



Previous Year Paper

ALL STATE INDIAN EVIDENCE ACT MAINS PREVIOUS YEAR QUESTIONS

INDIAN EVIDENCE ACT

Previous Year's Question of Main Examinations

1. Difference between "Fact in issue" and "Relevant fact". [GJS 2020]
2. Write notes on Fact in issue. [BJS 2018]
3. Explain and illustrate 'Fact in issue' and 'Relevant Fact'. [HJS 2001, 2006, 2015]
4. What is a fact in issue? Illustrate your answer. [RJS 1984, U.P. CJ 2000, 2012, M.P. CJ 2003]
5. Define fact, relevant fact and fact in issue. Point out the difference between the last two? [M.P. CJ 2010]
6. What is a fact in issue? Whether it is a relevant fact? Explain the circumstances when the conduct of a party to the proceeding becomes relevant. [BJS 2014]
7. 'Substantive law is different from procedural law'. Explain by giving reference to the Indian Evidence Act, 1872. [HPJS 2016]
8. Write short note circumstantial evidence in criminal trial, its meaning, necessity and scope. [DJS 1980]
9. Write exhaustive but brief note on direct and circumstantial evidence. [U.P. CJ 2006, 2016]
10. Explain direct and circumstantial evidence. What are the tests required when a case rests entirely on circumstantial evidence? [HPJS 2016]
11. Explain and illustrate 'Fact in issue' and 'Relevant Fact'. [PJS 2003]
12. State if tape recorded conversation is admissible under the Indian Evidence Act. Is there any limitation to its admissibility. [PJS 2010]
13. What are the different kinds of presumptions? Give examples of each kind. [BIS 1977]





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14. Write short notes on May Presume and Shall Presume. [BJS 1978]
15. Write note on document. [BJS 1980, 1984]
16. Write brief explanatory notes on conclusive proof. [RJS 2014, BJS 2006, 2011]
17. Explain the meaning of the following:
(i) Proved
(ii) Disproved
(iii) Not proved [BJS 2011]
18. In case of conclusive proof, can the court ignore a fact declared so under the Evidence Act, otherwise? [JJS 2001]
19. Write notes on the following:
(i) May presume
(ii) Shall presume
(iii) Conclusive proof [BJS 2014, HJS 1999, JJS 2001]
20. Distinguish between rebuttable and irrebutable presumptions? Illustrate. [HJS 1999, U.P. C] 1986, 2003]
21. Distinguish between the following:
Disproved and not proved. [HJS 1999, 2015]
22. Explain the significance of presumptions of law under the Evidence Act with illustrations for each. [HJS 2019]
23. Explain Falsus in uno falsus in omnibus. [JJS 2019]
24. Write a short note on presumption of fact and presumption of law. [DJS 2008]
25. What do you mean by presumption? Discuss the kinds of presumption. [U.P. C] 2012]
26. Interested witness and Related witness. [DJS 2019]
27. "A great care must be taken in evaluating circumstantial evidence and if the evidence relied on is reasonably capable of two inferences; the one in favour of the accused must be accepted."
28. In the light of this statement, discuss the rules relating to 'circumstantial evidence' as evolved by Supreme Court of India. Substantiate your answer with the help of decided cases. [HPJS 2019]
29. What do you understand by the word 'Court' used in the Indian Evidence Act, 1872? Discuss with the help of decided cases. [U.P. C] 2018]





30. Distinguish between 'may presume' and 'shall presume' with emphasis on the provisions of the Indian Evidence Act, 1872. [GJS 2017]
31. "Rules relating to presumption from a very important part of law of evidence". Discuss briefly with reference to the provisions of Indian Evidence Act, 1872. [PJS 1995 (II)]
32. Explain the phrase, 'the court may presume' and 'the court shall presume' and illustrate. [RJS 1994]
33. Write short critical note on Presumption of fact as a rule of evidence. [PJS 2015]

RELEVANCY OF FACTS

1. Relevancy and Admissibility are neither synonymous nor is the one included in the other. Elucidate this statement with relevant provisions of law and judicial decisions. (PJS 2019)
2. Evidence must be confined to the matter in issue. Explain and state briefly the exceptions to this rule. [HJS 2001]
3. What is distinction between relevancy and admissibility of fact? Illustrate. [HJS 1996]
4. Explain admissibility of a fact and relevancy of a fact. [BJS 2000, 2006, HJS 1996, 1999, U.P. CJ 1986]
 - (a) "All admissible evidence is relevant, but all relevant evidence is not necessarily admissible" Comment.
 - (b) Point out whether in the following cases the facts sought to be proved are relevant.
 - (i) A is charged with shooting at B with intent to kill him. In order to prove A's intent the prosecution wants to prove the fact that A has earlier shot one C.
 - (ii) A is tried for rioting and is proved to have marched at the head of the mob; the prosecution wants to prove that the mob was shouting. [U.P. CJ 1992, 2003, HJS 1999]
5. Write a short note on relevancy, admissibility and credibility of evidence. [DJS 2008]
6. "Relevance and admissibility are neither synonymous nor is the one included in other." Elucidate this statement. [U.P. CJ 2000]
What do you understand by relevancy of facts? Are all the relevant facts admissible in Court? Explain. [U.P. CJ 2006]
7. What is meant by 'relevancy of facts? When are opinions of third persons relevant? Discuss in brief. [U.P. CJ 2015]
8. Discuss the relevancy of the following fact under the provisions of the Indian Evidence Act, 1872.





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9. The fact testified to by D that soon before the alleged murder by A, C had peeped through the widow and exclaimed "look A is aiming his gun towards B". [PJS 2000]
10. Explain the concept of Res Gestae under the Evidence Act citing prominent cases on the point. [HJS 2019]
11. State with the help of relevant case laws, the conditions under which hearsay evidence may be admissible as res gestae and also critically examine the doctrine of res gestae? [PJS 2019]
12. Explain and illustrate 'res-gestae'. [RJS 1988, 2011, DJS 1990, 1996, BJS 1980, 1986, HJS 1988, 2015]
13. Write detailed note on the Doctrine of Res gestae. [JJS 2019]
14. What is the rule of Res gestae? How has the Indian Evidence Act recognised this rule? [HJS 1999]
15. Explain in brief :
Define res gestae and discuss its scope with appropriate illustrations and case laws. [GJS 2017]
16. Are facts which are the occasions, cause of effect of facts in issue relevant? Illustrate your answer. [U.P. CJ 1985]
17. Under what provisions of the Evidence Act are the following fact relevant.
The fact that A was absconding soon after the alleged crime. [PJS 1998]
18. Discuss the relevancy of the following fact under the provisions of the Indian Evidence Act, 1872.
The fact that B was seen coming out of the house of A distressed and sobbing soon after her alleged rape by A. [PJS 2000]
19. Define Motive. How far motive, preparation and conduct of a party are relevant? [M.P. CJ 2003, CJS 2003]
20. The question whether A robbed B, whether the facts that shortly before the robbery, B went to a fair with money in his possession and that he stored it or mentioned the fact that he had it to third persons are relevant? [HJS 1984]
21. Explain 'introductory facts' and 'explanatory facts' under the Indian Evidence Act. What is the evidentiary value of 'identification parades'? [HPJS 2016]
22. Explain about the 'otherwise relevant facts' and their utility for criminal adjudications. [BJS 2017]





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23. Whether pre-trial Test Identification Parade conducted before a Metropolitan Magistrate is evidence and its relevance in a case triable before the Sessions Court. [DJS 2018]
24. Write short note on Test Identification Parade. [DJS 2006]
25. In what cases is it necessary to hold an identification parade. Discuss the precautions to be taken, the procedure to be adopted for holding it, and the value of test identification. [DJS 1990]
26. What are facts necessary to explain or to introduce relevant facts? Discuss and illustrate your answer. [U.P. CJ 1984]
27. Discuss the scope of section 11 of Evidence Act, 1872. Why it is called as residuary clause of relevancy? Whether a statement which is otherwise not relevant under any of the other provisions of Evidence Act, 1872 may be permitted to be adduced under Section 11? [HPJS 2019]
28. When can the acts, statements and writings of a conspirator be used against the other conspirators? [RJS 2011]
29. When are facts not otherwise relevant, relevant? Illustrate your answer. [U.P. CJ 1984]
30. When right or custom is in question? What facts are relevant? Illustrate your answer. [U.P. CJ 1985]
31. What evidence is relevant to prove a custom? [BJS 1975]
32. "Facts showing the existence of any state of mind such as intention, knowledge, good faith, negligence, rashness, ill-will or good-will towards any particular person, or showing the existence of any state of body or bodily feeling are relevant, when the existence of any such state of mind or body or bodily feeling, is in issue or relevant." Explain and exemplify this statement with the help of illustrations and judicial decisions. [HPJS 2018]
33. How are facts showing the existence of a state of mind relevant when the existence of such state of mind is in issue? [DJS 1989]
34. 'A' sues 'B' for damage done by a dog of 'B' which 'B' knows it to be ferocious. Whether the facts that the dog had previously bitten X, Y and Z, that they had made complaint to 'B', are relevant? [U.P. CJ 2006]
35. 'A' is accused of defaming 'B' by publishing an imputation intended to harm the reputation of 'B'. Whether the facts of previous publication by 'A' respecting 'B', showing ill-will on the part of 'A' towards 'B' is relevant? [U.P. CJ 2012]

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36. 'A' is accused of fraudulently delivering to another person a counterfeit coin which, at the time when he delivered it, he knew to be counterfeit. Whether the fact that, at the time of its delivery, 'A' was possessed of a number of other pieces of counterfeit coin is relevant. [U.P. CJ 2012]
37. How can 'Books of Account' kept in regular course of business be proved? [DJS 2005]
38. Are books of accounts maintained in the ordinary course of business themselves sufficient to fasten liability upon a defendant in a suit for recovery of moneys? No or yes? [DJS 2011]
39. Test identification parade has no independent value of its own. Respond to this statement and comment on the evidentiary relevance of the test identification parade. [PJS 2013]
40. Write notes on plea of alibi. [BJS 2018]
41. Differentiate among Relevancy and Admissibility. [PJS 2019]

ADMISSION

1. Write short note on Admission. [BJS 1978, HJS 1984, 1999, M.P. CJ 2003]
2. What are admissions? Who can make them and when they can be used by or on behalf of persons making them? [HJS 2001]
3. When do the statements made by a party in representative character become admission? [RJS 1984]
4. Admissions cannot be proved by the persons making them. What are the exceptions to this general rule? [HJS 2003]
5. 'Silence may sometime amount to an admission'. [U.P. CJ 1983, HJS 2000]
6. What is evidentiary value of admission? [BJS 1979]
7. Cite the law on the admissibility or otherwise of electronic records as evidence of the contents thereof in a legal proceedings. Explain. [GJS 2017]
8. Section 31 of the Indian Evidence Act, 1872 says that admissions are not conclusive proof of the matters admitted, but they may operate as res-judicata. Explain. [GJS 2017]
9. Explain the implications of admission and confession under the Evidence Act. [HJS 2019]
10. Write short note on relevancy of admission in civil cases. [DJS 2014]
11. When a person can prove admission in his favour? Explain with example. [M.P. CJ 2016, 2019]



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