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Term End Examination 2025-2026

Programme – B.A. LL.B.-2024/BBA LL.B.-2024

Course Name – Forensic Science & Law

Course Code - BALLB406/BBALLB406

(Semester IV)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

(i) Interpret medico-legal responsibility when death occurs during surgery despite due care, applying Jacob Mathew v. State of Punjab.

a) No criminal negligence

b) Strict liability

c) Presumed negligence

d) Res ipsa loquitur

(ii) Interpret negligence when medical records are missing in litigation.

a) Presumed innocence

b) Ethical lapse only

c) Adverse inference

d) Criminal liability

(iii) Apply forensic investigation principles where CCTV footage is tampered.

a) Ignore footage

b) Rely on witness

c) Accept partial clip

d) Conduct digital forensic analysis

(iv) Interpret the evidentiary value of narco-analysis tests post Selvi v. State of Karnataka.

a) Conclusive

b) Voluntary confession

c) Inadmissible

d) Investigative aid only

(v) Interpret medico-legal duty when a doctor refuses emergency treatment (Parmanand Katara case).

a) Professional discretion

b) Hospital policy

c) Consent requirement

d) Constitutional violation

(vi) Interpret why courts caution against sole reliance on expert evidence.

a) Experts unreliable

b) Science is biased

c) Law ignores science

d) Experts assist but do not decide

(vii) Evidence is obtained after custodial torture during forensic interrogation. Identify the constitutional basis for exclusion.

a) Police rules

b) Articles 21 & 20(3)

c) Evidence irrelevance

d) Procedural lapse

(viii) "Deficiency in service" under CPA refers to:

- a) Crime
- b) Funding issue
- c) Shortcoming in quality
- d) Dissatisfaction

(ix) The principle that procedure must be just, fair and reasonable came from which case?

- a) Selvi
- b) Maneka Gandhi
- c) Shantha
- d) Basu

(x) Involuntary narco-tests were struck down in which case?

- a) Puttaswamy
- b) Selvi
- c) Jacob Mathew
- d) Shantha

(xi) Select the primary objective of a medico-legal autopsy.

- a) Clinical research
- b) Identifying cause and manner of death
- c) Medical student training
- d) Embalming the body

(xii) Select the term used for the bruising of the brain directly beneath the site of impact.

- a) Contrecoup injury
- b) Coup injury
- c) Diffuse axonal injury
- d) Subdural hematoma

(xiii) Select the most important factor in documenting sexual assault injuries for legal evidence.

- a) Using medical jargon
- b) Precise measurements and photography
- c) Relying on verbal testimony
- d) Only documenting major scars

(xiv) Select the document that serves as the official record of the relative position of the body and surrounding objects at the scene of an unnatural death.

- a) Post-mortem Report
- b) Inquest Report
- c) Final Report
- d) Case Diary

(xv) Select the term used for a bruise that appears at a distant site from the point of impact due to gravity.

- a) Patterned bruise
- b) Migratory/Ectopic bruise
- c) Spontaneous bruise
- d) Artificial bruise

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Group-B

(Short Answer Type Questions)

3 x 5=15

2. Interpret the legal prohibition of the Two-Finger Test in India. (3)
3. Blood grouping excludes several suspects in a murder investigation. The defence argues exclusion does not prove guilt. (i) Identify the forensic technique. (ii) Explain exclusionary evidence. (iii) Apply its investigative relevance. (3)
4. Explain the ethical principle of confidentiality in the doctor-patient relationship. (3)
5. Explain the significance of informed consent in medical treatment. (3)
6. Analyze the constitutional permissibility of a State practice where DNA samples are extracted from an accused without consent under broad investigative powers, and even after his acquittal, his genetic profile is permanently retained in a centralized forensic database. The State justifies retention on crime prevention and minimal bodily intrusion grounds, while the individual alleges continuing surveillance risk, reputational harm, and informational control loss. The absence of a specific data retention statute is admitted. Examine legality, proportionality, and privacy implications, and determine constitutional remedies. (3)

OR

Analyze whether a hospital providing mixed free and paid services can evade consumer jurisdiction when a paying patient alleges negligent treatment causing permanent injury. The hospital argues charitable status and absence of profit motive. The patient asserts deficiency in service and contractual consideration. Examine statutory interpretation and service classification. (3)

Group-C

7. A patient dies following a surgical procedure conducted according to accepted medical practice, yet the family alleges criminal negligence solely due to the adverse outcome. The prosecution seeks liability under IPC provisions, while the doctor relies on professional standards and medical literature. (i) Identify the legal test applicable to determine negligence. (ii) Explain the standard of care required in criminal prosecution of doctors. (iii) Apply the test to assess criminal liability. (5)
8. Analyze the constitutional permissibility of compulsory DNA extraction conducted during investigation under broad statutory authority, where the accused is later acquitted yet his genetic profile remains algorithmically searchable within a centralized forensic database. The State defends the measure on grounds of predictive policing and minimal bodily intrusion, while the individual asserts informational self-determination, stigma persistence, and risk of function creep in absence of data protection legislation. Examine proportionality, legality, and presumption of innocence doctrines in determining whether continued retention transforms a procedural measure into a structural privacy infringement. (5)
9. Evaluate the principle of non-maleficence and examine its application in high-risk or experimental medical treatments. (5)
10. Explain the significance of forensic science in protecting public health. (5)
11. A 22-year-old woman alleges that she was sexually assaulted after a party. She states that she had consumed alcohol and remembers "parts" of the evening. CCTV shows her walking with the accused and entering his apartment. The accused claims the act was consensual and produces text messages sent earlier in the evening suggesting mutual attraction. Medical examination reveals minor genital injuries but no major external injuries. Toxicology confirms high blood alcohol levels. (a) Interpret consent and how does intoxication affect validity of a consent. (b) What is the evidentiary value of medical findings (minor injuries, intoxication levels) in determining absence of consent? (c) How should digital evidence (CCTV footage, text messages) be evaluated in sexual offence trials? (5)
12. Evaluate whether adoption of a minority experimental medical practice supported by limited peer opinion but lacking mainstream endorsement shields a surgeon under Bolam when severe harm occurs. Consider evolving science, judicial scrutiny of expert opinion, and boundaries of professional autonomy. (5)

OR

Evaluate systemic hospital negligence where infrastructure failure causes death despite individual doctors' compliance with protocol. Assess institutional duty of care and criminal liability scope. (5)

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