

**EVIDENTARY VALUE OF RETRACTED CONFESSION**

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**Abstract**

A confession made by an accused whilst in custody, either to the police or to the magistrate and later repudiated is known as a retracted confession. Confessions, whether retracted or not, are treated the same when it comes to their evidentiary value, they are used to bring about conviction when a few conditions are satisfied. This paper deals with the present issue by critically analysing the concept of retracted confessions, its evidentiary value and its current legal position in India. The paper also covers major cases as well as landmark instances of retraction of confessions as in the case of Kasab (Mumbai terror attack, 2006) and the Afzal Guru case. The paper further provides observations and recommendations based on the research material as well as preceding judicial pronouncements. The relevant material is collected from legal instruments, statutes, judgments, books of legal experts of national and international repute, online newspaper reports and articles, law journals, law reports, online references and opinions of research scholars, academicians and other experts who have dealt with this subject.

**Keywords:** Confession, Retraction, Evidence, Statement, Magistrate, Police Custody.

### **Introduction**

The Indian Evidence Act does not define “confession”. Lord Atkin defines confession as – “A confession must either admit in terms the offence or at any rate substantially all the facts which constitute the offence. An admission of a gravely incriminating fact, even a conclusively incriminating fact is not in itself a confession<sup>1</sup>. A confession can act as substantive evidence only if the court is satisfied that it is *voluntary* and *true*.

Retracted Confession means the act of recanting the confession<sup>2</sup>. ‘Recant’ can be understood to mean the act of withdrawing or renouncing prior statements formally<sup>3</sup>. A retracted confession is understood to mean a statement made by the accused before the commencement of the trial through which the accused admits the commission of the offence, but which he repudiates at the trial. A confession is said to be retracted only where the accused admits that he/she made the confession and then denies the truth to what is stated therein.

The word “confession” appears for the first time in Section 24 of the Indian Evidence Act. This section comes under the heading of Admission so it is clear that the confessions are merely one species of admission. Confession is not defined in the Act. Mr. Justice Stephen in his Digest of the law of Evidence defines confession as “*confession is an admission made at any time by a person charged with a crime stating or suggesting the inference that he committed that crime.*” The acid test which distinguishes a confession from admission is that when a conviction can be based on a statement alone, it is a Confession and where some supplementary evidence is required to authorize a conviction, and then it is admission<sup>4</sup>.

Confessions are considered highly reliable because no rational person would make admission against his interest unless prompted by his conscience, to tell the truth. Deliberate and voluntary confession of guilt, if proved, are among the most effectual proofs in law. Before acting upon a confession, the court needs proof that it was freely and voluntarily made. A confession by hope,

<sup>1</sup>PakalaNarayana Swami V. Emperor, AIR 1939 PC 47

<sup>2</sup>P RamanathaAiyar, Advanced Law Lexicon, 4122 (3rd Edition, Volume IV, Wadhwa and Co, Nagpur, 2005)

<sup>3</sup>Ibid.

<sup>4</sup>Ram Singh v. State, All.L.J. 660 1958.All.C.R. 462.)

or promise of advantage, reward or immunity or by force or by fear induced by violence or threats of violence cannot constitute evidence against the maker of the constitution.

Dealing with retracted confession, the supreme court has cleared its position in *Pyare Lal Bhargava v. State of Rajasthan*- “A retracted confession may form the legal basis of conviction if the court is satisfied that it was true and voluntarily made.” But it has been held that the Court shall base the conviction on such confession without corroboration.

### **Evidentiary Value of Retracted Confession**

Section 24 of the Indian Evidence Act, 1872 (IEA) makes it clear that a confession will be irrelevant if not made freely and voluntarily. No inquisitor should offer any inducement, threat or promise to the accused<sup>5</sup>. This is further augmented by Section 164 of the Cr.P.C. which requires a Magistrate to explain to the person confessing that he is not bound to confess, and if he does so, it may be used as evidence against him<sup>6</sup>. This concept of voluntariness is a common law principle<sup>7</sup>, and the Indian Penal Code has created a safeguard for the prisoner against threat and torture by drawing from this common law principle. This law is claimed to be an administrative measure designed to eradicate the evil modes of obtaining confessions that were prevalent in the past, which included various methods of torture<sup>8</sup>.

The legal approach to be taken by courts when they are to decide based on a retracted confession has been discussed in several cases. *Hidayatullah, C. J.*, on behalf of a three-judge bench in the case of *Bharat v. State of U. P.*<sup>9</sup> stated that it is safe to rely on a confession when the voluntary character and truth of the statement are accepted. Its voluntary nature depends on whether there was any threat, inducement or promise, and its truth can be determined by examining the entire prosecution case. A retracted confession however is treated differently. As laid down in an earlier case of *Subramania Gounden v. The State of Madras*<sup>10</sup>, a retracted confession may be taken into account by a court, however, it must look for the reasons for confessing and the reasons for its retraction. These reasons must be weighed to determine whether the retraction

<sup>5</sup>Sec. 24, Indian Evidence Act, 1872

<sup>6</sup>Sec. 164, Code of Criminal Procedure, 1973.

<sup>7</sup>Dorcas Quack, The concept of voluntariness in the law of confessions, 17 Singapore Academy of Law Journal 819 (2005).

<sup>8</sup>Sayed Ali Hasan, Law of Confessions in India, 5 Police Journal 221, 222(1932).

<sup>9</sup>*Bharat v. State of U. P.*, 1971 (3) SCC 950.

<sup>10</sup>*Subramania Gounden v. The State of Madras*, 1958 SCR 428.

affects the voluntary nature of the confession. It can be said that a true confession, which is made voluntarily, may be acted upon, even with slight evidence to corroborate it. However, there must be a general assurance that the retraction was a mere afterthought when using a retracted confession. In *HaroonHazi Abdulla v. State of Maharashtra*<sup>11</sup>, it was stated that unless it is very apparent that the reasons for giving a retracted confession are false, they must be looked at with greater concern.

In addition to this, a four-judge bench in *PyareLal v. State of Assam*<sup>12</sup> clarified the legal position concerning retracted confessions. It is not a rule of law, but a rule of prudence, that if made voluntarily and the court is satisfied with its truthfulness, a retracted confession may form the legal basis of a conviction, if it is corroborated in material particulars.

In the case of *JagtaVs. State*<sup>13</sup>, it has been held that evidence of Extrajudicial confession in the very nature of things is a weak piece of evidence. However, it is not open to any court to start with a presumption that extrajudicial confession is a weak type of evidence. Admissibility of the confession is a question for the Judge. Upon consideration of the evidence and circumstances, the Judge preliminary decides on the voluntariness or otherwise of the confession. If his answer is negative, the confession is excluded as a matter of law. If his answer is affirmative, the confession is admissible. The Judge to determine the admissibility of the confession whether the confession is true and of how much weight and value. If he is satisfied with the evidence that it is true, then to act upon it. Confession made before the police leading to the discovery of the facts is admissible, as per **Sec.27** of the Evidence Act. When the accused retracts from confession it is called retracted confession. Such confession can be the legal base of the conviction if the court is satisfied that it was true and so voluntarily made. But ordinarily, corroboration is required.

SubramaniaGounden's<sup>14</sup>case explained the extent of corroboration required. Every single circumstance in the retracted confession regarding the complicity of the maker need not be

<sup>11</sup>HaroonHazi Abdulla v. State of Maharashtra, 1968 (2) SCR 641.

<sup>12</sup>PyareLal v. State of Assam, AIR 1957 SC 216.

<sup>13</sup>AIR 1974 SC 1545

<sup>14</sup>SubramaniaGounden v. The State of Madras, 1958 SCR 428.

independently corroborated. It is sufficient that the confession is substantiated by some evidence that would tally with what is contained in the confession.

The twin test to be applied to evaluate a confession was laid down in the case of *Shankaria v. State of Rajasthan*<sup>15</sup>. First, the court must ascertain whether the confession was perfectly voluntary, and secondly, whether it is true and trustworthy. If the first test is not satisfied, the second test is automatically not applied. In addition to this, the court also indicated a broad method of evaluating a confession. After looking at the surrounding circumstances, the probabilities of the case, and by comparing the confession with the rest of the evidence, if the confession fits naturally with the rest of the evidence, it may be taken to have satisfied the second test.

The term “corroboration of material particulars” used in *Pyare Lal Bhargava’s* case was further clarified in *Parmanand Pegu v. State of Assam*<sup>16</sup>. The expression corroboration of material particulars does not imply meticulous examination of the entire material particulars. It is sufficient that there is broad corroboration in conformity with the general trend of the confession. Therefore, it is not contrary to what has been clarified in *Subramania Gounden’s* case.

Moreover, the fact that a confession is made voluntarily, free from threat and inducement can be regarded as presumptive evidence of its truth. Still, there may be circumstances that indicate that the confession is not wholly or partly true, in which case it loses most of its evidentiary value. Hence, to be assured of the truth of a confession, the court should look to corroboration from other evidence. However, every material, in particular, need not be corroborated. The court should ideally have assurance from all angles that the retracted confession was in fact, voluntary and it must have been true.

After referring to these decisions, the legal position was further clarified by a Constitutional Bench in *Haricharan Kurmi v. State of Bihar*<sup>17</sup>. When dealing with a case against an accused, the court must begin by examining the evidence adduced by the prosecution, and after forming an

<sup>15</sup>*Shankaria v. State of Rajasthan*, 1978 (3) SCC 435.

<sup>16</sup>*Parmanand Pegu v. State of Assam*, 2004 (7) SCC 779.

<sup>17</sup>*Haricharan Kurmi v. State of Bihar*, 1964 (6) SCR 623

opinion concerning the quality and effect of the evidence, it may turn to the confession to further lend assurance to its decision.

Therefore, the general law applicable to retracted confessions can be summarized in the following manner. It is not a rule of law, but a rule of prudence, that if made voluntarily and the court is satisfied with its truthfulness, a retracted confession may form the legal basis of a conviction, after it has been broadly corroborated with material particulars.

### **Types of Confession**

The following three types of confession are relevant and admissible. Following conditions are necessary for the application of **section 27**:

1. The fact must have been discovered in the consequence of the information received from the accused.
2. The person giving the information must be accused of an offence.
3. He must be in the custody of a police officer.
4. That portion only of the information which relates distinctly to the fact discovered can be proved. The rest is inadmissible.
5. Before the statement is proved, somebody must depose that articles were discovered in consequence of the information received from the
6. Accused. Before the statement of the accused could be proved, somebody, such a sub-inspector, must depose that in consequence of the given information given by the accused, some facts were discovered.
7. The fact discovered must be relevant, that is, to say it must relate to the commission of the crime in question.

### **Effect of Police Presence**

The mere presence of the policeman should not have this effect. Where the confession is being given to someone else and the policeman is only casually present and overhears it that will not destroy the voluntary nature of the confession. But when that person is a secret agent of the police deputed for the very purpose of receiving a confession, it will suffer from the blemish of being a confession to police. In a rather unusual case, the accused left a letter recording his

confession near the dead body of his victim with the avowed object that it should be discovered by the police, the Supreme Court held the confession to be relevant. There was not even the shadow of a policeman when the letter was being written and planted.

The object of section 26 of the Evidence Act is to prevent the abuse of their powers by the police, and hence confessions made by accused persons while in the custody of police cannot be proved against them unless made in presence of a magistrate. The custody of a police officer provides the easy opportunity of coercion for extorting confession obtained from accused persons through any undue influence being received in evidence against him.

### **Custodial Confession**

The rule of total exclusion of custodial confession from evidence, as enacted under Section 25 and 26 of the Evidence Act on the face of it, shows a serious concern of the legislature for protection against police brutality, of the right of an accused person not to be compelled to incriminate himself. The rule carries the privilege against compelled self-incrimination quote for adding to it the concept of deemed in voluntariness due to the custody of the police. In the process, however, an important agency of the state entrusted inter alia with the job of maintaining law and order and of prevention and detection of crimes the jobs essentially requiring public confidence and faith gets stigmatized as 'untrustworthy'. A confession made by an accused to any third person before he is apprehended by police is admissible in evidence and can be used to convict the accused even if it is a share link between him and the circumstantial evidence, but not if it is made to a police officer or anybody, whilst he is in the custody of the police except to the extent provided for in section 27 the prohibition is absolute.

### **Afzal Guru Case (State vsMohd. AfzalAndOrs. 107 (2003) DLT 385)**

After the Parliament attack on December 13, 2001, Mohammed Afzal Guru was arrested. The Supreme Court delivered the final verdict after three and a half years, out of the four accused Afzal Guru was sentenced to death. One of the most intriguing aspects of this case was the custodial confession made by Afzal Guru, he was produced before the DCP Special Cell who recorded the supplementary disclosure statement and was later produced before the Additional Chief Metropolitan Magistrate (ACMM), Delhi where Afzal Guru confirmed that he had

voluntarily made the confessional statement to the DCP Special Cell after being informed about all procedures that were to be followed and he was under no threat or pressure.

This supplementary disclosure statement was retracted after seven months, the accused claimed that he was made aware of the details of the confession only after the copy of the charge sheet was served to him. He claimed that he had made a confession before the police during custody and not before the DCP, and his statement had been grossly manipulated and twisted.

The supreme court in deciding the evidentiary value of the confession was of the view that under section 25 and 26 of the Indian Evidence Act<sup>18</sup>, no confession made to a police officer, and no confession made while in the custody of a police officer (unless made in the presence of a Magistrate), shall be proved against such person. However, the main issue, in this case, is that the provisions of the Indian Evidence Act seem to have been completely ignored by the police officials who recorded Afzal Guru's confessional statement by following the POTA.

There was no reasonable explanation as to why he was not produced before a Judicial Magistrate. Even though the Supreme Court set aside the confession due to misuse of procedural safeguards, this case ignited important debates on the evidentiary value of retracted statements.

### **Analysis of Afzal Guru's and Ajmal Kasab's Retracted Confessions**

Even though the evidence against Afzal Guru included his confessional statement, the Supreme Court was angered by the police officials, who in their over zealotry arranged a media interview before the recording of the actual confession. After seven months, when Afzal Guru retracted this confession, the Supreme Court cited the following reasons and did not accept the confession as evidence against him.

1. There was no reasonable explanation as to why Afzal Guru was not produced before a Judicial Magistrate to record a confession under the provisions of Cr.P.C.
2. It was highly unlikely that Afzal Guru, who is alleged to be a hardcore terrorist, would have developed feelings of repentance and come forward voluntarily implicating himself and others including a lady who had nothing to do with the terrorists.

<sup>18</sup>Sec. 25, Indian Evidence Act, 1872; Sec. 26, Indian Evidence Act, 1872



3. The conduct of the so-called terrorists in the confessional statement, which included meetings and going about Delhi making plans seemed unnatural and unlikely
4. The implication of Gilani in the confessional statement conflicts with the statement made by Afzal Guru to the media.
5. Afzal Guru only became aware of the details of the confession when the charge sheet was filed and a copy was served to him. He was not aware of the contents of the confessional statement when he was produced before the ACMM, which was the cause of the delayed retraction of the confession. He claimed that he had made a confession before the police during custody and not before the DCP, and his statement had been grossly manipulated and twisted.

It was the view of the Supreme Court that the confessional statement was not reliable due to the violation of safeguards envisaged under Sections 32 and 52 of the POTA (Prevention of Terrorism Act, 2002). Furthermore, the conduct of the police, in this case, went contrary to the scheme of the law of evidence concerning confessions. According to Section 25 and Section 26 of the IEA, The POTA departs from the general law of evidence by confessing to a high ranking police officer admissible in evidence in a trial under the POTA. Furthermore, the conduct of the police, in this case, went contrary to the scheme of the law of evidence about confessions. The Supreme Court decided to set aside Afzal Guru's confession by following what was laid down in the case of *Subramania Gounden*. In the Afzal Guru case, instead of building up a case on the basis of inconsistencies in the defence plea, and stating that the retraction did not corroborate with the rest of the evidence, the Supreme Court set aside the confession by looking at the substance of what the accused said while refuting the statement.

### **Status of the Retracted Confession**

Evidence Act makes no distinction between retracted and unretracted confession, both are equally admissible against the accused<sup>19</sup>. The legal approach to be adopted by courts in cases of convictions in the light of retracted statements was summarized in the case of *Bharat v. State of U.P.*<sup>20</sup>.

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<sup>19</sup>Re: KodurThimmaReddi and Ors, AIR 1957 AP 758

<sup>20</sup>(1971) 3 SCC 950

The court held that it may consider a retracted confession but it must look for reasons for the making of the confessions as well as the retractions and must weigh the two to determine whether the retraction may not weigh in the court if the general facts proved in the case and the tenor of the confession as made and the circumstances of its making and withdrawal warrant its use, therefore, it can be stated that a retracted confession to be acted upon requires the general assurance that the retraction was an afterthought and the earlier statement was true. From the above-mentioned judgement, it is clear that **the weight to be attached to a retracted confession must depend on the circumstances under which it was given and retracted including the reasons for the same.**

### **Importance of corroboration**

“A retracted confession may form the legal basis of conviction if the court is satisfied that it was true and voluntarily made. But it has been held that a court shall not base a conviction on such a confession without corroboration. The same is a rule of prudence, it is unsafe to rely upon a confession, much less on a retracted confession unless the court is satisfied that the retracted confession is true and voluntarily made and has been corroborated in material particulars<sup>21</sup>.”

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### **Retracted confession need not be dumped Apex Court Perspective**

If from the evidence (especially independent incriminating evidence) on record it can be safely inferred that the accused is guilty, the court can choose to eschew the confessional statement of the co-accused. In the case of Manjit Singh @ mange v. C.B. I<sup>22</sup> a bench of justices P.Sathasivam and H.L. Dattu held that Retracted Confessions are held to be good confessions if they are made voluntarily and following the law. There can be no doubt that a free and voluntary confession deserves the highest credit. It is presumed to flow from a sense of guilt.

The SC further held that a confessional statement given by an accused under Section 15 of the Terrorist and Disruptive Activities (Prevention) Act should not be discarded merely for the reason it has been retracted during the trial.

<sup>21</sup>Pyare Lal Bhargava v. State of Rajasthan AIR (1963) SC (1994)

<sup>22</sup>CRIMINAL APPEAL NO. 1778 OF 2008

### **Confessions made in police custody and with Magistrate**

Confession recorded by the magistrate or an extra-judicial confession<sup>23</sup>, is the confession recorded after the police complete its investigation and submits a charge-sheet, but before the Magisterial enquiry has commenced, is inadmissible in evidence<sup>24</sup>. A confession made to a police officer while in custody, unless made in the presence of a Magistrate, can be proved against such person<sup>25</sup>. A retracted extra-judicial confession bears an even heavier burden of proof<sup>26</sup>.

A strict approach is used towards statements made to the police, with disregards to the legal procedure and safeguards without, which increases the possibility of inducement, threat, or promise<sup>27</sup>. While they are to be treated with a certain amount of care and caution, the court is not entitled to blindly proceed on the presumption that extra-judicial confessions are inadmissible<sup>28</sup>. Herein, the nature of the circumstances, the provocation for the confession, the time when the confession was made and corroboration vide independent evidence must be considered<sup>29</sup>.

Judicial confessions even when retracted have greater authority to suggest that a conviction substantially or solely based on a judicial confession would be justified<sup>30</sup>. These are those confessions that are made before a magistrate or in court in the due course of legal proceedings<sup>31</sup>.

### **Observations & Recommendations**

***Section 24 of the Indian Evidence Act (IEA) states that a confession shall not be admissible if not made freely and voluntarily.*** No inquisitor should offer any inducement, threat or ***promise to the accused***<sup>32</sup>. This concept of voluntariness is a common law principle<sup>33</sup>, and the Indian Penal

<sup>23</sup>Section 164, 281, Code of Criminal Procedure, 1973.

<sup>24</sup>Babubhai Udesinh Parmar v. State of Gujrat, (2007) 1 MLJ (Cr.) 747 (SC).

<sup>25</sup>Pancho v. State of Haryana, (2012) 1 SCC (Cri) 223.

<sup>26</sup>Rameshbhai Chandubhai Rathod v. State of Gujarat, (2009) SCC 740.

<sup>27</sup>Sakharam Shankar Bansode v. State of Maharashtra, AIR 1994 SC 1594; Kotari Suri v. State of Orissa, (1984) 1 Ori LR 199; State v. Ram Autar Chaudhry, AIR 1955 All 138.

<sup>28</sup>State of Rajasthan v. Raja Ram, 2003 CriLJ 3901.

<sup>29</sup>Kishore Chand v. State of Himachal Pradesh, AIR 1990 SC 2140.

<sup>30</sup>State v. Balchand, AIR 1960 Raj 101; Emperor v. Lal Baksh, AIR 1945 Lah 43.

<sup>31</sup>Sec. 24, Indian Evidence Act, 1872

<sup>32</sup>Sec. 24, Indian Evidence Act, 1872

<sup>33</sup>Dorcas Quek, The concept of voluntariness in the law of confessions, 17 Singapore Academy of Law Journal 819 (2005).

Code has created a safeguard for the prisoner against threat and torture by drawing from this common law principle.

Retraction of confessions is very common in most criminal cases<sup>34</sup>. This can be attributed to quite a few reasons which may be the inadequate police protection or the ill-developed mechanism for witness protection or the inherent securities of the witnesses or the accused under the influence of the status of the opposing party as happens in almost all the high profile cases.

### **Right to Retract Confessions**

Retraction is the right of the confessor and all the accused have invariably adopted that right<sup>35</sup>. But the exceedingly large number of retractions in India go on to show that these confessions do not proceed from a feeling of penitence and remorse as they should, but that they have their source in the inducement, threat, torture, hope or any other non-validating cause<sup>36</sup>.

Once a confession has been retracted the court has to fulfil certain duties in regards to the evaluation of the evidence concerning the confession by looking at all aspects<sup>37</sup>. As it has already been stated above the general law applicable to retracted confessions can be summarised in the following manner. It is not a rule of law, but a rule of prudence, that if made voluntarily and the court is satisfied with its truthfulness, a retracted confession may form the legal basis of a conviction, after it has been broadly corroborated with material particulars.

The author of this article believes that the above mentioned legal position of admissibility of retracted confessions is based on ambiguous tests and should not be the sole criteria for conviction in cases such as the death penalty. The author also believes that this situation may be improved if a provision similar to Section 76 A (2) (b) of the Police and Criminal Evidence Act of 1984 in the UK is enacted in India.

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<sup>34</sup>Queen Empress v. Babulal, (1884) ILR 6 All 509

<sup>35</sup>State of Tamil Nadu v. Kutty @ Lakshmi Narasimhan, AIR 2001 SC 2778; RajenBoro v. State of Assam, 2003 (2) GLT 632

<sup>36</sup>R v. Thompson, [1893] 2 QB 12; The Deputy Legal Remembrancer v. KarunaBaistobi (1895) ILR 22 Cal 164; Dikson Mali v. Emperor, AIR 1942 Pat 90

<sup>37</sup>State of Tamil Nadu v. Kutty @ Lakshmi Narasimhan, AIR 2001 SC 2778; RajenBoro v. State of Assam, 2003 (2) GLT 632

**Conclusion**

Confessions always go against the person making it whereas admissions may be used on behalf of the person making it under the exceptions provided in Section 21 of the Evidence Act. Confessions made by one or two or more accused jointly tried for the same offence can be taken into consideration against the co accused also as mentioned in Section 30. On the other hand, admission by one of several defendants in a suit is no evidence against others. Confession is a statement written or oral which is a direct admission of suit and Admission is a statement, oral or written, which gives inference about the liability of the person making admission.

The law laid down by the courts concerning retracted confessions has formed a test to judge its validity. If the retracted confession is proved to be made voluntarily, freely and is corroborated broadly with the rest of the evidence, it is held to be valid. However, the researcher believes that this is a vague test. And punishment such as a death sentence, as given in the Afzal Guru judgment should not be based on such a test. Elements such as fear, threat, the punishment that are involved in such a criminal case make it very difficult to completely prove that a statement was made voluntarily, and freely. Therefore, the researcher believes that retracted confessions should be given very less evidentiary value.

The Indian Law requires corroboration of the retracted confession in a broad sense and it “has to” base its decision on the retracted confession itself, without setting it aside, then strong corroboration is essential. Though the above-mentioned test is ambiguous and death sentences as in the case of Afzal Guru should not be based on retracted confessions given the diminished evidentiary value of the same.

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**REFERENCES**

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**Articles**

1. Dorcas Quack, The Concept of Voluntariness in The Law of Confessions, 17 Singapore Academy of Law Journal 819, (2005).

2. What Is The Evidentiary Value Of Retracted Confessions In India,  
<https://Blog.Ipleaders.In/Evidentiary-Value-Retracted-Confessions-India/>Nayomi  
Goonesekere., The Evidentiary Value Of Retracted Confessions: A Critical Study Of The  
Indian Supreme Court Ruling On The December 2001 Terrorist Attack On Parliament
3. Richard A. Leo, Deborah Davis, From False Confession To Wrongful Conviction: Seven  
Psychological Processes, 38 The Journal Of Psychiatry And Law 9 (2010).
4. [Retracted Confessions, Http://www.Legalservicesindia.Com/Article/1547/Confession-Under-Indian-Evidence-Act.Html](http://www.Legalservicesindia.Com/Article/1547/Confession-Under-Indian-Evidence-Act.Html)
5. Confessions and Retracted Confessions [Mr. M. Govindarajan,](#)  
[https://Www.Taxmanagementindia.Com/Visitor/Detail\\_Article.Asp?Articleid=625](https://Www.Taxmanagementindia.Com/Visitor/Detail_Article.Asp?Articleid=625)

### **Books**

1. Dr. Avtar Singh, Principles of the Law of Evidence, 19th Edition-2011, Central Law  
Publications, New Delhi
2. Durga Das Basu, Criminal Procedure Code, 1973, 4th Edition-2010, Vol.1, Lexis  
NexisButterworthsWadhwa, Nagpur
3. P RamanathaAiyar, Advanced Law Lexicon, 3rd Edition, Volume IV, Wadhwa and Co,  
Nagpur, 2005
4. S.C. Sarkar, The Code of Criminal Procedure, 10th Edition-2012, Vol. 1, Lexis  
NexisButterworthsWadhwa, Nagpur

### **Statutes**

1. The Code of Criminal Procedure, 1973
2. The Constitution of India, 1950.
3. The Indian Evidence Act, 1872

### **Websites**

- ü <https://economictimes.indiatimes.com/news/politics-and-nation/kasab-alleges-torture-retracts-confession/articleshow/4415056.cms>
- ü <https://lawlex.org/lex-bulletin/evidentiary-value-of-confession/3545>
- ü <https://www.outlookindia.com/website/story/the-case-of-shaukat/228137>

ü [http://delhihighcourt.nic.in/writereaddata/upload/courtrules/courtrulefile\\_bhx4lv6d.pdf](http://delhihighcourt.nic.in/writereaddata/upload/courtrules/courtrulefile_bhx4lv6d.pdf)

ü <http://www.shareyouressays.com/knowledge/what-is-retracted-confessions-indian-evidence-act-1872/11922>



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