

The him in writing (or
reduced into writing),



**ASSIGN
BUSTER**

The idea behind cross-examination is two-fold: to weaken, qualify or destroy the case of the opponent, and to establish a party's own cause by means of his opponent's weakness. The main objects of cross-examination are to measure the accuracy, credibility and general value of the evidence given in chief, so as to sift the facts already stated by the witness, to detect and to expose the discrepancy, and to elicit suppressed facts which will support the case of the party who cross-examines the witness. Scope of cross-examination (S.

138): Cross-examination must relate to relevant facts, but it need not to be confined to the facts to which the witness testified on his examination-in-chief. Whether leading questions can be asked (S. 143): Leading questions may be asked in a cross-examination. Cross-examination of a person called to produce a document (S. 139): 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. A witness summoned merely to produce a document does not become a witness for purposes of cross-examination, since he may either attend the Court personally or may even depute any person to produce the document in Court.

Cross-examination as to previous statements in writing (S. 145): 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. However, 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. This section indicates one of the modes in which the credit of a witness may be impeached.

A witness may be cross-examined as to any statements as to relevant facts made by him on a former occasion, in writing or reduced to writing, without showing the writing to him or proving the same. But, if it is intended to contradict him by the writing, his attention must be called to the writing. The object of this provision is either to test the memory of a witness or to contradict him by previous statements in writing. Such writing may be on documents, letters, depositions, police diaries, etc. The witness may also be contradicted by his previous verbal statements.

(S. 153, Exception 2) Another mode of impeaching the credit of a witness is to be found in S. 155. The credit of a witness may be impeached by proof of former statements inconsistent with any part of his evidence which is liable to be contradicted: S.

155.