

and improve ventilation of the buildings in our surroundings. We need to remember that vaccines are among the few ways to reduce overloading of the healthcare system along with Covid appropriate behaviour. Experience of robust data from a politically divided United States of America provides us the insight that when people comply with these simple measures, a pandemic is brought under control and when not, unnecessary and avoidable suffering ensues [5].

At the end of the day when only one bed is available in my hospital ICU, I would think twice before allotting that to a patient who made a *conscious* decision to remain unvaccinated despite having full knowledge of the possible outcome. Such a person — through sheer recklessness — has risked not only his own life but those of his family members, fellow workers, friends, and possibly of healthcare workers tending to him. When someone asserts his right to privacy, he should consider whether healthcare workers *too* have the right to decide whether to treat such people when they arrive at a hospital gasping for oxygen, with dipping vital signs and perhaps, together with their family members. While working in a Covid hospital, we saw several family members being admitted and wondered if one of them had infected the others. We were overwhelmed when more than one family member — usually the elderly — did not survive the course of admission despite our best efforts.

Were all their civil rights protected when one among them decided to remain careless? I wonder. All of us are together sailing into uncharted territory and the collective interest should be our first priority, overriding personal choices when uncertainty looms large. Looking after the most vulnerable, the frail, those with comorbidities, must be our choice even when we have the right not to do so. We may exercise our rights in a way that others may be harmed *unintentionally*. But our goal should be to make a protective shield around them when we can. The law may permit us to work around weaknesses in scientific assertions and data generation in our less-than-optimal human enterprise; but our morality should guide us to leave no stone unturned to protect as many lives as we can. History may judge us by how much we cared for others when the law did not mandate us to do so. The US Supreme Court's overturning of the *Roe v. Wade* judgment in the *Dobbs v. Jackson Women's Health Organization* case this year taught us the hard lesson that judges may be swayed against the scientific community and public interest [6]. Let us make every possible effort to ensure that freedom from disease and benefit for all is our slogan, superseding and overtaking individual freedom.

Harish Gupta (harishgupta@kgmcindia.edu), Department of Medicine, King George's Medical University, Lucknow 226 003, Uttar Pradesh, INDIA

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Solving crimes, balancing rights in police investigation

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Jinee Lokneeta's editorial on Police investigation and unethical "scientific interrogation" was published in the January-March 2023 issue of *IJME* [1]. It is a scathing critique of the way police investigators rampantly misuse/exploit loopholes in the law, extract forced confessions from the accused and use them in a court of law — sometimes leading to convictions or prolonged incarceration of innocent victims. Her Excellency, the Hon'ble President of India, expressed similar sentiments when she questioned the need for building more jails at the same time that we talk of "moving towards progress as a society" [2]. Her comment was in the context of a large number of undertrials in jails, suffering from the inefficiency of the present day criminal justice system. Therefore, the need of the hour is to fix the weaknesses in the system and advance towards a rapid, truthful, honest and impartial system of police investigation. It is against this background that the journal has published the Editorial, and we support the broader intent which impelled the author to research the current criminal investigation system and expose its deficiencies. Nevertheless, when we go deeper into the details, several features begin to appear which seem incongruous with the author's arguments in her editorial.

The intended purpose behind using narcoanalysis on the accused as per court-order is not to extract confessions but to get some clues, utilising which the investigators may be able to join the otherwise disconnected dots [3]. In the Shradha Walkar murder case, after formal case-registration and following the subsequent leads, the police were successful in recovering the weapon used in the alleged murder of Shradha Walkar although the charges remain to be proven in a court of law [4]. Similarly, although body parts of the victim, disposed of in disparate locations, were recovered after the accused's confession, further biological investigation to verify the possible link between the biological evidence and the crime was needed [5], so as to

file a chargesheet. Usually when police submit a charge-sheet after concluding their investigation, the court trial begins, which may (or may not) result in conviction, depending upon strength of the evidence presented to the presiding officer.

But such an approach is possible only when police have some leads, lest the investigation meets a dead-end, as has happened in the past. No one says that the rights of an individual (the accused in the instant case) should not be respected or protected merely on account of an accusation, but it is necessary to weigh the rights of the alleged perpetrator against those of the victim. Legal jurisprudence does not operate in a vacuum and rules are not framed for a Utopia; but all such regulations operate in the *real* world where we don't have a perfect remedy for all the ills. Hence we are forced to choose between a greater evil and a lesser one, as in this case too.

The author cites an incidence of police torture in another case that merits further assessment. When rogue officers trample on the body and soul of a captive in State custody and misuse their position to frame an innocent in a crime; the need of the hour is to deal with such public-servants strictly [6]. Suspension, departmental and/or legal inquiry, making adverse entry in their annual confidential report, dismissal, arrest — that too in a time bound manner — and denial of bail, may be a way to purge such elements from the force [7]. Nonetheless, what we need to realise is that sometimes narcoanalysis may be the only way to connect pieces of circumstantial evidence to provide a lead to an investigating officer.

When a missing person is reported after several months, we need to discover the best way to interrogate the person with whom the missing person was last associated and located. The

accused will not disclose his crime easily, and connecting the missing pieces of the puzzle is imperative, so as to provide justice to the deceased woman. Those who commit such barbaric crimes should not be allowed to take undue advantage of the gaps in the evidence, so as to go scot-free. Although there is no perfect solution to the puzzle, we need to solve it in the larger interest of society.

Harish Gupta (harishgupta@kgmcindia.edu), Department of Medicine, King George's Medical University, Lucknow 226 003, Uttar Pradesh, INDIA

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