HOSTILE WITNESS - A CRITICAL ANALYSIS

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ABSTRACT
This paper specifically deals with the controversial concept of hostile witness. The criminal justice depends upon the existence and examination of the witnesses. But with the increase of corruption and malpractices in our criminal justice system it happens a lot that the accused uses their influences to prevent the witnesses from bringing the truth out. This paper chokes out in detail the laws which were governing such witnesses and above all the cases which were delayed due to these nuances in the law. The researcher has also tried to give a brief overview of the various rulings of the honble courts in India which were given prior to the amendments which were made in the law itself. Through this paper an attempt has been made to give various suggestions which would enable the courts to reach justice.

INTRODUCTION
A witness is a very part of the case. If a witness is favorable to the case and he is able to stand the entire process of examination then it could make or break the case. An equal opportunity is given to the opposite party to discredit the statement of the witness by bringing its own evidence which could be in the form of another witness. But a very difficult situation arises when the witness who is brought by a party to support his case turns hostile. If the witness who has turned hostile is an eye-witness then the court will look into other evidences relating to the case which a lot of time includes circumstantial evidence. The case which was earlier in favor of one party may change drastically if the prime witness has turned hostile. If the case relates to some very powerful citizens then it will have chain reaction which might affect many spheres of public life.

Hostile witness is that witness which backstabs the party in whose favor he is supposed to give evidence. Many times it has happened in the court that party in a judicial proceeding calls a witness to testify in their favor but the witness gives a statement which in turn goes against the party calling him. Such a witness is declared by the court to be hostile.

Adverse witness is a witness who has appeared for a party to the proceeding but from the demeanor of the witness the court is able to deduce that the witness is not willing to give evidence. Such a witness is 36averse to giving evidence in the court.

The Scope of the power of Statutory Authority
In a criminal proceeding a witness has to be declared to be hostile by the high court. This process was turning to be very time consuming so by virtue of many amendments made in the criminal law it is not mandatory for the party whose witness has turned hostile to get him declared so. In such a case the presiding officer would use his discretion and give permission to invoke section 154. Sometimes a witness supports his previous statement and his cross-examination becomes favorable.

So just because a very important witness has turned hostile it does not mean that the court cannot give justice. The court has full power to do whatever it takes to reach justice and power has been codified in the evidence act itself. The party to whom the witness belongs can very well cross-examine its own witness and such an examination would be very much taken into consideration for the purpose of deciding the case. It is for the court of the facts consider in each case whether as a result of such cross examination and contradiction the witness stands discredited or can still be believed in regard to any testimony of such witnesses if that part is found to be credit worthy.

Section 154 of The Indian Evidence Act 1872
This section states that if a witness has turned hostile then the party bringing the witness can cross-examine its own witness but prior permission of the court will be required in such a case. The court will see that whether the witness has turned hostile and if he has then such questions could be asked by the party calling the witness which is allowed to be asked in the cross-examination.

HISTORICAL BACKGROUND
No one knows the origin of the concept of the hostile witness or when was the first time in the recorded history of the world that a hostile witness was examined. In middle ages in England a witness who turned hostile was tried in which was called trial by wager of law. During that time-period a co-witness could take an oath on the behalf of the witness who is being tried and it could be used as defense. They were usually chosen among the close relatives or confidants of the witness. The question of credibility of such witness would be decided by the court itself. In the ancient Hindu period the then courts had very outdated views about the trial and truthfulness of the witness. The dharamshastras had mandated that nay person who is witness and is coming to get justice should speak the truth. The Hindu legal system during that time has given various instances when the judge has admonished the witnesses for not telling the truth. The judges used to give prior warning to the witnesses that speaking the truth is dharma and is against the divine power. Since the society during that time was driven by religion and superstition it used to fear in them by a propagating the moral consequences of perjury. The axiomatic principle is that giving true evidence is rewarded with heaven, so the corollary is that perjury leads to hell.

EXAMINATION OF THE TESTIMONY OF THE WITNESSES
“Consideration of evidence by way of deposition of witnesses calls for attainment and availability of proof followed by affirmation or denial of the parties. The accuracy of proof is considered in the light of demonstrative availability eliminating errors. Proof of facts is applied to the effect of evidence and is not undertaken in terms of mathematical applicability.” For an evidence to be expected it should have a certain degree of probative force. This probative force would enable the courts to judge the falsity of the evidence. Mathematical precision could not be applied in the matters of fact. Many types of evidences are brought forward by the parties but it is not necessary that all those evidences could be used to prove or disprove the facts in issue. But they help the courts in further clarification of the matters before it. The main aim of the court is to reach justice and find out which of the facts are true. Chapter X of the Indian Evidence Act, 1872 gives a detailed description of the process of examination of the witnesses which are not coming within the ambit of privileged communication. The general law which is usually applied before the courts is that the witnesses who are unable to give evidence or able to give evidence but the evidence given by them is not relevant are not accepted by the court and those witnesses who have given evidence which is relevant is to be accepted by the court. The general law laid down by the law has to be followed by the court without any changes.

“Justice delayed is justice denied”, nevertheless, “justice hasted is justice wasted” if the process of justice delivery is hasted then there are chances that justice could not be done properly. The examination of witnesses is a very technical process and requires time. The rules relating to trial requires a speed and agility. It is the responsibility of the courts to create a balance between both the things. The decisions of the court are should be reasoned and based on the evidence which is produced in the court. The statements of the witnesses which is considered by the courts for decision making should be clear and without any ambiguity. A systematic trial ensures fair decisions and fruitful study of the facts where as a trial without order leads to an unjust decision which might put a big question mark on the integrity of the judicial system itself. A witness should give a testimony which is supporting the criminal justice system and upholds the dignity of the court even if it is not in the favor of the party presenting the witness. The trial and especially the statement of the witnesses should be clear and should not be muddled with ambiguity. Some may scurry and others may make silly marks, which could lead to adverse situations be created.

STATUTORY MEANING OF "HOSTILE WITNESSES"
A hostile witness is that witness who is not willing to give evidence in the favor of the party in whose favor he or
she is appearing or has given the evidence which supports the case of the opposition party. In England a bifurcation has been made between adverse and a hostile witness but not such difference is prevalent in the Indian law. Any witness who is appearing on the behalf of a party and gives evidence or refuses to give evidence which is not in favor of the part calling him is a hostile witness in the eyes of law. But any statement given by an honest witness is relevant even if it is against the party who is calling him and such witness cannot be treated as hostile witness. If a witness wants to tell the truth he should be allowed to do so regardless of the fact that he is in favor of the opposite party. If a party calling the witness feels that the witness has some antagonistic tendencies then he may request the presiding officer of the court to declare the witness to be hostile. The presiding officer will not automatically pass the order that the witness has turned hostile. He would look into the matter and use his discretion in such a case very reasonably and cautiously. If the judge is able to find ample reasons for the declaring the witness to be hostile then he would do so and the party calling such witness would be allowed to cross-examine his own witnesses and put all the questions which could be put during the cross-examination of the witness.

The Supreme court has explained the term hostile witness as follows:

**Gura Singh Vs. state of Rajasthan.** vi - The honorable supreme court has explained the term hostile witness in connection with section 154 of the evidence act. The court states that the first condition for the implementation of this section is to get the witness declared to be hostile and secondly only those questions could be asked which are allowed under the law. It means that indecent or scandalous questions cannot be asked.

**In Sat Paul Vs. Delhi Administration** vii in this case the court has tried to differentiate between hostile witness and unfavorable witness. This case relates to a corruption case which was initiated against an officer who was arrested for taking bribes by a sting operation. But the evidence of the witnesses was rejected on the ground that the witnesses were interested in the outcome of the case. The court has held that hostile witness is the one who is not willing to give evidence and state the truth whereas an unfavorable witness is one who fails to prove certain fact which is to be proved by the party calling him.

**In Panchanan Gogoi V. Emperor** viii a hostile witness is the one from his demeanor shows that he is unwilling to give evidence and he is very much willing to retract from his statement that he has given.

**In R.K Dey V. State of Orissa** ix a witness is supposed to speak the truth. His loyalties are supposed to be with the right side. He cannot be declared to be hostile on the ground that his statement is harming the case of the party calling him. Hostility means when the witness is holding some grudge or is showing some animosity towards any party and has deliberately retracted from the statement.

**In G.S.Bakshi V. State** x The inference of a witness could be drawn from the demeanor of the witness. So that means if a witness has deliberately made any statement which in turn harms the case of the prosecution or the defense that witness is declared to be hostile.

**REASONS FOR THE WITNESS HOSTILE**

1. Not interested towards court proceedings.
2. Blackmailing the witnesses by criminal gangsters and threatening their near and dear ones. A witness may also turn hostile due to greed and monetary things given to him.
3. Corruption is also one of the causes of witnesses turning hostile. The judges take bribes from the parties and continuously adjourn the proceeding so that the opposite parties influence the witnesses and coerce them into turning hostile.
4. Division and classification of a witness to ensure their protection:
   1. To recognize those witnesses who has the tendencies to turn hostile:
      (a) Nature of crime-if the crime relates to some high profile cases or dangerous offences then there is a fair chance that the witness might turn hostile.
      (b) Sometimes the witnesses turn hostile to weaken the case of the opposite parties.
   2. Certain types of witnesses have a tendency to turn hostile like if the witness is a woman or child or a
person who is poor. Such witnesses show greater proclivity to turn hostile.
5. Non-implementation of penal Laws.\textsuperscript{xii}
6. The hon'ble high court of Delhi has many times stated that many witnesses turn hostile due to threat given by many affluent parties. This in turn creates fear in the minds of the witnesses and they refrain from having evidence.
7. Some of the witnesses are the victims of caste violence and they are scared of by the people of higher caste to not to give evidence. This is also the main reason that they cannot give real statement and become hostile witnesses.\textsuperscript{xii}

**SECTIONS UNDER VARIOUS ACTS**

Indian Evidence Act, 1872 provides the following provisions to deal with this issue:

1. **Section 154** – This section provides a wide power to the court. It states that if the court is able to conclude that the witness has turned hostile then he could allow the party calling him to cross examines his own witness. The only things that the court has to keep in mind is that the permission given under section 154 should not be arbitrarily given. Such an order must be a reasoned order rather than vague or ambiguous.

2. **Section 141** : This section gives the meaning of the term leading questions. Leading questions are the questions which are allowed to be asked by a party during the cross examination of a witness. It is very important to include this section as it tells us the questions which are to be asked to a hostile witness. Leading questions are asked in such a manner that the question includes the answer itself.

Whenever the courts are given any type of discretion in any of the sections in any of the law the court has to use this discretion very wisely and not arbitrarily. Just because the party is asking cross-examination under section 154 it does not mean that the court has to give the permission. The presiding officer would look into the facts and circumstances of the case and then pass the order accordingly.

Section 145 gives one of the most powerful weapons that could be used for bringing the truth out. If the previous statement has been given by a witness then that statement could be used to cross-examine the witness on those parts of the statement. The only condition is that the attention of the witness should be drawn towards that part of the statement which is to be used for this purpose. This section gives some sort probative force to the previous statement of the witness which is otherwise believed to be a non-substantive and a weak piece of evidence. Similarly section 157 also gives the power to the parties to use the statement of the witnesses which was recorded by an authority who has been given the power to legally record the statement. But such a statement could be used for only corroboration of oral testimony.

**Section 132**- this section states that a person will not be excused from answering a question which has the tendency to criminate him for a civil or a criminal case. But such a statement will not be used in any criminal proceeding. The witness under this section could be prosecuted for giving false evidence if he had tried to mislead the court.

**Section 161**- this section gives wide powers to the officer investigating the crime. Section 161(1) states that if a person has any information relating to the case which is being investigated then that witness could be orally examined by the officer investigating the case or any officer which is prescribed by the state government to record such statement.

According to Section 161 (2) this sub-section clearly states that the witness who is giving any statement under this section has to speak the truth. If he has given any false account of the incident then he could be tried and convicted for perjury.

According to Section 161 (3)- this sub-section gives desertion to the officer in charge of the investigation. If the police wants they can record the statement into writing and that written statement could be used for examination of the witnesses under section 162.

In *Zaheera Habibullah Sheikh Vs. State of Gujarat*\textsuperscript{xiii} the court has held that it is not mandatory for the public servant to record the statement and reduce it in writing. It is the discretion of the officer that whether he wants to
record the statement in writing. It was also stated that the witness is not required to sign such a statement.

There are many provisions in the Indian Penal Code itself which can be indirectly used to punish the witness turned hostile.

**Section 172.**- if the court has issued summons or passed some orders and they have sent some public servant like a process server for the execution of such orders, if some person has tried to abscond from receiving any valid serving of such document then such a person should be punished for such a conduct. He would be punished for imprisonment of six months.

**Section 202- Intentional omission to give information hence by person bound to inform**xiv - If an offence has been committed and a person is been bound to inform and he does not inform about such offence then he would be punished with imprisonment of six months.

**Section 203 - Giving false information respecting an offence committed**xv: If a person has given any false information relating to any offence without any good faith or bona-fide intention he would be convicted under this section for two years and fine.

**Section 4 Oaths or affirmations to be made by witness interpreters and juror’s oaths**xvi this section clearly states that oath would be administered to any person who has appeared as a witness in the court or has appeared as an interpreter in the court or to a juror but no oath would be given to child who is below the age of 12 years

**178. Refusing oath or affirmation when duly required by public servant to make it**xvii— if person does not take any oath which is to be administered to him by a public servant then that person could be punished for six months

**181. False statement on oath or affirmation to public servant or person authorized to administer an oath or affirmation**xviii— if witness has taken oath and he or she has given a false statement while being bound by such oath or affirmation that witness would be punished in accordance with the provisions of law.

The criminal procedure code also has many sections which indirectly gives the authority to the court to try a person who has tried to give false evidence in the court or has refused to give evidence to the court

**CHAPTER XXVI Provisions as to Offence Affecting the Administration of Justice:** this chapter specifies the procedure for the punishment of giving any type of false evidence in the court. The Public servants and Courts can therein take cognizance as mentioned in chapter XXVI, section 340 to 352, provisions as to offences affecting the administration of justice.xix This chapter states that if a party in a criminal case has tried to give any false evidence then the presiding officer will not try the case. He would write an application to his higher court which is given in the chapter itself and the procedure would take place accordingly

**Section 349. Imprisonment or committal of person refusing to answer or produce document**1: this section gives a wide power to the judge trying the case. this section states that if a witness has been asked to produce certain piece of evidence or has been called in the court to give evidence but he refuses to do so then in such a case the court has the power to send that person to the jail for a period of seven days. It is a very useful section as it provides a lot of power to the judge to pressurize the witness to bring out the truth.

**Section 348. Discharge of offender on submission of apology**xx. If the witness has tendered an apology to the judge then he by using his discretion could discharge him of the offence.

**Section-311 - Power to summon material witness or examine person present**xxi the court can summon and ask any person for the ends of justice to the court to come and give evidence if it is necessary for. But the power under this section is completely discretionary but such a power should not be used to harass the witnesses

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1 Criminal Procedure Code, 1973
PROCEDURE OF EXAMINATION OF WITNESS

The law of our country clearly explains the procedure for examining the witness. The first and the foremost thing in a trial is that the judge should accept only that evidence which is made relevant under the evidence act. The evidence act states that the witness should be examined and then cross-examined by the adverse party. The parties should be asked questions which are coming within the scope of the evidence act only. It means that if the act states that certain questions are prohibited then such questions shall not be asked even to hostile witnesses. The statement will be scrutinized by the judge who will decide that which part of the statement is relevant and admissible under the law. The final decision lies with the judge to decide what testimonial statement as evidence is admissible and what need be considered to help find the truth in the matter submitted.

RIGHTS GRANTED TO THE ACCUSED DURING TRIAL

Our criminal justice system favors the accused. It strictly follows the principle of assuming the accused to be innocent until proven guilty. All an accused has to do is to create a doubt in the minds of the court and he would be given the benefit. It is sufficient to get acquitted in the case. A glorious example of such a case is the rape and murder of Priyadarshani Mattoo. She was raped and murdered by the accused of an affluent family. The evidence was against the accused but the CBI gave false evidences in favor of the accused. The judge of the trial court stated that he has to let go of the criminal in this case because the case was not properly presented by the CBI. Later on the high court reversed the decision of the court after a hue and cry was raised against the judgment. The accused was convicted to life imprisonment.

In Gujrat also during the trial of 2002 Godhara riots many witnesses turned hostile and they were threatened by the high level politicians. It was alleged that many high level politicians were involved in these riots which led to killing of approximately one thousand people. All the witnesses turned hostile in this case as the then DGP of Gujrat was also named in the case. His name was alleged in the extra judicial killings of many muslims.

HOW TO OVERRIDE A FALSE WITNESS:

It is very much important to enlist the section which penalizes giving of false evidence.

SEC. 193. Which Penalizes False Evidence in Indian Penal Code

This section penalizes the offence of perjury. Any type of evidence which is false and is given in the court with a malafide intention is punished in the court for seven years of imprisonment. An investigation directed by law preliminary to a proceeding before a Court of Justice, is a stage of a judicial proceeding, though that investigation may not take place before a Court of Justice.

In criminal cases it is very important that a witness is able to stand the test of examination under the evidence act. Even before the godhara riots there were many glorious examples of accused being released because of insufficient evidence.

Best Bakery and Bilquis Bano cases.

There must be some solutions should be given wherever there are loopholes available in the law. It is the paramount responsibility of the government and the elected representatives of the people to pass laws which would leave no stone unturned to make the guilty reach the gallows.

Fundamentalists, militants: the militants who are accused of serious offences they are able to escape from the clutches of law by intimidating the witnesses or by giving them monetary things. These types of cases are very much prevalent in the Jammu and Kashmir or prior to 1990’s in Punjab also. Punitive and deterrent actions are called for to root out the menace of hostility of witnesses that has come in common course these days. Criminal Consequences of witnesses turning hostile.

JUDICIAL REMEDY ON HOSTILE WITNESS
In order to fulfill the demand of the people to have a comprehensive system of conviction of the accused the government has only made some cosmetic changes in the system. The justice maliamath committee has made some recommendations to the government to overcome this problem of hostile witness. Following suggestions and recommendations were given by

- In-camera proceedings
- Identity of the witness to be secret
- Ensuring anonymity to the witnesses and
- Making arrangements to ensure that the witnesses are protected
- Witnesses should be treated with respect and given comfort while recording their testimony
- The witnesses should be provided compensation and proper accommodations should be given to the witnesses who have been living far off; and
- A commission should be appointed for the welfare of the witnesses.

SWARAN SINGH vs. STATE OF PUNJAB

A witness should be treated with respect and dignity. He should not be treated in such a manner so that he abhors from becoming a witness in future.

BEST BAKERY CASE

Best bakery is glorious example of how witnesses turn hostile due to political pressure. This case relates to the 2002 riots which rocked the state of Gujarat. A bakery was set on fire which led to the killing of 17 deaths out of which 14 belonged to the same family who were targeted in the killing. Zahira sheikh was the witness to this case and she was brought on record. She continuously changed from her statement throughout the hearing. This is an example of what political influence did to the witnesses who happened to be at the wrong place in the wrong time. This was the first case in which the court ordered the reinvestigation of the case. The witness also stated in the court that the reason why she was retracting from her statement was due to the continuous threats she was receiving.

THE BMW HIT AND RUN CASE

On 10 January, 1999, a BMW was being driven by a man named Sanjeev Nanda. This car ran over three people sleeping on the pavement. The accused was the grand-son of former chief of naval staff S.L Nanda. During the hearing of the case many witnesses turned hostile and some eye witnesses refused to identify the BMW which caused the accident.

PROF SABHARWAL’S CASE

The late professor was working in the Government college of Ujjain. He was against the college union elections and took a stand against it. He was brutally beaten by some student union leaders in the presence of many police officers and media persons. When the case went on trial many witnesses who were police officers turned hostile. The Supreme Court took notice of the act and reprimanded the government. The apex court said that the government should take strict actions against all the police officers who have turned hostile.
JESSICA LAL MURDER CASE

On April 29, 1999 a model was shot dead in the bar by Manu Sharma who belonged to an affluent political family. The case went to the court and some glaring discrepancies were committed during the hearing. The main eyewitness of the case Shayan Munshi turned hostile and the ballistic reports were also forged by the expert. Above all the judge was also found to be indulged in the corrupt activities. the trial court acquitted the accused and a nationwide protest was started by the wone rights activists alongwith the family members of the victim. The high court reversed the decision of the trial court. The entire process of the trial took seven long years. This case is an example of how sometimes even the judiciary is not immune to corruption. Jessica lal was murdered in club full of people and there were many eyewitnesses to the case. But due to political influence and greed many of them refused to even recognize the accused and his friends

SUGGESTIONS

In order to protect a witness the following suggestions should be considered by the legislature:

Changes in the construction of Section 161 and Section 162 Cr.P.C.

Section 161 and section 162 of the CRPC gives the power to the police officers to record the statement of the witness’s during investigation. The biggest loophole in these provisions is that the statements are not supposed to be signed. This provision of not signing the statement tends to weaken the probative force of the statement. There must be some sort of moral pressure on the witness to not to retract from the statement. The 178th law commission gave the procedure for the recording of the statement under this section. The report stated that the statement should be recorde in the language of the witness. It should be signed by the witness and if the witness is illiterate then his thumb impression should be taken.

Actual and strict execution of Section 311 of the CR.P.C.

This section has been divided into two parts. The first part gives a discretionary power to the re-summon any witness or other person who has some connection to the case. The court has to use this discretion very wisely. The second part of the section states that if the statement of a person is mandatorily required to reach a just and fair decision of the case then the statement of that witness has to be taken compulsorily. The court has no discretion in such a case. The main objective of the section is to provide enough power to the court to reach justice. The witness who has been called in this section can be cross-examined by both the parties. But the court rarely uses this section which tends to ensure a fair decision

Usage of section 145 of Evidence Act

Section 161 states that the witness could be corroborate on any of the statements which is given under the same section. Time and again a request has been made that the same statement should be used
under section 145 to contradict the witness. In such case the witness would think twice before retracting from his statement. It will definitely instill fear in the minds of the parties coming to the court.

**Speedy Trials / No Frequent Adjournments**

Time and again many laws have been enacted to provide speedy justice to the victims. Section 309 was added in the CRPC to state that the adjournments will be given in only some situations and not all. It means that the parties cannot seek adjournments for any irrelevant reason. Order 17 of the CPC was added to limit the adjournments to three but the civil suits linger on for long. Because of this undue delay the parties to the dispute tend to feel betrayed and they feel like it is useless to continue the case. Trial should be completed within time and should not be delayed to the extent that the witnesses forget their version.

**Testimony recorded under Section 164(5), Cr.P.C to be treated as Substantive evidence**

The statements recorded under section 164(5) do not have any substantive value. Even if the witness has turned hostile the witnesses could be punished for turning hostile and they would become cautious to retract from their statements. Whether the statement should be made admissible or not wholly or solely should depend upon the discretion of the court. The statement of the witness it should be recorded by a judicial magistrate and such a statement should immediately during the course of investigation. Since these statements are recorded on the spot there is a lesser chance of modification of facts.

**CONCLUSION**

A bird’s eye view of the criminal justice system clearly enumerates that witnesses are very important in a case. Therefore it gets very important for the judiciary to protect the life and limb of the witness. This in turn would increase their faith in the judicial system and would prevent them from turning hostile. The true and genuine testimony of the witness could be recorded only when the witness is given safe environment to live in. the basic cause of witnesses turning hostile is failure of justice system to act in. if the testimony offered is erroneous then there are high chances that the judgment might be wrong and unjust. An unjust judgment gives a plenty of reasons to criticize the judiciary. Therefore it gets very important that a remedy is found to make sure that such instances does not take place. In order to give justice it is very important that that the court reaches the truth and that could only be done when a chance is given to both the parties to bring their side other case honestly. If a prominent witness is not able to speak out the truth then the court will not be able to reach the truth. Therefore a witness is an important piece of evidence. But in our criminal justice system a witness is not given the importance that it they deserve. If a witness is given due protection then injustice will not be done. Due non-serious attitude of the authorities many criminals take undue advantage of this and therefore go scot free. Most of the witnesses turn hostile due to the adverse nature of the legislature towards them. No one would care about justice if they themselves or their families are not safe. In "Van Mecheien” case it was observed that, " there had not been sufficient effort to assess the threat of reprisals" against witnesses.xxv

Justice Maliamath committee in its law report in a chapter titled as, "A Hybrid System of Criminal Justice has stated that the inquisitorial" system of should be converted into 'adversarial’ system. It also stated that the judiciary should be given more powers like the authority to lead evidence if both
the parties to the proceeding are unable to bring their case on the table. Witnesses could be given the justice that they deserve only if the witnesses are fearless enough to stand in the court. The witnesses should also be covered in the category of a special type of victim rather than just be another part of the judicial machinery. Witness protection programs should be introduced in India and the witnesses who are prime evidences in high profile cases should be given the benefit of this system.

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