



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,  
SHIMLA

SEMESTER- V

B.A./B.B.A. LL.B. (Hons.)

COURSE CODE: LLB\_\_

LAW OF EVIDENCE

CREDITS-04

**Module-1**

**Introduction to Law of Evidence**

- 1.1 Introduction: Codified Evidence Law and its significance.
- 1.2 Stages of development of Indian Law of Evidence, Rules of Evidence developed through judiciary creativity.
- 1.3 Definitions: 'Facts', 'Facts in issue', 'Relevant Fact', 'Evidence - Oral and Documentary'.
- 1.4 'Proved', 'Disproved' and 'Not Proved', Presumption: 'May Presume', 'Shall Presume', 'Conclusive Proof'.
- 1.5 Circumstantial Evidence.

**Module-2**

**Relevancy of Facts**

- 2.1 Rule of relevancy: Logical Relevancy v. Legal Relevancy; Relevancy & Admissibility; *Res gestae*.
- 2.2 Facts forming parts of same transaction (S. 6)
- 2.3 Facts suggesting Occasion, Cause and Effect; Facts suggesting Motive & Conduct; Explanatory Facts.
- 2.4 Things said or done by conspirator in reference to common design.
- 2.5 Special Facts- Custom etc. and State of Body or Mind

**Module-3**

**Relevancy of Statements**

- 3.1 Relevancy of Statement: Admission (S. 17-23)
- 3.2 Confession (S. 24-30)
- 3.3 Dying Declaration (S. 32-35)
- 3.4 Relevancy of Judicial Decision etc.
- 3.5 Relevancy of Expert Opinion & Character

**Module-4**

**On Proof**

- 4.1 Types of Evidence- Oral & Documentary Evidence: Primary & Secondary (S. 59-90)
- 4.2 Exclusion of Oral evidence by Documentary (S. 91-99)
- 4.3 Production of Evidence; Presumption, Judicial Notice, & Burden of Proof- Privileged Communication

- 4.4 Effect of Evidence- Estoppel; Promissory Estoppel
- 4.5 Witness, Examination of Witnesses and Special Power of Courts

**Prescribed Legislation:**

- 4) Indian Evidence Act, 1872
- 5) Information Technology Act, 2000
- 6) Code of Criminal Procedure, 1973
- 7) Code of Civil Procedure, 1908
- 8) Indian Limitation Act, 1963
- 9) 69<sup>th</sup> Report, Law Commission of India.
- 10) 185<sup>th</sup> Report, Law Commission of India.


**List of Books:**

**(A) Prescribed Books:**

- 1. Monir. M.; *Law of Evidence*, (Universal, 2013)
- 2. Lal, Batuk; *The Law of Evidence*, (Central Law Agency, 2015)

**(B) Reference Books:**

- 1. Sarathi, Vepa P.; *Law of Evidence* (Universal, 2006)
- 2. Lal, Ratan Dheeraj Lal, *Law of Evidence*, (LexisNexis, 2017)
- 3. Woodroffe and Amir Ali's *Law of Evidence*, (LexisNexis, 2016 )
- 4. *Law Of Evidence–In India, Pakistan, Bangladesh, Burma, Ceylon, Malaysia & Singapore* (LexisNexis, 2016)
- 5. Phipson's *Evidence* (15th Ed., 2000)

  
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