

PUNJAB PUBLIC SERVICE COMMISSION
WRITTEN EXAMINATION FOR RECRUITMENT TO THE POSTS OF
DEPUTY DISTRICT PUBLIC PROSECUTOR (BS-18)
IN THE PUBLIC PROSECUTION DEPARTMENT
(CASE NO. 7H2021)

CRIMINAL LAW-III: EVIDENCE

TIME ALLOWED: THREE HOURS

MAXIMUM MARKS: 100

NOTE: Question No.1 Part-A is Compulsory. Attempt Any Five Questions From Part-B.

PART-A

Q No.1 Choose the Correct Option (True or False) (12 Marks)

- i) Court includes all persons who are legally authorised to take evidence (true/false)
- ii) A document not confronted to the maker of it can be used against him (true/false)
- iii) Relevant facts are those facts which are inadmissible in evidence (true/false)
- iv) Obligation of Tazkiya-al-shahood is only in cases punishable with Qisas (true/false)
- v) The state cannot claim the privilege of an unpublished record even if it relates to the affairs of the state. (true/false)
- vi) Each part of statement of an accomplice need not be necessarily corroborated by independent evidence (true/false)
- vii) Production of all witnesses mentioned in the FIR is discretion of the prosecution (true/false)
- viii) Documents pertaining to financial obligation can be used as evidence without calling its attesting witness for proving its execution (true/false)
- ix) Identification parade is not rule of law but is rule of prudence (true/false)
- x) Any custom contrary to personal law of the parties can be acted upon without proving through evidence (true/false)
- xi) Admission of a co-plaintiff or a co-defendant does not bind the other (true/false)
- xii) An award of an arbitrator is a statement under Article 33 of the Qanun-e-Shahadat Order, 1984 (true/false)

(13 Marks)

Choose the Correct Option

xiii) Recovery of incriminating article from the accused in custody of police is relevant and admissible under Article

- (a) 22 of the QSO (b) 24 of the QSO (c) 26 of the QSO (d) None of these

xiv) Under Islamic concept of criminal administration of justice, extra judicial confession has

- (a) no evidential value (b) evidential value

xv) Discovery of any fact on the information of the accused in custody of police is admissible under Article

- (a) 39 of the QSO 1984 (b) 40 of the QSO 1984
(c) 41 of the QSO 1984 (d) None of these

xvi) Dying declaration is normally considered to be a strong piece of evidence; however it:

- (a) requires corroboration (b) doesn't require corroboration

xvii) A judgment in which question of law is settled is called:

- (a) judgment in rem (b) judgment in personam
(c) none of these

xviii) opinion of Hand Writing Expert is relevant however, it is

- (a) conclusive proof (b) not conclusive proof

xix) Any custom contrary to Muhammadan Law cannot be acted upon unless proved through evidence under Article:

- (a) 61 of QSO 1984 (b) 62 of QSO 1984
(c) 63 of QSO 1984 (d) None of these

xx) Bad character of an accused person is irrelevant in

- (a) civil proceedings (b) departmental proceedings
(c) criminal proceedings (d) None of these

xxi) The moment the execution of a document is disputed, it ceases to be a public document under Article:

- (a) 85 of QSO 1984 (b) 87 of QSO 1984 (c) 89 of QSO 1984 (d) None of these

xxii) Presumption of truth relating to thirty years old document relates to

- (a) its genuineness (b) its legality (c) its execution (d) None of these

xxiii) If a bill of exchange is drawn in a set of three:

- (a) only one is needed to be proved
(b) only two are needed to be proved
(c) all are needed to be proved

xxiv) Plea of self defence is to be proved by

- (a) the accused (b) by the prosecution (c) by the state

xxv) A child, under the Islamic Law, is considered to be legitimate if he is born

- (a) within five months of the valid wedlock (b) within six months of the valid wedlock
(c) within nine months of the valid wedlock. (d) None of these

PART-B

Q. No.2 Discuss burden of proof within the scheme of Qanun-e-Shahadat order 1984.
(15 Marks)

Q. No.3 Discuss and explain the instructions/guidelines contained in the High Court Rules and Orders for recording the evidence of expert witnesses. **(15 Marks)**

Q. No.4 Discuss in detail the principle of 'Burden of Proof in Criminal Matters' as provided in Qanun-e-Shahadat Order 1984. Also critically evaluate the burden of proof in criminal proceedings in anti-terrorism and corruption charges. **(15 marks)**

Q. No.5 Explain the concept of 'competency of witness'. What changes have QSO 1984 brought to the 'competency standards' of witnesses? Are women incompetent witnesses? **(15 marks)**

Q. No.6 What is 'hearsay evidence'? Is it admissible under law? Why? Why not? Also discuss fully the exception to 'hearsay evidence' provided in QSO 1984. **(15 marks)**

Q. No.7

Discuss the circumstance and principles under/upon which the opinion of a third person becomes relevant
(15 Marks)

Q. No.8

Under the Qanun-e-Shahadat Order, 1984, there are certain communications which a person, to whom such communications are made, shall not be compelled to reveal. Explain such communications clearly highlighting the rationale behind such privilege.
(15 Marks)
