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Admissibility of DNA and Forensic Evidence in Criminal Cases

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ABSTRACT

“Punishment is not for revenge, but to lessen crime and reform the criminal”

~ Elizabeth Fry

India is a country having a very much diverse population and vivid culture. The socio-economic culture of our country is very diverse and people of our country belong to all kinds of groups, backgrounds, culture, community, religion, etc.

Naturally, the people of the country and everyone residing in the country, all have a very different economic and educational background. The illiteracy rate of our country ranges between 15-20%. The poverty rate in the country is about 28%. These factors play a majority role in giving birth to crime against women such as murders, sexual assault, rape, molestation, and crime against property such as theft, snatching, fraud, etc.

As per the latest data of the National Crime Records Bureau (NCRB), the crime rate in country is 3.08%. With growing time, the crime rate is also increasing. Our government time to time brings changes in the policy and schemes for the over-all development of the society. But it is a long process and till the time, crime rate is decreased substantially, the criminal justice system has to become robust and smooth in order to convict the guilty. In our country, criminal justice system is dealt under laws such as Indian Penal Code, Code of Criminal Procedure, and the Indian Evidence Act. Indian Penal Code is the substantive law while, Code of Criminal Procedure and Indian Evidence Act deal with the procedural aspect.

One aspect of the procedural law is the collection and admission of evidence to solve criminal cases. In this context, the new age technology has opened ways for the admission of Forensic and DNA Test in the criminal cases.

In this research article, we will discuss the advent of Forensic Evidence, the laws related to the admission of forensic evidence and various conflicts that come along with the admission of forensic evidence.

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I. INTRODUCTION

Third-party When DNA was discovered in 1953 by Francis H. C. Crick and James D. Watson, it not only brought revolution in the biological and scientific field but it also brought along with-it revolution in legal system as well. Today, the legal system of each state jurisdiction of the world is trying to define, outline, codify, and amend the legislation pertaining to procedural laws and evidence laws in context of DNA Testing and Forensic evidence.

With the advent of increasing technology and boom in scientific research around the world, each aspect of human life and society has been invaded by technology. In legal world as well, technology is being used in one way or the other. Further, scientific research and data is being more and more relied upon by Courts in the admissibility of certain evidences. Forensic data leaves very less scope of error and more often than not provides a conclusive result. The level of accuracy and authenticity of forensic evidence makes it the best fit for being used by Courts of law in solving complicated cases. Therefore, technology and science has changed the face of crime and criminal investigation.

For these above said reasons, in 1985, Alec J. Jeffreys, an English scientist, proposed the idea of DNA analysis which later on resulted into usage of DNA analysis by law enforcement agencies all over the world. DNA Testing is a part of a broader term called 'Forensic Evidence'. Forensic evidence means using physical evidence collected from documents, phones, finger prints, weapons used, footprints, DNA Testing, from the crime scene and during the trial of civil of criminal cases. Amongst these, DNA Testing and Analysis remains the most controversial. Though Forensic Evidence can be used as evidence in both Civil and Criminal cases, however, for the purpose of the research under this paper, I will limit the discussion to DNA Testing and Forensic Evidence in criminal cases.

In Indian Legal System, criminal cases comprise of cases of Murder, Rape, Assault, Grievous Hurt, Theft, etc. Indian Penal Code, 1860 is the substantive law wherein each crime and its punishment have been defined and on other hand, Criminal Procedure Code, 1973 establishes the procedure to be followed in solving a criminal case. Along with this, the Indian Evidence Act, 1872, codifies a set of rules and issues to govern the admissibility of evidence in the Court of Law.

Investigation by police in any criminal case revolves around finding conclusive evidence against those accused of a crime. Most of the evidence collected by the police from a crime scene is often sent to Forensic labs for getting a correct, authentic and unbiased opinion

regarding the evidence as well as the accused. In this context, Forensic evidence becomes very essential.

We will examine the role of Forensic evidence in judicial proceedings of these cases. We will further discuss about Admissibility of Forensic Evidence and DNA Testing, benefit of Forensic Evidence and DNA Testing, Forensic Evidence and conflict with Right against self-incrimination (Article 20(3) of the Constitution of India), DNA Testing and the conflict with Right to Privacy (enshrined under Article 21, the Constitution of India), Policy changes required in context of establishment of procedure for DNA Testing for the purposes of criminal cases, such as DNA Profiling and DNA Bank.

II. EVIDENCE, FORENSIC SCIENCE, DNA AND ADMISSIBILITY – THE CONCEPT

A. **Evidence:** term evidence is defined in *Section 3* of the Indian Evidence Act, 1872. Evidence means the available facts which are capable of indicating that whether a proposition is true or false. This body of facts or information may comprise of any photographs, document, voice recordings, videos, chats, statements, medical reports, submissions given by witnesses, etc. This body of facts is presented before the courts of law a proof for or against the innocence or the guilt of the accused.

The absence and presence of evidence plays a major decisive role in the criminal cases. For example, in the famous case of *Arushi Talwar-Hemraj Murder*, till date the mystery of Arushi's murder is not resolved just because the Forensic evidence present at the crime scene was never collected properly and moreover, there were instances of DNA tempering during the investigation of the case.

B. **Forensic Science and Evidence:** Forensic is a science wherein various scientific methods and technologies are applied to evidences under investigation by a court of law. Thus, Forensic Science contributes majorly in getting justice in a legal judicial proceeding before the court of law. Forensic Evidence comprises of physical evidence collected from documents, phones, finger prints, weapons used, footprints, DNA Testing, hair, blood, etc. All such evidences, which after due forensic analysis, helps in the on-going investigation in a case, and results in a conclusive opinion about the criminal, is Forensic Evidence.

Hence, Forensic Science is what helps a judicial officer in forming a conclusive opinion regarding the guilt or innocence of the accused, Forensic Science is what helps the investigators in linking the criminal to the crime, joining and finding connection between various aspects, facets of the crime and finally finding the guilty.

C. DNA and DNA Testing: DNA is the chemical name for the molecule that carries genetic instructions in all living things. Each DNA molecule has two strands that wind around one another and forms a double helix. The strand is having a backbone made of alternating sugar (deoxyribose) and phosphate groups. Attached to each sugar is one of four bases--adenine (A), cytosine (C), guanine (G), and thymine (T). The two strands are held together by bonds between the bases; adenine bonds with thymine, and cytosine bonds with guanine. The sequence of the bases along the backbones serves as instructions for assembling protein and RNA molecules.²

DNA of a person comes from his/ her biological parents, it is believed that half of the DNA comes from biological mother, and half of it comes from biological father. Because of this reason, DNA analysis is the most accurate form of test for parentage and hence is often used directly for paternity tests.

Ever since, the idea of DNA Analysis was floated by the English scientist Alec J. Jeffreys, in 1985, law enforcement agencies all over the world started using this revolutionary discovery in the field of law and criminal justice. The level of accuracy, the fact that DNA of an individual is unique, and that DNA is found in each cell of human body resulted into more and more usage of DNA analysis by investigators. In today's times, DNA evidence has become very common in criminal trials.

DNA evidence also become common because it can be extracted from things like saliva, razors, hair brush, blood, cigarette butts, which are all readily available at any crime scene. These samples are very easy to extract and after extracting are then sent to forensic laboratory for testing and knowing the DNA.

Uses and Advent of DNA Analysis: Where at one hand, DNA testing allows for convicting the guilty, on the other hand it also allows for the exoneration of the innocent. This positive impact on criminal justice system has increased the demand of DNA evidence analysis. With time, the number of opportunities is also growing. Even the DNA technology is enhancing and evolving day by day. Since, DNA of a person is same in each cell of a human being and remains consistent throughout a human body, be it blood cell, sperm cell, or skin cell. With increased technology, DNA can be easily extracted from various different biological sources and can be extracted from very small objects.

How DNA Analysis is done: For DNA analysis, the basic procedure is to extract the a DNA molecule suspect/ accused and selective segments from DNA molecule are isolated. These

² def from National Human Genome Research Institute - <https://www.genome.gov/>

isolated segments are then compared with the DNA extracted from physical evidence collected at the crime scene. This is to check whether the two DNAs match or not. If the DNA don't match the suspect is freed from investigation and if the DNA matches then another test of statistical analysis is performed to ensure and determine the percentage of chances that the accused person is the source of sample DNA. Ultimately it is determined whether the accused/suspect is guilty or innocent.

Uses of Forensic Evidence: Forensic Evidence can be put in use as corroborative evidence in criminal cases, help resolve murder cases, rape cases, theft cases, infanticide, child swapping, it can help in Disaster Victim Identification, determination of kinship and parentage.

D. **Admissibility of evidence:** As per Section 17³, “An admission is a statement, (oral or documentary or contained in electronic form), which suggests any inference as to any fact in issue or relevant fact, and which is made by any of the persons, and under the circumstances, hereinafter mentioned.”

Whereas, admissibility means the quality of being admissible or being permissible to be admitted in the court of law. As discussed above, in legal sense, Evidence means the statements, documents, reports, chats, forensic evidence that may be admitted by a Court to prove the alleged relevant facts in a trial.

Therefore, the admissibility of evidence means the evidence which are admissible or used as evidence in a Court of Law. This admissibility of evidence depends on how reliable, relevant, accurate; the evidence is, in context of the ongoing case.

The principles regarding admission were laid down in *Basant Singh vs. Janki Singh and Ors. 02.08.1966 - SC*), ⁴as: “It was held that all the statements in the plaint are admissible in evidence. The petitioner can rely upon a statement in the plaint which is relevant to a matter in issue, such statement can be relied upon as as an admission even though the petitioner is not prepared to accept the truthfulness of the other statements in the plaint. Similarly neither the Court is bound to accept all the statements of a plaint as correct. Thus, a court can accept few of the statements as true and reject the rest as false. Further the Court held that the *Section 17* of the Indian Evidence Act, 1872 does not make any distinction between a admission made by one party in a plaint and other admissions. In this context, admission made by one party in a plaint which is signed and verified by the signing party, it can be used as evidence against him

³ Sec 17 of the Indian Evidence Act, 1872

⁴ MANU/SC/0284/1966

in other suits. Such admission may not be regarded as conclusive; hence, it will be open to the party to prove that it is false.”

Further, it was held in *State of Gujarat vs. Ashulal Nanji Bisnol (GUJHC)*,⁵ that the court is of the view that the phrase "admissible and relevant", shall mean that something is admissible for the consideration of judge, in order for him to pronounce judgment. The Indian Evidence Act does not provide that if the judge thinks that the material is as such not relevant or inadmissible, it cannot be brought on record. The Court held that the evidence which may not be relevant or even not admissible, such evidence cannot be not allowed to be placed on record. It is advisable to preserve the material on record as that will allow the Appellate or Revisional court to conclude whether the Trial Court has rightly exercised its discretion or not. Hence, it is held that the procedure must be to record all evidence and along with it, put a note of objection raised and at final judgment same is decided.”

E. Admissibility of Forensic Evidence

The Admissibility of Forensic Evidence is inferred from Section 45-51 of the Indian Evidence Act, 1872.

As per *Section 45⁶ Opinions of experts*—“When the Court has to form an opinion upon a point of foreign law or of science or art, or as to identity of handwriting [or finger impressions], the opinions upon that point of persons specially skilled in such foreign law, science or art, [or in questions as to identity of handwriting] [or finger impressions] are relevant facts. Such persons are called experts.

Illustrations: (a) The question is, whether the death of A was caused by poison. The opinions of experts as to the symptoms produced by the poison by which A is supposed to have died are relevant.”

Thus, the *section 45* of the Act allows that when the evidence produced before the court, and pertains to scientific knowledge which requires expert opinion and knowledge of scientists and forensic experts, then the experts can be asked to tender their findings and opinion regarding the same. This ensures that the evidence being admitted is unbiased and scientific.

Further as per *Section 46⁷* that Facts not otherwise relevant, are relevant if they support or are inconsistent with the opinions of experts, when such opinions are relevant.

⁵ MANU/GJ/1037/2001

⁶ Sec 45 of the Indian Evidence Act, 1872

⁷ Sec 45 of the Indian Evidence Act, 1872

The question whether a carbon copy which could be held as inadmissible in evidence because of non-production of primary evidence, was raised in the case of *Sant Ram vs. State of Himachal Pradesh*⁸ It was held by the Court that, since in the carbon copy presented before us, there was a signature of Appellant and as such that signature was his original signature and the same was proved by expert evidence. So, the carbon copy was admissible as evidence.

Thus, the Forensic Evidence and Expert Opinion is admissible in the courts of law. These relevant provisions and judgment show the weightage and importance of Forensic evidence and expert opinion in criminal matters. Therefore, huge responsibility is bestowed upon the experts while analyzing any scientific evidence.

First case in India where DNA Test was required and made admissible by Court:

Kunhiraman vs. Manoj (27.02.1991 - KERHC),⁹

In this case, a village girl had a case filed for maintenance for her son against her lover Kunhiraman. It was alleged by Vilasini that she had developed sexual relationship with Kunhiraman and as a result of their relationship, she conceived and gave birth to her son Manoj. However, all these allegations were denied by Kunhiraman and he even denied the being father to the child Manoj. When the case was brought before the C.J.M., he held that as per section 45 of the Indian Evidence Act, 1972, the expert opinion is admissible and the DNA evidence is also expert opinion as it requires scientific examination. Therefore, Cellular and Molecular Biology examination is also admissible similar to the admission of document expert or fingerprint expert.

The C.J.M. then ordered for a DNA Test to find the paternity of the child. The DNA Test was conducted at CCMB, Hyderabad (A.P.) by the Forensic Scientist Dr. Lalji Singh. By the DNA analysis it was proved that Manoj was indeed fathered by none other than Kunhiraman.

The verdict was upheld by High Court of Kerala and held that the result of DNA test is proof enough for deciding paternity.

Therefore, in today's times of advanced technology, the court of law is taking DNA evidence as a part of expert's opinion under Section 45, the Indian Evidence Act, 1872 and DNA Test is considered to be on par with other experts' opinion like forensic experts, chemical expert, document expert, lie detector, etc.

⁸ MANU/SC/1256/2014

⁹ MANU/KE/0226/1991

III. DNA TEST VS. RIGHT AGAINST SELF-INCRIMINATION

Under the golden fundamental rights granted to all citizens by the Constitution of India, one of the most important rights is the Right against self-incrimination. It is a a privileged right provided in order to safeguard the rights is people under criminal trial and/ or under police custody. Further this right is also covered under the provision of the Indian Evidence Act, stating that confessions made before police are not admissible in the court of law.

The advent of DNA Test and the use of DNA Test analysis in the criminal proceedings lead to the question of breach of the right against self-incrimination. A person may experience or feel fear, threat, confusion, regarding the DNA Test and may not have that much faith in the system of DNA analysis. Thus, the question arises whether, the order of the court to undergo DNA Test is legal or not and whether such a test is violative of the right against self-incrimination.

In the case of *Selvi and Ors. vs. State of Karnataka*,¹⁰, it was held by the court that,

- The compulsory and involuntary Narcoanalysis or polygraph examination are violative of the 'right against self-incrimination' enumerated in Article 20(3) of the Constitution for the main reason that the suspect is not in the condition to exercise conscious control over the responses he gives during the test."

- It was further held by the court that the Article 20(3) is not just a trial right but it is also a protection which extends to the stage of investigation as well."

Again, in *Selvi and Ors. vs. State of Karnataka* the court held that, the provisions of Section 27 of the Evidence Act are not prohibited under Article 20(3) until some level of compulsion has been used for obtaining the information or material which is subsequently discovered as a result of voluntary test results in order to be admitted."

Further, in the case of *State of Bombay vs. Kathi Kalu Oghad and Ors., 1961*,¹¹ another substantial question of law regarding the interpretation of Article 20 (3) of the Constitution of India was raised before the Apex Court that whether the act of compelling accused to give his specimen handwriting or signature or impression of finger tips amounts to compelling him 'to be witness' against himself within meaning of Article 20 (3)? The Court clarified that, mere questioning of accused person by police officer resulting in voluntary statement which may ultimately turn out to be incriminatory is not compulsion. Further, to be witness is not equivalent to 'furnishing evidence' in its wide significance that is to say as including not merely

¹⁰ MANU/SC/0325/2010

¹¹ MANU/SC/0134/1961

making of oral or written statement but also production of documents or giving materials which may be relevant at trial to determine the guilt innocence of accused - to be a witness means imparting knowledge in respect of relevant facts by an oral statement or a statement in writing made or given in Court or otherwise - to bring statement in question within prohibition of Article 20 (3) the person accused must have stood in character of an accused person at time he made statement and it is not enough that he should become an accused any time after the statement has been made.”

IV. DNA TEST VS. RIGHT TO PRIVACY

Right to Privacy: Privacy means “the right to be let alone; the right of a person to be free from any unwarranted publicity; the right to live without any unwarranted interference by the public in matters with which the public is not necessarily concerned”.¹² Thus, the Right to Privacy in itself is a collection of many rights such as right to privacy of mobile/ phone data of a person.

Fundamental Rights are the basic rights of humans, which in India, are granted under Article 12-35 of the Constitution of India. Now, as per **Article 21** of the Constitution of India: “No person shall be deprived of his life or personal liberty except according to the procedure established by law”.

Through various judicial pronouncements, the Right to Life under Article 21 has been given wide connotation to give the meaning of ‘life’ as ‘all aspects of life’ which are material for making a person’s life meaningful and worth living.

In the landmark case of phone-tapping, **People's Union for Civil Liberties vs. Union of India (UOI) and Ors. (05.02.1997 – SC)**¹³, it was held by the Apex Court that the conversations of people over the telephone or phone calls are more often than not, are confidential in nature. It was further held that the Right to Privacy is contained in the bundle of rights granted under Article 21 and the same cannot be curtailed except according to the procedure established by law.

In a recent landmark judgment of **K.S.Puttaswamy v. Union of India**, again it was upheld by nine-judge bench the Apex Court that the Right to Privacy is a constitutionally protected right and forms a very important and intrinsic part of Right to Life under Article 21.

In context of Forensic Evidence and DNA Testing, the Right to Privacy becomes important as many times the defendant who are ordered to undergo forensic test, it is often argued by the

¹² def Black’s Law Dictionary

¹³ MANU/SC/0274/1997]

defendant that such medical examination poses threat to the Right to Privacy of the defendant. One such question arose in the case of *Sharda vs. Dharmpal (28.03.2003 - SC)*,¹⁴The question arose that whether the direction by court to direct wife to undergo medical examination for unsoundness of mind violates personal liberty under Article 21? It was held by the court that such direction is not violative of the Right to Privacy.

The Court after elaborate discussion concluded:

- (1) A matrimonial court has the power to order a person to undergo medical test.
- (2) Passing of such an order by the Court would not be in violation of the right to personal liberty under Article 21 of the Indian Constitution.
- (3) However, the Court should exercise such a power if the applicant has a strong prima facie case and there is sufficient material before the Court. If despite the order of the Court, the respondent refuses to submit himself to medical examination, the Court will be entitled to draw an adverse inference against him.

In certain cases, medical examination by the experts in the field may not only be found to be leading to truth of the matter but may also lead to removal of misunderstanding between the parties. It may bring the parties to terms.”

It has further been argued that the extent of investigation may violate the Right to Privacy of a person and in this context the question arises what are the powers of the executive body to collect medical samples of an accused and in this regard, what are the powers of the Court.

Investigation: The Identification of Prisoners Act, 1920 gives way to the powers of investigation and the extent of that power. This Act empowers the investigating officers to collect from the accused finger-prints, etc. At the same time, it has been held under many judicial orders that this Act doesn't allow for X-Ray of the accused.

As per the **Section 5** of Identification of Prisoners Act, 1920 - Power of Magistrate to order a person to be measured or photographed - If a Magistrate is satisfied that, for the purposes of any investigation of proceeding under the Cr.P.C., it is expedient to direct any person to allow his measurements or photograph to be taken, he may make an order to that effect, and in that case the person to whom the order relates shall be produced or shall attend at the time and place specified in the order and shall allow his measurements or photograph to be taken, as the case may be, by a police officer.

¹⁴ MANU/SC/0260/2003

However, the Act is silent about collection of blood samples, DNA samples, etc. In this context, **Section 53** Cr.P.C. becomes important to discuss:

Section 53 of Code of Criminal Procedure, 1973 - Examination of arrested person by medical practitioner at the request of police officer - (1) When a person is arrested on a charge of committing an offence of such a nature and alleged to have been committed under such circumstances that there are reasonable grounds for believing that an examination of his person will afford evidence as to the commission of an offence, it shall be lawful for a registered medical practitioner, acting at the request of a Police Officer not below the rank of Sub-Inspector, and for any person acting in good faith in his aid and under his direction, to make such an examination of the person arrested as is reasonably necessary in order to ascertain the facts which may afford such force as is reasonably necessary for that purpose.

Explanation:¹⁵ (a) "Examination" shall include the examination of blood, blood stains, semen, swabs in case of sexual offences, sputum and sweat, hair samples and finger nail clippings by the use of modern and scientific techniques including DNA profiling and such other tests which the registered medical practitioner thinks necessary in a particular case.

Powers of the Court: The Courts have abundant powers to direct the accused/ suspect to undergo a medical/ forensic/ DNA Test. Following have been ordered by courts in different cases:

- Though courts have ample powers to direct a person to undergo a medical examination and furnish samples such as blood. However, it has been laid down by court that such power cannot be used as matter of course or routinely.
- The courts have to keep in mind the consequences of ordering a DNA Test and the same has to be balanced with the Right to Privacy of the person.
- An accused/ suspect cannot be compelled to give blood sample, however, in the case of *Sharda vs. Dharmpal*, the case observed that if circumstances are so, then a party can be compelled to give blood sample. Even a matrimonial court has the power to order a person to undergo DNA Test.

V. POLICY CHANGES

Though the advent of Forensic evidence and DNA Testing has brought tremendous radical changes in criminal investigation and criminal justice system, at the same time, even the

¹⁵ Subs. by Cr. P.C. (Amendment) Act, 2005 (Act No. 25 of 2005), dated 23-6-2005.

scientific technology is being evolved day by day with new discoveries, methodologies and technologies taking shape in the real world.

This necessitates that even the substantial and procedural laws dealing with the investigation procedure and laws of evidence need to be in sync with the upcoming advancements in forensic science. As such the laws need to be synchronized accordingly. This was also observed in the 185th Report of Law Commission as well.

The *Amendment (2005) to the Code of Criminal Procedure*, show-cases the inclination of the legislature towards DNA Test accuracy, authenticity and reliability. The *explanation added to Section 53(2)* also pertains to the examination of the accused by medical practitioner under which even blood, urine sample of the accused can be collected.

The DNA Profiling Bill, 2007 was introduced before the legislature which talked about the DNA Profiling of all the convicted criminals across the country and thereby creating a DNA Bank.

Though the creation of DNA Bank seems to be a positive step in right direction, considering the growing threat of terrorism and crime across the country, but the bitter reality remains that the in the whole country, only 16 Forensic labs are equipped with the DNA technology equipments.

Now again DNA Technology Regulation Bill, 2019 has been introduced in the Lok Sabha with the aim of codifying the laws related to DNA Technology and DNA profiling.

VI. CONCLUSION AND WAY FORWARD

Forensic evidence including DNA Analysis, is the way for solving many unsolved criminal cases. The *Arushi Talwar-Hemraj murder case* wouldn't have been a mystery today, had the DNA evidence been collected by the investigating officer on time and in proper manner. Till date, Forensic evidence has helped in solving of many complicated cases and for the reasons such as, accuracy, reliability and authenticity, forensic evidence is given a very good evidentiary value in the case trial.

Now, the science of Forensic evidence is changing and evolving and this necessitates amendments in current laws of the country specially in context of the Forensic evidence. This has been the focus of 185th Report of the Law Commission as well. Therefore, the focus of the Legislature should be to bring changes in law keeping in mind the admissibility of forensic evidence, the kinds of forensic evidence, procedure of collection of forensic evidence and the powers of courts.

DNA Technology Regulation Bill, 2019 is a step in right direction, however, the government should ensure that all the issues pertaining to the introduction of the Bill are holistically addressed.

In conclusion it can be said that the usage and admission of Forensic and DNA Technology, can prove to be a major breakthrough in the criminal justice system. Therefore, there is a need for proper codification of laws pertaining to Forensic evidence along with institutionalizing of authentic and capable Forensic Labs.

SUGGESTIONS

The need of an efficacy under the broaden developments of Forensic Evidence's Collection Methodologies under the domain or reign of Police Act, 1861 is very much indispensable or needed on the broader spectrum. As without any reformation under the Police Act, 1861, the Forensic Evidences have been left unexposed and the Police Authorities are having no such bright or broad knowledge about these things which makes the commission of an accused or co-accused very easy, or in other words they easily with having lack of concrete or strong evidences gets an easier acquittal from the Hon'ble Court of Law. There shall be an urgent need in the scientific and forensic spectrum under the Police Act, 1861, which has to involve Forensic Instruments or the Methodologies for the Collection of Forensic Instruments or Police Authorities have to be aware or shall have to be given the basic training about the collection of Forensic Evidences through different mechanics of Criminal Agencies like NIA (National Investigation Agency), CBI (Central Bureau of Investigation) and other different Crime Agencies which helps the Police Authorities in collection of Forensic Evidences against an Accused/Co-Accused.

The need is in other ways is also very benefitted or beneficial for the Victim's Family, Victim's itself which reduces the burden of injustice, or in other words they get proper and sound justice from the Hon'ble Court of Law without being delayed in excessively.
