



Use of Fingerprint Evidence in Crime

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Why in News?

The **investigation** into the attack on a Bollywood actor highlighted the significance of **fingerprints** in solving crimes.

What is the Legal Stand of Fingerprints as Evidence Material?

- **About Fingerprint Use:** Fingerprints are used to establish if the accused has a **prior criminal record** or to match **prints lifted from the crime scene**.
 - The [Criminal Procedure \(Identification\) Act, 2022](#) allows the **storage of fingerprints** of individuals arrested for crimes carrying **more than a year of imprisonment**.
 - The **top one-third part** of the finger, under the **Henry Classification System (HCS)**, that has **unique patterns (whorls and arches)** in each individual are **considered for ascertaining identity**.
- **Constitutional Basis:** Under [Article 20\(3\)](#), **no person** accused of any offence shall be compelled to be a **witness against himself**.
 - The [protection against self-incrimination](#) extends to both **oral evidence and documentary evidence**.
 - However, it **does not extend** to compulsory **production of material objects, thumb impressions, specimen signatures, blood specimens, or compulsory exhibition of the body**.
 - Further, it extends only to **criminal proceedings** and **not to civil proceedings** or proceedings which are not of criminal nature
- **Judicial Stand:** In the *Kathi Kalu Oghad Case, 1961*, the [Supreme Court \(SC\)](#) held that compelling an accused to provide **specimen handwriting, signature, or fingerprints or footprints** for investigation **does not violate** their right against self-incrimination under **Article 20(3)** of the Indian Constitution.
 - In *Ritesh Sinha vs State of Uttar Pradesh Case, 2019*, the SC **broadened** the parameters of **handwriting samples** to include **voice samples**, adding that this would not violate the right against self-incrimination.
 - In *Selvi vs Karnataka Case, 2010*, the SC prohibited forcing an accused to undergo [narco-analysis](#) or [lie-detector tests](#), which could produce self-incriminating statements.

Note: Section 29 of the [Aadhaar Act, 2016](#) prohibits [Unique Identification Authority of India \(UIDAI\)](#) from sharing **core biometric information — fingerprint, iris scan or any such biological attribute** — with any agency **“for any reason whatsoever”**.

Read More: [Right against Self Incrimination and Constitutional Remedies](#)

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