



Evidence Act S. 73 - Handwriting - Examination - The opinion of a handwriting expert is fallible/liable to error like that of any other witness, and yet, it cannot be brushed aside as useless - Court may then apply its own observation by comparing the signatures, or handwritings for providing a decisive weight or influence to its decision

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**[evidence](#) Act S. 73 - Handwriting - Examination - The opinion of a handwriting [expert](#) is fallible/liable to error like that of any other witness, and yet, it cannot be brushed aside as useless - There is no legal bar to prevent the Court from comparing signatures or handwriting, by using its own eyes to compare the disputed writing with the admitted writing and then from applying its own observation to prove the said handwritings to be the same or different, as the case may be, but in doing so, the Court cannot itself become an expert in this regard and must refrain from playing the role of an expert, for the simple reason that the opinion of the Court may also not be conclusive - Therefore, when the Court takes such a task upon itself, and [findings](#) are recorded solely on the basis of comparison of signatures or handwritings, the Court must keep in mind the risk involved, as the opinion formed by the Court may not be conclusive and is susceptible to error, especially when the exercise is conducted by one, not conversant with the subject - The Court, therefore, as a matter of prudence and caution should hesitate or be slow to base its findings solely upon the comparison made by it - However, where there is an opinion whether of an expert, or of any witness, the Court may then apply its own observation by comparing the signatures, or handwritings for providing a decisive weight or influence to its decision - Evidence Act S. 45 - Evidence Act S. 47**

[2012 PLRonline 0101](#)

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