

SET- B

Roll No.

SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: Law of Evidence

Semester: IV

Course Code- CLCC 2008

Programme: .B.B.A.LL.B-sz-CL

Time: 03 hrs.

Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	Dakota obtained a mark-sheet from Rajasthan Board, showing that he had passed in biology, physics, and chemistry with good marks. Dakota, as a matter of fact, had never opted or appeared for biology. However, she remained silent and sought admission in 1 st year of MBBS course at Darbhanga, Medical College. When she had to appear for his first-semester examination at the medical college, Rajasthan Board realized its error and served a notice to Dakota for wrong mark-sheet and because of this reason Darbhanga, Medical College canceled her admission. Dakota comes to you for using Estoppel against the Medical College. In your opinion will she succeed or not?	20	3,4,5
Ans.			
2	The F.I.R was lodged as per the information provided by Mr. X to the police officer. Mr. X said that he has raped his friend Y and killed her. On the basis of the information police registered a case under Sec. 302, 376, IPC the F.I.R has four distinct parts: (a) Particulars relating to his identity, address etc. (b) Particulars relating to motive and preparations (c) Particulars relating to the actual killing (d) Particulars relating to after killing conduct such as hiding the dead bodies, concealing the knife and his bloodstained clothes.	20	3,4,5

	Based on this information, the police recovered the dead bodies, knife and clothes. X is on trial and the FIR is the only evidence against him. Decide in the light of relevant case law.		
Ans.			
3	A, B and C conspire to blow a rail-bridge. To achieve their object, they make a plan to place a time bomb below the railway bridge. The time bomb is placed, but it does not explode. They return back and write a letter to the supplier of the bomb explaining him the non-explosion of the device and requesting for another time bomb. The letter is intercepted and the prosecution wants to use this letter against all accused persons including the supplier under sec.10. Decide	20	4,5
Ans.			
4	Rihana, a young actress, had been speaking to her parents and other relatives and also writing to them expressing danger to her life. And all this time she has mentioned Shakti Kapoor's name in the communication. She lost her life 3 months after. Are such items can be called as dying declaration? Explain with the help of decided cases. What is the dying declaration? Can it be accepted without corroboration? Discuss in the light of relevant case laws.	20	4,5
Ans.			
5	M's daughter R was married to P. During August 1993, when R was residing with her parents at Bombay , P wrote two letters to R from Calcutta which contained defamatory imputations about M. M filed a complaint charging P with the offence of defamation. P raised the plea that the letters were inadmissible in evidence as they were expressly prohibited by law from disclosure. Critically analyze, what is privileged communication with the help of relevant case laws?	20	3,4,5
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.