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**Student's Name-** Aquib Husain

**Supervisor's Name-** Dr. Eakramuddin

**Name of Faculty-** Faculty of Law

**Name of Topic-** Digital Evidence in Police Investigation and It's Challenges: A Case Study With Special Reference To NCT of Delhi

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### **Findings**

The process and procedure dealing with electronic evidences are fundamentally different as compared to the conventional forms of evidences that can be found in a crime scene. It is not only volatile in nature but also susceptible to various forms of corruption. It can be easily altered, duplicated, destroyed by someone or just get damaged due to negligence in storing it properly. When it comes to evidences the integrity and reliability of which can be easily compromised due to the negligence or laxity in any one stage of the investigative process, it is of utmost importance that special safeguards are taken by those responsible for carrying out the investigative procedures.

At the stage of collecting and preserving electronic evidence, law enforcement authorities are not well-equipped to cope with the complexities involving such crimes. They lack the necessary training that would prepare them in taking in such situations and handling them with speed and efficiency. Not only this but proper collection and documentation also plays an important role in ensuring that the admissibility of the electronic evidence remains intact from the first stage of investigation to the stage of trial and judicial decision. Any dereliction of duty at this stage can lead to the balance of justice tilting towards injustice rather than justice to the victim.

Vast improvements made to the management system. Even though the Indian police still has a long way to go when it comes to keeping pace with the rapidly changing technology, it has

still managed to fulfill its duties when it comes to following protocols. It can be inferred from the answers given in the empirical study that the investigative authorities are making efforts to keep up with the ever evolving and developing technology. The difficulties encountered by law enforcement agencies can be mostly seen in the collection, preservation, and transportation of electronic evidences.

The researcher has come to the conclusion that despite the theory that the investigating organisations suffer from a lack of proper training infrastructure and schedule, the sample responses conclude otherwise. A majority of the sample participants have answered in the affirmative when it comes to receiving any form of training regarding the handling of electronic evidences. Even though a quarter of the sample participants have informed that only 2 to 6 courses have been attended by them over the 5 years, the majority have claimed to have attended more than 6 courses and handled digital evidence for more than 20 hours over the past two years. The study has shown very rare occasions where the response has been 100% negative – including when asked about training being given in collection, preservation, handling and securing electronic evidences.

It is to be noted that even though a majority of the sample population has claimed to not be aware of any lack of sufficient provisions when dealing with challenges encountered by investigators during collection of electronic evidence, there is however, 10% of the population that clearly states that there is a lack of sufficient provisions.

It is also important to note that despite most the answers tilting towards positive reaction, the entire sample population is of the opinion that there is a lack of uniform procedures in Police Stations when it comes to collection and preservation of electronic evidences.

There is no dearth of electronic gadgets in the market, and every day something or other has been added to the world of gadgets. Such devices are regularly being used by the victims as well as the perpetrators of crime on a regular basis. Due to their complicated and sophisticated nature, forensic experts are left to struggle with such gadgets. This becomes a challenge as forensic laboratories just like the investigative authorities, have to keep pace with such changes by constantly upgrading their own infrastructure and technology. The experts need to update themselves on a regular basis for ensuring better investigation. Maintaining such protocols in analysing and reporting on electronic evidences is crucial to the investigation and must be done on a regular basis.