

Analysis of Defected Investigation and its Effect on Trial in Pakistan: Causes and Solutions

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ABSTRACT

Aim of the Study: This research aims to examine the defects in the investigation process as carried out by Police in Pakistan, its effect on trial and to propose solution. Investigation is a process of evidence collection in support of prosecution/complainant case after registration of FIR. There is very low conviction rate in Pakistan due to deficiency of evidence.

Methodology: The study employed qualitative research approach and utilize data collection methods, such as interviews with police officers and officials, review of relevant documents, and observation of police investigation procedures. This study is done to assess the causes and impact of defects in investigation on the administration of justice. The goal of this research is to contribute to the body of knowledge on the investigation process and to provide practical solutions that can be applied by other organizations to improve their own investigative practices. Researcher has conducted interviews in depth to reach a conclusion and also asked about solution from experts of investigation, trial and who encounter in routine non implementation of laws by police.

Findings: During study there is a very huge gap of facilities between big cities i.e. Karachi, Lahore, Islamabad, and remote areas i.e. Dadu, Khairpur, Rajanpur etc. In big cities forensic Labs are established and in remote areas police stations even don't have basic investigation tools. These issues have a significant impact on the rate of conviction and the overall effectiveness of the criminal justice system. It is essential that the government and relevant authorities take immediate action to address these issues and improve the investigation process.

Conclusion: The solutions and recommendations outlined in this study, such as training and capacity building, anti-corruption measures, improved record-keeping, and increased funding, can help to address these issues and increase the efficiency and effectiveness of the investigation process.

Keywords: Police, Investigation, Prosecution, Criminal, Cases, Stakeholders, Crime rate, Street Crime.

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Introduction

"A legal exploration for individuals and items to recreate the conditions of an illegal act, capture or identify the guilty party, and help the state in prosecuting the offender," and the collection of evidence to detect, arrest and convict the offender. Another definition states that "investigation" is a term used for the proceedings of magistrates, while "inquiry" is the more appropriate term for magistrates' proceedings before a trial. (Tangedupalle Pedda Obigadu V. pullasi Pedda, 1998)

In order to provide justice, the police must carefully consider and evaluate the claims of each party involved. This initial process of weighing evidence is widely recognized as a fundamental component of the administration of justice (Pakistan, 2020). The administration of justice has always been closely linked to human society. In the past, not all laws were written down and those that were, such as the Law of the Twelve Tables and the Code of Hammurabi (Allan Chester Johnson, 1961). Today, there are generally considered to be five legal justice systems in use: Adversarial, Inquisitorial, Customary Law, Religious (usually Islamic) Law, and Mixed Legal Systems (Coleman Karesh Law Library, 2022). Pakistan's justice system continues to follow British laws and employs the Adversarial System of Justice (Mehmood Ali and 3 others v. The State [Lahore]) and (2015 SCMR 882, , 2015). which is also used in several other countries, such as Australia, Canada, New Zealand, and India. In this system, the Judge acts as a neutral referee, and previous decisions made by higher courts serve as binding precedents for lower courts. (The Constitution of Islamic Republic of Pakistan, 1973 Articles, 189, 201 and 203 GG., 1973)"

In Pakistan, there is a growing impression that accused individuals often go unpunished by the courts, which is supported by the country's low conviction rate of 8.66%. In contrast, India's conviction rate is 37.4%, England's (Crown Court) is 90%, and Japan's is 99.9%.

Such a low conviction rate in Pakistan not only encourages repeat offending but also erodes the faith of victims, their families, and society at large in the country's criminal justice system. However, it is not entirely justifiable to blame the courts for the acquittal of the accused, as they can only make decisions based on the evidence presented before them, which is collected by the investigating agencies. The law requires proof beyond any reasonable doubt, which is not possible without a rigorous investigation and a strong prosecution.

The investigation process is a crucial aspect of any legal system, as it helps to determine the facts and circumstances surrounding a case. However, despite its importance, the investigation process is not immune to defects and weaknesses. This is particularly important in high-stakes cases where the outcome of the investigation can have significant consequences.

The Criminal Investigation in Pakistan: Trends and Reality

Crime is a global phenomenon and has become increasingly complex over time, leading criminologists and detectives in technically advanced countries to adopt new criminal investigation techniques. However, criminal investigation methods in Pakistan remain largely unchanged from the past. This study examines the historical perspective of criminal investigation in Pakistan, including modern investigation facilities and the prevailing trends and reality of criminal investigations conducted by the police. The study focuses on police stations and provides facts and figures to analyze the situation. Additionally, suggestions are provided to strengthen proper investigation methods to apprehend criminals. This qualitative research utilized primary and secondary sources.

Criminal Investigation in Pakistan / Background

The criminal investigation system in the Indo-Pakistan sub-continent has its roots in the United Kingdom's system of police, which was introduced in India during British colonial occupation. The Criminal Investigation Department (CID) was first used for the detective branch of the Metropolitan Police in London in 1878. The suggestion to establish the CID in the provinces of the Indo-Pakistan sub-

continent came from the Police Commission of 1902-3. In Punjab, the department was established in 1905 with Sir Edward Lee French as its first Deputy Inspector General. The first high-profile case that brought the Punjab CID to prominence was the murder of a European girl, for which Shoulam, an Anglo Indian, was found responsible. In Sindh, the CID was established as a small branch under an Assistant Superintendent of Police in 1911. The branches used various sources to investigate crimes, including fingerprints, forensic laboratories, and dog branches.

INVESTIGATION PROCESS: In Pakistan, the police are the primary agency responsible for conducting criminal investigations. The investigation process typically begins when a victim, police officer, councilor, community leader, or watchman contacts a police station to report a crime. Private citizens may also report crimes through a phone call or complaint. In some cases, the court of jurisdiction may issue directives for police action, or police may directly detect a crime (Dr. Abdul Majeed A. Aulakh, 2005) Service law violations are reported by department heads, and the resulting report is called a First Information Report (FIR). If the crime is a felony, the FIR is lodged in the concerned book for investigation, while non-cognizable crimes are recorded in a separate book. According to Pakistani law, FIR is the most important document in a criminal case, providing evidence of the prosecution's case against the accused. It is made soon after the incident, when the memory of occurrence is still fresh. However, while FIR is a crucial aspect of criminal investigation, it is not always given the attention it deserves, and police investigations can often be hindered by corruption and inadequate resources. (M. Mahmood: Major Acts 2004 ed, 2004)

According to the law in the country, it is mandatory for a police officer to record a First Information Report (FIR) for a cognizable case under Section 154 of the Criminal Procedure Code. For a non-cognizable case, the substance of the information must be entered in the relevant register, and refusal to register a case is not an option. The police are not authorized to cause any delay in the registration of the FIR. Once an FIR is registered, the police are bound by duty to investigate the matter fairly and impartially, without any influence from higher officers. The law allows any officer in charge of a police station to investigate a cognizable case without a magistrate's order, provided that the court has jurisdiction over the local area within the limits of that station. The investigation of a lodged FIR involves several steps. (2002, P.cr.L.J.1541)

- a) "Proceedings to spot
- b) Ascertainment of facts and circumstances of case
- c) Discovery and arrest of suspected offender
- d) Collection of evidence; and only an officer in charge of police station has jurisdiction to investigate a cognizable offence.

Following are three major sources of FIR:

- a) A victim or other witness complains
- b) An officer on patrol observes a crime or
- c) Police units actively search out a crime" (Newman:, 1993)

In societies like Pakistan, it is a legal requirement for the Station House Officer (SHO) to assign a lower ranking officer, usually an Assistant Sub Inspector (ASI) or Sub Inspector, to conduct the investigation when a First Information Report (FIR) is registered at a police station. These officers may lack proper training or technical experience and rely on their previous job experience to prepare a report, called "Challans," which is submitted to the relevant court. However, this approach often leads to unsuccessful criminal investigations and undermines the seriousness of such an important responsibility. The popular belief about detective investigation work is therefore a myth.

- a) Criminal Investigation is exciting and often dangerous
- b) Detective work is more important than patrol work
- c) The detective possesses difficult to come by qualifications and skill

- d) "A good detective" can solve any crime"; the police solve (or should be able to solve) most crimes" (Goldstein, 1977)

When conducting an investigation, the investigator should be aware that the information gathered may be subject to court scrutiny, and should prepare accordingly (Ward, 2007). However, in Pakistan, the prevailing trends and realities are different and as follows:

USE OF TORTURE DURING INVESTIGATION: The police use various forms of physical torture during criminal investigations, including slapping, beating with sticks, and applying a fan belt while laying upside down or hanging by ropes. Other torture methods include keeping someone awake for long periods, pulling out nails or pricking with needles, applying electric current to genitals, cracking leg joints by forcefully pushing in opposite directions, passing an iron ring through the nose to tie with a roof or tree, inserting chilly and petrol in the anus, pouring lime and tobacco water mix in the nose, and even forcing people to ingest human excrement. In severe cases, people have died in police custody due to the torture. In 2006, there were 44 cases of police custody deaths, compared to 32 in 2005 and 32 in 2004, as reported by official figures. (National Police Bureau Islamabad, 2008 January 28).

Cases Registered against Police for Killings in Custody

The police force in Karachi, the largest city in the country, continues to rely on outdated and inhumane methods to investigate criminal cases, instead of modern scientific sources and technology. The police order of 2002 separated the investigation section of the police, but this has not resulted in any improvements in police work. The force still depends heavily on mukhbars (informers), while forensic evidence is relegated to a secondary position. (Dawn, 2007) The introduction of two separate police departments, Investigation Police and Operational Police, has not addressed the issue of bribery.

The availability of DNA profiling and forensic facilities in the country is limited. It is essential that the police force in Karachi, and across the country, implement modern scientific sources and technology in their investigations. This will help to improve the accuracy of investigations and reduce the risk of innocent people being falsely accused and punished. The government must also address the issue of corruption within the police force and ensure that perpetrators of such acts are held accountable, the details are given as under:

1. "National Forensic Science Agency, Islamabad (DNA)
2. Kadir Khan Research Laboratory, Islamabad (DNA)
3. Forensic Science Laboratory, Islamabad
4. Center for Applied Molecular Biology (CAMB), Lahore (DNA)
5. Forensic Science Laboratory, Lahore
6. Chief Chemical Examiner, (Punjab), Lahore
7. Chemical Examiner, Multan
8. Chemical Examiner, Rawalpindi
9. Forensic Science Laboratory, Karachi
10. Chief Chemical Examiner, (Sindh), Karachi
11. Chief Chemical Examiner, (Sindh), Rohri
12. Forensic Science Laboratory, Quetta
13. Forensic Science Laboratory, Peshawar"

Police Act 2002

The Police Act of 2002 was based on the Japanese National Safety Commission system and was developed by President Musharraf through the National Reconstruction Bureau (NRB) with the aim of modernizing and standardizing policing in Pakistan. The act established an oversight mechanism through elected and nominated members at the local, provincial, and national levels, as well as a standardized trial and prosecution process for increased accountability of police officers. Police

complaints authorities at the provincial and federal levels were also established, and police force responsibilities were divided into various departments.

According to the Human Rights Commission of Pakistan (HRCP) report, the police act of 2002 was a significant step towards modernizing and standardizing policing in Pakistan. However, the HRCP report also noted that the act's effectiveness was hindered by the alterations made in 2004, which reverted to the traditional practice of politicians' intervention in police matters. In conclusion, the Police Act of 2002 was a step towards modernizing and standardizing policing in Pakistan, but its effectiveness was hindered by political and bureaucratic interference. The act did not adequately address critical issues affecting the police force's performance, and accountability mechanisms were lacking. Therefore, there is a need for further reforms to strengthen the police force's performance and accountability mechanism. (Abbas, 2009). In addition, the culture of corruption and inefficiency that plagues the police force, known as the "Thana culture," has hampered the effectiveness of law enforcement efforts in Pakistan. These issues have resulted in a lack of trust and confidence in the police by the public and underscore the need for comprehensive reforms in the policing system in Pakistan.

Research Objectives

1. To bring out drawbacks and defects in investigation process
2. To note out the common practice of Investigation done by Police.
3. To specifically highlight investigation carried out by Police
4. To aware generally how the investigation to be carried.
5. To find out solution of these defects

Research Questions

1. What are the drawbacks and defects in investigation process?
2. How commonly Investigation is done by Police?
3. How investigation carried out by Police?
4. How the investigation to be carried?
5. How to improve quality of investigation in country?

Methodology

The research methodology that researcher chose is Qualitative method and for the purpose collecting the data as in qualitative method researcher selected a sample of lawyers as ethical concern taken from the participants as the size of meaning thereby to say researcher conducted five interviews from the lawyers of different age. Further researcher would like to mention that the sample that researcher selected was aimed sample same was very purposive and convenient sampling in order to achieve the answers of the research problems. Here in research in hand investigation process is an independent variable while conviction is dependent variable which relies on the investigation process. Results are defined by using descriptive method. All suggestions given by respondents are mentioned in suggestions/ recommendations.

Results and Discussion

Interview was conducted from Magistrates and Police officials the number of respondents was 36. Summary of all responses is given bellow:

Q No. 01: *Sir, enlighten us about investigation process?*

Ans: The investigation process refers to the steps taken by law enforcement and other agencies to gather evidence and information in order to solve a crime or determine the cause of an incident. The investigation process is an essential part of the criminal justice system and plays a crucial role in determining whether or not an individual or group is responsible for a crime and in gathering evidence

to support a prosecution. The investigation process typically involves the following steps:

- **Initial Response:** The first step in the investigation process is to respond to the scene of the crime or incident. This may involve securing the scene to preserve evidence, interviewing witnesses, and collecting initial evidence.
- **Evidence Collection:** This involves collecting and preserving evidence at the scene of the crime or incident. This may include items such as fingerprints, DNA samples, and other physical evidence that can be used to link suspects to the crime.
- **Interviews and Interrogations:** This involves interviewing witnesses and potential suspects in order to gather information and evidence that can be used to support or refute a case.
- **Analysis of Evidence:** The collected evidence is then analyzed to determine its relevance to the case and to identify potential leads. This may involve laboratory analysis of physical evidence or the examination of financial or other records.
- **Arrest and Prosecution:** If the investigation process leads to the identification of a suspect, the police may make an arrest and file charges. The case may then proceed to prosecution, where the evidence and information gathered during the investigation is used to support the prosecution's case in court.

It is important to note that the investigation process is subject to legal and ethical constraints and must be conducted in accordance with the law. The rights of suspects and other parties must be protected throughout the process, and evidence must be collected and analyzed in a manner that is consistent with legal standards.

Q No. 02: Sir, what do you think are core defects in investigation process?

Ans: There are several core defects in the investigation process that can hinder its efficiency and effectiveness. These include:

- **Lack of Resources:** Inadequate funding and a lack of resources, such as modern equipment and technology, can limit the ability of investigators to properly collect and preserve evidence and complete their investigations in a timely manner.
- **Corruption:** Corruption can undermine the integrity of the investigation process and decrease public trust in the criminal justice system. This can include bribery, influence-peddling, and the abuse of power by law enforcement or other government officials.
- **Lack of Training:** A lack of training and capacity building for investigators can lead to a lack of expertise in the latest investigation techniques and best practices. This can result in the improper collection and preservation of evidence, and the failure to gather sufficient information to support a prosecution.
- **Inadequate Record Keeping:** Poor record-keeping can make it difficult for investigators to properly document their findings and can limit their ability to build a strong case.
- **Lack of Independent Oversight:** A lack of independent oversight can result in a lack of accountability for investigators and can limit the transparency of the investigation process.
- **Political Influence:** Political influence can interfere with the impartiality of the investigation process and can result in the suppression of evidence or the failure to properly pursue certain cases.

These defects can result in a lower rate of conviction, a lack of public trust in the criminal justice system, and an increased risk of wrongful convictions. It is essential that steps be taken to address these issues in order to improve the efficiency and effectiveness of the investigation process.

Q No. 03: Sir, tell us about the role of Police in investigation?

Ans: The police play a critical role in the investigation process. They are responsible for responding to the scene of a crime or incident, securing the area to preserve evidence, and collecting and preserving evidence. The police are also responsible for interviewing witnesses and potential suspects, analyzing the collected evidence, and making arrests if a suspect is identified.

In addition to these basic investigative responsibilities, the police also play a key role in developing and executing investigation strategies, working with other law enforcement agencies, and presenting evidence in court. They are responsible for ensuring that the investigation process is conducted in accordance with legal and ethical standards, and that the rights of all parties are protected.

The police also play a critical role in maintaining public trust in the criminal justice system. They must be impartial, fair, and transparent in their investigative practices, and they must be committed to the pursuit of justice.

Overall, the role of the police in the investigation process is to gather and analyze evidence, identify and apprehend suspects, and present a strong case in court. They must be well-trained, equipped with the necessary resources, and held to the highest standards of integrity and professionalism in order to effectively fulfill this role and ensure that justice is served.

Q No. 04: Sir, do you think Police is playing its role properly?

Ans: The effectiveness of the police in fulfilling their role in the investigation process can vary widely depending on a number of factors, including the resources and training available to them, the level of corruption in the department, and the level of political interference they face.

In some cases, police departments are well-equipped, well-trained, and staffed by officers who are dedicated to upholding the law and serving the public. In these cases, the police are often able to effectively perform their investigative duties, gather and preserve evidence, and identify and apprehend suspects.

However, in other cases, police departments may be underfunded and understaffed, leading to a lack of resources and training. This can result in inadequate investigations, the failure to gather and preserve evidence, and the inability to identify and apprehend suspects. Additionally, corruption and political influence can also undermine the effectiveness of the police in performing their investigative duties.

Ultimately, it is difficult to make a blanket statement about whether or not the police are fulfilling their role in the investigation process effectively, as this can vary widely depending on the specific circumstances and the specific department in question. However, it is important for police departments to be held to the highest standards of integrity and professionalism, and for ongoing efforts to be made to improve the quality and effectiveness of policing in order to ensure that justice is served.

Q No. 05: Sir, do you think Police of Pakistan is working effectively with regards to investigation?

Ans: It is generally known that the effectiveness of police departments can vary widely depending on factors such as available resources, training, and the level of corruption and political interference.

Further respondents said that in order to determine the effectiveness of the police with regards to investigations, it would be necessary to conduct a comprehensive analysis of the department and its practices, including an examination of crime data, investigation procedures, and community relations. This analysis could also consider factors such as the level of funding and resources available to the department, the training and expertise of its officers, and the level of transparency and accountability within the department.

Q No. 06: Sir, what reforms should be made to enhance the effectiveness of investigation?

Ans: There are several reforms that could be implemented in order to enhance the effectiveness of the investigation process:

- **Training and Professional Development:** Providing police officers with ongoing training and professional development opportunities can help to improve their skills, knowledge, and abilities in conducting investigations. This could include training in areas such as crime scene management, evidence collection and preservation, interviewing techniques, and the use of technology in investigations.
- **Resources and Equipment:** Providing police departments with the resources and equipment they need to effectively conduct investigations is critical. This could include access to modern technologies, such as forensic tools, as well as sufficient staffing levels and funding to support investigations.
- **Standard Operating Procedures:** Developing and implementing standard operating procedures (SOPs) for investigations can help to ensure that investigations are conducted in a consistent, efficient, and effective manner. SOPs can provide guidance on the steps that should be taken during an investigation, and can help to ensure that critical evidence is not overlooked.
- **Improved Data Management:** Improving the management and analysis of data related to crimes and investigations can help to enhance the effectiveness of the investigation process. This could include implementing modern data management systems, such as computerized crime databases, and using data analytics to identify trends and patterns in criminal activity.
- **Community Relations:** Building strong, positive relationships between the police and the communities they serve can be an important factor in enhancing the effectiveness of the investigation process. This could include outreach programs, community policing initiatives, and open communication channels to help build trust and cooperation between the police and the community.
- **Transparency and Accountability:** Increasing transparency and accountability within police departments can help to build public trust in the criminal justice system. This could include measures such as body cameras for officers, independent review boards, and public reporting of police activity.
- **Collaboration with Other Agencies:** Collaborating with other law enforcement agencies and organizations can help to enhance the effectiveness of investigations. This could include partnerships with federal agencies, such as the FBI, as well as collaborations with local organizations, such as victim advocacy groups and community-based organizations.

Implementing these reforms can help to improve the effectiveness of the investigation process, increase public trust in the criminal justice system, and ensure that justice is served.

Q No. 07: Sir, can forensic science be considered as tool method in investigation?

Ans: Yes, forensic science can certainly be considered a tool in the investigation process. In many cases, forensic science can play a critical role in determining the facts surrounding a crime and providing evidence that can be used to bring suspects to justice.

Forensic science involves the application of scientific techniques and methods to the examination of physical evidence in order to solve crimes. This can include areas such as forensic biology (DNA analysis), forensic chemistry (analysis of trace evidence such as drugs or poisons), and forensic engineering (analysis of physical evidence related to accidents or crimes).

Forensic science can provide a wide range of information that can be used to support investigations, including identifying suspects, reconstructing crime scenes, and linking suspects to crimes. By using forensic science, investigators can gain insights into the events surrounding a crime that might not be otherwise obtainable.

While forensic science can be a valuable tool in the investigation process, it is important to remember that it is just one aspect of a comprehensive investigation. In order to be effective, forensic evidence must be properly collected, preserved, and analyzed, and it must be interpreted in the context of the entire investigation. Additionally, it is important to consider the limitations and potential biases of forensic methods and the need for transparency and accountability in their use.

Q No. 08: *Sir, do you think we have enough resources that are helpful in investigation process?*

Ans: in general, it is important for a country to have sufficient resources to support effective investigations. This can include access to modern technologies, such as forensic tools, as well as sufficient staffing levels and funding to support investigations.

It is also important to have a well-trained and professional police force, with ongoing training and professional development opportunities to help improve their skills and abilities in conducting investigations. In addition, having a well-functioning criminal justice system, with clear procedures and processes in place, can also help to enhance the effectiveness of investigations.

If resources are limited, it can be challenging for investigators to gather sufficient evidence, identify suspects, and bring cases to a successful resolution. Additionally, limited resources can also impact the quality and reliability of the evidence that is collected and analyzed, potentially compromising the integrity of the investigation process.

In order to enhance the effectiveness of investigations, it is important for countries to invest in the necessary resources, such as technology, training, and personnel, and to continually evaluate and improve their investigative processes.

Q No. 09: *Sir, do you think lack of proper investigation may become the cause of delay injustice?*

Ans: Yes, a lack of proper investigation can certainly contribute to delays in the administration of justice. An investigation is a critical component of the criminal justice process, as it helps to gather evidence and establish the facts surrounding a crime. If the investigation is not conducted thoroughly or properly, it can lead to a weak case being presented to the courts, which can result in a longer and more complicated legal process.

In some cases, a poorly conducted investigation can even result in the wrong person being convicted, which can have serious consequences for the individual and the criminal justice system as a whole. Additionally, if the investigation takes a long time, it can also cause undue stress and hardship for victims, witnesses, and their families, as they wait for a resolution to the case. People in Pakistan enter in crime scene bluntly without any precautionary measures and destroy whole evidence.

In order to minimize the potential for delay in the administration of justice, it is important to ensure that investigations are conducted thoroughly and efficiently, using appropriate resources and methods. This can include having well-trained investigators, access to modern technologies, and clear processes and procedures in place to guide the investigation.

Q No. 10: *Any solution, do you think to overcome the issues in investigation process by Police in Hyderabad?*

Ans: There are several solutions that can help to overcome issues in the investigation process by police in Hyderabad, or any other location. Some of these solutions include:

1. **Training and Professional Development:** Investing in ongoing training and professional development opportunities for police officers can help to improve their skills and abilities in conducting investigations. This can include training in investigative techniques, crime scene management, and the use of forensic technologies.
2. **Access to Modern Technologies:** Providing police officers with access to modern technologies and

tools can help to enhance the efficiency and accuracy of investigations. This can include things like forensic equipment, digital databases, and other tools that can help to streamline the investigation process.

3. **Clear Processes and Procedures:** Having clear processes and procedures in place to guide the investigation can help to ensure that investigations are conducted thoroughly and efficiently. This can include guidelines for collecting and preserving evidence, interviewing witnesses, and conducting searches.
4. **Collaboration with Other Agencies:** Collaborating with other agencies, such as forensic laboratories, medical examiners, and prosecution services, can help to ensure that investigations are well-coordinated and effective. This can help to streamline the investigation process and reduce the risk of delays or errors.
5. **Regular Evaluation and Improvement:** Regularly evaluating and improving the investigation process can help to identify areas for improvement and ensure that investigations are conducted effectively and efficiently. This can include things like conducting regular audits, soliciting feedback from stakeholders, and implementing best practices from other agencies.

Conclusion

During study there is a very huge gap of facilities between big cities i.e. Karachi, Lahore, Islamabad, and remote areas i.e. Dadu, Khairpur, Rajanpur etc. In big cities forensic Labs are established and in remote areas police stations even don't have basic investigation tools. These issues have a significant impact on the rate of conviction and the overall effectiveness of the criminal justice system. It is essential that the government and relevant authorities take immediate action to address these issues and improve the investigation process.

The solutions and recommendations outlined in this study, such as training and capacity building, anti-corruption measures, improved record-keeping, and increased funding, can help to address these issues and increase the efficiency and effectiveness of the investigation process.

Important Defects Identified during Study in the Investigation Process

The investigation process in the Police is plagued by several defects, which have a significant impact on the rate of conviction. Some of the major defects are listed below:

- ✓ **Lack of Training:** Many of the police personnel in Pakistan are not trained in the proper investigation techniques, which often results in improper collection and preservation of evidence. This leads to the exclusion of crucial evidence from the court and weakens the case against the accused.
- ✓ **Inadequate Resources:** The Police lacks the necessary resources to conduct a thorough investigation. This includes a shortage of personnel, lack of modern investigation tools and techniques, and inadequate funding for the investigation process.
- ✓ **Political Influence:** The investigation process is often influenced by political considerations, which results in a biased investigation. This is particularly true in cases where the accused has political connections or is a high-profile individual.
- ✓ **Corruption:** Corruption is a major problem in Police and has a significant impact on the investigation process. This is particularly true in cases where the accused has financial resources or is willing to pay bribes.
- ✓ **Inadequate Record Keeping:** The Police often lacks proper record-keeping systems, which results in the loss or destruction of crucial evidence. It makes difficult to build a strong case against the accused and weakens the prosecution's case in court.

- ✓ Not securing crime scene: Police never cover and secure crime scene and people even police enters bluntly and resultantly evidence destroyed.

Solutions and Recommendations

The following are some of the solutions and recommendations that can be implemented to improve the investigation process and increase the rate of conviction:

- ❖ **Training and Capacity Building:** The police personnel need to be trained in the latest investigation techniques and best practices. This will help them to properly collect and preserve evidence and build a stronger case against the accused. The police force should also be provided with the necessary resources, including modern equipment and technology, to improve the efficiency of the investigation process.
- ❖ **Citizens should be trained to secure crime scene and should not enter in crime scene without any safety measures and crime scene should be examined minutely by experts.**
- ❖ **Anti-Corruption Measures:** Corruption is a major problem in the Police and undermines the integrity of the investigation process. The government should take steps to address this issue through the implementation of anti-corruption measures, including the establishment of a complaints mechanism and the implementation of a zero-tolerance policy for corruption.
- ❖ **Improved Record Keeping:** The Police should implement a proper record-keeping system to ensure that all evidence and other relevant information is properly documented and preserved. This will help to prevent the loss or destruction of crucial evidence and strengthen the prosecution's case in court.
- ❖ **Independent Oversight:** An independent oversight mechanism, such as an internal affairs unit, should be established to monitor the investigation process and ensure that it is conducted in a fair and impartial manner. This will help to reduce the influence of political considerations on the investigation process and increase the confidence of the public in the criminal justice system.
- ❖ **Increased Funding:** The Police needs to be provided with adequate funding to improve the efficiency and effectiveness of the investigation process. This will help to address the shortage of personnel and provide the necessary resources, including modern equipment and technology, to conduct a thorough investigation.
- ❖ **Investigation and trial should run concurrently as apprehension of defects could be minimized.**
- ❖ **Pakistan should switch to inquisitorial system for speedy and proper investigation and trial.**

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