

- i. "The corroboration must be by some evidence other than that of an accomplice; and, therefore, one accomplice's evidence is not corroboration of the testimony of another accomplice.
- ii. The corroborative evidence must be evidence which implicates the accused, that is, which confirms in some material particular not only the evidence that the crime has been committed, but also that the accused committed it. In other words, the corroboration must be both as to the *corpus delicti* and as the identity of the accused.
- iii. It is not necessary that the story of the accomplice should be corroborated in every detail of the crime, since, if this were so, the evidence of the accomplice would be unnecessary.
- iv. The corroboration need not be direct evidence that the accused committed the crime; it is sufficient if it is merely circumstantial evidence of his connection with the crime."

It was observed by the Peshawar High Court in *Ali Asghar v. State* (1968) that the rules enunciated in *Rex v. Baskerville* (1916) can be applied with the same rigor to dying declarations in Pakistan. The superior courts have also laid down some important principles pertaining to the corroborative evidence which, in essence, resonate the rules mentioned above. The summary of these principles is reproduced as following:

- i. The corroborative evidence should prove the guilt of the accused (*Haq Nawaz v. Sultan Khan*, 1977).
- ii. The extent and nature of corroborative evidence may vary from case to case, but it is necessary that it must connect or tend to connect the accused with the crime (*Shahzad v. State*, 2002).
- iii. The corroborating evidence is not required to come from an independent witness: it may come from anything (*Shah Nawaz v. State*, 2002).
- iv. A corroborative piece of evidence cannot corroborate another corroborative piece of evidence (*Dr. M. Sarwar Ch. v. State*, 2001).
- v. A piece of evidence which is tainted cannot be used for corroboration of similar evidence (*Manzoor v. State*, 1973).

The corroborative evidence is in nature of confirmatory evidence supposed to be independent of and different from that evidence which is sought to be corroborated. Taking into account this aspect, it was observed in *Ali Asghar's* case (1968) that corroborative evidence and confirmatory evidence are interchangeable expressions.

3. The Requirement of Corroboration of Dying Declarations:

Article 46 of the Qanun-e-Shahadat Order does not deal with evidentiary value of dying declarations. It only declares relevancy of dying declaration as an admissible piece of evidence. Most of the time declarations of dying men are hearsay evidence because they are not generally adduced in the court by their makers. This was the background which necessitated that there ought to be a specific provision if the legislature intended to declare dying declarations as relevant piece of evidence when the Indian Evidence Act was enacted in 1872. Hence, it was the background of enacting Section 32 of the Indian Evidence Act, 1872. The same pattern has been followed in the Qanun-e-Shahadat Order, 1984.