

Victimization due to Sloppy investigation

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ABSTRACT--*The Criminal Procedure Code 235 (1) stresses that the threshold of evidence be raised beyond reasonable doubt so as to reduce the risk of false convictions. By raising the standard of proof, more criminals are likely to escape the clutches of Law, weakening the incapacitating and deterrent impact of the criminal justice system. The researcher's study shows that many of the analysed cases ended in acquittal on flimsy grounds and some of the cases in honourable acquittal due to shoddy investigation. Connection between the crime and the criminal has to be proved beyond reasonable doubts so the victim satisfaction, the prime aim of the CJS is established. The joined endeavor of the Criminal justice system will prove to be a friend, philosopher and guide to the victims, the gate keepers of the CJS often*

Key words--*Victim, Victimisation, Victim satisfaction, Accused, guilty, acquittal, criminal justice system, investigation, prosecution, witness examination, Overt act.*

I. INTRODUCTION

A Roman doctrine states "it was better to let the crime of a guilty person go unpunished than to condemn the innocent." In simple terms it means that it is worse to convict innocent people than to acquit guilty people. It would be grossly inadequate to quantify certain conceptions of criminal justice and state that it is better to reduce the number of false convictions rather than to reduce the number of false acquittals (White, 1925). Despite the lack of sound rationale as evidenced by Justice White's arguments, Criminal Justice Systems continue to believe that the Roman doctrine is sound and comprehensive. The Criminal Procedure Code 235 (1) stresses that the threshold of evidence be raised beyond reasonable doubt so as to reduce the risk of false convictions. By raising the standard of proof, more criminals are likely to escape the clutches of Law, weakening the incapacitating and deterrent impact of the criminal justice system. This is the basic ground for this researcher's study that seeks to analyze how the affected are being subjected to victimization by the shoddy investigation and to point out some of the flimsy reasons that lead to acquittal of murder cases in the districts of Tirunelveli, Thoothukudi and Kanyakumari in a certain span of time.

❖ Almost five years after a former sarpanch Ananta Padale of Mangaon in Mulshi taluka was shot dead at Ahinsa chowk in Chinchwad, the court of special judge Shirish Gadge acquitted 12 accused due to discrepancies in prosecution's evidence

❖ Four youths accused of kidnapping and killing teenager Adnan Patrawala in Mumbai in 2007, were acquitted by a local court on account of lack of evidence.

❖ In a Parvathi Vs State, two women, a mother and daughter accused of murdering Babu alias Ilaikadai Babu, a notorious criminal involved in several criminal cases, were acquitted on the basis of lack of evidence.

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❖ Jessica Lal was a model in New Delhi, who was working as a celebrity barmaid at a crowded socialite party when she was shot dead at round 2 am on 30 April 1999. Dozens of witnesses pointed to Siddharth Vashisht, also known as Manu Sharma, the son of Vinod Sharma, a wealthy and influential Congress nominated Member of Parliament from Haryana, as the murderer. In the ensuing trial, Manu Sharma and a number of others were acquitted of the charges on 21 February 2006. The judge believed that the police had failed to provide sufficient explanation of the chain of events which led up to the killing.

❖ Mahendra Sadu and Hardik Gowl, the two youths accused of killing 22-years-old MBA student Priyanka Ramonuj, were acquitted by a session court recently, Principal Session Judge GN. Patel, who passed the order, criticized the police for failing to present evidence to the court.

❖ **Delhi High Court:** A Division Bench allowed a criminal appeal directed against the trial court judgment convicting the appellant under Sections 302, 201 and 404 IPC. The appellant was accused of entering into a criminal conspiracy with other co-accused to murder the deceased Khazano Devi. All the accused were convicted and sentenced for the offence punishable under the mentioned sections. The appellant challenged the trial court judgment before the High Court. The Court observed that it is necessary to prove the motive for commission of the crime and the Court held that the prosecution failed to prove the motive for murder of the deceased. In such circumstances, the Court was of the view that the appellant was entitled to benefit of doubt.

Origin of the research problem: - Measuring the access to Justice is a research and development project. The primary goal of the project is to develop a standard methodology that measures the satisfaction while normal users of justice expect, when they use the common paths to justice.

Victims of crime usually have several options to tackle the offence in their attempt to obtain justice. They may contact the police, a lawyer or a victim support system. Sometimes, they may take the matter into their own hands even. On certain occasions they may have no option but to take the matter to the court. Whichever avenue they may opt to use; the victims definitely take over to the paths to obtain justice. Once the victim has opted for the criminal procedure there is no other option except to accepting the outcome. The result may or may not bring the desired satisfaction to the victim.

- a. For policy – makers and governments to review the procedure for its effectiveness; and
- b. to the user, as it gives an idea as to what can be expected.
- c. For the prosecution to give priority to the victim satisfaction on a par with the Crime and Criminal or the Convictions.

II. REVIEW OF LITERATURE

Acquittals in murder cases are now a routine phenomenon in the Indian Criminal Justice system. To cite a few examples,

In an effort to understand this increasing spate of acquittals, this researcher decided to study and analyze all acquitted murder cases in three districts in a particular span of time.

III. OBJECTIVES

1. To find out the reasons for acquittal of the cases in the given period of time.

2. To find the association between the reasons for acquittal and the demographic characteristics of each acquitted murder case in Tirunelveli, Thoothukudi and Kanyakumari
3. To find association between the reasons for acquittal and the victim- offender relationship for each acquitted murder case in Tirunelveli, Thoothukudi, Kanyakumari Districts.
4. To find the differences in the reasons for acquittal in murder cases between the three districts of Tirunelveli, Thoothukudi and Kanyakumari Districts.

IV. HYPOTHESES

1. There is a significant association between the reasons for acquittal and the demographic characteristics of each acquitted murder case in Tirunelveli, Thoothukudi and Kanyakumari Districts.
2. There is significant association between the reasons for acquittal and the victim- offender relationship for each acquitted murder case in Tirunelveli, Thoothukudi and Kanyakumari Districts.
3. There is a significant difference in the reasons for acquittal in murder cases between the three districts of Tirunelveli, Thoothukudi and Kanyakumari Districts.

V. METHODOLOGY

This study is a descriptive study of all acquitted homicidal cases. Necessary permission was sought from the Head of the Department and received from the higher authorities.

VI. POPULATION

All acquitted homicidal cases in Tirunelveli, Thoothukudi and Kanyakumari Districts between the years 1995-2010.

VII. SAMPLE

Proportionate random sampling was used. The final sample of acquitted homicide cases in three districts for the period from 1995-2010 were as follows:

VIII. PROCEDURE

Each file was exhaustively examined and information extracted and categorized. The following demographic information was culled out from the scrutiny of judgment copies.

- ✚ Police Station where the FIR was filed
- ✚ District
- ✚ Age of the Accused
- ✚ Caste of the Accused
- ✚ Occupation of the Accused
- ✚ Age of the Victim
- ✚ Caste of the Victim

- ✚ Occupation of the Victim
- ✚ Cause of Crime
- ✚ Reason for Acquittal
- ✚ Victim relation to Accused

Reason for acquittal of the case analyzed in detail so that the pitfalls if any could be pinpointed on the maker of the prosecution, Experts, judiciary or any other agency.

These reasons were pooled into 6 major categories

- ✚ Imperfect investigation
- ✚ Failure to produce expert opinion
- ✚ Inordinate delay in launching prosecution
- ✚ Entire burden lies on the prosecution
- ✚ Lack or trend of knowledge
- ✚ Violation of natural justice

The investigator studied each case in depth, and picked up the following reasons for acquittal which are detailed below:

1. Key witnesses turning hostile: - In *Sat Pal v Delhi Administration*, the Supreme Court of India defined a hostile witness as “one who is not desirous of telling the truth at the instance of the party calling him, and who fails to prove such a fact or prove an opposite fact”. The study of various judgment copies indicated that due to fear of harm and revenge, key witnesses retract from the statements given to the police officer during examination, in this context Bentham said that “witnesses are the eyes and ears of justice”. Wadhwa J. said, “A criminal case is built on the edifice of evidence, evidence that is admissible in law”.

2. Lack of eye witnesses: - In all cases there will not be eye witnesses, especially, rape and murder, dacoity and murder. Lack of eye witnesses cannot adversely affect the case as long as the crime and the criminal are duly linked through the investigation.

3. Non-refreshing of witnesses: - The prosecution is empowered to refresh the memory of the witness before putting them in the box for deposition during the trial; or they can prepare the witness by taking them to the scene of crime to remind them of the incident.

4. Contradictions in First Information Report: - FIR is the document which sets the law into motion. Through investigation in all the details of the case is brought to book, including the circumstances in which it was committed, the motive behind the crime, preparation done and the commission of actual offence. At times, the details given in the original complaint may not find a place in the FIR and vice versa. To quote an example, the complainant may state, one Raja has committed the offence. Raja being a habitual offender of the police station concerned, the person who drafts the FIR might unwittingly write the name, his address, his alias name, etc., in the FIR. This might be misrepresented as willful implication of the particular person by the police.

5. Effect of Absence of details in FIR: - The FIR is the first version of the incident, coming to the knowledge of the police. It may not and need not contain the complete details of the incident. The absence of facts / details can be explained through a perfect investigation. To quote an example, there was a murder. The father of the

deceased who came to the spot entrusted the work of lodging the FIR to a *Chowkidar*, who happened to come there. Here neither the father nor the *chowkidar* was an eye-witness. So both could not give the exact details - the father due to shock and grief; the *chowkidar* due to lack of knowledge as to what had happened. The *chowkidar* did see the dead body and then went to the police station and lodged the complaint. It is but natural the man preferring the complaint, if not an eye-witness, could provide not much details of the occurrence. It is also natural that the father, after seeing his son dead, could have been in a state of mind to give details, except to request the *chowkidar* to lodge a report. (Mohan Singh V State of Madhya Pradesh, AIR 1999 SC 883: (1999) 2 SCC (Cri) 261 : 1999 Cr.L J).

6. Contradictions in the witnesses' statements: - When a case is registered, the date and time of occurrence are mentioned in the FIR. But at times, due to, various reasons like, time lapse, nervousness in the court, clouding of memory, etc., the witnesses' statement might not agree with the details mentioned in the FIR as well as recorded statements. This happens during trial in the chief and cross examinations. The irony in such instances is: while delivering judgment, the deposition of the key witnesses is taken into consideration but these key witnesses may contradict due to reasons best known only to them. In such a turn of event, the official witnesses, though support the prosecution theory, will be over shadowed by the earlier contradictions of the independent witnesses.

7. Failure to establish overt acts: - When there is a riot, it may be difficult to elucidate from the witnesses the part played by each offender. They will be bewildered to see the incident itself and may not be able to present the incident coherently while giving the statement to the authorities. Thus some of the overt acts go even unnoticed. Under such circumstance, fumbling of witnesses during cross examination is common. This occurs in cases like group clashes, rioting, explosions, etc.

8. Fear of Retaliation – key witnesses: - In many cases, witnesses, immediately after the incident, would have given a total statement relating to the incident to ensure punishment to the perpetrator. But when they are to depose in the court, fearing retaliation, often go back from their original statement; for instance, in terror attack cases - Best Bakery case. Moreover, the lapse of time, they place their personal safety above the disposal of the case.

9. Authentication of complaints (dual complaints):- When a complaint is lodged in the police stations, in rare cases, a copy of the same complaint might have been forwarded to the superior officer also. The superior officers will forward the copy to the police station for redress. In such cases, both the petitions should be accounted for otherwise it will amount to two separate complaints. Any addition or deletion in the second complaint and registration of case on the second complaint will have an adverse effect on the case as the additions and deletions would be argued as afterthought.

10. Failure to examine independent and neighboring witnesses: - When an occurrence takes place, there will be many onlookers, but when asked to come forward as witness, they will simply vanish into thin air. There will be difficulty in collecting independent witnesses or neighbouring witnesses to support prosecution theory. Here, the IO suffers a lot and he / she will be compelled to go in for stock witnesses. At times, only relatives will be available in the scene of crime (SOC) and unfortunately they might be overlooked or rejected as interested witnesses.

11. Failure to establish motive: - Most of the eye witnesses will be disinterested witnesses (those who are neither related nor acquainted). So it will be hard to establish the motive through those witnesses. In crimes

committed due to sudden provocation, it will be very difficult to establish the motive. Unless the investigating officer goes deep in to the backdrop of the incident, the motive cannot be established.

12. Failure / delay in preparing Rough Sketch:- In cases where the first investigation would have been taken up by the lower rung authorities, this flaw is likely to happen. The next competent IO, while taking up the investigation, should immediately visit the spot and prepare the rough sketch so as to fix the place of occurrence. This is done to appraise the court, as well as to ascertain the SOC and the ensuing seizure of material evidence. At times this became detrimental to the case.

13. Failure to seize material evidence from the SOC: - The main idea of proceeding to the SOC, along with the Scientific Officer is to collect the material evidence or the circumstantial evidence, which would connect the crime with the criminal. At times this aspect is ignored, which results in missing links in the case. For instance, in the SOC of an arson and murder case, it is of prime importance to find the 'seat of fire' and to look for the remnants of material used to ignite, so that the incident can be proved beyond reasonable doubt.

14. Failure to send seized materials for chemical examination: - In most of the cases, the doctors are requested to collect the visceral matters from the deceased during the postmortem in order to send it to the forensic science laboratories through court for chemical analysis, to know the real cause of death. The material will remain in the court without obtaining / assigning the 'Remand property number' for forwarding the same to the forensic lab in time. This becomes a grave setback to the case, defeating the purpose of analysis, as the materials are susceptible to chemical changes.

15. Failure to mark all material evidences before the court: - In some cases the IO would have submitted the seized material objects connected to the crime, - like 1) Weapon of offence 2) The clothes worn by the people concerned in the crime 3) The expert's opinion received - directly in the court. The name of these articles unwittingly would have been left out in the list of articles to be marked as exhibits. This failure would prove fatal to the case.

16. Failure to file original documents before the court: - In one of the judgment copy of murder cases analyzed, the Accident Register copy recorded by Medical officer, during the hospitalization of the victim was mentioned in the documents to be relied upon. But it was not marked in the court as document evidence. When called for the original certificate, it could not be traced. Hence, the case ended in acquittal.

17. Failure to connect the weapon of offence and the accused: When the weapon of offences is seized, witnesses may be produced to prove that the weapon was in the possession of the accused, prior to and after the offence. It is the onus of the IO to connect the weapon of offence with the accused by tallying with the injuries caused on the victim through the statement of the Medical Officer.

18. Failure to connect the accused with the crime: - The presence and involvement of the accused in a particular crime is to be proved by establishing the motive and preparation which was going on in the background. This will complete the chain of action which will immensely help to connect the criminal with the crime. If the criminal claims alibi, material evidence to support his claim should be collected so that the missing link can be traced.

19. Non-examination of connecting witnesses: - In a case of murder for gain, the loot would have been transferred to a receiver through an agent or a middle man. Here, the middleman or the agent should be compulsorily examined. Instead, the receiver is examined leaving the connecting witnesses, thus the link is broken.

20. Medico legal flaws: - While giving the medico-legal opinion, the medical officer adheres to a theory of probability like, 'would have been caused' 'would have died'. For instance, while ascertaining the time of death, he would say, would have died 5 hours prior to the post mortem. He arrives at this conclusion based on the condition of the body or the setting in of the Rigor Mortis or post-mortem lividity, or cooling of the body, which is otherwise called stiffening of the body. Generally, such medical evidence can only be approximate and not exact always. In such cases, the eye witnesses can be relied on for accuracy. In the case cited below, medical evidence indicated that the time of assault was within 2 to 6 hours prior to death. But the appellate court held that the discrepancy is not sufficient to disbelieve the ocular testimony of the witnesses and the accused was not entitled to the benefit of the doubt on the basis of such medical evidence. (*Manoj Wasudeo Ingley v. State of Maharashtra, 1992 Cr. LJ 1970 (Bom)*).

21. Non-tallying of the injuries with the medical officer's version: - The IO, while examining the Medical officer who had conducted the autopsy or who had given treatment to the victim on admission immediately after the incident, questions the medical officer, with regarding to the weapon of offence. The medical officer while giving the testimony would stick to his opinion with regard to the weapon of offence in tune with the injuries. Here the Medical Officer's version may not tally with the weapon of offence if the recovery was not prompt.

22. Weapon not matching with the injury: - This can happen in murder cases when the weapons cannot be traced. In such cases manipulations made to strengthen the case, will only prove counter-productive, as the injuries and the weapon produced may not match, on examination.

23. Delay in lodging FIR: FIR is a valuable piece of evidence, as it is the earliest version that can be compared with what is later told during the investigation. It being the first version of the case is the strongest weapon in the hands of the defense to test the veracity of the complainant by contradicting him with reference to the first version.

24. Delay in sending the FIR to the court: - The delay in submitting the FIR will raise suspicion to the court on the credibility of the FIR. Though the FIR can be produced within twenty-four hours, it does not mean that it should be produced at the last minute of the twenty fourth hour. If a plausible explanation for the delay in submitting the FIR is given, it would prevent the needle of suspicion pointing towards the investigating agency. (*Lalai alias Dindoo Vs State of U.P. (1975 S.C. Cr.R.30)*)

25. Delay in sending other documents / statements of witnesses to the court: - The Investigating Officer is supposed to send the documentary evidences to the court as and when collected, especially, the statements of the witnesses, inquest report, any letter or diary recovered from the SOC or other material evidence.

26. Failure to obtain 164 Cr.P.C. statements corroborating 161 (3) Cr.P.C. statement: - In some cases IO will be able to perceive that the key witnesses may turn hostile at the time of trial because of the circumstances or vested interests. In such cases, especially in sensational cases, the IO should take steps to obtain sworn statements of the key witnesses before the competent court. This may help to secure conviction in the later stage. (*Ratanlal&Dhirajlal, 2004*).

27. Improper test Identification Parade: - Section 9 of the Indian Evidence Act (IEA) speaks about the Test Identification Parade. This is being done to test the veracity of the witness on the question of his capability to identify the accused, an unknown person from among several persons made to stand in a line, which the witness had seen at the time of the occurrence. Test Identification Parade (TIP) conducted after publishing the photograph

of the accused in the media is not at all valid. Its weakness further appeared from the fact that the accused and the witnesses belonged to adjoining villages. (*Harinath V. state of UP (1988) 1 SCn14: AIR 1988SC 345*).

28. Failure to summon Magistrate to depose (TI parade/ 164 Cr.P.C.,) :- It is mandatory to call the Magistrate, who conducted the TI parade and reduced the sworn statement, to depose before the Trial court as important witnesses. This will tell upon the case adversely if not fatally. (*Ratanlal and Dhirajlal, 2004*). (Recent citation talks Summoning Magistrate is not mandatory).

29. VAO preferring FIR complaint – failure to adopt procedure: - In suspicious deaths, or where there is no complainant, or the accused gives an extra-judicial confession to the VAO. Case will be registered. Since the VAO is otherwise known as the Village Police, he is supposed to maintain certain records in the office, corresponding to the police records. But often, the procedure of recording it in the corresponding records available in the VAO office is not strictly followed. The IO should verify the corresponding entry in the VAO's records.

30. Obtaining EJC after commencement of investigation: - The witnesses while deposing during the trial often reveal that they preferred the complaint with the Police and while scanning the judgment copies, in many cases, the EJC given to the VAO has been collected after receiving the compliant from the aggrieved. Thus the EJC becomes post investigative reports.

31. Flaw in filing the finger print examination report: - The SOC Finger prints are being traced, developed and produced before the court to prove the connection between the crime and the criminal. In Indian standard, eight to ten points of similarities must be there to fix the accused, while tallying the SOC finger prints. The original certificate should be produced in the court with the Finger Print experts' opinion as in the case of any other expert opinion.

32. Confession not observing sec.24 IEA guidelines: - Generally, the confession obtained by the police is not given adequate validity, since it is presumed that the confession is not devoid of the avoidable ingredients such as inducement, threat or promise as said in section 24 IEA. Hence, even if the portion of the confession is accepted, (the discovery part), the accused person is given the benefit of the doubt. (*Ratanlal & Dhirajlal, 2004*).

33. Failure to examine scientific Aid Witness – Photographer: - In most of the cases, the scene of crime is photographed by the Forensic science laboratory personal. The photographs taken at the SOC and the expert's opinion in the form of certificate are usually submitted. But at times, the experts are not cited as witnesses in the list of witnesses.

34. Failure to use scientific aid for investigation: - In some cases, the IO may not get strong eye witnesses. In such circumstances, the scientific aid for investigation may be totally relied upon. "Men may lie but not the circumstances", hence scientific officer should be summoned to the scene of crime. As the saying goes, 'a Police man, a jack of all trade but master of none', is prone to miss some of the clues, but the scientific officer, who is an expert in the given profession, with the magnetic eye, may not miss it. For instance, in the infamous murder case in the house of film actor Nagesh, a droplet of blood on the mosaic pillar, which did not catch the eye of the IO, was noticed by the Scientific officer who enabled the officers to fix the SOC.

35. Utilization of the dog squad / failing to submit report: - Now a days, each police district has a dog squad to facilitate investigation, especially in mysterious cases. The utilization of the dog squad is not at optimum level and even if used, the result of this effort must be submitted along with the Final Report, which would help to explain how the accused was fixed in the case.

36. Unrealistic way of investigating cases: - In a group clash, fatalities occur on both sides. For this a 'case in counter' was registered and both the cases ended in acquittal, as the IO has cited the accused in the first case as *Mahazar* witness in the second case. It is highly essential that the *mahazar* witnesses should have credence in the society. Therefore, it is not at all desirable if he is one of the accused in the other case.

37. Improper inquest report: - Inquest is conducted by the IO in the presence of the *panchayathars* to find out the apparent cause of death. Filling up of columns nine and fifteen is to be done meticulously as it explains the apparent cause of death and expresses the joint opinion of the *panchayathars* respectively. The injuries should be noted with great care and caution, or it would weaken the case, when it contradicts with the post-mortem report. Moreover, the doctor who had conducted the postmortem should be examined on the injuries found on the body in detail and statement should be recorded.

38. Apt and prompt perseverance: - Once the case is registered, it is supposed to be charged within 60 days if it is a summary trial case, or in 90 days if it is a session's case. But, unfortunately the FIR lies with the first Case Diary and FIR duplicate with the docket for months together since there is no perseverance. This may occur sometimes due to the transfer of the IO, change of IO, lack of interest due to want of technical knowledge, etc.,. Often the statements of the witnesses are reduced into writing and sent to the court after a lapse of months.

39. Table investigation: - The long delay in investigating the case, especially when the Investigating Officer is transferred, the interest in proving the guilt is diminished and when there comes a compulsion to give a disposal to the case, the investigation is done in a perfunctory manner. The visit to the SOC by the IO is mandatory to enable a perfect investigation. Unfortunately, witnesses near the SOC would not have been examined. So, those convenient witnesses examined may not have the deep knowledge of the real case and they while deposing in the court fumble, especially in the cross examination.

40. Sticking to the traditional methods of Investigation: - : - The IO's at times ignore the latest investigation techniques and they stick to the traditional methods of investigation. For instance, in olden days, in theft cases, the *modus operandi* were studied and detection was solely depended on that. Often, going only after study of MO may become deceptive.

41. Necessity to maintain liaison with the inter-related departments: - It is very important to have a smooth relationship with the inter-related departments to see that justice is rendered to the victim and more convictions secured, especially in sensational cases. Hence, the police officer must have good relations with the Medical officers who can give valid clues during examination, especially in complicated cases, with which the investigation can be put on the right track. If the relationship is maintained, the fact in issue can be clarified and illustrated more precisely. Good rapport with the Judiciary, the trial can be expedited; witnesses can be examined at the earliest, which directly helps the prosecution in speedy disposal of the cases.

42. Failure of the prosecution in explaining the lapses: - This was a main drawback seen in many of the cases scrutinized. Especially, delay in registering the cases is often not explained properly. If plausible explanation is given, there is every chance of the delay being taken care of as in the *Lalai Dindoo Vs. State of U.P. (1975 S.C. Cr.R.30)*. Failure in dispatching the FIR to the Court, failure in visiting the SOC, failure in getting the experts' opinion will affect the case negatively.

The range of influence in the reasons mentioned here in differ greatly in the three districts.

IX. LIMITATION OF STUDY

Some expected limitation of the study are.

- Many of the judgment copies may not have the demographic details of the accused as well as the victim.
- Impact on the victim may not be fully culled out as the researcher will not have direct contact with the victim Post-trial details of the accused could not be collected.

X. SUGGESTIONS & RECOMMENDATIONS

1. The study may be used to create awareness among the IOs on the results of the shabby investigation.
2. The pitfalls if any in the present system can be rectified to the effect that the victims in particular and the society as a whole will be benefited.
3. As in the case of foreign countries, the law makers may also recommend setting up of special teams (Inspector – Homicide) to exclusively investigate into the homicide cases.
4. The Judiciary may also get sensitized on the plight of the victim and think twice while awarding judgments.

XI. CONCLUSION

This study is being taken with the aim and intension to find out the real reason for the increasing percentage of acquittal of murder cases. From the outcome, suggestions can be given to rectify them through the better performance of the prosecution and judiciary. It aims at insisting upon finding out reasons for giving convictions than to find out the loopholes to acquit the cases. It also aims at removing the present alleged snail phased justice system and to install an impeccable one, which would be a dream come true even to the down trodden. It is to be kept in mind that victims are the gatekeepers of the Criminal Justice System. If there is no victim, there is no Criminal Justice System!!!

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