

Central Excise Act, 1944

Section 36A - Presumption as to Documents in Certain Cases

1[36A. Presumption as to documents in certain cases

Where any document is produced by any person or has been seized from the custody or control of any person, in either case, under this Act or under any other law and such document is tendered by the prosecution in evidence against him or against him and any other person who is tried jointly with him, the Court shall, --

(a) unless the contrary is proved by such person, presume --

(i) the truth of the contents of such documents;

(ii) that the signature and every other part of such document which purports to be in the handwriting of any particular person or which the Court may reasonably assume to have been signed by, or to be in the handwriting of, any particular person, is in that person's handwriting, and in the case of a document executed or attested, that it was executed or attested by the person by whom it purports to have been so executed or attested;

(b) admit the document in evidence, notwithstanding that it is not duly stamped; if such document is otherwise admissible in evidence.]

1. Inserted by Act 36 of 1973, section 23 (w.e.f. 1-9-1973).
