The Hypothesis
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The doctrine of BENEFIT OF REASONABLE DOUBT is the outcome of the standard of proof evolved and adopted in the last about two centuries in England and the Common Law Countries reaching up to the United States of America. It has undergone a continuous process of development, during which once it was outlawed and found to be inappropriate too, chiefly on the ground that the phrase REASONABLE DOUBT, while easy to understand, was difficult to define or explain to the Jury. The doctrine, however, restored itself in the common law after facing such bad weather.

The problem that poses itself before us is whether in India, where all the rules of evidence applicable to our country have been well defined and incorporated in the Indian Evidence Act, 1872, this doctrine has any application and relevance particularly when all the rules of English Common Law were liberally imported and applied by the Indian Courts had ceased to operate and all the previous laws in force came to be repealed by the Repealing Act, 1938 (1 of 1938).

The standard of proof laid down under Section 3 of the Indian Evidence Act, through the unambiguous definitions of the words "PROVED", "DISPROVED" and "NOT PROVED" impliedly bars any and all other standard or standards of proof with no scope to traverse beyond the
well defined limits of holding a certain fact or set of facts proved or otherwise, during the process of appreciation of evidence. The doctrine of BENEFIT OF REASONABLE DOUBT, howsoever laudable and utility-oriented it may be in English Common Law, is neither applicable nor suitable to our conditions and does not bear harmony with/existing or ancient law of the remote and recent past prevailing in our country. Therefore, this hypothesis:

IN THE PRESENCE OF THE CODIFIED LAW OF EVIDENCE IN THE SHAPE OF THE INDIAN EVIDENCE ACT, 1872, THE DOCTRINE OF "BENEFIT OF REASONABLE DOUBT" HAS NO APPLICATION IN INDIA.