



PRINCIPLES OF CRIMINOLOGY, CRIMINAL LAW AND INVESTIGATION (3rd ed.) By R. Deb, S.C. Sarkar and Sons Private Ltd., Calcutta. Vol. I (1991), Pp. 491. Price Rs 170. Vol. II (1995) Pp. 493-1068, Price Rs. 210. Vol. III (1997), Pp. 58 ÷ 1069-1865. Price Rs 400.

THE BOOK under review¹ is in three volumes. The first volume deals with the scientific criminology and police science, whereas the second and third volumes respectively deal with the legal flaws and remedies in investigation and prosecution, and trial of specific offences. It was published for the first time in 1958. Having seen a second edition in 1968 and re-print in 1973, its third edition came in 1991.

The book has nine chapters titled, (i) Criminology; (ii) Victimology; (iii) Lie-Detector; (iv) *Modus Operandi*; (v) Interrogation of Witnesses, (vi) Interrogation of suspects, (vii) Employment of Sources; (viii) Inter-State Crimes and Criminals; and (ix) Appreciation of Evidence in Course of Investigation and Prosecution of Cases. These chapters have been suitably divided into a number of paragraphs and subparagraphs. The author has discussed investigations on the “legal and scientific canvass”. Such wholesome and inter-disciplinary approach is discernible especially in chapters titled Criminology, Lie-Detector, *Modus Operandi*, and Interrogation of Witnesses and Suspects. The author has been alive to the matter of appreciation of evidence in the course of investigation as also at the time of prosecution.

Science of “crimes and their victims”, as also concept of compensation to the affected persons find enlightened discussion in the Chapter on Victimology.² Various aspects of substantive and procedural law and their co-relation with the Evidence Act, wherever necessary have found a legitimate place in this volume, which provides a detailed, comprehensive and vibrant discussion.

Forensic science having been discussed as a separate and distinct subject, has however also been studied as an aid to criminal investigation like in, (i) handwriting comparison, (ii) study of finger and foot prints; (iii) ballistics; (iv) forensic chemistry and criminology, etc.

It is however to be noted that this volume has not been updated after the edition of 1991. Several important decisions of the Apex Court as also different High Courts particularly on “crimes against women and child” as also concerning ‘environment’ have changed the jurisprudential tone of the criminal justice system. Case law in this volume is very old. Evolution of information and communication technology, have taken revolutionary strides engulfing even the remotest villages and farthest areas. No wonder, there is increase in white collar crimes, in the modern gadgetry and latest techniques of investigation in policing and crime detection. The computer network and satellite communication have also given a boost to hitech crimes requiring specially trained police personnel with cool temper and equanimous personality. Here comes the requirement of constant and consistent

1. R. Deb, *Principles of Criminology, Criminal Law and Investigation*, vol. I, II, III (3rd ed.).

2. *Id.*, ch. 2.



consistent training of investigators, which aspect has not found its true place in this volume.

The second volume was published for the first time in 1958. Having seen a second edition in 1972 and reprint in 1973, its third edition came in 1995.

This volume is a complete commentary on “Investigation and Prosecution,” their legal flaws and remedies. It also studies “Bail and Investigations”, included in chapters X and XI respectively. The author has tried to discuss in detail as to how cases fail in the courts for want of proper appreciation of the law of evidence. The value of evidence in the study of finger prints, ballistics, handwriting, *etc.*, has been discussed giving the statutory provisions of the Indian Evidence Act 1872. Value of expert evidence, medical examination, chemical examination and of documentary evidence, telephonic conversation, performance of police dogs, photography in prosecution cases in the courts, have been discussed at considerable length in chapter X. How to reconcile the role of presumptions in section 114(b) of the Indian Evidence Act, with the rule of law embodied in section 133 of the Act itself, in matters of conviction on the uncorroborated testimony of an accomplice, has been discussed with experiential acumen.

The subject of “confession” though very complicated and at times confusing, has been made very interesting with citations and examples. Judicial confession and extra-judicial confession have been discussed in detail, making distinction with ‘admission’ as also ‘circumstantial evidences’. F.I.R., search and seizure, arrest and remand, test identification parade are the aspects discussed with their relational aspects *inter se* as also their importance in investigation.

The author has also indicated bottlenecks in expeditious prosecution of cases. These are, (i) want of proper assistance of investigating officers in trial courts; (ii) delay in investigations and trial; (iii) absence of prosecution witnesses; (iv) service of summons, *etc.* Besides this, duties of public prosecutors have also been discussed with statutory provisions and case law.

In chapter XI, the author has discussed as to when bail can be granted or refused under the provisions of CrPC. Bail in proceedings under section 167(2) of CrPC and matters connected therewith have also been discussed.

In 1995, the book had been made more useful by inclusion of latest amendments and relevant case law, but this volume has not been updated after the edition of that year. Every topic is required to be dealt with and commented upon in the light of latest law of the Supreme Court of India; there is considerable change in tenor and temperament of the law.

The third volume has nine chapters dealing with investigations and trial of specific offences like, (i) dowry deaths, (ii) conspiracy cases, (iii) corruption cases, (iv) murder, (v) sexual offences, (vi) dacoity, (viii) gang-rape, (viii) riot cases, (ix) false cases, *etc.* The chapters have suitably been divided into paragraphs. Details and examples have been mentioned by the author in respect of every relevant provision of law.

In chapter XII, the author has attempted to examine the need to reform law, by amending sections 113-A and 43 of the Indian Evidence Act, by substituting the word “shall” in place of “may” for escalating menace of dowry deaths and bride burning cases. Proper investigation of conspiracy and corruption activities is the



need of the hour, as corrupt practices of public officials can destroy the political effectiveness of all types of governmental programmes and thus hinder development of the nation. The author has taken great pains to make these chapters exhaustive by adding almost all statutory Acts with specific details of provisions dealing with conspiracy and corruption, specifically mentioning preventive measures for eradicating corruption in public life. The Santhanam Committee has also found its mention in this light.

Great care and caution must be emphasised while investigating murder cases. Investigations have to be free from bias and prejudices. It is the main theme of chapter XV, which is a very detailed one and runs into more than 150 pages. Sexual offences especially rape, kidnapping, adultery, bigamy (here sentiments run high and usually there is a great deal of bias against the accused) have been discussed in detail. Special provisions regarding trial of rape cases have been elaborated. Section 327, CrPC and section 376-D IPC for trial in camera (so that no publicity is given, to save the honour of the victim and to protect her future in society), find adequate place in the discussion.

The author has discussed the investigation of dacoity cases, *i.e.*, the most prevalent form of organised crimes. Rioting cases have also been discussed in a systematic manner quoting statutory provisions and case law.

The last chapter is interesting. It discusses the law relating to false cases; indiscriminate use of sections 182 and 211 of IPC is not favoured, as it may produce unsavoury atmosphere of suspicion and distrust for the police. Moreover, even honest persons might hesitate to come to the police, with their legitimate grievances.

Although the author has made independent chapters for study of different topics which unfold the subjects, step by step and provide useful information, yet every subject is required to be dealt with and commented upon in the light of latest case law, which unfortunately has not been done.

There is an exhaustive bibliography at the end of each chapter, but it is lacking in material particulars. Reference to many books do not show details of publishers. In a few cases although the year of publication of books has been shown, yet other particulars are missing. In a few other cases even such vital information (year of publication) is totally missing. It thus gives an impression that in many entries of "Bibliography", after different chapters, it is only "cut and paste exercise" from other sources. Bibliography needs to be thoroughly revised to be of great service to the target groups/readers of the volumes. Rather such bibliography needs to be substituted for "Notes and References", making indication of such references at the relevant places in the main text of the volumes, to enable the reader to search for the details from "Notes and References" to be appended at the end of every chapter as at the end of the volumes (collectively for all the chapters) to have authentic details and to make even further reading, if he so desires. The volumes then would have reference value too.

However, an "exhaustive table of cases" forming front pages and a detailed subject index at the end of the volumes are very helpful for the readers and constitute the special merit of the book under review.



up giving a jarring reading more often. Mention of references needs to be made in footnotes or in "Notes and References" to be appended at the end of different chapters.

The language and expression of the author is simple and communicative for which he must be complimented. However, the printing does not make the text of the book to be a soothing reading. The volumes are reasonably priced. Although the only book of its kind having detailed material information in investigations, scientific criminology and police science, yet it is losing its substantive impact for want of thorough revision and updating keeping pace with the change in law and jurisprudential tones. The book would then definitely be more useful to the Bar, the Bench, the police officials, students of law and of forensic science, as also to others who are interested in investigation of crime and study of criminology and police science.

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LAW RELATING TO MARRIAGE AND DIVORCE (4th ed. 1996). By Justice S.C.

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