

Law Of Evidence Hanumant

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It directly proves or disproves the fact. In such evidence, a specific fact is established directly without providing a reason to connect to the fact. One hardly needs to point out the illustration provided as the evidence of the witness in court is direct evidence as opposed to a testimony to a fact suggesting guilt.

Law of Evidence: An Overview On Different kinds of evidence

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The golden rules to be followed in the case of circumstantial evidence is laid down in Hanumant Govind NargundkarVs State of MP- AIR 1952 SC 343- Where the evidence is of a circumstantial nature, the circumstances from which the conclusion of guilt is to be drawn should in the first instance be fully established, and all the facts so established should be consistent only with the hypothesis of the guilt of the accused. Again, the circumstances should be of a conclusive nature and and they ...

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Sir Alfred Wills in his admirable book "Wills' Circumstantial Evidence" (Chapter VI) lays down the following rules specially to be observed in the case of circumstantial evidence: (1) the facts alleged as the basis of any legal inference must be clearly proved and beyond reasonable doubt connected with the factum probandum; (2) the burden of proof is always on the party who asserts the existence of any fact, which infers legal accountability; (3) in all cases, whether of direct or ...

CIRCUMSTANTIAL EVIDENCE - THE BEST EVIDENCE

The Hanumant case laid down the 5 golden principles which constitute the panchsheel of the proof of a case based on circumstantial evidence. These 5 principles are as follows: 1. Circumstances from which the conclusion of guilt is to be drawn should be fully established.

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