

QUESTION BANK
Subject- Law of Evidence
Class- LL B III & LL B V

1. Generally dying declarations are admissible as evidence under-
 - A. Section 20 of the Indian Evidence Act, 1872
 - B. Section 25 of the Indian Evidence Act, 1872
 - C. Section 32 of the Indian Evidence Act, 1872
 - D. Section 35 of the Indian Evidence Act, 1872

2. Which of the following statements hold true for dying declarations?
 - A. Dying declarations cannot be used as a sole basis of conviction
 - B. Dying declarations unless corroborated cannot be used as sole basis of conviction
 - C. Dying declaration which is brief must be discarded
 - D. When eyewitness affirms that the deceased was not in a fit state to make the declaration, medical opinion cannot prevail

3. In which of the following cases the evidence given by the witness will not be relevant under section 33 of the Indian Evidence Act, 1872?
 - A. When the witness is staying abroad
 - B. When the witness is dead
 - C. When witness cannot be found
 - D. When the witness is in coma

4. Accused wants to submit a document for consideration under section 35 of the Indian Evidence Act, 1872. In which of the following cases will the document become irrelevant?
- A. It does not deal with a fact in issue
 - B. It does not deal with a relevant fact
 - C. It is not an entry made in public or other official book, register or record
 - D. It is not an entry made by public servant
5. A party wants to set aside a judgement under section 44 of the Indian Evidence Act, 1872.
- In which of the following circumstances can he do so?
- A. In case the judgement was passed by a superior Court
 - B. In case the person challenging is a stranger to the proceedings
 - C. In case the judgement was a result of gross negligence
 - D. All of these
6. According to section 61 of the Indian Evidence Act, 1872 –
- A. The contents of documents must be proved by primary evidence
 - B. The contents of documents must be proved by secondary evidence
 - C. The contents of documents must be proved by both primary and secondary evidence
 - D. The contents of documents must be proved either by primary or secondary evidence

7. Definition of secondary evidence has been given under _____ of the Indian Evidence Act, 1872?
- A. Section 61
 - B. Section 62
 - C. Section 63
 - D. Section 64
8. Which of the following sections of the Indian Evidence Act, 1872 gives provisions regarding proof as to electronic signatures?
- A. Section 67
 - B. Section 67A
 - C. Section 67B
 - D. Section 67C
9. Which of the following section of the Indian Evidence Act deals with proof of other official documents?
- A. Section 78
 - B. Section 82
 - C. Section 71
 - D. Section 74
10. Which of the following section of the Indian Evidence Act, 1872 has been amended by
the Criminal Law (Amendment) Act, 2013?

- A. Section 32
- B. Section 55
- C. Section 119
- D. Section 124

11. Which of the following statements hold true for Sec 154 of the I. Evidence Act, 1872?

- A. The Court is bound to give leave if the requirements are met
- B. The witness must be declared hostile before making a plea under this section
- C. The Court can give the leave under this section suo motu
- D. All of these

12. Which of the following questions is proper under Sec 148 of the I. Evidence Act, 1872?

- A. If the imputation refers to matters remote in time
- B. If the imputation refers to such matters that its truth does not affect the credibility of the witness
- C. If they are of such nature that the truth of the imputations touches the credibility of the witness
- D. If there is great disproportion between the importance of the imputation and the importance of the evidence

13. During the cross examination of the witness as to previous statements made before the police almost all contradictions or omissions were brought on record, which were portions from the statements made before the police that were not deposed before the

court. Which of the following statements will apply to the case?

- A. The credibility of the witness has been impeached under section 148 of the Indian Evidence Act, 1872
- B. The credibility of the witness has been impeached under section 145 of the Indian Evidence Act, 1872
- C. The credibility of the witness has not been impeached because the contradictions were not as contemplated under section 145 of the Indian Evidence Act, 1872
- D. The credibility of the witness has not been impeached because the protection under section 154 of the Indian Evidence Act, 1872 will apply

14. A person summoned to produce a document-

- A. Does not become a witness in the case unless he is called as a witness
- B. Automatically becomes a witness in the case
- C. Automatically becomes a hostile witness in the case
- D. Can be cross examined without being called as a witness

15. Which of the following statements hold true for examination in chief of a witness?

- A. The leading questions can be used
- B. It must only relate to relevant facts
- C. It must only relate to the fact in question
- D. All of these

16. An admission is NOT relevant in a civil case if it is-

- A. Relevant otherwise than as an admission
- B. Proceeding from a person in authority
- C. Made under circumstances from which the court can infer that the parties agreed together that evidence of it should not be given
- D. Made by a pleader, attorney or a vakil

17. Opinions of an expert expressed in a book commonly offered for sale cannot be proved

by the production of such book-

- A. If the author is dead
- B. If the author cannot be found
- C. If the author has become incapable of giving evidence
- D. If the author has gone abroad on vacation

18. Which of the following section prescribe the method by which signature can be proved?

- A. Section 45, Indian Evidence Act
- B. Section 46, Indian Evidence Act
- C. Section 47, Indian Evidence Act
- D. Both (A) and (B)

19. Which of the following is true of the effects of admissions?

- A. An admission constitutes a substantive piece of evidence in the case and, for that reason, can be relied upon for proving the truth of the facts incorporated

therein

- B. An admission has the effect of shifting the onus of proving to the contrary on the party against whom it is produced, with the result that it casts an imperative duty on such party to explain it. In the absence of a satisfactory explanation, it is presumed to true
- C. An admission, in order to be competent and to have the value and effect referred to above should be clear, certain and definite, and not ambiguous, vague to be true
- D. All of them

20. An attesting witness is:

- A. One who signs his name to an instrument, at the request of the party or parties, for the purposes of proving or identifying it
- B. A witness who has attested the document
- C. Both (A) and (B)
- D. None of them

21. A intentionally and falsely leads B to believe that certain land belongs to A, and thereby

induces B to buy and pay for it. The land afterwards becomes the property of A, and A

seeks to set aside the sale on the ground that, at the time of the sale, he had no title.

Applying Section 115, Indian Evidence Act:

- A. He must be allowed to prove his want of title
 - B. He may be allowed to prove his want of title
 - C. He must not be allowed to prove his want of title
 - D. None of them
22. Admissible evidence is thus that which is:
- A. Relevant
 - B. Not excluded by any rule of law or practice
 - C. Either (A) or (B)
 - D. Both (A) and (B)
23. A is accused of a crime committed by him at Calcutta. He produces a letter written by himself and dated at Lahore on that day, and bearing the Lahore post-mark of that day. Applying Section 21, Indian Evidence Act, which of the following is possible?
- A. The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 27, clauses (2)
 - B. The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 29, clauses (2)
 - C. The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 32, clauses (2)
 - D. The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under Section 34, clauses (2)
24. A is tried for a riot and is proved to have marched at the head of a mob. Applying

Section 9, Indian Evidence Act:

- A. The cries of the mob are irrelevant as it does not explain the nature of the transaction
- B. The cries of the mob are relevant as explanatory of the nature of the transaction
- C. Either (A) or (B)
- D. None of them

25. A, a sculptor, agrees to sell to B, "all my mods." A has both models and modelling tools.

Applying Section 98, Indian Evidence Act:

- A. Evidence cannot be given to show which he meant to sell
 - B. Evidence needed not be given to show which he meant to sell
 - C. Evidence may be given to show which he meant to sell
 - D. None of them
26. In criminal cases under Section 54, Indian Evidence Act to prove that the defendant committed the crime charged, evidence may not be given that he:
- A. Bore a bad reputation in the community
 - B. Has a disposition to commit crime of that kind
 - C. Had no other occasions committed particular acts of the same class evincing such disposition
 - D. All of them

27. In which of the following proceeding of domestic tribunals and departmental enquiries,

the Indian Evidence Act is not applicable?

- A. Officers conducting departmental inquiries
- B. Departmental proceedings
- C. Disciplinary proceedings tribunal
- D. All of them

28. Proviso 1 to Section 33, Indian Evidence Act, not only covers cases of privity in estate

and succession of title, but also cases where which of the following condition is met?

- A. The interest of the relevant party in the second proceeding is the subject matter of the first proceeding and is consistent with and not antagonistic to the interest

therein of the relevant party to the first proceeding

B. The interest of both in the answer to be given to the particular question in issue

in the first proceeding is identical

- C. Either (A) or (B)
- D. Both (A) and (B)

29. Relevancy of facts forming part of same transaction is dealt under which of the following section of the Indian Evidence Act?

- A. Section 4
- B. Section 6

- C. Section 10
- D. Section 8

30. Section 132 of the Indian Evidence Act does not apply to a statement made by a person

during an investigation under:

- A. Section 159 Cr. P.C
- B. Section 161 Cr. P.C
- C. Section 163 Cr. P.C
- D. Section 166 Cr. P.C

31. Section 31, Indian Evidence Act declares:

A. That admissions are not conclusive proof of the matters admitted, but they may

operate as estoppels

B. Unless admissions are contractual or unless they constitute estoppels, they are not conclusive, but are open rebuttal or explanation.

C. Either (A) or (B)

D. Both (A) and (B)

32. Section 65, Indian Evidence Act with which of the following situation under which secondary evidence can be given?

A. When the original is shown or appears to be in possession and power of the person against whom the document is sought to be proved

B. When it is in possession or power of any person who is out of reach, or not

subject to the process of the Court

- C. When it is in the possession of any person legally bound to produce it, but he fails to produce it after the notice mentioned in Section 66, Indian Evidence Act is given to him
- D. All of them

33. The defence of alibi is best because:

- A. If the accused was not there, when the deceased was murdered, he could not have murdered the victim
- B. Once the pleas of alibi is raised no other defence is open to the prosecution
- C. It leaves room for no other defence for the accused
- D. None of them

34. An estate called “the Rampur Tea Estate” is sold by a deed which contains a map of the

property sold. Applying Section 92, Indian Evidence Act:

- A. The fact that land not included in the map had always been regarded as part of the estate and was meant to pass by the deed need not be proved
- B. The fact that land not included in the map had always been regarded as part of the estate and was meant to pass by the deed is irrelevant
- C. The fact that land not included in the map had always been regarded as part of the estate and was meant to pass by the deed cannot be proved
- D. None of them

35. Which of the following is the way to assess damage under Section 12, Indian Evidence

Act?

- I. The damage suffered should be near as possible to the sum which will put the injured party in the same position as he would have been if he had not sus-tained the wrong for which he was awarded damages or compensation
 - II. Damages are usually assessed on the basis of actual loss suffered and are called general or ordinary damages
 - III. Where the plaintiff has not suffered any real damages by reason of breach of contract, normally, nominal damages are awarded
 - IV. Special damages can be awarded for personal incon-veniences or physical dis-comfort caused by the other party
- A. I, III and IV
 - B. II, III and IV
 - C. I, II and IV
 - D. All of them

36. The history sheet of an accused person, kept in the police station is not a man's character, as it is based on:

- A. Conviction
- B. Hearsay
- C. Investigation
- D. None of them

37. The principle on which a dying declaration is admitted in evidence is indicated in legal

maxim:

- A. Nemo moriturus proesumitur mentiri
- B. Lex fori
- C. Res judicata
- D. None of them

38. The principles of Section 44, Indian Evidence Act cannot be extended to which of the following?

- A. Misrepresentation or undue influence
- B. Fraud
- C. Collision
- D. All of them

39. Section 15, Indian Evidence Act deals with a particular application of the general principle laid down in:

- A. Section 7, Indian Evidence Act
- B. Section 10, Indian Evidence Act
- C. Section 12, Indian Evidence Act
- D. Section 14, Indian Evidence Act

40. The question is, whether A poisoned B. Applying Section 6, Indian Evidence Act which

of the following facts can be relevant?

- A. Marks on the ground produced by a struggle at or near the place where the murder was committed
- B. The state of B's health before the symptoms ascribed to poison, and habits of B, known to A, which afforded an opportunity for the administration of poison
- C. The facts that shortly before the poisoning, B went to a fair with money in possession, and that he showed it or mentioned the fact that he had it, to third persons
- D. None of them

41. To invoke the doctrine of estoppel which of the following condition must be satisfied?

- A. Representation by a person to another
- B. The other shall have acted upon the said representation
- C. Such person shall have been detrimental to the interest of the person to whom the representation has been made
- D. All of them

42. What do you understand by admission of execution?

- A. It means only admission of signature
- B. It means only valid attestation of the signature by two witnesses as required by law
- C. Both (A) and (B)
- D. None of them

43. Under Section 82, Indian Evidence Act the Court must presume:

- A. That the seal or stamp or signature is genuine
- B. That the person signing the document held, at the time when he signed, the judicial or official character he claims
- C. Both (A) and (B)
- D. None of them

44. What do you understand by libellous character?

- A. Constituting or containing a libel
- B. Constituting or containing a praise
- C. Constituting or containing a commendation
- D. None of them

45. A dying declaration to be admissible:

- A. Must be made before a Magistrate
- B. Must be made before the police officer
- C. May be made before a doctor or a private person
- D. May be made either before a magistrate or a police officer or a doctor or a private person.

46. Declaration in course of business are admissible:

- A. Under section 32(1) of Evidence Act
- B. Under section 32(2) of Evidence Act
- C. Under section 32(4) of Evidence Act
- D. Under section 32(7) of Evidence Act.

47. Declaration as to custom are admissible:
- A. Under section 32(1) of Evidence Act
 - B. Under section 32(2) of Evidence Act
 - C. Under section 32(4) of Evidence Act
 - D. Under section 32(7) of Evidence Act.
48. Under section 32(4) of Evidence Act, the declaration:
- A. As to public rights & customs are admissible
 - B. As to private rights & customs are admissible
 - C. As to both public and private rights and customs are admissible
 - D. Only as to customs are admissible.
49. Opinions of experts are relevant:
- A. Under section 45 of Evidence Act
 - B. Under section 46 of Evidence Act
 - C. Under section 47 of Evidence Act
 - D. Under section 48 of Evidence Act.
50. Under section 45 of Evidence Act, the opinion of expert can be for:
- A. Identity of hand writing
 - B. Identity of finger impression
 - C. Both (a) & (b)
 - D. Neither (a) nor (b).

51. Under section 45 of Evidence Act the opinion of expert can be on the question of:
- A. Indian law
 - B. Foreign law
 - C. Both (a) & (b)
 - D. Only (a) & not (b).
52. Opinion of an expert under section 45 of Evidence Act:
- A. Is a conclusive proof
 - B. Is not a conclusive proof
 - C. Is supportive & corroborative in nature
 - D. Either (a) or (c).
53. A disputed handwriting can be proved:
- A. By calling an expert
 - B. By examining a person acquainted with the handwriting of the writer of the questioned document
 - C. By comparison of the two-admitted & disputed handwritings
 - D. All the above.
54. The res inter alia acta is receivable:
- A. Under section 45 of Evidence Act
 - B. Under section 46 of Evidence Act
 - C. Under section 47 of Evidence Act

D. Under section 48 of Evidence Act.

55. Entries in the books of accounts regularly kept in the course of business are admissible

under section 34 of Evidence Act:

- A. If they by themselves create a liability
- B. If they by themselves do not create a liability
- C. Irrespective of whether they themselves create a liability or not
- D. Either (a) or (b).

56. When the court has to ascertain the relationship between one person and another, the opinion of any person having special means of knowledge and expressed by conduct is

admissible:

- A. Under section 51 of Evidence Act
- B. Under section 50 of Evidence Act
- C. Under section 52 of Evidence Act
- D. Under section 49 of Evidence Act.

57. The relationship in section 50 of Evidence Act means:

- A. Relationship by blood only
- B. Relationship by blood or marriage
- C. Relationship by blood or marriage or adoption
- D. Only (a) and not (b) & (c).

58. Opinion as to relationship of marriage under section 50 of CPC:
- A. Is admissible in cases of offences against marriage
 - B. Is admissible in proceedings under Indian Divorce Act
 - C. Is admissible both in (a) & (b)
 - D. Is neither admissible in cases of offences against marriage nor in proceedings under Divorce Act
59. Propositions under Evidence Act are:
- I. In civil cases, character evidence is inadmissible unless the character of a party is a fact in issue.
 - II. In criminal cases, the evidence of good character is admissible generally.
 - III. In criminal proceedings, evidence of bad character is inadmissible unless the same is a fact in issue.
 - IV. In criminal proceedings evidence of bad character is admissible when evidence of good character has been given.
- In relation to the above propositions which of the following is correct statement:
- A. All the four (I, II, III & IV) are correct
 - B. I, II & III are correct but IV is incorrect
 - C. I & II are correct but III & IV are incorrect
 - D. I & III are correct but II & IV are incorrect
60. Facts of which the judicial notice is to be taken are stated in:
- A. Section 56 of Evidence Act
 - B. Section 57 of Evidence Act

- C. Section 58 of Evidence Act
- D. Section 55 of Evidence Act.

61. List of facts of which the judicial notice has to be taken under section 57 of Evidence

Act:

- A. Is exhaustive
- B. Is illustrative only
- C. Is both (a) & (b)
- D. Is neither (a) nor (b).

62. Facts which need not be proved by the parties include:

- A. Facts of which judicial notice has to be taken
- B. Facts which have been admitted by the parties at or before the hearing
- C. Both (a) & (b)
- D. Neither (a) nor (b).

63. The court may in its discretion call for proving the facts:

- A. Of which judicial notice has to be taken
- B. Which have been admitted otherwise than such admissions
- C. Both (a) & (b)
- D. Neither (a) nor (b).

64. Oral evidence under section 60 of Evidence Act may be:

- A. Direct only

- B. Hearsay
 - C. Both (a) & (b)
 - D. Either (a) or (b).
65. Contents of a document under section 59 of Evidence Act:
- A. Can be proved by oral evidence
 - B. Cannot be proved by oral evidence
 - C. May or may not be proved by oral evidence
 - D. Can only be proved by oral evidence under the order of the court.
66. Contents of a document may be proved under section 61 of Evidence Act:
- A. By primary evidence
 - B. By secondary evidence
 - C. Either by primary or by secondary evidence
 - D. Only by primary evidence & not by secondary evidence.
67. Secondary evidence of a document means:
- A. Copies of that document
 - B. Oral account of the contents of the documents
 - C. Both (a) & (b)
 - D. Only (a) & not (b).
68. Secondary evidence of a document is admissible as a substitute for:
- A. Admissible primary evidence

- B. Inadmissible primary evidence under certain circumstances
 - C. Inadmissible primary evidence under all the circumstances
 - D. Both (a) & (b) are correct.
69. The circumstances under which the secondary evidence is admissible have been enumerated in:
- A. Section 63 of Evidence Act
 - B. Section 64 of Evidence Act
 - C. Section 65 of Evidence Act
 - D. Section 66 of Evidence Act.
70. Secondary evidence is admissible:
- A. Where the non-production of primary evidence has not been accounted for
 - B. Where the non-production of primary evidence has been accounted for
 - C. Irrespective of whether non-production of primary evidence has been accounted for or not
 - D. Both (a) & (c) are correct.
71. Oral account of the contents of a document is admissible:
- A. When given by a person who has seen & read the document
 - B. When given by a person who has seen but not read the document
 - C. When given by a person to whom the document was read over
 - D. When given by any of the above.

72. A document required by law to be attested can be proved under section 68 of Evidence

Act only:

- A. By calling both the attesting witness
- B. By calling at least one of the attesting witnesses
- C. By calling none of the attesting witnesses but by calling some other person who has the knowledge of the contents
- D. All of the above are correct.

73. The calling of at least one attesting witness to prove a document under section 68 is not

necessary:

- A. When the document other than a will is registered under the Indian Registration Act, 1908
- B. When the document including Will is registered under the Indian Registration Act, 1908
- C. When the document irrespective of whether it is a Will, is registered under the Indian Registration Act, 1908
- D. Both (b) & (c) are correct.

74. A will is required to be proved by calling at least one attesting witness

- A. When it is registered
- B. When it is unregistered

- C. When it is admitted
 - D. All of the above.
75. Public documents are mentioned in:
- A. Section 72 of Evidence Act
 - B. Section 73 of Evidence Act
 - C. Section 74 of Evidence Act
 - D. Section 75 of Evidence Act.
76. Documents which are not covered under section 74 of Evidence Act are called:
- A. Semi-public documents
 - B. Quasi-public documents
 - C. Private documents
 - D. All the above.
77. Maxim 'omnia proesumuntur rite esse acta' means:
- A. All acts are presumed to be rightly done
 - B. All acts are presumed to be not rightly done
 - C. All acts are presumed to be wrongly done
 - D. All acts are presumed to be not wrongly done.
78. Admissibility of electronic record has been prescribed under:
- A. Section 65 of Evidence Act
 - B. Section 65A of Evidence Act

- C. Section 65B of Evidence Act
 - D. Section 66 of Evidence Act.
79. Principle of 'omnia proesumuntur rite esse acta' is contained in:
- A. Section 78 of Evidence Act
 - B. Section 79 of Evidence Act
 - C. Section 80 of Evidence Act
 - D. Section 81 of Evidence Act.
80. Section 79 of Evidence Act applies to:
- A. Certificates issued by a Government officer
 - B. Certified copies issued by a Government officer
 - C. Other documents duly certified to be genuine by a Government officer
 - D. All the above.
81. Section 79 of Evidence Act contains:
- A. An irrebuttable presumption of law
 - B. A rebuttable presumption of law
 - C. A presumption of fact
 - D. No presumption either of fact or law.
82. Sections 79 to 85 of Evidence Act contain:
- A. Presumption of facts
 - B. Rebuttable presumptions of law

- C. Irrebuttable presumption of law
 - D. Irrebuttable presumptions of facts.
83. Presumption as to the accuracy of maps & plans made by the authority of Government is contained in:
- A. Section 81 of Evidence Act
 - B. Section 82 of Evidence Act
 - C. Section 83 of Evidence Act
 - D. Section 84 of Evidence Act.
84. Under section 83 of Evidence Act, presumption as to accuracy of maps & plans can be raised in respect of:
- A. Maps & plans made by private persons
 - B. Maps & plans made by the authority of Government
 - C. Both (a) & (b) above
 - D. Only (a) & not (b).
85. Which of the following is true of the effects of admissions?
- A. An admission constitutes a substantive piece of evidence in the case and, for that reason, can be relied upon for proving the truth of the facts incorporated therein
 - B. An admission has the effect of shifting the onus of proving to the contrary on the party against whom it is produced, with the result that it casts an imperative

duty on such party to explain it. In the absence of a satisfactory explanation, it is presumed to true

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B. He may be allowed to prove his want of title

C. He must not be allowed to prove his want of title

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87. A is accused of a crime committed by him at Calcutta. He produces a letter written by himself and dated at Lahore on that day, and bearing the Lahore post-mark of that day.

Applying Section 21, Indian Evidence Act, which of the following is possible?

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B. Has a disposition to commit crime of that kind

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the Indian Evidence Act is not applicable?

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injured party in the same position as he would have been if he had not sustained

the wrong for which he was awarded damages or compensation

II. Damages are usually assessed on the basis of actual loss suffered and are called

general or ordinary damages

III. Where the plaintiff has not suffered any real damages by reason of breach of contract, normally, nominal damages are awarded

IV. Special damages can be awarded for personal inconveniences or physical discomfort caused by the other party

A. I, III and IV

B. II, III and IV

C. I, II and IV

D. All of them

91. To invoke the doctrine of estoppel which of the following condition must be satisfied?

A. Representation by a person to another

B. The other shall have acted upon the said representation

C. Such person shall have been detrimental to the interest of the person to whom the representation has been made

D. All of them

92. Under Section 82, Indian Evidence Act the Court must presume:

A. That the seal or stamp or signature is genuine

B. That the person signing the document held, at the time when he signed, the

judicial or official character he claims

C. Both (A) and (B)

D. None of them

93. What is direct evidence?

I. Evidence given where witness testifies directly of his own knowledge as to the main fact or facts in dispute

II. That which tends to prove the fact at issue without intervention of proof of any other fact

III. One requiring no support by other evidence

IV. When the principal fact, or factum probandum, is attested directly by witnesses,

things or documents

A. I, II

B. III, IV

C. II, III, IV

D. All of them

94. Which of the following are true for Section 27, Indian Evidence Act?

I. There must be information

II. It does not matter whether the information amounts to confession or not

III. That person must be whether the information amounts to confession or not

IV. In consequence of the information a fact must be proved as discovered

V. In such a case so much of the information as relates distinctly to the fact thereby

discovered may be proved

- A. I, III and V
- B. II, III and V
- C. III, IV and V
- D. All of them

95. Which of the following is true concerning retracted confession?

- A. It is the law that once a confession is retracted, the Court should presume that it was tainted and be thrown overboard
- B. The retracted confession of co-accused is very weak and if retracted, the same is admissible against the maker of it
- C. The Court is bound to take the factum of retraction of confession
- D. Retracted confession must be looked upon with lesser concern

96. Which class of persons does Section 18; Indian Evidence Act lies down who can make

admissions?

- I. Party to the proceeding
- II. Agent authorised by a party
- III. Party suing or sued in a representative character, making admissions while holding such character
- IV. Persons who has any proprietary or pecuniary interest in the subject-matter of the

proceedings, during the continuance of such interest

V. Persons from whom the parties to the suit have derived their interest in the subject-

matter of the suit, during the continuance of such interest

- A. I and III
- B. II
- C. IV and V
- D. All of them

97. Which of the following section of the Indian Evidence Act deals with admission by person from whom interest is derived?

- A. Section 12
- B. Section 16
- C. Section 13
- D. Section 18

98. A caused B's death by stabbing him with a knife. C saw the whole act/incident and deposed in a court of law. Here, the evidence given by C isevidence.

- A. Direct
- B. Circumstantial
- C. Real
- D. Substantial

99. If the evidence relates to the existence or non-existence of only a relevant fact, it is

- A. Direct evidence

- B. Circumstantial evidence
- C. Real evidence
- D. Substantial evidence

100. ----- confessions are made in a court of law and recorded by the Magistrate under

Sec 164 Of Cr P C

- A. Judicial
- B. Extra judicial
- C. Retracted
- D. None of the above

101. Indian Evidence Act, 1872 was drafted by

- A. Lord Macaulay
- B. Sir James Stephen
- C. Huxley
- D. Sir Henry Summer Maine

102. Indian Evidence Act applies to

- A. Proceedings before tribunals
- B. Proceedings before the arbitrator
- C. Judicial proceedings in courts
- D. All the above

103. Law of evidence is

- A. lex tallienis
- B. lexfori
- C. lex loci solutionis

- D. lex situs
104. Facts can be
- A. Physical facts
 - B. Psychological facts
 - C. Both A & B
 - D. None of the above
105. Which sections under Indian Evidence Act deals with “Relevancy of facts”?
- A. Sec 5 to 55
 - B. Section 6 to 55
 - C. Section 1 to 55
 - D. Section 56 to 100
106. The fundamental Principles of Evidence Law are
- A. Evidence should be confined to the facts in issue or relevant fact
 - B. Hearsay Evidence should not be admitted
 - C. Best Evidence must be given in all cases
 - D. All of the above
107. Motive, preparation & conduct are relevant under Sec of the Indian Evidence Act
- A. Section 6
 - B. Section 7
 - C. Section 9
 - D. Section 8
108. Things said or done by a conspirator in reference to the common design is relevant
- A. Under section 12 of Evidence Act
 - B. Under section 6 of Evidence Act

- C. Under section 10 of Evidence Act
 - D. Under section 8 of Evidence Act
109. Admissions
- A. Must be in writing
 - B. Must be oral
 - C. Either oral or in writing
 - D. None of the above
110. To be relevant and admissible, requirements of confession are
- A. It must be voluntary
 - B. Against the interest of the person making it
 - C. Must be clear, definite and unequivocal
 - D. All of the above
111. A dying declaration to be admissible
- A. Must be made before a Magistrate
 - B. Must be made before the police officer
 - C. May be made before a doctor or a private person
 - D. May be made either before a magistrate or a police officer or a doctor or a private person
112. Opinion of an expert under section 45 of Evidence Act
- A. Is a conclusive proof
 - B. Is not a conclusive proof
 - C. Is supportive & corroborative in nature
 - D. None of the above
113. Facts which need not be proved by the parties include

- A. Facts of which judicial notice has to be taken
 - B. Facts which have been admitted by the parties
 - C. Both (A) & (B)
 - D. Neither (A) nor (B)
114. Confession of an accused is substantive evidence and conviction can be based solely on a confession if is free, voluntary and genuine
- A. True
 - B. False
 - C. Partly True and partly false
 - D. None of the above
115. Relevancy of the character from section 52 to 55 deals about the character of
- A. Parties
 - B. Witness
 - C. Judges
 - D. Advocates
116. Declaration in course of business are admissible under Section ... of the Indian Evidence Act
- A. Section 32 (1)
 - B. Section 32 (2)
 - C. Section 32 (3)
 - D. Section 32 (4)
117. Fact in issue means the fact, existence or non-existence of which is
- A. Admitted by the parties
 - B. Disputed by the parties

- C. Not disputed by the parties
 - D. None of the above
118. Facts which are perceived by the senses are called
- A. Physical facts
 - B. Psychological facts
 - C. Positive facts
 - D. Negative facts
119. Oral evidence under Section 60 of the Evidence Act may be
- A. Hearsay
 - B. Direct
 - C. Both A & B
 - D. None of the above
120. Secondary evidence of a document means
- A. Copies of that document
 - B. Oral account of the contents of the documents
 - C. Both A & B
 - D. None of the above
121. Admissibility of electronic record has been prescribed in Section of the Indian Evidence Act
- A. Section 55
 - B. Section 61
 - C. Section 65A
 - D. Section 65B
122. Which documents are mentioned in Section 74 of Indian Evidence Act?

- A. Private documents
 - B. Public documents
 - C. Certified documents
 - D. General documents
123. Section 79 of the Evidence Act contains
- A. A rebuttable presumption of law
 - B. An irrebuttable presumption of law
 - C. A presumption of fact
 - D. None of the above
124. Presumption as to accuracy of maps & plans made by the authority of Government is contained in Section.....of the Indian Evidence Act
- A. Section 81
 - B. Section 82
 - C. Section 83
 - D. Section 84
125. Section 88A of Evidence Act provides for presumption as to
- A. The person to whom the message is sent
 - B. The electronic message forwarded corresponds with the message as fed in the computer
 - C. Both A & B
 - D. None of the above
126. Section 90 of the Evidence Act applies
- A. Testamentary documents

- B. Non-testamentary documents
 - C. Both testamentary & non-testamentary documents
 - D. None of the above
127. Section 91 of the Indian Evidence Act applies to
- A. Transactions which are reduced into writing voluntarily
 - B. Transactions which must be in writing
 - C. Both A & B
 - D. None of the above
128. Sec 92 of the Evidence Act applies to
- A. Bilateral documents
 - B. Unilateral documents
 - C. Both A & B
 - D. None of the above
129. Extrinsic evidence to show the meaning or to supply the defects in an instrument is prohibited under Section 93 of Evidence Act in respect of
- A. Latent ambiguity
 - B. Patent ambiguity
 - C. Both A & B
 - D. None of the above
130. Confidential Communication with whom of the following is protected under Indian Evidence Act, 1872?
- A. To Magistrate
 - B. To Legal Advisor
 - C. To Police Officer

- D. To Revenue Officer
131. To prove the case of 'alibi' the burden lies on
- A. The prosecution
 - B. The complainant
 - C. The witness
 - D. The accused
132. Which section of the Indian Evidence Act provides the principle- possession is prima facie proof of ownership?
- A. Section 111
 - B. Section 109
 - C. Section 110
 - D. Section 106
133. Presumption under Section 113A of Indian Evidence Act is related with
- A. Presumption as to dowry death
 - B. Presumption as to custodial death
 - C. Presumption as to abatement of suicide by married woman
 - D. None of the above
134. Section..... of the Indian Evidence Act provides for conclusive proof of legitimacy.
- A. Section 110
 - B. Section 112
 - C. Section 111
 - D. Section 109
135. The Latin maxim, "Allegans contraria non est audiendus" is related to
- A. Admission

- B. Confession
 - C. Estoppels
 - D. None of the above
136. Section 117 provides for Estoppel of
- A. Acceptor of bill of exchange
 - B. Bailee or licensee
 - C. Both (A) and (B)
 - D. None of the above
137. Which one of the following is not a kind of estoppel under Indian Evidence Act?
- A. Estoppel by will
 - B. Estoppel by deed
 - C. Estoppel by conduct
 - D. Estoppel by record
138. Who is not competent to become a witness?
- A. Any Adult whose body/mind not functioning
 - B. Lunatic who is not prevented by his lunacy from understanding the questions
 - C. Child who is intellectually sufficiently developed to answer
 - D. Dumb person who is intelligent in understanding & answering the question
139. If a dumb witness testifies before the court, it would be treated as
- A. Documentary Evidence
 - B. Oral Evidence
 - C. Circumstantial Evidence
 - D. Real Evidence
140. No judge or magistrate shall be compelled to answer

Statement I: Any question as to his own conduct in the court as such Judge/Magistrate

Statement II: As to anything which came to his knowledge in court as such Judge/Magistrate

- A. Only Statement I is true
 - B. Only Statement II is true
 - C. Both Statement I and Statement II are true
 - D. Both Statement I and Statement II are false
141. Which type of communication is protected as privileged communication under Indian Evidence Act?
- A. Official Communications made under S.124
 - B. Professional Communications made under S.126
 - C. Both (A) and (B)
 - D. None of the above
142. Order of examination of witnesses can be decided as per
- A. CPC, Cr. P.C.
 - B. In absence of any provision- discretion of the court
 - C. Party to legal dispute
 - D. All the above
143. Who has power to decide as to admissibility of evidence?
- A. The party
 - B. Lawyers
 - C. Judge
 - D. All the above
144. Under which section of the Indian Evidence Act order of Examination has been explained?

- A. Section 138
 - B. Section 137
 - C. Section 136
 - D. Section 135
145. Which of the following is not the object to Examination of Witnesses?
- A. To extract truth
 - B. To take such testimony for which he is called by the party
 - C. To disprove facts which bear upon the issue in favour of the party, which has called the witness
 - D. To allow only the evidence of fact & of not the law
146. In which kind of examination of witnesses leading questions may be freely asked?
- A. Examination in Chief
 - B. Cross Examination
 - C. Re-Examination
 - D. All the above
147. What is the test to judge which question is lawful in cross examination?
- If it fulfils the purpose
- A. To test veracity of witness- quality of being truth
 - B. To discover who he is and what is his position in life
 - C. To shake his credit by injuring his character
 - D. All the above
148. Re-examination of a witness can be done
- A. After examination in chief & cross examination
 - B. After examination in chief but before cross examination

- C. Either A or B
 - D. None of the above
149. Who is hostile witness?
- A. One who doesn't give evidence as per the expectations of the party which called him
 - B. Whose conduct, attitude shows unwillingness to give answer
 - C. Injures his party's case by suppressing truth
 - D. All the above
150. Section 133 of the Indian Evidence Act is related to
- A. Number of witnesses
 - B. Dumb witness
 - C. Accomplice
 - D. Hostile witness
151. Indian Evidence Act was enacted in the year -----
- A. 1972
 - B. 1872
 - C. 1873
 - D. 2013
152. Indian Evidence Act applies to
- A. Proceedings before tribunals

- B. Proceedings before the arbitrator
 - C. Judicial proceedings in courts
 - D. All the above
153. Standard of proof in
- A. Civil and criminal cases is same
 - B. Criminal cases is much higher than in civil cases
 - C. Criminal case is lower than in civil cases
 - D. Either (A) or (C) are correct
154. Relevancy of facts forming part of same transaction is dealt under which of the following section of the Indian Evidence Act?
- A. Section 4
 - B. Section 8
 - C. Section 10
 - D. Section 6
155. The principle on which a dying declaration is admitted in evidence is indicated in legal maxim:
- A. *nemo moriturus proesumitur mentiri*
 - B. *lex fori*
 - C. *res judicata*
 - D. None of the above
156. Plea of alibi is relevant under Section ... of the Indian Evidence Act
- A. Section 10
 - B. Section 11
 - C. Section 12

- D. None of the above
157. Under section 8 of Indian Evidence Act
- A. Motive is relevant
 - B. Preparation is relevant
 - C. Conduct is relevant
 - D. All the above
158. Admissions are not conclusive proof of the matters admitted, but they may operate as estoppels
- A. True
 - B. False
 - C. Partly true and partly false
 - D. None of the above
159. Confession caused by inducement, threat and promise is
- A. Relevant
 - B. Irrelevant
 - C. Partially relevant and partially irrelevant
 - D. None of the above
160. Section 32 of Indian Evidence Act contains -----clauses
- A. 7 clauses
 - B. 8 clauses
 - C. 6 clauses
 - D. 5 clauses
161. Under section 45 of Evidence Act, the opinion of expert can be for
- A. Identity of hand writing

- B. Identity of finger impression
 - C. Both (A) & (B)
 - D. None of the above
162. Select the correct statement
- A. A confession made by an accused person is irrelevant in a criminal proceeding, if caused by any inducement, threat or promise
 - B. No confession made to police officer shall be proved as against a person accused of any offence
 - C. No confession made by any person in the custody of a police officer, unless it be made in the immediate presence of a Magistrate, shall be proved as against such person
 - D. All of the above
163. Which section of the Indian Evidence Act, 1872 is inserted by the Criminal law (Amendment) Act, 2013
- A. Section 53
 - B. Section 53A
 - C. Section 119
 - D. Section 119A
164. Declaration as to custom are admissible under Section Of the Indian Evidence Act
- A. Sec 32 (4)
 - B. Sec 32 (5)
 - C. Sec 32 (6)
 - D. Sec 32 (8)

165. Fact in issue means the fact, existence or non-existence of which is
- A. Admitted by the parties
 - B. Disputed by the parties
 - C. Not disputed by the parties
 - D. None of the above
166. Facts which exists in the minds of the people are called
- A. Physical facts
 - B. Psychological facts
 - C. Positive facts
 - D. Negative facts
167. Contents of the document may be proved under Section 61 of the Evidence Act
- A. By primary evidence
 - B. By secondary evidence
 - C. Either by primary or secondary evidence
 - D. None of the above
168. The circumstances under which the secondary evidence is admissible have been enumerated in Section..... Of the Indian Evidence Act
- A. Section 63
 - B. Section 64
 - C. Section 65
 - D. Section 66
169. A document required by law to be attested can be proved under Sec 68 of the Evidence Act only by calling
- A. Both the attesting witnesses

- B. Some other person who has the knowledge of the contents
 - C. At least one of the attesting witnesses
 - D. All of the above
170. Presumption as to the genuineness of gazettes in electronic form has been dealt with in Section of the Indian Evidence Act
- A. Section 73A
 - B. Section 81A
 - C. Section 88A
 - D. Section 90A
171. Under Section 83 of Evidence Act, presumption as to accuracy of maps & plans can be raised in respect of maps & plans made by
- A. The authority of Government
 - B. Private persons
 - C. Both A & B
 - D. None of the above
172. Presumption under Section 90 of the Evidence Act can be drawn in respect of
- A. Certified copies
 - B. Original documents
 - C. Uncertified copies
 - D. All the above
173. Where the writing is a fact in issue, Section 91 of the Evidence Act
- A. Prohibits admission of oral evidence to prove the contents of a document
 - B. Permits admission of oral evidence to prove the contents of a document
 - C. Both A & B

- D. None of the above
174. Electronic record in proper custody gives rise to a presumption as to the digital signature to be affixed by that particular person under Sec 90A of Evidence Act, if the electronic record produced is
- A. Five years old
 - B. Ten years old
 - C. Fifteen years old
 - D. Twenty years old
175. Sec 92 of Evidence Act prohibits admission of oral evidence in respect of a written document for the purpose of
- A. Adding to its terms
 - B. Contradicting its terms
 - C. Varying its terms
 - D. All the above
176. Section 133 of the Indian Evidence Act is related to
- A. Number of witnesses
 - B. Dumb witness
 - C. Accomplice
 - D. Hostile witness
177. Burden of proving that the case of accused comes within exception is provided under
- A. Section 103
 - B. Section 104
 - C. Section 105
 - D. Section 106

178. Which are the provisions relating to the Burden of Proof under Indian Evidence Act?
- A. Sections 115-118
 - B. Sections 101-114 A
 - C. Sections 91-100
 - D. Sections 84-90
179. Which Section provides for presumption as to dowry death
- A. Section 111A
 - B. Section 114A
 - C. Section 113A
 - D. Section 113B
180. Section 107 provides for burden of proving death of person known to have been alive within.....years.
- A. Ten
 - B. Twenty
 - C. Thirty
 - D. Forty
181. The expression Estoppel-derived from the French word Estoup- means,
- A. Shut the mouth
 - B. Open the mouth
 - C. Shut the eyes
 - D. Open the eyes
182. Which one of the following is not a kind of estoppel under Indian Evidence Act?
- A. Estoppel by will
 - B. Estoppel by deed

- C. Estoppel by conduct
 - D. Estoppel by record
183. Which one of the following is an accurate proposition?
- A. Lunatic is not a competent witness
 - B. Lunatic is absolutely competent witness
 - C. Lunatic is a competent witness when he is able to understand the questions and give rational answers
 - D. All the above
184. What is not true regarding competency of Judges & Magistrates as a witness?
- A. No judge/magistrate shall be compelled to answer
 - B. Exceptionally can be asked to answer upon special orders of superior courts
 - C. To be examined as to matters occurred in his presence whilst he was acting
 - D. Compelled to answer any question as to his own conduct in the court as such Judge/Magistrate
185. A husband or wife are permitted to disclose any communication between them during marriage in
- A. Matrimonial proceedings between the parties
 - B. Civil proceedings between the parties
 - C. Criminal proceedings between the parties
 - D. All the above
186. Who are known as ears & eyes of the court?
- A. The Judges
 - B. The Lawyers
 - C. Witnesses

- D. Parties
187. Under which section of the Indian Evidence Act, the order of production and examination of witnesses is provided?
- A. Section 118
 - B. Section 119
 - C. Section 135
 - D. Section 101
188. Which of the following is not the type of examination of witnesses?
- A. Examination in Chief
 - B. Counter Examination
 - C. Cross Examination
 - D. Re-Examination
189. Which is proper sequence of examination of witnesses?
- A. Examination in Chief, Cross Examination, Re-Examination
 - B. Cross Examination, Re-Examination, Examination in Chief
 - C. Examination in Chief, Re-Examination, Cross Examination
 - D. Re-Examination, Examination in Chief, Cross Examination
190. What is true regarding Cross Examination of witnesses?
- A. Examination of witness by the adverse party, shall be called as cross examination
 - B. Opposite party has right to conduct
 - C. It is conducted after completion of examination in chief
 - D. All the above
191. What is the purpose of Cross Examination?

- A. To test the veracity of witness by impeaching his credit
 - B. To bring the suppressed facts, during the examination in chief, in focus
 - C. To impeach the credit of the witness
 - D. All the above
192. What is not true about leading question?
- A. It is mentioned under Section 141
 - B. May be asked about disputed matter
 - C. Asked about matter which, in opinion of the courts, have been already proved
 - D. It is the question which suggests an answer which the person putting the question wishes to receive it
193. Which of the following examination of witnesses is not treated as an essential part of judicial proceeding?
- A. Examination in Chief
 - B. Cross Examination
 - C. Re-Examination
 - D. All the above
194. Under Section 41 of the Evidence Act the presumption is with respect to judgements-
- A. In personam
 - B. In rem when they are inter-parties
 - C. In rem whether such judgements are inter-parties or not
 - D. All the above
195. Husband & wife both are competent witnesses for & against each other
- A. In civil proceedings

- B. In criminal proceedings
 - C. In both civil & criminal proceedings
 - D. None of the above
196. Estoppel is a rule of
- A. Civil action
 - B. Criminal action
 - C. Both civil & criminal action
 - D. None of the above
197. Burden of introducing evidence under Section 102 of the evidence
- A. Constantly shifts
 - B. Never shifts
 - C. Occasionally shifts
 - D. None of the above
198. In criminal trials, the onus is on the accused to prove that his case falls in any of
- A. The general exception
 - B. The special exception
 - C. The proviso to any provision
 - D. All the above
199. Presumptions under the law of Evidence are
- A. Presumption of law
 - B. Presumption of facts
 - C. Both A & B
 - D. None of the above
200. Indian Evidence Act applies to proceedings

- A. Before the arbitrator
- B. In Courts
- C. Before tribunals
- D. All the above