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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

THE LEGAL ADMISSIBILITY OF DIGITAL FOOTPRINTS IN JUVENILE SUICIDE CASES IN INDIAN COURTS

AUTHORED BY - DR. AMITESH ANAND¹

ABSTRACT

Today in this electronic age, teenage lives are deeply intertwined with digital social media, messaging and online interactions platforms like face book, twitter, instagram and several others. Hence the juvenile's suicide death cases are not rare, nowadays it has become usual & a distressing reality in India. These juveniles' suicide death cases often linked to cyber bullying, online abuse, or peer pressure. So in such cases digital footprints left by a victim such as social media interactions, call logs, deleted chats, posts, messages and search history are crucial forensic evidence and offer critical evidence of the psychological and social pressures. These evidences are enough to signify and give a way to start an investigation. However, the legal admissibility of such electronic evidence presents numerous challenges under IT Act, and juvenile justice laws. This paper analyzes the existing legal framework governing digital evidence admissibility in juvenile suicide cases, evaluates judicial precedents, and highlights procedural, technical, and ethical challenges & explores how Indian courts find such evidences? Are they admissible especially under the previous colonial legislation of evidence 1872 (now BSA, 2023) and the IT Act, 2000. It also investigates how law enforcement agencies retrieve, preserve, and present digital trails in these cases of minors suicide and whether such evidence stands up to judicial scrutiny. During all these issues of privacy, chain of custody, forensic authentication, and the mental health etc. are also examined.

KEYWORDS

IT Act, 2000, Forensic, IEA, 1872, Digital, Social Media, BSA, 2023, Juvenile Suicides, Evidence.

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INTRODUCTION

The digital age has totally changed the way today the adolescents interact, communicate, and experience their growing years. In this era no doubt the internet on one hand has opened plethora of opportunities on other hand also created a gate of risk for young individuals, because since their early childhood they become dependent on smart phones, social media, and online communities for their learning, entertainment, socialization and also for self-expression. However, this growing digital integration of several social media platforms, different messaging applications, and online gaming into daily life has also led to alarmingly tragic rise in incidents of cyber bullying, online harassment, digital blackmail, and psychological manipulation. Tragically, these virtual aggressions have often translated into real-world consequences—including instances of **juvenile suicides** linked to online abuse and humiliation.²In India in several such cases, the only clues to the emotional and psychological distress faced by the minor are found in their **digital footprints** - the trail of data left behind through interactions on social media ranging from text messages and social media posts to search histories, location logs messaging apps, emails, online searches, and digital journals, and even deleted content retrievable through forensic tools. These footprints can offer valuable insight into the child's state of mind, online relationships, and possible instances of coercion, abuse, or bullying. However, the use of these footprints such data can serve as legal evidence as vital indicators of motive, mental state, external influence, and possibly even direct abetment by others in a court of law is far from straightforward.³ However, for all these digital evidences to be actionable in Indian courts, it is required to satisfy complex legal formalities as admissibility, authenticity, and relevance because often they poses significant legal, technical, and ethical challenges. In the Indian legal framework *Sections 65A and 65B* of the previous *Indian Evidence Act, 1872*, (hereafter IEA, 1872) governed the admissibility of electronic records including authenticity, relevance, and certification.¹ So this study critically examines how the *Sections 65A and 65B* of previous IEA, 1872 governed the admissibility of electronic records specifically in the context of **juvenile suicide cases**. Moreover, juvenile suicides often occur in emotionally charged environments. Yet, the law does not always address the emotional sensitivity as privacy, parental access, mental health considerations or technicality that often involved in juvenile cases further complicate legal procedures. Further the evolving nature of

² K. K. Sahu, "Cyberbullying and Indian Juvenile Jurisprudence: A Need for Policy Reform," 58(1) *Journal of the Indian Law Institute* 118–134 (2016).

³ Aparna Chandra, "Digital Evidence and the Indian Evidence Act: Admissibility and Challenges," 56(3) *Journal of the Indian Law Institute* 421–445 (2014).

technology often outpaces legislation, resulting in gaps and inconsistencies when dealing with cases involving minors and suicide. In such sensitive contexts, courts must balance the need for justice with the right to privacy, emotional trauma of grieving families, and the procedural integrity of digital forensics⁴. Investigating such cases involves digital forensic experts, law enforcement agencies, educational institutions, and sometimes even social media platforms. The recovery and analysis of digital data such as deleted WhatsApp chats, Instagram messages, TikTok comments, or must be conducted in a legally sound and ethically sensitive manner. This includes preserving the chain of custody, maintaining metadata, ensuring non-tampering of evidence, and obtaining appropriate permissions when dealing with a minor's private digital life.⁵ The *Juvenile Justice (Care and Protection of Children) Act, 2015*, while comprehensive in dealing with minors in conflict with the law or in need of care, does not explicitly address issues related to digital evidence post-mortem. In parallel, the *Information Technology Act, 2000* (hereafter IT Act, 2000) provides a framework for cyber security and electronic record-keeping, but does not sufficiently cover the nuanced requirements for the admissibility of such evidence in digital crimes that lead to suicide.⁶

The *Protection of Children from Sexual Offences (hereafter POCSO) Act, 2012* in cases involving online sexual exploitation, adds another legal layer, especially when cyber bullying is of a sexual or gender-based nature. In this purview the study also attempts to investigate the application of other relevant legislations such as the *IT Act, 2000*, the *Juvenile Justice (Care and Protection of Children) Act, 2015*, and at some places, the *POCSO, Act, 2012* especially when abuse or exploitation is consequence of digital occurrence. Moreover the Indian courts have also begun acknowledging the importance of digital evidence in sensitive matters. For example the Supreme Court in a judgment *Shafhi Mohammad v. State of Himachal Pradesh (2018)* relaxed strict conditions on digital evidence admissibility under Section 65B in certain circumstances. Nonetheless, juvenile suicide cases often remain underreported, poorly investigated, or legally under-processed due to lack of awareness, forensic readiness or legal expertise. Hence this paper also seeks to analyze the legal admissibility of digital footprints in juvenile suicide cases in Indian courts. This paper seeks to analyze the Statutes, legal

⁴ Usha Ramanathan, "Juvenile Justice in India: Law, Policy, and Practice," 49(2) *Journal of the Indian Law Institute* 175–192 (2007).

⁵ S. V. Joga Rao, "Legal and Ethical Issues in Mental Health and Adolescent Suicides," 60(1) *Journal of the Indian Law Institute* 90–105 (2018).

⁶ K. K. Sahu, "Cyber bullying and Indian Juvenile Jurisprudence: A Need for Policy Reform," 58(1) *Journal of the Indian Law Institute* 118–134 (2016).

provisions and the admissibility of digital footprints in juvenile suicide cases in Indian courts. It aims to assess the existing legal framework, identify procedural challenges, and propose solutions for the more effective integration of digital forensics in child-sensitive legal proceedings. Can digital footprints be admitted as primary evidence in Indian courts when investigating juvenile suicides? What standards are applied by Indian courts to validate digital evidence? Are current Indian laws sufficient to protect minors while ensuring justice? The focus will be on real-world cases, judicial interpretations, forensic methods, and policy suggestions that could enhance both the evidentiary value of digital trails and the fairness of legal proceedings in the aftermath of juvenile suicides.

ELECTRONIC EVIDENCES IN JUVENILE SUICIDE CASES AND THE INDIAN LEGAL FRAMEWORK

Digital footprints in India are increasingly recognized as crucial forensic and legal evidence in criminal investigations, particularly under the *IT Act, 2000*⁷ and *BSA, 2023*.⁸ Primarily the *IEA, 1872* (now-repealed) governed the admissibility, and handling of digital evidence in juvenile suicide cases drawn from multiple statutes and judicial interpretations particularly those linked to cyber bullying or psychological harassment. This now-repealed Act laid the foundation for the admissibility of electronic records, which has since been modernized by the *BSA, 2023*. In parallel, the *IT Act, 2000* provides statutory recognition to electronic records and cyber security mechanisms, while the *Juvenile Justice (Care and Protection of Children) Act, 2015* safeguards the rights of minors—whether in conflict with the law or in need of care and protection. Additionally, the *POCSO Act, 2012* also becomes relevant if incidents of cyber bullying also involve elements of sexual harassment or exploitation.

❖ The Indian Evidence Act, 1872

Sections *65A* and *65B* of the previous Evidence Act were introduced by the *IT Act, 2000* to address the growing use of electronic records. However under Sections 61 to 63 of the *BSA*, electronic records are granted the same legal status as traditional documents, provided certain conditions are met, such as secure digital output, verification of authenticity, and the inclusion of technical safeguards i.e. hash value to prevent tampering. Notably, *Section 63(4)* also requires a certificate from a responsible person or forensic expert to ensure the reliability of

⁷ Information Technology Act, 2000, § 2(1)(t), No. 21, Acts of Parliament, 2000 (India).

⁸ Bharatiya Sakshya Adhinyam, 2023, §§ 2(1)(d), 61–63, No. 46, Acts of Parliament, 2023 (India).

such records, particularly in criminal cases especially in juvenile suicides by a minor. In this context, the BSA provides a flexible and technologically aligned framework, more adaptable framework, allowing the judiciary to rely on forensic integrity and expert testimony. In juvenile suicide cases, this becomes particularly relevant when social media posts, chat records, or emails are produced to establish cyber bullying, emotional abuse, or abetment to suicide. However, many such records are hosted on third-party platforms (e.g., Meta, Google, or Snapchat) whose servers are located outside India. Accessing such data with the required certification and chain-of-custody documentation often poses practical challenges. In the landmark case of *Shafhi Mohammad v. State of Himachal Pradesh*⁹ the Supreme Court held that the requirement of a Section 65B certificate always is not mandatory. If the electronic record is authentic and its integrity is not in question, its admissibility should not be denied purely on technical grounds because sometimes it is procedural. This decision gave much-needed flexibility in cases where timely or direct certification is impossible—especially useful in juvenile suicide cases where data is often obtained post-mortem and through third parties. Nevertheless, in the earlier judgment of *Anvar P.V. v. P.K. Basheer*¹⁰ the Court had taken a stricter view by mandating a 65B certificate. The conflicting positions between these cases have created uncertainty in trial courts and often lead to inconsistent practices when introducing electronic records.

❖ Information Technology Act, 2000

The *IT Act, 2000* further supplements the Evidence Act now BSA, 2024 by recognizing electronic records and digital signatures and grants legal sanctity for their admissibility, storage, and retention. Sections like **43**, **66**, and **67 'C'** deal with unauthorized access, cybercrimes, and obligations of intermediaries (i.e., service providers) to preserve records. Section 67C mandates that intermediaries maintain records for a prescribed duration. However, there lies a procedural gap in securing such data, especially when policing remote servers during a time-sensitive juvenile suicide investigation.¹¹ In cases involving juvenile suicide, this provision is critical for ensuring that deleted posts, private messages, or anonymous harassment logs are preserved before they are permanently lost. However, in practice, the enforcement of

⁹ *Shafhi Mohammad v. State of Himachal Pradesh*, (2018) 2 SCC 801.

¹⁰ *Anvar P.V. v. P.K. Basheer*, (2014) 10 SCC 473.

¹¹ Aparna Chandra, "Digital Evidence and the Indian Evidence Act: Admissibility and Challenges," 56(3) *Journal of the Indian Law Institute* 421–445 (2014).

these provisions is weak. Delays in investigation or reporting often mean that critical evidence has already been deleted by the time law enforcement intervenes.¹²

❖ **Juvenile Justice (Care and Protection of Children) Act, 2015**

The *Juvenile Justice Act* addresses disposal, rehabilitation, and institutional care for juveniles involved in crime and is progressive in its approach for aggrieved children who need care and protection of law. But the Act does not provide protocols for post-mortem digital data collection or retention, guidance on how digital evidence involving minors should be collected or used in posthumous investigations, thus leaving a legal void in cyber-related suicide cases. It is also not clear and silent on whether parental consent is required for accessing a deceased child's online accounts, or whether such data can be used as primary evidence in criminal prosecution. This lacuna often results in procedural bottlenecks where investigating officers are unsure of how to proceed, especially when the digital evidence involves sensitive content such as mental health disclosures, threats, or images.

❖ **Protection of Children from Sexual Offences (POCSO) Act, 2012**

In cases where the suicide is linked to online sexual exploitation or blackmail, the *POCSO Act* becomes applicable. It mandates special procedures for handling and recording evidence of child abuse, and its provisions on confidentiality and protection of the victim extend to digital content as well. However, POCSO does not contain any specific guidelines for preserving electronic data or involving digital forensic experts in the investigation process.¹³

JUDICIAL INTERPRETATIONS AND CASE LAW RELATED TO DIGITAL EVIDENCE IN JUVENILE SUICIDE CASES

The judiciary of India has played a central role in shaping digital evidence admissibility under the previous Evidence legislation. While jurisprudence specifically addressing with juvenile suicide and digital footprints remains limited, existing case law on electronic records provides a foundation for handling such sensitive matters. Courts have gradually shifted from a rigid formalistic approach to a more pragmatic and technology-aware perspective and its implications acknowledging the growing significance in criminal justice. This includes cases

¹² S. N. Misra, "IT Act and Cybercrime in India: An Analytical Overview," 58(4) *Journal of the Indian Law Institute* 378–392 (2016).

¹³ K. K. Sahu, "Cyberbullying and Indian Juvenile Jurisprudence: A Need for Policy Reform," 58(1) *Journal of the Indian Law Institute* 118–134 (2016).

involving cyber bullying and online exploitation linked to suicides. The judiciary has demonstrated an evolving approach -from strict formalistic evidentiary hurdles to a more nuanced, context-driven assessment. This trend bodes well for the future of justice in juvenile suicides, provided it is accompanied by that robust proper forensic protocols and procedural safeguards.

❖ Evolution of Legal Interpretation

Initially, the Supreme Court in *Anvar P.V. v. P.K. Basheer* (2014) pronounced that the for the admissibility of electronic evidence the production of a certificate under Section 65B(4) of the previous IEA was an essential requirement. This framework created a stringent evidentiary burden, especially in cases involving data retrieved from third-party servers such as WhatsApp, Facebook, or Google. The requirement that a certificate under Section 65B of the IEA must be issued by a person having lawful control over the system often resulted in the exclusion of critical evidence, as such entities were frequently unwilling or unable to provide the necessary certification.¹⁴ However, this position was revisited in *Shafhi Mohammad v. State of Himachal Pradesh* (2018). In this the Apex Court introduced greater flexibility in the admissibility of electronic evidence. The Court held that a certificate under Section 65B is always is not mandatory.¹⁵ This ruling opened the door for the admissibility of screenshots, server logs, and cloud-based content in urgent circumstances particularly significant in juvenile suicide investigations which involves abetment to suicide through digital harassment or abuse, where time-sensitive evidence may be held by social media companies outside India. Investigators or families may not have direct access or control over the devices or servers. Courts now appear more willing to consider such evidence if its integrity can be verified through expert testimony or technical forensic reports.

❖ Use of Digital Evidence in Abetment to Suicide Cases

The Delhi High Court relied on telephonic records and letters to interpret the psychological state of the deceased in case of *State v. Sushil Sharma* (1996). Today, such psychological evidence are found in digital communications such as voice notes, chats, Instagram stories, and even search history etc. In another case, the court accepted circumstantial evidence that had indirect digital linkages. Although not involving juveniles, these precedents opened the door

¹⁴ *Anvar P.V. v. P.K. Basheer*, (2014) 10 SCC 473.

¹⁵ *Shafhi Mohammad v. State of Himachal Pradesh*, (2018) 2 SCC 801.

for broader acceptance of new forms of forensic evidence¹⁶. Further in *Surinder Kaur v. State of Haryana* (2019), the High Court allowed the introduction of mobile call records and WhatsApp chats in a suicide case, recognizing their evidentiary value even in the absence of a 65B certificate, as long as they could be corroborated by forensic analysis. Such decisions indicate an emerging judicial readiness to incorporate digital trails as proof of abetment, intent, or mental harassment.¹⁷

❖ Juvenile-Specific Case Challenges

Despite growing reliance on digital evidence, cases involving juveniles still face barriers. In *Re: A minor's online abuse and suicide*, a 2022 PIL filed in the Delhi High Court, the petitioner sought guidelines for preservation of digital evidence in cases involving children. Although the matter is still pending, the court acknowledged that digital evidence plays a central role in understanding the causative factors behind and observed the need for “procedural clarity and technological assistance” there.¹⁸ Judicial interpretation has also acknowledged privacy concerns under Article 21 of the Constitution. In *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017), the Supreme Court affirmed the fundamental right to privacy, which also extends to digital data. In juvenile cases, courts are now more cautious in disclosing social media content of deceased minors in open court or media, especially if it involves sexual harassment or private content.

THE TECHNICAL AND PROCEDURAL CHALLENGES OF THE EVIDENCES IN JUVENILE SUICIDE CASES

In above investigations, digital footprints generally are the only link to understand the psychological trauma, online abuse, or cyber bullying which was regularly faced by the deceased. However, the collection, preservation, authentication, and admissibility of such digital evidence present numerous technical and procedural challenges—particularly in the Indian legal and forensic landscape, which is still evolving in its response to digital crimes involving minors. Despite growing judicial recognition of digital evidence in sensitive cases, India continues to face critical **institutional and systemic gaps** that undermine the timely and effective investigation of juvenile suicides linked to online abuse. These gaps span across law

¹⁶ Vide *Keshav Mahindra v. State of M.P.* (2004).S.V. Joga Rao, "Legal and Ethical Issues in Mental Health and Adolescent Suicides," 60(1) *Journal of the Indian Law Institute* 90–105 (2018).

¹⁷ *Surinder Kaur v. State of Haryana*, 2019 SCC OnLine P&H 2023.

¹⁸ Delhi High Court, *Re: A minor's online abuse and suicide*, PIL No. 876/2022 (pending).

enforcement, forensic infrastructure, policy formulation, inter-agency coordination, and public awareness—highlighting the urgent need for reform.

❖ **Lack of Child-Centric Forensic Protocols**

One of the foremost issues is the **absence of specialized forensic protocols** for handling digital evidence involving children. Unlike physical abuse or sexual offences, there is no structured process under the Juvenile Justice (Care and Protection of Children) Act, 2015 or POCSO, 2012 for digital investigations post-mortem. There are no provisions guiding how to access a child's online accounts, preserve sensitive content, or protect psychological dignity during analysis. While the National Cyber Crime Reporting Portal (cybercrime.gov.in) provides a section for reporting online crimes against children, it remains **underutilized** due to lack of awareness and reluctance from families fearing social stigma. There is also no centralized database tracking suicides caused by cyber bullying, leaving a void in policy response.¹⁹

❖ **Police Training and Investigative Shortfalls**

Most Indian police officers at the **district or station level are not trained in cybercrime investigation or digital forensics**. According to a 2022 report by the Bureau of Police Research and Development (BPRD), less than 25% of investigating officers in the states of Uttar Pradesh, Bihar, and West Bengal had received any formal cybercrime training.²⁰ This results in weak First Information Reports (FIRs), improper seizure of electronic devices, and delays in forwarding data for forensic analysis. Additionally, many officers are unaware of how to engage with global platforms like Meta, Google, or Telegram, leading to inconsistent or legally flawed data requests. These shortcomings are exacerbated in emotionally charged cases involving minors, where immediate action is critical to preserving evidence.

❖ **Inadequate Forensic Infrastructure**

India has fewer than **50 functional digital forensic labs** serving over 700 districts. The Central Forensic Science Laboratory (CFSL) and State Forensic Science Laboratories (SFSLS) are overburdened with pending cases, and often lack cutting-edge tools required to extract or

¹⁹ Ministry of Home Affairs, *Annual Report 2023–24: Cybercrime and Child Safety*, Government of India, pp. 118–132.

²⁰ Bureau of Police Research and Development (BPRD), *Training Status Report on Cybercrime Investigations in India*, 2022, New Delhi.

decrypt modern app-based communication.²¹ Moreover, there is no national accreditation framework for private forensic experts, who are often engaged in high-profile or resource-rich cases. The lack of regulation has led to questions about **chain of custody, evidence tampering, and forensic credibility** in several trials.

❖ **Delays in Cross-Border Data Access**

The lack of **bilateral data-sharing agreements** or real-time investigative cooperation with tech giants is a major obstacle, especially in suicide cases where content may be removed quickly by other users, moderators, or automated systems. Most of the digital platforms used by minors—such as Instagram, Snapchat, or YouTube are headquartered outside India. To access user data or metadata, law enforcement agencies must send requests through **Mutual Legal Assistance Treaties (MLATs)** or diplomatic channels. This process is notoriously slow, often taking 6–12 months, which renders such evidence obsolete due to platform-specific retention limits.²²

❖ **Limited Collaboration with Schools and Mental Health Experts**

Juvenile suicide cases often emerge from a **combination of digital abuse and institutional inaction**, such as bullying in school or failure to address reported threats. However, most educational institutions lack policies for monitoring or reporting online abuse among students. The **CBSE and state boards do not mandate digital safety audits or psychological evaluations** in such contexts.²³ Furthermore, there is minimal integration of child psychologists or mental health professionals in the forensic or legal process—despite the fact that understanding the mental state of the child is essential in abetment or harassment cases.

❖ **Underreporting and Social Stigma**

Many families do not report cyber bullying or digital harassment, particularly when it involves girls or content of a sexual nature, due to fear of social stigma. Suicide notes stored digitally—on Google Docs, private blogs, or personal messages—are often deleted or concealed by family members to avoid police scrutiny. This not only impedes justice but also distorts suicide

²¹ S. N. Misra, "IT Act and Cybercrime in India: An Analytical Overview," 58(4) *Journal of the Indian Law Institute* 378–392 (2016).

²² Aparna Chandra, "Digital Evidence and the Indian Evidence Act: Admissibility and Challenges," 56(3) *Journal of the Indian Law Institute* 421–445 (2014).

²³ K. K. Sahu, "Cyberbullying and Indian Juvenile Jurisprudence: A Need for Policy Reform," 58(1) *Journal of the Indian Law Institute* 118–134 (2016).

statistics and policymaking. Moreover, the **absence of legal obligation on platforms to flag and report suicidal behavior or harmful content** (as is required in some Western countries) leaves many warning signs unnoticed until it's too late.

JUVENILE SUICIDE CASES: BEST PRACTICES AND RECOMMENDATIONS FOR STRENGTHENING LEGAL ADMISSIBILITY OF DIGITAL FOOTPRINTS

To ensure justice in juvenile suicide cases involving digital abuse, India must adopt an integrated legal, technological, and institutional approach. The admissibility of digital footprints in court depends not only on statutory compliance but also on the ethical handling, forensic soundness, and systemic sensitivity to children's rights and privacy. Hereunder are some best practices and recommendations based on comparative legal models, expert opinions-

❖ Legal Reforms for Clarity and Consistency

A primary recommendation is to follow and amend to **strengthen and enforce the provisions of the BSA, 2023**, if necessary to incorporate clearer, child-sensitive procedures for handling digital evidence in cases involving minors. While the BSA has replaced the Indian Evidence Act, 1872, and introduced modern provisions under Sections 61 to 63 for the admissibility of electronic records, practical gaps remain—especially in cases involving juvenile suicide where digital trails may be the only available evidence. Provisions analogous to the former Section 65B must be aligned with recent **BSA, 2023**, provisions and the current judicial interpretations to ensure that critical digital evidence is not excluded on purely technical grounds—particularly in cases involving deceased minors, where obtaining certification from third-party service providers is often impractical or impossible. Section 63 of the BSA, 2023 mandates certification and integrity measures (such as hash values and expert verification) for the admissibility of electronic records. However, in sensitive posthumous cases involving children, **strict adherence to procedural formalities may inadvertently exclude crucial digital evidence**—particularly when obtaining certification from third-party service providers (like social media companies) is not feasible.

To address this, a clarifying proviso or amendment should be introduced in the **BSA, 2023** to explicitly permit the admissibility of digital evidence collected posthumously in juvenile cases, provided that the integrity of the source can be verified through established forensic methods. Furthermore, the law should emphasize judicial discretion in determining the evidentiary

weight of such material, allowing courts to consider corroborative circumstances rather than dismiss evidence solely on procedural technicalities. Such balanced approach would uphold the spirit of the BSA while preserving the evidentiary value of digital footprints and protecting the procedural rights and dignity of the deceased minor.²⁴ Furthermore, courts should be guided by **judicial discretion** in weighing such evidence based on corroborative circumstances, rather than rigid procedural bars.²⁵

❖ **Establish Specialized Child Cyber Forensic Units**

The government should establish specialized *Child Cyber Forensic Units (CCFUs)* under the aegis of the *National Commission for Protection of Child Rights (NCPCR)*. These units should be staffed with trained digital forensic experts, child psychologists, and data recovery professionals, equipped to handle the complex intersection of technology and child welfare. These units must function either independently or in coordination with state forensic laboratories and be specifically trained to address cases involving online abuse, psychological harm, and suspected cyber-induced suicides. Their mandate should prioritize child-sensitive procedures, data privacy, and timely forensic analysis to support both legal and rehabilitative outcomes. Besides they could also function as nodal bodies for coordinating with social media platforms and expediting data access under emergency situations (such as when self-harm is imminent or suicide has occurred).

❖ **Standardized Protocols for Digital Autopsy**

There is a critical need to establish a standardized digital autopsy protocol for minors, to be uniformly adopted by law enforcement agencies, forensic laboratories, and the judiciary. This protocol should include the immediate seizure and imaging of digital devices using certified tools, ensure the preservation of metadata and logs without any alteration, and incorporate psychological content analysis conducted with the assistance of child experts. Additionally, it must safeguard personally sensitive or sexual content from media or public exposure and maintain strict confidentiality in data access, including the use of in-camera hearings for case

²⁴ Vide *BSA*, 2023, Sec.61–63; & read also *Shafhi Mohammad v. State of Himachal Pradesh*, (2018) 2 SCC 801 (recognizing the admissibility of electronic evidence without certificate under certain conditions); *Anvar P.V. v. P.K. Basheer*, (2014) 10 SCC 473 (interpreting evidentiary standards for electronic records under Section 65B of the Indian Evidence Act, now corresponding to BSA provisions).

²⁵ Aparna Chandra, “Digital Evidence and the Indian Evidence Act: Admissibility and Challenges,” 56(3) *Journal of the Indian Law Institute* 421–445 (2014).

review. Importantly, the entire process should adhere to the principles of minimal intrusion and respect for the child's dignity, as per UN Convention on the Rights of the Child.²⁶

❖ **Enhanced Training for Police and Prosecutors**

Law enforcement officers, prosecutors, and family court judges must undergo specialized training in handling digital evidence in juvenile cases. These training programs should cover essential areas such as proper seizure and imaging techniques, drafting Mutual Legal Assistance Treaty (MLAT) requests and emergency data requisitions, interpreting social media behavior and online threats, and recognizing signs of cyber bullying or psychological manipulation. Such training should be conducted through institutions like the National Judicial Academy, State Judicial Academies, and the Bureau of Police Research and Development (BPRD), in collaboration with cyber security experts and legal scholars to ensure both technical accuracy and legal relevance.²⁷

❖ **Legislative Duty on Social Media Platforms**

India should introduce new legislation or should amend the IT Rules, 2021, to impose a statutory duty on social media platforms in cases involving minors. Such provisions should require platforms to preserve data related to deceased minors' accounts upon receiving official notice, flag and report suicide-related threats or content to law enforcement agencies, respond to data requisitions within a defined time frame in child-related cases, and should provide decryption support where applicable, under strict judicial oversight. International frameworks such as the UK's Online Safety Bill and the EU's Digital Services Act offer valuable models for mandating platform accountability in preventing and responding to cyber-induced harm involving juveniles.²⁸

❖ **Public Awareness and School-Based Digital Safety Programs**

Long-term prevention heavily relies on developing digital literacy among young people. To achieve this, educational institutions should introduce structured modules covering critical areas such as cyber bullying prevention, mental health awareness, and responsible digital behavior, including media literacy and accessible reporting mechanisms for online abuse.

²⁶ United Nations Convention on the Rights of the Child, 1989, Articles 16 and 19.

²⁷ Bureau of Police Research and Development (BPRD), *Cybercrime Training Report for Law Enforcement Officials*, Ministry of Home Affairs, 2022.

²⁸ European Union, *Digital Services Act* (Regulation (EU) 2022/2065); UK Parliament, *Online Safety Bill*, 2023.

Integrating these modules into the school curriculum these modules will equip the students with the knowledge and tools to navigate the digital landscape safely, identify harmful conduct, and seek timely support when necessary. CBSE and all State Boards should also make such programs mandatory into the school curriculum and should tie them to **counseling services** and **parent engagement** initiatives. Further the schools should also appoint **Digital Safety Officers** which in the event of an incident may train and coordinate with legal and forensic entities.²⁹

CONCLUSION

The integration of digital footprints as legal evidence in juvenile suicide cases present complex but necessary evolution in India's legal and forensic response to the digital age. As children and adolescents increasingly inhabit online spaces, their emotional, psychological, and social lives leave traces in texts, chats, posts, and virtual interactions. When these digital experiences culminate in tragic outcomes like suicide, such footprints may be the only means of uncovering the truth, identifying abetment or abuse, and ensuring accountability. This paper has examined the legal framework governing electronic evidence in India, initially under the *IEA, 1872*, and now under the *BSA, 2023*. Judicial interpretation through landmark cases such as *Anvar P.V.* and *Shafhi Mohammad* have laid the foundation for digital evidence, establishing that even when procedural requirements under Section 65B are not strictly met, such evidence may still be admissible if it ensure justice and fairness. The new BSA represents a novation of these principles, updating them to meet the demands of the digital age—most notably by explicitly recognizing digital records as documentary evidence under Sections 61 to 63 of the BSA. The new Act introduces clearer certification requirements, mandates the use of hash values to ensure authenticity, and grants legal equivalence to electronic and physical evidence. However, where minors are the victim especially in emotionally charged cases such as suicide, thereby the courts bear the added responsibility of ensuring that the pursuit of justice respects the dignity, privacy, and due process rights of all parties involved. The challenge lies in implementing these modern legal provisions with sensitivity and forensic precision in juvenile cases. While the legal framework has evolved positively, then also practical difficulties continue pose significant hurdles in handling digital evidence. India's forensic infrastructure remains overstretched, and law enforcing police personnel often lack sufficient training in the

²⁹ K. K. Sahu, "Cyberbullying and Indian Juvenile Jurisprudence: A Need for Policy Reform," 58(1) *Journal of the Indian Law Institute* 118–134 (2016).

retrieval, preservation, and presentation of digital evidence in court. These deficiencies become more sensitive are especially critical in cases of minors; where key evidence may be improperly handled or may be lost render it inadmissible undermining justice. Furthermore, institutional gaps—such as the absence of dedicated cybercrime units for child protection, delays in obtaining data from foreign technology companies, and inadequate school-level prevention programs further complicate the prosecution of cyber-induced suicide cases.

This issue is not merely problem is not only just technological or legal, but also social and systemic in depth. The **underreporting of cyber bullying**, the stigma surrounding mental health, and lack of awareness among parents, teachers, and peers often result in that children suffer in silence until it is too late. Even after such incidents, families may be reluctant to permit full digital forensic investigations due to fear, trauma, or mistrust which hampers the judicial process and obstructs efforts toward justice and meaningful reform. *Legally*, to accommodate evolving technologies and child-centric forensic norms amendments to the Evidence Act are required. *Procedurally*, law enforcement must adopt standardized digital autopsy protocols that ensure chain of custody, metadata preservation, and robust privacy protections. *Institutionally*, capacity must be strengthened through the establishment of dedicated forensic units and the inclusion of cyber-psycho-social experts. Finally, *at the societal level*, efforts must focus on raising awareness through education, digital literacy programs, and responsible media reporting. While the Indian legal system is evolving, it must adopt a more proactive stance in addressing the challenges posed by technology—particularly when the victims are among the most vulnerable. Juvenile suicide cases demand more than just legal or forensic solutions; they require a deeper moral and policy commitment to child protection, mental health, and human dignity. Recognizing digital footprints as admissible and reliable evidence is not only a technical requirement, but a humanitarian demand to ensure justice and systemic reform.