**LITERATURE REVIEW:**

The literature review is separated into main sections to reflect the major areas of this study.

1. Pakala Narayan Swami vs Emperor AIR 1939, it was held by the Lords that the confession recorded has to be as per due process of law.

2. Bacchan Singh V/s, State of Punjab, Reported in All India Reporter ,1980 ,Supreme Court ,pg. No.898 ,the guidelines were given by the court as Life imprisonment is the rule and death sentence is an exception and balance sheet between Mitigating and Aggravating circumstances is to be considered.

3. Shankarlal Gyarasilal Dixit V/s. State of Maharashtra ,All India Reporter 1981, Supreme Court 765 , the Court hold that the incriminating articles recovered at the instance of accused will be admissible as confession of accused.

4. Mohanlal Gangaram Gehani V/s. State of Maharashtra ,reported in All India Reporter 1982 ,Supreme Court page No. 839 it was held n rape case that the recovery of the articles of crime was in accordance to u/s 27 of Indian Evidence Act,1872, as an confession and reliable.

5. In Visveshwaran V/s. State REP. by S.D.M. ,reported in Supreme Court Cases ,2003 ,pg.No.73 ,it has been held that until and unless the clinching circumstances and erringly pointing out the guilt out cannot be said the prosecution has proved the guilt beyond reasonable doubt.

6. Lallu Manjhi V/s. Sate of Jhakhand ,All India reporter 200 3, S.C.854, the Justice has explained the confesion of accused while in custody of police u/s. 27 of Indian Evidence Act,1872.

7. It was reported in Jashubha Bharatsinh Gohil V/s. State of Gujarat reported in Supreme Court Cases in 1994(4) ,pg. No.353 , it was observed that the prosecution has to establish the recoveries and discoveries to be made at the instance of accused while making a disclosure statement u/s 27 of Indian Evidence Act,1872

8. It was reported in Devendra Pal Singh V/s. State of NCT of Delhi ,2003,reported in Supreme Court Cases ,page No.234 , it was held by the Court that the Modus operandi of accused shows no possibility of accused being reformed.
9. In Swami Shraddhananda @ Murali Manohar Mishra V/s. State of Karnataka, reported in All India Reporter 2008, Supreme Court, 3040, it was again held while deciding the role played by the accused the mitigating and aggravating circumstances plays an important role in deciding the form of punishment.

10. Kunju V/s. State of Tamil Nadu, All India Reporter, 2008, Supreme Court pg. No.1381, it was held by the court that confession of co-accused should be inconsistent with offence committed.

11. Vithal Pundalik Zendge V/s. State of Maharahtra reported in 2009(1) it was the conclusion of the court that the recovery made while in custody of police is to be believed if the discovery is made pursuant to the confession made by accused.

12. With regard to a specific variant of the problem, it is also worth noting that the National Research Council Committee to Review the Scientific Evidence on the Polygraph (2003) recently expressed concern over the risk of false confessions produced by telling suspects they had failed the polygraph test.

13. A.N.Venkatesh and another V/s State of Karnataka reported in 2005 (7) Supreme Court Cases, it was held by the Supreme Court that it is not necessary either in law or in practice that where recovered have to be effected from different places on the information furnished by the accused.

14. Mohd.Faizan Ahmad Alias kalu V/s State of Bihar reported in 2013(3) in Supreme Court Cases page No.131, The Supreme Court observed that criminal Courts recognize only legally admissible evidence and not far-fetched conjectures and surmises.

15. The author Vikrm Prakash Duhah reported in article published in ‘INTERNATIONAL INDEXED AND REFERRED RESEARCH JOURNAL’ published on February, 2013, the writer has emphasized on the judiciary as the protector of the Human Rights.

16. The writer in the Journal “INDIAN JOURNAL OF PSYCHIATRY” published on April-June, 2013, the author has made an observations that there has been a violations of human Rights among the people who are mentally ill and suffering from ill treatments given to them.

17. The Author Varun Kumar in his article opulished in Journal ‘INTERNATIONAL REFERRED RESEARCH JURNAL’ published on August, 2011, the author has been
focusing on the Principle of Self Incrimination and Narco Analysis as these being violations of Human Rights.

18. The authors M.Sonal Sekhar, K.Samilya Nazeer, J. Tintu Sara and R. Saraswathi in Journal “INTERNATIONAL JOURNAL OF RESEARCH IN PHARMACY AND CHEMISTRY” Published on January, 2011, The writers have focused on the legal aspects which the pharmacist are required to do to counsel the patients who are depressed and likely to commit offence.

19. The Author Prof. Dr. B. P. Tiwari former HOD/Principal Govt.State Law College, Bhopal, in his article published in Journal “INTERNATIONAL Indexed and REFERRED RESEARCH JOURNAL” Published on February, 2013, has observed that the situations where the Judiciary itself has come down heavily and has declared a Right to Privacy is an Fundamental Rights.

20. In State of Maharashtra V/s. Raju Jagdish Paswan, 2013 reported in All Maharashtra Reporter (Crime) 1431, Bombay High Court, it was held by Hon’ble court that the evaluating the mitigating and aggravating circumstances play important role in deciding the punishment of accused.

21. The Author Vimal Joshi, in his article published in Journal ‘ASIAN RESONANCE’ published on October, 2013, has made focus on the ways how the investigation is conducted through the Scientific method i.e. Narco – Analysis.

22. The Author Anju Sinha has in Journal ‘INTERNATIONAL JOURNAL OF HUMANITIES AND SOCIAL SCIENCE INVENTIION’ published on November, 2013, has tried to explain what does the open prison means and it having a dual purpose of reformation and eliminating the offenders from committing a crime.

23. In the reported case of State of Punjab V/s Karnail Singh, All India Reporter, 2003, Supreme Court Cases Page No. 4065, it was observed by the Court that the Golden thread which runs through web of administration of justice in criminal cases is that if two views are possible the view favourable to the accused should be adopted.

24. The Author Anwar Sadith in Journal ‘JOURNAL OF PSYCHIATRY : OPEN ACCESS JOURNAL’ Published on May, 2014, has observed that the Human rights violations of mentally ill are often overlooked and under reported.
25. The Author Adv. Mohan Sopan Gavai in his article published in Journal ‘CENTUM’, on February, 2014, has vehemently laid down the Rights of Women and is Atrocities against them in the society and also their rights on arrest.

26. The author Syed Ejaz Abbas Naqvi in his article published in Journal “CENTUM”, Published on August, 2014, has made observations on the rights of prisoners as an Human being as per the Indian Constitution.

27. The author Pramila D’souza an article published in Journal CENTUM, Published on February, 2014 in volume No.7 Issue 1, the author has observed the situations and circumstances where the women’s rights are been violated in such a manner and thereby abusing the physical and mental peace of women in the society and thereby the crime being increased.

28. The article in the Journal CENTUM, published in the month of February, 2014 by Dr. Smita Karve and Syed Ejaz Abbas Naqvi, the writer has claimed the rights of prisoners to be released for temporary period during their term of imprisonment.

29. The State of Maharashtra & anr. V/s. Viran Gyanlal Rajput & anr. Reported in Bombay Cases Reporters, 2015(2), pg. 102. It was hold by the court that the discovery of the incriminating articles recovered must be in consonance of the disclosure made by the accused during interrogation.

30. In Akhtar Hussein Mophiddin Ali Shaikh V/s. State of Maharashtra, reported in 2015 (2), in Bombay Cases Reporter (Cri), pg. No.64 it is it being a case of double murder by more than 10 persons, the court hold that guilt of accused cannot survive on the bare confessional statement made by the accused persons.