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# **THE JOURNEY OF CRIMINAL PROFILING** **AND ITS ROLE IN TRANSFORMING** **CRIMINAL JUSTICE SYSTEMS**

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## **ABSTRACT:**

In India, criminal profiling is an emerging investigative technique. It was taken from the US and the UK. One method used to investigate crimes, particularly those committed by criminals, is criminal profiling. Finding the criminal who has committed the same crime on multiple occasions is an essential technique that aids the investigator to anticipate the criminal's future crime. Investigating a crime make it easy to understand how it happened, but it might be hard to determine why it happened. This method helps identify the cause of crime, as well as the criminals' mental states, their actions of the crime, and any patterns that may be present. Several problems affect India's criminal justice system, including a lack of efficient profiling, prolonged trials, and budget constraints. The aforementioned offenses were recognized at that time in the IPC, but they have since been modified to reflect advances in science and technology, causing the laws to not properly tackle organized crime, cybercrime, and gender-biased crime. The criminal not only targets the individual but also uses technological advancements to secure sensitive information. Analysis of the legislative changes that will improve criminal profiling under New Criminal laws Bharatya Nyaya Sanhita, BNSS, and BSA 2023 was a further objective of the study. Significant components, methods, stages, and approaches such as typological, geographical, psychological, and digital are also included in the study. Additionally, it aims to comprehend the profiling of other nations. This research explores the role of criminal profiling in transforming criminal justice with adequate technologies.

**Keywords:** Criminal Profiling, Investigation, offender, behavior, New Criminal laws.

### **Introduction:**

A CRIME MUST BE ABOLISHED NOT CRIMINALS<sup>1</sup>. The criminal justice of India operates on the basis of theory of punishment such as reformatory theory. This helps to rehabilitate the offender and also to prevent the future crime. The principle of reformatory theory works under to identify the behavioral influenced of criminals. So, need to detect the root cause of the crime. It is mainly happened in heinous offender, offender follows the certain technique and pattern to commit the crime. Criminal Profiling is also known as offender profiling, crime scene profiling, psychological profiling and personality profiling<sup>2</sup>. Criminal profiling is the methods to detect the nature of the offender by analyzing the crime scene. This is primary stage to resolve the case. Criminal profiling is a tool to understand the criminal psychology, it has now evolved into complex practice that utilizes data analytics, behavioral patterns, and predictive technology. It is an investigation technique that provides essential details about the criminal's personality characteristics and the offense he committed. By concentrating on specific behavioral and personality features, it identifies the type of individual who most likely could have committed a crime. This transformation has profound implications for how crimes are investigated and prosecuted. Criminal profiling plays a major role for responsibility to shape new amended criminal laws while balancing efficiency, justice, and ethical concerns.

### **CRIMINAL PROFILING:**

The term criminal profiling is not defined any criminal law. It is evolved from western country. Criminal profiling, also known as offender profiling, is best understood as a series of investigative techniques used to determine the characteristics of an unknown criminal offender. Profiling relies on the basic premise that an individual's personality and mannerisms guide their everyday behaviors, including their criminal actions. Evaluating evidence found at the scene of a crime, a profiler relates this information to known behaviors and personality attributes derived from past crimes of other criminals who demonstrated similar traits. Utilizing these similarities, a profiler constructs a description, or profile, of what police investigators should characteristically look for in a suspect. Despite sounding valid in principle, these practices, the technique development, and the ways in which profiling has been used to locate suspects, are surrounded by controversy<sup>3</sup>.

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<sup>1</sup> Kaustubh Phalke, Criminal profiling and how it is used, blog.ipleader.

<sup>2</sup> Ibid.

<sup>3</sup>Criminal profiling in India, Studylib.

## **HISTORY OF CRIMINAL PROFILING:**

Criminal Profiling was originated in UK. The case was named as Jack and the Hipper. It was happened in the year of 1888. He was a criminal knowingly for serial killer of the Whitechapel district of London. The Jack who is a killer. He is not only terminating the life of a person he followed certain pattern. He targeting the prostitute women for his hunger. He also involved in the action of sexual assaulting, mutilated, and disemboweled women, removing organ such as kidney and uterus and his crime seemed to be disgusted for the entire female gender. The skill of the killer used to mutilate the female women body foreshadowed the killer knowledge about the anatomy and surgery. Thomas bond, police surgeon was taken the case and asked to submit the report about the criminal. And he later examined the previous victims through post – mortem report. Through this process he created a killer profile by observing his signature personality. He summarized the criminal profile that he must be the strong man with powerful physique. He was a dauntless person. Additionally, he concluded that the criminal must be suffering from an abnormal sexual condition. The process of criminal profiling becoming more popular and appreciated method in investigator after psychologist and psychiatrist took an interest in examining the psyches of criminal minds. Later USA also started to adopted the method and it was most helpful in criminal justice.

## **RESEARCH OBJECTIVES:**

The following are the main objectives culled out from the research questions:

1. To critically analyse the methods used by officials to identify accused persons.
2. To examine the advantages and disadvantages of criminal profiling in investigations.
3. To explore municipal and international perspectives on criminal profiling in the context of India.
4. To evaluate the practical aspects of identifying accused persons in India.
5. To analyse the constitutional protections guaranteed to accused persons under the Indian Constitution of 1950.
6. To compare existing criminal laws with new developments affecting criminal profiling.

## **RESEARCH QUESTIONS:**

1. What is meant by criminal profiling?
2. What scientific techniques are involved in criminal profiling?
3. How can forensic science be connected to criminal investigations?

4. Does the Constitution of India provide a broader perspective on contemporary criminal profiling?
5. What is the main objective of employing scientific techniques under the jurisdiction of Supreme Court guidelines?

### **RESEARCH HYPOTHESIS:**

The identification of criminals in the contemporary criminal justice delivery system, with reference to the fundamental rights of individuals, explores how police officials utilize scientific mechanisms and forensic science within the framework of criminal jurisprudence in the process of criminal profiling.

### **EVALUATION OF CRIMINAL PROFILING IN INDIA<sup>4</sup>:**

Compared to other countries where the practice has been developed over many decades, India has a recent history of criminal profiling. With the majority of its development taking place in the past few decades, criminal profiling has not been developed and is underutilized in India. A timeline and important information on the history of criminal profiling in India are provided below:

#### **1. Early Investigation (Prior to the 1990s):**

**Traditional Investigation Techniques:** Indian law enforcement has always depended on traditional investigative techniques including witness testimony, tangible evidence, and interrogation. In India, criminal profiling as an organized method was essentially nonexistent. **Police Protocols:** Indian methods of law enforcement were impacted by British techniques during the colonial era and even after independence, emphasizing forensic evidence (such as fingerprints) above behavioral or psychological investigations.

#### **2. Initial Awareness (1990s - Early 2000s)**

**Effect of International Cases:** In the 1990s and early 2000s, high-profile cases abroad provided motivation for India's increasing knowledge of criminal profiling. The media and crime show that portrayed criminal profiling also had an impact during this time, which progressively increased interest in the field. **Involvement of Forensic Psychologists:** As the discipline of forensic psychology gained popularity throughout

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<sup>4</sup> From crime scene to Conviction- Criminal profiling in India, Jyothi Judiciary, (Oct,17,2024,10 AM).

the world, its significance in India was somewhat recognized. However, it was not frequently applied in practical law enforcement investigations and was mostly limited to academic circles. Early Uses of Profiling in Selected Cases: In some cases, particularly high-profile ones involving serial offenders, profiling was used informally. Police may have sought advice from psychiatrists or psychologists, but this was not a systematic or uniform procedure.

### **3. The Nithari Case and Other High-Profile Crimes (Mid-2000s)**

Nithari Serial Killings (2006): The Nithari serial killings in Noida, when more than a dozen children were brutally murdered, were among the first popular incidents in India where criminal profiling came into importance. Authorities were able to understand the psychological motivations of the criminals, Moninder Singh Pandher and his domestic helper Surinder Koli, due in part to behavioral analysis. Increased Media Attention: The public's awareness of criminal profiling was raised by the media's coverage of the Nithari case and other cases that were similar (such as the Bangalore serial rapist case). The value of psychological profiling in understanding serial offenders became apparent to law enforcement.

### **4. Official Developments from the 2000s to the Present**

The Behavioral Science Unit (BSU) of the Central Bureau of Investigation (CBI) was created to assist in the psychological profiling of criminals, particularly in situations involving organized crime, terrorism, and serial killings. Similar groups in Western nations, such as the FBI's Behavioral Analysis Unit, served as the blueprint for the BSU. Development of Forensic Psychology: Professionals in these fields have been sought for their profiling skills, and academic institutions in India began to offer forensic psychology courses. Forensic psychology research has been supported by organisations such as the National Institute of Mental Health and Neurosciences (NIMHANS). State-Level Initiatives: While there has been little progress, several state police departments have started using profiling techniques in certain situations. Generally speaking, profiling is still only used in more complicated and well-known circumstances.

### **5. Criminal Profiling in Terrorism and Organized Crime<sup>5</sup>**

Terrorist Group Profiling: Criminal profiling has been used in efforts to combat terrorism in recent years. For agencies like the CBI and the National Investigation Agency (NIA), understanding the mentality and actions of terrorists has become crucial.

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<sup>5</sup> Ibid.

It has proven possible to forecast the activities of terrorist organizations and organized crime by using behavioral analysis. Application to Rape and Violent Crimes: Behavioral profiling can be used in rape and sexual assault cases in order to identify trends and prospective offenders. The Nirbhaya case, a 2012 Delhi gang rape case, and other similar instances have brought attention to the necessity for additional psychological examination in criminal investigations.

### **SIGNIFICANT FEATURES OF CRIMINAL PROFILING<sup>6</sup>:**

Criminal profiling is a process used by an investigator in a high profile case. The following are the significant features of criminal profiling.

- **Behavioral Analysis:** Understanding the psychological and behavioral patterns of offenders based on their actions and motivations.
- **Crime Scene Reconstruction:** Analyzing the crime scene to infer details about the offender's behavior, methods, and possible motives.
- **Victimology:** Studying the victims to understand why they were targeted, which can provide insights into the offender's profile.
- **Modus Operandi (MO):** Identifying the methods and techniques used by the offender, which can help in predicting future behavior.
- **Signature Behaviors:** Recognizing unique behaviors that indicate the offender's personal identity or psychological needs.
- **Interdisciplinary Collaboration:** Involving experts from psychology, criminology, and forensic science to build a comprehensive profile.
- **Use of Statistical Data:** Analyzing patterns from previous cases and crime statistics to identify trends and similarities.
- **Cultural Context:** Considering local cultural factors that may influence criminal behavior and profiling accuracy.
- **Flexibility and Adaptability:** Adjusting profiles as new evidence emerges or as the investigation evolves.
- **Legal and Ethical Considerations:** Ensuring that profiling respects legal boundaries and ethical standards throughout the investigative process.

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<sup>6</sup> Behavioral profiling and penology of crime, ijlmh, (Oct 18, 2024, 10 AM),

## **APPROACH TO CRIMINAL PROFILING<sup>7</sup>:**

The approach to criminal profiling can be understood as the approach used by the investigator during their investigation. They can able to segregate the offender in particular category. Through this type they can easily generate the profile of the criminal offender who committed that particular offence. Some approaches help to Suspect the nature of the offender.

### **1. The Typological approach:**

This type of approach to analysis the characteristic of crime scene in order to categorize offenders into groups of typical characteristics. The investigator analysis the crime scene and find the clues and evidence which is related to suspect the crime. So it is used to draw the criminal profile. It is used to characterized which type of criminal or offender of that particular person. It may be related to class, caste, gender, sex, normal or mental disorder person. This is based on the technique developed by the FBI's behavioral science unit, which has now evolved into a profiling and behavioral assessment unit.

### **2. The Geographical approach<sup>8</sup>:**

This type of approach is basically to link between crimes and about the place where the crime is committed and also with the help of identify the victim residence. It involves to gathered the information from the crime scene to predict the offender location. It helps to draw the probability map of reference such as offender living place, select suspect and mainly to find criminal and victim relationship.

### **3. The Clinical Approach:**

This type of approach is used to examined any kind of mental health disorder that the offender is suffering from birth. There are many type of Mental health disorders which naturally poisonous to others. Because of that issue the offender omitting a crime. It was some time exception under IPC and also in BNS 2023. The mental disorder such as dementia, schizophrenia, etc. are also poisonous to others. This is mainly helps to find whether the offender has committed that crime because of that disorder or is making a false claim of being mentally unfit to escape from the crime. This approach helps to identify the psyche of the criminal at the time of the commission of the offence, and the case is approached from a help of psychological expert's point of view.

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<sup>7</sup> Kaustubh Phalke, Criminal profiling and how it is used, blog.ipleader , (Oct,17,2024,10 AM)

<sup>8</sup> Criminal profiling understanding the Criminal Minds, legaservice of india, (Oct 17,2024, 11AM), <https://www.legalserviceindia.com/legal/article-12673-criminal-profiling-understanding-the-criminal-minds.html>

#### **4. Investigative Psychology:**

This helps in determining the motives of offenders to commit that crime. This kind helps to determine whether a crime was committed by one person or by several. It is used to develop psychological theories and methods for forecasting the behavioral traits of criminals. To help detectives find out how the offenders conducted the crime, it also entails anticipating the strategies and signatures. It helps in understanding out why criminals committed that particular crime.

#### **5. Serial crime profiling:**

This is to identify the pattern and signature behavior of the criminal in the time of commencing the crime. This Approach is used to examined the previous crime which is same in this type of attempt. Other types of approaches are also used according to the crime and the way investigation.

### **APPROACHES USED IN US AND UK<sup>9</sup>:**

- TOP – DOWN APPROACH (used in US)
- BOTTOM- DOWN APPROACH (used in UK)

#### **TOP – DOWN APPROACH:**

This was developed by the Richard Greory in the year of 1970, and also known as American approach in criminal justice. This technique is commonly used in the US. It is basically used by the FBI (Federal Bureau of Investigation) in the US. This has been initiated after a set interviews conducted with the 36 offenders who were sexually oriented murderers. So, after the interview of these particular murderers, this technique has been introduced. There are four steps of the top-down technique:

**Stage 1- Data Assimilation**, involves assembling information from a variety of sources, including police/pathology reports, fingerprints, crime scene photos, and interviews. The information was basically gathered from the scene of the crime.

**STAGE 2-Classification of the Crime Scene:** In this stage, profilers determine whether the suspect possesses the traits of an organized or disorganized criminal. Some sort of pattern may be observed in both organized and unstructured crime.

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<sup>9</sup> Prof.Dr Priya Sepaha, Criminal profiling of pshycopaths, 3,2022

**STAGE 3-Crime reconstruction:** This stage is built around the setup that the criminal created in earlier stages, and the criminal typically recreates the crime scene for their own satisfaction. This include figuring out victim behavior, crime sequence, criminal behavior, etc.

**STAGE 4-Profile generation:** After the completion of each stage, the investigator creates a profile of the suspected criminal that includes physical, behavioural, and demographic traits.

### **BOTTOM- DOWN APPROACH<sup>10</sup>:**

This is mostly used in the UK states, this approach mainly leads in the way psychological theories. In UK the technique is considered as a more scientific and rational approach because it is not based on previous assumptions made on offender or behavior of that offender. The information which is gathered from the crime place and arranged all the clues and evidence then generate the profile. This is mainly based on the computer database which is developing now a days. Basically, this technique has also two aspects:

#### **Interpersonal consistency:**

It fundamentally involves the connection between the victim and the perpetrator. Criminal profilers aim to discern the relationship between the two, and based on that specific connection, they determine the potential motives behind a crime.

#### **Special consistency:**

It is employed to determine the geographical location of the crime scene, specifically where the crime took place. Essentially, this is utilized to ascertain potential crime mapping, including the areas or locations and times when a different or future crime might occur. Utilizing this specific technique, investigators aim to uncover the reasons behind the occurrence of a crime in that specific area, as this information can be crucial in identifying the perpetrator.

### **APPLICATION OF CRIMINAL PROFILING IN INDIA<sup>11</sup>:**

It is mostly used in

- Heinous crimes – rape, murder, sexual related assaults and homicides
- Unique homicides – torture, mutilation, evisceration, and ritualistic violence
- Assassination
- Child molestation and abduction
- Fire setting, arson and bombing.

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<sup>10</sup> Ibid.

<sup>11</sup> Criminal profiling understanding the Criminal Minds, legaserivce of india, (Oct 17,2024, 11AM),

- Extortion.
- Habitual offenders
- Cyber crime

### **THE PROCESS OF CRIMINAL PROFILING IN INDIA<sup>12</sup>:**

It may be divided into 5 stages:

#### **PROFILING INPUTS:**

Profiling inputs aim to comprehend the manner in which a crime is carried out, the reasons behind the crime, and how this knowledge can be beneficial in utilizing this specific process. It is essential to collect all obtainable data or information pertinent to the crime in question. This can be achieved by gathering details from the crime scene, forensic reports, and other relevant documentation that helps analyze the crime, including interviews with the community, friends, family, peer groups, workplace, and prior crime incidents. All available information must be compiled to create a comprehensive profile input. Essentially, this serves as an input for the crime to develop the criminal profile.

#### **DECISION PROCESSING:**

It is basically to understand why that particular crime happened by the criminal. Through this profiler can able to understand the motive of that criminal. Why he chosen that particular victim. Where he and the victim is residing. Whether that offender is professional or amateur? These are the things which can be identified accordance to the crime. After collecting all the inputs and the profiler to decide which type of this crime might be located and also determine the geographical and psychology approach of the crime

#### **CRIME ASSESSMENT:**

It is a third stage. This is the stage where the profiler can prevent the crime. It is basically profiler try to reconstruct the whole of the crime scene or an action or create an whole duplicate incident of that particular crime. The profiler tries to reconstruct the things based on what would be induce the criminal to commissioning the crime. Is there any mental disorder influencing the criminals? Addition to that profiler also construct the what would be scenario during the time of committing the offence and also what could be happened after the commission of the

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<sup>12</sup> Criminal profiling understanding the Criminal Minds, legaserivce of india, (Oct 17,2024, 11AM),

crime. All the picture was reconstructed and that is also helpful to understand the psychological behavior of the offender but also a victim.

### **OFFENDER PROFILE:**

At this point, it becomes straightforward for criminal profilers to create a hypothetical depiction of an offender, which involves identifying the type of behavior exhibited and the reasons behind the specific crime committed. The profile developed for this particular offender includes details such as age, gender, criminal history, residence, employment status, organizational tendencies, mental health condition, and the specific pattern of criminal behavior they display. Consequently, a comprehensive profile of the offender is constructed during this stage.

### **INVESTIGATIVE US:**

It is the last step of criminal profiling process. Once all the process are done it is handover to investigating stage because at this stage any criminal profiling is having an idea of a crime scene. This is the stage where the profiler get the idea about which type of a suspect offender, behaviour of offender, pattern of the offender. So, this could be useful in investigation process for any of the law enforcement agency to narrow down the suspect.

### **CRIMINAL PROFILING AND LAW IN INDIA<sup>13</sup> :**

Criminal profiling involves analyzing behavior and crime patterns to predict or identify offenders, and in the Indian legal context, several laws have historically regulated this practice. Here's how elements of criminal profiling may transfer from traditional acts like the Indian Penal Code (IPC), Indian Evidence Act, and Code of Criminal Procedure (CrPC) to new legislation such as the BNS, BNSS, and BSA Acts of 2023:

#### **1. Indian Penal Code (IPC):**

**Relevance to Criminal Profiling:** The IPC defines criminal offenses and outlines penalties for various crimes. Criminal profiling, while not explicitly mentioned, aids law enforcement in applying IPC sections to offenders based on behavioral patterns.

**Transfer to New Laws:** In the transition to newer laws like the BNS (possibly related to national security or biometric identification), specific IPC offenses may be categorized under

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<sup>13</sup> Kaustubh Phalke, Criminal profiling and how it is used, blog.ipleader, (Oct.17.2024,10 AM)

emerging threats or crimes. Profiling might be used to identify offenders whose behavior signals national security threats, cybercrimes, or organized crime under these new acts.

For example: Section 101 of BNS, 2023 deals with punishment for murder, but profiling may assist investigators in understanding the psychological motives of the offender, particularly in serial killings, leading to better crime-solving approaches

## **2. Indian Evidence Act (IEA):**

**Relevance to Criminal Profiling:** The Indian Evidence Act governs the admissibility of evidence in court. Criminal profiling techniques, such as behavioral analysis, forensic evidence, and psychological assessments, can be considered circumstantial evidence under this act.

**Transfer to New Laws:** With the implementation of new amended acts like the BNSS (perhaps related to surveillance and security), evidence rules may adapt to include advanced profiling techniques like biometrics, AI-driven behavioral analysis, and predictive algorithms. The legal framework may evolve to accommodate these technologies while protecting civil liberties and ensuring that evidence is admissible and reliable. Sections related to admissibility of forensic evidence in the BSA, 2023 make it easier for profiling-based evidence, such as psychological assessments or behavioral studies, to be used during trials.

## **3. Code of Criminal Procedure (CrPC):**

### **Relevance to Criminal Profiling:**

The CrPC outlines the procedural aspects of criminal law, such as arrest, investigation, and trial. Criminal profiling helps law enforcement in identifying suspects, obtaining warrants, and conducting interrogations in alignment with the CrPC.

### **Transfer to New Laws:**

BSA Act (possibly relating to biometric data and surveillance), criminal procedures might incorporate advanced profiling based on biometric and behavioral data. The act might establish protocols for using profiling tools like facial recognition, DNA analysis, and psychological evaluations during criminal investigations.

For example Section 154 (new procedure for FIRs) introduces a mechanism for law enforcement to assess the credibility of information, allowing the use of profiling to screen for suspects in serious offenses.

#### **4. New Acts (BNS, BNSS, BSA ACT 2023)<sup>14</sup>:**

**BNS (Biometric/National Security-related):** This act may focus on national security threats, data collection, and identity verification using biometric data. Criminal profiling will likely rely on technology such as biometric markers, digital footprints, and data analytics to assess risks and identify criminals.

**BNSS (Surveillance and Security-related):** Profiling under this act may involve surveillance technologies, AI-based crime prediction models, and advanced forensic techniques, drawing on the procedural foundation laid out by the CrPC and the evidentiary guidelines from the IEA.

**BSA (Biometric Security Act):** This act may specifically deal with the use of biometric data in security and criminal justice. Criminal profiling would involve collecting and analyzing fingerprints, DNA, facial recognition data, and other biometric markers to identify and profile offenders.

#### **Case study:**

Here are a few recent and notable cases in India that have involved aspects of criminal profiling, investigative psychology, or behavioral analysis:

#### **Nirbhaya Case (2012)<sup>15</sup>:**

- **Significance:** The brutal gang rape and murder of a young woman in Delhi prompted extensive media coverage and public outcry. The case involved profiling the suspects based on their behaviors and backgrounds, leading to swift investigations and eventual convictions.
- **Impact:** This case highlighted the need for better criminal profiling techniques and sparked discussions about women's safety and legal reforms.

#### **How criminal profiling used in this case:**

- **Evidence Gathering:** Investigators meticulously analyzed the crime scene to gather physical evidence, such as DNA samples, fingerprints, and other forensic details. This analysis helped establish the sequence of events.
- **Behavioral Indicators:** The nature of the assault-its brutality and the circumstances-provided insights into the psychological state and motivations of the offenders.

<sup>14</sup> <sup>14</sup> Prof.Dr Priya Sepaha, Criminal profiling of pshycopaths, 3,2022

<sup>15</sup> Mukesh & Anr. v. State (NCT of Delhi), (2017) 6 SCC 1.

1. **Patterns of Behavior:** Profilers studied the methods used by the attackers, including how they lured the victim and the means of assault. This MO suggested a degree of premeditation and a willingness to use extreme violence.
  2. **Group Dynamics:** The involvement of multiple assailants indicated a group mentality that may have influenced their actions. Profilers examined the dynamics between the group members to understand how they operated together.
- **Understanding the Victim:** Investigators analyzed the victim's background, lifestyle, and the circumstances leading up to the incident. This helped in understanding why she was targeted and the nature of the attack.
  - **Identifying Patterns:** The profiling process included examining other similar incidents in the area to determine if this case was part of a larger pattern of crime.
  - **Psychological Profiling of the Offenders<sup>16</sup>:**
    - Behavioral Traits:** Investigators developed profiles of the attackers based on their behavior during the crime. This included analyzing their level of aggression, their ability to work in a group, and their possible motivations (e.g., power, control, sexual gratification).
    - Demographic Analysis:** Profilers examined the backgrounds of the accused, including age, socioeconomic status, and criminal history, to understand their psychological profiles.
  - **Utilization of Forensic Evidence**
    - DNA and Forensic Analysis:** The collection and analysis of DNA evidence played a pivotal role in linking the suspects to the crime. Profiling techniques helped investigators prioritize suspects based on behavioral patterns and evidence collected from the scene.
    - Linking Past Crimes:** Investigators explored if the attackers had been involved in other crimes, using profiling to connect similar behaviors and establish a pattern.
  - **Legal and Societal Impact**
    - Reforms in Legal Framework:** The case prompted significant discussions about women's safety and the need for better investigative techniques, including criminal profiling, in handling sexual crimes.

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<sup>16</sup> Adya aditi Samal, minds in the Shadow – forensic profiling , 36, 2021

### 1. ASIFA BANO CASE (2018)<sup>17</sup>:

**Significance:** The rape and murder of an eight-year-old girl in Jammu and Kashmir raised significant national outrage. Investigative profiling was essential in understanding the motives behind the crime and the socio-political context.

#### **Understanding Motive and Targeting**

Criminal profiling helps in determining **why** a particular victim was targeted. In the Asifa Bano case, it became evident that she was chosen because she belonged to the **Bakarwal Muslim nomadic community**, and the motive behind the crime was not just sexual assault but also **ethnic cleansing**. The intention was to create fear within the community and drive them out of the area. Profilers could use this understanding of **targeted violence** against marginalized groups to suggest that the crime was premeditated and had deeper, communal motivations rather than just individual perversion.

#### **Behavioral Analysis of the Perpetrators**

The nature of the crime revealed a **cold and calculated planning**. Asifa was kidnapped, sedated, held captive, raped, and then murdered. The **deliberate and organized nature** of the crime indicates that the perpetrators were likely familiar with the local area and had **specific goals** in mind. Criminal profilers would have looked at the **behavioral patterns** of the suspects, including their actions during and after the crime, to piece together their psychological profiles. In this case, it was found that one of the main accused was a retired government official, and several others involved were also from the same village. Profiling would help investigators assess that the crime involved **multiple participants** who were possibly coerced or motivated by communal and political factors.

#### **Forensic and Psychological Analysis**

As the crime scene was located in a temple, and Asifa was kept there for days, profilers would look at the **symbolic significance** of the location, suggesting a level of ritualistic or communal aspect to the crime. The brutality of the attack and the steps taken to conceal it also point to a **lack of remorse**, typical of offenders motivated by hatred or extreme ideologies

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<sup>17</sup> FIR No. 10/2018, Police Station Hiranagar, Jammu and Kashmir (No specific Supreme Court case citation, as it primarily involved state proceedings, but it garnered significant media coverage).

## **CHALLENGES FACED BY INDIA TO ADOPTED CRIMINAL**

### **PROFILING:**

- **Lack of Awareness and Training**
- Overburdened Police Force
- Cultural and Societal Diversity
- Inconsistent Forensic Infrastructure
- Bias and Misuse Risks
- Public Perception and Trust

### **CONCLUSION:**

Criminal profiling is a relatively new field in India, but it is gaining traction as a valuable tool for law enforcement. Profiling can help investigators understand the motivations and behavioral patterns of criminals. This understanding can be crucial in narrowing down suspect lists and predicting future actions. However, it is essential to use profiling ethically and responsibly, avoiding biases that could lead to inaccurate conclusions. With careful implementation, criminal profiling has the potential to significantly improve crime solving rates in India. Criminal profiling is now expanded through new criminal amended laws. It is developing in India. Criminal profiling aims to prevent the crime, speedy trial and suspect the correct offender. It is important tool to transforming the criminal justice.

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