustration and respective provisions.

OR

2. When the question is whether a person is alive or dead, and it is shown that he was alive within thirty years, on whom the burden lies of proving that the man is dead?

Unit II (15 Marks)

3. Ranvir and Dipika are married on 1-1-2024. Dipika gives birth to Randip on 1-5-2024. Whether Randip will be presumed to be legitimate son of Ranvir and Dipika in these circumstances? Decide With help of relevant section and relevant case law.

OR

4. What is the law of presumption applicable in prosecution for the offences of 'abettment to commit suicide by a married woman', 'dowry death' and 'rape'? To what extent have these presumptions affected the traditional law of burden of proof?

Unit III (15 Marks)

5. Can a judge compel a witness to answer any question or produce any document or dispense with primary evidence of any document? Write an exhaustive and brief note on Privileged communication.

OR

6. The law contained under sec 133 of IEA, 1872 [corresponding Section 138 BSA, 2023] is not good law and hence the practice of the court is otherwise." Examine the statement. How far and to what extent the testimony of an accomplice can be relied upon.

Unit IV (15 Marks)

7. What is a leading question? Whether and in what circumstances a leading question may be asked during examination of witnesses?

OR

8. Where a party fails to question his opponent's witness, the presumption is that his evidence is accepted." Elaborate this statement and indicate the exceptions, if any. What is the difference between examination in chief and cross-examination ?

Unit V

(15 Marks)

9. Comment: "It is not open to the prosecution in a criminal trial to cross-examine their own witness unless the court declares him to be hostile witness." Also, give the evidentiary value of a hostile witness.
10. A witness is asked whether he was ever dismissed from the post on the ground of dishonesty. He denies it. Evidence is offered to show that he was dismissed for dishonesty. Examine the admissibility of evidence.