

● NEED FOR WITNESS PROTECTION IN INDIA: A LEGAL ANALYSIS

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Abstract

Witness is an indispensable aid in the justice dispensation system in any civilized society. The greatest weakness of our criminal justice system is that it has become stagnant and does not function in an expedite manner resulting in deciding the conviction or innocence of those charged with crime. The most unfortunate thing is that the parties often threaten the witnesses, turning them hostile and interfering with the fair administration of justice. Various courts and authorities in India have raised the issue of witness protection several times since Independence. The whole issue of hostile witness came under legal analysis after various landmark judgments and various reports. These cases came as a bombshell showing inefficiency and insecurity in the judicial system. Providing witness protection may be difficult in a country with a limited police force, but it is a key aspect of justice. Whether innovative techniques adopted by Court can secure safeguarding the interest of witness? What can be the criteria for the Court to decide on providing the security of witness? When should witness protection be provided? This paper discusses how the law relating to the protection of witnesses is insufficient and also emphasize on the need for a witness protection programme.

Key words

Administration of Justice, Witness, Hostile Witness, Witness Security and Anonymity.

I. INTRODUCTION

Fair justice is not difficult to comprehend in Criminal justice system, but due to various complexities it is difficult to obtain. Fair justice has various aspects like fair investigation, fair inquiry, expeditious & fair trial. Since India follows adversarial system of court proceeding where impartiality hold the key, it is important to note that procedural justice is the main cornerstone to achieve fairness. Procedure justice is the objective which ensures transparency during investigation stage & trial stage by implementing due procedure established by law. But, there are many important consideration needs to be followed like responsible & vigilant role of government, police and public prosecutor to bring transformation in the administration of justice. Fair trial has some inherent features like equal opportunity of representation of court hearing from both sides, absence of delay & pendency of the cases. It is also expected in the adversarial court of proceeding that all possible kind of oral & documentary evidence should be heard, verified and cross-examined wherever possible. There is one crucial point, which has to be considered seriously that is vulnerable position of victim/witness

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during pre-trial, trial & post-trial stage. The fate of whole case depends on version represented or information given by witnesses. It has to be whether evidence provided by any witness is substantive piece of evidence or not? But the whole principle of equity and natural justice rests on reliability & credibility of evidence provided by witness even in those cases where there is some sort of conflict of interest in existence of direct evidence and circumstantial evidence. So it is quite evident of the fact that witness plays a very important and responsible role for any case in the dispensation of justice. The word witness is not specifically defined in The Indian Evidence Act, 1872. But, legislators are tried to explain the concept of witness through section 118 of Indian Evidence Act, 1872 where competent person can give testimony under declaration of oath.¹

It means any person who is directly connected with the case who is aware about facts of case and know accused & victim meaning thereby someone who has seen the incidents the case; or someone who is experienced in specific field with having specialized knowledge on general issues related to case. Though, there are certain references in Criminal Procedure Code, 1973 related to preliminary stage of investigation where witness's role is important. It is described that police has power to call upon witness in police station for getting information related to facts & circumstances of case.² A witness can be examined by police officer and he has to respond the questions in appropriate way that may be reduced in writing.³ However, statements made before police officer in the police station cannot be considered as prima-facie evidence for the simple reason, witness is only permitted to give evidence before judge in the Court of law as mentioned in section 3 of Indian Evidence Act, 1872.

But the relevancy of evidence procured through witness can serve the purpose of justice especially when it is made in the absence any kind of biasness, false, misleading & deceptive statements. That is why it is important to expedite the process of investigation & trial so that there won't be presence of sufficient time gap by which accused or close associate can use their undue influence to instill fear or pressurize witness. But there are other issues, which further aggravate complications for fair justice delivery system like lack of well-trained police officers, non-sensitivity of media over these issues, involvement of influential persons (politicians, mafia gangster) in high-profile cases, non-cooperation of the state with full sincerity due to lack of legal obligation, influence over witness through convincing methods like providing bribe, threat of any sort. Either of the above situations will directly or indirectly inculcate fear & intimidation in the mind of witness. As a consequence of it, witness will either lose his confidence in providing truthful information in the court or will abstain from presenting himself before court even after receiving summon.

With the same thought, the High court highlighted in the case of *Mrs. Neelam Katara v. Union of India & others*⁴ that it is the fundamental principle of justice that witness should testify before court of law by providing true facts without any fear or temptation. His truthful statement can decide the nature of circumstances of the case through which

¹The Indian Evidence Act, 1872, Section 118

²The Code of Criminal Procedure 1973, Section 161

³Id., Section 162

⁴ILR (2003) II Del 377

guilt or innocence will be proved. But testimony under fear, undue pressure & temptation will vitiate the proceeding of the case and compromised with justice.

Production of ocular & other substantive evidence will definitely help every criminal trial to reach its last stage without any foul play. A sensible & impartial judgment will come into picture when investigating officer complete his job sincerely without any delay and every person who has relevant information related to case must bring the same in to the notice of investigating officer, court whenever he is summoned. If any person avoids such responsibility in facilitating information, then court's verdict & societal order will be hampered and accordingly it will lose public confidence in criminal justice system.

In the case of *Swaran Singh v. State of Punjab*,⁵ Supreme Court highlighted on the importance of witness in justice delivery system in general. In many cases, witness has to face multiple ordeals in overall court proceeding starting from pendency of case adjourning from one date to another, thus delaying the trial. Sometimes witness gets killed, beaten up as no specific protection is available to them. Sometimes they are unnecessarily harassed during cross-examination for a long period of time. So common people often try to maintain distance from court & investigating authorities. They don't turn up as witness. But the matter becomes more degradable & dangerous when the case is related to violence against women & victim is herself witness. Due to absence of effective protection from the state & police, the situation is more vulnerable during investigation. Defamatory questions are framed directly during cross-examination result into more embarrassment.

The Committee on Reforms of Criminal Justice System under the chairmanship of Dr. Justice V.S. Malimath categorically emphasized on importance of legal relevancy of evidence procured through witness. A sensible responsibility of witness is to provide assistance to the court in deciding conviction or innocence in case. He cannot refuse to respond questions during cross-examination. It is important for judge to have a bold & rational approach while deciding the matter so as to maintain impartiality throughout the trial. It is also necessary for judge to uphold justice by preserving the rights of victim so as to avoid the miscarriage of justice.⁶

II. INTRODUCTION TO HOSTILE WITNESS

The term hostile witness is not directly defined in Indian Evidence Act, 1872. Legislators might not have imagined this existence of this term in trial. But the problem of hostile witness becomes very prevalent nowadays in many criminal cases. The concept of hostile witness is basically inspired from common law principle. It is important to provide safety against the adverse statement made deliberately by witness in the court of law. There is no clarity as such on the term hostile at that time when it was coined. After independence, Court's observation has given some clarity where it is shown to be contrary, adverse and inconsistent. When a witness before court of law gives adverse statement, which is contrary to previous statement made by him.

⁵AIR 2000 SC 2017

⁶Justice V.S. Malimath Committee Report on Reforms of Criminal Justice System (Ministry of Home Affairs 2003), available at:

http://www.mha.nic.in/hindi/sites/upload_files/mhahindi/files/pdf/criminal_justice_system.pdf (Visited on 12th June, 2015)

There are specific procedure laws that clarify it further. During preliminary investigation, police has power to call a witness in the police station to seek permission.⁷ Police has also power to examine the witness and if certain questions can be asked, witness has to answer it, though witness cannot sign the statement that is reduced in writing in the record of police diary.⁸ Now situation of hostile witness will arise especially when party take permission from court to call witness in the court of law for checking his veracity through cross-examination.⁹ This is the time where witness gives unfavorable and adverse statement and he is called as hostile witness. A hostile witness actually weakens the case of the party for whom he is giving the statement. Leading question can put forward when Judge declares witness hostile.

Since, no specific definition for hostile witness is available; identification for the same is a matter of discretion for court. Generally, a Judge has to give notice on the nature of statement with great scrutiny because it is a matter of conviction or acquittal. Sometimes there is thin-line difference between merely unfavorable or disagreeable and being hostile. An impartial Judge needs to find the major inconsistency part of the oral evidence given by witness. Sometimes, a witness concocted the whole version of his story in such a way so that it favors the opposite party. Though picture will be clear while dealing with a hostile witness after cross-examination, re-examination and availability of proof of previous statement. In some cases there are number of witness are available, it is important to scrutinize a particular witness effectively where he is supposed to provide a crucial piece of evidence which can decide the matter.

III. REASONS FOR WITNESS TURNING HOSTILE

One inference can be drawn that hostility arise whenever a witness conceal certain true facts. His statement may be directly or indirectly in favor of opposite party. This is quite obvious when unscrupulous methods are adopted to vitiate the fair proceeding of the case. Witness intimidation is the most common reason for hostility. Scare tactics created pressure that can obviously effect psychologically. Sometimes inducement by through various courses can also make witness more vulnerable and inclined towards antagonism.

In a very famous case of *Zahira Habibulla H. Sheikh and Another v. State of Gujarat and Others*,¹⁰ the Supreme Court emphasized on the importance of victim and witness in broader view of justice. Proper justification, rational investigation and fair exoneration of guilt give the foundation of justice and instill confidence in the society. The present case of hostility gives grim face of harsh reality that has become a hassle for fair trial. It is the right moment to bring transformation when the whole justice delivery system is crippled and disabled with the influence of browbeating tactics, continuous coercion, involvement of political patronage & despotism. Continuous oppression in this form will lead to mockery of justice and ended with complete breakdown of social order. Supreme Court reminded the State about Directive Principle of State Policy to maintain public

⁷Supra note 2, Section 160

⁸Id., Section 161

⁹Supra note 1, Section 154

¹⁰(2006) 3 SCC 374

order in the society. It is the obligation to protect the rights and interest of citizens. Similarly police also has official duty to provide all possible kind of safeguards.

Similarly, in the case of *Manu Sharma v. State (NCT of Delhi)*,¹¹ which is also known as Jessica Lal murder case, three key witnesses turned hostile. There was huge public outcry when trial court acquitted all accused due to presence insufficient evidence against them. Due to bold effort of key witness, Delhi High Court came to fair conclusion at last. The Court convicted all accused. Hostility of witness is not new concept, since this is a case influential people and huge media attention that is why it came into light. Later on hostile witness were charged with perjury.

The Supreme Court of India has also shown great concern over the plight of witness. In the case of *Surinder Singh v. State of Haryana*,¹² Supreme Court observed a valid point that trial courts needs to be vigilant and take prompt action against hostile witness giving false & adverse evidence. An impartial Judge needs to uplift the moral and boost the confidence of vulnerable victim & witness whenever they feel it necessary according to circumstances. If a witness give false evidence, it is necessary to start summary procedure for trial for proving fabricating evidence under Section 344 of Criminal Procedure Code, 1973.

IV. PRECAUTIONS TAKEN DURING INVESTIGATION & TRIAL FOR WITNESS SECURITY

Proper implementation of Procedural laws can ensure administration of justice. But, practical application of laws is very difficult due to the presence different complexities in crime. The literal meaning of Witness protection is safety of witness from physical suffering & life threat. But, interpretation of limited provisions related to witness protection is against hindrances in obliging legal duty & disruption. The concept of equality plays an important role in justice delivery system. Fair trial & investigation ensures equal rights to accused and victim. There are some fundamental principles of natural justice like presumption of innocence, Audi Alteram Partem, right to have legal representation, right against double jeopardy, etc. Whereas victim and more specifically witness doesn't enjoy such liberty and all possible kinds of basic rights. In pre-independence era, legislators wouldn't have imagined the need protection for witness so that it can be brought somehow under the purview of Indian Evidence Act, 1872. The point of deliberation is how to tackle in such an uneven restricted procedural aspects of law where witness's situation is vulnerable and defenseless. Obviously, a witness will abhor in becoming a witness in such an entangled & wearisome position. This is the common reason why witness either avoids visiting court or absconding from the place in spite of issuance of summons. There can be three situations in this dilemma namely:¹³

- 1.) Victim and accused are familiar to each other before the incident ocrime
- 2.) Accused is not acquainted with witness's identity

¹¹(2010) 6 SCC 1

¹²(2014) 4 SCC 129

¹³Law Commission of India, 198th Report on "Witness Identity Protection and Witness Protection Programme" Seventeenth Law Commission under the Chairmanship of Mr. Justice M. Jagannadha Rao 2003-2006, in 2004, available at: <http://lawcommissionofindia.nic.in/reports/rep198.pdf> (Visited on 11th June, 2015)

3.) Accused is not acquainted with victim & witnesses (a case of genocide or terrorist act)

All the above-mentioned categories need security of witness at different perspective with contemporary approach. The main question is when does a witness need safety or protection? It is evident that accumulation of evidence starts from the stage of investigation. Investigation is the stage where facts & circumstances of the case come into picture. It includes many aspects like search at the location of crime, knowledge of victim's condition, and other prevailing circumstances around the location, etc.¹⁴

For the purpose of filing a First Information Report, a formal preliminary inquiry needs to be completed by a police officer. Collection of direct and circumstantial evidence is utmost priority for an investigating officer. Since there is always reasonable apprehension that accused or his associates may tamper or destroy evidence at the initial stage, it is important for a police officer to complete his probe in a fair & expedite manner with strict scrutiny. A police officer may examine the witness related to the facts of case provided if there is any inconvenience or threat to witness, and then witness's statement can be recorded through audio-video electronic means.¹⁵ While preparing a report by police officer post-investigation without delay, which will be forwarded to Magistrate, if police officer thinks certain statement should not be disclosed to accused, he can send it to Magistrate separately with reasons in a secret note to maintain fair investigation.¹⁶ Now it is explicit that when trial starts witness's role becomes more crucial. A witness can face any kind of hindrance during trial, so if he receives any kind of threat from someone to give false & fabricating evidence, he can file a complaint for the same before the Court of law under the offence mentioned in Section 195A of Indian Penal Code.¹⁷

A Judge has also some responsibility in protecting the interests & rights of witness during trial. Court can check the reasonableness of questions whether it can be asked or not.¹⁸ Court cannot permit improper way of cross-examination that is why offensive, defamatory and annoying questions can be ruled out.¹⁹ Similarly, Court has to give prompt disapproval/repudiation when certain immoral & offensive questions are asked to rape victim who is also a witness in rape case during cross-examination.²⁰

Generally, defense party adopts some delaying tactics during trial to adjourn the proceeding for many days. As a result of which, witness cannot afford to visit court every time as he has to wait for his deposition many times due to maladministration. Accordingly, Court may order the State Government to bear reasonable expenses of witness to avoid hassle for inquiry or trial.²¹ There can be some circumstances where accused disrupt the trial continuously and thereby vitiate the Court proceeding by

¹⁴*Ibid.*

¹⁵*Supra* note 2, Proviso to Section 161

¹⁶*Id.*, Section 173 (6)

¹⁷*Id.*, Section 195A

¹⁸*Supra* note 1, Sections 148 and 149

¹⁹*Id.*, sections, 151 and 152

²⁰*Id.*, Section 146 (proviso)

²¹*Supra* note 2, Section 312

threatening or inducing victim/ witness. This type of situation can be possible either in heinous criminal case or in case involving influential people especially nexus of criminal gangs & politicians. Accordingly, Court can start the trial in the absence of accused for a particular period of time in which witness's statement can be taken though defence counsel is allowed to appear during the trial. Later on, Court can direct accused's presence appearance in the trial. Technically, this can ensure impartial & legitimate trial or inquiry before Court.²²

So, analysis of Criminal Procedure Code, 1973 and Indian Evidence Act, 1872 can give clear picture that witness protection is not properly described. Though, it lays down responsibilities of Police and Court at certain level. But there is no scope of witness protection after trial in procedural laws, which is a matter of taking undue advantage by accused or his associates. There is a specific act named as the National Investigation Agency Act, 2008 under which National Investigation Agency is established to investigate terrorism based cases with professional skill. This act provides protection for witness (under section 17) where different constructive steps can be taken. In camera proceeding and classified & undisclosed records of identity (including address) of witness should be maintained. If a witness or public prosecutor wrote a formal requisition for taking protection to the Special Court, process will become more convenient.²³ There are few susceptible circumstances in any case in which threat & insecurity are imminent for witness, so the act provide few contemporary facility wherever possible like proceeding can started at different place as decided by the Special Court. Similarly, non-divulgence of identity of witness in the judgment should be implemented along with restriction on print publication of court proceeding to maintain privacy.²⁴

Similarly, Law Commission of India has recommended a specific procedure in which a witness will get benefitted through Witness Protection Programme. Accordingly, formal requisition in the form intimation can be given by public prosecutor to Magistrate by which witness can give a new identity for the trial and if necessary his position & location will be readjusted secretly. A witness needs to enter into Memorandum of Understanding with State Legal Aid Authority out of which his bare expenses & maintenance charges will be taken care by State. A witness needs to complete his responsibility by giving true evidence. If he fails to give evidence in the trial, it will result into exit from Witness Protection Programme. So, this procedure creates a reciprocal responsibility of State and Witness to complete their respective duty.²⁵

The Apex Court realized in *State of Punjab v. Gurmit Singh*²⁶ that administration of justice through fair trial without any hassle could arise if there is reasonable protection available for victim and witnesses especially in serious criminal offence like rape. Supreme Court emphasized the importance of trial in camera on the basis that it can provide a kind of convenience & comfort for victim to depose before court as mentioned in section 327 of Cr.P.C. It can avoid the disruption in the form hesitation or any kind of

²²Supra note 2, Section 317

²³The National Investigation Agency Act, 2008, Section 17

²⁴*Ibid.*

²⁵Supra note 13

²⁶(1996) 2 SCC 384

oral threats, unnecessary psychological pressure that can be possible from accused either through continuous gazing or other means.

Similarly, in the case of *National Human Rights Commission v. State of Gujarat*,²⁷ Supreme Court while forming Special Investigation Team observed that the principle of fair trial has many legal dimensions, which needs to be taken care with equity and reasonableness. Since witness plays a very role in the trial, it is important for State to take every possible step for the protection of witnesses and victims. Interest of justice will be failed if witness cannot appear before the Court of law and give statements. Supreme Court also emphasized the practice of witness anonymity as a part of witness protection.

The Punjab & Haryana High Court made a bold & painful admission in the case of *Bimal Kaur Khalsa v. State of Punjab*²⁸ that there is no possibility of complete security or protection for the witness or any investigator. Court or Government cannot give assurance for the same. Since a witness who provide evidence in a case as a responsible duty, so it is incumbent upon Court to provide secrecy in case of identity & address of witness and wherever it is possible for Court to take protective steps like in Camera proceeding or screen trial or video- conferencing so as to project the interest of witness by best possible means. Thus, modern technology and innovative tactics can make convenient in functioning of the Court trial efficiently. So, additional measures like video-conferencing, screen arrangement can avoid direct showdown between accused and witness. Practically speaking, physical distance will ensure safe environment in which witness can give his statement.

In the case of *Saint Shri Asharam Babu v. State of Rajasthan*,²⁹ the bail application was rejected by High Court because grant of bail will vitiate the fair proceeding of the case. It is important to avoid miscarriage of justice by all possible means, because there is a reasonable apprehension that it may meddle with witnesses and coercive means will adopted to influence the witness so that he give adverse statement favorable to the defence side. Unfortunately, in spite of public outcry and huge media attention, no serious effort has been taken as a result of which three witnesses are already shot and few other witnesses are attacked. There is no effective measure for witness protection that has been adopted by the State.

V. WITNESS ANONYMITY

Witness anonymity is a kind of witness protection. Though it is not defined explicitly anywhere. Basically it means a sort of non-divulgence and non-revelation of the identity of witness. But, there many issues of deliberation related to its validity and practical implementation, which needs to be discussed. Since it is the responsibility of police and Court to provide protection to witness, but a Court can order for witness anonymity. Secondly, it is reasonable to provide witness anonymity at preliminary inquiry or investigation stage where an investigating officer has to be alert and cautious about the same fact. Thirdly, it is not an easy task to implement witness anonymity at the inquiry or trial stage because of following legal complications.

²⁷AIR 2009 (SCW) 3049

²⁸AIR 1988 P H 95

²⁹S.B. Criminal misc.2nd Bail Application no.10115/2013

- a) Whenever the matter of taking evidence comes before the Court, it is necessary that all kind of evidence must be produced & taken in the presence of accused or if his presence is done away with, then in the presence of his pleader i.e., his pleader's presence is deemed to be the presence of accused. So it signifies that all evidence will be secured & taken either in the physical or legally constructive presence of the accused.³⁰
- b) It is necessary to give equal opportunity to both parties for cross-examining opposite party & their witness in the Court proceeding because it is a fundamental part of principle of natural justice and right to have fair hearing. Accordingly, parties can send their written questions to Court for consider it relevant. Then, Court can ask the party to cross-examine witness.³¹
- c) It is important for Court to enquire or go for trial without any kind of restraint in accessing the same in public for the purpose of transparency & fairness in trial in the interest of justice. Though in exceptional case, Court can put complete restriction on printing & publication of the trial proceeding in the case related to rape to maintain privacy.³²

That is why Supreme Court took strong notice of the same under the case of *Delhi Domestic Working Women's Forum v. Union of India*,³³ where it has been emphasized case related to rape should be dealt with broader sensitivity in the interest of justice because of two reasons namely, victim's vulnerable nature & victim's position as a witness. So it is maintain victim's anonymity in rape cases and trial proceeding shouldn't be considered for printing or publication. Court has to ensure proper reasonableness again during cross-examination in rape cases so as to put restriction on humiliating & undignified questions.

Similarly, Supreme Court took a serious note in the case *Sakshi v. Union of India*³⁴ on the issue of victim/ witness protection with a different new perspective. It was observed that there wouldn't be any compromise with fair trial. It is important to comprehend relevancy of evidence through the real truth will come out. So, with the same objective, if it necessary to adopt any unique method for taking evidence from victim or witness like use of specific screen or similar arrangement, the Court will encourage such practice to have fair trial.

VI. CHALLENGES

There are few challenges that can become hindrance for any Witness Protection Programme. There is complete ambiguity on two broader issue namely, application and organizational structure. There is no clarity about the duration of period of witness protection so time for witness protection is not explicitly fixed. It is very difficult to provide protection after the end of Court proceeding. Next problem is consistent adjournment of cases, which doesn't come with appropriate solution. One of the major

³⁰ *Supra* note 2, Section 273

³¹ *Id.*, Section 287

³² *Id.*, Section 327

³³ 1995 SCC (1) 14

³⁴ 2004 (6) SCALE 15

issue is unnecessary political interference in the whole process of Justice delivery system as a result of which it encourages anti social elements in the society. This problem is aggravated further with another factor where protectors themselves are not sufficient in number, i.e. lack of police officers & security guard in State level according to population in a particular area.³⁵

VII. CONCLUSION

Different Law Commission Reports and landmark judgments passed by Supreme Court have paved a clear way in the form of documentation for legislature to frame legislation namely, Witness Protection Act. If legislature framed legislation as Whistleblower Protection Act, 2014 (though not implemented yet) for the protection of Whistleblower, then why shouldn't there be legislation for the security & safeguarding the interests of witness. It is important to have legislation flexible in nature so that it is convenient to witness's position. Successful implementation of legislation depends on cooperation of police, Judiciary and society. There are some basic principles which need to be followed for a proposed legislation for witness protection:

- a) Policy and guidelines for Witness Protection Unit should be framed in confidential manner. Personal details related to recognition of witness should be kept private in nature. His changed destination or location should also be kept secret. Even Confidentiality clause includes details of police officer or special security guards who are employed for witness protection.
- b) While framing the Witness Protection Act, if any specific authority will be given the main charge to provide protection for witness, it is important that Departmental & Managerial independence should be deeply rooted in the regulation of that specific authority so as to eliminate all possible kinds of influence from financial or political power. A magistrate can decide whether witness has to be protected or not in a particular case. While deciding the same, it is important to have impartial approach by observing the gravity of case.
- c) There can be two situations either witness seek protection from the Court or Court itself take the case *suo motu* in both situation witness needs to enter into Memorandum of Understanding with the authority in which a witness will be given protection in all dimensions. The agreement must not have ambiguous provisions wrt entry of witness under protection and exit from ambit of protection. Non-obligation of responsibility of witness should result into exit from the protection. The authority should extend their purview to provide protection from giving new temporary identity to changing address temporarily.

It is obvious that policy & legislation related to Witness protection programme can be successful only when some reformative steps should be taken simultaneously in the functioning of court & police station. It is necessary to enhance the capacity of fast-track court for speedy justice. It is also incumbent upon the State to increase the numbers of police personnel so that employment for witness protection become convenient.

³⁵Naveena Varghese, "Witness Protection: Problems Faced and Need for a Protection Programme in India", *Academike*, 2015, available at:

http://www.lawctopus.com/academike/witness-protection-problems-faced-and-need-for-a-protection-programme-in-india/#_edn34 (Visited on 09th June, 2015)