

2 Legal Procedures

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Q1. Write briefly on IPC, Cr PC, and IEA (FM1.3)

Indian Penal Code (IPC) of 1860

- Came into force in 1862
- It is a substantive law
- Consists of 23 chapters and 511 sections
- Describes the various offenses and their punishments

Criminal Procedure Code (Cr PC) of 1973

- Came into force in 1974
- It is a procedural law
- Consists of 37 chapters and 484 sections
- Describes the procedures to be followed in criminal cases for prosecution of the accused

Indian Evidence Act (IEA) of 1872

- Came into force in 1872
- Consists of 11 chapters and 167 sections
- Describes the rules and procedures relating to evidence in the court of law

Note: IPC and Cr PC are for criminal cases only; IEA is for both civil and criminal cases.

Q2. Explain inquest and its various types (FM1.3)

Inquest (*In-quasitus* = “to seek”)

Inquest is an enquiry or investigation into the cause of death.

The inquest is conducted when the death is sudden or suspicious, and apparently from nonnatural causes, including accidents, suicides, homicides, animal bites or stings, etc.

Most of the death investigations begin with an inquest. The five types of inquests conducted globally are detailed in **Table 2.1**.

Q3. Write a note on inquests conducted in India (FM1.3)

Inquests conducted in India

- Police inquest (Section 174 of Cr PC) is the most commonly conducted inquest in India.
- Magistrate inquest (Section 176 of Cr PC):
 - Executive magistrate inquest.
 - Judicial magistrate inquest.

Police inquest

- Conducted by police person in accordance with Section 174 of Cr PC.
- Officer in charge of a police station, on receiving information about a nonnatural death or any death with suspicion of foul play, shall immediately give intimation to the nearest executive magistrate empowered to hold inquests and proceed to the death scene.
- Such police person, not below the rank of sub-inspector (SI) investigating into a case is referred to as the investigating officer (IO).
- The IO conducts death investigations in the presence of two or more witnesses called as

Table 2.1 Types of inquest

Types of inquest	Who does it?	Where?
Police inquest	Police officer	India (most common)
Magistrate's inquest	Magistrate	India
Coroner's inquest	Coroner	UK, Australia, etc.
The medical examiner system	Medical examiner	USA
The procurator fiscal system	Procurator fiscal (public prosecutor)	Scotland

Note: Coroner's inquest is considered superior to police inquest as a coroner (qualified in law) can order exhumation, summon the doctor, and even issue warrants in noncognizable offenses.

Coroner's system was abolished in India in the year 1999 (last held on July 26, 1999 in Mumbai).

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- “Panchas” or “Panchayatdars,” and prepares a detailed report called the “Panchnama.”
- The IOs report (Panchnama) describes the general and specific observations of the scene, weapons, and wounds present on the body, if any, and the possible manner of death.
- The Panchnama is signed by the IO and Panchas, and forwarded to the District Magistrate or the Sub-Divisional Magistrate.
- If the enquiry confirms death from natural causes, the dead body is handed over to the relatives of the deceased.
- In cases of suspicion or confirmation of nonnatural causes, a detailed enquiry is conducted and a requisition is given to the doctor authorized for conducting postmortem examination.

Magistrate inquest

- Conducted as per Section 176 of Cr PC: “*Inquiry by magistrate into cause of death.*”
- As per Section 174 (4) of Cr PC, the following magistrates are empowered to hold inquests, namely, any District Magistrate or Sub-Divisional Magistrate and any other executive magistrate especially empowered on this behalf by the state government or the District Magistrate. Additional District Magistrates, collectors, subcollectors, deputy commissioners, tahsildar etc., are empowered to hold magistrate inquests in India.
- Magistrate inquest is usually conducted by the executive magistrates (those with administrative responsibilities) and in certain circumstances by judicial magistrates or metropolitan magistrates (those with judicial responsibilities).
- Executive magistrates may also hold an inquiry into the cause of death either instead of, or in addition to, the investigation held by the police officer wherever required.

- Judicial magistrate or metropolitan magistrate conducts an inquest as per Section 176 (1A) of Cr PC in addition to the inquiry or investigations held by the police.
- The instances where the inquest is conducted by an executive and judicial magistrate are given in **Table 2.2**.
- The magistrate holding any of the above-mentioned inquiry records the evidence taken by him/her.
- The magistrate, wherever practicable, informs the relatives of the deceased and allows them to remain present at the inquest.
- On completion of the inquest, the body is forwarded with a requisition to the doctor authorized for conducting postmortem examination.

Q4. Enumerate the different courts that deal with criminal cases. Mention the types of judicial magistrates and their powers (FM1.4)

The trial in criminal cases begins at the Magistrate Court or the Sessions Court (court of trial).

An appeal can be filed before a superior court (court of appeal) against the judgment or order of a subordinate court. A higher court can overrule any judgment or sentence passed by the subordinate courts.

Courts dealing with criminal cases in India, and their powers are described in decreasing order of hierarchy (**Box 2.1**).

Each state has its own High Court, which can be in the capital city or otherwise and in some cases, there are High Courts catering to multiple states (High court in Chandigarh for Punjab and Haryana, and in Mumbai for Maharashtra and Goa).

Table 2.2 Inquest by executive and judicial magistrates

Executive magistrate conducts an inquest in	Judicial magistrate conducts an inquest in
<ul style="list-style-type: none"> Death of a woman within 7 years of her marriage: <ul style="list-style-type: none"> By suicide, or In suspicious circumstances Exhumation as per Section 176 (3) of Cr PC Death due to police firing* 	<ul style="list-style-type: none"> Rape in police custody or any other custody authorized by the magistrate or the court Death in police custody Death in prison Death in remand homes for children Deaths in psychiatric hospital

Note: Although every suicidal or suspicious death of a woman occurring within 7 years of marriage cannot be considered as a dowry death, it is implied in the clause that inquest in such cases be conducted by executive magistrates.

*Although not specified in Section 176 of Cr PC, magistrate inquest is to be held in deaths due to police firings, and the report submitted to judicial magistrate (as the per guidelines of the Hon'ble Supreme Court of India).

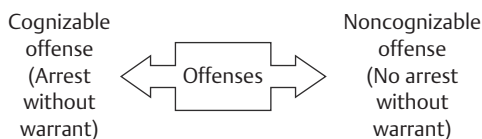
<p>Box 2.1 Hierarchy of courts in India dealing with criminal cases</p> <p>Supreme Court</p> <ul style="list-style-type: none"> • It is the highest judicial tribunal or the apex court of India, located in New Delhi. • The Supreme Court is presided over by Chief Justice of India. • It is a “<i>court of appeal</i>,” i.e., parties disagreeing with the decision of High Courts may appeal here. • No new cases can be filed or tried here directly. <p>High Court</p> <ul style="list-style-type: none"> • It is highest judicial tribunal of the states in India. • The High Court is presided over by the Chief Justice of the state. • It is a “<i>court of appeal</i>,” i.e., parties disagreeing with the decision of lower courts may appeal here. • The High Court can pass any sentence authorized by law. • The High Court confirms the death sentence passed by the District and Sessions Courts. <p>Sessions Court</p> <ul style="list-style-type: none"> • It is located at the district headquarters (established for every sessions division). • The Sessions Court is presided over by the Sessions Judge. • It can pass any sentence, but the death sentence passed by it has to be confirmed by the High Court. • It can only try cases committed to it by magistrates (court of trial). • It can act as a court of appeal for the cases where the trial was initially held at Magistrate Court. <p>Note: Additional Sessions Judges and Assistant Sessions Judges may be appointed in this court.</p> <ul style="list-style-type: none"> • Additional Sessions Judge: Additional Sessions Judge has powers similar to sessions judge, i.e., he/she can pass any sentence. However, death sentence has to be confirmed by the High Court. • Assistant Sessions Judge: Assistant Sessions Judge can award any fine and/or imprisonment not exceeding 10 years. <p>Magistrates Court</p> <p>It is a court of trial that is presided over by judicial magistrates who can be of the following types:</p> <ul style="list-style-type: none"> • Chief Judicial Magistrate: Can award any fine and/or imprisonment not exceeding 7 years • First Class Judicial Magistrate: Can award fine of up to ₹10,000 and/or imprisonment of up to 3 years • Second Class Judicial Magistrate: Can award fine of up to ₹5,000 and/or imprisonment of up to 1 year <p>Note: In metropolitan cities with population of more than 10 lakhs:</p> <ul style="list-style-type: none"> • Chief Judicial Magistrate is called the Chief Metropolitan Magistrate, and • First Class Judicial Magistrate is called the Metropolitan Magistrate.

Note: Magistrates are also appointed in “special courts” set up to deal with certain offenses/group, and are referred to as Special Magistrates. For example, Juvenile Justice Board, TADA Court etc.

Q5. Mention the various offenses and punishments described in Indian law (FM1.3)

Offenses

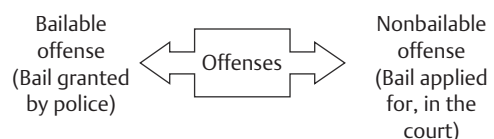
Offense refers to an act (commission or omission) punishable by law. These can be:



- Cognizable offenses; for which police officer can arrest the accused without a warrant from the magistrate. (e.g., murder, rape, ragging etc.)
- Non-cognizable offenses; for which arrest cannot be made by police without a warrant from the magistrate. (e.g., cheating, forgery etc.)

Cognizable offenses are usually nonbailable (imprisonment for 3 years or more).

Noncognizable offenses are usually bailable (imprisonment for less than 3 years or fine only).



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- Bail can be claimed as a matter of right. Police gives bail to the accused at the time of arrest. (e.g., causing hurt, stalking etc.)
- Bail cannot be claimed as a matter of right. Bail can be granted by the court on application. (e.g., murder, rape, sedition etc.)

Note: Any person who fears arrest for accusations of committing a nonbailable offense can apply for “**anticipatory bail**” before a court. Anticipatory bail, if granted, directs the police for the immediate release of such a person on bail in the event of arrest.

Cr PC classifies trial procedure as summons case or warrant case.

Warrant case: A case relating to an offense punishable with death, imprisonment for life, or imprisonment for a term exceeding 2 years.

Summons case: A case relating to an offense which is not a warrant case. Thus, summons case relates to an offense punishable by a term of imprisonment of 2 years or less.

Sentences (punishments) authorized by law

The various kinds of punishments as per Section 53 of IPC “*Punishments*”:

- Death (*capital punishment*). In India, the death penalty is executed by hanging.
- Imprisonment for life.*
- Rigorous (with hard labor) imprisonment.
- Simple imprisonment.
- Forfeiture of property.
- Fine.

*Life imprisonment does not automatically mean 14 years of imprisonment.

Q6. What is subpoena and conduct money? (FM1.5)

Summons or subpoena

- The word “subpoena” is derived from sub (under) and poena (penalty).
- Subpoena or summons is a document compelling the attendance of a witness in a court of law under penalty, on a particular day, time, and place for the purpose of giving evidence.
- Sections 61 to 69 of Cr PC describe the procedures for serving of summons in criminal cases.
- Summons is a written document, signed by the presiding officer of the court with a court seal.
- Summons are issued in duplicate (witness keeps one copy and acknowledges on the other).

- Summons are served to the witness by a police officer or any other authorized person.
- “*Subpoena ad testificandum*” is a summons to appear before the court and give oral testimony.
- “*Subpoena duces tecum*” is a summons ordering the witness to appear before the court and bring documents, books, or other tangible evidence for use at a hearing or trial.
- For witnesses who fail to honor the summons, bailable or nonbailable warrants are usually issued by the court in order to ensure the presence of witness in the court.
- Witnesses who fail to attend the court without a lawful excuse or any justifiable reasons are liable to be sentenced with a fine of ₹1000 and/or 6 months’ imprisonment.

Note: If a witness is summoned by two or more courts on the same day:

- Criminal and Civil Court—witness should attend the criminal court first.
- Higher and lower court—witness should attend the higher court first.
- If both courts are of the same status/type—witness should attend the court from which summons was received first.
- Inability to attend a court should be intimated to it priorly, with reasons.

Conduct money

- Conduct money refers to the payment offered to a witness who is summoned in civil cases.
- Conduct money is usually paid in advance to the witness, and it is borne by the party that has called the witness to depose before the court.
- The fee paid is nominal and is meant to cover the expenses incurred by the witness toward attending the court (travel, stay etc. as applicable).
- The witnesses can bring it to the notice of the court if they feel that the fee paid is less. In all such cases the judge decides on the amount to be paid to the witness.
- No conduct money is paid to the witnesses who are summoned to attend criminal cases.
- It is the duty of the witnesses to attend the criminal court in the interest of the State.
- Although no payments are made in advance, the witnesses are entitled to claim travelling allowance and other expenses incurred from the employer or the court.
- Government officers can claim the expenses from the government and those not in government from their employer whatever is

applicable. In all other cases, there is a provision of claiming the travelling expenses from the court and a request can be made to the court in this regard.

- No witness irrespective of the civil or criminal nature of the case can refuse to attend the court.
- Refusal to attend the court may be construed as contempt of court. Both civil and criminal courts can take penal actions (imposing fine or imprisonment) against the defaulting witnesses.

Q7. Describe witness and its types. Briefly explain perjury and hostile witness (FM1.5 & FM1.6)

A witness is a person who testifies in a court of law in relation to the facts observed and/or their inferences in a given case.

Witnesses are of two types.

1. **Common Witness**
One who testifies on the facts as seen, observed or perceived by him
Does not have the knowledge and/or training to offer opinions or draw inferences on the observed facts
2. **Expert Witness**
One who can draw inferences and offer opinion on the observed facts
Has the required knowledge, skill and/or training on the subject matter in question.
E.g.: Doctor, Ballistic expert, etc.

Note: The court is not bound by the opinion of medical expert. Medical evidence is just an evidence of opinion; it is not considered conclusive.

Two important terms in relation to witnesses are perjury and hostile witness (Fig. 2.1).

Hostile witness or adverse witness or unfavorable witness

- Although not defined in Indian Evidence Act (IEA), a witness is often termed hostile when:

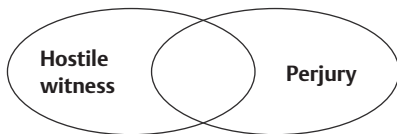


Fig. 2.1 All hostile witnesses cannot be tried for perjury and all those who have committed the offense of perjury need not be hostile.

- He/she retracts, withdraws, or alters the statements given earlier to the police or magistrate.
- He/she is not desirous of telling the truth in favor of the party that called him/her.
- In such cases, the prosecution requests the court to declare such a witness as “hostile” and seek the right to cross-examine the witness.
- It is the discretion of the court to declare a witness as “hostile” or not.
- Once the court declares a witness as hostile, leading questions are permitted to bring out facts.
- The Supreme Court has held that the evidence of a hostile witness cannot be rejected in toto.
- Some of the cases where the witnesses turned hostile include Jessica Lal murder case, BMW hit-and-run case of Delhi, and Best Bakery case etc.
- Intimidation and threat are perceived as the common reasons for a witness to turn hostile.
- Hostility is often considered a form of perjury.

Perjury

- An offense of perjury is said to be committed when a witness willfully gives a false evidence while under oath or legally bound by an express provision of law to state the truth.
- Section 191 of IPC deals with “giving false evidence” and Section 193 of IPC describes the “punishment for false evidence.” Section 344 of Cr PC describes the procedure for trial for giving false evidence.
- Perjury is punishable with imprisonment for up to 7 years and also fine (Section 193 of IPC).
- In the Best Bakery case, the key witness Zahira Sheikh who had turned hostile was later convicted for perjury.

Q8. What is evidence and what are its various types? What are the exceptions to oral evidence? (FM1.5)

Evidence

As per Section 3 of IEA, it means and includes all the statements or documents entertained by a court in relation to matters of fact under enquiry.

Evidence can be of two types, documentary and oral (Table 2.3).

Note: Medicolegal certificates need to be testified in the court of law by the doctor issuing it.

Table 2.3 Documentary and oral evidence

<p>Documentary evidence</p> <ul style="list-style-type: none"> Means and includes all documents including electronic records produced for the inspection of the court Medical documents commonly submitted as evidence are: <ul style="list-style-type: none"> Medical certificates (issued to patient or relatives): Death certificate, disability certificate, sickness/fitness certificate etc. Medicolegal certificates (issued to police or legal authorities): Postmortem report, injury report, drunkenness certificate etc. Physical/electronic health records etc. Dying declaration and dying deposition Documentary evidences are accepted in the court on oral testimony (see exceptions below) 	<p>Oral evidence</p> <ul style="list-style-type: none"> Means and includes all statements which the court permits or are required to be made before it by witnesses under oath in relation to matters of fact under inquiry Oral evidence must be direct, i.e., it must be evidence of a person who says he/she saw, heard, or perceived the fact in a particular sense or manner (Section 60 of Indian Evidence Act) <ul style="list-style-type: none"> Oral evidence is given by: Common or eye witnesses; expert witnesses on matters of expertise/documents issued by them Oral evidence is superior to documentary evidence as it is submitted under oath and allows cross-examination
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Medical certificates, hospital records etc., are usually submitted as such and need not be testified.

Issuing or signing false certificates is an offense under Section 197 of IPC punishable with imprisonment for up to 7 years, and shall also be liable to fine.

- Reports of certain government scientific experts.*
- Hospital records including electronic hospital records.
- Public and health records (birth certificates, death certificates etc.).

Exceptions to oral evidence

Refers to documents that are admissible in the court without oral testimony, such as:

- Statements (written or verbal) of relevant facts made by a person who is dead or not traceable or incapable of giving evidence etc., (e.g., dying declaration).
- Evidence already given in a judicial proceeding is admissible in subsequent ones.
- Opinion of experts expressed in a treatise (books, articles etc.).
- Written reports of mint officers.

**The following government scientific experts are exempted to testify in person: (a) any Chemical Examiner or Assistant Chemical Examiner to Government; (b) the Chief Inspector of Explosives; (c) the Director of the Finger Print Bureau; (d) the Director, Haffkeine Institute, Bombay; (e) the Director, Deputy Director, or Assistant Director of a Central Forensic Science Laboratory or a State Forensic Science Laboratory; (f) the Serologist to the Government.*

The court may, if it thinks fit, summon and examine any such expert as to the subject matter of his/her report.

Oral evidence (oral testimony in the court of law) in relation to a fact can be described as:

<p>Direct evidence <i>Witness says he/she saw it or perceived it</i> For example, eye witnesses and expert witnesses etc.</p>	<p>Circumstantial evidence <i>Witness testifies about the circumstances known to him/her</i> Generally, admissible in court</p>	<p>Hearsay evidence or hearing evidence <i>Witness says he/she heard it</i> Generally, not admissible (Exception: Dying declaration)</p>
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Indirect evidence or derivative evidence

Q9. What is dying declaration? Differentiate between dying declaration and dying deposition (FM1.7)

Dying declaration

As described in Section 32 (1) of the Indian Evidence Act, 1872, dying declaration refers to statements, written or verbal, of relevant facts made by a person who is dead, when it relates to cause of death.

“When the statement is made by a person as to the cause of his/her death, or as to any of the circumstances of the transaction which resulted in his/her 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/her death comes into question.”

Essential components

- Statements should be related to the cause of death or circumstances which resulted in death.
- The law recognizes that “a dying man seldom lies,” and hence, oath is **NOT** administered.

Who can record dying declaration?

- Executive magistrate (preferably), doctor, police officer, or any other person can record dying declaration.
- A magistrate should be called to record the evidence as soon as possible. If the condition of the patient is too serious, the doctor should record the statement without waiting for the magistrate.

Prerequisite

- The patient should be in *compos mentis* (sound mental state needs to be certified by the doctor).
- Dying declaration should be recorded in presence of two witnesses.

Recording of dying declaration

- Dying declaration can be in dying person’s own handwriting, duly signed by witnesses and the doctor certifying *compos mentis*.

- Verbal statements given by the dying person should be recorded exactly as stated in his or her own words without any alteration.
- The victim should neither be influenced or prompted during the recording of statements.
- If any question is asked, both question and answer should be recorded exactly the same way.
- The declaration in the end must be signed by the victim, doctor, and witnesses.
- The statement when recorded by the doctor should be sent to the magistrate in a sealed envelope.

Note: If a victim is unable to speak or write, dying declaration can still be recorded as long as he or she can communicate clearly by sign language.

Nature of evidence

- Dying declaration is a documentary evidence; it is often considered as hearsay evidence too.

Validity of dying declaration

- Incomplete dying declarations (victim dies midway) are considered valid in the court.
- Statements made by a victim at a time when he or she was not under expectation of death are legally valid as dying declaration, if death ensues.
- Dying declaration is invalid if the victim survives. In all such cases, the victim has to testify in the court (oral evidence).

Dying deposition

- Dying deposition refers to statement made by a person on oath relating to the cause or circumstances of his/her death.
- Dying deposition is recorded at bed side by the magistrate in the presence of the accused or his/her lawyer.
- Dying deposition is considered superior to the dying declaration as the statements are under oath, and cross-examination is allowed.
- Dying deposition is an example of out-of-court oral evidence or testimony.
- Dying deposition is not held in India. It is held in the UK, USA, Canada, and Australia etc.

The differences between dying declaration and dying deposition are listed in **Table 2.4**.

Table 2.4 Differences between dying declaration and dying deposition

Differentiating feature	Dying declaration	Dying deposition
Nature	Verbatim recording of statement	Similar to court procedure
Recorded by	Magistrate, doctor, police officer etc.	Judicial magistrate
Oath	Not administered	Administered
Accused, defense lawyer	Not present	Present
Cross-examination	Not carried out	Allowed
Type of evidence	Documentary	Oral
If victim survives	Declaration loses value	Deposition still holds good
Legal value	Lesser compared to deposition	More than declaration
Held in India	Yes	No

Q10. Describe the procedure of recording of evidence in the court of law and expected conduct of a doctor in witness box (FM1.5)

Procedure of recording of evidence in the court of law

The witness is summoned to the court to testify or give evidence on the matter in question.

Recording of evidence in the court follows the sequence shown in **Flowchart 2.1**.

Conduct of a doctor in witness box

General conduct as witness

- Be well dressed and modest.
- Be calm and relaxed.
- Be well prepared with the details of the case.

Take all records connected with the case.

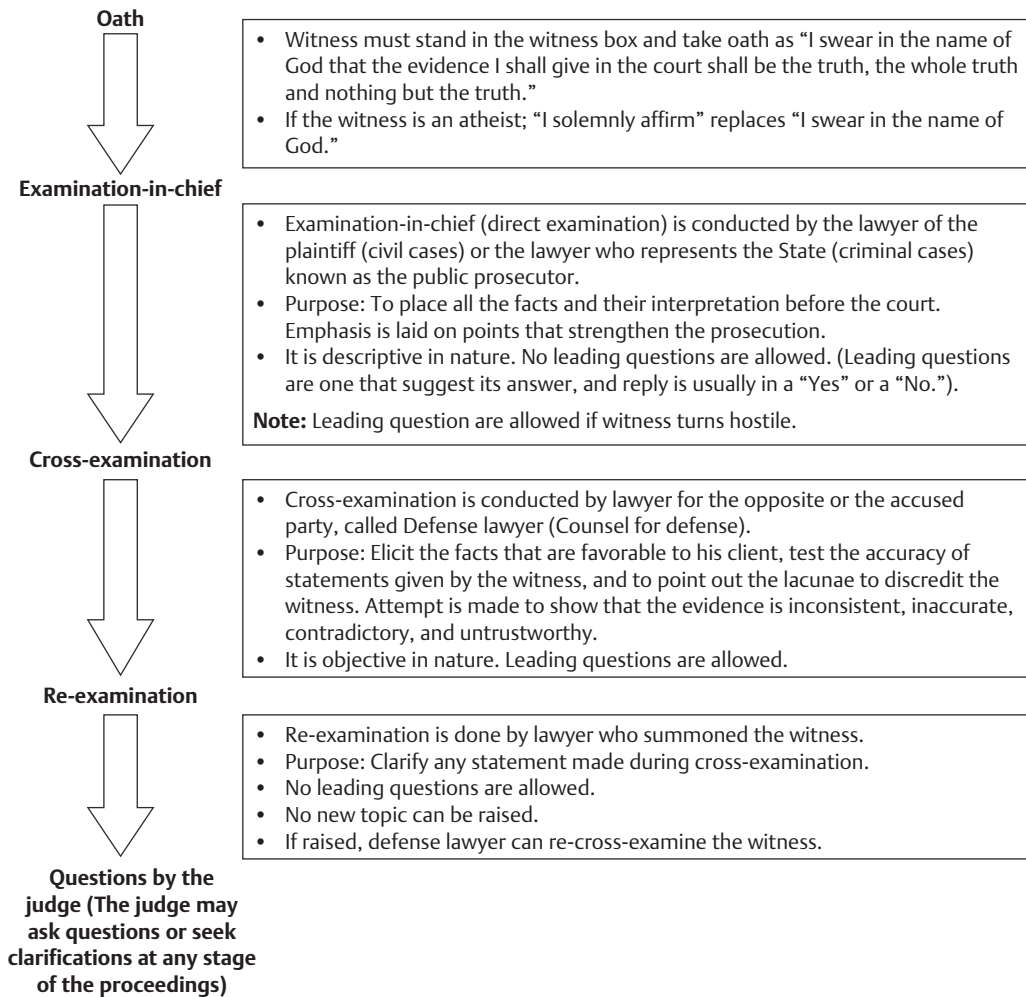
- Discuss the case only with the public prosecutor or the police, and not with anyone else.
- Speak distinctly, audibly, and confidently.
- Avoid technical terms and use simple language.
- Be polite and courteous, never lose your temper.

Specific conduct as witness

- Address the judge respectfully (sir or your honor).

- Avoid discrepancy between written records and oral testimony.
- Be honest, impartial, and unbiased in your testimony.
- “Remain a man of science, for you have no victim to avenge, no innocent man to save, and no guilty man to convict.”
- If you do not agree with something, disagree firmly but do not argue.
- Always express opinion based on your own knowledge and experience.
- Listen to every question carefully. If you do not understand, ask to repeat or rephrase it.
- When the lawyer quotes from any textbook, go through the text yourself before commenting.
- You are in your rights to disagree with what is written in textbooks for justifiable reasons.
- As far as possible, do not volunteer unnecessary information.
- Remember that there is no professional secrecy for the information sought by the court.

Note: All the statements made by the witness in the court are taken down simultaneously by the court reporter or stenographer. At the end of the proceedings, witness must go through his/her deposition or testimony, ensure that there are no errors, and then sign on each page. The witness should then collect the attendance certificate and seek leave from the court.



Flowchart 2.1 Recording of evidence in the court.

Multiple Choice Questions

- Various offenses and their punishments are described in**
 - IPC
 - Cr PC
 - IEA
 - All of the above
- The most commonly conducted inquest in India is**
 - Police inquest
 - Magistrate inquest
 - Coroner’s inquest
 - Medical examiner system
- Procurator fiscal system is prevalent in**
 - USA
 - UK
 - Australia
 - Scotland
- Magistrate inquest is carried out under which section?**
 - 174 of Cr PC
 - 174 of IPC
 - 176 of Cr PC
 - 176 of IPC

- 5. Executive magistrate conducts inquest in**
- Death in psychiatric hospital
 - Death in police custody
 - Exhumation
 - All of the above
- 6. First Class Judicial Magistrate can award**
- Fine of up to ₹5,000 and/or imprisonment of up to 1 year
 - Fine up of to ₹10,000 and/or imprisonment of up to 3 years
 - Fine of up to ₹5,000 and/or imprisonment of up to 3 years
 - Fine of up to ₹10,000 and/or imprisonment of up to 1 year
- 7. Punishment that a Chief Judicial Magistrate can award is**
- Death sentence
 - Life imprisonment
 - 10 years imprisonment
 - 7 years imprisonment
- 8. Procedures for serving summons in criminal cases are described in section**
- 61 to 67 of Cr PC
 - 63 to 69 of Cr PC
 - 61 to 69 of Cr PC
 - 63 to 67 of Cr PC
- 9. Punishment for false evidence is described in section**
- 191 of IPC
 - 193 of IPC
 - 195 of IPC
 - 197 of IPC
- 10. Identify the incorrect statement regarding dying declaration**
- Dying declaration is described in Section 32(1) of IEA
 - Dying declaration is invalid if the victim survives
 - Incomplete dying declaration are invalid in the court
 - Dying deposition is considered superior to dying declaration

Answers

1, a; 2, a; 3, d; 4, c; 5, c; 6, b; 7, d; 8, c; 9, b; 10, c