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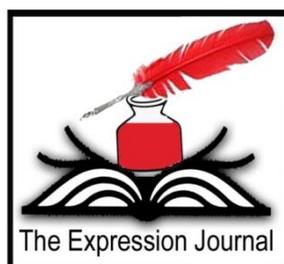
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AN ANALYSIS OF CRIMINAL PROCEDURE (IDENTIFICATION) ACT, 2022 WITH RESPECT TO FUNDAMENTAL RIGHTS UNDER THE CONSTITUTION OF INDIA

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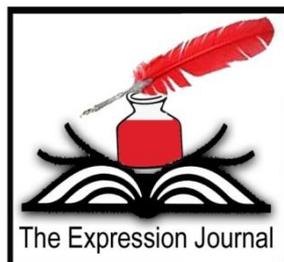
Abstract

The present study aims to evaluate the Criminal Procedure (Identification) Act, 2022 with respect to fundamental rights under constitution of India. So as this Act, 2022 came into force for the purpose to provide legal authority for the taking of measurements, finger impressions, foot-prints and photographs of persons convicted of, or arrested in connection with, certain offences. The value of the scientific use of finger impressions and photographs as agents in the detection of crime and the identification of criminals is well known, and modern developments of technology in investigation is necessary but we have to make a balance between the technological advancement of investigation and rights of accused or convicted person. If there is growth in any things it does not mean that basic principle of law should be avoided. We have to follow the basic Principle of Natural Justice that cannot be ignored at any stage. The Act 2022 is primarily looks violative of Article 14, Article 20(3), and Article 21 of the Constitution of India.

Keywords

Criminal Identification, Fundamental Rights, Violation, Indian Constitution, Criminal Procedure (Identification) Act 2022, etc.

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Introduction

The criminal Justice System in India is a legacy of the British system. It has four subsystems, those being the Legislature (Parliament), Enforcement (police), Adjudication (courts), and Corrections (prisons, community facilities). The aim of the Criminal Justice System is to punish the guilty and protect the innocent and this aim can be achieved through statutes and fair trial i.e., without violating the fundamental rights.

Thus, in this regards the Legislature has enacted a new Act as The Criminal Procedure (Identification) Act, 2022 to achieve the aim of Criminal Justice System by repealing the old Act Identification of Prisoners Act, 1920. This Act allows to take "measurements" includes figure-impressions, palm-print impressions, foot-print impressions, photographs, iris and retina scan, physical, biological samples and their analysis, behavioral attributes including signature, handwriting or any other examination given in the Code of Criminal Procedure Act 1973, of a convicted or arrested person, which was absent in the old Act 1920. This Act 2022 empowers the Law Enforcements Agencies to take, collect and preserve such above measurements to aid the impartial investigation which is the basic requirement for any investigation. A fair investigation is also a part of Constitutional Right guaranteed under Articles 14, 20 & 21 of the Constitution of India. Before enforcement of this Act 2022, the investigating agencies acted in a casual manner, so as to bury the truth and the real accused who committed the crime escaped from the clutches of law.

By enacting this Act 2022, the Legislature shows their own intention to increase conviction rate and fast & fair trial in our Criminal Justice System and empowers the investigating agencies to take the truth of a crime before Court of Law. Because crime is a public wrong, this involves the public rights of the community as a whole and also harmful to

the society at large. But at the same time, we have to ensure that there should not be violation of rights guaranteed under the Constitution of India and other Human Rights.

Voltaire a French philosopher said that “It is better risk to saving a guilty man than to condemn an innocent one” also the Supreme Court of India in the case of Selvi vs. State of Karnataka¹ said that “the use of neuroscientific, investigative techniques constituted testimonial compulsion and violated an accused person's right against self-incrimination under Article 20(3), and their right to life and personal liberty under Article 21 of the Constitution. As we see the provision of this Act 2022, are arbitrary, excessive, unreasonable, devoid of substantive due process and in violation of rights guaranteed under Constitution and if we see the section 3(3) this Act 2022, we find that it also violates right to get equal protection of law under the Constitution. Because this Act 2022 empowers the investigating agencies to forcibly to take measurements of arrested and convicted person but does not deal with the rights of the accused person which is an important aspect of discussion.

In this analysis we will explain why this Act 2022 was passed by repealing the old Act 1920 because there are only some alterations has been made in the new Act in respect of old Act. Also, the provisions of the Act 2022 make it lawful for the police to forcibly take ‘measurements’ of convicts, arrestees, detainees, under trials and any person who may be remotely involved with the connection of an offence without *prima facie* establishing their involvement or the evidentiary value of such ‘measurements’.

Specifically, these terms are open to interpretation to include ‘measurements’ of a testimonial nature taken by way of a compelled psychiatric evaluation. Such evaluation, when it leads to any incriminating admission, would constitute a ‘testimonial compulsion’. This coercive provision therefore violates the right against self-incrimination, a well-established principle of our criminal justice system and mandated under Article 20(3) of the Constitution and right to life and personal liberty under Article 21 provides a shield to protect ‘bodily integrity and dignity’, and such protection extends to prisoners, under trials, arrested persons, detainees in the course of investigation and persons in protection homes. Forcing an individual to part with his ‘measurements’ under the provisions of Act violates the standard of ‘substantive due process.’ In this analysis, we shall be discussing the various perspectives of the constitutional aspect of rights of accused person and delivery of justice.

Research Objectives

The primary objectives of the study are:

1. To study the Criminal Procedure (Identification) Act, 2022.
2. To study the Criminal Procedure (Identification) Act, 2022 with reference to Fundamental Rights guaranteed under Constitution of India.

Research Methodology

This researcher will adopt the doctrinal method. The doctrinal research is based on the library references, that is, the secondary source of data such as Books, Journals, Articles, Newspapers, Case laws, online websites, Statutory provisions and various other reports. The materials so collected will have been presented in a descriptive manner and suitably if required critical inputs will have been made.

Law Relating to Criminal Identification

Section 9 of the Indian Evidence Act, 1872 makes the identification of proper accused and properties admissible and relevant facts in a court of Law, but there was no specific

¹ AIR 2010 SC 1974S

provision to direct the suspected to be present for the identification by the Court and Investigating Officer. To fill this gap The Identification of Prisoners Act was established on 9 September 1920 that defines the legislative points governing the police and prisoners. It was the Act No. 33 of 1920. The act authorized the collection of photographs and measurements of convicts and others. The Identification of Prisoners Act, 1920 allows police officers to collect certain identifiable information (fingerprints and footprints) of persons including convicts and arrested persons. Also, a Magistrate may order measurements or photographs of a person to be taken to aid the investigation of an offence. It states that any person who has been convicted of a crime has to submit their photograph and other physical measurements to the police in-charge. Any refusal to comply will be considered a legal offence under Section 186 of the Indian Penal Code, 1860. The object of the Act was to provide legal authority for the taking of measurements of finger impression, foot-prints and photographs of persons convicted or arrested in connection with offence punishable with rigorous imprisonment for a term of one year or upwards. In addition to those provisions relating to examination and identification of accused or arrested person has been given in The Code of Criminal Procedure, 1973 which also empowers the Court to direct the person so arrested to subject himself to identification.² Before enactment of the present Act, 2022, the above three Act governs the law relating to examination or identification of convicted or arrested person after the permission of the Court. Laws are always changing and reflect the morals and values of the society we live in. These changes depends upon various factors and The Identification of Prisoners Act,1920 was enacted 101 years earlier which was too old and in modern era there was a need of changes or amendments in Act of 1920 and the Law Commission of India had submitted its 87th Report on 29th August 1980 under the Chairmanship of Justice P.V. Dixit for changes or need of identification of accused or convicted person which fulfills the gap between old and new position which needed amendments keeping in mind the modern scenario. Because there has been advancement in technology and technique that's why there should be an appropriate enactment.

Criminal Procedure (Identification) Act, 2022

The Criminal Procedure (Identification) Act, 2022 has been passed by the Indian Parliament on April 18th, 2022 in the Seventy-third Year of the Republic of India. It is the replacement of Colonial Law, i.e., the Identification of Prisoners Act, 1920. The Act came into force on April 18th, 2022. It is an Act to authorize for taking measurements of convicts and other persons for the purpose of identification and investigation in criminal matters and to preserve records and for matters connected therewith and thereto.³

The Criminal Procedure (Identification) Act, 2022 contains Ten Section and here we are discussing it briefly as:

Section 1 of the Act, 2022: speaks about short title and commencement which stated that the Act is known as the Criminal Procedure (Identification) Act, 2022 and came into force on April 18th, 2022, it extends to the whole of India.

Section 2 of the Act, 2022: This Section is of definition clause which includes Magistrate, measurements, police officer, prescribed and prison Officer. This definition clause is much wider than the old Act, 1920. Under Sec. 2 (a) "Magistrate" means:

- (i) in relation to a metropolitan area, the Metropolitan Magistrate;
- (ii) in relation to any other area, the Judicial Magistrate of the first class; or

²R.V. Kelkar, Criminal Procedure (Eastern Book Company, Lucknow, 5th Edn., 2008)

³The Criminal Procedure (Identification) Act, 2022

(iii) in relation to ordering someone to give security for his good behaviour or maintaining peace, the Executive Magistrate;

(b) "measurements" includes finger-impressions, palm-print impressions, foot-print impressions, photographs, iris and retina scan, physical, biological samples and their analysis, behavioural attributes including signatures, handwriting or any other examination referred to in section 53 or section 53A of the Code of Criminal Procedure, 1973;

(c) "police officer" means the officer-in-charge of a police station or an officer not below the rank of Head Constable;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "prison officer" means an officer of prison not below the rank of Head Warder

Section 3 of the Act, 2022 prescribed who may be compelled to provide measurements, and who can compel it?

Section 3 allows a police or prison officer, if required, to compel the following classes of persons to give all their 'measurements':

a. Any person who has been convicted of any offence under a law that is in force;

b. Any person who has been ordered to give security for maintaining peace or good behaviour following the procedure prescribed under Section 117 of the Cr.P.C. Such security may be ordered for reasons covered under Sections 107-110 of Cr .P.C.

c. Any person who has been detained under any preventive detention law;

(Proviso of Sec.3 c) All persons who are arrested for an offence. Such persons can be compelled to provide all measurements except biological samples. However, all persons who have been arrested for an offence against a child or a woman, or for an offence punishable with imprisonment of 7 years or more, can be compelled to provide biological samples as well.

Section 4 of the Act, 2022: What can be done with the collected measurements?

The marginal notes of this Section provide: Collection, storing, preservation of measurements and storing, sharing, dissemination, destruction and disposal of records.

(1) The National Crime Records Bureau shall, in the interest of prevention, detection, investigation and prosecution of any offence under any law for the time being in force,— (a) collect the record of measurements from State Government or Union territory Administration or any other law enforcement agencies; (b) store, preserve and destroy the record of measurements at national level; (c) process such record with relevant crime and criminal records; and (d) share and disseminate such records with any law enforcement agency, in such manner as may be prescribed.

(2) The record of measurements shall be retained in digital or electronic form for a period of seventy-five years from the date of collection of such measurement:

(3) The State Government and Union territory Administration may notify an appropriate agency to collect, preserve and share the measurements in their respective jurisdictions.

The Act, 2022 contemplates two distinct terms. One, 'measurements', as defined under Sec. 2 (b) include the biological samples and other personal information taken under and Sec.3 and 5 of the Act, 2022. Two, 'records of measurements' used in Sec. 4 would indicate the records and documentation of the measurements compiled subsequent to the taking of the measurement itself.

Sec. 4(3) of the Act provides direction for investigating agencies for the collection, preservation and sharing of the measurements themselves at the State level.

Section 5 of the Act, 2022: Section confers a power on Magistrate to direct any person to give measurements, where the magistrate satisfied that it is important for the purpose of investigation or under the proceeding of Cr.P.C. or any other law for the time being in force.

Section 6 of the Act, 2022: In the event of a person who is required to give measurements under the Bill refusing to do so, Cl. 6(1) makes it lawful for a police or prison officer to compel the giving of measurements in a manner that may be prescribed by Rules. Further, Section 6(2) makes such refusal a punishable offence under Section 186 of the Indian Penal Code, 1860.

Section 7 of the Act, 2022: No suit or any other proceeding shall lie against any person for anything done, or intended to be done in good faith under this Act or any rule made there under.

Section 8 of the Act, 2022: The Central Govt. or State Govt. may by notification in the Official Gazette make rules for carrying out the purpose of this Act.

Section 9 of the Act, 2022: This Section prescribed the power of Central Govt. to remove difficulties by order published in the Official Gazette, make such provision not inconsistent with the provision of this Act, 2022. But the proviso of Sec. 9(1) provides that this power can be exercised before the expiry of three years from the commencement of this Act.

Sec. 9(2) provides every order under Sec. 9(1) must be brought before each House of Parliament before published in Official Gazette.

Section 10 of the Act, 2022: Under Sec. 10(1), The Identification of Prisoners Act, 1920 is repealed while Sec. 10(2) provides that the Act, 2022 is not inconsistent where proceeding or direction already has been taken under repealed Act, 1920.

Criminal Procedure (Identification) Act, 2022 and Fundamental Rights

Right to Equality under Article 14 and Criminal Procedure (Identification) Act, 2022

Right to equality is one of the fundamental rights in the Indian constitution. It includes equality of law and equal protection of law, prohibition of discrimination on grounds of race, religion, gender, and caste or birth place. It simply treats all people to be same and nobody can get a special privilege which will dishonour any individual or group. As per Article no 14 of our constitution, it guarantees that all people shall be equally protected by the laws of the country.⁴ If we see the provision of The Criminal Procedure (Identification) Act, 2022 it discriminates on the ground of sex which is against the principle of Article 14 of the Constitution. Sec. 3 of the Act creates a class of persons who may be compelled to give their 'biological samples' to a police or prison officer in a manner prescribed by the Rules. This class of persons includes, inter alia, any person who has, at any point of time, been arrested for an offence against a woman or a child or for any offence the punishment for which is 7 years or more. Other arrested persons - those whose alleged victims were neither women nor children, and those whose alleged offence is punishable by less than 7 years of imprisonment - may only be compelled to provide measurements other than biological samples.

It is a well-established rule that for a legislative classification to pass as the constitutional test of Article 14, such classification must be reasonable. A classification is reasonable if it meets two requirements. First, the classification must be founded on intelligible differentia distinguishing one class from another; and second, the differentia must have a rational nexus to the object sought to be achieved by the Act. It is our case that the proviso to Sec.3 of the Act makes a classification with no rational nexus to the aim of the Act, and is therefore in violation of Article 14.

The proviso classifies arrested persons on the basis of the gender/age of the victims of their suspected offence, and on the basis of the severity of punishment provided for the suspected offence. Having made such a classification, the proviso allows those arrested for offences punishable by 7 years or more, or those arrested for offences against a woman or a

⁴<http://www.legalservicesindia.com/article/1688/Right-To-Equality--A-Fundamental-Right.html>

child to be compelled to give their biological samples; whereas, all other arrested persons may only be compelled to give measurements other than biological samples.

Administrative actions demand that nothing can be done on the part of the authorities without giving adequate reasons for the same. It is one of the essential rules of natural justice. However, under Sec. 5 of this Act, a Magistrate has the power to order for the collection of personal data from any person not arrested, to aid in a prevailing investigation, making it discretionary on the part of the Magistrate to not provide any reason for the same. *This* is a contravention of Article 14 of the Constitution, which gives a person right against arbitrary and unreasonable State action. This provision is a direct contravention of Article 14 of the Constitution, which gives a person right against arbitrary and unreasonable State action. This unreasonable action further violates an individual's right to fair trial, whether they are the main accused or not.⁵

Right against Self-incrimination under Article 20(3) and Criminal Procedure (Identification) Act, 2022

"No person accused of any offence shall be compelled to be a witness against himself."⁶ So, in simple words, clause 3 of Article 20 talks about the right against self-incrimination that any person accused of an offence in the Union of India enjoys. This particular right against self-incrimination is not unique to the Constitution of India. It was in fact, a part and parcel of the common law system which later came to be adopted by the American Criminal System, from where it made its way to the American Constitution.

Further if we read Sec. 3(C) that speaks about detained under any preventive detention laws. Preventive detention laws work at the whims and fancies of the executive in India. Without going into the rigors of the criminal law process, it entitles the police to detain anyone on a simple suspicion of them committing any act prejudicial to the State. The arrestees don't enjoy the fundamental rights guaranteed under Article 22(1) and (2) of the Constitution. These Articles protect a person against arrest and detention in general.

Sec. 2 of the Act defines 'measurements' to include "finger-impressions, palm-print impressions, foot-print impressions, photographs, iris and retina scan, physical, biological samples and their analysis, behavioral attributes including signatures, handwriting or any other examination referred to in section 53 or section 53A of the Code of Criminal Procedure, 1973."

Specifically, it is open to interpretation to include measurements of a testimonial nature. For example, 'behavioral attributes' as measurements may be coercively taken from a person by making use of a compelled psychiatric evaluation. Such evaluation, when it leads to any incriminating admission, would constitute a 'testimonial compulsion'. An expansive interpretation of 'behavioral attributes' could even potentially be understood to include narco-analysis, polygraph tests, or brain mapping, which were prohibited expressly by the Supreme Court's ruling in *Selvi vs. State of Karnataka*.⁷

The logic behind this right against self-incrimination arises from the fact that if compulsory examination were to be permitted then the use of force by the authority to make an accused confess something, would be rampant. This right thus maintains human privacy and the civilized standards of criminal law. If we were to look at the components which make up clause 3 of Article 20, we would find 3 such components. Firstly, it refers to the right pertaining

⁵<https://theleaflet.in/the-criminal-procedure-identification-act-2022-violates-various-constitutional-mandates/>

⁶ M.P. Jain, *The Constitution of India*, LexisNexis, Volume 1 (Six Ed.2010)

⁷ *ibid*

to a person accused of an offence. Secondly, it talks about the protection against the compulsion to be a witness and lastly it talks about the protection against compulsion to give evidence against himself. All these 3 components should co-exist for the privilege of right against self-incrimination.

1. That a person accused of any offence would be presumed to be innocent unless proven guilty
2. The burden of proving the accused guilty, lies on the prosecution.

The accused is not needed to make any statement against his own will.

State of Bombay vs Kathi Kalu Oghad⁸. The Question before the 11-judge bench was whether Art 20(3) is violated when the accused is asked to give his handwriting, thumb impression, fingerprint, palm print etc. The Court says that the interpretation of this question would depend upon the interpretation of the phrase; "to be a witness". The court also says that Article 20(3) is not violated by asking to give fingerprints, handwriting etc. The court says that protection under Article 20(3) arises only when information given by the accused is from his personal knowledge. *Selvi vs State of Karnataka*⁹ held that compulsory neuroscientific tests amount to testimonial compulsion and violates the rule of self- incrimination as a result, and that such tests would have to meet the standard of 'substantive due process' for placing restraints on personal liberty. The Supreme Court, in *Common Cause vs Union of India*¹⁰, ultimately upheld the right of an individual against forceful intrusion into one's body, keeping intact bodily integrity and autonomy of the individual.

Right to Privacy under Article 21 and Criminal Procedure (Identification) Act, 2022

Article 21 of the Constitution of India provides "Protection of Life and personal liberty"¹¹The Supreme Court, in *Justice K.S. Puttaswamy (Retd.) vs Union of India*,¹² declared the right to privacy as a fundamental right under Article 21, stating that measures which are against the privacy right of an individual have to be reasonable and proportionate to be legal. It expressly stated that autonomy over personal decisions, bodily integrity as well as personal information forms a part of this. In fact, then Justice S.A. Bobde observed that consent is essential for distribution of inherently personal data such as health records. The Apex Court in above privacy case warned that:

The 5-judge bench in *Puttaswamy-II*, while ruling on the constitutionality of the Aadhar framework, further reiterated the inclusion of informational privacy (including biometric and other personal data) within the right to privacy under Article 21. Retention of data which constitutes private information amounts to an interference with the right to privacy. *Maneka Gandhi vs. Union of India*¹³, are deliberately widened by the Court. The opinion was to expand the reach and ambit of the fundamental rights rather than to attenuate their meaning and content by a process of judicial construction.

In the case of *Unique Identification Authority of India vs. Central Bureau of Investigation*, The Central Bureau of Investigation sought access to the huge database compiled by the Unique Identity Authority of India for the purposes of investigating a criminal offence. The SC, however, said that the UIDAI was not to transfer any biometrics without the consent of

⁸1961 AIR 1808.

⁹AIR 2010 SC 1974

¹⁰(1996) 1 SCC753

¹¹Art.21. No person shall be deprived of his life or personal liberty except according to procedure established by law, (The Constitution of India, 1949)

¹²(2019)1 SCC 1

¹³AIR 1978 SC 597

the person. The measurements, as defined under Sec. 2(1) (b), constitute private or personal information. Justice Chandrachud's plurality opinion in *Puttaswamy-I* affirmatively cited, where it was held that "fingerprints, DNA profiles and cellular samples, constitute personal data...as they relate to identified or identifiable individuals."¹⁴

So, when the 2022 Act explicitly talks of collecting biological samples as well as analysing them, it violates this mandate, while a Magistrate's power to call for investigating anyone for a case on their own whims and fancies certainly takes away from them the right of a fair trial.

The Criminal Procedure (Identification) Act, 2022 was enacted to replace the Identification of Prisoners Act, 1920. Effectually, the new enactment has widened, both, the scope and ambit of colonial era legislation. While the stated purpose is introduction of new technologies, the legislation potentially encroaches upon the right to privacy forming an intrinsic part of Article 21 of the Constitution. The replacement of the Identification of Prisoners Act, 1920, and purposed for the introduction of new 'measurement' techniques, the Act, arguably, borders on being arbitrary and violative of fundamental right to privacy.

The Act is enacted to provide legal authority for the taking of measurements, finger impressions, foot-prints and photographs of persons convicted of, or arrested in connection with, certain offences. The value of the scientific use of finger impressions and photographs as agents in the detection of crime and the identification of criminals is very high in modern time but we have to make a balance between the technological advancement of investigation and rights of accused or convicted person. If there is growth in any things it does not mean that basic principle of law should be avoided. We have to follow the basic Principle of Natural Justice that cannot be ignored at any stage. The Act 2022 is primarily looks violative of Article 14, Article 20(3), and Article 21 of the Constitution of India.

Conclusion

The Criminal Procedure Identification Act, 2022 enacted in the view of modern prisoner identification techniques. The Act came in to force for the purpose of improvement in investigation done by law enforcement agencies. The Act, 2022 continues to interact with provisions of the Code of Criminal Procedure, 1973 which still occupy the field. The legislature also shows their intention of increasing conviction rate in modern criminal justice system. This Act is enacted to fill the gap because the Identification of Prisoners Act, 1920, which allows for taking of measurements like footprints, fingerprints and photograph. Thus, after analyzing the entire Criminal Procedure (Identification) Act, 2022 in this study we find that the Criminal Procedure (Identification) Act, 2022, some provision of the Act, 2022 are arbitrary, excessive, unreasonable, disproportionate, devoid of substantive due process and in violation of fundamental rights of the citizens of India as well as of the basic structure of the Constitution. The Act, 2022 affects the fundamental rights of each and every citizen of India, more specifically any person who is an under trial, arrestee, convict or a detainee under any preventive detention law. The Act, 2022 permits the collection of certain identifiable information about individuals for the investigation of crime. The information specified under the Act, 2022 forms part of the personal data of individuals and is thus protected under the right to privacy of individuals. There are a few disadvantages, namely, possibility of abuse of power by the authorities, chances of self-incrimination by the accused, data privacy, overlapping or conflicting legislation between states and the central government, etc.

¹⁴K S Puttaswamy v. Union of India(2017)10SCC1

References

Books:

M.P. Jain, *Indian Constitutional Law*, (LexisNexis, 18th Edition 2018)

J.N. Pandey, *Constitutional Law of India*, (Central Law Agency, 59th Edition, 2022)

P.N. Bakshi, *The Constitution of India*, (LexisNexis, 16th Edition, 2019)

R.V. Kelkar, *Criminal Procedure*, (Eastern Book Company, Lucknow, 5th Edn., 2008)

Websites:

<https://thewire.in/law/explainer-why-the-criminal-procedure-identification-act-is-being-challenged-in-court>

<https://thewire.in/law/explainer-why-the-criminal-procedure-identification-act-is-being-challenged-in-court>

<https://www.barandbench.com/view-point/the-viewpoint-does-the-criminal-procedure-identification-act-2022-impinge-on-the-privacy-of-accused>

<https://www.bartleby.com/73/953.html>

https://www.khuranaandkhurana.com/2022/04/18/the-criminal-procedure-identification-bill-2022-caging-freedom-in-henhouse/?utm_source=Mondaq&utm_medium=syndication&utm_campaign=LinkedIn-integration

Statutes:

The Constitution of India, 1949

The Indian Penal Code, 1860

The Code of Criminal Procedure, 1973

The Criminal Procedure (Identification) Act, 2022

The Identification of Prisoners Act, 1920