

सी.जी.-डी.एल.-अ.-25122023-250882 CG-DL-E-25122023-250882

#### असाधारण

### **EXTRAORDINARY**

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

### PUBLISHED BY AUTHORITY

सं॰ 55] नई दिल्ली, सोमवार, दिसम्बर 25, 2023/पौष 4, 1945 (शक) No. 55] NEW DELHI, MONDAY, DECEMBER 25, 2023/PAUSHA 4, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

# MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 25th December, 2023/Pausha 4, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 25th December, 2023 and is hereby published for general information:—

### THE BHARATIYA SAKSHYA ADHINIYAM. 2023

No. 47 of 2023

[25th December, 2023.]

An Act to consolidate and to provide for general rules and principles of evidence for fair trial.

 $B{\mbox{\sc E}}$  it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

### PART I

### **CHAPTER I**

### PRELIMINARY

- **1.** (1) This Act may be called the Bharatiya Sakshya Adhiniyam, 2023.
- (2) It applies to all judicial proceedings in or before any Court, including Courts-martial, but not to affidavits presented to any Court or officer, nor to proceedings before an arbitrator.

Short title, application and commencement.



ଠୀ.ଟୀ.-ର୍ଗୀ.ଫଂସ.-ଐୀ.-25122023-250882 CG-DL-E-25122023-250882

> **መ**°መ<u>ማያ</u>ስተኤየሮበ EXTRAORDINARY ፲፱፻፱ ፲ — ማያመማ 1 PART II — Section 1 መንፌነብያ የርድነመያ PUBLISHED BY AUTHORITY

**モ. 55]** No. 55]

ዙෆ აਐਘੇਂਢ ਬਾਸ਼ ਸ਼ਾਨਰ ਦੇ ਨਾਰ ਦੇ ਨਾਰ ਦੇ ਨਾਰ ਲੈ ਨਾਰ ਦੇ ਨਾਰ ਲਈ ਘਾਨੀ ਲ ਐਘੇਂਢ ਲ ਸ਼ਾਟੀਘ ਸ਼ਾਨੀ ॥ Separate paging is given to this Part in order that it may be filed as a separate compilation.

## उँ<u>र्भर</u>ण्यम र॰रर्रर प्राष्ट्रमण शर्त्रण

(ट॰टि॰उ॰डि॰ ऋग्रि<u>स॰एङ</u>)

<u>ए</u>ट्र रुरिनर्टी, रुरिण्मिष्ठध 25,2023/२००० ४,1945 (०년)

### गेপ্রসংগির তা<u>ল প্রস্থার আর্</u>টিরেন্দ, 2023 চুর্ব 2023 দুর্গির দেবন 47

[ର୍ଜ୍ଗୀଠଂ#୪ଣ 25,2023]

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**९**. (९) মেণাি আ আধ আণা गेপ্রসামি পার্ট্র প্রত্যা আর্টি মেম, 2023 ইন্নত আর্টি মেম।

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

- **2.** (1) In this Adhiniyam, unless the context otherwise requires,—
- (a) "Court" includes all Judges and Magistrates, and all persons, except arbitrators, legally authorised to take evidence;
- (b) "conclusive proof" means when one fact is declared by this Adhiniyam to be conclusive proof of another, the Court shall, on proof of the one fact, regard the other as proved, and shall not allow evidence to be given for the purpose of disproving it:
- (c) "disproved" in relation to a fact, means when, after considering the matters before it, the Court either believes that it does not exist, or considers its non-existence so probable that a prudent man ought, under the circumstances of the particular case, to act upon the supposition that it does not exist;
- (d) "document" means any matter expressed or described or otherwise recorded upon any substance by means of letters, figures or marks or any other means or by more than one of those means, intended to be used, or which may be used, for the purpose of recording that matter and includes electronic and digital records.

#### Illustrations.

- (i) A writing is a document.
- (ii) Words printed, lithographed or photographed are documents.
- (iii) A map or plan is a document.
- (iv) An inscription on a metal plate or stone is a document.
- (v) A caricature is a document.
- (vi) An electronic record on emails, server logs, documents on computers, laptop or smartphone, messages, websites, locational evidence and voice mail messages stored on digital devices are documents;
  - (e) "evidence" means and includes—
  - (i) all statements including statements given electronically which the Court permits or requires to be made before it by witnesses in relation to matters of fact under inquiry and such statements are called oral evidence;
  - (ii) all documents including electronic or digital records produced for the inspection of the Court and such documents are called documentary evidence;
  - (f) "fact" means and includes—
  - (i) any thing, state of things, or relation of things, capable of being perceived by the senses;
    - (ii) any mental condition of which any person is conscious.

### Illustrations.

- (i) That there are certain objects arranged in a certain order in a certain place, is a fact.
  - (ii) That a person heard or saw something, is a fact.
  - (iii) That a person said certain words, is a fact.

ചപ്യമുക പ്യായത് വ്യായത്

- ॥ විසා අවාජය සමූහ ගැන්න් සා සැක්වෙන් සහ දුන් විසාව වෙන්වේ සහ වෙන්වේ සම්ප්රවාස් වෙන්වේ විසුව සහ වෙන්වෙන් සම්ප්ර
- **%**. (९) प्यांटिं रिम प्रलीस, हिंगम प्रलीट प्रज्ञेग्राम सप्योगस सर्य जे<u>सि</u> रस्ती, -
- ਹਟ ੀਹਸ<u>ੰਬਾਸ਼</u> ਬੰਤ ਘੁਸ਼ਜ਼ ੀगਜ਼ਸ਼ ਸਾਸ਼ ਅਧਾ ਹਜ਼ਸ਼ ਜਤੰਨ ਬਜਨੁਸ਼ ਹੀਂ ਹਸ ਜੰਨੀਹੀਂ ਸ਼ਾ ਹੈ ਅਬਰਨ "ਸ<u>ੰਬਾਸ਼</u> ਜੰਨੀਹੀ<u>ਂ ਸ਼ਾ ਭਾਸ਼</u> ਇਹ ਹੋ ਹਨ ਹੈ ਹਸ ਹੈ ਜਨੇਹ ਹੈ ਜ਼ਾ ਹੈ ਸ਼ਾ ਹ
- (d) "ऋण्वःमः केंद्रा गिरुवः । उत्तर्वा प्रेत्नं, स्तर्णा प्रस्था मध्यः । अध्यः । अधः । अधः

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- (i)  $\mathbb{Z}$  प्राप्त प्रत्य  $\mathbb{Z}$  (i)  $\mathbb{Z}$
- (ii) एमटर, टीर्गणमें प्रभाव एक एक एक अधिक स्थान होता है हो है है जिस स्थान होता है है है जिस स्थान हो है जिस स
- ॥ ਹਿਜਸ ভালামার্থ সেই আন্ মারার্ম রামার্ম বি তাই আন্ মারার্ম (vi)
- (v) साःसिक्षःप्रस प्रशासिक्षः प्रमादा ॥
- (vi) ភដ្ជាប្រភេទ ភ្លុខ នេះ ២៤៤ នេះ
- ਇਸ਼ਾਰੰਜ ਹਾਂ। ਹੈ ਸਾਲ ਲਗਲੰਜ ੀ ਸਾਂਗੇ ਹਿਸਤ ਸੰਸ਼ਾਰ ਲੈਂਡ ਲਰੰਜ ੀ ਸਲਤਾਂ। ਤਸ਼ਤ ਤਾਂਤ ਸਾਲ ਤੇ ਬਾਲ ਤਾਂ ਲਾ ਤਾਂਤ ਨੇ (i) ਗਾਰਜਤੰਸ ਨੇ ਸ਼ੁਰੂਸੀ ਹਨ ਸਾਲੀ ਹੈ ਦੇ ਇਸ਼ਤਾ ਸ਼ੁਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ੁਰੂਸੀ ਸ਼ਿਰੂਸੀ ਸ਼ਿ
- - १०४८६ "मर्ड्स ४मप्र्यण" (f)
    - (i) 🛪 अर प्राथाय हे से प्राथाय से साम अर प्राथाय से साम होता है से साम होता स्थाप है से साम होता है से साम होता है से साम है से साम होता है से साम होता है से साम है से साम होता है से साम है से साम होता है से साम है स

### *ਙਫ਼ੑੑਗ਼<u>ਲ਼ਖ਼</u>੶ਲ਼ਫ਼ਲ਼ऻऀॻ*

- ॥ हिस्स हम्मा हम्मा हिस्स हम्मा हिस्स हम्मा हिस्स हम्मा हम
- । उस्य मर्जर प्रसूर्य रिषट प्राप्त प्राप्त मार्थ प्रत्य प्राप्त मार्थ प्रमूर्य रिस्प्राप्त प्राप्त प्राप्त प्राप्त मार्थ प्रमूर्य रिस्प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्रमूर्य रिस्प्राप्त प्रमूर्य रिस्प्र मार्थ प्रमूर्य रिस्प्र प्रमूर प्र
- ॥ रिज्ञम नर्सर रमस्य रिज्य रीत्रतर्द भन्न दैर्सर रिज्याष्ट्रम राज्या त्रीज (iii)

- (*iv*) That a person holds a certain opinion, has a certain intention, acts in good faith, or fraudulently, or uses a particular word in a particular sense, or is or was at a specified time conscious of a particular sensation, is a fact;
- (g) "facts in issue" means and includes any fact from which, either by itself or in connection with other facts, the existence, non-existence, nature or extent of any right, liability or disability, asserted or denied in any suit or proceeding, necessarily follows

*Explanation.*—Whenever, under the provisions of the law for the time being in force relating to civil procedure, any Court records an issue of fact, the fact to be asserted or denied in the answer to such issue is a fact in issue.

#### Illustrations.

A is accused of the murder of B. At his trial, the following facts may be in issue:—

- (i) That A caused B's death.
- (ii) That A intended to cause B's death.
- (iii) That A had received grave and sudden provocation from B.
- (iv) That A, at the time of doing the act which caused B's death, was, by reason of unsoundness of mind, incapable of knowing its nature;
- (h) "may presume".—Whenever it is provided by this Adhiniyam that the Court may presume a fact, it may either regard such fact as proved, unless and until it is disproved or may call for proof of it;
- (i) "not proved".—A fact is said to be not proved when it is neither proved nor disproved;
- (j) "proved".—A fact is said to be proved when, after considering the matters before it, the Court either believes it to exist, or considers its existence so probable that a prudent man ought, under the circumstances of the particular case, to act upon the supposition that it exists;
- (k) "relevant".—A fact is said to be relevant to another when it is connected with the other in any of the ways referred to in the provisions of this Adhiniyam relating to the relevancy of facts;
- (1) "shall presume".—Whenever it is directed by this Adhiniyam that the Court shall presume a fact, it shall regard such fact as proved, unless and until it is disproved.

(2) Words and expressions used herein and not defined but defined in the Information Technology Act, 2000, the Bharatiya Nagarik Suraksha Sanhita, 2023 and the Bharatiya Nyaya Sanhita, 2023 shall have the same meanings as assigned to them in the said Act and Sanhitas.

### PART II

### **CHAPTER II**

### RELEVANCY OF FACTS

3. Evidence may be given in any suit or proceeding of the existence or non-existence of every fact in issue and of such other facts as are hereinafter declared to be relevant, and of no others.

Evidence may be given of facts in issue and relevant facts.

Explanation.—This section shall not enable any person to give evidence of a fact which he is disentitled to prove by any provision of the law for the time being in force relating to civil procedure.

21 of 2000.

- (iv) ዙਿመንጛ መዙር መመመርያ አንአጓሮት መዙ ፊቶዙ, መመመርያ አንአጓሮት መዙ ਫੌ, መድያ ኔሪያም ሮንጛርር ኔያመ ማንሊ, ርላ<u>ንዋ</u>ም ਦੇਢር ኤንሊ, ርላ<u>ንዋ</u>ም መመመርያ አንኝ መዙ መመመርያ አንጓጓሮት መዙል ለነሪት ይህ የተመመርያ አንጓሮት መዙል ለነሪት ይህ የተመመርያ አንጓሮት መዙመ የመመርያ አንጓሮት መዙር በ
- (g) "کَتْ "আগ বំពាំង স্ক্রিলগোш" স্করণা, মেণ মেডেগ্র एउ এন মেণ্ডেশ্র মার্কের্মের বিলাম মেণা বঁশ্র রের্মির ত্রি স্কর্মের ত্রের্মির স্থান মেলেগ্র রের্মির স্বির্মির স্কর্মের স্বামির স্কর্মের স্বামির স্বামির

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A एका वर के अपने मिला होता है । संस्थान कि स्वार प्रस्का के स्वार प्रस्कान के स्वार के स्वार प्रस्कान के स्वार प्रस्कान के स्वार प्रस्कान के स्वार के स्वार प्रस्कान के स्वार के स्वार

- (i) A ਘਾのਿ B のਿ ಅ ភៃ แ
- (ii) Aʊ B পাঁকছবি তির তার
- (iii) AU Bल्रामी अमर अर्थ प्रमुख प्रमुख उन्नर्थ प्रमुख उम्

- ਲਾ।। "हर्ग हें। अभी श्री हैं। अभी हैं। अभी श्री हैं। अभी श्री हैं। अभी श्री हैं। अभी श्री हैं। अभी हैं। अभी श्री हैं। अभी हैं। अभी
- (I) "ਰੱਆਦੀ" ॥-ਸੇਸ਼ਾਕਿਲੇਦ ਘਸੂਜ਼ਬ ਸੇਸ਼ਜ਼ ਘਸ਼ ਰੱਆਦੀ ਕੇਨਦ ਘਹੀਦੀਸੇਜ਼ ਘਾਂਦੀਦ ਰਜ਼ਟੀ ਸ਼ਬਾਜ਼ਕ, ਜ਼ਾਂਦੀ ਸੇਲੁਫ਼ਬ, ਜ਼ਾਂਦੀ ਗਾਂਦੀ ਗਾ

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### CET II

### T°MVG II

#### ш°ण्रज्ञ गिर्णालमुबर्रर ४मर्र्ण

ਭੰਜ<u>धार</u> क्रथ्या॰रसण रीएँँँ ग<u>भिष</u>्ठभण साथकार्य गायन्त्रभण करेँ गायन्त्रभण करेँ प्रसामक्ष्य साथने क्रिया स्थान स्थान

ਲੀਖ਼ਹੁਤਮ ਲਕ੍ਰਾਂ ਜਾਪਿਤ ।।  $\pi$  ਜਾਪਿਤ ਹਾਰੂ ਜਾਪਿਤ ਹਾਰੂ ਜਾਪਿਤ ਹਾਰੂ ਜਾਪਿਤ ਹਾਰੂ ਜਾਪਿਤ ।।  $\pi$  ਜਾਪਿਤ ਹਾਰੂ ਜਾਪਿਤ ਹਾਰੂ

#### Illustrations.

(a) A is tried for the murder of B by beating him with a club with the intention of causing his death.

At A's trial the following facts are in issue:—

A's beating B with the club;

A's causing B's death by such beating;

A's intention to cause B's death.

(b) A suitor does not bring with him, and have in readiness for production at the first hearing of the case, a bond on which he relies. This section does not enable him to produce the bond or prove its contents at a subsequent stage of the proceedings, otherwise than in accordance with the conditions prescribed by the Code of Civil Procedure, 1908.

5 of 1908.

### Closely connected facts

Relevancy of facts forming part of same transaction.

**4.** Facts which, though not in issue, are so connected with a fact in issue or a relevant fact as to form part of the same transaction, are relevant, whether they occurred at the same time and place or at different times and places.

#### Illustrations

- (a) A is accused of the murder of B by beating him. Whatever was said or done by A or B or the bystanders at the beating, or so shortly before or after it as to form part of the transaction, is a relevant fact.
- (b) A is accused of waging war against the Government of India by taking part in an armed insurrection in which property is destroyed, troops are attacked and jails are broken open. The occurrence of these facts is relevant, as forming part of the general transaction, though A may not have been present at all of them.
- (c) A sues B for a libel contained in a letter forming part of a correspondence. Letters between the parties relating to the subject out of which the libel arose, and forming part of the correspondence in which it is contained, are relevant facts, though they do not contain the libel itself.
- (d) The question is, whether certain goods ordered from B were delivered to A. The goods were delivered to several intermediate persons successively. Each delivery is a relevant fact.

Facts which are occasion, cause or effect of facts in issue or relevant facts **5.** Facts which are the occasion, cause or effect, immediate or otherwise, of relevant facts, or facts in issue, or which constitute the state of things under which they happened, or which afforded an opportunity for their occurrence or transaction, are relevant.

### Illustrations.

- (a) The question is, whether A robbed B. The facts that, shortly before the robbery, B went to a fair with money in his possession, and that he showed it, or mentioned the fact that he had it, to third persons, are relevant.
- (b) The question is, whether A murdered B. Marks on the ground, produced by a struggle at or near the place where the murder was committed, are relevant facts.
- (c) The question is, whether A poisoned 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, are relevant facts.
- **6.** (1) Any fact is relevant which shows or constitutes a motive or preparation for any fact in issue or relevant fact.

Motive, preparation and previous or subsequent conduct.

### *ਙट्लाञ्च°लप्टलीच ॥*

(a) A प्राणी क्षेत्र के प्रतार प्राणी के प्रतार प्राणी के प्रतार के कार के प्रतार प्राणी के प्रतार के प्रतार प

- :रिछर्णा रिप्राचर्र होचोण स्वयं स्वराधित प्रत्ये प्राप्त

AC ਸੱਤਾਸ਼ਟ Bg ਵੁਖੀ;

N विद्याम माधम जिष्ठा प्रष्ट प्रजू प्रमाणक प्रमाणक प्र

॥ ଅଟଅର୍ବାର ହସ ଅଧ୍ୟାୟର୍ଥ୍ୟ ।

(b) सभेन रैंड सिप्पेंड प्रसट स्ट्रेण्य टिंडर प्रस्टाण एक एक निर्माण हैंडर प्रस्टीण स्ट्रेण्डर प्रस्ट्राण स्ट्रेण्डर प्रस्ट्राण स्ट्रेण्डर प्रस्ट्राण स्ट्रेण्डर प्रस्ट्राण स्ट्रेण प्रस्ट्रेण स्ट्रेण प्रस्ट्राण प्रस्ट्रेण स्ट्रेण प्रस्ट्राण प्रस्ट्रेण स्ट्रेण स्ट्रेण प्रस्ट्रेण स्ट्रेण स्ट्रेण

### रोमए एपएर सभी वेंटर जेहमलीप

3. সেঁয়েল্ড্রফ্রেন্স্রপূ, সেঁয়েল্ড আমনের বঁণিরি আমুনর সেঁছন তথ্য<u>কি</u>লা সম মিউতের বরুজ-স্যুণি আমুনির সেঁছন আমিত মুন্দির মুন্দির মেন্দ্র সেঁছনির আমেনের মুন্দির ম

### ज्रद्रलज्ञनःलष्टलीय ॥

॥ ष्रीलम्बर्घ

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- (a) रोजैंकी, AC Bថ្ក ट्रें कें कि केंक्रिक्षें केंक्रिक्षां । ट्रें केंक्रिक्ष च्राणि कार्युक्त व्यव्यविद्यां मिससेवार, BC सम्वाण्य राज्य राज्यविद्याण सिंव च्राणि कार्य प्रकार केंक्रिक्ष च्राणि कार्य स्वर्य क्रिक्स कार्य कार्य
- (b) সੇਨੰਨੀ, AC Bg ਨੇਖਨ<u>ਰਿਦੇ</u> एਖ<u>ਅਦ</u>ਾ ਨੇਖਨਨ<u>ਿਲਦੇ</u> ਨੇਨਰਿਟੀ। ਜ਼ੂਦਾਟਰ ਘੁਲੂਟ ਤੁਖਨਾਰੇ ਦਖ<u>ਅਦ</u>ਾ, ਜ਼ਿੰਨੇਖ ਘੁਲੂ ਫ਼ਰੀ ਨੀਲ ਦੀ ਜ਼ਿੰਨੀ ਹੈ। ਜ਼ਿੰਨੀ ਦੀ ਜ਼ਿੰਨੀ ਦੀ
- (c) সাঁшएड ឃភ្លួតា, ឃ្ហ ষির ্নু মানি<u>ষি</u> কৈচ্বপাঁটো ॥ ষাদি ইচ্ডেলাগাঁল আগতে ্নু মা<u>রিপ্র</u>ার্ট্র মন্ত্রিত বাদি কলেও যাদি তিবেওগাঁল, মন্ত্রত ্নু মাধিদি ক্রমণ্ট্রাই আন মানিষি, অগা মপ্রা বঁতের সৈইদাগাঁটো ॥

#½@mt \(\alpha\frac{2\pi}{2\pi}\)
\(\alpha\frac{2\pi}{2

**ඉ.** (९) ਸੰਗੰਗ ਦਾ ਦੁਨ੍ਹਾਂ ਜ਼ਰੀ ਰੇਂਦਰ ਦਸ਼ਦ ਸੇਵਸ ਸੰਵਾ ਗੁਰੂ ਹੈ ਜਾਂਦੇ ਦਸ਼ਦ ਦੇ ਦੁਨ੍ਹਾਂ ਜ਼ਰੀ ਹੈ ਦੇ ਦਸ਼ਦ ਦੇ ਦੁਨ੍ਹਾਂ ਜ਼ਰੀ ਹੈ ਦੇ ਦਸ਼ਦ ਦੇ ਦੇ ਦਸ਼ਦ ਦੇ ਦੇ ਦਸ਼ਦ ਦੇ ਦੇ ਦਸ਼ਦ ਦੇ ਦਸ

(2) The conduct of any party, or of any agent to any party, to any suit or proceeding, in reference to such suit or proceeding, or in reference to any fact in issue therein or relevant thereto, and the conduct of any person, an offence against whom is the subject of any proceeding, is relevant, if such conduct influences or is influenced by any fact in issue or relevant fact, and whether it was previous or subsequent thereto.

Explanation 1.—The word "conduct" in this section does not include statements, unless those statements accompany and explain acts other than statements; but this explanation is not to affect the relevancy of statements under any other section of this Adhiniyam.

*Explanation* 2.—When the conduct of any person is relevant, any statement made to him or in his presence and hearing, which affects such conduct, is relevant.

### Illustrations.

- (a) A is tried for the murder of B. The facts that A murdered C, that B knew that A had murdered C, and that B had tried to extort money from A by threatening to make his knowledge public, are relevant.
- (b) A sues B upon a bond for the payment of money. B denies the making of the bond. The fact that, at the time when the bond was alleged to be made, B required money for a particular purpose, is relevant.
- (c) A is tried for the murder of B by poison. The fact that, before the death of B, A procured poison similar to that which was administered to B, is relevant.
- (d) The question is, whether a certain document is the will of A. The facts that, not long before, the date of the alleged will, A made inquiry into matters to which the provisions of the alleged will relate; that he consulted advocates in reference to making the will, and that he caused drafts of other wills to be prepared, of which he did not approve, are relevant.
- (e) A is accused of a crime. The facts that, either before, or at the time of, or after the alleged crime, A provided evidence which would tend to give to the facts of the case an appearance favourable to himself, or that he destroyed or concealed evidence, or prevented the presence or procured the absence of persons who might have been witnesses, or suborned persons to give false evidence respecting it, are relevant.
- (f) The question is, whether A robbed B. The facts that, after B was robbed, C said in A's presence—"the police are coming to look for the person who robbed B", and that immediately afterwards A ran away, are relevant.
- (g) The question is, whether A owes B ten thousand rupees. The facts that A asked C to lend him money, and that D said to C in A's presence and hearing—"I advise you not to trust A, for he owes B ten thousand rupees", and that A went away without making any answer, are relevant facts.
- (h) The question is, whether A committed a crime. The fact that A absconded, after receiving a letter, warning A that inquiry was being made for the criminal, and the contents of the letter, are relevant.
- (i) A is accused of a crime. The facts that, after the commission of the alleged crime, A absconded, or was in possession of property or the proceeds of property acquired by the crime, or attempted to conceal things which were or might have been used in committing it, are relevant.
- (j) The question is, whether A was raped. The fact that, shortly after the alleged rape, A made a complaint relating to the crime, the circumstances under which, and the terms in which, the complaint was made, are relevant. The fact that, without making a complaint, A said that A had been raped is not relevant as conduct under this section, though it may be relevant as a dying declaration under clause (a) of section 26, or as corroborative evidence under section 160.

គ្រាត្តយ គឺហេតុ គា<u>មសេ</u>ស ប្រកាស ប្រកាស ប្រកាស គ្រាស់ គាមសាល ក្រុម គ្រាស់ គាមសាល គាមសាល ក្រុម ប្រកាស ការប្រកាស គាមសាល គាមសាល គាមសាល ការប្រកាស គាមសាល គាមសា

നुष्टक्राच्य प्रेम्प्रण १.-११ प्राप्त प्र प्राप्त प्राप्त प्र प्राप्त प्र प्राप्त प्राप्त प्राप्त प्र प्राप्त प्र प्राप्त प्र प्राप

*ਾ ਅਦਲਾਂਘਾਟ ਾਂ•ਘਾਂ ।* %- ਸਥਿੱ ਕਾਰ ਦੇ ਜਾਂ ਹੈ ਕਿ ਜਾਂ ਹੈ ਹੋਰ ਜਾਂ ਹੈ ਜਾਂ ਸ਼ਹੀ ਹੈ ਹੋਰ ਜਾਂ ਸ਼ਹੀ ਹੈ ਹੈ ਜਾਂ ਸ਼ਹੀ ਹੈ ਹੈ ਜਾਂ ਸ਼ਹੀ ਹੈ ਹੈ ਜਾਂ ਸ਼ਹੀ ਹੈ ਜਾਂ ਸ਼ਹੀ

### ज्रद्रलज्ञनःलष्टलीय ॥

- (a) Aのਿ Bថ្ថ ភិវេសា प्रेरिश्च प्रेरिश्च प्रस्का । प्रमुम्बर्का AC Cថ្ថ ភិវេស सिस्तुक्षा AC Cថ្ថ ភិវេស ग्रेरिस्सा, स्कूक्षा AC Cថ្ថ ភិវេស ग्रेरिस्सा, प्रस्कुण BC स्त्रेणा क्षा र्वेटक एक्स सिर्मिक होणा क्षा केठा प्रस्का प्रस्कृत विकास कार्य कार्य
- (b) നൗन ज्ञारिणाहितसण ङोण्डर समाणि स्वायण्य AC Bाणि सव्यायण प्रेस्टिश्च एवं एक स्वयं राज्य रेट्टिश्च स्वयं प्रस्कर प्रेस्टिश्च स्वयं राज्य राज्य स्वयं के प्रस्कर स्वयं स्वय
- (c) A ਘਾਨੀ Bਲੂ ਨੂੰ ਸਾਟਿਲ੍ਹਾਂ ਨੇਖਸਾਲਿਜ਼ਘਾ ਸੇਸ਼ਾ ਸੇਸ਼ਾ ਸੰਸਾਰ ਸਾਹਿਤ ਸਿੰਘ ਸਿੰਘਲ, Bਲ ਸਾਟਿਸੀਲ ਨੁਲ੍ਹਾ ਜੇਢਾਰ Ac ਰੈਂਸੀਲ ਘਾਨੀ ਜ਼ਿਖ਼ੀ ਰੇਂਦਰ ਸੇਵਜਦੀ।
- (d)  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្ខង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្ខង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្ខង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្ពុង  $\vec{\chi}$  ក្នុង  $\vec{\chi}$  ក្នង ក្នង  $\vec{\chi}$  ក្នង ក្នង  $\vec{\chi}$  ក្នង ក្នង ក្នង  $\vec{\chi}$  ក្នង
- (f) प्रेप्टमर्स्ना, AU Bरू टूर ॐर्रा<u>र्घ के</u> के्ररणीयी ॥ BU टूर ॐधर सञ्चास, CU Aामी ससेवार "ग्राटणिय Bरू टूर ॐर्राष्ठ साँचिक स्वार्ध अध्याप्त अध्याप्त केंद्र कें
- (h) प्रेष्टमस्त्री, पण्ट <u>ष्वविक्रम पम्स क्रिविष</u>्टे केञ्ठराणी ॥ पण्ट प्रीमी पम्म हैंटर मञ्जावस, पण्ड <u>ष्ववि</u>मिणित्र प्रजाणी माजेवस्त्री । पण्ट प्रीमी पम्स हैंटर मञ्जावस, पण्ड <u>ष्ववि</u>मिर्टित्र प्रजाणी प्र
- (i) A  $\overline{u}$   $\underline{u}$   $\underline{u}$

(k) The question is, whether A was robbed. The fact that, soon after the alleged robbery, A made a complaint relating to the offence, the circumstances under which, and the terms in which, the complaint was made, are relevant. The fact that A said he had been robbed, without making any complaint, is not relevant, as conduct under this section, though it may be relevant as a dying declaration under clause (a) of section 26, or as corroborative evidence under section 160.

Facts necessary to explain or introduce fact in issue or relevant facts. 7. Facts necessary to explain or introduce a fact in issue or relevant fact, or which support or rebut an inference suggested by a fact in issue or a relevant fact, or which establish the identity of anything, or person whose identity, is relevant, or fix the time or place at which any fact in issue or relevant fact happened, or which show the relation of parties by whom any such fact was transacted, are relevant in so far as they are necessary for that purpose.

### Illustrations.

- (a) The question is, whether a given document is the will of A. The state of A's property and of his family at the date of the alleged will may be relevant facts.
- (b) A sues B for a libel imputing disgraceful conduct to A; B affirms that the matter alleged to be libellous is true. The position and relations of the parties at the time when the libel was published may be relevant facts as introductory to the facts in issue. The particulars of a dispute between A and B about a matter unconnected with the alleged libel are irrelevant, though the fact that there was a dispute may be relevant if it affected the relations between A and B.
- (c) A is accused of a crime. The fact that, soon after the commission of the crime, A absconded from his house, is relevant under section 6, as conduct subsequent to and affected by facts in issue. The fact that, at the time when he left home, A had sudden and urgent business at the place to which he went, is relevant, as tending to explain the fact that he left home suddenly. The details of the business on which he left are not relevant, except in so far as they are necessary to show that the business was sudden and urgent.
- (d) A sues B for inducing C to break a contract of service made by him with A. C, on leaving A's service, says to A—"I am leaving you because B has made me a better offer". This statement is a relevant fact as explanatory of C's conduct, which is relevant as a fact in issue.
- (e) A, accused of theft, is seen to give the stolen property to B, who is seen to give it to A's wife. B says as he delivers it—"A says you are to hide this". B's statement is relevant as explanatory of a fact which is part of the transaction.
- (f) A is tried for a riot and is proved to have marched at the head of a mob. The cries of the mob are relevant as explanatory of the nature of the transaction.
- 8. Where there is reasonable ground to believe that two or more persons have conspired together to commit an offence or an actionable wrong, anything said, done or written by any one of such persons in reference to their common intention, after the time when such intention was first entertained by any one of them, is a relevant fact as against each of the persons believed to be so conspiring, as well for the purpose of proving the existence of the conspiracy as for the purpose of showing that any such person was a party to it.

### Illustration.

Reasonable ground exists for believing that A has joined in a conspiracy to wage war against the State.

The facts that B procured arms in Europe for the purpose of the conspiracy, C collected money in Kolkata for a like object, D persuaded persons to join the conspiracy in Mumbai, E published writings advocating the object in view at Agra, and F transmitted from Delhi to

Things said or done by conspirator in reference to common design. (k) प्रेह्मर्का, A प्पर्श टूंप ॐर्रा<u>हिये</u> ॐरुरुणिए। । प्रमुम्ह प्रेह्मका, टूप ॐम॰ ॐरुए टौम ह सङ्ग्राह्म तुर् प्रेरंणा प्पर्का समी हैंएह प्रेष्ट्रप प्रस् प्राह्म होगमणीयाणी स्रोह्म प्रस् प्रस् प्राह्म प्रस् प्राह्म प्रस् प्राह्म प्रस् प्राह्म प्रस् उप्त प्राह्म प्रस् उप्त प्रह्म प्रस् प्रस्

### *ਙट्लङभ°लष्टली* ॥

- (a) ਨੇਕੈਸ਼ੀ, ਸਵਿੱਚਿਤ ਲਾਘੁਜਦਾ ਦਾਜਦ ਮਾਾਂ ਸੀਤ ਵਾਰਤ ਦੇ ਭੁੱਤ ਤਰਨਾਂ ਸਿੰਘ ਸ਼ਹਾਰ ਸ਼
- (b) AC AR वेष्टए वस्ति विष्ठ निष्ठ निष्ठ में स्वर्ण अस्ति स्वर्ण मित्र निष्ठ में प्रति हैं अते प्रति क्षेत्र में स्वर्ण में प्रति क्षेत्र में स्वर्ण में
- (c) A प्पणी <u>प्रवि</u>ञ्चन प्पसानि सञ्चाम सक्षेपाल सक्षेप लिगि ॥ प्रमुम्ह ग्रेहम्ब्रा, <u>प्राविष</u>्ठम प्पूलू ग्रॅन्ड स्प्राप्त यूए, स्र्वेपाया ग्रम्ब्रानि ऐएउ प्राप्त अ प्पणी लिप्पल 6 क्यों स्त्रेक्ष सक्षा वैंएँ, सली सञ्चा जेक्षणा प्रसूल्या ग्रेहम प्पलीक वैंक्षित्र प्रमुम्ह ग्रेहमलीयए लिप्पल निक्षा प्रमुम्ह के कि प्रमुप्त के प्रमुप
- (d) AC Cg Am ខាងបេ ភាគ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ ខាងប្រ ក្រ ខាងប្រ

ਕੇਤਰੀ ਨੇਵਸ ਘਾਰੀ ਗੀਆਂ ਸ਼ਹੌਰੀ ਜਾਂ ਜ਼ਹੌਰ ਲਾਫਕਾਂ ਹਾ ਗਾਂਕਰ ਹਨ ਸੰਗਰ ਹੈ ਹੈ ਹੈ ਜਿਸ ਹੈ ਹਨ ਸ਼ਹੀ ਹੈ ਹੈ ਹੈ ਜਿਸ ਹਨ ਸ਼ਹੀ ਹੈ ਹੈ ਜਿਸ ਹੈ ਜਿ

- (e) ਨੂਬਾਾਂ ਜ਼ਿਸ਼ੇਤ ਰੱੱਝ AC ਨੂਸੀਂ ਸਾੰਅ ਘੜ Bਲ ਸਾਂ ਬੜਾ ਬੰਘਾਂ, ਜ਼ੁਕੇਘਾਂ ਜ਼ੁਕੂ Arਾਂ ਰਾਤਿਹਬੀਲ ਸਾਂ ਬੜਾ ਬੰਘਾਂ ॥ BC ਜ਼ੁਕੂ ਸਾਂ ਸਿਲਾਜ਼ ਲੋਨ-"AC ਹੈ ਰਾਅਲਲਟਾਂ ਕੇਨ" ॥ Brਾਂ ਕੇਦਜ ਘਟਾਂ  $\frac{\partial \hat{\mathbf{p}}}{\partial \mathbf{p}}$  ਘਟਾਂ ਅਕੁਸ਼ਾ ਅੰਗਰ ਪੰਜਾਬ ਕੇਦਜ ਘੰਜ਼ਾਂ ਨਾਫ਼ਕਾਂ ਹੋਏ ਸਾਂ ਕਾਰਨ ਜ਼ਿਸ਼ਾਂ ਕਿਲਾਜ਼ ਕਾਰਨ ਜ਼ਿਸ਼ਾਂ ਹੈ ਜ਼ਿਸ਼ਾਂ ਕਿਲਾਜ਼ ਕਾਰਨ ਜ਼ਿਸ਼ਾਂ ਹੈ ਜ਼ਿਸ਼ਾਂ ਕਾਰਨ ਜ਼ਿਸ਼ਾਂ ਹੈ ਜ਼ਿਸ਼ਾਂ ਕਿਲਾਜ਼ ਕਰਨ ਜ਼ਿਸ਼ਾਂ ਕਿਲਾਜ਼ ਕਰਨ ਜ਼ਿਸ਼ਾਂ ਜ਼ਿਸ਼ਾਂ ਕਰਨ ਜ਼ਿਸ਼ਾਂ ਜ਼ਿਸ਼ਾਂ ਜ਼ਿਸ਼ਾਂ ਕਰਨ ਜ਼ਿਸ਼ਾਂ ਜ਼ਿਸ਼ਾਂ ਕਰਨ ਜ਼ਿਸ਼ਾਂ ਜ਼
- (t) A  $\mathbf{w}$ បា គេលើ  $\mathbf{w}$   $\mathbf{w}$

### 5दूल<u>%ନ</u>°୯୯ ॥

AC देंश्रेण प्याप्तिम प्रिल्म कर प्रत्य प्राप्ति प्राप्ति सम्म प्राप्ति स्वाप्ति स्वाप्ति प्राप्ति प्राप्ति प्र

BC देंग्रेटर च्यूलाकिसण यूर्वभाग त्रूस्टेन्नलीच देंलीह्मी, CC प्रम सेह्एर उर्च च्यूलाकिसण क्रिमेक्केट लग्न प्रभाव क्रिकेट व्यूलिका प्रभाव क्रिकेट विकास क्रिकेट क्रिके

ভনাত্ত বিশ্বতি কার্টক কাষ্ট্রত তুরুত্ত কার্টক কার্টক আ<u>শি</u>ত আশুমুস্ত G at Singapore the money which C had collected at Kolkata, and the contents of a letter written by H giving an account of the conspiracy, are each relevant, both to prove the existence of the conspiracy, and to prove A's complicity in it, although he may have been ignorant of all of them, and although the persons by whom they were done were strangers to him, and although they may have taken place before he joined the conspiracy or after he left it.

- **9.** Facts not otherwise relevant are relevant—
  - (1) if they are inconsistent with any fact in issue or relevant fact;
- (2) if by themselves or in connection with other facts they make the existence or non-existence of any fact in issue or relevant fact highly probable or improbable.

When facts not otherwise relevant become relevant.

### Illustrations.

- (a) The question is, whether A committed a crime at Chennai on a certain day. The fact that, on that day, A was at Ladakh is relevant. The fact that, near the time when the crime was committed, A was at a distance from the place where it was committed, which would render it highly improbable, though not impossible, that he committed it, is relevant.
- (b) The question is, whether A committed a crime. The circumstances are such that the crime must have been committed either by A, B, C or D. Every fact which shows that the crime could have been committed by no one else, and that it was not committed by either B, C or D, is relevant.
- **10.** In suits in which damages are claimed, any fact which will enable the Court to determine the amount of damages which ought to be awarded, is relevant.

Facts tending to enable Court to determine amount are relevant in suits for damages.

11. Where the question is as to the existence of any right or custom, the following facts are relevant—

Facts relevant when right or custom is in question.

- (a) any transaction by which the right or custom in question was created, claimed, modified, recognised, asserted or denied, or which was inconsistent with its existence;
- (b) particular instances in which the right or custom was claimed, recognised or exercised, or in which its exercise was disputed, asserted or departed from.

### Illustration.

The question is, whether A has a right to a fishery. A deed conferring the fishery on A's ancestors, a mortgage of the fishery by A's father, a subsequent grant of the fishery by A's father, irreconcilable with the mortgage, particular instances in which A's father exercised the right, or in which the exercise of the right was stopped by A's neighbours, are relevant facts.

12. Facts showing the existence of any state of mind, such as intention, knowledge, good faith, negligence, rashness, ill-will or goodwill 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.

Facts showing existence of state of mind, or of body or bodily feeling.

Explanation 1.—A fact relevant as showing the existence of a relevant state of mind must show that the state of mind exists, not generally, but in reference to the particular matter in question.

*Explanation* 2.—But where, upon the trial of a person accused of an offence, the previous commission by the accused of an offence is relevant within the meaning of this section, the previous conviction of such person shall also be a relevant fact.

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४*त्रद*⁰ण

प्रमाधिया प्रध्न स्वा इत्ति त्रिया प्रध्न

**೯.** ಫ್ರಾಂಗ್ ಹಿಡ್ ಕ್ರಾಂಗ್ ಹಿಡ್ ಕ್ರಾಂಗ್ ಹಿಡ್ ಕ್ರಿಸ್ ಕ್ರಾಂಗ್ ಹಿಡ್ ಕ್ರಿಸ್ ಕ್ರಿಸ್

(९) अवधार्म माराण रहे प्राची माराण स्वार्थ हुने माराण स्वार्थ हुने सम्बाध (१)

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(a) ਸੇਨੂੰਕੀ, AU ਘਾਂ ਘਾਟਰ ਟੂਜੀ ਪਾਜ਼ਕ ਸਾਊਂ ਕਰੇ ਸਾਂ ਸਾਂ ਸੀ ਤੁਰੀ ਨੇ ਨਰੀ ਤੁਰੀ ਨੇ ਕਰੇ ਹੈ ਜਾਂ ਪਾਜ਼ਕ ਸੰਕਰੇ ਕਰੇ ਹੈ ਜਾਂ ਹੈ ਜਾਂ ਹੈ ਜਾਂ ਹੈ ਜਿੱਥੇ ਹੈ ਜਾਂ ਹੈ ਜਿੱਥੇ ਹੈ ਜਾਂ ਹੈ ਜ

ਕੁਲ ਜਾਣਜ ਨੀ ਦਾ ਹੈ ਜਾਣਜ ਦੇ ਸ਼ਹਾ ਹੈ ਜਾਣਜ ਦੇ ਸ਼ਹਾ ਹੈ ਜਾਣਜ ਦੇ ਸੰਗ੍ਰੇਜ਼ ਸਾਲ ਨੇ ਜਾਣਜ ਦੇ ਸ਼ਹਾ ਹੈ ਜ

- (b) प्रेष्टमन्ना, A ए <u>प्राप्ते</u>प्रम प्रस्त प्रुप्तात प्रस्तात प्रस्ता प्रस्तात प्रस्तात प्रस्तात प्रस्तात प्रस्तात प्रस्तात प्रस्तात प्रस्तात प्रस्ता प्र

元宗やつの。 京のでは、 でのでは、 でのでは、 でのでは、 でのでは、 でので、 でいて、 でい

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- **९९**. ७ण ए४<u>७१</u>ण प्र४एर्रा प्रस्कृष्ण देंरणि स्रेषक प्रीणएर वेंश्वरही, स्रेह र्योशिर प्रेट्स्लीण प्रली स्रि वेंटें -
- (a) সাঁшएপ্রান্থ সভা ए<u>४%প্র</u>াদ সম্বতের অরু ৩° দুসারি, স্কৈতের, ৩° দুরুখা-৩° দুরাছি ফাঁস্ক, অর্থর আরি, ইল্লফাখ্যনির ए<u>४%প্র</u>াদ ইন্নস্ক, ए५%প্রাদ দুপা বুঁরাদ দুরুত্তর মহাভা অদ্দেশভাস;
- (b) আত্ত মুন্তর্ভাদ সুধ্বতর অনু বঁসরি, অস্বর আনিষি ত<u>্তধ্ব</u>দ প্রতিভিত্তসরি, ত<u>্ত</u>প্তেদাদ মপ্রাদ রুজ আত্ত স্থিত আত্ত ॥ আত্ততের আত্তর ত্রান্ত ত্রান্তর্ভাদ রুজ্জতার অভ্যাত্তর ক্রমেল ॥ ॥

### *ふたいが出"のぜ ||*

ਨੇਵਸਗੀ, Aਾ।  $\hat{\omega}$  ਵੇਗਾ।  $\hat{\sigma}$  ਹੱਤ ਨੇਨਰਾ।  $\hat{\sigma}$  ਨੇਨਰਾ। Aा।  $\hat{\sigma}$  ਜੇਨਰਾ।  $\hat{\sigma}$  ਜੇਨਰ।  $\hat{\sigma}$ 

#### Illustrations.

- (a) A is accused of receiving stolen goods knowing them to be stolen. It is proved that he was in possession of a particular stolen article. The fact that, at the same time, he was in possession of many other stolen articles is relevant, as tending to show that he knew each and all of the articles of which he was in possession to be stolen.
- (b) A is accused of fraudulently delivering to another person a counterfeit currency which, at the time when he delivered it, he knew to be counterfeit. The fact that, at the time of its delivery, A was possessed of a number of other pieces of counterfeit currency is relevant. The fact that A had been previously convicted of delivering to another person as genuine a counterfeit currency knowing it to be counterfeit is relevant.
- (c) A sues B for damage done by a dog of B's, which B knew to be ferocious. The fact that the dog had previously bitten X, Y and Z, and that they had made complaints to B, are relevant.
- (d) The question is, whether A, the acceptor of a bill of exchange, knew that the name of the payee was fictitious. The fact that A had accepted other bills drawn in the same manner before they could have been transmitted to him by the payee if the payee had been a real person, is relevant, as showing that A knew that the payee was a fictitious person.
- (e) A is accused of defaming B by publishing an imputation intended to harm the reputation of B. The fact of previous publications by A respecting B, showing ill-will on the part of A towards B is relevant, as proving A's intention to harm B's reputation by the particular publication in question. The facts that there was no previous quarrel between A and B, and that A repeated the matter complained of as he heard it, are relevant, as showing that A did not intend to harm the reputation of B.
- (f) A is sued by B for fraudulently representing to B that C was solvent, whereby B, being induced to trust C, who was insolvent, suffered loss. The fact that, at the time when A represented C to be solvent, C was supposed to be solvent by his neighbours and by persons dealing with him, is relevant, as showing that A made the representation in good faith.
- (g) A is sued by B for the price of work done by B, upon a house of which A is owner, by the order of C, a contractor. A's defence is that B's contract was with C. The fact that A paid C for the work in question is relevant, as proving that A did, in good faith, make over to C the management of the work in question, so that C was in a position to contract with B on C's own account, and not as agent for A.
- (h) A is accused of the dishonest misappropriation of property which he had found, and the question is whether, when he appropriated it, he believed in good faith that the real owner could not be found. The fact that public notice of the loss of the property had been given in the place where A was, is relevant, as showing that A did not in good faith believe that the real owner of the property could not be found. The fact that A knew, or had reason to believe, that the notice was given fraudulently by C, who had heard of the loss of the property and wished to set up a false claim to it, is relevant, as showing that the fact that A knew of the notice did not disprove A's good faith.
- (i) A is charged with shooting at B with intent to kill him. In order to show A's intent, the fact of A's having previously shot at B may be proved.
- (*j*) A is charged with sending threatening letters to B. Threatening letters previously sent by A to B may be proved, as showing the intention of the letters.
- (k) The question is, whether A has been guilty of cruelty towards B, his wife. Expressions of their feeling towards each other shortly before or after the alleged cruelty are relevant facts.
- (*l*) The question is, whether A's death was caused by poison. Statements made by A during his illness as to his symptoms are relevant facts.

- (a) ភ្នម៉យកវែ រហិមហើយ ឃត្ថ ភ្នមម<u>ិស្សា</u> គំភិប ភឺគឺស ក្នុម៉យកវែ រហិមហើយ ដឹកវែតហើ Aថ្ថ អម៌។ ហាែវ ॥ អេធិយាប គំបន់ ឃាំ អាំមហើយ ដឹកវែតហើ Aថ្ថ អម៌។ ហាែវ ॥ អេធិយាប គំបន់ ឃាំ អាំមហើយ អាំមហាម អាំមហើយ អាំមហើយ អាំមហើយ អាំមហ
- (b) A प्रणी प्रमेष्ड लन्न प्रम प्रश्नेभा साधिक प्रमुख स्वयं प्रमुख स्वयं का त्रावित के कि ती है। से स्वयं साधिक स्वयं के स्वयं साधिक साध
- प्यमळीगाठी के शक्र गाळ्ळ, भिडण्यार्थ रुक्त रेपार्थरम् भिषठ प्यमळीगाठीत्यात्यात्र एवं भाळ पद्भाग प्रत्याप्त प्रत्याप्त प्रत्याप्त एवं विस्तर्भ प्रत्याप्त रेप्त भिक्ष के भिक्ष प्रत्याप्त प्रत्यापत प्रत्य प्रत्यापत प्रत्य प्रत्य
- (d) रोहमर्त्रा, लिन जेणक्षण्यामाणि विन यस टौर्टार AC, लिन टौर्टार स्थित स्थापिक स्था
- (e) A प्रणी Bार्म साँधान्य लोग्गलएठ ग्रोप्टलस्त्र समेन लीजूट Bठू ठ्राक्षेत्रज्ञस्ट होपळोण्जाम्म समेन लीज् ॥ Aट Bार्व ठ्राक्षेत्र ज्ञान प्रस्ते व्याप्ट व्यापट व्

- (h) A प्याणी स्रेग्ण ए हैनिष्ठ वर्ष-ग्रूमाणी प्रमुम्ड वर्णाण्डियाणी सर्जेग्गळ सक्षेत्र लाजि, प्रसूल्या स्रेग्गण सक्ष्र वर्णाण्डिनिष्ठ सर्जमळ सर्जेग्गण प्रत्याच सम्प्राण प्रत्याच सम्प्राणी केन्द्र वेष्ठ केन्द्र वेष्ठ केन्द्र वेष्ठ वर्ष प्रमुख सम्प्राणी स्रिंग्गळ स्रिंग्निळ नैन्य प्रसूल केन्द्र प्रमुख प्रमुख सम्प्राणी स्रिंग्गळ स्रिंग्निळ नैन्य प्रमुख प्रमुख प्रमुख सम्प्राणी प्राणी केन्द्र प्रमुख प्रमुख प्रमुख सम्प्राणी प्रमुख केन्द्र प्रमुख प्रम
- (i) A ਘਾ कि मा के पार्ट के प्रत्या के पार्ट के प्रत्या के पार्ट के प्रत्या के पार्ट के पार्
- (j) A ਘਾਨੀ B ल खोज्य त्राँगिवा चेत्रां समेन दें ॥ AC B ल ससेचल देनित एवं त्रांतिवा प्रत्ने त्रांतिवा प्रत्ने व लेक्स प्रत्ने क्रिस्ट क्रिक्ट क्रिक क्रिक्ट क्रिक्ट क्रिक्ट क्रिक क्रिक क्रिक्ट क्रिक क्रिक्ट क्रिक क्रिक्ट क्रिक क्र
- (k) प्रेहमन्ना, AC र्डा, स्रवेणखाँ ट॰ऽटर्डान्न प्रं४-एँरुन्नां सक्षेत्र ट<u>ँर्डिक</u> व्रेऽर्ड्डिटा । सिंप्यं४-सिंपां सक्षेत्र लोडणां स्रवेग प्रकारी ससेवान्न ए४<u>७६</u>ण सञ्जान प्रसण्णां स्रवेवान्न स्रवेवान स्रवेवान स्रवेवान्न स्रवेवान स्रवेवान्न स्रवेवान स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान स्रवेवान्न स्रवेवान्न स्रवेवान्न स्रवेवान स्रवेवान्न स्रवेवान स्रवेवान स्रवेवान स्रवेवान स्रवेवान स्रवेवान स्रवेवान्न स्रवेवान
- (I) ਸੇਵਜਕੀ, Arrl ਨੀਂ ਬਾਹੀ ਸੂਹ ਡਾਵਾਨਾਵਰੀ ਨੇ ਨੇ ਨਰਨੀਟੀ । Ac ਜਨੇਵਾਸ਼ੀ ਬਦੇਰ ਜਨਾਜ਼ਕ ਜਨੇਵਾਵੀ ਰੇਨਬਾਵੀਵਾਜ਼ੀ ਜਨਾਜ਼ਕ ਜ਼ਹਾਜ਼ੀ ਹੈਨਸ਼ਾ ਸ਼ਹੀਜ਼ਕੀ ਹੈ ਜਿਸ ਹੈ

- (m) The question is, what was the state of A's health at the time when an assurance on his life was effected. Statements made by A as to the state of his health at or near the time in question are relevant facts.
- (n) A sues B for negligence in providing him with a car for hire not reasonably fit for use, whereby A was injured. The fact that B's attention was drawn on other occasions to the defect of that particular car is relevant. The fact that B was habitually negligent about the cars which he let to hire is irrelevant.
- (o) A is tried for the murder of B by intentionally shooting him dead. The fact that A on other occasions shot at B is relevant as showing his intention to shoot B. The fact that A was in the habit of shooting at people with intent to murder them is irrelevant.
- (p) A is tried for a crime. The fact that he said something indicating an intention to commit that particular crime is relevant. The fact that he said something indicating a general disposition to commit crimes of that class is irrelevant.
- 13. When there is a question whether an act was accidental or intentional, or done with a particular knowledge or intention, the fact that such act formed part of a series of similar occurrences, in each of which the person doing the act was concerned, is relevant.

Facts bearing on question whether act was accidental or intentional.

#### Illustrations.

- (a) A is accused of burning down his house in order to obtain money for which it is insured. The facts that A lived in several houses successively each of which he insured, in each of which a fire occurred, and after each of which fires A received payment from a different insurance company, are relevant, as tending to show that the fires were not accidental.
- (b) A is employed to receive money from the debtors of B. It is A's duty to make entries in a book showing the amounts received by him. He makes an entry showing that on a particular occasion he received less than he really did receive. The question is, whether this false entry was accidental or intentional. The facts that other entries made by A in the same book are false, and that the false entry is in each case in favour of A, are relevant.
- (c) A is accused of fraudulently delivering to B a counterfeit currency. The question is, whether the delivery of the currency was accidental. The facts that, soon before or soon after the delivery to B, A delivered counterfeit currency to C, D and E are relevant, as showing that the delivery to B was not accidental.
- **14.** When there is a question whether a particular act was done, the existence of any course of business, according to which it naturally would have been done, is a relevant fact.

Existence of course of business when relevant.

### Illustrations.

- (a) The question is, whether a particular letter was dispatched. The facts that it was the ordinary course of business for all letters put in a certain place to be carried to the post, and that particular letter was put in that place are relevant.
- (b) The question is, whether a particular letter reached A. The facts that it was posted in due course, and was not returned through the Return Letter Office, are relevant.

### Admissions

**15.** An admission is a statement, oral or documentary or contained in electronic form, which suggests any inference as to any fact in issue or relevant fact, and which is made by any of the persons, and under the circumstances, hereinafter mentioned.

Admission defined.

**16.** (I) Statements made by a party to the proceeding, or by an agent to any such party, whom the Court regards, under the circumstances of the case, as expressly or impliedly authorised by him to make them, are admissions.

Admission by party to proceeding or his agent.

- (m) रेहमर्ज, मिर्म प्राप्त के मार्ग के प्रमुख के स्वाप्त के प्रमुख के स्वाप्त के प्रमुख के स्वाप्त के स ीउणी०सवर्र हर्गें धम रिक्र णो०सवर्र होत्रोण उ A ह्यार्थम गमहीव गिर्मापरंचर सिर्में स्थापित पाउंस गभरेश्चर हरूम
- (n) AU Bਕ ਲੀਟੀਇਪਪਤ ਜ਼ਲਾਂ ਸਾਰੇ ਦੇਜ਼ ਸ਼ਾਲੀਆਡਲਈਆਰਾ ਨੇ ਕੁਝੀ ਸ਼ਾਲੀ । ਤਿਸ਼ਾ ਦੇਜ਼ ਬਾਰੇ ਸ਼ਲਾ ਸ਼ਲਾ ਸ਼ਲਾ ਸ਼ਲਾ ਸ਼ਲਾ ਸ਼ਲਾ ਸ हर्ने उपार्ट्स DB । रैंटें थिस रिज्य शित्यशिषारि स्रह्म रहर्ष्मण गिह्म थियाँ रजपाष्ट्रम स्थारित स्थारित स्थारित ॥ फेंगेंडे भिम भिष्ठतर्व एकजीलमांत्र प्रतार्थ हार्यं मामिलिभिमा
- ॥ श्रेंग्टें विमा विश्व स्वर्ध मान के विश्व भारण मान विष्ठ
- उन्नर्ज्य सम्बन्धा अर्थ प्रज्ञेस स्प्रात्म स्प्रात्म प्रज्ञा प्राप्त । । भिर्मात स्प्रात्म प्रमुखे प्राप्त प्राप्त प्रमुखे । । भिराने स्प्रात्म प्रमुखे प्रमुखे । । भिराने स्पर्वेष्ठ । । । วสธานซ์ สม ฆระสว่า ชสชม ใหล่วิส ชวซี แโดลสา์ถิน โทสม ดร์น วานธ์ส 🛮 ซี้วั๊ร โยส โดม ชโสสธ์ สม ชลาทโยน ॥ ऋगूरे विमा जिक्र श्रीयदर्श मक्र धमगी विष्य
- **ኖዬ.** ਹਰ ਘੁਲਾ ਨੂੰ ਨੂੰ ਲਹਾ ਨੂੰ ਨਾਰ ਨੂੰ ਜ਼ਰੂ ਨੂੰ ਨੂੰ ਦੂਰ ਨੂੰ ਜ਼ਰੂਰ ਦੇ ਜ਼ਰੂਰ ਨੂੰ ਜ਼ਰੂਰ ਦੇ ਜ਼ਰੂਰ ਜ टोजिए जेजिश नेजर सेहम पम वैंक्षेत्रहाँ, प्राणीसुमर प्रया प्राणीस सेहएर प्राज्ञीकाणीयामी आक्षीय प्रमाम लक्ष्म प्राणीस जिल्ला प्राणीस केंद्र א אות אים שונה אות שונה שונה אות הישוא סיפול הוש"ס שאַנ הפו לֿעל, המו הפו לעל וו

ರಹ್ಮ ಗುಗ್ಗಾಗಿ ಕಾರ್ प्राप्टें भिम गार्ट्यापि ॥ प्राध्यमञ्जूर प्रमूर्ण

### इट्टिंग्स अप्रत्ये ।

- नरू उतर्र सर्टम-रैम उA॥ ौरील र र्धम उदर्र तिर्दे में ह्रक नरू विष्यर्स हर्टे नडक र धोग्न लक र्धाण वर्ष ति 🛪 🔾 ಕ್ರಾಮೇಜ ಹುಲ್ಲೇ ಸ್ಟ್ರಾಮ ಸಿದ್ದಾಗ ಗಿರ್ವಹ್ಸಿ ಸಿದ್ದಾಗಿ ಕ್ರಾಮಿಸಿಕ ಅತ್ಯಾಗಿ ಕ್ರಾಮಿಸಿ ಕ್ರಾಮಿಸಿ ಕ್ರಾಮಿಸಿಕ್ಕಾಗಿ ಕ್ರಾಮಿಸಿಕ ത്രായ अभागार उसार उसार कार्य कार्य
- ਹਡ਼ਤਮੇਸ਼ ਡਥਾ ਗਾਹਿਸਤਭਾਨ ਨੀਕੰਤ ਹਾਗਵੰਜ । ਇੱਕ ਧਾਣਸ਼ ਨਹਾਂਤ ਜਨ ਮਿਲਗਾਹਿਨੀਬੀਆ ਭਾਲਭਾਨ ਮਾ ਰ ਗਿਆ A (d) उर्तण हाएलम उपार्ट्स हमम सभैंद्र हुएचास्त्रम जपार्ट्स ॥ उपार्व्स गि A लिम हुए पालाभिर्म्भ हमम पाभिर्द्र र्पेन अर्थाय अर्थाय क्रम विश्व के उत्पर्ध अर्थ का आरथ्य विश्व के अर्थ व्यवसम्भाग विश्व के अर्थ विश्व के प्रमुख ॥ उँठे विस्तर एक्स प्राप्त हिन्दू हिन्दू विकार एक्स एक्स एक्स एक्स प्राप्त एक्स हिन्दू एक्स विकार एक्स प्राप्त
- (c) A प्रणी प्रक्षेत्र लिया प्रभाव कि प्रतीप हिंच प्रति हिंच प्रति होती । त्री हिंच स्थाप स्थाप स्थाप स्थाप स् യാല് अरोजा स्वर्ध केंद्रत्य केंद्र विराद्ध केंद्र विराद्ध का प्रत्य केंद्र्य केंद्र विराद्ध केंद्र विराद्ध केंद्र सभी देंएँ. संजाद के अपने संघान के अपने स्थाप के स्वाप्त के स्वाप्त के स्वाप्त के स्वाप्त के स्वाप्त के स्वाप्त
- ९८. पळाणटर उरण पस ॐर्रार्रिस के्रर रोहा पस टॅंसरहा, सली स्टॅलेगा प्रेंतर सप्भाव ॐर्रार प्रेंतरामण्डें

लगयम प्राचित्र राम ಕತ್ಯ ಗ್ರಾಮ್ ಸ್ಮರ್ಕ ਰੱੱਝ ॥

### *ァ*をのずみ。のでのfu ||

- (a) प्रेह्मर्का, प्राप्ताण्य प्रािंग प्रमाण्य के प्राप्ताण के प्रमाण प्राप्ताण प्रमाण प्रम प्रमाण ी०ण प्राणमवर्गर हतर्द रिज्ञण मधाँ प्राप्त हमस्य तिया होतमस स्राप्त प्राप्त मत्रम हम सिन्द हम्पाप्त हार्य हार्य स्म देंएँ ॥
- (b) স্টেলরা, অম্রাভ্রতের সারা অল্লে A. র র'ল্লালারা<u>ই</u>ল ক্রিরতারে। ন্নতা ন্ন্সদ সুদর ন্ন্সদর ন্নালির স্থানির ক্রির্টি न्निक्त कराया कार्या करत् कार्याय प्रत्याय प्रत्याय प्रत्याय प्रत्याय प्रत्याय प्रत्याय प्रत्याय प्रत्याय प्रत

### प्पररेष्ठ गारीष्ठ

- **९९.** चररें आरि नेतरली रोजेंत्र एंश्विम के मारिक एंश्विम एंश्विम एंश्विम एंश्विम प्रत्याप संस्थान से स्विम प्रत्ये आरि සග්ਟ ਨੇਂਡਾ एउट्ट का सिवा रेंटर स्ट्राम सिवा रेंटर स्ट्राम सेंडा सेंडा सिवारिय स्ट्राम सिवारिय सेंडा सेंडा सेंडा सेंडा सिवारिय सेंडा सेंडा सिवारिय सिवारिय सेंडा सिवारिय सेंडा सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सेंडा सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सेंडा सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सेंडा सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सेंडा सिवारिय सेंडा सिवारिय सिवारिय सेंडा सिवारिय सिवार ॥ आ हर्स ग्रेमणा हिमान हाम हिमान प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त
- **९%.** (९) रोरा न प्रस्कार चामूल प्रस्कृत प्रस ॥ रिपारिकार करिन वर्ष प्राचित्र होत्रीम उसक अभिनाम स्थाप पारिन स्थाप प्राचेत्र हमगारिक प्रभागिक हिंदी

ष्रिष्यण्ट्रम गाभुद्रभू ॥ ४७५ इरे ४७७७ म

- (2) Statements made by—
- (i) parties to suits suing or sued in a representative character, are not admissions, unless they were made while the party making them held that character; or
- (ii) (a) persons who have any proprietary or pecuniary interest in the subject matter of the proceeding, and who make the statement in their character of persons so interested; or
- (b) persons from whom the parties to the suit have derived their interest in the subject matter of the suit,

are admissions, if they are made during the continuance of the interest of the persons making the statements.

Admissions by persons whose position must be proved as against party to suit. 17. Statements made by persons whose position or liability, it is necessary to prove as against any party to the suit, are admissions, if such statements would be relevant as against such persons in relation to such position or liability in a suit brought by or against them, and if they are made whilst the person making them occupies such position or is subject to such liability.

### Illustration.

A undertakes to collect rents for B. B sues A for not collecting rent due from C to B. A denies that rent was due from C to B. A statement by C that he owed B rent is an admission, and is a relevant fact as against A, if A denies that C did owe rent to B.

Admissions by persons expressly referred to by party to suit. **18.** Statements made by persons to whom a party to the suit has expressly referred for information in reference to a matter in dispute are admissions.

#### Illustration.

The question is, whether a horse sold by A to B is sound.

A says to B—"Go and ask C, C knows all about it". C's statement is an admission.

Proof of admissions against persons making them, and by or on their behalf.

- 19. Admissions are relevant and may be proved as against the person who makes them, or his representative in interest; but they cannot be proved by or on behalf of the person who makes them or by his representative in interest, except in the following cases, namely:—
  - (1) an admission may be proved by or on behalf of the person making it, when it is of such a nature that, if the person making it were dead, it would be relevant as between third persons under section 26;
  - (2) an admission may be proved by or on behalf of the person making it, when it consists of a statement of the existence of any state of mind or body, relevant or in issue, made at or about the time when such state of mind or body existed, and is accompanied by conduct rendering its falsehood improbable;
  - (3) an admission may be proved by or on behalf of the person making it, if it is relevant otherwise than as an admission.

### Illustrations.

- (a) The question between A and B is, whether a certain deed is or is not forged. A affirms that it is genuine, B that it is forged. A may prove a statement by B that the deed is genuine, and B may prove a statement by A that deed is forged; but A cannot prove a statement by himself that the deed is genuine, nor can B prove a statement by himself that the deed is forged.
- (b) A, the captain of a ship, is tried for casting her away. Evidence is given to show that the ship was taken out of her proper course. A produces a book kept by him in the ordinary course of his business showing observations alleged to have been taken by him

- ਘੀਅਜਤੰਨ ਨੀਕੀਆ ਹਟ•ਕਜ਼ (%)

- (b) ជាមេលា ១៩២៤ គេឃុំ ក្លាយ ជាមេលា ១៩២៤ គេឃុំ ក្លាយ ប្រាស់ មេលា មេលា ១៩២៤ គេឃុំ ក្លាយ ២៤៤ គេឃុំ ក្រាយ ២៤៤ គេឃាំ ២៤៤ គេឃា

238. 38. 238

### ፳፫ሮ<u>ም₽</u>°ሮሮ ||

**99.** ਤੇਹਾਂ ਘਲੁਲ ਅਖੂਦ ਘਸ਼ਦ ਤੇਹਾਂ ਦੱੱਝ ਤੇਵਜ ਘਸ਼ਾ ਸ਼ਿਆਂਸ਼ਨ ਨ-ਸ਼ਾਂਦ਼ ਸ਼ਾਦਿਝ ਸ਼ਤਾਦਾ ਅੰਘਦ ਕੇਨਨਿਤ ਸ਼ਿੰਘਾਨਅੰਘਦ ਸ਼ਾਨਿਤਿ ਤੇਵਜਅੰਘ ਘਲੀ ਤੇਦਝਅੰਘਦੀ ॥

#### ೫ ಶಲ್ಯಾಕ್ಯಾಗಿ

ਸੇਵਜਨੀ, AC Bਨ ਨਾੰਦਰ ਲੇਗਾਨਾਂ ਬਜ਼ਦ ਬਦ ਬਾਨਜਨੀ ਸੰਨਰਨੀ ਹੈ।

Аट Bरू नेंडिं। "प्रस्टू बर्जा रह नैर्डार्, Cट स्लीली संज्ञेबर ग्रामटस्य नैंड ॥ लीली प्रेट्स बली प्रेटर बसटी ॥

жэээд оонгова жагайный байгайн жэгигэ, шжош жээги жэшбаги сьуди жээги жээги жэгий шхэх живги шхэх

Ш

- - (%) प्रतेष्ठ ग्राहिष्ठ एभ नदीष्ठ सिप्पें प्रजूट एभ <u>भव</u>ाम स्रोप्याम सेत्र प्रौत्त एभ <u>भव</u>ाम होगाम प्रस्तेष्ठ प्राप्त होगाम प्रस्तेष्ठ एभ भवा होगाम प्रस्तेष्ठ प्रस्तेष्य प्रस्तेष्ठ प्रस

- ीणळीवनठ वनप्रक्रा विष्याचेत्र हुन । विस्तर प्रश्ते प्रमाणकार्य क्रांचित विषय भारत हुन (d) विषय हुन व

from day to day, and indicating that the ship was not taken out of her proper course. A may prove these statements, because they would be admissible between third parties, if he were dead, under clause (b) of section 26.

- (c) A is accused of a crime committed by him at Kolkata. He produces a letter written by himself and dated at Chennai on that day, and bearing the Chennai post-mark of that day. The statement in the date of the letter is admissible, because, if A were dead, it would be admissible under clause (b) of section 26.
- (d) A is accused of receiving stolen goods knowing them to be stolen. He offers to prove that he refused to sell them below their value. A may prove these statements, though they are admissions, because they are explanatory of conduct influenced by facts in issue.
- (e) A is accused of fraudulently having in his possession counterfeit currency which he knew to be counterfeit. He offers to prove that he asked a skilful person to examine the currency as he doubted whether it was counterfeit or not, and that person did examine it and told him it was genuine. A may prove these facts.
- 20. Oral admissions as to the contents of a document are not relevant, unless and until the party proposing to prove them shows that he is entitled to give secondary evidence of the contents of such document under the rules hereinafter contained, or unless the genuineness of a document produced is in question.

When oral admissions as to contents of documents are relevant.

**21.** In civil cases no admission is relevant, if it is made either upon an express condition that evidence of it is not to be given, or under circumstances from which the Court can infer that the parties agreed together that evidence of it should not be given.

Admissions in civil cases when relevant.

Explanation.—Nothing in this section shall be taken to exempt any advocate from giving evidence of any matter of which he may be compelled to give evidence under sub-sections (1) and (2) of section 132.

22. A confession made by an accused person is irrelevant in a criminal proceeding, if the making of the confession appears to the Court to have been caused by any inducement, threat, coercion or promise having reference to the charge against the accused person, proceeding from a person in authority and sufficient, in the opinion of the Court, to give the accused person grounds which would appear to him reasonable for supposing that by making it he would gain any advantage or avoid any evil of a temporal nature in reference to the proceedings against him:

Confession caused by inducement, threat, coercion or promise, when irrelevant in criminal proceeding.

Provided that if the confession is made after the impression caused by any such inducement, threat, coercion or promise has, in the opinion of the Court, been fully removed, it is relevant:

Provided further that if such a confession is otherwise relevant, it does not become irrelevant merely because it was made under a promise of secrecy, or in consequence of a deception practised on the accused person for the purpose of obtaining it, or when he was drunk, or because it was made in answer to questions which he need not have answered, whatever may have been the form of those questions, or because he was not warned that he was not bound to make such confession, and that evidence of it might be given against him.

**23.** (1) No confession made to a police officer shall be proved as against a person accused of any offence.

Confession to police officer.

(2) No confession made by any person while he is in the custody of a police officer, unless it is made in the immediate presence of a Magistrate shall be proved against him:

ଲଠୁঅ ਟੁਡੇਟ យុត្ត ឝូਡੇយਾໝា យុក្កមន ក្នុមនាគេ។ ខាងស្រាស់ និងមួយ ខាង និងមួយ គឺមួយ គឺ

(c) A መମ ਜੰਗਾ ਹਾ ਗਾਰੇਜ਼ ਹਾ ਰਾਜ਼ੀ ਸੰਗਰ ਸੰਖੇਜ ਗਾਰੇਜ਼ ਗਾਰੇਜ਼ ਹਾ ਗਿਆ ਹਾ ਜੰਗੇਜ਼ ਹਾ ਗੁਰਜ਼ ਹਾ ਜੰਗੇਜ਼ ਹਾ ਗੁਰਜ਼ ਹੋ ਗੁਰਜ਼ ਹੈ ਜਿਸ ਹੈ

স্মির্যা অরুদের্গিত অরুদের প্রত্রুপ্ত এক অরুদের স্থান্ত স্থান্ত করা, মের্প্রার্থিত স্থান্ত স্থান স্থান্ত স্থান্ত স্থান স্থান স্থান্ত স্থান স্থান

- (d) A ਘਾਨੀ ਨੁਬਾੰਢਨਾਲ ਆੱਖਨਾਗਿ ਯੁਲੂ ਨੁਬਾੰਦਨਜ਼ਾ ਨੇਨਰ ਨਰਨ ਨਰਨ ਹੈਰਲਾ ਹੈਨਰ ਸੰਰਾਸ਼ ਹਨ। ਜਿਸ ਨਾਜਨ ਲਾਜ ਲਗਾ ਗਾਲਨ ਹੈਨਰ ਸੰਗਰ ਹੈ ਜਨਨ ਨਰਨ ਹੈਨਰ ਲਗਾ ਗਾਲਨ ਹੈਨਰ ਹਨ। A ਪ ਨੇਨਰਾਰਿ ਸੇਟਜਨ ਹੈਨਰ ਪੰਨਰਾਲ ਨੂੰ ਜਨਨ ਹਨ। ਜਨਨ ਨਰਾਰਿ ਸੰਦਾਸ਼ ਹਨ। ਸ਼ਹਾਮ ਦੇ ਸੰਗਰ ਨਰਨ ਹਨ। ਜਨਨ ਹਨ। ਜਨਨ

ਲ መጀት « তেত্ৰ তালা ተ መንግ መደረ መንግ ተ መንግ መንግ መንግ ተ መንግ መንግ መንግ ተ መንግ ተ

**%9.** ហើរកែ  $\underline{\mathbf{m}}$  ហេថា  $\underline{\mathbf{m}}$  ឃល់  $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$  ឃល់  $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$   $\underline{\mathbf{m}$   $\underline{\mathbf{m}}$   $\underline{\mathbf{m}}$ 

ह्याध्य हर्ष्ट स्मा सम्बद्ध स्माधित सम्बद्ध

*നु छान्न प्रताप प्रमा* न । अण्यात प्रमाण सम्भात । अण्यात प्रमाण सम्भात । उत्पाप अण्यात अण्यात । उत्पाप सम्भात । उत्पाप सम्भात । उत्पाप सम्भात । उत्पाप सम्भात । अण्यात । अ

照<u>留</u>自用でマス <u>派伯</u>やりまで<u>との</u>が 来自 さぶなる 来がまな がして がして がして がっとる でも<u>から</u> がっとる でも<u>から</u> がっとる でも<u>から</u> がっとる でもで なごかでる でもから がして ながでるる でもで ながでるる で

भूति होते सुन्तर्थ सन्तर्थ सन्तर्भ सन्तर्थ सन्तर्भ स

स्त्रे अंध प्राधिष्ठ प्रेम्हमह्य स्विधामित प्राधिष्ट प्रदेश प्रदे

॥  $\pi$  ਤਿਸ਼ਾ ਅੰਸੂ ਅਤੇ ਨਾਜ਼ ਗਿਆ ਨੂੰ ਗਾਜ਼ਿਸ਼ ਨਾਜ਼ਿਸ਼ ਹੈ।  $\pi$ 

गार्टिण प्रश्टित ।। स्टिनिय

Provided that when any fact is deposed to as discovered in consequence of information received from a person accused of any offence, in the custody of a police officer, so much of such information, whether it amounts to a confession or not, as relates distinctly to the fact discovered, may be proved.

Consideration of proved confession affecting person making it and others jointly under trial for same offence. **24.** When more persons than one are being tried jointly for the same offence, and a confession made by one of such persons affecting himself and some other of such persons is proved, the Court may take into consideration such confession as against such other person as well as against the person who makes such confession.

Explanation I.—"Offence", as used in this section, includes the abetment of, or attempt to commit, the offence.

Explanation II.—A trial of more persons than one held in the absence of the accused who has absconded or who fails to comply with a proclamation issued under section 84 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall be deemed to be a joint trial for the purpose of this section.

### Illustrations.

- (a) A and B are jointly tried for the murder of C. It is proved that A said—"B and I murdered C". The Court may consider the effect of this confession as against B.
- (b) A is on his trial for the murder of C. There is evidence to show that C was murdered by A and B, and that B said—"A and I murdered C". This statement may not be taken into consideration by the Court against A, as B is not being jointly tried.
- **25.** Admissions are not conclusive proof of the matters admitted but they may operate as estoppels under the provisions hereinafter contained.

Statements by persons who cannot be called as witnesses

- **26.** Statements, written or verbal, of relevant facts made by a person who is dead, or who cannot be found, or who has become incapable of giving evidence, or whose attendance cannot be procured without an amount of delay or expense which under the circumstances of the case appears to the Court unreasonable, are themselves relevant facts in the following cases, namely:—
  - (a) when the statement is made by a person as to the cause of his death, or as to any of the circumstances of the transaction which resulted in his death, in cases in which the cause of that person's death comes into question. Such statements are relevant whether the person who made them was or was not, at the time when they were made, under expectation of death, and whatever may be the nature of the proceeding in which the cause of his death comes into question;
  - (b) when the statement was made by such person in the ordinary course of business, and in particular when it consists of any entry or memorandum made by him in books kept in the ordinary course of business, or in the discharge of professional duty; or of an acknowledgement written or signed by him of the receipt of money, goods, securities or property of any kind; or of a document used in commerce written or signed by him; or of the date of a letter or other document usually dated, written or signed by him;
  - (c) when the statement is against the pecuniary or proprietary interest of the person making it, or when, if true, it would expose him or would have exposed him to a criminal prosecution or to a suit for damages;
  - (d) when the statement gives the opinion of any such person, as to the existence of any public right or custom or matter of public or general interest, of the existence of which, if it existed, he would have been likely to be aware, and when such statement was made before any controversy as to such right, custom or matter had arisen;

Admissions not conclusive proof, but may estop.

Cases in which statement of relevant fact by person who is dead or cannot be found, etc., is relevant.

- (e) when the statement relates to the existence of any relationship by blood, marriage or adoption between persons as to whose relationship by blood, marriage or adoption the person making the statement had special means of knowledge, and when the statement was made before the question in dispute was raised;
- (f) when the statement relates to the existence of any relationship by blood, marriage or adoption between persons deceased, and is made in any will or deed relating to the affairs of the family to which any such deceased person belonged, or in any family pedigree, or upon any tombstone, family portrait or other thing on which such statements are usually made, and when such statement was made before the question in dispute was raised;
- (g) when the statement is contained in any deed, will or other document which relates to any such transaction as is specified in clause (a) of section 11;
- (h) when the statement was made by a number of persons, and expressed feelings or impressions on their part relevant to the matter in question.

### Illustrations.

- (a) The question is, whether A was murdered by B; or A dies of injuries received in a transaction in the course of which she was raped. The question is whether she was raped by B; or the question is, whether A was killed by B under such circumstances that a suit would lie against B by A's widow. Statements made by A as to the cause of his or her death, referring respectively to the murder, the rape and the actionable wrong under consideration, are relevant facts.
- (b) The question is as to the date of A's birth. An entry in the diary of a deceased surgeon regularly kept in the course of business, stating that, on a given day he attended A's mother and delivered her of a son, is a relevant fact.
- (c) The question is, whether A was in Nagpur on a given day. A statement in the diary of a deceased solicitor, regularly kept in the course of business, that on a given day the solicitor attended A at a place mentioned, in Nagpur, for the purpose of conferring with him upon specified business, is a relevant fact.
- (d) The question is, whether a ship sailed from Mumbai harbour on a given day. A letter written by a deceased member of a merchant's firm by which she was chartered to their correspondents in Chennai, to whom the cargo was consigned, stating that the ship sailed on a given day from Mumbai port, is a relevant fact.
- (e) The question is, whether rent was paid to A for certain land. A letter from A's deceased agent to A, saying that he had received the rent on A's account and held it at A's orders is a relevant fact.
- (f) The question is, whether A and B were legally married. The statement of a deceased clergyman that he married them under such circumstances that the celebration would be a crime is relevant.
- (g) The question is, whether A, a person who cannot be found, wrote a letter on a certain day. The fact that a letter written by him is dated on that day is relevant.
- (h) The question is, what was the cause of the wreck of a ship. A protest made by the captain, whose attendance cannot be procured, is a relevant fact.
- (i) The question is, whether a given road is a public way. A statement by A, a deceased headman of the village, that the road was public, is a relevant fact.
- (j) The question is, what was the price of grain on a certain day in a particular market. A statement of the price, made by a deceased business person in the ordinary course of his business, is a relevant fact.

ਗਾਜ਼ਸ਼ਸ਼ਸ਼ ਜਹਾਂ ਹੋ ਜਹਾਂ ਹੈ ਜਹਾਂ ਹੈ

*നଞ്ങാം ശ്ലസ് I.*-೧೪೩೧ ಇರುವ ೧೯೭೬ ಅದ್ದು "ಹುಕು $\underline{eo}$ " ಹಂಗಿವ, ಹುಕು $\underline{eo}$  ಹಷ್ಣ ಸ್ವಾತಿ ರಳು $\underline{eo}$ ಗು ಸ್ವಾನ ॥

### *ふっていずむ。いっていば出 ||*

- (a) Αឃ្គាញ B ឃុំ ១៩ ភូមិស្ហាក្រស្មែញ អ្នក ក្រសួល អ្គ

### प्राधिमार्थे ग्राप्य क्रिया न उत्तर मिष्य प्राधित होष्य प्राधित होष्य

- - (a) ଲੀ  $\mathbf{w}$  ত ਜਨ  $\mathbf{w}$  ত ਜਨ  $\mathbf{w}$  ত ਜਨ  $\mathbf{w}$  ਹੈ ਹਨ। ਕਿ ਕਿਸਾ ਜਨ  $\mathbf{w}$  ਹਨ। ਕਿ ਕਿਸਾ ਜਨ  $\mathbf{w}$  ਹਨ। ਕਿਸਾ
  - (b)  $\underline{ox}$  ዓେස ଅর আর্থাদের মার্মির অর্থ অসমের বর্ণাভ-স্তর্গার্টা রুষ মার্মার মার্মির মার্মার অম্মের আর্থান্তর সর্বার্টার বির্বাহিন আর্থান্তর মার্মার মার্মার আর্থান্তর বর্ণাভ-স্থার্টার মার্মার মার্মার অভ্যান্তর বর্ণাভ-স্থার্টার মার্মার মার্মার আর্থান্তর আর্থান মার্মার মার্মা
  - (c) 0.000 មេនក្សា នេក្សា ន

- (e) when the statement relates to the existence of any relationship by blood, marriage or adoption between persons as to whose relationship by blood, marriage or adoption the person making the statement had special means of knowledge, and when the statement was made before the question in dispute was raised;
- (f) when the statement relates to the existence of any relationship by blood, marriage or adoption between persons deceased, and is made in any will or deed relating to the affairs of the family to which any such deceased person belonged, or in any family pedigree, or upon any tombstone, family portrait or other thing on which such statements are usually made, and when such statement was made before the question in dispute was raised;
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- (j) The question is, what was the price of grain on a certain day in a particular market. A statement of the price, made by a deceased business person in the ordinary course of his business, is a relevant fact.

- (e) प्रेंचम प्पणी ५, टूॐपाठ ए५<u>४०४</u>मा रु॰पाठ४आणा रू४केपाठ सभी देंठ सिप्पेठलीपाणी सभाग ५, टूॐपाठ ए५<u>४०४</u>मा रु॰पाठ४आणा रू४केपाठ सभा वेंठण सभी देंपण सभी देंपण सभा उत्थाप का अध्याप केंद्र केंद्र से स्वर्थ केंद्र से स्वर्थ केंद्र से स्वर्थ केंद्र से सिप्पेठ से सिपेठ से सिप्पेठ से सिपेठ से सिप
- (f) प्रेहम चार्ण त्र, टूर्गण्य एउ<u>र्ग्य</u>ण वैंत्रा<u>श्व</u>ण स्थित्र सांचित्रत्रणाण सिवाण प्रभण्य प्रभण्य स्थित वेंद्र सांचित्र प्रस्त्र सांचित्र प्रस्ति चार्य सांचित्र प्रस्त्र प्रस्ति स्त्र प्रस्त्र प्रस्ति चार्य प्रस्ति स्त्र प्रस्ति स्त्र प्रस्ति स्त्र प्रस्ति प्रस्ति स्त्र प्रस्ति स्त्र प्रस्ति प्रस्ति स्त्र प्रस्ति स्त्र प्रस्ति स्त्र स्त्र प्रस्ति स्त्र स्त्र प्रस्ति स्त्र स्त्र प्रस्ति स्त्र प्रस्ति स्त्र स्त्र प्रस्ति स्त्र स्त्र प्रस्ति स्त्र स्त्र
- (g) ហះឃាលម ទទ្ទាហ៍  $\underline{\mathbf{w}}$   $\mathbf{z}$  (a)  $\mathbf{z}$   $\mathbf{w}$   $\mathbf{z}$   $\mathbf$
- (h) ਸੇਵਜ ਘਾਨੀ ਜ਼ਿਧਿ'ਨ ਸ਼ਾਲੇ ਘਜ਼ਦ ਵਾੰਘਲਾੰਘਾਂਗ ਜ਼ਲਾਜਲ, ਘਜ਼ਾਨੂੰਘ ਸੇਵਜ ਘਾਨੀਲ ਜ਼ਖ਼ੀ ਰੇੱਦਰ ਜੁਨਾਨਾ। ਜੇਨਸ਼ੱਲਾ। ਸੇਨਸਰੇ ਵਾਲੀ ਦਖ<u>਼ਸ਼ਾ</u> ਸੰਸਤਰੇ ਵਾਲੀ ਵਾੰਘਲਾੰਘਾਂਗ ਜ਼ਲਾਜਲ।

- (a) प्रेहमर्बा, A प्या ि Bट केंद्रिहें; एद्र<u>ज्वाम Aट सक्या प्राण्ड</u> भ्राण्ड स्वार्थ स्वार्थ स्वार्थ प्राण्ड स्वार्थ स्वार्य स्वार्थ स्वार्थ स्वार्थ स्वार्थ स्वार्थ स्वार्थ स्वार्य स्वार्थ स्वार्थ स्वार्थ स्वार्थ
- (b) प्रेहम च्वली Aार्ण आर्थाणआर्था आर्थणा स्थानिकार्य ।। वैंत्रिकार लग्नट च्यामार्थ केत्रशिक्ष प्रेच एेंक्ट टटेण्ड-क्रणीण श्रैष्ठ सम्भाव उमर्टाष्ठ, च्याचे आर्थणा स्थानिकार सम्भाव उमर्टाण क्ष्मणा अर्थणा स्थानिकार स्
- (c) ਨੇਸ਼ਜ਼ਨੀ, A ਘਾਨੀ ਘਸ਼ਾਹਾਰ ਦੂਜ਼ੀਖ ਘਸ਼ਨ ਦੇਸ਼ਾਗ਼ਮੁਤ ਰੌਖ਼ਸਾ<u>ਲਦੇ</u> ਨੇਨਤਨਾਦੀ ॥ ਰੌਨਨਿ<u>ਤਰ</u>ਤ ਨਾੰਗਨਾਖ਼ਮੁਤ ਘਸ਼ਾ ਨੇਨਰੀਨ, ਰਰੰਘ-ਨੁਤੀ ਨਾਂ ਹੈ ਜਨ੍ਹੇਸ਼ ਦੇਸ਼ਾਹ ਦੇਸ
- (e) ਸੇਵਜਗ਼ੀ, A ਕ ਘਾਲਾਦਰ ਰਜਾ ਿੰਦਰਾ ਜਗ਼ੀ ਹੈ ਕੇ ਨੇਸ਼ਗੀ ਜਿਸ ਦੇ ਸੰਗੀਸ਼ ਕਾਰਤਾ ਦਾ ਰਾਜ਼ਗ਼ ਦਾ ਰਾਜ਼ਗ਼ ਕਾਰਤਾ ਹੈ ਕਿ ਸ਼ਹੀ ਸੰਗੀਸ਼ ਕਰਤਾ ਹੈ ਕਰਤਾ ਹੈ
- (f) ਸੇਵਜਨੀ, A ਘੁਸ਼ਆ B ਘਾਨੀ ਬਾਲੇ ਸਾਲੇ ਸ਼ਾਲੇ ਸ਼
- (g) ਸੇਵਜਗ਼, ਵੰਗਰ ਸ਼ਹਿਆਨ ਘਸ਼ ਘਾਣਮਾਤਿ AC ਘਾਆਦਾਰ ਦੂਸ਼ੀ ਪਸ਼ਲ ਸੀਸ਼ੀ ਘਸ਼ ਨਸਤਿ<u>ਥੇਂ</u> ਨੇਤਰਾਈ। ਸਨੇਘਾਦ ਸਸਤਿ ਪਸ਼ਿਸ਼ ਘਸ਼ਰ ਦਸ਼ੀ ਘਸ਼ਰ ਦਸ਼ੀ ਪਸ਼ਲ ਹੈ ਜਾਣੀ ਹੈ ਜਾਣੀ ਪਸ਼ਲ ਪਸ਼ਲ ਸੀਸ਼ੀ ਘਸ਼ਰ ਦਸ਼ੀ ਪਸ਼ਲ ਹੈ ਜਾਣੀ ਹੈ ਜਾਣੀ ਪਸ਼ਲ ਸੀਸ਼ੀ ਘਸ਼ਰ ਦਸ਼ੀ ਪਸ਼ਲ ਸੀਸ਼ੀ ਸ
- (i) ਸੇਵਜਗੀ, ਸਵੀਬਿੰਡ ਰਜ਼ਬੀ ਘਾਨੀ ਜ਼ਿਲਿਜ਼ਾ। ਘਾਨਤ ਰਜ਼ਬੀ ਘਾਨਤ<u>ਰੇ</u> ਨੇਨਤਲਾਈ। ਸ਼ਹੂਜ਼ਾਂ ਘਲ਼ਾਸ਼ੀ ਰੱਨ<u>ਕਿਰ</u>ਡ ਜ਼**ਘਾ** ਘਜ਼ ਘਾਨਤੀਤ ਘਾਟ ਰਜ਼ਬੀ ਘਲ਼ ਜ਼ਿਲਿਜ਼ਾ। ਘਾਨਤਟੀ ਨੇਨਟ ਵਾਂਘਲਾਂ ਘਾਸ਼ ਘਲੀ ਜ਼ਰੀ ਰੇਂਟਤ ਸੇਵਜ਼ ਘਜ਼ਟੀ ।
- (j) रोहमर्का, प्राच्या कर्षे उन्न प्रस्क प्राच्या दृश्य प्रस्क सर्जे-स्विश्वाणी सस्य खरे प्रोट्टा केट्रह्मारी स्वेचार्या दृश्य है। स्वेचार्या प्राप्त प्राप्त प्राप्त प्राप्त द्वारा कर्षा करिया कर्षा कर्षा कर्षा कर्षा कर्षा करिया कर्षा करिया करिया कर्षा करिया करि

- (k) The question is, whether A, who is dead, was the father of B. A statement by A that B was his son, is a relevant fact.
- (*l*) The question is, what was the date of the birth of A. A letter from A's deceased father to a friend, announcing the birth of A on a given day, is a relevant fact.
- (m) The question is, whether, and when, A and B were married. An entry in a memorandum book by C, the deceased father of B, of his daughter's marriage with A on a given date, is a relevant fact.
- (n) A sues B for a libel expressed in a painted caricature exposed in a shop window. The question is as to the similarity of the caricature and its libellous character. The remarks of a crowd of spectators on these points may be proved.
- Relevancy of certain evidence for proving, in subsequent proceeding, truth of facts therein stated.

27. Evidence given by a witness in a judicial proceeding, or before any person authorised by law to take it, is relevant for the purpose of proving, in a subsequent judicial proceeding, or in a later stage of the same judicial proceeding, the truth of the facts which it states, when the witness is dead or cannot be found, or is incapable of giving evidence, or is kept out of the way by the adverse party, or if his presence cannot be obtained without an amount of delay or expense which, under the circumstances of the case, the Court considers unreasonable:

Provided that the proceeding was between the same parties or their representatives in interest; that the adverse party in the first proceeding had the right and opportunity to cross-examine and the questions in issue were substantially the same in the first as in the second proceeding.

*Explanation.*—A criminal trial or inquiry shall be deemed to be a proceeding between the prosecutor and the accused within the meaning of this section.

### Statements made under special circumstances

Entries in books of account when relevant.

28. Entries in the books of account, including those maintained in an electronic form, regularly kept in the course of business are relevant whenever they refer to a matter into which the Court has to inquire, but such statements shall not alone be sufficient evidence to charge any person with liability.

### Illustration.

A sues B for one thousand rupees, and shows entries in his account books showing B to be indebted to him to this amount. The entries are relevant, but are not sufficient, without other evidence, to prove the debt.

- Relevancy of entry in public record or an electronic record made in performance of duty.
- 29. An entry in any public or other official book, register or record or an electronic record, stating a fact in issue or relevant fact, and made by a public servant in the discharge of his official duty, or by any other person in performance of a duty specially enjoined by the law of the country in which such book, register or record or an electronic record, is kept, is itself a relevant fact.

Relevancy of statements in maps, charts and plans.

**30.** Statements of facts in issue or relevant facts, made in published maps or charts generally offered for public sale, or in maps or plans made under the authority of the Central Government or any State Government, as to matters usually represented or stated in such maps, charts or plans, are themselves relevant facts.

Relevancy of statement as to fact of public nature contained in certain Acts or notifications. 31. When the Court has to form an opinion as to the existence of any fact of a public nature, any statement of it, made in a recital contained in any Central Act or State Act or in a Central Government or State Government notification appearing in the respective Official Gazette or in any printed paper or in electronic or digital form purporting to be such Gazette, is a relevant fact.

- (k) স্ট্রেন্ডা, পা<u>স্তর্ন</u>ত্ব A অপা Bাদা ম্যা আঁস্তর্<u>র</u> ক্রিস্তর্গারা মেত রা অপা ম্রা আর্মির্মার্টের মুর্মির স্থান মার্মির মার্মির
- (m) A யੁਨ੍ਸਾ ਤ ਜ਼ਿਲ੍ਹਾ B ਘਾਨੀ ਨਾ ਸਿੰਘ ਨਾ ਸੰਸ਼ ਤ ਜ਼ਿਲ੍ਹਾ ਸ਼ਹਮ ਤ ਕਰਨ ਹਿਲਜਾਨਜ਼ ਤ ਜ਼ਿਲ੍ਹਾ ਸ਼ਹਮ ਤ ਜ਼ਿਲ੍ਹਾ ਸ਼ਹਮ ਤ ਸ਼ਹਮ ਤ ਕਰਨ ਹਿਲਜਾਨਜ਼ ਤ ਜ਼ਿਲ੍ਹਾ ਸ਼ਹਮ ਤ ਸ
- ਲ8 ਘਜਲੀਅਜ਼ਘ ਜਤੰਨ ਆਿਲਹਜਟ੍ਰਨੰਬਟ ਆਘਾੰਨਘਾੰਤ ਲਜ਼ਘ ੧੨੨੦ਬੀ੧੨ਬ ਆਘਾਂਨ ਆਮਣ ਲਜ਼ਘ ਆਲ ਗਿਲਬੰਨ (n) ਨੇ ਸੰਗੇਲ ਸੰਗੇਲ ਲਹੇ ਜੋ ਜਿਹਾ ਸੰਗੇਲ ਹੈ ਜੋ ਜਿਹਾ ਸੰਗੇਲ ਸੰਗੇਲ ਜੋ ਜਿਹਾ ਸੰਗੇਲ ਦੀ ਜਿਹਾ ਸੰਗੇਲ ਸ
- 83. टूळािलाउ॰ ना माधिलाठिक प्टाला पासक, एउ<u>ण्या माधिलाठिक प्रात्तिक प्राप्तिक प्राप्</u>

সংগ্রামরের সমর্ম তার দ্বারার স্থান দ্বারার সমর্ম তার স্থান সমর্ম তার দ্বারার সমর্ম তার দ্বারার সামরের সা

### प्राप्ताप्त होगमणीयाणी सत्रेत्र ग्राधित सेहमणीय

ग्रत्या भर्ष प्रत्म

ಪ್ಲ ಪ್ರವಾಗಿದ್ದು

ਲਹੀਆ ਡਜ<u>਼ੰਬਆ</u> ਬਹਾਜ਼ਬਾਸ਼

गियािणश्रमिभा

र्दुचिषि सप्रमिष प्रहमणीय सन्न

= ਹਿਲਾਅਤ

യരം അച്ച വരു വെയു

### 55cの5acの6 ||

ੀ ਜੁਲੂ ਭਰ ਹੈ ਜਾਂ ਤਾਲ ਗਿਆ ਸ਼ਹਾ ਹੈ ਜਾਂ ਤਾਲ ਗਿਆ ਜੁਲਾ ਹੈ ਜਾਂ ਤਾਲ ਹੈ ਜਾਂ ਤਾਲ ਗੁਰਾ ਹੈ ਜਾਂ ਤਾਲ ਹੈ ਜਾਂ ਤਿਕਾਰ ਜਾਂ ਤਾਲ ਹੈ ਜਾਂ ਤਾਲ

නප ක්රීම්කය විදුන්ව සාධාව විදුන්ව සාධාව විදුන්ව සාධාව විදුන්ව සිට ව සිට

ਰੱੱਦੱਂ ॥

32. When the Court has to form an opinion as to a law of any country, any statement of such law contained in a book purporting to be printed or published including in electronic or digital form under the authority of the Government of such country and to contain any such law, and any report of a ruling of the Courts of such country contained in a book including in electronic or digital form purporting to be a report of such rulings, is relevant.

Relevancy of statements as to any law contained in law books including electronic or digital form.

### How much of a statement is to be proved

33. When any statement of which evidence is given forms part of a longer statement, or of a conversation or part of an isolated document, or is contained in a document which forms part of a book, or is contained in part of electronic record or of a connected series of letters or papers, evidence shall be given of so much and no more of the statement, conversation, document, electronic record, book or series of letters or papers as the Court considers necessary in that particular case to the full understanding of the nature and effect of the statement, and of the circumstances under which it was made.

What evidence to be given when statement forms part of a conversation, document, electronic record, book or series of letters or papers.

### Judgments of Courts when relevant

**34.** The existence of any judgment, order or decree which by law prevents any Court from taking cognizance of a suit or holding a trial, is a relevant fact when the question is whether such Court ought to take cognizance of such suit or to hold such trial.

Previous judgment relevant relevant account of the previous prevents any Court of the previous prevents any Court of the previous from taking cognizance of a suit or holding a trial, is a relevant fact when the question is prevents any Court of the previous prevents and the prevents are prevents are prevents and the prevents are prevents and the prevents are prevents are prevents and the prevents are prevent

Previous judgments relevant to bar a second suit or trial.

**35.** (1) A final judgment, order or decree of a competent Court or Tribunal, in the exercise of probate, matrimonial, admiralty or insolvency jurisdiction, which confers upon or takes away from any person any legal character, or which declares any person to be entitled to any such character, or to be entitled to any specific thing, not as against any specified person but absolutely, is relevant when the existence of any such legal character, or the title of any such person to any such thing, is relevant.

Relevancy of certain judgments in probate, etc., jurisdiction.

- (2) Such judgment, order or decree is conclusive proof that—
- (i) any legal character, which it confers accrued at the time when such judgment, order or decree came into operation;
- (ii) any legal character, to which it declares any such person to be entitled, accrued to that person at the time when such judgment, order or decree declares it to have accrued to that person;
- (iii) any legal character which it takes away from any such person ceased at the time from which such judgment, order or decree declared that it had ceased or should cease; and
- (*iv*) anything to which it declares any person to be so entitled was the property of that person at the time from which such judgment, order or decree declares that it had been or should be his property.
- **36.** Judgments, orders or decrees other than those mentioned in section 35 are relevant if they relate to matters of a public nature relevant to the enquiry; but such judgments, orders or decrees are not conclusive proof of that which they state.

Relevancy and effect of judgments, orders or decrees, other than those mentioned in section 35.

### Illustration.

A sues B for trespass on his land. B alleges the existence of a public right of way over the land, which A denies. The existence of a decree in favour of the defendant, in a suit by A against C for a trespass on the same land, in which C alleged the existence of the same right of way, is relevant, but it is not conclusive proof that the right of way exists.

**%.ಇ.** ਟੈਂਡੇਵਾ ਘਜਾ ਘੇਨਦ ਘਜਾ ਸ਼ਾਸ਼ ਕੋਲਾਜਨ ਨਰਾਈ ਕੇਲ ਦੇ ਜ਼ਿਲ੍ਹ ਕਰਦੇ ਜ਼ਿਲ੍ਹ ਦੇ र छन्द्रहर र र पा॰रमण छत्र हमगौलम गानस्र त्र त्राचानम् गानस्र हमाने व्याप्त हिन्द्र हर पा॰र हमाने हमाने हिन्द्र हर हमाने हमान गाधारंत्र स्वार्धाभा गामान्योजी साधानान्या पार्वे प गाधिर एक प्राप्त कर पाल्सम अधिराधि गासम हन्दर्भ गामीललैन स्वर्भ गाधिर पालिस पर्वे प्रमाशिस रह्म स्राप्त स्वर्भ ॥ उँँ विस गरणः न्सम ४ विशावि गिग्यतम् ४ मगीलम रह्यंत्र स्रमम पावित्र्वं ४ ए र र राज्या

### जेहम यस खारेम होमए ग्राथमेख ज<sup>4</sup>गारुगा॰

लक्षण यस एर्फ्रक्षण ॐर्फ्रेट उमरुष ख्रामा लक्षण यस, एर्फ्रक्षण रेफ्रक्षण यसणि लक्षण यस प्रक्रिक्षी क्षेत्रक प्रस्ति रहेस एक्षेत्र एक्ष्म हिन्दु होने साथ होने होने हेस्स होने हेस्स है से स्वर्ध होने होने होने हेस र्राणीमार्ग सिंग प्रस्ता रोज्जर स्टब्स स्टब्स एक प्रसार स्वीमा स्वीम स् लम्मा हांगमलावामा संज्ञास प्रेरान्नलैंट प्रवास्था प्रकार सार्वे तरेंद्र त्रेंद्र त्रेंद्र हांगमलावामा सार्वे प्रवास्था प्रवास्था प्रवास्था प्रवास्था प्रवास्था प्रवास्था प्रवास्था प्रवास 

ीगागर्याण राष्ट्रपर पाध्याम देऽभागाणामात्र होद्वर புக்கிர் விக்கிர் விக்கிர்க்கிர் लार्थम ी भूमी गागारामा दिसा दि ਰੱਟਾਂ ॥

<u>ወ</u>፮॰₭₭॰₢₭ ₵₵ .गार्र-१प. तर्शर्रा-भिर्ग ආක³<u>අත</u>, ද්නආ්ш ए४७६० मध्य विषय माभुक्रभूय шаю јант прак गाम व्य≈्या माण ग्रम<u>ी भार</u>ी भारत जन राज

### सभी देंटर साम्मा उरेज्ञ नलेली वाणी उरेज्ञ नली व

,००१ हणीय उण्डत णुरम गण्डत क्रियम् तर्रित ग<u>ण्य</u>क राज्य प्रस्तात हे स्वाप्त हरणा महास्वाप्त हे स्व ॥ रिज्ञम मर्झर हर्गेंड विम्न स्रोलहर्द्द विस्नार्थ "यम हर्यस्र रम्मालम मावरभ्य विस्नार्थ "यम

മ്മപ്രൂമ ത്ഷ F°兄忒奋ጚ गा<u>भर</u>४७ भिम गुरुगार मण र्देएर ससेग्रह ग्राफिरि ज्ञेद्रश्चलीय ॥

**%.९**. (९) ग्रास<sup>भ</sup>रुभ, संग्रिमीस<sup>भ</sup>रित्र, ब्राज्यसम्भित्र, ब्राज्यसम्भित्र, संग्रिमीसम्बर्धन संग्रीम च्या करणा करणा हेर पे के उप देखा के उप ते का अध्याधक मा <u>भि</u>ष्ठ र प्रकार के उप क ਕਾਗ਼ਗਾਰਤ ਸ਼ਹਿਤ ਗੁਰਾਹਤ ਦਨ ਨਾਲ ਹੈ ਦੇ ਨਾਲ ਸ਼ਹੂਜ਼ ਸ਼ਹਾਰਤ ਦੇ ਨਾਲ ਹੈ ਦੇ ਨਾਲ ਹੈ ਦੇ ਨਾਲ ਹੈ ਦੇ ਨਾਲ ਸ਼ਹੂਜ਼ ਦੇ ਨਾਲ ਹੈ ਦੇ ਨਾਲ ਸ਼ਹੂਜ਼ ਦੇ ਨਾ  $\mathbb{L}^{\circ}$  ਹੁੰਦੇ ਰਿਸ ਲਜਨਸ ਨਹੁੰਦੇ ਰਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਗਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਗਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਗਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਹੁੰਦੇ ਰਿਸ ਲਜਨਸ ਤਹੁੰਦੇ ਰਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਹੁੰਦੇ ਰਿਸ ਲਜਨਸ ਤਹੁੰਦੇ ਰਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਹੁੰਦੇ ਰਿਸ ਲਜਨਸ ਤਹੁੰਦੇ ਰਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਹੁੰਦੇ ਰਿਸ ਹੁੰਦੇ ਰਿਸ ਹਿਣ  $\mathbb{L}^{\circ}$  ਹੁੰਦੇ ਰਿਸ ਹੁੰਦੇ ਰਿਸ ਹੁੰਦੇ ਹੁੰਦੇ ਰਿਸ ਹੁਦੇ ਰਿਸ ਹੁੰਦੇ ਰਿਸ ਹੋ ਰਿਸ ਹੁੰਦੇ ਰਿਸ ਹੁੰਦੇ

ग्रात्र १८५६ मध्य १५५५ मध्य **മൗഗ്യി**ന്റെ WIND TO K ीधम गिमाधीलह॰उर्रहर

- विक्रुस द<sup>6</sup>ण अस<u>ी भार</u> हें <u>एक मार्ग</u> हें प्राप्त मार्ग कर कर कर के समूची हैं हम्मूची (अ)
- हरेपा॰रमक मर्राण हरेफा गाउँ हो । उर्दे उठा गेउहें चार हरेपा॰रमक तर्काम हमगोलक (ii)
- ംലപ്പെട്ട ഉഷിയെ വേര്ഷ് ചെയ്യ ചെയ്യ ക്യൂ വെയ്യു ਦਖ<u>ਾ</u>ਰਾ ਰੇਨਨਾਵਿਸ਼ਾਬਰ ਨੇਸ਼ਟ ਘਨੀਸ਼ਿਸ਼ਰ ਸੇਸ਼ਟਾਰ, ਨੇਜ਼ੇ ਦਖ<u>ਨਾ</u>ਰਸ ਸ਼ਾਸ਼ਿਸ਼ਟੀਦ ਦੇਸ਼ਜ਼ਾਸਨਿਕ ਜਨਸ ਘਲਕੁਸ਼ਸੀ ਰਾਸ਼ਨੀ;
- ग्रस विद्यार्थ हिन्स विकास का कार्या हो होता है जिल्ला होता है जिल्ला है जिल्ला है जिल्ला (vi) र्जणीम ब्रह्मण मध्य प्रीताम प्रत्य प्रताम करण के उत्तर प्रमाणिक उत्र प्रमाणिक उत्र का मध्य प्रमाधिक मध्य प्रमाधिक प्रमाणिक उत्र प्रमाधिक प ॥ उमस्य विषय
- କ୍ର. ୯୬୮୯୯ କ୍ରମ୍ୟ ଅଧ୍ୟର୍ଥ ନୁଧାର ଅଧ୍ୟର୍ଥ ନୁଧାର ଅଧ୍ୟର୍ଥ ନୁଧାର ଅଧ୍ୟର୍ଥ ନୁଧାର ଅଧ୍ୟର୍ଥ ନୁଧାର ଜ୍ୟର୍ଥ ନୁଧାର ଜ୍ୟର୍ୟ ନୁଧାର ଜ୍ୟର୍ଥ ନୁ ନୟର ଜ୍ୟର ଜ୍ୟର ଜ୍ୟର ଜ୍ୟ उद्याजिक स्था देंटर सिन्न निम्न निम रेंद्र प्रताप प्रताप

നംസ്ഥര് കഴയ ™ഭ<u>മ</u>പ്പെയ്യ ए४ ज्वा जेज्ञ जेज्ञ व्यक्ष्य ಗ<u>ಾಕ್</u>ತು ಪ್ರಕ್ಷಣಗಳು विम गियालिभिष्योह रूप गालमा। रुपर III &44eIII

### *ふたいが出"のぜ ||*

उदर्व हैं सक पार गिरारन हर्दण गिनरंत्रीस स्रह्मण नि प्रथा ॥ दिशा राधस प्रसारा मार शार्य हर्मण नि विष्य प्रसार समे न र्लाजी, सब्द AC रोजिक्षः ॥ AC Cml सेर्राध्या तम प्रजूसपाजिक तेष्टलिष्ठाणीत्रामाज ब्रीष्टिष्टकष्टवा सेज्ञांक तथ्यामा प्रेरः च प्रस देंड, स्लिहि Cए प्राप्त सेष्टएड दमडीमि व्या दें केंद्रए सक्षेत्र लिहि।, स्लिहिस्टी वेंंटें, प्रहार स्लिहिस्टी प्राप्त होने ा °ए४७ मळत ४३ प्राप्तम भाषत्वर्द वें पार

Judgments, etc., other than those mentioned in sections 34, 35 and 36 when relevant. **37.** Judgments or orders or decrees, other than those mentioned in sections 34, 35 and 36, are irrelevant, unless the existence of such judgment, order or decree is a fact in issue, or is relevant under some other provision of this Adhiniyam.

### Illustrations.

- (a) A and B separately sue C for a libel which reflects upon each of them. C in each case says that the matter alleged to be libellous is true, and the circumstances are such that it is probably true in each case, or in neither. A obtains a decree against C for damages on the ground that C failed to make out his justification. The fact is irrelevant as between B and C.
- (b) A prosecutes B for stealing a cow from him. B is convicted. A afterwards sues C for the cow, which B had sold to him before his conviction. As between A and C, the judgment against B is irrelevant.
- (c) A has obtained a decree for the possession of land against B. C, B's son, murders A in consequence. The existence of the judgment is relevant, as showing motive for a crime.
- (d) A is charged with theft and with having been previously convicted of theft. The previous conviction is relevant as a fact in issue.
- (e) A is tried for the murder of B. The fact that B prosecuted A for libel and that A was convicted and sentenced is relevant under section 6 as showing the motive for the fact in issue.

Fraud or collusion in obtaining judgment, or incompetency of Court, may be proved.

**38.** Any party to a suit or other proceeding may show that any judgment, order or decree which is relevant under section 34, 35 or 36, and which has been proved by the adverse party, was delivered by a Court not competent to deliver it, or was obtained by fraud or collusion.

### Opinions of third persons when relevant

Opinions of experts.

**39.** (1) When the Court has to form an opinion upon a point of foreign law or of science or art, or any other field, or as to identity of handwriting or finger impressions, the opinions upon that point of persons specially skilled in such foreign law, science or art, or any other field, or in questions as to identity of handwriting or finger impressions are relevant facts and such persons are called experts.

### Illustrations.

- (a) The question is, whether the death of A was caused by poison. The opinions of experts as to the symptoms produced by the poison by which A is supposed to have died, are relevant.
- (b) The question is, whether A, at the time of doing a certain act, was, by reason of unsoundness of mind, incapable of knowing the nature of the act, or that he was doing what was either wrong or contrary to law. The opinions of experts upon the question whether the symptoms exhibited by A commonly show unsoundness of mind, and whether such unsoundness of mind usually renders persons incapable of knowing the nature of the acts which they do, or of knowing that what they do is either wrong or contrary to law, are relevant.
- (c) The question is, whether a certain document was written by A. Another document is produced which is proved or admitted to have been written by A. The opinions of experts

କ୍ଷ. നൗയന കൂർ, കുറ അന്ത്ര കുറെ അര്ഥ്വ ഒരു അവര് വര്ദ്ദേശ്യ വര്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദേശ്യ വര്ദ്ദേശ്യ വര്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ്ദേശ്യ വര്ദ

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- (a) A प्रस्तुण BC स्ट्रिंग ज्ञित्वा स्वामणामा स्ट्रिंग स्वस्त्र स्वाप्त प्रस्ता स्वाप्त प्रमाणकासण के ज्ञित्वा स्वाप्त स्वाप्त स्वाप्त स्वाप्त प्रस्ति प्रस्ति प्रस्ति प्रस्तुण प्रस्ति स्वाप्त प्रस्ति स्वाप्त प्रस्ति स्वाप्त स्वा
- (b) A प्रसट Bर्डू स्रेमण्या लाह प्रसं दाँचाया विस्तार प्रेरर प्राप्त हो प्रति सक्षेत्र लाहि प्रति स्वाप्त स्वाप्त होते स
- (c) AC B, C៣ ਜ਼ਿੰਨ੍ਹਾੇਘਾ ਰਜ ਰਾੱਗਿੰਦਰ ਬ<u>ਿੰਗ</u>ੀ ਘਜ ਵੰਰਾ, B៣ ਜ਼ਿੰਨ੍ਹੇਘਾਂਦ ਜ਼ਰਾਜ ਘਾਨਕੁਟ A ਬੂ ਕੇਂਖਰੀ ॥ ਕੇਂਨ੍ਹਾਂ ਘਾਨੀ ਰੱੱਬ ਘਾਨੀ ਜ਼ਰੀ ਰੱੱਦੋਂ, ਜ਼ਨੀਦ ਸ਼ਰੀਨਜ਼ ਘਜ਼ਾ ਜ਼ਰਮ ਸ਼ਖ਼ਾ ਸ਼ਖ਼ਰੀ ॥
- រក្សាល កម៌អា ថ្លង ឃក្លអាយា នៃរបស់ ស្គ្រាស់ ខេម្មអាស្ត្រាល កម៌អា ថ្លង បាន នេះប្រសាធាននៃ បាន ខេម្មអាស្ត្រ បាន ខេម្មអាស្ត្រ ប្រជុំ បាន ខេម្មអាស្ត្រ ខេមស្រាស្ត្រ ខេម្មអាស្ត្រ ខេម្មអាស្ត្រ ខេម្យក ខេម្មអាស្ត្រ ខេមក្រាស្ត្រ ខេម្មអាស្ត្រ ខេម្មអាស្ត្រ ខេម្យក ខេម្យម ខេម្មអាស្ត្រ ខេម្មអា

### सभी वेंटर स्थानक स्थान स्थान

ក-ភីឧកភិក-ភិ ព្រាយាលខាងកិត្តក្

ਅਤੇ ਦਾ ਸ਼ਾਹਤ ਦੇ ਕਿਸ਼ ਵਿੱਚ ਜ਼ਿਲ੍ਹੇ ਦੇ ਕਿਸ਼ਤ ਦੇ ਕਿਸ਼ਤ

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प्रेष्टलीष्टए४,

### ริสูตรายาตายาตายา

- (a) ਨੇਵਜਗ਼ੀ, A ਾਨਿਸ਼ ਵਾਹੀ ਤੁਹ ਪੰਜਾਬ ਸਾਹੀ ਕੁਦ ਸੰਭਾਵਸਤਿ<u>ਥੇਂ</u> ਕੇਸ਼ਤਾਰੀਦੀ ॥ A ਾਨਿ<u>ਸ਼ਰ</u> ਕੇਸ਼ਦ ਜੇਟਰ ਨੂੰ ਚਲ੍ਹਾ ਜ਼ਾਂਗਰੀਗਾਜ਼ੀ ਜ਼ਿਲਾਂਗਲ ਨੰਕੇਂਬਾਤਾਰੀਗਾਜ਼ੀ ਨੇਸ਼ਤਰੇਵਾਰੀਗ ਘਾਨੀ ਜ਼ਿਸ਼ੀ ਰੇਂਦੇਂ ॥
- (c) ਸੇਵਜਨੀ, ਘਲਾਦਾਰ ਸਾਜ਼ਾਂ ਚਾਜ਼ ਕਰ ਨਨੀਂ ਤੁੰਦੇ ਨੇਨਰਾਈ ॥ ਕਰ ਨਨੀਂ ਰਹੀ ਸਨਰ ਸੰਸ਼ਾਂ ਦੇ ਰਹੀ ਸਾਜ਼ਾਂ ਦੇ ਰਹੀ ਸੰਸ਼ਾਂ ਦੇ ਰਹੀ ਸਿੰਸ਼ਾਂ ਦੇ ਰਹੀ ਸੰਸ਼ਾਂ ਦੇ ਰਹੀ ਸੰਸ਼ਾਂ ਦੇ ਰਹੀ ਸ਼ਿਕਾਂ ਦੇ ਰਹੀ ਸ਼ਿਕਾਂ ਦੇ ਰਹੀ ਸੰਸ਼ਾਂ ਦੇ ਰਹੀ ਸੰਸ਼ਾਂ ਦੇ ਰਹ

21 of 2000.

on the question whether the two documents were written by the same person or by different persons, are relevant.

(2) When in a proceeding, the court has to form an opinion on any matter relating to any information transmitted or stored in any computer resource or any other electronic or digital form, the opinion of the Examiner of Electronic Evidence referred to in section 79A of the Information Technology Act, 2000, is a relevant fact.

Explanation.—For the purposes of this sub-section, an Examiner of Electronic Evidence shall be an expert.

**40.** Facts, not otherwise relevant, are relevant if they support or are inconsistent Facts bearing with the opinions of experts, when such opinions are relevant.

upon opinions of experts.

#### Illustrations.

- (a) The question is, whether A was poisoned by a certain poison. The fact that other persons, who were poisoned by that poison, exhibited certain symptoms which experts affirm or deny to be the symptoms of that poison, is relevant.
- (b) The question is, whether an obstruction to a harbour is caused by a certain sea-wall. The fact that other harbours similarly situated in other respects, but where there were no such sea-walls, began to be obstructed at about the same time, is relevant.
- **41.** (1) When the Court has to form an opinion as to the person by whom any document was written or signed, the opinion of any person acquainted with the handwriting of the person by whom it is supposed to be written or signed that it was or was not written or signed by that person, is a relevant fact.

Opinion as to handwriting and signature, when relevant.

Explanation.—A person is said to be acquainted with the handwriting of another person when he has seen that person write, or when he has received documents purporting to be written by that person in answer to documents written by himself or under his authority and addressed to that person, or when, in the ordinary course of business, documents purporting to be written by that person have been habitually submitted to him.

### Illustration.

The question is, whether a given letter is in the handwriting of A, a merchant in Itanagar. B is a merchant in Bengaluru, who has written letters addressed to A and received letters purporting to be written by him. C, is B's clerk whose duty it was to examine and file B's correspondence. D is B's broker, to whom B habitually submitted the letters purporting to be written by A for the purpose of advising him thereon. The opinions of B, C and D on the question whether the letter is in the handwriting of A are relevant, though neither B, C nor D ever saw A write.

- (2) When the Court has to form an opinion as to the electronic signature of any person, the opinion of the Certifying Authority which has issued the Electronic Signature Certificate is a relevant fact.
- **42.** When the Court has to form an opinion as to the existence of any general custom or right, the opinions, as to the existence of such custom or right, of persons who would be likely to know of its existence if it existed, are relevant.

Opinion as to existence of general custom or right, when

Explanation.—The expression "general custom or right" includes customs or rights relevant. common to any considerable class of persons.

### Illustration

The right of the villagers of a particular village to use the water of a particular well is a general right within the meaning of this section.

- **43.** When the Court has to form an opinion as to—
  - (i) the usages and tenets of any body of men or family;

Opinion as to usages, tenets, etc., when relevant.

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- ,ਹੁਲੂመ ຮວໃກເ ਨੂ ਹੁਲੂመ ਨੂ ,ਹਾਈលਟ'ਡੀਜ ਸਾਸ਼ਾ'ਵਾਡ । ਹਿੀਲਫਰਾਂ <u>ਖੰਬ</u>ੀਕਨੀਆ ਨੂ ਹਜ਼ਲਾ ਨੂ ਲਹਾਬਲਾ ਅਤੇ ਨੇ ਕਿਜੜੰਨ (a) ॥ ਹੈਤੇ ਜਿਸ ਨਿਲਟਾਂ ਕਿਲਵਾਂ ਗਿਲਬਾਂਸਟ ਨੇ ਲਹਾਬਲਾਂਡ ਲਲ ਸ਼ਿਸ਼ਾਂਟ ਨੇ ਪ੍ਰਕਾਪੜਵਾਂ ਹਟਾਂ ਗਿਲਬਾਂਸ਼ਤ ਸਿਲਤਾਂ ਨੇ ਸ਼ਿਲ੍ਹਾ ਜ਼ਿਲ੍ਹ

ण्डिकणण ग्रेष्ण ॥ - सिंप्णेत्र जम्म एप्णेत्र ग्रामण तर्षणेत्र ग्रामण तर्षणेत्र ग्रामण त्रिक्षण सिंप्णेत्र प्रज्ञ त्र व्यव्य सिंप्णेत्र प्रज्ञ त्र प्रमाणिया एप्णेत्र ग्रामण्डित त्र सिंप्णेत्र प्रक्षण सिंप्णेत्र सिंपणेत्र सिंपणेत्य सिंपणेत्र सिंपण

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жाँभिष्ठ प्रािचा पर्णा क्रिजेपण्डिक रैंड टटोप्ड Aार्ग क्रूप करहें केक्ष्ठलाएँ ॥ В पर्णा हर्षेट हरेंड टटोप्ड प्रस्ति स्वेणए तक कर्मा क्रूप कर्म केक्ष्य एक क्रिक्त स्विचाय कि साम क्रूप कर्म केक्ष्य प्रकार केक्ष्य हरेंड प्रस्ति । В पर्णा हरेंड ॥ С पर्णा हिला स्वेणणा हरेंड ॥ С पर्णा हरेंड ॥ ट प्रांचा हरेंड ॥ ट प्रांचा हरेंड हरेंड केक्ष्य हरेंड केक्ष्य हरेंड हरें

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- (ii) the constitution and governance of any religious or charitable foundation; or
- (iii) the meaning of words or terms used in particular districts or by particular classes of people,

the opinions of persons having special means of knowledge thereon, are relevant facts.

Opinion on relationship, when relevant.

**44.** When the Court has to form an opinion as to the relationship of one person to another, the opinion, expressed by conduct, as to the existence of such relationship, of any person who, as a member of the family or otherwise, has special means of knowledge on the subject, is a relevant fact:

Provided that such opinion shall not be sufficient to prove a marriage in proceedings under the Divorce Act, 1869, or in prosecution under sections 82 and 84 of the Bharatiya Nyaya Sanhita, 2023.

4 of 1869.

### Illustrations.

- (a) The question is, whether A and B were married. The fact that they were usually received and treated by their friends as husband and wife, is relevant.
- (b) The question is, whether A was the legitimate son of B. The fact that A was always treated as such by members of the family, is relevant.

Grounds of opinion, when relevant.

**45.** Whenever the opinion of any living person is relevant, the grounds on which such opinion is based are also relevant.

#### Illustration.

An expert may give an account of experiments performed by him for the purpose of forming his opinion.

### Character when relevant

In civil cases character to prove conduct imputed, irrelevant. **46.** In civil cases the fact that the character of any person concerned is such as to render probable or improbable any conduct imputed to him, is irrelevant, except in so far as such character appears from facts otherwise relevant.

In criminal cases previous good character relevant.

**47.** In criminal proceedings the fact that the person accused is of a good character, is relevant.

Evidence of character or previous sexual experience not relevant in certain cases. **48.** In a prosecution for an offence under section 64, section 65, section 66, section 67, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77 or section 78 of the Bharatiya Nyaya Sanhita, 2023 or for attempt to commit any such offence, where the question of consent is in issue, evidence of the character of the victim or of such person's previous sexual experience with any person shall not be relevant on the issue of such consent or the quality of consent.

Previous bad character not relevant, except in reply.

**49.** In criminal proceedings, the fact that the accused has a bad character, is irrelevant, unless evidence has been given that he has a good character, in which case it becomes relevant.

*Explanation* 1.—This section does not apply to cases in which the bad character of any person is itself a fact in issue.

Explanation 2.—A previous conviction is relevant as evidence of bad character.

- (ii) टेर्नेटा एक्स एक्स एक्स एक्स विकार सम्बन्ध निवास सम्बन्ध निवास सम्बन्ध है के प्रत्ये निवास के प्रत्ये के प ርዳጆፁኲ
- ीगावी०ँदर्ग गाभरभग रूर्प रीभणगीठी० जमरीम सिफ्रांचार्क्ष रुज्याक्षण गाभरभग रूपीलांचेठ रुज्याक्षण (iii) चाधारी से साम आज्ञा माण्य माण्य भाष्य होलहें माण हें माण्य में प्रधानिमर्स

सभा देंटर सञ्हर ज्ञेजनट॰एएए प्रमह्मलीय ॥

ीगणमत् ,तसरम प्राचिर्य प्रास्थान एक मण अंतरत्ये त्रवारित में मित्रवार क्राव्य में माध्य रें नाप्रप्रस्थ हैं। र्टिशाम अर्थे साथ स्थाप अर्थे से स्थाप अर्थे साथ स्थाप अर्थे से साथ स्थाप अर्थे से साथ स्थाप अर्थे से साथ स्थाप 

चळा ४ काण स्थापन स् ॥ त्रंभव्रंण प्रप्त

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- (a) प्रेहमर्सा, А  $\mathbf{w}$   $\mathbf{m}$   $\mathbf{m}$   $\mathbf{v}$   $\mathbf$  $\mathbb{R}^{5}$ - $\mathbb{R}^{2}$  ਸ਼ਾਲੇ ਪਾਲੇ ਹੋ ਨੇ ਜਿਸ ਨੇ ਜਿਲ੍ਹੇ ਦੇ ਜ਼ਿਲ੍ਹੇ ਦੇ ਜ਼ਿਲ੍ਹੇ ਜ਼ਿਲ੍ਹੇ
- (b) ਸੇਵਜਨੀ, A ਘਾਨੀ Birl ਘੁਸ਼ਜਨ ਸ਼ਾਸੇਦੁਸ਼ਾਂ ਘਾਲੇਗਣ 'ਤੇਨਰਨੀ ਹੈ ਸਨ। A ਘਾਨੀ ਜਨਜ ਸ਼ਾਸਦਸ਼ਾਨ ਨਜ਼ਗਾਂ ਜਿਥਾਨਨ। ਸਿੰਘ ਨੇਨਨੀ ॥ उँठै थिम लिक्र मिन कर्ष मिन व उन एक रिम
- स्ति देंटें ॥

#### 505mmmで ||

सक्र निवासी सामार्थित ही त्यार्थ सामार्थ सामार ॥ तर्रर त्रीगा

# सभी वैए४ सङ्ग्रह्म प्रश्लाहर साम्छ

ത്വിച്ച വ്യംഗതിലു ಸ್ವಸ್ತ್ರಿ ಆನಿರ್ಬಿಸ ಬ್ಲಿಸ लेट४ सभी देंएकः॥

**७९**. लीगीन खल्लांचल सभी वेंटर सीप्णेंज प्रसारी साएड प्रली स्रेण्य सभी वेंटर लेटर प्रस्वरण्य प्रेज्येणा रोर टर्फणनाम प्रोत्राज्या होत्रह प्रोत्निक्ष प्राप्त होत्रह प्राप्त प्राप्त स्वाप्त स्वापत स ਵੰਟੀਰਜ਼ਨੂੰ ए५७ए. सभी ਟ੍ਰੇਂਦਰ ਘਾਨਕਾ ॥

₽°੭ੀਜੀ<u>ਖਿ</u>ਾ गाग्रज्दं स्वाधारण യട്ടെ ത്ട്യതിച്ച കുലി

ਲ $\mathbf{s}$  ਅਤੇ ਜ਼ਿਲਾ ਸਾਜ਼ਾ ਦਾ ਗ਼ਿਲਾ ਦੇ ਜ਼ਿਲਾ ਲਗਾ ਕਰ ਦੇ ਜ਼ਿਲਾ ਦੇ ਜ਼

मळट्र गिष्टम प्रध्यम र्ट्र स्ट्राम्स मा<u>भव्</u>दक्षण *ਬਟ*ੰਡ ੀगੀਸ਼ਾਹ क्षेत्रप्रधाध्य स्वार्थ्स നധു മങ്ങനമെ ജംധ प्रसन्ध समी देंद्र्यू ॥

- **ଌ**ନ. ୯୬୮୮୯ ବଃ, ୯୬୮୮୯ ବନ, ୯୬୮୯୯ ବନ, ୯୬୮୯୯ ବନ, ୯୬୮୯୯ ବନ, ୯୬୮୯୯ ବନ, ୯୬୮୯୯ ବନ, ୯୬୮୯୯ ୫୨, ୯୬୮୯୯ ୫୨, ንመመው እንዲነ ማመው እንዲነ መመመው त्रहार चला त्रवेष्ठत, ऐक्क साँच के चल्ला लिंक साँच कर का मारा कर का ॥ ਟ**ੰ**ਖਟਰੰਘ ຮວ**ੱ**ਤ ਖਿਸ ਲਘੰਟਜ ਖਿਤਾਗ਼ਜ਼ ਖਿਤੀਆ ਝੰਦਰ ਸ<u>ਾਖਟ</u>ਮੇਤ ਜਤੰਨ ਜਿਤੀਆ ਝੰਦਰ ਵਜੰਗੀਂਨਾਗ ਨਿਯਾ ਜਲਕੂ ਬੀਕੱਤ
- थाम बिरात है के साम अर्थ है तर है तर एक प्रामा ४५०% व जाज कर है के साम अर्थ है के सम्बद्ध सम्बद्ध स्थाप अर्थ है

ലീ സ് പ്രാസ് പ്ര रत'लाग गाप्रजर् മുംലംമ്പുല ന്ധ്യ सभी देंए४ प्रोफ्टर ॥

ത്രയാഴ്ച അവിനായ खा हुन है । निर्देशीम हम्मांचेख विषय पा विषय पा विषय है । निर्देश विषय है । निर्वेश विषय है । निर्वेश विषय है । निर्वेश विषय है । निर्देश विषय है । निर्देश विषय है । निर्देश व

ดายพาย มาสาย มาสาย มาสาย และ เมาสาย และ เมาสาย และ เมาสาย พาย เมาสาย พาย เมาสาย เมาสาย

**50.** In civil cases, the fact that the character of any person is such as to affect the amount of damages which he ought to receive, is relevant.

Character as affecting damages.

*Explanation.*—In this section and sections 46, 47 and 49, the word "character" includes both reputation and disposition; but, except as provided in section 49, evidence may be given only of general reputation and general disposition, and not of particular acts by which reputation or disposition has been shown.

### **PART III**

### ON PROOF

# CHAPTER III

#### FACTS WHICH NEED NOT BE PROVED

**51.** No fact of which the Court will take judicial notice need be proved.

Fact judicially noticeable need not be proved.

**52.** (1) The Court shall take judicial notice of the following facts, namely:—

Facts of which Court shall take judicial notice.

- (a) all laws in force in the territory of India including laws having extra-territorial operation;
- (b) international treaty, agreement or convention with country or countries by India, or decisions made by India at international associations or other bodies;
- (c) the course of proceeding of the Constituent Assembly of India, of Parliament of India and of the State Legislatures;
  - (d) the seals of all Courts and Tribunals;
- (e) the seals of Courts of Admiralty and Maritime Jurisdiction, Notaries Public, and all seals which any person is authorised to use by the Constitution, or by an Act of Parliament or State Legislatures, or Regulations having the force of law in India;
- (f) the accession to office, names, titles, functions, and signatures of the persons filling for the time being any public office in any State, if the fact of their appointment to such office is notified in any Official Gazette;
- (g) the existence, title and national flag of every country or sovereign recognised by the Government of India;
- (h) the divisions of time, the geographical divisions of the world, and public festivals, fasts and holidays notified in the Official Gazette;
  - (i) the territory of India;
- (*j*) the commencement, continuance and termination of hostilities between the Government of India and any other country or body of persons;
- (k) the names of the members and officers of the Court and of their deputies and subordinate officers and assistants, and also of all officers acting in execution of its process, and of advocates and other persons authorised by law to appear or act before it;
  - (l) the rule of the road on land or at sea.
- (2) In the cases referred to in sub-section (1) and also on all matters of public history, literature, science or art, the Court may resort for its aid to appropriate books or documents of reference and if the Court is called upon by any person to take judicial notice of any fact, it may refuse to do so unless and until such person produces any such book or document as it may consider necessary to enable it to do so.

ਲ8නදාගණ-නදාගණ ත්ලාන පැතින අදාන්න්

നुळाचा जेण्या ॥-ហ॰णणण प्रात्ति प्रसूणा ហ॰णणण ४६,४७ प्रसूणा ४९५, "ख॰ध॰णण्डभ" केंद्र रेढें प्रात्ति स्वित्र प्रसूणा सप्पेण सप्पेण स्वे प्रपेश प्रसूणा सप्पेण सप्पेण स्वे प्रपेश प्रसूणा प्रमूण स्वे प्रसूणा प्रमूण स्वे प्रसूणा प्रमूणा प्रमू

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प्राधाना प्राधान करा विकास

। 'ऋर्य "፲ਜ਼ गाउरि' ଅর<u>୍म भाम</u> एरेमाण नार्म उर्फाण नार्म एरेमाण नार्म प्राप्त प्र प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त प्त

ਨੰਨਾ-ਰਹਾਈ ਘਾਨਹ ਬੁਕ ਛੱਕ ਬਸ਼ੁਸ਼ਾ ਨੇਵਜ ਗੁਜ਼<u>ਸ਼ਾ ਆਰਾ</u> ਆਰਾਨ ਆਰਾਨ ਵਿੱਚ ਜ਼ਿਲ੍ਹਾ

ਸ਼ਾਸ਼ਰੀਲਜਤਨੇ ਬਜ਼ਬਾਲ ਜਾ<u>ਤਨ</u>ੀਲਟੂ ਤੁਨਿਤਾਨ ਇਸਾੱਤ ਨੀਵਨ

- (b) गेਰਖਰ ਰੱੱਝੇшਾ ਰਖ<u>ਲਰ</u>ਾ ਰੱੱਝੇшਾਨੀਂ ਜਾਂ ਜੇਰਖਰ ਜੇਰਖਰ ਨੋਰਨਾ, ਨੇਰਨ ਰਖ<u>ਲਰਾ</u> ਨੇਰਨਾ, ਰਖ<u>ਲਰਾ</u> गੇਰਖਰ ਜੇਰਖਰ ਜੇਰਖਰ ਗੱਲ ਰੁਸ਼ਨੀਂ ਜ਼ਰੂ ਜਾਂ ਜੇਰਖਰ ਜੇਰਖਰ ਹੈ ਜੇਰਖਰ ਜੇਰਖਰ ਹੈ ਜੇਰਖਰ ਹੈ ਜੇਰਖਰ ਜੇਰਖਰ ਜੇਰਖਰ ਹੈ ਜੇਰਖਰ ਜੇਰਿਕਰ ਜੇਰਖਰ ਜੇਰਿਕਰ ਜੇਰਿਕਰ ਜੇਰਖਰ ਜੇਰਿਕਰ ਜੇਰਿਕਰ ਜੇਰਖਰ ਜੇਰਿਕਰ ਜੇਰਿ
- - (d) त्रेरः तं ण्या एक प्रश्रद विष्य प्राप्त का कि कि स्वर्म प्राप्त (b)
- (e) ឃុខភាព នេះ ២០១៩ នេះ ក្នុង នេះ ក្រុង នេះ
- (g) गेंध॰ ढंंग्रेणए लण्जैंटर ढेंर्रेण जूर्जाणसणामा ए५<u>७१</u>० ढंंग्रेणमा ए<sup>५</sup>५५ ढंंग्रेण जूर्जाणसणामा ढेंधिर, सीण्येन प्रस्तुण टेंग्रीण हिंधेन प्रज्ञ;
- - (i) गेध धर्मा टाम हैं;
- (j) गेभ्र ហមាធិម ឃកហ្គា ឃុំសារារា ថឺនិយា ប489កា ក្លាយចេរ និយាប្រជាធាន ឃុំ ហមាធិម ឃកហ្គា ចំនេះ 389កា ក្លាយចេរ ឃុំសារារា មានបាន ប្រជាធាន ប្រជាធិន ប្រជាធាន ប្រជាធិន ប្រជាធាន ប្រជាធាន ប្រជាធាន ប្រជាធិន ប្រធិន ប្រជាធិន ប្រធាន ប្រជាធិន បាច ប្រជាធិន បាច់ ប្រជាធិន ប្រធាន ប្រធាន ប្រជាធិន ប្រធាន ប្រធាន ប្រធាន ប្រធាធិន ប្រធាធិន ប្រធាធិន ប្រធាធិន ប្រធាធិន ប្រធាធិន ប្រធាធិន ប្រធាធិន បាច់ ប្រធាធិន បាច់ ប្រធាធិន ប្រធាធិន បាច់ ប្រធាធិន បាចាធិន បាច់ ប្រធាធិន បាចិន ប្រធាធិន ប្រធាធិន បាច ប្រធាធិន បាច់ ប្បធិន បាច់ ប្រធាធិន បាច់ ប្រធាធិន បាច់ ប្រធាធិន បាច ប្រធាធិន បាច់
- (k) วัरर॰नलाँ साँद्रस्त्रणां सम्प्राण चाँचिविवा चाँचेवा स्तर्गं हों। विवास के विवा
  - ॥ ज्वास त्रिया प्रभाव वार्ष भाव प्रभाव भाव प

Facts admitted need not be proved.

**53.** No fact needs to be proved in any proceeding which the parties thereto or their agents agree to admit at the hearing, or which, before the hearing, they agree to admit by any writing under their hands, or which by any rule of pleading in force at the time they are deemed to have admitted by their pleadings:

Provided that the Court may, in its discretion, require the facts admitted to be proved otherwise than by such admissions.

# **CHAPTER IV**

#### OF ORAL EVIDENCE

Proof of facts by oral evidence. **54.** All facts, except the contents of documents may be proved by oral evidence.

Oral evidence to be direct.

- 55. Oral evidence shall, in all cases whatever, be direct; if it refers to,—
- (i) a fact which could be seen, it must be the evidence of a witness who says he saw it;
- (ii) a fact which could be heard, it must be the evidence of a witness who says he heard it;
- (iii) a fact which could be perceived by any other sense or in any other manner, it must be the evidence of a witness who says he perceived it by that sense or in that manner;
- (*iv*) an opinion or to the grounds on which that opinion is held, it must be the evidence of the person who holds that opinion on those grounds:

Provided that the opinions of experts expressed in any treatise commonly offered for sale, and the grounds on which such opinions are held, may be proved by the production of such treatises if the author is dead or cannot be found, or has become incapable of giving evidence, or cannot be called as a witness without an amount of delay or expense which the Court regards as unreasonable:

Provided further that, if oral evidence refers to the existence or condition of any material thing other than a document, the Court may, if it thinks fit, require the production of such material thing for its inspection.

# CHAPTER V

# OF DOCUMENTARY EVIDENCE

Proof of contents of documents.

**56.** The contents of documents may be proved either by primary or by secondary evidence.

Primary evidence.

**57.** Primary evidence means the document itself produced for the inspection of the Court.

Explanation 1.—Where a document is executed in several parts, each part is primary evidence of the document.

Explanation 2.—Where a document is executed in counterpart, each counterpart being executed by one or some of the parties only, each counterpart is primary evidence as against the parties executing it.

Explanation 3.—Where a number of documents are all made by one uniform process, as in the case of printing, lithography or photography, each is primary evidence of the contents of the rest; but, where they are all copies of a common original, they are not primary evidence of the contents of the original.

ਲ਼<u>ਜ਼ਲ਼</u>ਲ਼ਜ਼ਲ਼ਜ਼ ਲ਼ਜ਼<u>ਜ਼ਲ਼ਲ਼ਜ਼ਲ਼ਜ਼ਲ਼ਜ਼ਲ਼</u>ਲ਼ ਲ਼ਜ਼ਲ਼ਜ਼ਲ਼ਜ਼ਲ਼ਲ਼ਜ਼ਲ਼ਲ਼ **२०.** जार्ने मा निर्मे म

жен जावाज संवाचन के स्वाचाज स्वाचाज स्वाचाज स्वच्या है. स्वच्या स्या स्वच्या स्वच्य

# AL MALMAH

# मळणर्स-मळत ठत्र ण गणण्रिर

हत<sup>©</sup>ण गिणक्री एस्स गिण्यस्<u>ति भार</u> हसस्यण एखत एसस्या ण्यापिलस्य ॥ दर्श रु रु रु अ<u>भाभार</u> चामए स्याप प्रमान से साम से साम

४द**ं**ण गिणक्रंर एएक अर्भ<u>भिष्ण</u> ॥४छगन्द**ं**ण

- - - (ii) अर रोष्ट प्रमुख रोहम प्रमुम रोहम प्रमुम हो वर्ष प्रमुम हो वर्ष प्रमुम हो हे रूप हो हो है रहे हैं है है है
  - ਿਜ ਜਿਸ ਜਤਨ ਨਜ਼ਟਸ ਨਾਨ ਨੇ ਨੇ ਨੇ ਨੇ ਨੇ ਜ਼ਿਲਾ ਗਾਂਡਜ ਸਲਾ ਨੇ ਸਾਹੇ ਨੇ ਨੇ ਜ਼ਿਲਾ ਜੁਸ਼ਤ ਸੰਤਰ ਨੇ ਜੁਸ਼ਤ ਸੰਤਰ ਜੁਸ਼ਤ ਜ਼ਿਸ਼ਤ ਜ਼ਿਸ
  - (iv) ਨਾਸਰਾੰਦ ਘਜ ਟਖੁਸ਼ਾ ਨਾਸਰਾੰਦ ਘੜ ਰੱਖੀਂ ਜ਼ਖ਼ਾਜ਼ਾਗੀਗੜ, ਜ਼ਾਹੀ ਜ਼ਖ਼ਾਜ਼ਾਗੀਗ ਘੜ੍ਹੜ ਨੇਸਰਾੰਦ ਘੜ੍ਹ ਰੱਖੀਂ ਜ਼ਿਖ਼ਾਜ਼ਾਗਣ ਜ਼ਾਹਿਤ ਜ਼ਿਖ਼ਾਜ਼ਾਗਣ ਹੈ। ਜ਼ਿਖ਼ਾਜ਼ਾਗਣ ਜ਼ਿਖ਼ਾਜ਼ਾਗਣ ਜ਼ਿਖ਼ਾਜ਼ਾਗਣ ਹੈ।

ख्रा प्राप्त सिक्ष प्रत्येत प्रत्येत प्रत्येत स्थान स्थान

# X.M.A.A.

# ळणर्टम ग्रिजम<u>्रम</u> भिष्य अस्प्र

त्रिक्ष्यक्ष्यक्ष्यक्ष्यक्ष्य सत्रिक्षणामा असम्बद्धाः । दरेर और अम<u>्रिया</u> पार्याय में <u>भार</u>िक अध्याय का <u>भार</u>िक अध्याय के अप्रत्या है जिस्सा के अप्रत्या के अप्रत्या के अप्र

॥ जमभा हर्त्य रैस

॥ उठतर्वे प्रजायक्रम प्रतायक्रम राज्यक्रम राज्यक्रमाहणीयहण्यात प्रतायक्रम विकाद क्रम विकाद क्रम विकाद क्रम ॥

നुङ्ग्ना अन्यत्र अन्यत्र ४-श्रुष्णसः हेन् यस लग्ने मा स्वरंश्य लादाहित्वयं भ्रम् लग्ने मा प्रश्रिक लादाहित्वयं प्रश्रिक लादाहित्वयं प्रश्रिक प्रश्य प्रश्रिक प्रति प्रश्रिक प्रति प्रति

*Explanation* 4.—Where an electronic or digital record is created or stored, and such storage occurs simultaneously or sequentially in multiple files, each such file is primary evidence.

*Explanation* 5.—Where an electronic or digital record is produced from proper custody, such electronic and digital record is primary evidence unless it is disputed.

*Explanation* 6.—Where a video recording is simultaneously stored in electronic form and transmitted or broadcast or transferred to another, each of the stored recordings is primary evidence.

Explanation 7.—Where an electronic or digital record is stored in multiple storage spaces in a computer resource, each such automated storage, including temporary files, is primary evidence.

### Illustration.

A person is shown to have been in possession of a number of placards, all printed at one time from one original. Any one of the placards is primary evidence of the contents of any other, but no one of them is primary evidence of the contents of the original.

# 58. Secondary evidence includes—

Secondary evidence.

- (i) certified copies given under the provisions hereinafter contained;
- (ii) copies made from the original by mechanical processes which in themselves ensure the accuracy of the copy, and copies compared with such copies;
  - (iii) copies made from or compared with the original;
- (iv) counterparts of documents as against the parties who did not execute them;
- (v) oral accounts of the contents of a document given by some person who has himself seen it;
  - (vi) oral admissions;
  - (vii) written admissions;
- (*viii*) evidence of a person who has examined a document, the original of which consists of numerous accounts or other documents which cannot conveniently be examined in Court, and who is skilled in the examination of such documents.

# Illustrations.

- (a) A photograph of an original is secondary evidence of its contents, though the two have not been compared, if it is proved that the thing photographed was the original.
- (b) A copy compared with a copy of a letter made by a copying machine is secondary evidence of the contents of the letter, if it is shown that the copy made by the copying machine was made from the original.
- (c) A copy transcribed from a copy, but afterwards compared with the original, is secondary evidence; but the copy not so compared is not secondary evidence of the original, although the copy from which it was transcribed was compared with the original.
- (d) Neither an oral account of a copy compared with the original, nor an oral account of a photograph or machine-copy of the original, is secondary evidence of the original.
- **59.** Documents shall be proved by primary evidence except in the cases hereinafter Proof of mentioned.

Proof of documents by primary evidence.

*ाष्ट्रकाणा अन्यतः अस्तर स्वरंभार भागमा स्वरंदाश माध्याप स्वरंदा माध्यस स्वरंदा भागमा अध्याप अस्तर अर्थे* अस्तर अ ਸਨਤ ਦਰਜ਼ਾਹਿਆ ,ਹਿਲਰਤਜ਼ੜ ਲਗਾਹਿਲਣ ਤੇ ਲਗਾਹਿਲਣਾ ਤਾਰੰਦ ਵਾਰੇਜ਼ ਜੀ ਜੀ ਦਾ ਲਗਾਹਿਲ ਜਾਂਦੇ ਲਗਾਹਿਲ ਸਮਝ ਲਗਾਹਿਲ ਦੇ ਸ਼ਰੂ ਦੇ ਸ਼ਰ 

*७७७,५७७,५० आ*र्षण अर्थे मार्थक मार्यक मार्थक मार्यक मार्थक मार्यक मार्थक मार्यक मार्थक मार्यक मार्यक मार्थक मार्थक मार्यक मार्यक मार्यक मार्यक मार्यक मार्  $\parallel$   $\alpha'$ ໝ ១អ<u>ាម</u>ាររ ឧត $\alpha'$ ឃ ម្អុអ នៃគ $\alpha$ ម្មីទំ ទប>។ ៧០ឃ  $\overline{\alpha}$ ម្មាំឃ ម  $\alpha'$ ប្រើន ឃព្វអាយ ឃៅប $\alpha'$ មក្មាំហេយ

*१९७५ मात्रय प्र*नाहरू करक्ष्मम नरम त्रवण्यम विष्याची <u>१९ व</u>ण्य स्थान विष्याच करक्षम क्ष्म कर्म प्रमाण कर्म प्रमाण ए४<u>७९</u>॥ लष्टरोण्णटर ए५<u>७९</u>॥ प्राक्ष्या सम्ब्रह गण्डलेणटरहा, उमर्राष्ठ वाष्ट्राचेना प्रहाणमण प्राप्त समें प्राप्त आ<u>र</u>िस्ट

र्डटमर्ट्र खोलम मण द्रवर्धकान हर्दोठीह्र जावल्प्रेय चौर्यं विष्यान्तर ह्रमण भागत्र प्रमास्य म.स आचार्य प्रचारह ത്യൂപ് सूर्य स्वाम स्वाम प्रमाण यहार प्रमाण यहार होत्र होता स्वाम स्वाम स्वाम स्वाम स्वाम स्वाम स्वाम स्वाम स्व ॥ १५०७ जी एत विभेत विक्रा

#### *አ*ጀወ<u>ም</u>ፀ°''' የመጀ ዘ

॥ ਇਸਤੀ गाਲਜ਼ਾਡ ਠਘਾੰਧਡ ਲਜ਼ਾਡ ਜਾਂਪਜ਼ ਪਹਿਸਤਾ ਗੁਰਦੀ, ਜ਼ਿਲਦ ਹਟਨੂੰ ਟਿੱਡੀ ਨੁਰਟਸੰਸ਼ ਜ਼ਾਡ ਨੇਖ਼<u>ਬ ਨਾਰ</u>ਖ਼ਿ<u>ਰਾਤਸ</u> ਹਜ਼ਾਡ ਟ<sup>ਰ</sup>ਡੀਜ਼ ॥ अत्वर्ण महतू प्रत्य्णभूम गिणार्भम गिह्रण

- **୧୬**. നംമ്പം ചെയ്യുന്നു എന്നു പ്രത്യം പ്രത്യ
  - णीलीर्मण्या रावेष्ट स्टर्नीयान रावामा रंस गणाणाण्य राविष्ट स्टर्निम् राविष्ट स्टर्म (i)

നംമാംജം ನಶ[ಸ್ಆಂ (ಹದ್ಮರಿಸ ॥ (ग्रर्भ<u>भ्र</u>ा

ിച്ച വിവരം വിവരം വിവരം വിവര്യ ചെയ്യ വിവര്യ വ ण मर आर्था प्राचान के जा का जात के अपने का जात के जात के अपने के अपने का जात के अपने के अपने के अपने के अपने क

ी भारत भारत

- ;ीणीणणर-ेत्र हर्तण भ्रेमां भर्णा भर्णा करें हें राजिला होती हें स्वापित हें स्वापित हें स्वापित हों हों हों हो
- (vi) യ°ല° ച യംയ്ക്യിയെ
- (vii) യുടെ നുഷ്ടിയെല്ല്;
- ਪiii) करेंचा के प्र<u>भेध</u> का करण हेंची हैंची भाकृत , अत्र <u>भाभ</u>ात भाजन हैं को स्वाप्त हो के प्रभार पार्ट के रमगीलाग पासमा ,रस्टर पालिष्टा माराष्ट्रके हेंग गांभरकार हैंग पालिक रहे होले हें मारा है हैंगे पालिस रहे हैं है  $\|$ ១អាម្ចាយ  $\pi$ ហាអាយ  $\pi$ ហាអា ខ $\pi$ បាយ  $\pi$ បា

### *下でのず中。の世の『*田 ||

- (a) प्रभावताल प
- ीगाणीर्यायंस ीगहण दिर उसण ीगर<sup>6</sup>षा वहरुमळणरं गसण गिर्मक्षा गिरास हम र उसर उसर अर्थ भिर्मक्षा (d) অতাপুত্র <u>মাণ্ড</u> মাণ্ড আঠন, ম্রাণ্ড মাণ্ড মাণ
- (c) आजेल्ला प्रसार प्रमाणकार प्रमाणकार के कारण प्रमाणकार के स्वार प्रमाणकार प्रमाणकार प्रमाणकार के अपने कारण (त ॥ रिज्यस्यार्य गात्र्य प्रधाः लाज्य ह्या भारति स्वाया प्रधाः स्वाया प्रधाः ।
- F°6 गामक नहीं हैं या सुरहे , एरे असक एक्ट हों के प्राप्त के भारत है के प्राप्त के प्राप्त के प्राप्त के प्राप्त ⊪മേദ്യ ഉഷ്ലസ് 19മൗഷൻ ിച്ചം വിടില്യ ശേഷയി സംഘടിനം ചിനം പ്രിച്ചു പ്രത്യ പ്രത്യ
- ७ ।। जिगार्थ

न्य य 1गш10<u>°€೨</u>°∄‱ Cases in which secondary evidence relating to documents may be given.

- **60.** Secondary evidence may be given of the existence, condition, or contents of a document in the following cases, namely:—
  - (a) when the original is shown or appears to be in the possession or power—
    - (i) of the person against whom the document is sought to be proved; or
  - (ii) of any person out of reach of, or not subject to, the process of the Court; or
    - (iii) of any person legally bound to produce it,

and when, after the notice mentioned in section 64 such person does not produce it;

- (b) when the existence, condition or contents of the original have been proved to be admitted in writing by the person against whom it is proved or by his representative in interest;
- (c) when the original has been destroyed or lost, or when the party offering evidence of its contents cannot, for any other reason not arising from his own default or neglect, produce it in reasonable time;
  - (d) when the original is of such a nature as not to be easily movable;
  - (e) when the original is a public document within the meaning of section 74;
- (f) when the original is a document of which a certified copy is permitted by this Adhiniyam, or by any other law in force in India to be given in evidence;
- (g) when the originals consist of numerous accounts or other documents which cannot conveniently be examined in Court, and the fact to be proved is the general result of the whole collection.

Explanation.—For the purposes of—

- (i) clauses (a), (c) and (d), any secondary evidence of the contents of the document is admissible;
  - (ii) clause (b), the written admission is admissible;
- (iii) clause (e) or (f), a certified copy of the document, but no other kind of secondary evidence, is admissible;
- (iv) clause (g), evidence may be given as to the general result of the documents by any person who has examined them, and who is skilled in the examination of such document.

Electronic or digital record.

**61.** Nothing in this Adhiniyam shall apply to deny the admissibility of an electronic or digital record in the evidence on the ground that it is an electronic or digital record and such record shall, subject to section 63, have the same legal effect, validity and enforceability as other document.

Special provisions a evidence relating to electronic record.

Special 62. The contents of electronic records may be proved in accordance with the provisions as to provisions of section 63.

Admissibility of electronic records.

**63.** (1) Notwithstanding anything contained in this Adhiniyam, any information contained in an electronic record which is printed on paper, stored, recorded or copied in optical or magnetic media or semiconductor memory which is produced by a computer or any communication device or otherwise stored, recorded or copied in any electronic form (hereinafter referred to as the computer output) shall be deemed to be also a document, if the conditions mentioned in this section are satisfied in relation to the information and

- 80. सर्नेत्र ज्ञांभाक्षण्ड क्रांचिक्र क्र
  - ਲਜਾਣਜ ਸ਼ਾਧਾਖ਼ ਦਾ ਤਾਰ ਸ਼ਾਹਰ ਜ਼ਰਾਹ ਸਾਰਾਨ ਤੇ ਰਿਕਾਰ ਜ਼ਰਾਹਨ ਲਗਾ ਸ਼ਾਹਰ ਸ਼ਰਾਹਰ ਜ਼ਰਾਹਰ ਜ਼ਰਾਹਰ ਜ਼ਰਾਹਰ ਜ਼ਰਾਹਰ ਜ਼ਰਾਹਰ ਜ

    - ग<u>ा भ</u>रू४ए ;ੀगारपा॰रज्ञाग्र *द*र्ग्गोज्ञ हर्यं क्रत्ज्ञ गाजुज्ज गा<u>भर</u>४ए हर्षे क्रेंत्रमाम गाजुज्ञ मार्भार ।।।)
  - (iii) ਅਤੇ ਗਾਹਾਬ ਦੇਸਦਾ ਗਿਆ ਨੇ ਲਗਾੰਧ ਲਗਾੰਧ ਨੇ ਲਗਾੰਧ ਨੇ ਲਗਾੰਧ ਲਗਾਂਧ ਨੇ ਲਗਾਂਧ ਲਗਾਂਧ
  - (b) ਘਾਨਾਬਰ ਘਾਨੁਸਾਰਿ ਰੱਖਾਰਿ, ਸ਼ਰਿਸ਼ ਦਾਖ<u>ਲਾਖ</u>ਸ਼ ਸ਼ਨੇਧਾਨਾਗਿ ਘਾਨੁ ਸ਼ਨੀ <u>ਆਖ</u>ਸ਼ਦ ਲਾਖਰ ਸ਼ਹਿਸ ਨਰਾਂ ਦਾ ਸੁਕਤ ਘਾਨੁਦ ਦਖਲਾ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਗ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਥ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਥ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਥ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਨਦ ਲੱਥ ਸ਼ਨਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਗ ਸ਼ਰਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਖਾਰ ਸ਼ਰਦ ਲੱਖਾ ਸ਼ਰਦ ਲੱਖ ਸ਼ਰਦ ਲੱਖਾ ਸ਼ਰਦ ਲੱਖਾ ਸ਼
  - (c)  $\mathbf{w}$   $\mathbf{w}$

- யमलीगमलग्रांस ीगीलम-॥ *ग्राप्यर्थ प्रच*ण्त*ञ्च*ल

- (i) ढें हुरुपार्ट हुरुपार सम्बार (d), (c) पार्ट हुरुपार हुरुपार हुरुपार हुरुपार हुरुपार (d) वार्ट के हिन्स हिन्स हिन्स हिन्स है। हिन्स हिनस हिन्स हिनस हिन्स हिनस हिन्स हिन्स
- ॥ ਹਿगार्र रिक्रम प्रशास्त्र प्रत्यम प्रत्यम प्रशास भा (d) र्र $\mathbf{5}\mathbf{m}$  (ii)
- (iii)  $\underline{\underline{m}}\underline{\underline{\sigma}}$  (e)  $\underline{\sigma}$  (e)  $\underline{\sigma}$  (f),  $\underline{\sigma}$   $\underline{m}$   $\underline{m}$
- (iv) <u>ಉದ</u>್ದು (g), ಹುಷ್ಟುಹುಪ್ಪಾಂಗಿ ಪ್ರಾಪ್ತು ಪ್ರಾಪ್ತು ಪ್ರಶ್ನಿ ಪ್ರಸ್ತು ಪ್ರಪ್ತು ಪ್ರಪ್ತಿ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಪ್ತು ಪ್ರಪ್ತು ಪ್ರಪ್ತು ಪ್ರಪ್ತಿ ಪ್ರಕ್ಷ ಪ್ರಕ್ತ ಪ್ರಕ್ಷ ಪ್ರ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ

සැකුම් මා යැවුණු මා ව්යාක්ෂ වැත්තුම් මා

**२९.** ਜਨੀ ਨਰਾ<u>шൗ</u>ഫൗପਾਂ ए५<u>ण</u>मा तारीजन भाषा <u>कर्</u>ष चाए। जेठर <u>आस</u>में चाहरे चहुन प्रताप ए५<u>ण्या</u> तारीजन भाषा <u>करा</u> चाहरीजन स्वाप्त कर्षा माण्य स्वाप्त स्वाप्

තියාගේයා අත්වය සංක<u>ාභ අත්</u> සස් ද්රූූ <u>කැස</u> සම්පෝසාග් සානාක සහග්යන් සානාක සහග්යන් සානාක සහග්යන් ਨਰ॰ш<u>%व</u>°एटिट ਰ°<u>ख% ਜ</u>ਨਾਇ ਦੇ ਜ਼ਿਲ੍ਹ ਜ਼ਿਲ੍ਹ עס אישו שנישים אישו פּאָ. (१) שנוליואד שרויה איאים אישו פּאַבילי שרויה אישו פּאַבילי אישו פּאַבילי אישו פּאַבילי אישו פּאַבילי אישו פּאַבילי שריש שריש שריש שריש פּאַבילי שריש שריש שריש שריש פּאַבילי שריש פּאַביל שריש פ

computer in question and shall be admissible in any proceedings, without further proof or production of the original, as evidence or any contents of the original or of any fact stated therein of which direct evidence would be admissible.

- (2) The conditions referred to in sub-section (1) in respect of a computer output shall be the following, namely:—
  - (a) the computer output containing the information was produced by the computer or communication device during the period over which the computer or communication device was used regularly to create, store or process information for the purposes of any activity regularly carried on over that period by the person having lawful control over the use of the computer or communication device;
  - (b) during the said period, information of the kind contained in the electronic record or of the kind from which the information so contained is derived was regularly fed into the computer or communication device in the ordinary course of the said activities;
  - (c) throughout the material part of the said period, the computer or communication device was operating properly or, if not, then in respect of any period in which it was not operating properly or was out of operation during that part of the period, was not such as to affect the electronic record or the accuracy of its contents; and
  - (d) the information contained in the electronic record reproduces or is derived from such information fed into the computer or communication device in the ordinary course of the said activities.
- (3) Where over any period, the function of creating, storing or processing information for the purposes of any activity regularly carried on over that period as mentioned in clause (a) of sub-section (2) was regularly performed by means of one or more computers or communication device, whether—
  - (a) in standalone mode; or
  - (b) on a computer system; or
  - (c) on a computer network; or
  - (d) on a computer resource enabling information creation or providing information processing and storage; or
    - (e) through an intermediary,

all the computers or communication devices used for that purpose during that period shall be treated for the purposes of this section as constituting a single computer or communication device; and references in this section to a computer or communication device shall be construed accordingly.

- (4) In any proceeding where it is desired to give a statement in evidence by virtue of this section, a certificate doing any of the following things shall be submitted along with the electronic record at each instance where it is being submitted for admission, namely:—
  - (a) identifying the electronic record containing the statement and describing the manner in which it was produced;
  - (b) giving such particulars of any device involved in the production of that electronic record as may be appropriate for the purpose of showing that the electronic record was produced by a computer or a communication device referred to in clauses (a) to (e) of sub-section (3);
  - (c) dealing with any of the matters to which the conditions mentioned in sub-section (2) relate,

and purporting to be signed by a person in charge of the computer or communication device or the management of the relevant activities (whichever is appropriate) and an expert shall be evidence of any matter stated in the certificate; and for the purposes of this sub-section it shall be sufficient for a matter to be stated to the best of the knowledge and belief of the person stating it in the certificate specified in the Schedule.

- (%) រាក្សារាម ឃុំនេះការ មួយ ក្រុម ការ ស្គារ ស្
- ය) 5-3 ਅੰਦ ਨੇ ਸ਼ਾਲ ਲੋਂ ਲੋਂ ਲੈ ਦੇ ਸ਼ਹਾ ਹੈ ਦੇ ਲੋਂ ਲੈ ਦੇ ਲ
- (b)  $\frac{1}{2}$  তেওঁ তারতের দার্মির দেরে তর্মার দার্মির তরের জিলের তরের তরের তরের দার্মির দার্মির দার্মির তরের তরের তরের তরের দার্মির দার দার দার্মির দার্মির দার্মির দার্মির দার্মির দার্মির দার্মির দার্মির

- चार्ठा रात्रास्त्र प्रत्य प
  - (a) <u>ෆ</u>ਠਾ॰ਢਧਾ॰ਰ॰ਢ ਜ਼॰ਨਨਾ; ए५<u>ਨਾ।</u> ਾ
  - (d) स्वामा सुरुट लील अन्य सम्ब्रह्म (d)
  - (c) ख्रामणा एक एक एक प्रत्या प्रमाण (c) ख्रामणा एक एक एक एक प्रमाण प्रमाण (त)
- (4) നൗയന യനിന്ന് കായ തലാ <u>आभ</u> केड ए <u>നാ</u>ം उत्तर ए <u>നാം उत्तर से से अभिया का कार्य का सिवार से साम कार्य कार कार्य कार्</u>
- - (c) 03-0 ਭਾਗਾ ਨੇ ਇਸ ਪ੍ਰਾਜ਼ ਸ਼ਹੀ ਰੱਦ ਨੇ ਜ਼ਿਸ਼ ਸ਼ਹੀ ਹੈ ਹੈ ਹੈ ਹੈ ਹੈ ਹੈ ਜ਼ਿਸ਼ ਸ਼ਹੀ ਹੈ ਹੈ ਹੈ ਹੈ ਜ਼ਿਸ਼ ਸ਼ਹੀ ਹੈ ਜ਼ਿਸ਼

प्रस्तृत्व साम्प्राद्र्यक्ष ए४७<u>२१</u> ह. ज्ञांच्य हेप्रप्टा से से से प्रस्तुत्व सिक्ष्य प्रस्तित हैं से सिक्ष्य प्रस्तित सिक्ष्य सिक्ष्य प्रस्तित सिक्ष्य सिक्य सिक्य सिक्य स

- (a) information shall be taken to be supplied to a computer or communication device if it is supplied thereto in any appropriate form and whether it is so supplied directly or (with or without human intervention) by means of any appropriate equipment;
- (b) a computer output shall be taken to have been produced by a computer or communication device whether it was produced by it directly or (with or without human intervention) by means of any appropriate equipment or by other electronic means as referred to in clauses (a) to (e) of sub-section (3).

Rules as to notice to produce.

**64.** Secondary evidence of the contents of the documents referred to in clause (a) of section 60, shall not be given unless the party proposing to give such secondary evidence has previously given to the party in whose possession or power the document is, or to his advocate or representative, such notice to produce it as is prescribed by law; and if no notice is prescribed by law, then such notice as the Court considers reasonable under the circumstances of the case:

Provided that such notice shall not be required in order to render secondary evidence admissible in any of the following cases, or in any other case in which the Court thinks fit to dispense with it:—

- (a) when the document to be proved is itself a notice;
- (b) when, from the nature of the case, the adverse party must know that he will be required to produce it;
- (c) when it appears or is proved that the adverse party has obtained possession of the original by fraud or force;
  - (d) when the adverse party or his agent has the original in Court;
  - (e) when the adverse party or his agent has admitted the loss of the document;
- (f) when the person in possession of the document is out of reach of, or not subject to, the process of the Court.
- **65.** If a document is alleged to be signed or to have been written wholly or in part by any person, the signature or the handwriting of so much of the document as is alleged to be in that person's handwriting must be proved to be in his handwriting.

Proof of signature and handwriting of person alleged to have signed or written document produced.

**66.** Except in the case of a secure electronic signature, if the electronic signature of any subscriber is alleged to have been affixed to an electronic record, the fact that such electronic signature is the electronic signature of the subscriber must be proved.

Proof of execution of document required by law to be attested.

Proof as to electronic

signature.

**67.** If a document is required by law to be attested, it shall not be used as evidence until one attesting witness at least has been called for the purpose of proving its execution, if there be an attesting witness alive, and subject to the process of the Court and capable of giving evidence:

Provided that it shall not be necessary to call an attesting witness in proof of the execution of any document, not being a will, which has been registered in accordance with the provisions of the Indian Registration Act, 1908, unless its execution by the person by whom it purports to have been executed is specifically denied.

16 of 1908.

Proof where no attesting witness found. **68.** If no such attesting witness can be found, it must be proved that the attestation of one attesting witness at least is in his handwriting, and that the signature of the person executing the document is in the handwriting of that person.

- ,ឃភាសារាਜਲ១រ៌ា ៅរាបាយ ឃាម្អាល (ବ)
- ਨੁਜ **ଟ**ਸ**ੁ**ਈਖਿਸ਼ ਇਆੱਠ ਹਟ<sup>6</sup>ਡ ਠਈਆ ਨਜ਼ਡ ਨੇਂਸੰਗ ੀਾਰਹੜਤੰ *ੜੰਗ*-ਟ <u>ਾਰ</u>ਅੁੱਤੇਹ ਖੇ<u>ਲਨੁਆ</u>ਜਥ਼ ੀਲਡ *ਵੰਗ*-ਟ (a) 1៣៩ $\alpha'$ បារា) ៣<u>៦៥</u>೪೮ ម៌៩៤៧៣ ១១៣ ជា២៤ ១។១២ ខែមាន ១៣១២ ខេត្ត ឃាង ១៩ ឃាង ១៩ ឃាង ១៩ ឃាំខេត្ត ខេត្ត ខេត संकिरीया स्वारंभ्य गार्या व्याप्त स्वर्ध हिन्य होत्र प्याप्तमा (उद्घार गाभ्यभ्य उप्तर्व गामण्यम
- วสด์ โซซิสาน  $\omega$ ม ซ้าม์ โทชบะส์  $\pi$ ม์แ-ส ทาน  $\omega$ ชง น $\omega$ หนาน คน  $\omega$ มเชะน์ น $\omega$ หนาน (d) ਟਾੱਸਾਹੀ, ਜ਼ਾਨੀ ਜ਼ਾਨੀਦ ਰਾਜ਼ਣਾਜ਼ਹਾਰ ਸ਼ਾਸ਼ਤਾਸ਼ਤ ਰਾਜ਼ਣਾਜ਼ੀ ਸਾਰਕਾਰੀ ਜ਼ਾਸ਼ਤਾਸ਼ਤ ਰਾਜ਼ਤਾਸ਼ਤ ਦਾ ਰਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤਾਸ਼ਤ ਦਾ ਤਾਜ਼ਤ ਦਾ ਤਾ ππ<sup>•</sup>ኛፓው ਫੀ<u>ਬਟ</u>ਤਾπ ਲ (e) ੀगਲ (b) <u>ෆජි</u>ਸ਼ਾ ੀग (ቈ) שෆш॰ෆ-ਲෆ ग<u>ਾਬਟ</u>ੇ੪ਾਹ ਲш੯ኔ⊁਼ਟ ੀग॰राш॰ਦਜਡਾ ਟਰੰ5⊁਼ਟ แ โวาารี บสล์ โบชโสเซรมู บนโดชั้ม์ แบบ <u>ำละ</u>เพาธส

ಸ್ತಾರ್ಗಿ ಜನ್ನು ಬ್ಲಾಗ್ನಿ ಬಿ प्राथमध्या भाषाप्र

०० खाल्य प्रमान के प ਲਘਜੰਜ ਫ਼ਰਾ ੀਆਂ ਨੇ ਦੀ ਸ਼ਾਹਰ ਦੀ ਸ਼ਾਹਰ ਦੇ ਇਸਾਰੇ ਹੋ ਹੋ ਹਨ ਜਾਂ ਜਾਂ ਦੇ ਦੇ ਸ਼ਾਹਰ गातिवाष्ट्रका गातिकार प्रमाण कराने होगम एक प्रमाण स्थाप के प्रमाण स्थाप होगम त्याप स्थाप होगम होगम होगम होगम होगम :त्रिवीण जिरु वित्रीण हम लीव्हि हम्मीलण हो विट प्रत्य हमरण प्रतिभित्र हिंदम

ਨੀਖਿੱਤ ਹਟਨੀ ਹਿਤਸੰ ਘੀਪਜ ਨਹੰਜ਼ ਨੁਜ ਹੴਸਾਨਸੰ ਸਾ $\underline{\alpha}$ ਮਹ ਨੁਪਾਘਾਨਜਘ ਾ $\underline{m}$  ਨੀਖੀm ਨੁੰਜ ਰਿਜਤੰਸ ਨੀਖੀm

- (a) <u>ਅਰਾ</u>ਜੇਦ ਆਜ਼ਕਰ ਸਾ-ਸੇਧ ਘੁਸ਼ਸ਼ਾਹ एਐਆ ਘੁਸ਼ ਘੁਰਤਾਅ ਸੁਸ਼ਾਨ,
- ්ಬ आरस्य हुन होने स्थाप अरूप अरूपार्थ अरूपार्थ अरूपार्थ अर्था गिर्भार्भ मार्थ अर्थ अर्थ अर्थ अर्थ अर्थ (d) रीप्रक्रमारे हर्त्र प्रमार्थ
- (c) റെംയാർ ഉപ്പ് അ്വ ഉപ്പെം പ്രാപ്പം എന്നു അ് വല്യ വേഴ്ചില്ല് ഉപ്പെട്ടു വുന്നു എന്നു വേഴ്ചില്ല് വേഴി വേഴി വേഴി जनयम ग्रायाचीग्रा अर्मचार्मा
  - (d) रु॰णएष ज्रु५ग्रा ए५<u>७१</u>म सञ्चाषा प॰ए॰ए५ पज्रुए ज्रेरु॰नलैज प्रल॰पष्ठ पज्रु देंष्ठ सजनज्ञ;
  - (e) सेंजर्रिणएर ज़ुस्रणू एस<u>जन</u>ण स्रेणा परुण्डसए प्र-प्रेच पत्नु सेंचर्जार पत्नु रो<u>जन</u>र स्रजनतः;
- र्ल्स गिन्नस गाध्यभ उधक्रमा है कुण प्रांप प्रांप प्रांप प्राप्त एक है अप स्थाप हो है अप स्थाप है जिस्ता है जिस ॥ ऋमध्म

त्रु४प्र°ण गातिष ರ್.ೄಿಸ ॻॼॴॗॸऻॼॴ र्वेष्ठए टॉक्टि ीगालाग त<sup>6</sup>गणीस नू४प्र°ण गार्गिष **መ**ዙርያመ ፶ሬዩዩ፡መ ग्रर्भ<u>भ्रम</u> गिष्ठीत्रीग्र

🗫 क. स्वितासिक प्र-प्रेंच यस सीयें ५ यसए प्रथा सीयें ५ एथ्या सीयें ५ यसए संस्थाहेट एथ्या का प्रस् ोध्यापस्य कुराने हुए हें ने उत्रहें गायुक्र पर हो गायुक्र पर हो हो है जिस चार स्वेत कि हुए हो ने प्रत्य पर हो म  $\parallel$  ਹਿਲਲगੀm ਭੰਜ<u>ਖਿਆ</u> ਹਟਨੀ ਹਿਲਨ ਲਟਮੈਨੂ

ೱಽೄ<u>ೱ</u>ಀಁೱೣೣ गारीगार पा°ररभूत ॥ अभिभाष

ऊटःण<u>ॐक</u>्षेटाीण त्रुक्तरःण पत्रु ऊटःण<u>ॐक</u>ेटाीण क'ष्को<u>क</u>्ष प्रसन्न एमसी केऊट टौक्रस्ता, प्रलागुम्न ऊटःण<u>ॐक</u>ोटाीण त्रुक्तरःण ॥ ปิงช $\pi$ नाँर अर्म $10\pi$  ใด $\pi$ न्नर्र रतर्द रिज्ञ $10\pi$ ील प्योज् $10\pi$ प्यः $10\pi$ प्रक रित्र्वेस्प्रिल रिज्ञ

पटूम ीगञर्त्र አፎር ⊯ፗ, ንልደ प्रश-प्रेष्ण प्रज् ਸੂਖਟੁਕੂਬੂਵਾਂ ஜம் அச<u>்ப</u>ா 

**%%**. াপ্রবাদেন সং-স্তা আদ অসেলে দিসুতা সভে অসুনর ভ্রওমা দিয়ু স্তর্ভারের, দেখে গ্রন্থ স্থান আমুনর ভ্রওমা <sup>1908 দে 16 ॥</sup> ्रिया ए वें क्षेत्रकार, प्राप्त असे कार हो से कार हो से कार में कि हो है है है है है कि कार से कार कार कार कार ೧೯೬೯ ೧೯೯೬ ೧೯೯೬

ንጽዺ ኤዝ ፍጀመ ዝው የጋነዂ <u>ወክ ፀነለ</u> ጋح<sup>ረ</sup>ው ቃ<u>ነ ዓነ</u> የተከልተል <u>አው</u> የምመ ከተ-ግ አይ<u>ገጽ</u> የመመር ከ ተ-ግ  $\parallel$  दर्र फैंस रुफ्त किर्घार तरित्रस्य  $\parallel$  दर्र फैंस रेज्य जर किर्म क्रिस्य  $\parallel$  दर्र फैंस रेक्स किर्म किर्म क्रा किर्म किरम किर्म किरम किर्म किरम किर्म किर

ज्रत्यण श्रमभाभा ग्रह्म हेर्ल ह्या ॥ °ਲੀਕੰੜ

**%ହ**. ਆਜ਼ਜੀਆ ਕਾਰੀ ਜ਼ਿਸ਼ਤ ਕਾ<u>ਲਾ ਅਖ਼</u> ਨਾੱਤ ਲੇਸ਼ੀ ਕਸ਼ਖਨਾ <u>ਵੰਗਰ</u>ਤਗ, ਨੇਸ਼<u>ਗਰ</u>ਤਗ ਕਾ<u>ਲਾ ਅਤੇ</u> ਨਾੱਤ ਲੇਸ਼ੀ ਕਸ਼ਜੀ ਸ਼ਲੇਸ਼ੀ ॥ ਹਿਠਲगाँ ਨ ਅੰਜ<u>ੁਸ</u>ਾ

**69.** The admission of a party to an attested document of its execution by himself shall be sufficient proof of its execution as against him, though it be a document required by law to be attested.

Admission of execution by party to attested document.

**70.** If the attesting witness denies or does not recollect the execution of the document, its execution may be proved by other evidence.

Proof when attesting witness denies execution.

**71.** An attested document not required by law to be attested may be proved as if it Proof of was unattested.

Proof of document not required by law to be attested.

**72.** (1) In order to ascertain whether a signature, writing or seal is that of the person by whom it purports to have been written or made, any signature, writing, or seal admitted or proved to the satisfaction of the Court to have been written or made by that person may be compared with the one which is to be proved, although that signature, writing or seal has not been produced or proved for any other purpose.

Comparison of signature, writing or seal with others admitted or proved.

- (2) The Court may direct any person present in Court to write any words or figures for the purpose of enabling the Court to compare the words or figures so written with any words or figures alleged to have been written by such person.
  - (3) This section applies also, with any necessary modifications, to finger impressions.
- **73.** In order to ascertain whether a digital signature is that of the person by whom it purports to have been affixed, the Court may direct—

Proof as to verification of digital signature.

- (a) that person or the Controller or the Certifying Authority to produce the Digital Signature Certificate;
- (b) any other person to apply the public key listed in the Digital Signature Certificate and verify the digital signature purported to have been affixed by that person.

# Public documents

**74.** (1) The following documents are public documents:—

Public and private documents.

- (a) documents forming the acts, or records of the acts—
  - (i) of the sovereign authority;
  - (ii) of official bodies and tribunals; and
- (iii) of public officers, legislative, judicial and executive of India or of a foreign country;
- (b) public records kept in any State or Union territory of private documents.
- (2) All other documents except the documents referred to in sub-section (I) are private.
- 75. Every public officer having the custody of a public document, which any person has a right to inspect, shall give that person on demand a copy of it on payment of the legal fees therefor, together with a certificate written at the foot of such copy that it is a true copy of such document or part thereof, as the case may be, and such certificate shall be dated and subscribed by such officer with his name and his official title, and shall be sealed, whenever such officer is authorised by law to make use of a seal; and such copies so certified shall be called certified copies.

Certified copies of public documents.

🗫 . ਘੋਨਵਾਟ ਘਾਤਾਅ ਤਾਂ ਤੋਂ ਜਜ਼ਤੋਂ ਤੇਖਤਅ ਨਾ-ਸੇਘ ਘਜ਼ ਸ਼ੇਘਰਸ਼ ਘਜ਼ਟ ਜ਼ੁਲੇਦ ਅਹਿਵਿਦਾਜ਼ਕਤ ਨਾ-ਸੇਘ ਘਜ਼ੜ ਸ਼ੁਲੀਵਰਤਕ਼ੀ ॥ ज्यार्थ भारतीय राप्य रिम्मी विष्याच्स

ம்வத்தையில் प्रभाग गार्धिष प्र-प्रेषक प्रुक्षरण्ड र्रात्रण गार्रास्य रोष्ट्रीजात

अ0. प्राचीएमर जार्यासे जार्यार लेजी प्रत्य क्षेप्रासः ए५ प्रत्नु जार्यार्थिकार प्रत्नु रहेस रहे ए५ एन प्रेस्ट के स्व ॥ दर्र ४ र अभिकार प्राधित अभिकार प्राधित अभिकार विभिन्न विभिन्

राधीयम्य समाराष्ट्रीत्रल र्वें करहा जा का से ए ॐणटी॥

राग्रद गार्थम रिगाग्रदर्ग रहर्थ राम त्रभू<u>भारुश</u> भारु श्रम भारत हरण ॥ ਹਿਲਲगाँथ

שיקאים איניאים, שבאד פאישיה אוין פאישיאה אינישיא איניאים איניאיים איניאים איניאים איניאים איניאים איניאים איניאים איניאים אינייאים איניאים איניאים איניאים איניאים איניאים איניאים איניאים איניאיים איניאיים एसञ्चाम लामनार्वण नेज्ञल सामाने करी, नस्यान प्रकार एसञ्चाम लान यह सामाने सामाने सामाने सामाने सामाने सामाने साम 

८,१८८ घाज का<u>मक</u>्रभू വമ്യവായായുന്നു പ്രത്യ പ്രത്യ गा<u>भव्</u>दक्षण ष्ठीमा ष्ठरंद्रम गार्रं र अमें भार प्रेष्णक्षमएष्ठ ॥

- ੀਹਾਂ ਸ਼ਹਿਸ਼ਹਿਤ ਜਾਰਕੁਨ ਹ ਸ਼ਹਿਨ੍ਤੰਨ ਬਟ ਹਜ਼ਹਾਂ ਹੀਹਾਂ ਹੈ। ਹੈ ਤਿਨ੍ਹੰ ਬਲਾਜ਼ਤ ਟ $\sigma$ ਸ਼ੀਜ਼ ਬੀਰਨੂੰ ਲੰਨਾਵਾਨਨ ਹੁੰਨਾਵਾਨਨ ( $\sigma$ ) งั้ง $\kappa$  สหลอพ์ ชวยจลาน ชวาสตน $\kappa$  พชาพ่งพายากมา พาษาหว จั้ง $\kappa$  ชายารั้ง สาดยาก บรม  $\kappa$ พามา ชาพากพ । तर्रेर ह्यारिम5 हिएत रूपण चालम म<u>भर</u>रे
  - (Ձ) സ്വിസ് നല്ല സ്വി, സ്വ് ഗ്രൂ നാൻ സ്വാധ സ്വിസ് വി സ്വാധ സ്വിസ് വി സ്വിസ് വി സ്വിസ് വി സ്വിസ് വി സ്വിസ് വി സ്
- - तर्र प्रणीऽम5

ಇಸ್ಎಷ್ಟರು ಒಪ್ಪುಬ್ಗಳ ॥ अभिभक्त

- $oldsymbol{z}$   $oldsymbol{z$ መ<sub>ያ</sub>ਧ<sub>ን</sub>电[24[:
- $\overline{g}$ য়ে আহি $\overline{g}$ য়া তেনুত সংগ্রাহীত ভিম্নতা ভিম্নতালে চেন্দ্রীয় সংগ্রাহীত সংগ্রাহীত সংগ্রাহীত সংগ্রাহীত ভ্রম

# स्रीतेमारी प्येज्य प्रश्नमारी प्राप्तिमारी

- **४८**. (९) सत्रेन्न ग्राधिष प्र--प्रेचणि प्रणी सिरोमार्ग प्र--प्रेचणीप्रणी: -

गालमा । गामदीम रद'ग्रा गार्त्य र ਸ°-ਸੇਂШෆੀंш ॥

- (i) ব័ណ៌យាធាយាធិបិន ឧត្សា ឃាយាយ៍ទី (i)
- $\mathbf{u}$ ល្អ។ ; $\mathbf{u}$ ាំ ប្រសេស គេលំ  $\mathbf{u}$   $\mathbf$
- (iii) गेक्क ए४.५६ सामे संगोर वेंद्रामा आरहाम प्राप्त कार्या कार्य कार पण्यादाष्ट्रायाः प्राप्तात्रायाः प्राप्ता
- $\mathbf{u}$ ੀਨਾਲਖਾੰਬਾ ੀਸਸੰਨੀਜ਼ ੀਸਾ $\mathbf{u}$ ੀਨਾਨ-'ਨ ਨਟਾੰ $\mathbf{u}$ ੀਸਟਹਿੱਠ ਲੁਟਾ $\mathbf{u}$ ਵਜੂਬਾ ਖਿੰਦੀਖਿੰਦ ਭਾਨੀਹਨ ਸਾਰਦਿੰਦ ਨੇ  $\mathbf{u}$ ॥ जिसम्बद्ध
- $\|$  उठतर्ज्य गातर्ज्ज प्यमणमा प्राप्त अप्रक्षण ज्यभ्य प्याप्त प्राप्त प्राप्त प्राप्त प्राप्त है (२) ज्ञान ज्ञान ज्ञान ज्ञान ज्ञान ज्ञान ज्ञान ज्ञान प्राप्त प्र प्राप्त प्र
- **अ॰**. सिप्<sup>®</sup>े काळला साम काळला साम के स्थापन हें का से स्वापन के साम के साम का साम का साम के साम के साम के साम के स ीणगील सरस्य त $\epsilon$ यीम सलाय 25त्र्र्ट मर्ग शि $\epsilon$ यी गालम सलाय 25र्स संस्था गालम सलाय साम स्थाप स्याप स्थाप स्याप स्थाप स्याप स्थाप हर्स भाक्रम आर्थक उर्दर प्रिमण किया हिल प्रमण मार्थक उपराध मार्थक उपराध मार्थक उपराध मार्थक उपराध मार्थक उपराध मार्थक उपराध मार्थक प्रमण मार्थक उपराध मार्थक प्रमण मार्थक उपराध मार्थक प्रमण मार्यक प्रमण मार्थक प्रमण मार्थक प्रमण मार्थक प्रमण मार्यक प्रम हमगाराण पाराना हैंद होते समस्य आधाराम अर्थे करेंद्र करेंद्र महाराज मार्थ मार्य मार्थ मार्य मार्थ मार्थ मार्थ मार्थ मार्थ मार्थ मार्थ मार्थ मार् ॥ रिगास उदर् रिवारिकोमाली प्रमास सम्बद्ध दीनोष्टमल लिक्स वालोमाली प्रमास सम्बद्ध दीनोष्टमल

ष्टर'ण गिमर्रोम प्रश्रेष्ठ ग्रिगापि शारि-°प ॥ प्राध्याष्ट्रस्य ब्रम्भाष *Explanation.*—Any officer who, by the ordinary course of official duty, is authorised to deliver such copies, shall be deemed to have the custody of such documents within the meaning of this section.

Proof of documents by production of certified copies.

Proof of other official

documents.

- **76.** Such certified copies may be produced in proof of the contents of the public documents or parts of the public documents of which they purport to be copies.
  - 77. The following public documents may be proved as follows:—
  - (a) Acts, orders or notifications of the Central Government in any of its Ministries and Departments or of any State Government or any Department of any State Government or Union territory Administration—
    - (i) by the records of the Departments, certified by the head of those Departments respectively; or
    - (ii) by any document purporting to be printed by order of any such Government;
  - (b) the proceedings of Parliament or a State Legislature, by the journals of those bodies respectively, or by published Acts or abstracts, or by copies purporting to be printed by order of the Government concerned;
  - (c) proclamations, orders or Regulations issued by the President of India or the Governor of a State or the Administrator or Lieutenant Governor of a Union territory, by copies or extracts contained in the Official Gazette;
  - (d) the Acts of the Executive or the proceedings of the Legislature of a foreign country, by journals published by their authority, or commonly received in that country as such, or by a copy certified under the seal of the country or sovereign, or by a recognition thereof in any Central Act;
  - (e) the proceedings of a municipal or local body in a State, by a copy of such proceedings, certified by the legal keeper thereof, or by a printed book purporting to be published by the authority of such body;
  - (f) public documents of any other class in a foreign country, by the original or by a copy certified by the legal keeper thereof, with a certificate under the seal of a Notary Public, or of an Indian Consul or diplomatic agent, that the copy is duly certified by the officer having the legal custody of the original, and upon proof of the character of the document according to the law of the foreign country.

# Presumptions as to documents

Presumption as to genuineness of certified copies. **78.** (1) The Court shall presume to be genuine every document purporting to be a certificate, certified copy or other document, which is by law declared to be admissible as evidence of any particular fact and which purports to be duly certified by any officer of the Central Government or of a State Government:

Provided that such document is substantially in the form and purports to be executed in the manner directed by law in that behalf.

- (2) The Court shall also presume that any officer by whom any such document purports to be signed or certified, held, when he signed it, the official character which he claims in such paper.
- Presumption as to documents produced as record of evidence, etc.
- **79.** Whenever any document is produced before any Court, purporting to be a record or memorandum of the evidence, or of any part of the evidence, given by a witness in a judicial proceeding or before any officer authorised by law to take such evidence or to be a statement or confession by any prisoner or accused person, taken in accordance with law,

তভক আর্থ তার্নার্টির স্থান্তর আর্থক রামার্টির স্থান্তর বিষ্ণার্টির স্থান্তর বিষ্ণার্টির স্থান্তর বিষ্ণার বিষ

ਹਟਾਂਕਜ ग $\underline{n}\underline{n}$ ४५७ प्राणप्यप्रम गिष्णाल $\underline{n}\underline{n}$ 9नम्माल्य प्राणिण्य प्राणिण्य प्राणिण्य प्राणिण्य प्राणिण्य प्राणिण्य । तर्र प्राप्याच्या प्राणिण्य विष्णि गिष्णिण्य । तर्र प्राप्य प्राणिण्य प्राणिण्य प्राणिणिष्य । तर्र प्राप्य प्राणिण्य प्राणिणिष्य । तर्र प्राप्य । तर्र प्राप्य प्राणिणिष्य प्राणिणिष्य । तर्र प्राप्य । तर्र प्राप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य । त्रिप्य प्राप्य । त्रिप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प्राप्य प्राप्य प्राप्य प्राप्य प्राप्य प्राप्य । त्रिप्य प्राप्य प

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- :तर्रेर र<sup>®</sup>र अर्<u>म भूमा</u> स्वर्णमा रोधोग्रा स्रत्म १०ण प्याणप्र-'त्र रत्रं प्र भामरीम रोधोग्रा स्रत्म .**१८९**
- (a) ២៤% ក្នុង ក្នង ក្នុង ក្នុង ក្នុង ក្នុង ក្នុង ក្នុង ក្នុង ក្នុង ក្ន
  - - (ii) שलाग्नम वर्षें मण्यान्य प्रभावता प्रभावता प्रभावता प्रभावता प्रभावता प्रभावता प्रभावता प्रभावता (ii)

- (d) ឃាយ់ខាន្ទាំរប់ នៅ ឃាម់លាយ បម<u>្ចាំ</u> ការឃើយ ខ្លាំនិយាយ ខេះប្រក្នុង នៅ ខេះប្រក្នុង នៅ ខេះប្រការ នៅ ខេះប្រក្សា នៅ ខេះប្រការ ខេះប្រការ ខេះប្រការ នៅ ខេះប្រការ ខេះប្រការ ខេះប្រការ ខេះប្រការ ខេះប្រការ ខេះប្រការ ខេះប្រការ ខេះប្រក
- (e) ម៉ា  $\overline{252}$  យកស  $\overline{152}$  យកស  $\overline{152}$  យក់ថា ២៤៩ ខេត្ត និង ១៤៩ ខេត្ត ខេត ខេត្ត ខេត្ត

### रु-रेपालीपाणी स्रेपात र्रापाटहलीप

39. (९)  $\frac{1}{2}$  አጽ፡বেওঁ অরুত তেনজাহিরিজেও, তেনজাহির জাঁলা তেওঁ তেন্দ অজ্ঞানা তেওঁ তালা আন্তর্ম আন্তর্ম আন্তর্ম তেনজাহির আন্তর্ম তেনজাহির তেনজানা আন্তর্ম তেনজানা আনত্র তেনজানা আনত্র তেনজানা আনত্র তেনজানা আনত্র তেনজানা আনত্র তেনজান আনত্র তেনজান আনত্র তেনজানা আনত্র তেনজান আনত্র তেনজানা আনত্র তেনজান আনত্র তিনজান আনত্র তিনজান আনত্র তেনজান আনত্র তিলেজনান আনত্র তিলে

- (%) אָקאיזיסט שטוויידא אייבוע שיבועם שלאייבע אַנע אייבוער שוויע פאלאייבע אייבוער איי

| アロッチの形 | では、 | でも、 | でも。 | and purporting to be signed by any Judge or Magistrate, or by any such officer as aforesaid, the Court shall presume that—

- (i) the document is genuine;
- (ii) any statements as to the circumstances under which it was taken, purporting to be made by the person signing it, are true; and
  - (iii) such evidence, statement or confession was duly taken.
- **80.** The Court shall presume the genuineness of every document purporting to be the Official Gazette, or to be a newspaper or journal, and of every document purporting to be a document directed by any law to be kept by any person, if such document is kept substantially in the form required by law and is produced from proper custody.

Presumption as to Gazettes, newspapers, and other documents.

Explanation.—For the purposes of this section and section 92, document is said to be in proper custody if it is in the place in which, and looked after by the person with whom such document is required to be kept; but no custody is improper if it is proved to have had a legitimate origin, or if the circumstances of the particular case are such as to render that origin probable.

**81.** The Court shall presume the genuineness of every electronic or digital record purporting to be the Official Gazette, or purporting to be electronic or digital record directed by any law to be kept by any person, if such electronic or digital record is kept substantially in the form required by law and is produced from proper custody.

Presumption as to Gazettes in electronic or digital record.

Explanation.—For the purposes of this section and section 93 electronic records are said to be in proper custody if they are in the place in which, and looked after by the person with whom such document is required to be kept; but no custody is improper if it is proved to have had a legitimate origin, or the circumstances of the particular case are such as to render that origin probable.

**82.** The Court shall presume that maps or plans purporting to be made by the authority of the Central Government or any State Government were so made, and are accurate; but maps or plans made for the purposes of any cause must be proved to be accurate.

Presumption as to maps or plans made by authority of Government.

- **83.** The Court shall presume the genuineness of, every book purporting to be printed or published under the authority of the Government of any country, and to contain any of the laws of that country, and of every book purporting to contain reports of decisions of the Courts of such country.
- Presumption as to collections of laws and reports of decisions.
- **84.** The Court shall presume that every document purporting to be a power-of-attorney, and to have been executed before, and authenticated by, a Notary Public, or any Court, Judge, Magistrate, Indian Consul or Vice-Consul, or representative of the Central Government, was so executed and authenticated.

Presumption as to powers-of-attorney.

- **85.** The Court shall presume that every electronic record purporting to be an agreement containing the electronic or digital signature of the parties was so concluded by affixing the electronic or digital signature of the parties.
- Presumption as to electronic agreements.
- 86. (1) In any proceeding involving a secure electronic record, the Court shall presume unless contrary is proved, that the secure electronic record has not been altered since the specific point of time to which the secure status relates.
- Presumption as to electronic records and electronic signatures.
- (2) In any proceeding, involving secure electronic signature, the Court shall presume unless the contrary is proved that—
  - (a) the secure electronic signature is affixed by subscriber with the intention of signing or approving the electronic record;
  - (b) except in the case of a secure electronic record or a secure electronic signature, nothing in this section shall create any presumption, relating to authenticity and integrity of the electronic record or any electronic signature.

 $\pi$  ਨਾ ਹਨ ਜ਼ਿੰਦ ਨੇ ਦਰ ਜ਼ਿੰਦ ਨੇ ਜ਼ਿੰਦ - ਹਿਲਲਾਪੈਂਤ ਹਲਾਂ ਹੈ ਨਾ ਨਾਨ ਘਰਾੱਤ ਹਟਨ ਹਿਆ। ਆ

- (i) স°-ਸੇਂਘ ਘਲੂ ਘਸ਼ੂਜ਼ਬਾਟੀ ॥
- жण होगा स्थार स्थापन ಹಿದ್ದು ವಿಶ್ವಸಿದ್ದಾ ಬದ್ದು ಒದ್ದು ಬದ್ದು ಬದ್ದು
  - (iii) שחוויים אום אביים איפון שמו שוויים שמו אווי שחווים אוויים שמו שמו אווי שחווים אוויים מיקוש שמו שמו אוויים אוויים אוויים שמו שמו אוויים אוויים שמו שמו אוויים אוויים אוויים שמו שמו אוויים אוויים אוויים שמו שמו שמו שמו אוויים אוויים

॥ ਹਿਆ ਹ ਹਕ

മീന്റെ ലൂഗംഗച 

हमाणी स्वाधिस हमाणी स्वाधिस राज्य हमाणी ह ਕੱਖਾਂшहम प्रस दें ਨੇਸ਼ਦ <u>ਸਾਰ</u>ਜੇਦ ਔਖਤਨਰੀ, ਦਖ<u>ਤਾਂ</u>ਖਾ ਸ਼ਖ਼ਰੀ।एਜਤ ਧਾਸ਼ਘਾਦਨ ਸ਼ਾ॰ਲ ਧਾਨ੍ਹਾਈ हगिमਲੀਘ ਧਲੀਦ ਜਨ੍ਹਾਈ ਨੌਖਾਂਸ਼ਨ ॥ ऋर्प प्योष्यम स्नम तिष्ठ भटर्षण स्नप्यं प्रधार्थण स्म

**ទ3**. ធាត្រោះមន ជាល្រោះមន ២១១៣.១១១ ក្រោះ ក្រសួនប្រ មន្ត្រាះមេ ក្រសួនបាន មន្ត្រាះមេ ក្រសួនបាន ក្រសួង ក្រសួង ក្រសួនបាន ក្រសួន ក្រសួន ក្រសួនបាន ក្រសួនបាន ក្រសួង ក្រស្ងាន ក្រសួង ក្រសួង ក្រសួង ក្រសួន ក្រសួង ក្រសួង ក្រសួង ក្រសួង ក្ र्टीक्षीय प्रत्याप्त संभित्र प्रत्याप्त सामाज्य स्वाप्त स्वाप्त स्वाप्त सामाज्य स्वाप्त सामाज्य स्वाप्त सामाज्य ॥ रिजार उतर् रिक्र विकार मध्य विकार मध्य विकार व

നയും പുരുത്തു പുരുത്ത क्षणाया आपार के उत्तर हें के अवस्थाय से प्रमाधिक सम्बन्ध में मार किर मार का मार का मार का मार का मार का मार का ਭੁਸੰਖੁਆ ਹਟਨ ਨੂੰ ਜੁਸ਼ ਸੜਾਧਖਿਨ ਨੁਸ਼ਲਾ ਸਿਹਿਸ ਨੁਸ਼ਗੀਖਿ**ਲ** ਨੁਲਾ ;ਤਿਨੀਅਧਾਨ ਹਲਾ ਟ $\phi$ ਸੀਸ ਨੂੰ ਫ਼ਿਸ ਨੁਸ਼ਨ ਸਿਹਾ ਨੁਖ਼ਮ उर्देश कार्य या करण से मालम ने से माल के साम के से माल के साम के से माल से साम के से माल के साम के से माल के स 

ନ୍ତେ ଅଂଶ୍ରେଶ ମଧ୍ୟର ଓ ଅନ୍ତର୍ଥ ନୁ ଅନ୍ତର୍ଥ ଅନ୍ତର ଅନ୍ତର ଅନ୍ତର୍ଥ ଅନ୍ତର ଅନ୍ତର ଅନ୍ତର ଅନ୍ତର ଅନ୍ତର ଅନ୍ତର ଅନ୍ତର୍ଥ ଅନ୍ତର ଅନ୍ อักสาง นาสสมาหลอม์แ โทงชาย จสมา สายสา ธุลุม เรายาโอ อาจาร วาวาร บรรร์ โบธสมุน แบลมา แบลทาง อสมาหาย เขา 

र्वेगोणाष्ट्रा अध्यातिक шಿಯಿಸ್. ಶೈಸ್ಕುಂ വന്തെലുന്നു പുരുഹാ ॥ ४५६ जवार्थम

,जिनारे सक्र होने से स्वर्ध हैं है कि एक्ट होने हैं है कि एक्ट होने हैं है कि एक्ट हैं कि एक्ट हैं कि एक्ट हैं गाणाणाया सेंड करणान्त्रमा वेंड विकास केंड वाजाया कर होते हें बाज माण केंड वाजाया कर होते हें बाज माण कर होते हैं ॥ रिगाँउ ह्रम ह्यांश्यम विषयमा ह्या व्याप्त व्याप्त व्याप्त व्याप्त व्याप्त व्याप्त व्याप्त व्याप्त व्याप्त व्याप्त

Ришјож. Ву почт जणरूम गाणीलभवशादी

ുത്തിൽ ഒരു പ്രത്യായ കാര്യ കൂടി ചിച്ചു വെട്ടു വെട ш सुन्य करें है जा करें है जा का अध्याध करा करा करा है जो किया कर कर है जो जो किया कर कर है जो जो जा कर कर है ज

#.20,9.E.C.[lin] लार्ट्स ग्रिमाणिश्याल

🗫 र प्रेरः नर्लं प्रमार्थिक क्रिया कि साथ के स्वाप्त करी है कि स्वाप्त प्रमार प्रमार प्रमार प्रमार प्रमार कर स्वाप्त  $\|$  ਹਿਆਂ 5 ਹਟਨੀ ਕਿਡੀਅਟ 5 ਹਜ਼ਲੂਸ ਹੁਲਜ਼ਹ ਲਗਾ ਘਾਤਲੇਨ  $\Gamma$ ੰਟੀਨੀਲ ਆਖੇਟਲੇਹ ਘੀਹਾੰਖੇਟਯਾਰਟ ੀਜਘੀਅਗਲੇਨ ਘੰਜਘੀਲੇਨ

෭෦෦෩෦෪෨෩෫ ീചമൂക<del>്ട</del>്ചം<u>ചും</u>മ ॥ ४८ई, लार्थम

**९९.** (९) ०७व्याराम इतः प्राप्त भेरान संस्थान स्थापन स्यापन स्थापन स्थापन स्थापन स्थापन स्थापन स्थापन स्थापन स्थापन स्था ज्ञात्रत्य संयम वरम वर्षा करण वर्षा वर्षा १९५४ वर्षा वर्षा १९५४ वर्षा वर्षा अधिक स्वतं वर्षा वर्षा वर्षा वर्षा ॥ रिजार उतर् विकर्ष श्री राजन्य जिल्ला

പംമും പുരുന്ന നല്കാന ೱಽ<u>ೄೱ</u>೩ಽೣೣ ळणर्रम ग्रिमाणिया ररभूत

- (%) ಸ್ಆಗುತ್ತದ್ದು ಪ್ರಸ್ತು ಪ್ರಸ್ತಿ ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತಿ ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತಿ ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತು ಪ್ರಸ್ತಿ ಪ್ರಸ್ತು ಪ್ರಸ್ತಿ ಪ್ರಸ್ತು ಪ್ರಸ್ತಿ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ತಿ ಪ್ರಸ್ತಿ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ್ರಸ್ ಪ್ರಸ್ತ ಪ್ರಸ್ತ ಪ . रेप्रर<sup>•</sup>नले प्रकुट ट<sup>\*</sup>ाएटी सकुक्ती
  - (a) ०९<u>ष्यत्र</u>क्ष ५५७ म<u>ूज</u>क, त्वा<u>क ५७५ मूज</u> १५७ मा १५७ मा १५७ मा १५७ १५५५ मा १५७ १५५५ मा १५७ १५५५ मा १५५५५ मा ॥ भिमाय या वहर से खालहल या यर्ज मा यर्ज हर्म प्रशास हर्म प्र
  - ഉപ്പ്യ ചിരുന്നു പ്രക്ഷ പ്രദ്യായ പുറുക്ക് പുറുക്ക് പുറുക്ക് പുറുക്ക് പുറുക്ക് പുറുക്ക് പുറുക്ക് പുറുക്ക് പുറുക് ॥ तर्नमण प्रमाम क्याँच क्याँच व्यक्तमम् प्रमामम

Presumption as to Electronic Signature Certificates.

Presumption as to certified copies of foreign judicial records.

- 87. The Court shall presume, unless contrary is proved, that the information listed in an Electronic Signature Certificate is correct, except for information specified as subscriber information which has not been verified, if the certificate was accepted by the subscriber.
- **88.** (1) The Court may presume that any document purporting to be a certified copy of any judicial record of any country beyond India is genuine and accurate, if the document purports to be certified in any manner which is certified by any representative of the Central Government in or for such country to be the manner commonly in use in that country for the certification of copies of judicial records.
- (2) An officer who, with respect to any territory or place outside India is a Political Agent therefor, as defined in clause (43) of section 3 of the General Clauses Act, 1897, shall, for the purposes of this section, be deemed to be a representative of the Central Government in and for the country comprising that territory or place.

10 of 1897.

Presumption as to books, maps and charts.

89. The Court may presume that any book to which it may refer for information on matters of public or general interest, and that any published map or chart, the statements of which are relevant facts, and which is produced for its inspection, was written and published by the person, and at the time and place, by whom or at which it purports to have been written or published.

Presumption as to electronic messages.

90. The Court may presume that an electronic message, forwarded by the originator through an electronic mail server to the addressee to whom the message purports to be addressed corresponds with the message as fed into his computer for transmission; but the Court shall not make any presumption as to the person by whom such message was sent.

Presumption as to due execution, etc., of documents not produced.

91. The Court shall presume that every document, called for and not produced after notice to produce, was attested, stamped and executed in the manner required by law.

Presumption as to documents thirty years old.

92. Where any document, purporting or proved to be thirty years old, is produced from any custody which the Court in the particular case considers proper, the Court may presume that the signature and every other part of such document, which purports to be in the handwriting of any particular person, is in that person's handwriting, and, in the case of a document executed or attested, that it was duly executed and attested by the persons by whom it purports to be executed and attested.

Explanation.—The Explanation to section 80 shall also apply to this section.

# Illustrations.

- (a) A has been in possession of landed property for a long time. He produces from his custody deeds relating to the land showing his titles to it. The custody shall be proper.
- (b) A produces deeds relating to landed property of which he is the mortgagee. The mortgagor is in possession. The custody shall be proper.
- (c) A, a connection of B, produces deeds relating to lands in B's possession, which were deposited with him by B for safe custody. The custody shall be proper.

93. Where any electronic record, purporting or proved to be five years old, is produced from any custody which the Court in the particular case considers proper, the Court may presume that the electronic signature which purports to be the electronic signature of any particular person was so affixed by him or any person authorised by him in this behalf.

Explanation.—The Explanation to section 81 shall also apply to this section.

Presumption as to electronic records five years old.

න්වේ නිවේ ක්ර වෙන්වේ ක්රෙන් ක්රෙන්වේ ක්රෙන්ව ක්රෙන්වේ ක්රෙන්වේ

- **๑๑**. (९) प्रेप्टर-१०९ गेव-४ष्णां स्प्रोष्टल देंठ देंठेण प्रस्तृ प्रस्तृ प्रस्तृ विष्णु प्रस्तृ प्रस्ति प्रस्ति प्रस्ति प्रस्ति प्रस्ति प्रस्ति प्रस्ति प्रस्ति प्रस्ति प्रस
- (%) गेव४बा तमार्थण तम ए४<u>७४</u>म सहम प्रस्का गाउणकार, ८९८भा <u>वार</u>े १९९६भा लाणकार जाव स्वार्थ । अभ्यार्थ जाव स्वार्थ । अभ्यार्थ हे अध्यार्थ है अध्यार्थ

1897 ៤ 10 ॥

さら出している。 まっぱい はまり まっぱい はまり まっぱい はまり まっぱい はまり まっぱい まっ

र्ज 30 एक्ड प्रभागाधियार्थन स्टर्के स्वार्थन

- ඉ॰. प्रेप्ट॰नलैंट सिप्टोमट ए४<u>७४</u>० सिप्टोमट प्रेप्टमट सिप्टोमटी प्रेम्टमलीयार्ग सुर्थे क्र. प्रेप्टेमट केंद्रभण्य प्रेप्टेमटी सिप्टेमट केंद्रभण्य सिप्टेमटी सिप्टेमट

*നയ്ൽയാ* ചെയ്യാ പ്രവ്യാ ചെയ്യാ ചെയ്യാ ചെയ്യാ ചെയ്യാ ചെയ്യാ പ്രവ്യാ ചെയ്യാ പ്രവ്യാ ചെയ്യാ പ്രവ്യാ പ്രവ്യാ

### *ॸढ़ॖज़ॸॿॱज़ॾॴॗ* ॥

- ਲੂਡ ਖ਼ੁਆ ਜ਼ੁਲੂ ਜ਼ਿਲ੍ਹ ਰੱਝ ਹਾਲ ਹੈਂਤ ਗੁਰੂ ਜ਼ਿਲ੍ਹ ਰੁਸ਼ਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਦਾ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਦੇ ਹੁਤ ਹੈ ਹੋ ਹਨ ਜ਼ੁਲੂ ਜ਼ਿਲੂ ਜ਼ੁਲੂ ਜ਼ਿਲੂ ਜ਼ਿਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਜ਼ਿਲੂ ਜ਼ੁਲੂ ਜ਼ਿਲੂ ਜ਼ਿਲੂ ਜ਼ਿਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਜ਼ੁਲੂ ਜ਼ਿਲੂ ਜ਼
- (c) A, B៧ ਜ਼ਿਲੀ ਘਜ਼ ਘੇਨਲੀਂਡ ਘਾਹੀਂਟ B៧ ਟੈੱਵਜਲ਼ ਟੱੱਡ ਟਜਾਨੀਂਘਾ ਜ਼ਿਲੀ ਟੈੱਟਡ ਨਾ-ਸੇਘਾਨੀਂਘ ਗ੍ਰਾਜ਼ਨ, ਜਨਾਨਨੀਂਘ ਘਡ਼ Bਟ ਜ਼ਿਕਾਰੀ ਜ਼ਟੇਘਾ ਨਾਘਾਨੀਵਟ ਹਜ਼ਟਡਾਨਿਗਜ਼ਘਾ ਹੈਟੀਵਨੀ ॥ ਸਾਘਾਨੀਵਟ ਹਜ਼ਤ ਘਾਨੀ ਘਸਜਤ ਘੇਨਜ਼ਟਟੀ ॥

स्ट्रम् स्थार्ट्स भागक्षात्रम् स्ट्रम् स्ट्रम्

*നയ്ട് ചെയ്യു പ്രത്യായ കരുന്ന വരു പ്രത്യാപ്പുട്ട പ്രത്യാപ്വാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്വാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ് പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യാപ്പുട്ട പ്രത്യവുട്ട പ്രത്യാപ്വാപ് പ്രത്യാപ്വത്യ പ്രത്യവ്യാപ് പ്രത്യാപ്വത്യ പ്രത്യാപ്വത്യ പ്രത്യവുട്ട പ്രത്യവുട്ട പ്രത്യാപ്വാപ് പ്രത്യാപ് പ്രത്യ പ്രത്യവുട്ട പ്രത്യാപ് പ്രത്യാപ് പ്രത്യ പ്രത്യാപ് പ്രത്യ പ്രവ്യാപ് പ്രത്യ പ്രത്യാപ് പ്രത്യ പ്രത്യവുട്ട പ്രത്യവ് പ്രത്യ പ്രത്യവുട്ട പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യവുട്ട പ്രവ്യവ്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്രത്യ പ്* 

#### CHAPTER VI

#### OF THE EXCLUSION OF ORAL EVIDENCE BY DOCUMENTARY EVIDENCE

**94.** When the terms of a contract, or of a grant, or of any other disposition of property, have been reduced to the form of a document, and in all cases in which any matter is required by law to be reduced to the form of a document, no evidence shall be given in proof of the terms of such contract, grant or other disposition of property, or of such matter, except the document itself, or secondary evidence of its contents in cases in which secondary evidence is admissible under the provisions hereinbefore contained.

Exception 1.—When a public officer is required by law to be appointed in writing, and when it is shown that any particular person has acted as such officer, the writing by which he is appointed need not be proved.

Exception 2.—Wills admitted to probate in India may be proved by the probate.

Explanation 1.—This section applies equally to cases in which the contracts, grants or dispositions of property referred to are contained in one document, and to cases in which they are contained in more documents than one.

*Explanation* 2.—Where there are more originals than one, one original only need be proved.

*Explanation* 3.—The statement, in any document whatever, of a fact other than the facts referred to in this section, shall not preclude the admission of oral evidence as to the same fact.

#### Illustrations.

- (a) If a contract be contained in several letters, all the letters in which it is contained must be proved.
- (b) If a contract is contained in a bill of exchange, the bill of exchange must be proved.
  - (c) If a bill of exchange is drawn in a set of three, one only need be proved.
- (d) A contracts, in writing, with B, for the delivery of indigo upon certain terms. The contract mentions the fact that B had paid A the price of other indigo contracted for verbally on another occasion. Oral evidence is offered that no payment was made for the other indigo. The evidence is admissible.
- (e) A gives B a receipt for money paid by B. Oral evidence is offered of the payment. The evidence is admissible.
- **95.** When the terms of any such contract, grant or other disposition of property, or any matter required by law to be reduced to the form of a document, have been proved according to section 94, no evidence of any oral agreement or statement shall be admitted, as between the parties to any such instrument or their representatives in interest, for the purpose of contradicting, varying, adding to, or subtracting from, its terms:

Exclusion of evidence of oral agreement.

Provided that any fact may be proved which would invalidate any document, or which would entitle any person to any decree or order relating thereto; such as fraud, intimidation, illegality, want of due execution, want of capacity in any contracting party, want or failure of consideration, or mistake in fact or law:

Provided further that the existence of any separate oral agreement as to any matter on which a document is silent, and which is not inconsistent with its terms, may be proved. In considering whether or not this proviso applies, the Court shall have regard to the degree of formality of the document:

Provided also that the existence of any separate oral agreement, constituting a condition precedent to the attaching of any obligation under any such contract, grant or disposition of property, may be proved:

Provided also that the existence of any distinct subsequent oral agreement to rescind or modify any such contract, grant or disposition of property, may be proved, except in

Evidence of terms of contracts, grants and other dispositions of property reduced to form of document.

# IV PERCH

ळण्ट्रम गिज्ञलङ्क जिल्हा । स्वर्थ प्रज्ञा विष्य अभिकृत विष्य अभिकृत विष्य अभिकृत विष्य अभिकृत विष्य अभिकृत विष्य

ीगरुण्यार्जमण क्याना सार्यार्थ्यम सार्यार्थ्यम सार्यार्थ्यम सार्याय्या सार्याय्या सार्याय्या सार्याय्या सार्याय ്<u>യോ</u> പ്രയായ അന്വന്ന നായ് വര്യാ ന്റെ നായ് പ്രയാപ്രത്യ പ്രത്യാ പ്രത്യ പ് ट्र प्रमाण आने के प्रमाण के का के प्रमाण के प् र्भे अपने माधिक रहेना माधिक स्थान ॥ द॰घोण रुभमण ग्रम<u>ीभण</u> भित्रज्ञन्छ ।। द॰घोण रस्त्रं त्रीलम त्रप्तीलल प्र

<u>അഭ്ഷപംപും</u>ധുന്ന് யல் அற்ற வில<u>்தை சுவ</u> ាំងក្នុ-១១ របស់ស្គា ರ್ಷಗಲಿಗೆ ಪ್ರಕ್ರಿಸ್ ह्रम प्राथमिक्स व्याध<sup>र</sup>ण अध्यक्ष रियाणित्रमण्ण लाणिम

யഗ#ש. க#४# жשใช้ "בא צואיה כוכיש צעש באים של שיניא ווישאלי שוני אוויש אוויש של בוש שוני אוויש של שוני אוויש של האיטיש שוני אוויש של האיטיש שוני אוויש אוויש אוויש של "בא שוני אוויש אוויש אוויש של האיטיש האיטיש של האיטיש האיטי जसंधार करा होता के कार्य साथ है। अरार्थ साथ के साथ के साथ के कार्य के साथ के साथ के साथ के साथ के साथ के साथ के ॥ ऋर्यः राम गिष्ठीगार

ਧੁਕੁ ਨਾ ਕਸ਼ਕ ਨੇਸ਼ਰ ਸ਼ਾਅਮਗਿਕ, ਕਸ਼ਅਸ ਸਨਾਨ ਧਾਮੀ ਨਾ-ਸੰਘ ਘਸ਼ਕਸ਼ੀ ਨਾਦਦ ਨੇਸ਼ਰ ਸ਼ਾਅਮਗਿਕ ਨਸ਼ ਸੇਦਦਦ ਨੁਤਰੰ ਸ਼ਾਘ ਸੰਸ਼ਾਸ਼ ਹੈ ਸ

 $\parallel$  तर्रे राम राष्ट्र जमभाम प्राप्त प्राप्त प्रप्त राष्ट्र प्राप्त प्राप्त प्रप्त प्राप्त प्राप्त प्राप्त प्रप्त प्राप्त प्र प्राप्त प्र प्राप्त प्राप्त प्र प्राप्त प्र प्राप्त प्र प्राप्त प्र प्त

*७७७७ अण्या* % -ऋष्यस<u>्थर</u> सम्भागत्रेष्ठ, लग्नुण प्रलीह सास्मार प्रेम्प प्रेम्स प्रेम्प प्रेम्प अर्थे प्रमार प्रेम्प ਨੂਟ ਤੁਸ਼ੰਤ ਤੁਸ਼ੰਤ ਸ਼ੁਸ਼ਾ ਨਰੰਯ ਸੋਗਰੰਦੀ ਨੁਗਦੇਜ਼ ਸਿਹਿਆ ਜਤੰਦ ਨਜ਼ਦੂਲ ਨੁਹਤੁਸ਼ੰ ਸਦ ਹੀਆ ਜਤੰਦ ਸਾਧਾੰਨ $\mathbf{m}^{\prime}$ ਰ ਨੁਦਾਰਜ਼ਲ ਜਤੰਦ ॥ दभ्वरं प्राप्तीय

# 5दूल<u>™£</u>°0E01Ⅲ ॥

- (a) प्राधानिक प्राव्यक्ष प्राप्त प्राप्त प्राप्त प्राप्त प्रिक्ष से अव प्राप्त प्र
- ॥ ਹਿਤਲगाँर
  - । दर्ल दैंस होती या सामा प्रान्त प्रान्त प्रान्त प्रान्त होती होते प्रान्त प्रान्त होते । अस्य प्रान्त प्रान्त
- (d) पाछाना के जात्र के जात्र हें उत्रंच उत्रंच हता मारिष्ठ हिंद के उत्रंच के जार्च मार्ग मार्ग मार्ग के जात्र के जात्य के जात्र के जात् ॥ ीउगर्स ीलफ असेभा ॥ भिभा असेभा हत्य मार्ट्स उर्द अत्रि रास्तर्ध राज्य प्राप्त विभाग । विभाग । विभाग विभाग विभाग । विभाग । विभाग । विभाग । विभाग । विभाग विभाग । विभाग ।
- मार्थ क्रिक क्रमें सभा
- **इरु.** यालीमार खारजिना मा मिर्टिस एर्स्य एस्याम साम क्षेत्रस्य सम्प्रात्ती स्वाप्त एस्याम स्वाप्त स्वाप्त स्वाप्त ತ್ರಾಣ ಕ್ರಮ ಪ್ರಸ್ತಿಸ ,ಸ್ಥಳುಗ್ಗಳು ಪ್ರಸ್ತಿಸ ಕ್ರಮ ಬ್ಲಿಗಳಿ ಸ್ಥಿಸು ಬಿಲ್ಲಾಗಿ ಬಿಲ್ಲಾಗಳು ಪ್ರಸ್ತಿಸ ಪ್ರಸಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ತ ಪ್ರಸ್ತಿಸ ಪ್ರಸಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ ಪ್ರಸ್ಟಿಸ ಪ್ರಸ್ಟಿಸ ಪ್ರಸ್ತಿಸ ಪ್ರಸ್ಟಿಸ ಪ್ರಸ್ಟಿಸ ಪ್ರಸ್ಟಿಸ ಪ್ರಸ್ತಿಸ ಪ :ীয $\sigma$ চরে ৫৮র ৫৮রচ্ছ তর্মার সাধ্যমের মার্মার মার্মার মার্মার সাম্বর্মার স্বার্মার স্বার্মার স্বার্মার সাম্বর্মার সাম্বর

हर<sup>6</sup>ण गिर्द्धाप प्रेष्ट्रहरू ॥

<u>विष</u>ात ४५ है विस्ता मात्रस हुरूपारसम त्रिमीस गा<u>वर</u>्थ ५ हबस्त्र हब हिस्सा हुरूपारसम प्राप्त विस्तर हिसा हिस्सा हिस्स बाह्य अञ्चर्ध प्राप्त करण्या करणा स्वाप्त करणा स्वापत स्वाप्त करणा स्वापत स्वाप्त करणा स्वापत स्वाप्त करणा स्वाप्त करणा स्वापत स्वा ያጀመመ መደመመ ካ $\underline{a}$ ያን የሀ°ንው ካ $\underline{a}$ ያን , $\underline{m}$ መ መደመ ተ $\underline{a}$ ያን እነገ አይጋላ

निष्याधन्त्रमण महित्र प्रहाधमे नाशिष्याधन निष्या महित्य होते हैं से स्वाधन महित्य प्रहास प्रमाण करें देम 

<u>រារជេ</u>ាំ\*ទៅ៧៉េឃ៉ា ឃ៧ កម្មកា<u>រធម្មិ</u> ២<u>៥សុភមា</u>៣ កម្មកម្មក្នុង ក្នុង ក្ हुन्मःवाज्याज्य क्रम व्याप्तान्य स्थान

च्या स्वाप्त हेर प्रस्ता मार्थ प्रस् ਜੇਹਰੀ ਤੋਂ ਨਾਲ ਦੀ ਸ਼ਾਲ ਦੀ ਸ਼ਾਲ ਦੀ ਸ਼ਾਲ ਦੀ ਸ਼ਾਲ ਦੇ ਨਾਲ ਦੇ ਦੇ ਦੀ ਸ਼ਾਲ ਦੇ ਦੇ ਦੀ ਸ਼ਾਲ ਦੀ

हाण पारस हा है से कार्य के कार का कार्य के प्राची कार्य के वाचा कार्य के कार्या कार कार्या कार्य का बाव के कार्या का कार्य कार्या कार्य का बाव के कार्या कार्य का बाव के कार्या कार्य कार्या कार्य कार्या कार्य कार्या कार्य कार्या कार्य कार्या कार्य कार्य कार्या कार्य कार्या कार्य कार्या कार्य कार्या कार्य एक प्राप्त हमा नाभुक्त है है राजन्त्रमा करिया होता हुने हैं राजन्त्रमा करोड़ हम नाभुक्त हैं है राजन्त्रमा करोड़ 

cases in which such contract, grant or disposition of property is by law required to be in writing, or has been registered according to the law in force for the time being as to the registration of documents:

Provided also that any usage or custom by which incidents not expressly mentioned in any contract are usually annexed to contracts of that description, may be proved:

Provided also that the annexing of such incident would not be repugnant to, or inconsistent with, the express terms of the contract:

Provided also that any fact may be proved which shows in what manner the language of a document is related to existing facts.

# Illustrations.

- (a) A policy of insurance is effected on goods "in ships from Kolkata to Visakhapatnam". The goods are shipped in a particular ship which is lost. The fact that particular ship was orally excepted from the policy, cannot be proved.
- (b) A agrees absolutely in writing to pay B one thousand rupees on the 1st March, 2023. The fact that, at the same time, an oral agreement was made that the money should not be paid till the 31st March, 2023, cannot be proved.
- (c) An estate called "the Rampur tea estate" is sold by a deed which contains a map of the property sold. 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) A enters into a written contract with B to work certain mines, the property of B, upon certain terms. A was induced to do so by a misrepresentation of B's as to their value. This fact may be proved.
- (e) A institutes a suit against B for the specific performance of a contract, and also prays that the contract may be reformed as to one of its provisions, as that provision was inserted in it by mistake. A may prove that such a mistake was made as would by law entitle him to have the contract reformed.
- (f) A orders goods of B by a letter in which nothing is said as to the time of payment, and accepts the goods on delivery. B sues A for the price. A may show that the goods were supplied on credit for a term still unexpired.
- (g) A sells B a horse and verbally warrants him sound. A gives B a paper in these words—"Bought of A a horse for thirty thousand rupees". B may prove the verbal warranty.
- (h) A hires lodgings of B, and gives B a card on which is written—"Rooms, ten thousand rupees a month". A may prove a verbal agreement that these terms were to include partial board. A hires lodging of B for a year, and a regularly stamped agreement, drawn up by an advocate, is made between them. It is silent on the subject of board. A may not prove that board was included in the term verbally.
- (i) A applies to B for a debt due to A by sending a receipt for the money. B keeps the receipt and does not send the money. In a suit for the amount, A may prove this.
- (*j*) A and B make a contract in writing to take effect upon the happening of a certain contingency. The writing is left with B who sues A upon it. A may show the circumstances under which it was delivered.
- **96.** When the language used in a document is, on its face, ambiguous or defective, evidence may not be given of facts which would show its meaning or supply its defects.

Exclusion of evidence to explain or amend ambiguous document.

# Illustrations.

- (a) A agrees, in writing, to sell a horse to B for "one lakh rupees or one lakh fifty thousand rupees". Evidence cannot be given to show which price was to be given.
- (b) A deed contains blanks. Evidence cannot be given of facts which would show how they were meant to be filled.

ਰੱੱਡ ਜ਼ੜ੍ਹਾਂ ਐਂਡ, ए4<u>% ਰ</u>ਾ ਲੇਾਸ਼ੂਜ਼ਾਦਾਗੀயਾ। ਜਾਟੀਅ<u>ਅਰ</u>ਾਗਦਾ। ਜ਼ਐਂਘਲ ਜ਼ਐਂਸ ਸ਼ਖ਼ਾ। ਘੈਨਦ ਸ਼ਖਦਖ਼ੀਤ ਘੇਨਦਾ। ਜ਼ਲ੍ਹਾ ਨਦਦ ਜਾਟੀਅਅਰ ਐੱ<u>ਸਰ</u>ਤ ਸ਼ਾਅਗੀਂ ਘੜ੍ਹ ਦਖ਼ਅਦ, <u>ਸ਼ਾਰ</u>ਜ਼ੇਦ ਐੱਡ ਲੇਨ:

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- (a) "দ্রাক্তর্নিতার আরুর্নিতার করে বিপিন্নামের ইন্নর বিশ্বরাধিক বিশ্বরাধিক
- (b) AC ភ្នំ ន០នន្ទាា គ<u>ੇਦਾ</u> ទស Bស ច្ចារា ថាហែយ ឃក រាបែខ ១៤០០ យុង ឃុំ១៤ សុំ១១ ॥ ឃុំប្រក សុំគេសេី, កុំភាព ឃុំប្រក សុំ១១ ឃុំប្រក សុំ១១ ឃុំប្រក ឃប្រក ឃុំប្រក ឃាំប្រក ឃ
- (d) ਘਾਟ ਬੀਜ਼ ਰਾਡਟਰ ਗੁਲਤ ਸੰਗਾਹੀਗ, ਬੀਜ਼ੀ ਜ਼ਿਲ੍ਹਾ ਸੁਲਤ, ਬਗ਼ਾਹਤ ਲਗਰਗਾਈ ਜ਼ਲ੍ਹਾ ਸਭਤ ਹਾਲ ਹੈ ਹਨ ਕਰ ਸ਼ਲ੍ਹਾ ਸੰਗਾਹੀ ਸ਼ਲ੍ਹਾ ਸ਼ਲ੍ਹਾ ਸੰਗਾਹੀ ਸੰਗਾਹੀ

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**97.** When language used in a document is plain in itself, and when it applies accurately to existing facts, evidence may not be given to show that it was not meant to apply to such facts.

Exclusion of evidence against application of document to existing facts.

### Illustration.

A sells to B, by deed, "my estate at Rampur containing one hundred *bighas*". A has an estate at Rampur containing one hundred *bighas*. Evidence may not be given of the fact that the estate meant to be sold was one situated at a different place and of a different size.

**98.** When language used in a document is plain in itself, but is unmeaning in reference to existing facts, evidence may be given to show that it was used in a peculiar sense.

Evidence as to document unmeaning in reference to existing facts.

### Illustration.

A sells to B, by deed, "my house in Kolkata". A had no house in Kolkata, but it appears that he had a house at Howrah, of which B had been in possession since the execution of the deed. These facts may be proved to show that the deed related to the house at Howrah.

**99.** When the facts are such that the language used might have been meant to apply to any one, and could not have been meant to apply to more than one, of several persons or things, evidence may be given of facts which show which of those persons or things it was intended to apply to.

Evidence as to application of language which can apply to one only of several persons.

### Illustrations.

- (a) A agrees to sell to B, for one thousand rupees, "my white horse". A has two white horses. Evidence may be given of facts which show which of them was meant.
- (b) A agrees to accompany B to Ramgarh. Evidence may be given of facts showing whether Ramgarh in Rajasthan or Ramgarh in Uttarakhand was meant.
- **100.** When the language used applies partly to one set of existing facts, and partly to another set of existing facts, but the whole of it does not apply correctly to either, evidence may be given to show to which of the two it was meant to apply.

### Illustration.

A agrees to sell to B "my land at X in the occupation of Y". A has land at X, but not in the occupation of Y, and he has land in the occupation of Y but it is not at X. Evidence may be given of facts showing which he meant to sell.

language to one of two sets of facts, to neither of which the whole correctly applies.

Evidence as to application of

**101.** Evidence may be given to show the meaning of illegible or not commonly intelligible characters, of foreign, obsolete, technical, local and regional expressions, of abbreviations and of words used in a peculiar sense.

Evidence as to meaning of illegible characters, etc.

### Illustration.

A, sculptor, agrees to sell to B, "all my mods". A has both models and modelling tools. Evidence may be given to show which he meant to sell.

**102.** Persons who are not parties to a document, or their representatives in interest, may give evidence of any facts tending to show a contemporaneous agreement varying the terms of the document.

Who may give evidence of agreement varying terms of document.

# Illustration.

A and B make a contract in writing that B shall sell A certain cotton, to be paid for on delivery. At the same time, they make an oral agreement that three months' credit shall be given to A. This could not be shown as between A and B, but it might be shown by C, if it affected his interests.

**103.** Nothing in this Chapter shall be taken to affect any of the provisions of the Indian Succession Act, 1925 as to the construction of wills.

Saving of provisions of Indian Succession Act relating to wills.

39 of 1925.

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#### **PARTIV**

# PRODUCTION AND EFFECT OF EVIDENCE

### **CHAPTER VII**

# OF THE BURDEN OF PROOF

Burden of proof.

**104.** Whoever desires any Court to give judgment as to any legal right or liability dependent on the existence of facts which he asserts must prove that those facts exist, and when a person is bound to prove the existence of any fact, it is said that the burden of proof lies on that person.

### Illustrations.

- (a) A desires a Court to give judgment that B shall be punished for a crime which A says B has committed. A must prove that B has committed the crime.
- (b) A desires a Court to give judgment that he is entitled to certain land in the possession of B, by reason of facts which he asserts, and which B denies, to be true. A must prove the existence of those facts.

On whom burden of proof lies.

**105.** The burden of proof in a suit or proceeding lies on that person who would fail if no evidence at all were given on either side.

# Illustrations.

- (a) A sues B for land of which B is in possession, and which, as A asserts, was left to A by the will of C, B's father. If no evidence were given on either side, B would be entitled to retain his possession. Therefore, the burden of proof is on A.
- (b) A sues B for money due on a bond. The execution of the bond is admitted, but B says that it was obtained by fraud, which A denies. If no evidence were given on either side, A would succeed, as the bond is not disputed and the fraud is not proved. Therefore, the burden of proof is on B.

Burden of proof as to particular fact.

**106.** The burden of proof as to any particular fact lies on that person who wishes the Court to believe in its existence, unless it is provided by any law that the proof of that fact shall lie on any particular person.

# Illustration.

A prosecutes B for theft, and wishes the Court to believe that B admitted the theft to C. A must prove the admission. B wishes the Court to believe that, at the time in question, he was elsewhere. He must prove it.

Burden of proving fact to be proved to make evidence admissible. 107. The burden of proving any fact necessary to be proved in order to enable any person to give evidence of any other fact is on the person who wishes to give such evidence.

### Illustrations.

- (a) A wishes to prove a dying declaration by B. A must prove B's death.
- (b) A wishes to prove, by secondary evidence, the contents of a lost document. A must prove that the document has been lost.

Burden of proving that case of accused comes within exceptions. 108. When a person is accused of any offence, the burden of proving the existence of circumstances bringing the case within any of the General Exceptions in the Bharatiya Nyaya Sanhita, 2023 or within any special exception or proviso contained in any other part of the said Sanhita, or in any law defining the offence, is upon him, and the Court shall presume the absence of such circumstances.

# രല്പ IA

# നൗംമീന്ദ് ച<sup>്</sup>യ യംച് വര്ഷന ചായയയ<u>്യെ</u>

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णर्श्व साध्या प्रतासिक्या स्राप्य द्वा **२०२**. लुफ एक्समण अर्म<u>भाग</u>ः राणमीणण केंद्रमा आर्थः विद्यासा समान्य स्वाप्त स्वापत स्वाप्त स्वापत स्वापत स्वाप्त स्

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- (a) AC Birl स्रित्रेत्र दें ह दम चात्रामित्रसाण Bरू त्रेखिस प्रस्कें, चास्त्रण AC केत्र ह सार्वा त्रिस्त Cirl त्रेत्रनदें एट Aरू आधिमसी ॥ खाधीमुम्ह सेत्रखें चाटीसण्य <u>गाधि</u>सेंख चास्त्रिय गार्विहास चात्र व्याप्तिस्ति क्षेत्र हम् चात्र व्याप्तिस्ति क्षेत्र व्याप्तिस्ति क्षेत्र हम् चात्र हम चात्र हम् चात्र हम्य हम् चात्र हम् चात्र हम् चात्र हम् चात्र हम् चात्र हम् चात्र हम चात्र हम् चात्र हम्य हम् चात्र हम् चात
- (b) Aट रुष्ट्र प्रस्त ग्रांण्यर ०॰एइम प्रसारितसा प्रस्त स्वेन ०१र्घ। यु<u>ल्र</u> प्रद्र ग्रेरूप प्रतेष प्रतेष प्रस्त प्रतेष प्रतेष

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- (a) AC Bली त्रेज्ञित विष्ठ अभिक्षा आस्त्रिल विष्ठ । विस्तर्भ साम अलभ<u>्जास</u> साम अलभ<u>्जास</u> साम अलभ्जास विष्ठ (a)
- ত্ত্র সম্প্রাক্ত ॥ । সমর্মার স্বর্গত রাম্প্রাম্র রামর স্বর্মার বিষয়ে বিষয় ব

#### Illustrations.

- (a) A, accused of murder, alleges that, by reason of unsoundness of mind, he did not know the nature of the act. The burden of proof is on A.
- (b) A, accused of murder, alleges that, by grave and sudden provocation, he was deprived of the power of self-control. The burden of proof is on A.
- (c) Section 117 of the Bharatiya Nyaya Sanhita, 2023 provides that whoever, except in the case provided for by sub-section (2) of section 122, voluntarily causes grievous hurt, shall be subject to certain punishments. A is charged with voluntarily causing grievous hurt under section 117. The burden of proving the circumstances bringing the case under sub-section (2) of section 122 lies on A.
- **109.** When any fact is especially within the knowledge of any person, the burden of proving that fact is upon him.

Burden of proving fact especially within knowledge.

# Illustrations.

- (a) When a person does an act with some intention other than that which the character and circumstances of the act suggest, the burden of proving that intention is upon him.
- (b) A is charged with travelling on a railway without a ticket. The burden of proving that he had a ticket is on him.
- 110. When the question is whether a man is alive or dead, and it is shown that he was alive within thirty years, the burden of proving that he is dead is on the person who affirms it.

Burden of proving death of person known to have been alive within thirty years.

111. When the question is whether a man is alive or dead, and it is proved that he has not been heard of for seven years by those who would naturally have heard of him if he had been alive, the burden of proving that he is alive is shifted to the person who affirms it.

Burden of proving that person is alive who has not been heard of for seven years.

112. When the question is whether persons are partners, landlord and tenant, or principal and agent, and it has been shown that they have been acting as such, the burden of proving that they do not stand, or have ceased to stand, to each other in those relationships respectively, is on the person who affirms it.

Burden of proof as to relationship in the cases of partners, landlord and tenant, principal and agent.

113. When the question is whether any person is owner of anything of which he is shown to be in possession, the burden of proving that he is not the owner is on the person who affirms that he is not the owner.

Burden of proof as to ownership.

114. Where there is a question as to the good faith of a transaction between parties, one of whom stands to the other in a position of active confidence, the burden of proving the good faith of the transaction is on the party who is in a position of active confidence.

# Illustrations.

- (a) The good faith of a sale by a client to an advocate is in question in a suit brought by the client. The burden of proving the good faith of the transaction is on the advocate.
- (b) The good faith of a sale by a son just come of age to a father is in question in a suit brought by the son. The burden of proving the good faith of the transaction is on the father.

Proof of good faith in transactions where one party is in relation of active confidence.

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- (a) ਜ਼ਰਿਅਲਾ ਜ਼ਿਖੇਤ ਸਾਫ਼ਦਰ Ac, ਨੇਸ਼ਤ ਨੇਖਆਦ ਜ਼ਖ਼ਜ਼ ਘਾਨਲਦ, ਜ਼ਨੇਸ਼ਦ ਜ਼ਰਜ਼ ਗਾਲਲਾ ਜ਼ਿਘਾਹ-ਜ਼ਨਾਂ ਕੁਝ ਸੈਸਲਿ ਨੇਸ਼ਦ । ਨੂੰ ਸ਼ੁਖ਼ ਤਾਜ਼ਾ ਤਾਜ਼ਾ ਕਾਰੂ ਕਰਾਵਾਂ ਕਰਾਵ
- ੀ ਸਾਲ ਦੀ ਸ਼ਾਲ ਦੇ ਜ਼ਾਲ ਜ਼ਾਹ ਦੇ ਦੇ ਜ਼ਾਹ ਦੇ ਜ਼ਾ । है ब्रA शिक्र एक उत्प्रात कि सुन के कि प्रात्म के ब्रम के प्रात्म के ब्रम कि ब्रम के प्राप्त के प्राप्त के प
- एक्टर एक्ट ज्याम जिल्लामा होता है जिल्लामा हुए स्थान स्थान होतान कार्य एक प्रमान स्थान अप एक एक एक एक एक एक एक ॥ है तर हे या प्रतापात का अन्तर अस<u>ा भारत प्रताप का अध्या अध्याप अध्याप अध्याप अध्याप अध्याप अध्याप अध्याप अध्य</u>

**९०१.** स्प्रमुख स्ट्रेस सम्ब्राण क्र साम के साम के साम के सम्बर्ध के साम के सम्बर्ध के सम ॥ जिन्धा रंम विषयार्चम रुग

गिर्रेष्ट अर्भभार राष्ट्र

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- (a) ಹಿರ್ಬಿ ಸಮ್ ಪರ್ವ ಸಮ್ ಮುಸ್ ಪರ್ ವರ್ತಿ ಪ್ರಕ್ಷಣಗಳ ಕಾಣಕ್ಕೆ ಬಹ್ತು ಜನಿಸು ಮುತ್ತು ಪ್ರಸ್ತಿಸ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ರಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ರಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಗಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗೆ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಗಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಕ್ಷಣಗಳ ಪ್ರಗಣಗಳ ಪ್ರಕ್ಷಣ ।। विनिश्ना त्या विष्यार्वम ह्रया प्रार्थित अमेशिया ह्रया मह्यांस , ह्रमत्यम हेल्ट माया पाइद
- шर्कः गाठीमा अर्<u>मधमा</u> उतर्द हैं माम भष्मीय विष्यर्वम ॥ विशेष र्वम गामार रूपर विष्यर अस्तर रे भष्मीय विष्य ॥ डिन्धा द्रम स्विपार्चम ह्रय
- ਤਾਰ ਜਾਂਦਾ ਤੇ ਸੁੱਧਾ ਤੇ ਜਾਂਦਾ ਜਾਂਦਾ ਜਾਂਦਾ ਜਾਂਦਾ ਜਾਂਦਾ ਜਾਂਦਾ ਦੇ ਸ਼ੁਰੂ ਤੇ ਸੁੱਧਾ ਸਤੇ ਤੇ ਸੁੱਧਾ ਜਾਂਦਾ ਦੇ ਸ਼ੁਰੂ ਤੇ ਸ਼ਿਰੂ ਤੇ ਸ਼ੁਰੂ ਤੇ ਸ਼ੁਰੂ ਤੇ ਸ਼ਿਰੂ ਤੇ ਸ਼ ॥ भिनिश्रार्य से गाउँग दर्गणीस रुष्ट अंसभार ।। एक में भारी ।।। एक से भार के उर्द के भार ।।। एक से भार मार मार स

ज्ञाण्य गा०न्थ रिप ज्या वें चिंड ज्या जि ಸ್ತಾದ ಆ<sub>(</sub>ಗ್ರಾಲ್ ಅೃಕ್ಕಾರ್ ग्रमिकार हर्द ॥ डर्रक भाषी

णर्ज, जमर्ज प्राणितः प्राणितः हर्ष हे विवर्ष कार्यम विष्यर्भ विषयः विषयः प्राणितः विषयः विषयः विषयः विषयः विषय । तप्पन्नपन्त सहस्र त्राम प्राचीम जम्मा एम हस्य पहिष्य । तप्पन्न हस्य प्राचीम अभ्यास प्रतर्द विप्योद

গ্ৰান্তপুঠ°ণ্ণত হিম ᡒ<u>ᡆᡑ</u>᠇ᡅᢐ᠋᠋ᡆᠵ विष्णेत हुस तर्माम ७र्म<u>भ™</u> ब्रुष्टर्त् गारियामी पार्रेष्ठ दें ॥

**९९%**. सिंध्येत्रलीचर मुख्य सम्प्र ध्येत्रहर्वे, ज़ुमार्ग सम्प्र ए४<u>७४</u>ग टं ब्र<u>क्षीहर्व,</u> ए४<u>७४</u>ग मुख्य एउप्राप्त ए४<u>७४</u>ग তেওঁত আইনা, মদণুম দুরুর, আন্তর্ম দুরুরর কি আইনার আত্ম দুরুরর আইনার আইনার আইনার আইনার আইনার আইনার আইনার আইনার আইন र्यंग्रेस एक स्वाप्त का तिस्तर वास प्रमाण वास का स्वाप्त का स्वाप्त का स्वाप्त का साथ प्रभाग स्वाप्त का साथ का स्वाप्त का साथ का ॥ जिन्धीय देस भाज्य

लब्रेष्ण घ्रमिष्ठलीष, ш०ूमण ग्रास ीगमञ्च ਟੱਵਸ ਟੱਖਿਂਡ ਸ਼ਘਿੰਨ, र्गारी एञ्ची <u>भ</u>गार ന്ധാരു കാരു പ്രധാന വാധന ीगी भूस ज्ञापिल अस्य ीगञर्म<u>भाग्र</u> रह्यार्ट्स प्पारेक्ष्मार हैं॥

९९%. सिक्पेन प्रस्कृत करे <u>पर</u>का ग्राम शिक्प शिक्प प्रस्कृत प्रकृति प्रस्कृत से प्रमाण संभाग स्थाप स्थाप स्थाप स ।। उन्धार देस गाउए दर्धीस ठी५४ इ ठत्दं ॰क्रदर्ध ग्रास पार्ट्स रूप प्रकर्ध ग्रास प्रदेश सार्प प्रकर्

ळप्पर्टम गिठत'ण ग्राम <u>ग्राभ</u>संखामी प्राप्रेक्षण तें

९९७. त्रुस्मालीमार्ग स्विष्ण ग्रें वटेष्ट-ऋगीण चत्रागि के वार्ग के वार्ग विषय प्रसार विषय कि विषय कि विषय कि व र्केस प्रमात सार ज्याप केर प्रमात होता है जिस्सा स्थाप सार करण स्थाप स्थाप स्थाप स्थाप स्थाप स्थाप स्थाप स्थाप ॥ उन्नाय गार के लक्ष्म गार वेंच ज्ञान वेंच ज्ञान वेंच ज्ञान वेंच

Σሩ깨 Œዙር ಗಿಗಳಿನಿಕೆ ನಿನಗಿಗಳ ക്കു പ്ര <u>ജ്</u>യോയായാച്ചു ॥ अर्म<u>भाष्य</u> भाष्ठर्य

# ร*ฐต<u>ร•ย</u>•ºoष्टoใฃ ॥*

- ॥ โธर॰ंगा रंम गिक्रम रोष्टा ह्रम पर्दे गाउँ । गाउँ अभ<u>ाभा क्र</u>म उर्द्ध गिक्रम
- (b) ਨ੍ਹਾਂ ਕੁਬਲ ਘੇਨੁਖਾਂਡ ਜ਼ਨੇਦੁਆਂ ਘਜ਼ੇਦ ਨਾੰਢਡਾਾਂਡਿਟਡ ਘੁਲੀ ਜ਼ਨੇਦੁਆਂ ਘੜ੍ਹਦ ਆਖ਼ਾ ਆਨੁਖ ਘਜ਼ਨ ਨੀਘਟਣ ਹੈ।।  $\|$  ਤਿF'ਆਂ ਨੌਜ ੀਗਲੁਧ ਸੰਅਜ ਹਿਧਾ ਧਲੇੱਧ ਗਿਲ ਨੇਂ ਭੰਜਖਾ ਲੁਧਾ ਨੇਂ ਪੱਤਰ ਗਿਲ੍ਹਾ ਭਾਰਪਾ ਤੁੰਬੰਦ  $\pi$

Presumption as to certain offences.

- 115. (1) Where a person is accused of having committed any offence specified in sub-section (2), in—
  - (a) any area declared to be a disturbed area under any enactment for the time being in force, making provision for the suppression of disorder and restoration and maintenance of public order; or
  - (b) any area in which there has been, over a period of more than one month, extensive disturbance of the public peace,

and it is shown that such person had been at a place in such area at a time when firearms or explosives were used at or from that place to attack or resist the members of any armed forces or the forces charged with the maintenance of public order acting in the discharge of their duties, it shall be presumed, unless the contrary is shown, that such person had committed such offence.

- (2) The offences referred to in sub-section (1) are the following, namely:—
- (a) an offence under section 147, section 148, section 149 or section 150 of the Bharatiya Nyaya Sanhita, 2023;
- (b) criminal conspiracy or attempt to commit, or abetment of, an offence under section 149 or section 150 of the Bharatiya Nyaya Sanhita, 2023.

Birth during marriage, conclusive proof of legitimacy. 116. The fact that any person was born during the continuance of a valid marriage between his mother and any man, or within two hundred and eighty days after its dissolution, the mother remaining unmarried, shall be conclusive proof that he is the legitimate child of that man, unless it can be shown that the parties to the marriage had no access to each other at any time when he could have been begotten.

Presumption as to abetment of suicide by a married woman. 117. When the question is whether the commission of suicide by a woman had been abetted by her husband or any relative of her husband and it is shown that she had committed suicide within a period of seven years from the date of her marriage and that her husband or such relative of her husband had subjected her to cruelty, the Court may presume, having regard to all the other circumstances of the case, that such suicide had been abetted by her husband or by such relative of her husband.

*Explanation.*—For the purposes of this section, "cruelty" shall have the same meaning as in section 86 of the Bharatiya Nyaya Sanhita, 2023.

Presumption as to dowry death.

118. When the question is whether a person has committed the dowry death of a woman and it is shown that soon before her death, such woman had been subjected by such person to cruelty or harassment for, or in connection with, any demand for dowry, the Court shall presume that such person had caused the dowry death.

*Explanation.*—For the purposes of this section, "dowry death" shall have the same meaning as in section 80 of the Bharatiya Nyaya Sanhita, 2023.

Court may presume existence of certain facts. **119.** (*I*) The Court may presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of natural events, human conduct and public and private business, in their relation to the facts of the particular case.

### Illustrations.

The Court may presume that—

- (a) a man who is in possession of stolen goods soon, after the theft is either the thief or has received the goods knowing them to be stolen, unless he can account for his possession;
- (b) an accomplice is unworthy of credit, unless he is corroborated in material particulars;

रण्याय राज्याय विक्रमात्रीय प्रतास्य स्टामिस स्टास्य

- , ਨਜਾਪਜ ਟਾੀਰਾ ਸ ਦੇਸ਼ ਹ ਨਾਂ ਦਾ ਜ਼ਾਸ ਹ ਨਾਂ ਦਾ ਜ਼ਾਸ ਹ ਦਾ ਜ਼ਾਸ ਹ ਜ਼ਾਸ ਹ ਜ਼ਾਸ ਹ ਜ਼ਾਸ ਨਾ ਜ਼ਾਸ ਹ ਜ਼ਾਸ ਨਾ ਜ਼ਾਸ ਦਾ ਜ਼ਾਸ
- (a) स्थान प्रजूज प्रस्प्याचित्र जिल्लामा अध्याचेष्य प्रमाणिका प्रश्नेत्र प्रश्नित्र प्रश्नेत्र प्रश्नित्र प्रभाव के प्रमाणिका प्रमाणिक
- គល់ មានមាន ស្រុក នេះ គ្នា ស្រុក នេះ គ្នា ស្រុក នេះ គេប្រកាស គេប្រកាស គេប្រកាស គេប្រកាស គេបាន គ្នា គេបាន គេ
- (a) गे৪তার সুর্ব্তর তেইচ্চ তাঙ্ছলাই , ৯০৯৯ লা তেলেও ৪১৯, তেলেতে ৪১৯, তেলেতে ৪১৯ ত কর্মন লালেও ৪৭০ লা নিক্র কর্মন অন্দ:

ឃ្លាំ আ មាន គ្រាប់ នេះ នៅ ឧបស ស មាន គ្រាប់ មាន គ្រាប់ មាន មាន គ្រាប់ មាន អាច មាន អាចប្រជាជា មាន អាចប្រសាស មាន អាចប្រជាជា មាន អា

 \$\$\$. एगा पस्ट प्रक्रेसे ॐतिष्ठ प्रज्ञ स्वेणखा स्थानिक्ष्य एउट एस्थान स्वेणखा स्थानिक्ष्य एस्ट्रेस प्रक्रित स्व उत्पान स्वेण प्रक्रित स्वेण स

ত্তম্প্রতে স্ক্রিয় দেশের মূল্য মূল্য দেশের মূল্য ম

णज्ञल्या स्टेया स्टिश्ची स्टेयह स्टिश्ची

ट्रां प्राथ्य के प्राथ्य हैं से "(क्र के भिक्ष्मंत्र) भ्रतीम विष्ठभी साम्राथ्य एवं साम क्रिक्षण माम्राथ्य प्राथ्य के प

ਸੇਸ਼ਾਜਲੇ ਦਸ਼ਸ਼ਾ ਦੁਸ਼ਸ਼ਾ ਸੇਵਜ਼ ਸ਼ਰ ਹੈ ਕੇਸ਼ਦ ਦੱਲ ਲੇਨ ॥

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- ौब्रह्म तर्रर ष्ट्रभ्य १०म एर्शन्रर्भर

- (c) a bill of exchange, accepted or endorsed, was accepted or endorsed for good consideration;
- (d) a thing or state of things which has been shown to be in existence within a period shorter than that within which such things or state of things usually cease to exist, is still in existence;
  - (e) judicial and official acts have been regularly performed;
  - (f) the common course of business has been followed in particular cases;
- (g) evidence which could be and is not produced would, if produced, be unfavourable to the person who withholds it;
- (h) if a man refuses to answer a question which he is not compelled to answer by law, the answer, if given, would be unfavourable to him;
- (i) when a document creating an obligation is in the hands of the obligor, the obligation has been discharged.
- (2) The Court shall also have regard to such facts as the following, in considering whether such maxims do or do not apply to the particular case before it:—
  - (i) as to *Illustration* (a)—a shop-keeper has in his bill a marked rupee soon after it was stolen, and cannot account for its possession specifically, but is continually receiving rupees in the course of his business;
  - (ii) as to *Illustration* (b)—A, a person of the highest character, is tried for causing a man's death by an act of negligence in arranging certain machinery. B, a person of equally good character, who also took part in the arrangement, describes precisely what was done, and admits and explains the common carelessness of A and himself;
  - (iii) as to *Illustration* (b)—a crime is committed by several persons. A, B and C, three of the criminals, are captured on the spot and kept apart from each other. Each gives an account of the crime implicating D, and the accounts corroborate each other in such a manner as to render previous concert highly improbable;
  - (iv) as to *Illustration* (c)—A, the drawer of a bill of exchange, was a man of business. B, the acceptor, was a young and ignorant person, completely under A's influence;
  - ( $\nu$ ) as to *Illustration* (d)—it is proved that a river ran in a certain course five years ago, but it is known that there have been floods since that time which might change its course;
  - (vi) as to *Illustration* (e)—a judicial act, the regularity of which is in question, was performed under exceptional circumstances;
  - (vii) as to *Illustration* (f)—the question is, whether a letter was received. It is shown to have been posted, but the usual course of the post was interrupted by disturbances:
  - (viii) as to Illustration (g)—a man refuses to produce a document which would bear on a contract of small importance on which he is sued, but which might also injure the feelings and reputation of his family;
  - (ix) as to *Illustration* (h)—a man refuses to answer a question which he is not compelled by law to answer, but the answer to it might cause loss to him in matters unconnected with the matter in relation to which it is asked:
  - (x) as to *Illustration* (i)—a bond is in possession of the obligor, but the circumstances of the case are such that he may have stolen it.
- 120. In a prosecution for rape under sub-section (2) of section 64 of the Bharatiya Nyaya Sanhita, 2023, where sexual intercourse by the accused is proved and the question is whether it was without the consent of the woman alleged to have been raped and such woman states in her evidence before the Court that she did not consent, the Court shall presume that she did not consent.

Presumption as to absence of consent in certain prosecution for rape.

- (h) खर्भाम कम्प्रेज फर्म पम्प्रमाप केर्या एक्स्याम आयुक्त एक्स्याम अधिक प्रमाणक प्रम
  - (i) ಪ್ರಮಾಣಕ ಹುಕ್ಕ ೧೯೫೯ರೇ ಹೇಜ್ರಕ್ಷು ಅಕರ ಸಮಿನಕ್ಷಣ ಹುಕ್ಕಗಳ ಸ್ಥೆಕ್ಕು ಕೈಕ ಕೂಗು ಹುತ್ತು ಕೃತ್ತಿಗಳ ಕೂಗು ಕೃತ್ತಿಗಳ ಕೊಡ್ಡು (i)
- รหา้าเงา ชั้น ถ้า เล่น รวานพา รไล้ร ชนา์สา โพสะสา โงม แไดหสว่ง รหา้าเงม รไลโพ ชั้น วิจะหว่ง (%) เป็นแล้ว เมื่อ เมื่อ เมื่อ เมื่อ เมื่อ เมื่อ เมื่อ แไดหาใดแล้
  - (i) ೨୭୦<u>°भर</u>०७६ (a) ार्ग ब्रु<u>ष</u>णेस्व उद्घर्ष अर्गेत क्षाचे क्षाचार्य एक्ष्य प्रस्ते हे क्ष्यं प्रमण्डे व्याप्त व्यापत व्याप
  - នបាយធាម នៃបាន នេះឃាតា នេះឃាតា ខ្លាំ ១១៣ ខេត្ត ខ្លាំ ១៣ភា ខេត្ត ខេត ខេត្ត ខេត

  - (vii) ភក្តិល<u>ទិក</u> ហើយ (f) ៧ អភិបាន-វាគ្គអាវី នៅ មាន គំនាំនៃ គំនាំនេះ គំនាំនេនេះ គំនាំនេះ គំនាំនេ គំនាំនេ គំនាំនេះ គំនា
  - (viii) তেওঁ প্রত্রা আনুর বিজ্ঞান ক্রমের ক্রমের
  - (ix) ਨਰੁ $\Omega$ ਾਅਦ (h) ਾਿ ਜਨਾਬਸਾ ਨੇ ਸ਼ਕਾ ਸੰਘਾਨ ਘੁਲਰ ਜਨਾਬਾ ਘੁਲਰਾ ਜਨਾਬਾ ਹੈ ਹਨ ਹੈ ਹਨ। ਜਨਾਬਾ ਸੰਘਾਨ ਸ਼ਕਾ ਸੰਘਾਨ ਨੇ ਨੇ ਸ਼ਕਾ ਸੰਘਾਨ ਨੇ ਨੇ ਸ਼ਕਾ ਸੰਘਾਨ ਨੇ ਨੇ ਸ਼ਕਾ ਸੰਘਾਨ ਸੰਘਾਨ

ੀਆਨਡਾਠੰਜੜ ਨਾਤਕਾਸ਼ ਨਾਨਿਸ਼ ਲਿਨਾਨ । ਨਿਤਾਨ ੀਆਨਲੀਸ਼ਾ *Explanation.*—In this section, "sexual intercourse" shall mean any of the acts mentioned in section 63 of the Bharatiya Nyaya Sanhita, 2023.

### CHAPTER VIII

# ESTOPPEL

Estoppel.

121. When one person has, by his declaration, act or omission, intentionally caused or permitted another person to believe a thing to be true and to act upon such belief, neither he nor his representative shall be allowed, in any suit or proceeding between himself and such person or his representative, to deny the truth of that thing.

### Illustration.

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

Estoppel of tenant and of licensee of person in possession. 122. No tenant of immovable property, or person claiming through such tenant, shall, during the continuance of the tenancy or any time thereafter, be permitted to deny that the landlord of such tenant had, at the beginning of the tenancy, a title to such immovable property; and no person who came upon any immovable property by the licence of the person in possession thereof shall be permitted to deny that such person had a title to such possession at the time when such licence was given.

Estoppel of acceptor of bill of exchange, bailee or licensee.

- 123. No acceptor of a bill of exchange shall be permitted to deny that the drawer had authority to draw such bill or to endorse it; nor shall any bailee or licensee be permitted to deny that his bailor or licensor had, at the time when the bailment or licence commenced, authority to make such bailment or grant such licence.
- *Explanation* 1.—The acceptor of a bill of exchange may deny that the bill was really drawn by the person by whom it purports to have been drawn.

Explanation 2.—If a bailee delivers the goods bailed to a person other than the bailor, he may prove that such person had a right to them as against the bailor.

# CHAPTER IX

# OF WITNESSES

Who may testify.

**124.** All persons shall be competent to testify unless the Court considers that they are prevented from understanding the questions put to them, or from giving rational answers to those questions, by tender years, extreme old age, disease, whether of body or mind, or any other cause of the same kind.

Explanation.—A person of unsound mind is not incompetent to testify, unless he is prevented by his unsoundness of mind from understanding the questions put to him and giving rational answers to them.

Witness unable to communicate verbally. 125. A witness who is unable to speak may give his evidence in any other manner in which he can make it intelligible, as by writing or by signs; but such writing must be written and the signs made in open Court and evidence so given shall be deemed to be oral evidence:

Provided that if the witness is unable to communicate verbally, the Court shall take the assistance of an interpreter or a special educator in recording the statement, and such statement shall be videographed.

#### TIIN ALTMA

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## XI PERT

## ल्यार्स गायोशिर्द्र

න<u>්න පාත</u> පාර්තන වේද න්තාග รหฐม ไขายับ แก้หวง สหร้า ฐม แก้จัง โดย โดย หวงการ บานสบหม สะยม แก้หวงการ บานสบหมน สะยม แก้หวงการ เพื่อ เพื

ਲੈਂਕ ਕ੍ਰਡਾ ਸ਼ਾਹਿਕੰਨ ਤੀ ਬੀ ਸਾ ਕਲਾਂ ਹਾਸ਼ਾਂ ਤੇ ਲੋਕਾਂ ਸਕਾਂ ਹਾਸ਼ਾ ਤੇ ਲੋਕਾਂ ਸਕਾਂ ਹਾਸ਼ਾ ਹੈ ਤੇ ਕਿਸ਼ਾ ਸ਼ਾਹੰਕ ਹਾਸ਼ਾ ਲੋਕਾਂ ਸਕਾਂ ਹਾਸ਼ਾ ਲੋਕਾਂ ਸ਼ਾਹਮ ਲੋਕਾਂ ਸ਼ਾਹਮ

তর্বদীম তীর্ন্ত ४তহুর্র হুর্যা ॥°রুনাচ্চ

**126.** (1) In all civil proceedings the parties to the suit, and the husband or wife of any party to the suit, shall be competent witnesses.

of husband and wife as witnesses in certain cases.

Competency

(2) In criminal proceedings against any person, the husband or wife of such person, respectively, shall be a competent witness.

Judges and Magistrates.

127. No Judge or Magistrate shall, except upon the special order of some Court to which he is subordinate, be compelled to answer any question as to his own conduct in Court as such Judge or Magistrate, or as to anything which came to his knowledge in Court as such Judge or Magistrate; but he may be examined as to other matters which occurred in his presence whilst he was so acting.

#### Illustrations.

- (a) A, on his trial before the Court of Session, says that a deposition was improperly taken by B, the Magistrate. B cannot be compelled to answer questions as to this, except upon the special order of a superior Court.
- (b) A is accused before the Court of Session of having given false evidence before B, a Magistrate. B cannot be asked what A said, except upon the special order of the superior Court.
- (c) A is accused before the Court of Session of attempting to murder a police officer whilst on his trial before B, a Sessions Judge. B may be examined as to what occurred.
- 128. No person who is or has been married, shall be compelled to disclose any communication made to him during marriage by any person to whom he is or has been married; nor shall he be permitted to disclose any such communication, unless the person who made it, or his representative in interest, consents, except in suits between married persons, or proceedings in which one married person is prosecuted for any crime committed against the other.

Communications during marriage.

129. No one shall be permitted to give any evidence derived from unpublished official records relating to any affairs of State, except with the permission of the officer at the head of the department concerned, who shall give or withhold such permission as he thinks fit.

Evidence as to affairs of State.

**130.** No public officer shall be compelled to disclose communications made to him in official confidence, when he considers that the public interests would suffer by the disclosure.

Official communications.

131. No Magistrate or police officer shall be compelled to say when he got any information as to the commission of any offence, and no revenue officer shall be compelled to say when he got any information as to the commission of any offence against the public revenue.

Information as to commission of offences.

*Explanation.*—"revenue officer" means any officer employed in or about the business of any branch of the public revenue.

132. (1) No advocate, shall at any time be permitted, unless with his client's express consent, to disclose any communication made to him in the course and for the purpose of his service as such advocate, by or on behalf of his client, or to state the contents or condition of any document with which he has become acquainted in the course and for the purpose of his professional service, or to disclose any advice given by him to his client in the course and for the purpose of such service:

Professional communications.

Provided that nothing in this section shall protect from disclosure of—

- (a) any such communication made in furtherance of any illegal purpose;
- (b) any fact observed by any advocate, in the course of his service as such, showing that any crime or fraud has been committed since the commencement of his service.

യെ ചെച്ചുന്ന വിവര് അം പ്രേഷ്ട്ര പ്രെ പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രമ് പ്രേഷ്ട്ര പ്രെ പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രവര പ്രേഷ് പ്രവര പ്രേഷ്ട്ര പ്രവര പ്രേട്ര പ്രേഷ്ട്ര പ്രേഷ്ട്ര പ്രവര പ്രേഷ്ട് ॥ जिनादर्क प्रोलीवर्ल ४र्स प्योलम जरूप जिल्हा अप्रज्ञा मध्यभ्य

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្នេក គ្រាន់ ្នា នៃក្រុម គ្រាន់ គ្រន់ គ្រាន់ គ្គនំគ្រាន់ គ្រាន់ គ្គនំគ្រង គ្រាន់ គ្គនំគ្រង គ្រាន់ គ្រាន់ គ្រាន់ គ្រាន់ គ្រងនៃ គ្រាន់ គ្រងនៃ គ្គនង គ្រងនៃ គ្រងនង គ្រងនងនិង គ្រងនៃ គ្រងនៃ គ្រងនៃ គ្រងនៃ គ្រងនៃ គ្រងនៃ គ្រងនៃ គ្រងនៃ គ្គនង ਘੁਕਰ, ਜ਼ੁਧੂੰਅਤਿਹਾ ਜੁਨਾ ਦੀ ਘੂ ਦੇ ਜ਼ੁਰੂ ਦੇ ਜ਼ਿਕੂ ਦੇ ਜ਼ਿਕੂ

> त्रेप्र॰नटिंडलींШ шжош #ംട്യയും.ഏയുമ ∥

**९९%**. टट ए५<u>% व</u>ण म॰टि०<u>% व</u>॰५ प्रमुखेए, स्ट्रेणए स्ट्रेस्ट वेंष्ठ **छ**<u>। वस्त्र</u>ा प्रखणणएष एरिस प्रमण स्ट्रा उहार ए५% ए. 27 ርላኔን ፀሞ ዙ የ2 (የአንፀም ዓመር መንፀላኔን ዜጋመመ ዜጋመ የሚያ መንበነቱ የሚያ መንደር የሚያ መንበነቱ የሚያ መንስ የሚያ መንስ ነው የሚ चार उत्तर्भ हुतुम हिर र्षेष्ट चुनाउ घणोम नतुस्त्रील रूभम रैर्ग त्रवार्थम गारण चना प्रमाण कर्म जिल्ला उत्तर्भ प्रमाण करमें । दर्र हर्ष्ट वाःरावर्र ग्रापर्वम त्रवर्षम गावालमवर्र ग्राप्ट वार्वाप त्रमध्म होर्व्यञ्ज ष्वापर्वम त्रमध्म विशेष

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- ा के हेर हेर से स्वर्ध में कार में किया १ जाएका माज अपने माज अपने माज अपने माज भारत है जिल्ला माज अपने भारत में
- രിച്ചു. समर्थम ौँ धोधरभर हर्ग्य स्वर्धम गाव हो बर्दण मण ५५ जल अधर्मम गाजल वर्ष <u>भेव</u> खा राज प्र (८) แ दर्स रुग्नीला॰स रिज B क्रुटर्क ॰गोत्राचा॰म्म विष्य ॥ त्रिल रिचम क्रुट्रिश्च प्रजात प्रजात विष्य ॥ त्रिल प्रजात विष्य ॥ त्रिल प्रजात विष्य ॥ त्रिल प्रजात विष्य ॥ त्रिल प्रजात विष्य ॥
- नाधितर स्वाध । दंधी ग्राप्त प्रश्ने भागा पार्थ हो । वर्ष विश्व विष्य विश्व विष्य विश्व विष

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**९९,** ਜੇਟਨਾ ਗਿਲ ਗੁਲਾ ਹੈ ਸ਼ਲਾ ਗੁਲਾ ਜੁਲਾ ਤੋਂ ਰੁਕਲ ਦੀ ਸ਼ਲਾ ਹੈ ਹੈ ਹੈ ਹੈ ਹੈ ਹੈ ਜੋ ਜੁਲਾ ਗੁਲਾ ਹੈ ਜ਼ਲਾ ਹੈ ਜੁਲਾ ਹੈ ਦੇ ਵਿੱਚ आरिष्ठ सींप्रेज प्रसुप्त प्रतिष्ठ आर्थिक, सभी वैंटर हाँगोंसिक स्थानिक प्रमान स्थानिक प्रतिष्ठ प्राप्ति प्रतिष्ठ ॥ रिष्यप्रः जानिष्रभ्य रिजापे हम हर्स्य हमगोल्य हजर यद<sup>6</sup>य हर्स चौष्रम याचेंद्रम

गिगागीलपारुक गिरुडर्भ ॻॏ॒॒॔ऒॾ॔<u>ॸऒ</u>ॣॗॖॖॗॖॾॻ॔ढ़॔॔॔ਜ਼

9%o. गारुटांण प्रेहांण क्रांतिक कार्यात होता होता मान होता है जिस्सा कार्यात करें के प्राचन करते होता है कि का ॥ ਹਿਤਲਟ ਪੈਟ ਨ ਜੁਜ਼ ਨਲਾ ਸਾਲਦ ਸੰਗਰਸ਼ ਦੀ ਹੈ ਜਿਸ ਦੇ ਸ਼ਹੂਰ ਜ਼ਰੂਰ ਸੰਗਰਸ਼ ਦੇ ਸ਼ਹੂਰ ਜ਼ਰੂਰ ਸੰਗਰਸ਼ ਦੇ ਸ਼ਹੂਰ ਜ਼ਰੂਰ ਸੰਗਰਸ਼

ह्मा इत्थ्य भिर्णदर्भ ॥ गारिकरञ्च्य

**ኖዬ-3**. ਜ਼ਾਟੀਲ<u>ਾਈ</u> ਪਟਖ<u>ਣਾਈ</u> ਸ਼ਾਧਾਰੀਨ ਸ਼ਾਹਿਰ ਸ਼ਾਹਿ ह्याँग ऋणर्थम गामण ह'र्नम राज्य'धरम गारूउपी वामर्रा प्राप्त का अभूमण भारा प्राप्त का अभूमण में अनुमा अष्ठ तर्द ॥ ਹਿਤਕਟ'ਖਿੱਟ ਕਤਜਹ ਕਤਟਰ ਕਜਟਜ ਸਾਘਰਤੇ ਦਘਾਰਜ਼ਾਸ

लार्थम गिग्राभमास

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ीगर्रोष्टर प्राप्त रीत्पाभणणात्र पामस्रीगामस्रग्राह्म खित्यार रत्या गामन्त्रग्रील क्षिपार्वम पालस्य स्वरंभ पालस्य पार्वे पार्वे गाभव्यभ ठमगुणिक प्राप्तमक प्रसरम **क**ौबीनूर पाठर गाउँदिरा प्राप्तारा कारा कारा प्राप्तर पाठिपारम गाउँदिरा भारपारम करमा करा ॥ ส°ยใหเ ชร์วม ใจเหตะ โดย ซึ่ง เขา จ.ส.ม ขายังสมัน ชโสโหเ ช<u>ิง ข</u>อส<u>ร์ชม</u> โชเขาย์ส บายจ์ส ขาสสไจเลม โชเขาชน

<u>™⊞°</u>™ <u>™∺ജ</u>േമ്മംകഭയുമ

- (a) चेंठण हमा क्रा हमा क्रम हल्या हमा हल्या हिंदि हैं से हल्या निकार स्वा हिंदि हैं हैं हैं हैं हैं हैं हैं है
- ॥ एपा॰रमण मर्जर प्रमूरण घीठभन्न क्रुप्टर्स <u>भन्य</u> ए एपा॰रमण

(2) It is immaterial whether the attention of such advocate referred to in the proviso to sub-section (1), was or was not directed to such fact by or on behalf of his client.

Explanation.—The obligation stated in this section continues after the professional service has ceased.

#### Illustrations.

- (a) A, a client, says to B, an advocate—"I have committed forgery, and I wish you to defend me". As the defence of a man known to be guilty is not a criminal purpose, this communication is protected from disclosure.
- (b) A, a client, says to B, an advocate—"I wish to obtain possession of property by the use of a forged deed on which I request you to sue". This communication, being made in furtherance of a criminal purpose, is not protected from disclosure.
- (c) A, being charged with embezzlement, retains B, an advocate, to defend him. In the course of the proceedings, B observes that an entry has been made in A's account book, charging A with the sum said to have been embezzled, which entry was not in the book at the commencement of his professional service. This being a fact observed by B in the course of his service, showing that a fraud has been committed since the commencement of the proceedings, it is not protected from disclosure.
- (3) The provisions of this section shall apply to interpreters, and the clerks or employees of advocates.

133. If any party to a suit gives evidence therein at his own instance or otherwise, he shall not be deemed to have consented thereby to such disclosure as is mentioned in section 132; and, if any party to a suit or proceeding calls any such advocate, as a witness, he shall be deemed to have consented to such disclosure only if he questions such advocate, on matters which, but for such question, he would not be at liberty to disclose.

134. No one shall be compelled to disclose to the Court any confidential communication which has taken place between him and his legal adviser, unless he offers himself as a witness, in which case he may be compelled to disclose any such communications as may appear to the Court necessary to be known in order to explain any evidence which he has given, but no others.

135. No witness who is not a party to a suit shall be compelled to produce his title-deeds to any property, or any document in virtue of which he holds any property as pledgee or mortgagee or any document the production of which might tend to criminate him, unless he has agreed in writing to produce them with the person seeking the production of such deeds or some person through whom he claims.

their production.

- 136. No one shall be compelled to produce documents in his possession or electronic records under his control, which any other person would be entitled to refuse to produce if they were in his possession or control, unless such last-mentioned person consents to
- 137. A witness shall not be excused from answering any question as to any matter relevant to the matter in issue in any suit or in any civil or criminal proceeding, upon the ground that the answer to such question will criminate, or may tend directly or indirectly to criminate, such witness, or that it will expose, or tend directly or indirectly to expose, such witness to a penalty or forfeiture of any kind:

Provided that no such answer, which a witness shall be compelled to give, shall subject him to any arrest or prosecution, or be proved against him in any criminal proceeding, except a prosecution forgiving false evidence by such answer.

Privilege not waived by volunteering evidence.

Confidential communication with legal advisers.

Production of title-deeds of witness not a party.

Production of documents or electronic records which another person, having possession, could refuse to produce.

Witness not excused from answering on ground that answer will criminate.

खियार्जम क्रम रीतर्गिणधार प्राचणग्रा भाक्रम राष्ट्रस रमग्रातम रा<u>भत</u>्यमा कल्पीर<u>भ्भा</u>भा (१) ग्राप्तरभा ५८० (३) । उत्तर्भ भूम १०४८५ <u>भर्भक</u>रूभ <u>भर्भर</u>भा <u>भर्भ</u>रभा <u>भर्भ</u>रभा भूम १०४८ सम्बर्भ साम्राज्य । अस्तर्भ भूम १०४८ सम्बर्भ साम्राज्य ।

*നଞ୍ଚଳ୍ୟ ।। നട്ടെ ചര്ദ് ചര്ദ് ചര്ദ് ചര്ദ് പ്രത്തേട്ടെ പ്രത്രം പര്ദ്ദേ പര്ദേ പര്ദേ പര്ദേ പര്ദേ പര്ദേ പര്ദ്ദേ പര്ദേ പര്ദ്ദേ പര്ദ്ദേ പര്ദേ പര്ദ്ദേ പര്ദേ പരവര്ദ്ദേ പര്ദേ പരവര്ദ്ദേ പരവര്ദ്ദേ പരവര്ദേ പരവര്ദ്ദേ പര്ദേ പരവര്ദ്ദേ പരവര്ദ്ദേ പര്ദേ പര്ദേ പരവര്ദ്ദേ പര്ദേ പരവര്ദ്ദേ പര്ദേ പരവര്ദ്ദേ പരവര്ദേ പരവര്ദേ പരവര്ദ്ദേ പരവര്ദേ പരവര്ദേ പരവര്ദേ പരവര്ദേ പര്ദേ പരവര്ദേ പരവര്ദേ* 

## 

- (a) <u>अवरे</u>्फण्ड प्रमाण प्रम प्रमाण प्रमाण
- मूढ्य-छ रीतर्गण उप्तर्य स्थान प्रत्येष्ठ प्रत्य ह्या स्थान स्थान

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ででまる。 でいまが、 でいるなが、 では、ない。 では、ない。 では、ない。 では、ない。 では、ない。 になり、ない。 になり、ない。 になり、ない。 になり、ない。 になり、ない。 になり、ない。 になり、ない。 になり、はない。 になり、ない。 になり、はない。 になり、はない。 にない。 にな、 にない。 にない。 にない。 にない。 にない。 にない。 にない。 にない。 にない。 にな

**%%.** सिष्टें प्रस्थिए स्ट्रें स्ट्रें स्ट्रें स्ट्रें स्ट्रें स्ट्रें स्ट्रें स्ट्रें सिष्टें सिष्

រារននវាររ អក្ថនៈវររ ខ<u>ាមន</u>វារបាយ៍ ខាម មន្ត្រ ខាម មន្ត្រ ទេប្រាម្រិ ទេប្រមាទ ទេប្រ ชิदर्द ใบ गाँथ ४ था मा <u>भिष्य</u> छ छ मत्र ह्रेण मा प्रकृष्ट मत्म केर्र ह्रेण मा भारत हेण मा <u>भिष्</u>र ४ प्रमा भारत सुर हर्म प्रमा प्रकृष्ट मा भारत सुर स्वर्ध मा <u>भिष्</u>र ४ प्रमा प्रकृष्ट मा प्रकृष्ट मा मुख्य ४ प्रमा प्रकृष्ट मा मुख्य ४ प्रमा प्रकृष्ट मा मुख्य भारत मुख्य भारत सुर मा प्रकृष्ट मा मुख्य भारत मुख्

138. An accomplice shall be a competent witness against an accused person; and a conviction is not illegal if it proceeds upon the corroborated testimony of an accomplice.

Accomplice.

**139.** No particular number of witnesses shall in any case be required for the proof of any fact.

Number of witnesses

#### CHAPTER X

## OF EXAMINATION OF WITNESSES

**140.** The order in which witnesses are produced and examined shall be regulated by the law and practice for the time being relating to civil and criminal procedure respectively, and, in the absence of any such law, by the discretion of the Court.

Order of production and examination of witnesses.

**141.** (1) When either party proposes to give evidence of any fact, the Judge may ask the party proposing to give the evidence in what manner the alleged fact, if proved, would be relevant; and the Judge shall admit the evidence if he thinks that the fact, if proved, would be relevant, and not otherwise.

Judge to decide as to admissibility of evidence.

- (2) If the fact proposed to be proved is one of which evidence is admissible only upon proof of some other fact, such last mentioned fact must be proved before evidence is given of the fact first mentioned, unless the party undertakes to give proof of such fact, and the Court is satisfied with such undertaking.
- (3) If the relevancy of one alleged fact depends upon another alleged fact being first proved, the Judge may, in his discretion, either permit evidence of the first fact to be given before the second fact is proved, or require evidence to be given of the second fact before evidence is given of the first fact.

## Illustrations.

- (a) It is proposed to prove a statement about a relevant fact by a person alleged to be dead, which statement is relevant under section 26. The fact that the person is dead must be proved by the person proposing to prove the statement, before evidence is given of the statement.
- (b) It is proposed to prove, by a copy, the contents of a document said to be lost. The fact that the original is lost must be proved by the person proposing to produce the copy, before the copy is produced.
- (c) A is accused of receiving stolen property knowing it to have been stolen. It is proposed to prove that he denied the possession of the property. The relevancy of the denial depends on the identity of the property. The Court may, in its discretion, either require the property to be identified before the denial of the possession is proved, or permit the denial of the possession to be proved before the property is identified.
- (d) It is proposed to prove a fact A which is said to have been the cause or effect of a fact in issue. There are several intermediate facts B, C and D which must be shown to exist before the fact A can be regarded as the cause or effect of the fact in issue. The Court may either permit A to be proved before B, C or D is proved, or may require proof of B, C and D before permitting proof of A.
- **142.** (1) The examination of a witness by the party who calls him shall be called his examination-in-chief.

Examination of witnesses.

- (2) The examination of a witness by the adverse party shall be called his cross-examination.
- (3) The examination of a witness, subsequent to the cross-examination, by the party who called him, shall be called his re-examination.

**१.२२**. നല്ല प्रशास काम होता दें होता है. से साथ के स कर एक हर उच्च के के हें चाचल उत्तर प्रसार के माने के हम ते हैं के सहस्य होता है जान प्रमाप का के समाधिक उत्तर क

% करें मन अर्थे मार्थ एरेस कार्य के मार्थ के स्वाप्त कर असम वास होता अस्तर स्वाप्त कार्य के स्वाप्त कर अस्तर होता है के स्वाप्त कर स्वाप्त कर अस्तर होता है के स्वाप्त कर स्वाप

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#### X ውጀምን

#### ळणर्रम गिणा रागर गिणीलीन्

ี้ แมะเราะห สม**์**รราชที่ เมื่อสาย และ เมื่อ

ಶ್ವಾಟ್ಯು ಪ್ರಕ್ರಿತ್ತ ॥ ४९४ ॥ अस्यार्

989. (९) ख्रेणट्रेंग प्रसट प्रमुमें रोहम प्रस्तृत्रांग प्राथमें आधि है के अधि प्रस्ति राणिस असमार स्वार्य के अधिक स्वार्य स्वार्य स्वर्ध कार्य स्वर्ध के अधिक स्वर्ध स्वर्ध स्वर्ध स्वर्ध स्वर्ध सह र्टिट हे अह में किरमें कि समाधिक क्रिया से से स्वाधिक उपार्ट्स प्रमाधिक उद्धान से स्वाधिक स्विधिक स्वाधिक स्व ॥  $\pi$  ਰਿਤਾ ਹਨ ਹੈ ਹਾਸਨ ਹੈ ਸਾਲੇ ਨੂੰ ਦਾ ਹਨ ਹੈ ਹਾਸਨ ਹੈ ਸਾਲੇ ਹੁੰਦੇ ਹਨ ਹੈ ਹੈ ਸਾਲੇ ਹੁੰਦੇ ਹਨ ਹੈ ਹੈ ਸਾਲੇ ਹੁੰਦੇ ਹਨ ਹੈ ਹਨ ਹੈ ਹੈ ਸਾਲੇ ਹੁੰਦੇ ਹਨ ਹੈ ਹਨ ਹੈ ਹੈ ਸਾਲੇ ਹੁੰਦੇ ਹਨ ਹੈ ਹਨ ਹੈ ਹੈ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹਨ ਹੈ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੋ ਸਾਲੇ ਹੈ ਸਾਲੇ ਹੈ

ਪਾਲਦੇ ਨੇ ਨੇ ਅੰਜਰਮਾ गर्न कर रहेर जार्थम ਸ਼ ਹਿਆਨ ਸ਼**ੰ**ਬਨ

- ळेल्चाय स्थान स्था ज्ञानिक द<sup>र</sup>ह से अधि का के अधिक से कि साम के अधिक साम के अधिक सम्बद्ध के सम्बद्ध के अधिक से कि स्वतंत्र के अधिक स
- ग्रमंध्रा स्वर्ध्य मार्थ रमस्य राउर्व आप्रश्या शिक्ष राउँ धिम भाम्य मर्थ रमस्य राउर्व रमग्राधिस्र ( $oldsymbol{a}$ ਕਘਜੰਜ ਪੈਂਜ਼ੀਬਨਾੱਪ ਭਜੰਜੀਆ ਕੁਘ ਜਤਾਂ ਹਵਾਉਂਹਾ ਨਾਹਿੰਦਾ, ਕਿਭਾਰੰਜ ਹਿਲਾਂ ਨਾਜਿਕਾਨ ਨਾਜਿਕਾਨ ਨਾਜਿਕਾਨ ਨਾਜਿਕਾਨ ਜੰਜ ਜਿਸਨਾਂਪ किशी आ अंसी आ ती जात प्रमास प्रमास हा के प्रमास हा है हो आ प्रमास हो है जो अप का जात है है जो जा का जात है जा ज । दर्र हर्ष ६ १ मा विकास असि मार्ज मार्ज हिस्स विकास मार्ज हिस्स विकास मार्ज हिस्स विकास वितास विकास व

#### *5टलजभः लहलीय ॥*

- ਸ਼ਨੀ ਅੰਗਾਅਦ 26ml ਜਨੇਕ ਜ਼ਰੀ ਟੈਂਦਰ ਸੇਵਜ ਘਜਦੀ ॥ ਜੀਥਾਨ ਧਕ਼ ਅਨਿਰਾ ਨੇਰਰ ਸੇਵਜ ਘਾਨੀ ਸੇਵਜ ਧਕ਼ਾਸੀ ਸਸ਼ਰਜੇਦ
- (b) स्ली, ख्रेग्गा क्रमा रूर्द्रोवज, क्रमा कर्मा सर्वेचलीय क्रमा क्रियालीय क्रमा क्रियालीय क्रमा क्रमा (d) गुरूक दर्गणीस राष्ट्र पार्थीय हुक ीमार्गस्य जवासीस कैंगी भिराया हुक भारती हिन्दु पार्थी हिन्दु पार्थी हुक प्रा ॥ ਹਿਠਲगौरा अर्भभागा
- (c) A ਘਾਨੀ ਨਾਨੀਲ ਆੰਮ ਘਲ ਕਾਨਕਾ ਅਸੰਦਾ ਜਾਂਚੇਸ਼ ਜਾਲੀਕਾਨ ਨੈਕ ਲਕਨ 'ਕਸ਼ਕ ਲਗ ਮੁੰਅਲ ਨੀਕ ਨੇ ਸ਼ਿਲ (c) । तर्रे ठीण रर्येण रूपे हुम रिक्यार निर्मात हाम में सिक्या हुम रिक्यार निर्मात मान्यरि
- उदर्व है राजनेस प्राप्तिस्टर होट उदर्ग हैस गानरूर मान भाग एक नर्जर होलें स्वार्ण मर्जर रिक्र हो अप A жүж жүй में उर्ज अर्थे सारें के करें के प्रोहित B, C प्रस्तुवा D खारें प्रस्त टैंगी ॥ येरर॰नलैट B, C ए४७१०० D आधासें के जिसी वाँ ससेवा Aर्रु <u>र्रात</u>्र सेंट करेंटर प्रदेश मारि हरेज, ए<u>५४७१</u> म Aार्ग <u>रात्र में</u>ड मार्ग सिवाज B, C प्रस्तुण Dार्ग <u>रात्र सें</u>ड सर्वें ॐर हरेज
- **988.** (९) கூட் ਇਸ ਪ੍ਰਾਹਿਸ ਨੂੰ ਦਾ ਇਸ ਸਿਰਾਈ ਹੈ ਹਨ ਹੋ ਹੋ ਜ਼ਿਲ੍ਹੇ ਦਾ ਇਸ ਸ਼ਿਲ੍ਹੇ ਦਾ ਇਸ ਸ ॥ रिगारमा उतर्र पार्वम

प्रशाणीयत्रीय ॥

- $\parallel$  ਹਿਆਂ  $\mathbf{m}$  ਹਨ्दं ୬୦° ਹੀ ਜੁਤੰ  $\mathbf{m}$   $\mathbf{m}$  ਦੇ  $\mathbf{m}$  ਹਿੰਦੇ ਸ਼ਹਾ ਹਨ  $\mathbf{m}$  ਹਨ  $\mathbf{m}$  ਹਨ  $\mathbf{m}$  ਹਨ  $\mathbf{m}$  ਹਨ  $\mathbf{m}$
- (æ) खिस<sup>भ</sup>ल-प्राचारी वीजन प्राचित होते हैं के अर्थ के लिख (क्षेत्र वार्य वार्य वार्य वार्य वार्य वार्य वार्य वार्य ॥ रिगाँख उतर्र पार्ट्य गार्र्यार राज्य पान्नम विष्यार्यम

Order of examinations.

- **143.** (1) Witnesses shall be first examined-in-chief, then (if the adverse party so desires) cross-examined, then (if the party calling him so desires) re-examined.
- (2) The examination-in-chief and cross-examination must relate to relevant facts, but the cross-examination need not be confined to the facts to which the witness testified on his examination-in-chief.
- (3) The re-examination shall be directed to the explanation of matters referred to in cross-examination; and, if new matter is, by permission of the Court, introduced in re-examination, the adverse party may further cross-examine upon that matter.

Crossexamination of person called to produce a document. **144.** A person summoned to produce a document does not become a witness by the mere fact that he produces it, and cannot be cross-examined unless and until he is called as a witness.

Witnesses to character.

**145.** Witnesses to character may be cross-examined and re-examined.

Leading questions.

- **146.** (1) Any question suggesting the answer which the person putting it wishes or expects to receive, is called a leading question.
- (2) Leading questions must not, if objected to by the adverse party, be asked in an examination-in-chief, or in a re-examination, except with the permission of the Court.
- (3) The Court shall permit leading questions as to matters which are introductory or undisputed, or which have, in its opinion, been already sufficiently proved.
  - (4) Leading questions may be asked in cross-examination.

Evidence as to matters in writing.

147. Any witness may be asked, while under examination, whether any contract, grant or other disposition of property, as to which he is giving evidence, was not contained in a document, and if he says that it was, or if he is about to make any statement as to the contents of any document, which, in the opinion of the Court, ought to be produced, the adverse party may object to such evidence being given until such document is produced, or until facts have been proved which entitle the party who called the witness to give secondary evidence of it.

*Explanation.*—A witness may give oral evidence of statements made by other persons about the contents of documents if such statements are in themselves relevant facts.

## Illustration.

The question is, whether A assaulted B. C deposes that he heard A say to D—"B wrote a letter accusing me of theft, and I will be revenged on him". This statement is relevant, as showing A's motive for the assault, and evidence may be given of it, though no other evidence is given about the letter.

Crossexamination as to previous statements in writing. 148. A witness may be cross-examined as to previous statements made by him in writing or reduced into writing, and relevant to matters in question, without such writing being shown to him, or being proved; but, if it is intended to contradict him by the writing, his attention must, before the writing can be proved, be called to those parts of it which are to be used for the purpose of contradicting him.

Questions lawful in crossexamination.

- **149.** When a witness is cross-examined, he may, in addition to the questions hereinbefore referred to, be asked any questions which tend—
  - (a) to test his veracity; or
  - (b) to discover who he is and what is his position in life; or
  - (c) to shake his credit, by injuring his character, although the answer to such questions might tend directly or indirectly to criminate him, or might expose or tend directly or indirectly to expose him to a penalty or forfeiture:

म्बाधकाः भाषाविष्यः

- 98%. (९) लेत्रिलीण चली चांत्रेस्वरू त्रणायण्य राष्ट्रिस्त मात्रुस्तर प्राण्यण्य सात्रुस्तर स्वरूप स्वरूप स्वरूप आसेत्वरुप अर्थे क्रिक्स मात्रुस्तर प्राण्यण्य प्राप्त प्राप्त प्राप्त प्राप्त प्राप्त स्वरूप स्वरू
- (%) ឃក្លាយ ភ២៤០ ភ្នំយកលាយ ហើង ឃុំ២០-ឃាយកំដាបែះ២៤ឆ្នាំ ក្នុង ក្នុង ប្រកាស ២៤ឆ្នាំ ២៤ឆ្នាំ ២៤ឆ្នាំ ២៤ឆ្នាំ ក្នុង ឃុំ២៤ឆ្នាំ ២៤ឆ្នាំ ក្នុង ឃុំ២៤ឆ្នាំ ២៤ឆ្នាំ ២៤ឆ្នាំ

388. ਕਾੰਘਸ਼ ਤਾਜਧਾ ਨਾ ਦਾ ਸੰਸ਼ਾ ਸ਼ਹਾ ਹਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਨੇ ਨਾ ਹਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਨੇ ਨਾ ਹਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹਨ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹਨ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹਨ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹਨ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ਾ ਹੈ ਜੀ ਸੰਸ਼ ਹੈ ਜੀ

मा<u>र्</u>ज्यार-मार्ज्य

स्वादीन ग्रेक्टीह

- \$82 (९) ਜ਼ਾਨੀ ਸ਼ਜ਼ਰੀਲ ਲੱਘ ਹਾਲ਼ਦ ਅੰਜਰੀਲ ਪੁਖਾਰਾ ਨੇ ਬਾਰੇ ਦਾ ਹੈ ਦੇ ਹੈ ਤੇ ਗਾ<u>ਰਾ</u> ਦੇ ਹਰ ਹੈ ਦੇ ਹੋ ਜਾਹੀ ਲੱਗ ਹਰ ਹੈ ਦੇ ਹੈ ਦੇ ਹਰ ਦੇ ਹੈ ਦੇ ਹਰ ਦੇ ਹੋ ਹੋ ਦੇ ਹੋ ਹੋ ਹੋ ਦੇ ਹੋ ਦੇ ਹੋ ਦੇ ਹੋ ਦੇ ਹੋ ਦੇ ਹੋ ਹੋ ਹੋ ਹੋ ਹੋ ਦੇ ਹੋ ਦੇ ਹੋ ਦੇ ਹੋ ਦੇ
- , कि उ  $\underline{\alpha}$  छ हिस्स हिस हिस्स हिस हिस्स हिस हिस्स हिस हिस्स हिस हिस्स हिस हिस्स हिस हिस्स हिस हिस्स हिस्स हिस्स हिस्स हिस्स हिस्स हिस्स हिस हिस्स हिस्स हिस्स
- - ॥ तर्र रोर्र वाज्यम<u>्भामा</u> रत्या भूम स्थल प्रीमर्जाण प्र-ल<u>भ्भाषा</u> (६)

ੀगाधी0भवर्ग हत्या क्राधर्स ਇਸ ਇਸ ਇਸ ਗਿਲ ਇਸ ਇਸ ।। \$38. त्रःणणीष्टवणी स्प्रमह लेत्री व्यस्त्रण्यक्ष, स्रवेण्य ग्राधिसेष्ट ग्राधिष्ठ व्यक्ष्याण ग्राधिसेष्ठ ए४उँदाण व्यक्ष्यास्य प्रस्का त्रेञ्च व्यक्ष्य ग्राधिसेष्ठ ग्रीहेष्ठ त्रेत्र, व्यस्त्रण्य व्यक्ष्य स्रवेण्य केत्रि हेत्र, व्यस्त्रण्य व्यक्ष्य स्रवेण्य केत्रि हेत्र, व्यस्त्रण्य व्यक्ष्य स्रवेण्य केत्रि हेत्र हेत्र हेत्रह हेत्रह हेत्रह व्यक्ष्य स्रवेण्य व्यक्ष्य स्रवेण हेत्रह व्यक्ष्य स्रवेण हेत्रह व्यक्ष्य स्रवेण हेत्रह हैत्रह हैत्रह हेत्रह हेत्रह हेत्रह हेत्रह हैत्रह ह

## ፳፫ሮ፫ ፻፫ የ የ የ የ

រើសំក៍វ (AC ហ°ש नवर B. CC मा जिस्ता प्राप्त हुने हिंद हुने हुने हिंद हुने

פּצּפּ. लेजी बसए स्ट्रेंचण बज्ज चौठाए ए४७६० सक्या कार्य ए४५० एउड़ सहेवा सार्वाहर प्रेस्त विष्ण स्ट्रेंच क्रिय प्रेस्त विष्ण स्ट्रेंच क्रिय स्ट्रेंच क्रिय

- 98\$. ෆੇਨੀ யस <u>መଣ</u>ଂෆ-ய॰ш॰टेमिए ॐढ सॐमज्ञ, सञेण प्यणी, ससेयज्ञ आए<u>ਨव</u>िष्ठ ग्रेष्टमणीण प्रजूर्णी सजण्य, सत्रेज्ञ आधिर्विष्ठ ग्रेटम प्रसञ्भाविष्ठ ग्रेटम प्रसञ्चाविष्ठ ग्रेटम प्रसञ्च ग्रेटम प्रसञ्य ग्रेटम प्रसञ्च ग्रेटम प्रसञ ग्रेटम प्रसञ्च ग्रेटम प्रसञ ग

  - (p) संज्ञा केंद्र क्रुटर्ड जीधाय मार्ग व्याधन क्रिया होगम व्याधन केंद्र क्रुट्ट केंद्र क्रुट्ट क्रुट्ट क्रुट्ट
  - (c) អគ្គាយាយ យោកអគ្គ ស្គ្រាយ ស្គ្រាយ ស្គ្រាយ ស្គ្រាយ ស្គ្រាយ ស្គ្រាប់ ស្គ្រាយ ស្គ្រាប់ ស្គ្

Provided that in a prosecution for an offence under section 64, section 65, section 66, section 67, section 68, section 69, section 70 or section 71 of the Bharatiya Nyaya Sanhita, 2023 or for attempt to commit any such offence, where the question of consent is an issue, it shall not be permissible to adduce evidence or to put questions in the cross-examination of the victim as to the general immoral character, or previous sexual experience, of such victim with any person for proving such consent or the quality of consent.

**150.** If any such question relates to a matter relevant to the suit or proceeding, the provisions of section 137 shall apply thereto.

When witness to be compelled to answer.

**151.** (1) If any such question relates to a matter not relevant to the suit or proceeding, except in so far as it affects the credit of the witness by injuring his character, the Court shall decide whether or not the witness shall be compelled to answer it, and may, if it thinks fit, warn the witness that he is not obliged to answer it.

Court to decide when question shall be asked and when witness compelled to answer.

- (2) In exercising its discretion, the Court shall have regard to the following considerations, namely:—
  - (a) such questions are proper if they are of such a nature that the truth of the imputation conveyed by them would seriously affect the opinion of the Court as to the credibility of the witness on the matter to which he testifies;
  - (b) such questions are improper if the imputation which they convey relates to matters so remote in time, or of such a character, that the truth of the imputation would not affect, or would affect in a slight degree, the opinion of the Court as to the credibility of the witness on the matter to which he testifies;
  - (c) such questions are improper if there is a great disproportion between the importance of the imputation made against the witness's character and the importance of his evidence;
  - (*d*) the Court may, if it sees fit, draw, from the witness's refusal to answer, the inference that the answer if given would be unfavourable.
- **152.** No such question as is referred to in section 151 ought to be asked, unless the person asking it has reasonable grounds for thinking that the imputation which it conveys is well-founded.

Question not to be asked without reasonable grounds.

#### Illustrations.

- (a) An advocate is instructed by another advocate that an important witness is a dacoit. This is a reasonable ground for asking the witness whether he is a dacoit.
- (b) An advocate is informed by a person in Court that an important witness is a dacoit. The informant, on being questioned by the advocate, gives satisfactory reasons for his statement. This is a reasonable ground for asking the witness whether he is a dacoit.
- (c) A witness, of whom nothing whatever is known, is asked at random whether he is a dacoit. There are here no reasonable grounds for the question.
- (d) A witness, of whom nothing whatever is known, being questioned as to his mode of life and means of living, gives unsatisfactory answers. This may be a reasonable ground for asking him if he is a dacoit.
- 153. If the Court is of opinion that any such question was asked without reasonable grounds, it may, if it was asked by any advocate, report the circumstances of the case to the High Court or other authority to which such advocate is subject in the exercise of his profession.

Procedure of Court in case of question being asked without reasonable grounds.

गार्थिष प्रेहमूहा गेंधकार एर्फेट जल्होंके. ८०६%मा जन्मलल १४. जन्मलल १४. जन्मलल १४. जन्मलल १४. നായ്യെ ഒഴെ, നായ്യെ ഒഴെ, നായ്യെ ഷഠ एഷ്യാല് നായ്യെ ഷാല് ക്രൂർ വുട്ടില് വുട്ടില് വുട്ടില് വുട്ടില് വുട്ടില് വുട്ട यस्त्र ए४७१मा यलीएमर योष्ट॰एल यस्त्रन्थण <sup>उ</sup>एठ ३१५एरस, यहरेर सारिमा होस् यली होस यली होस या विस्तर्थ सामिस एक एक ए र्हर्ग उप्रतः गल्यान्त्रमण तर्णीम पामलीगरुप्तः अस्थार रूप भाभीगा रहिष्ण गथर्र रापा रहिष्ण रापा

<del>ແ</del>ደር ፈርያ ሲያወደ መንደብ አል፣ የመመር 137 ከር ሚያመር መል ተመል አላር ውድ ከርር በ

ष्ठमग्राभिष्य रीभट्ट गुगाराज्याज मत्रह्मा प्रत्य र्यंग्रीम त्रमध्य स्वर्धः रह्योगा

**९९२.** (९) ख्रिधानिक प्रतामक यमा मिंदी वेंटर प्रेंप्टिश्वा, मिंदिर प्रेंप्टिश्वा कार्य अभाग साम मिंदिर प्रेंप्ट कर एक्टर स्वाप्य मिंदिर प्र ਘਾਨਸਾ ਹੈ ਸਾਰਨ ਕਰਵੇਂ ਜ਼ਿਲਤਾ ਜੁਸ਼ਤਾ ਸਲਾਇ ਸਲਾਇ ਲੜਾਇ ਲੜਾਜ਼ ਤਰੀਆ ਜੁਦੂਦੀਆਂ ਸਾਲਸ ਨੂਲ ਸਿੱਧ ਹੋ ਸਾਰਨ ਦੇ ਸੰਸਟੇ ਹੈ ਸਾਰਨ ਦੇ ਇੱਕ ਸੰਸਟੇ ਹੈ ਸਾਰਨ ਦੇ ਸੰਸਟੇ ਸੰਸਟ माराण मत्र केरा प्रतिकार केरा प्रतिकार सन्धात कार्य केरा प्रतिकार केरा प्रतिकार सन्धातिक प्रतिकार सन्धातिक सन्ध ॥ दर्रर ष्रीभार

र्माधाष्ट्र प्रतिर<sup>ू</sup>ररर ७र्म<u>भ™</u> स्रमध्स uoəb ಚಾನಾನ್ ळसदम ४सठाष മുപ്പട് വാനംസ്പ് मूरस्र्यात जूर**ण** र<sup>6</sup>णीम त्रष्टर्द <sup>9</sup>त्ररंर ष्ठत्रीगा ਸ਼ੇਜਾਨ ਸ਼<sub>ਾ</sub>ਜ਼ਨ

- : ਤੀਸ਼ਲਟਨਵਿੱ, ਹਿਆਭੀਨਘਾ ਨਾ ਨੁਸ਼ਾ ਸ਼ਹਿਜਤਨ ਨੇ ਗਿਆ ਨੇ ਨੇ ਜ਼ਹੂਰ ਨੇ ਨੇ ਨੇ ਨੇ ਨੇ ਨੇ ਨੇ ਜ਼ਹੂਰ ਨੇ ਜ਼ਹੂਰ ਜ਼ਿਲ੍ਹੇ ਸ਼ਹੂਰ ਜ਼ਹੂਰ ਜ
- อमं<u>धार</u> उप्पर्स उद्भग हमा वाष्ट्रम हिम होशा उत्हार हमग्री वा वार्ण वार्ष हमग्री वा वार्ण का वार्ष हमग्री वा वार्ष रक्रगण्य जीरले जमरं क्रण गांभिन रहरं क्रांभिन स्टार्स क्रांस क्रांस करं कर्द्ध गाक्रण विले क्रक्रण मर्सर रिभोगर । दर्ग ४र्भ ग्रप्त विषयित्य ४दर्ग विर्वे
- 5मर्र ऋग्रम स्था राज्य स्थार भाषील र्निस ष्रीधीम प्रदर्भ्स प्रमाधिष्य राज्य प्राप्त प्रमाशिष्य (d) ಕೆಸ್ಕಾರ್ಯ ಸ್ವಾಗಂತ್ರಗಳ ಸಾರ್ವಿಕ ಕೆಸ್ಟರ್ ಹಾಗು ಸ್ವಾಗಿಸಿಕ ಕೆಸ್ಟರ್ ಸ್ವಾಗಿಸಿಕ ಕೆಸ್ಟರ್ ಸ್ವಾಗಿಸಿಕ ಸ್ವಾಗಿಸಿಕ ಸ್ವಾಗಿಸಿಕ ಸ गिएँ। उपर्रंत हापर्टम गाह्य हर्र हर्र हर्र भारत गाह्य दिलं हा महील महिला एप्यार्म प्राप्त महिला भारील  $\parallel$  िण्यामा प्रतिष्ध्रण माध्यभ्रण, त $^6$ भ्वोमा प्रतिष्ध्रण स्रित्रण अ $^6$ न्नर्र
- रदर्ध भागा और हिम्म ही हमस रेपार्थ में गाउम मरपारा भागत में तर्भ निम्म रेपारा मार्थ हमा रिम्म कि सार्थ हमा रिम  $\parallel$  "ชน์ พน โชช ยั้ว สม ชชวมส์ ช"นม ชายล ใจชม ชายล ใจชม ช $\pi$
- ਨੂੰ ਗਾਲਤ ਸ਼ਹਾਰ ਦੇ ਸ । तर्र गार्णधाँ ह्रण मर्जर हर्त् रिजात प्रकार हर्त हर्ण मत्रह्मा विष्य

 $\parallel$  ੈਕਿਓ $\underline{n}$ ਕੁਫ਼ਨੀ ਜਖਜ ਨਜ਼ਨ੍ਹਾ ਕਰਤਾ ਹਟਨੀ ਹਿਓਟਿੰਘ ਜਤਜਨ ਹਨਤ ਗਿਆ ਰਿੰਜ

ग्रह्म प्रस्कार ಶೆರ್ಶಾನ್ ಶಿ

#### *5टलजभः लहली 🏻 ॥*

- ਘਰੰਜ ਨਕੁਸ਼ਾ ਸਿਨਾਂ ਨਿਜ । ਸਿਲਘਨ ਹਰਨ ਹਿਜਾ ਮਰਾਬਾ ਨਰਾਂ ਹਜਾ ਸਿਨਾਂ ਨਰਾਂ ਸਿਲਜ਼ ਨਜਾ ਸਿਲਾ ਸਾਨਾਂ ਹਜਾ ਸਿਲਾ (a)। रिज्ञण मध्य रमरण रिजर्ज उदर्व विषद प्र रिर्वाज
- हीं वी आप स्रांत ॥ विनय्देर चतर्व चित्रमण स्टर्ताय के क्रिक्रण कि स्टर्पा के क्रिन्श्चर क्रिक्र क्रिक्रण क्रिक  $\parallel$  ਹਿਜ਼ਾਹ ਜ਼ਰਜ਼ ਨੁਜ਼ਾਨ੍ਹਾ ਗਿਣਨੂੰ ਹਟਨੂੰ  $\underline{\hat{\mathbf{p}}}$ ਨੂਟੂੰ ਨੇ ਸਟ੍ਰਾਂ ਸ਼ਹਮ
- (ح) ហិភា យឝ, ឝភិយាយា ឝេឃ័យ ៳យាហ ភាពស, ឝភិយា យហា សាយាភម យឝ យាភ្លុនថា ភិភ្លុច ភិភាស្ថា الهج្ធ្នុ שرا الهجوة والم ज्रेह्म प्राणीमी सभा प्राप्त दें उर्ज ॥
- (d) संज्ञान विषय हो के साम लेजी बसर, एज्जाके उर्जे <u>पष्ट</u>न के साम के उर्जे <u>पष्ट</u>न के साम के उर्जे के एक साम साम के उर्जे के एक साम के उर्जे के र्रह
- **९९%.** ाचिता में प्रियम प्राप्त करा करा करा करा कर स्वाप करा करा करा कर स्वाप करा कर स्वाप कर कर स्वाप कर स्व । तर्र प्रमत्रद्यांत त्रत्र प्रमत्रद्यांत क्रा प्राप्त क्रा प्रमत्रद्या क्रा प्रमत्रद्यांत क्रा प्रमत्रद्यांत क्रा प्रमत्रद्या क्रा प्रमत्रद्यांत क्र प्रमत्रद्यांत क्रा प्रमत्य क्रा प्

ळार्थम ीगाणणाठे ॥ Ш॰ऋँ उन्तर्भर Indecent and scandalous questions.

**154.** The Court may forbid any questions or inquiries which it regards as indecent or scandalous, although such questions or inquiries may have some bearing on the questions before the Court, unless they relate to facts in issue, or to matters necessary to be known in order to determine whether or not the facts in issue existed.

Questions intended to insult or annov.

**155.** The Court shall forbid any question which appears to it to be intended to insult or annoy, or which, though proper in itself, appears to the Court needlessly offensive in form.

Exclusion of evidence to contradict answers to questions testing veracity.

- 156. When a witness has been asked and has answered any question which is relevant to the inquiry only in so far as it tends to shake his credit by injuring his character, no evidence shall be given to contradict him; but, if he answers falsely, he may afterwards be charged with giving false evidence.
- *Exception* 1.—If a witness is asked whether he has been previously convicted of any crime and denies it, evidence may be given of his previous conviction.

*Exception* 2.—If a witness is asked any question tending to impeach his impartiality, and answers it by denying the facts suggested, he may be contradicted.

#### Illustrations.

- (a) A claim against an underwriter is resisted on the ground of fraud. The claimant is asked whether, in a former transaction, he had not made a fraudulent claim. He denies it. Evidence is offered to show that he did make such a claim. The evidence is inadmissible.
- (b) A witness is asked whether he was not dismissed from a situation for dishonesty. He denies it. Evidence is offered to show that he was dismissed for dishonesty. The evidence is not admissible.
- (c) A affirms that on a certain day he saw B at Goa. A is asked whether he himself was not on that day at Varanasi. He denies it. Evidence is offered to show that A was on that day at Varanasi. The evidence is admissible, not as contradicting A on a fact which affects his credit, but as contradicting the alleged fact that B was seen on the day in question in Goa. In each of these cases, the witness might, if his denial was false, be charged with giving false evidence.
- (d) A is asked whether his family has not had a blood feud with the family of B against whom he gives evidence. He denies it. He may be contradicted on the ground that the question tends to impeach his impartiality.

Question by party to his own witness.

- **157.** (1) The Court may, in its discretion, permit the person who calls a witness to put any question to him which might be put in cross-examination by the adverse party.
- (2) Nothing in this section shall disentitle the person so permitted under sub-section (I), to rely on any part of the evidence of such witness.

Impeaching credit of witness

- **158.** The credit of a witness may be impeached in the following ways by the adverse party, or, with the consent of the Court, by the party who calls him—
  - (a) by the evidence of persons who testify that they, from their knowledge of the witness, believe him to be unworthy of credit;
  - (b) by proof that the witness has been bribed, or has accepted the offer of a bribe, or has received any other corrupt inducement to give his evidence;
  - (c) by proof of former statements inconsistent with any part of his evidence which is liable to be contradicted.

Explanation.—A witness declaring another witness to be unworthy of credit may not, upon his examination-in-chief, give reasons for his belief, but he may be asked his reasons in cross-examination, and the answers which he gives cannot be contradicted, though, if they are false, he may afterwards be charged with giving false evidence.

ট্ঠ স্বৈত্ত আনত্ত্বি স্বিত্তা আজাতবেণ্ডা স্বিত্তি

हाशक्ष हर्स्चर हर्म्यक्ष का<u>भल्</u>क हमक्रमक्र ॥ **॥**१०६५ क्रामण्डे

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- (a) ত্রুত্ত ক্রুত্ত ত্রুত্ত ত্রুত্ব ত্রুত্ত ত্রুত ত্রুত ত্রুত্ত ত্রুত ত্রুত্ত ত্রুত ত্রুত ত্রুত ত্রুত ত্রুত ত্রুত ত্রুত ত্রুত ত্রুত্ত ত্রুত ত্রুত
- ग्रप्यार्चम । 'ऋरं ीणम प्रचर्चम ॥ ॥ ौर्चे पट्च <u>वि</u>ष्ठीत्याध्य । भागमा मारीच भाषळे र मर्प्रण ग्रायांच्य जमारीच । 'ऋरं ीणण ग्रमंचा ॥ । भिरोस णमेंचा र प्रस्था हिल्ला । भारी । भा
- (c) AC चाळाण उप्तां अत्रक स्वां जाज के उप्तां का अव्यादित स्वां के उप्तां का अव्यादित स्वां के उप्तां का अव्यादित स्वां के उप्तां के उपतां के उपतां

ਹਜ਼ਾ ਵਿਸ਼ੰਸ਼ ਜ਼ਿਲਜ਼ ਜ਼ਿਲਜ਼ ਵਿਸ਼ਲਿਤ ਵਿਸ਼ਲਿਤ

- **९०%**. (९) ਸੇਸ਼ਾ-ਰਾਹੈਂਦ, ਜ਼ਨਾ-ਨਾਾਿ ਸੇਸ਼-ਰਾਹੈਂਦਲ, ਲੇਸੀ ਘਜ਼ਦ **ਘਾੱ** ਜਵਿਧਾਨ ਘੁਕੁਤ ਜ਼ਰੇਘਾਘੀ ਜ਼ਜ਼ੇਘਲ ਸ਼ਾੰਘਦਲ ਸੁਖੁਆ ਘੁਕੁਦ ਘੁਰੂ ਅਤੇ ਸੰਸ਼ਰ ਸੰਗ੍ਰੇਸ਼ ਸੰਗਰੇਸ਼ ਸੰਗ੍ਰੇਸ਼ ਸੰਗਰੇਸ਼ ਸੰਗਰੇਸ਼ ਸੰਗਰੇਸ਼ ਸੰਗ੍ਰੇਸ਼ ਸੰਗਰੇਸ਼ ਸੰਗਰੇਸ਼ ਸੰ
- (%) ಅಂឃਾ ਭਾਰਾ ਤੱਸ ਨੇਸ਼ ਸੁਸ਼ਤ ਦੇਸ਼ ਨੇਸ਼ ਸ਼ਹਾਰ ਦੇਸ਼ ਸੰਗਰ ਦੇਸ਼ ਸੰਗ

ନର୍ପ୍ତ ଅଧିସର୍ପ ଓ ସେମ୍ଲ ଆଷୀର

- **१९९९**. लेकी बसार्ग केरर नलेंका क्राक्षेत्र हण्या प्रत्येत रहेर हण्या क्राक्षेत्र हण्या हण्या क्राक्षेत्र हण्या हण्या क्राक्षेत्र हण्या हण्या
- (b) मा भाग मा चार्य छात्र त्याप स्थाप अथा भाग स्थाप अथा भाग स्थाप अथा स्थाप स्याप स्थाप स्याप स्थाप स्थाप
  - ॥ रुपार्टर राज्यसभारा गाणीलमर्जर गाज्यक्र रह्णा गाज्यक्ष वर्षा व्याप्त गाज्यसभार विष्या विष्या रहेर राज्य राज्य

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### Illustrations.

- (a) A sues B for the price of goods sold and delivered to B. C says that he delivered the goods to B. Evidence is offered to show that, on a previous occasion, he said that he had not delivered goods to B. The evidence is admissible.
- (b) A is accused of the murder of B. C says that B, when dying, declared that A had given B the wound of which he died. Evidence is offered to show that, on a previous occasion, C said that B, when dying, did not declare that A had given B the wound of which he died. The evidence is admissible.
- 159. When a witness whom it is intended to corroborate gives evidence of any relevant fact, he may be questioned as to any other circumstances which he observed at or near to the time or place at which such relevant fact occurred, if the Court is of opinion that such circumstances, if proved, would corroborate the testimony of the witness as to the relevant fact which he testifies.

Questions tending to corroborate evidence of relevant fact, admissible.

#### Illustration.

A, an accomplice, gives an account of a robbery in which he took part. He describes various incidents unconnected with the robbery which occurred on his way to and from the place where it was committed. Independent evidence of these facts may be given in order to corroborate his evidence as to the robbery itself.

**160.** In order to corroborate the testimony of a witness, any former statement made by such witness relating to the same fact, at or about the time when the fact took place, or before any authority legally competent to investigate the fact, may be proved.

Former statements of witness may be proved to corroborate later testimony as to same fact.

**161.** Whenever any statement, relevant under section 26 or 27, is proved, all matters may be proved either in order to contradict or to corroborate it, or in order to impeach or confirm the credit of the person by whom it was made, which might have been proved if that person had been called as a witness and had denied upon cross-examination the truth of the matter suggested.

What matters may be proved in connection with proved statement relevant under section 26 or 27

**162.** (1) A witness may, while under examination, refresh his memory by referring to any writing made by himself at the time of the transaction concerning which he is questioned, or so soon afterwards that the Court considers it likely that the transaction was at that time fresh in his memory:

Refreshing memory.

Provided that the witness may also refer to any such writing made by any other person, and read by the witness within the time aforesaid, if when he read it, he knew it to be correct.

(2) Whenever a witness may refresh his memory by reference to any document, he may, with the permission of the Court, refer to a copy of such document:

Provided that the Court be satisfied that there is sufficient reason for the non-production of the original:

Provided further that an expert may refresh his memory by reference to professional treatises.

**163.** A witness may also testify to facts mentioned in any such document as is mentioned in section 162, although he has no specific recollection of the facts themselves, if he is sure that the facts were correctly recorded in the document.

Testimony to facts stated in document mentioned in section 162.

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- (a) AC Bरू द्रश्टेप्य एक्से प्रमाण प्राप्ति अपने प्रमाण अल्पान का विकास के स्वाप्त के प्रमाण के प्रमाण के प्रम मत्रवार्ट महतून ॥ है अर्माभार्याम हर्दर 'क्रीदीग्रा हव हुक वाशिक'ग्रा उर्चार्यम । विरोग्र हव उर्चार्यम हक वाशिक'ग्रा हर्हर पार्टी प्रभए होजा
- d) A ਘਾਨੀ Bਲੂ ਅੰਖਸ਼ਾਵਿਸ਼ ਜ਼ੇਜ਼ ਰੱ ਨੇਸਟ ਨੇਸਲਵੀ ਸ਼ਿਲ੍ਹ ਸ਼ਿਲ੍ਹ ਸ਼ਾਹਰ ਹੋਰ ਦੇ ਜ਼ੇਸ਼ ਵਿਸ਼ਲ ਸ਼ੁਲਾਵਾ ਸ਼ਿਲ੍ਹ (d) лиโਸใชर्टा ନੇਨਰ Cc देख्नरूचाना ॥ <u>ग्रार</u>्थासंख ग्राहिक, ससेचक रूचानिक राज्यानिक प्राहे होते हैं है जिल्लामा सामिक स ਜ਼ਾਹਮਲ, ਜ਼ਾਹਮਲ ਘਾਰੇਬ ਘਾਰੇਬ ਘਲ AC Bਲ ਆਨਿਬਿਟੀ ਨੇਨਟ ਟੇਸ਼ਡ ਘਾਨਕਿ॰ ॥ ਆਖਜੇਦ ਘਲ ਲੇਸਾਟੀ ॥
- ९९%. सली आर्थासे आरिए आरेए का उस कार्य एक एक प्रमुख के स्वार्थ का अध्याप आर्थ के साम कार्य का अध्याप अध्याप अध मंद्रम गायन गायन मायन महान होत्या करान प्रस्का महान प्रस्कृत महान टणायाळ प्रश्नाति व्याप्रश्नाया हिंगम व्याप्नात्राया स्वाप्याया स्वाप्याय प्रश्नाति व्याप्याया प्रश्नाति व्याप्य च्चा चार्यात प्रतार स्वार के प्रतार स्वार के प्रतार स्वार स्वार

७र्म<u>भ</u>ाष्ट्रण मर्झर षञ् ग्रातमेष्ट ग्राटिष தம் யில்வக்கா — हरेाष्ट्रि

## *万さのが出°の世 ||*

A, लक्षण रेक्षि प्रसट, स्रेणट लक्षण रेत्रीर ट४ प्रसारी येक्षी प्रसे ग्रांक्षी ॥ स्रेणट स्ली ग्रेपाय ध्यारीर सहम प्रवत ।। उचार्य उचार्यक्रम त्रम वालाचार कार्य कर्मा कार्य हो हो सम गाय के उपार कार्य का कार महान वाला कार्य कार्य का  $\|$  ਟਲ਼ ਨੀਆ ਭੰਜਖਾ ਹਹਾਰਾਹਾਰੀ ਸੀਹਿਸ ਗੀਹਸਤਨ ਨਹਾੱਲ ਭੰਜਖਾ ਨੂਸ ਭੰਜਖਾ ਗਿਯਾਰੰਜ ਨਗਾੰਜ ਸਿਲ੍ਹਾ ਨੀਟਾੱਨ ਲੇਤ

क्ष्यान्य स्थापन स् อล์ยพ รูชาแจลม แลว์ โขเวอจ์ รโสโพ สมค์สา ไขเขาจสม สร์อเเล่ง อร์ เขโชสา แชส เขอส แชส โขเวอร์ เรา ॥ तर्रर ४°ल

र्रोत्रश्रह्म ज्ञधामम रत्रधा गिर्मात्र्ल प्रस् रिप्रम विभाग में में एट यात्रमध्य प्रेंटम ग्राच्य भर्ष प्राष्ट्रम गान्नुक्र स्टम्ब स्ता देंएँ ॥दर्श ग्रापार्थ

**ናኞና**. ෆºшෆළ ዬଡ ሆ<u>ላንያሮ</u>ጦ ዬንም ዙኦንፙ ዙርያ ቫርያ እንድዙ መዚም መንሟ <u>ዝርያ</u>ዙළ ንያ ተለንዘል, እንድዙ <u>ጠ</u>ዙርዙመ መርያ ระวไพ อ $\hat{\mathbf{m}}$  ชาวิชา ราช อ $\hat{\mathbf{m}}$  อังหายให เพื่อ สายให เพื่อ สายให เพื่อ สายให้ เพื้อ สายให้ เพื่อ สาย एक उसे हमें होते हुए के अस्त्र के स्वर्ध के साथ के असे कि साथ के असे कि स्वर्ध के असे कि स्वर्ध के असे कि स्वर्ध के असे कि साथ कि साथ के असे कि साथ कि साथ के असे कि साथ कि साथ के असे कि साथ कि साथ के असे कि साथ कि साथ कि साथ के असे कि साथ भेड़ प्रजाम प्रमुप्त प्रेस प्रजाम जावान के अने प्रमुप्त प्रमुप्त प्रमुप्त प्रमुप्त प्रमुप्त प्रमुप्त प्रमुप्त प

ധം....വെ ଅക ያചጸ*ጼ* ച<u>ገፀኛ</u>ዎጋ सप्रेष्ठ सभी देंए४ አሁል እዚሁነ ഗമം. പ്രക്കാര പ്രവിധ स्वा द्वार प्रज्ञ विस ४ॐ जर्भ<u>भम</u> रूण

**९८**६. (९) लेडी यस. र्राटीए-ज्ञारिशरण रूप प्रसारा में साथ कराया मार्थ होने होता स्थान स्थान स्थान स्थान स्थान स्थान ያንው ልፑሊክ lໝ'שሩክ ልው שየነው ያውነት ልልው ቁሚክ ርዕነት የእንር ጋጌ ጋቁና ልውሂዝ በካልዝ ጣዧላን , የሚሞሩዝው የስፈፈ 

പുഷംഷ മൂകംപു

שאַט אישיע האָע שאָט שאָט שאָט פּשר שיאיש אַכּשׁ אַנישיא אָס שאָט אישיע פאַע אישיע אָס שאָט אישיע אָס אָע שאָט אישיע אָס אָע אישיע אָס אָע אישיע אָס אָע אַנישיא אָס אַער שאָט אישיע ਨੇਨਦ ਸੰਟੂਬਲੀ॥

ਕਨ ਨੇ ਨੇ ਨੇ ਰਤੀਬ ਜਾ ਸਿਆ ਸਿਆ ਸਿਲਦ ਦੇ ਜਾ। ਹਨ ਨੇ ਨੇ ਨੇ ਲੋ ਦੇ ਜਾ।

:ोत्रष्ठभोगार ४५६ उंभन्तर्भ प्रतर्के के प्रत्येष प्राध्म मधम गावरपार्थिया त्रम निर्माधिय

०°<u>छ</u>न्न्रीय इनर्न्छ । ख्राचर म ग्रह्मार मार्चा ग्रह्मार मार्चा ग्रह्मार जम्म प्रचार्थ तम ॥ तर्रर ४°ल

स्वराण राजकार प्रमुक्त ॥ तर्र ग्राथ प्रधार एक्षणी भार प्रभार प्रधार प्रभार प्रभार प्रधार प्रभार प्रभार

ষ<u>ণ</u>্দ্ৰ रूण्याम, १८५७ रमप्रण रोभरजण अमिक्रा जयारिमार्जर भारी ॥

#### Illustration.

A book-keeper may testify to facts recorded by him in books regularly kept in the course of business, if he knows that the books were correctly kept, although he has forgotten the particular transactions entered.

Right of adverse party as to writing used to refresh memory. **164.** Any writing referred to under the provisions of the two last preceding sections shall be produced and shown to the adverse party if he requires it; such party may, if he pleases, cross-examine the witness thereupon.

Production of documents.

**165.** (1) A witness summoned to produce a document shall, if it is in his possession or power, bring it to Court, notwithstanding any objection which there may be to its production or to its admissibility:

Provided that the validity of any such objection shall be decided on by the Court.

- (2) The Court, if it sees fit, may inspect the document, unless it refers to matters of State, or take other evidence to enable it to determine on its admissibility.
- (3) If for such a purpose it is necessary to cause any document to be translated, the Court may, if it thinks fit, direct the translator to keep the contents secret, unless the document is to be given in evidence and, if the interpreter disobeys such direction, he shall be held to have committed an offence under section 198 of the Bharatiya Nyaya Sanhita, 2023:

Provided that no Court shall require any communication between the Ministers and the President of India to be produced before it.

Giving, as evidence, of document called for and produced on notice. **166.** When a party calls for a document which he has given the other party notice to produce, and such document is produced and inspected by the party calling for its production, he is bound to give it as evidence if the party producing it requires him to do so.

Using, as evidence, of document production of which was refused on notice. **167.** When a party refuses to produce a document which he has had notice to produce, he cannot afterwards use the document as evidence without the consent of the other party or the order of the Court.

## Illustration.

A sues B on an agreement and gives B notice to produce it. At the trial, A calls for the document and B refuses to produce it. A gives secondary evidence of its contents. B seeks to produce the document itself to contradict the secondary evidence given by A, or in order to show that the agreement is not stamped. He cannot do so.

Judge's power to put questions or order production. 168. The Judge may, in order to discover or obtain proof of relevant facts, ask any question he considers necessary, in any form, at any time, of any witness, or of the parties about any fact; and may order the production of any document or thing; and neither the parties nor their representatives shall be entitled to make any objection to any such question or order, nor, without the leave of the Court, to cross-examine any witness upon any answer given in reply to any such question:

Provided that the judgment must be based upon facts declared by this Adhiniyam to be relevant, and duly proved:

Provided further that this section shall not authorise any Judge to compel any witness to answer any question, or to produce any document which such witness would be entitled to refuse to answer or produce under sections 127 to 136, both inclusive, if the question were asked or the document were called for by the adverse party; nor shall the Judge ask any question which it would be improper for any other person to ask under section 151 or 152; nor shall he dispense with primary evidence of any document, except in the cases hereinbefore excepted.

#### *万さのず��°のŒ ||*

ਅਦਾ ਦੇਸ਼ਰੀ ਜਾਂਚ ਕੁਲਾ ਹੈ ਜਾਂਚ

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স্কৈক্ষি ॥

## *⊼ଟୁ୯<u>୬ଂଣ</u>"୯୯୯ ॥*

ਸੰਸ਼ਤ ਕਾਰੀ ਜਾਰੀ ਵਿੱਚ ਦੇਸ਼ਤ ਹਨ ਦੇਸ਼ਤ ਕਾਰੀ ਜਾਰੀ ਹੈ ਦੇਸ਼ਤ ਹਨ ਦੇਸ਼ਤ ਸ਼ਹਿਸ ਸੰਸ਼ਤ ਸ਼ਹਿਸ ਸੰਸ਼ਤ ਹਨ ਦੇਸ਼ਤ ਦੇਸ਼ਤ ਸੰਸ਼ਤ ਸੰਸ਼ਤ ਸੰਸ਼ਤ ਸੰਸ਼ਤ ਸੰਸ਼ਤ ਦੇਸ਼ਤ ਦੇਸ

## CHAPTER XI

#### OF IMPROPER ADMISSION AND REJECTION OF EVIDENCE

169. The improper admission or rejection of evidence shall not be ground of itself for a new trial or reversal of any decision in any case, if it shall appear to the Court before which such objection is raised that, independently of the evidence objected to and admitted, there was sufficient evidence to justify the decision, or that, if the rejected evidence had been received, it ought not to have varied the decision.

No new trial for improper admission or rejection of evidence.

## CHAPTER XII

### REPEAL AND SAVINGS

1 of 1872. **170.** (1) The Indian Evidence Act, 1872 is hereby repealed.

Repeal and savings.

(2) Notwithstanding such repeal, if, immediately before the date on which this Adhiniyam comes into force, there is any application, trial, inquiry, investigation, proceeding or appeal pending, then, such application, trial, inquiry, investigation, proceeding or appeal shall be dealt with under the provisions of the Indian Evidence Act, 1872, as in force immediately before such commencement, as if this Adhiniyam had not come into force.

1 of 1872.

## TY PERM

## रहरं हुश्रमिष्टा प्रत्मण रहरं प्राध्म श्रमिष्टा

## TIX PERCH

## ന്വുടംഗ ന്റ്രായ്ക്കെ പ്രധ്യാ

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**୨୪୦**. (९) ടെയ്ക് നെ പ്രാപ്ര ക്രൂട്ട ക്രൂട്ട

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(%) ឃពាក្រមក ខាំងារក្សាក្ស អាច្រើញ មាន ប្រជាធិប្រជាធិប្រជាធិប្បវេធិបប្បវេធិបប្បវេធិបប្បវេធិបិបប្បវេធិបិប្បវេធិបិបបិប្បវេធិបិបប្បវេធិបិបប្បវេធិបិបប្បវេធិបិបប្បវេធ

# THE SCHEDULE

[See section 63(4)(c)]

# CERTIFICATE

# PART A

(To be filled by the Party)

I,(Name), Son/daughter/spouse of
residing/employed at do hereby solemnly affirm and sincerely state and submit as follows:—
I have produced electronic record/output of the digital record taken from the following device/digital record source (tick mark):—
Computer / Storage Media   DVR   Mobile   Flash Drive
CD/DVD
Other:
Make & Model: Color: Serial Number: (as applicable)
and any other relevant information, if any, about the device/digital record(specify).
The digital device or the digital record source was under the lawful control for regularly creating, storing or processing information for the purposes of carrying out regular activities and during this period, the computer or the communication device was working properly and the relevant information was regularly fed into the computer during the ordinary course of business. If the computer/digital device at any point of time was not working properly or out of operation, then it has not affected the electronic/digital record or its accuracy. The digital device or the source of the digital record is:—
Owned  Maintained  Managed  Operated
by me (select as applicable).
I state that the HASH value/s of the electronic/digital record/s is, obtained through the following algorithm:—
☐ SHA1:
☐ SHA256:
☐ MD5:
Other(Legally acceptable standard)
(Hash report to be enclosed with the certificate)
(Name and signature)
Date (DD/MM/YYYY):
Time (IST):hours (In 24 hours format)
Place:

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[ಬೄದೂ ಕಿಂಚ್ (९) (c) ಬಂಗಾಖ್ಯಪ]

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## PART B

(To be filled by the Expert)

I, (Name), Son/daughter/spouse of residing/employed at do hereby solemnly affirm and sincerely state and submit as follows:—
The produced electronic record/output of the digital record are obtained from the following device/digital record source (tick mark):—
Computer / Storage Media □ DVR □ Mobile □ Flash Drive □
CD/DVD Server Cloud Other
Other:
Make & Model: Color: Serial Number: IMEI/UIN/UID/MAC/Cloud ID (as applicable)
and any other relevant information, if any, about the device/digital record(specify)
I state that the HASH value/s of the electronic/digital record/s isobtained through the following algorithm:—
☐ SHA1:
☐ SHA256:
☐ MD5:
Other(Legally acceptable standard)
(Hash report to be enclosed with the certificate)
(Name, designation and signature
Date (DD/MM/YYYY):
Time (IST):hours (In 24 hours format)
Place:

DIWAKAR SINGH,

Joint Secretary & Legislative Counsel to the Govt. of India.

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## ധപ്പുള്ള അ.ഏ

രല്പ്പ A

(8ੱਲਗਾනਵੜ ਘਾਰਸ਼ਨ)
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MGIPMRND—533GI(S3)—25-12-2023

ಶನ್, ಬ್ಯಾಪ್