
THE LEGAL VOID IN INDIA'S PROTECTION OF LIVE-IN PARTNERS: A MULTIDISCIPLINARY CASE STUDY ON VIOLENCE, EVIDENCE, AND REFORM

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ABSTRACT

The heinous 2022 murder of Shraddha Walker by her live-in partner, Aaftab Amin Poonawala, reverberated across the Indian socio-legal landscape, eliciting widespread public outrage and scholarly introspection. This study offers a critical and expansive examination of the chronology of events, underlying psychosocial dynamics, forensic reconstruction, procedural legal developments, media discourses, and the emergent phenomenon of mimicry crimes. It underscores the imperative for enhanced societal vigilance towards domestic violence within non-traditional relationships, highlights the transformative role of digital and forensic science in contemporary criminal investigations, and calls for systemic reforms aimed at bolstering preventive and protective frameworks. It explores the psychological and emotional manipulation that culminated in Shraddha's tragic death, highlighting the coercive control and the pattern of abuse that she endured in the lead-up to the crime.

In addition to the crime itself, this paper examines the procedural legal developments that followed, focusing on the delays in filing a police report, the investigation process, and the use of modern forensic science, including DNA evidence and digital forensics, in securing a conviction. It emphasizes the transformative role of digital and forensic sciences in contemporary criminal investigations, showcasing how new technologies can aid in solving cases that would otherwise remain unsolved.

Keywords: Shraddha Walker case, intimate partner violence (IPV), forensic investigation, domestic homicide, live-in relationships, coercive control, mimicry crimes, narco analysis, digital forensics, media sensationalism, women's safety, criminal psychology, WHO IPV data, legislative reforms, societal implications, Indian criminal justice system, Aaftab Amin Poonawala, Saket Court proceedings, copycat violence.

Introduction

Shraddha Walker, a young woman from Mumbai, tragically epitomized the vulnerabilities inherent to women entrapped in cycles of intimate partner violence within live-in arrangements. Her demise on May 2022 at the hands of Aaftab Amin Poonawala, a man she had trusted and lived with, stands as a grim testament to these risks. Both were employed in the call centre industry and initiated their acquaintance in 2018. Shraddha and Aaftab, cultivated a relationship amidst Shraddha's personal milieu of familial disintegration—her parents' separation in 2016 had left enduring emotional fissures.

Their bond, initially perceived as a source of emotional succor for Shraddha, rapidly transitioned into cohabitation by 2019, with the couple renting an apartment in Mumbai. Nevertheless, the relationship was marred by entrenched societal, religious, and cultural tensions, culminating in severe familial estrangement for Shraddha. Her communications with her family members became increasingly sporadic, confined largely to social media vestiges, further exacerbating her isolation and dependency on Aaftab.

Gap in the Indian Justice System, Society and Evidence Collection-

- Inadequate Legal Protection for Live-In Relationships
- Delayed and Inadequate Police Response
- Challenges in Digital and Forensic Evidence Integration
- Ineffective Legal Protections and Gender Bias
- Lack of Immediate Action on Missing Person Cases
- Societal Attitudes and the Normalization of Violence in Relationships
- Inadequate Collection and Preservation of Forensic Evidence
- Forensic Evidence Testing Delays and Challenges in FSL Procedures
- Public Discourse and Media Sensationalism

Research Methodology

Relationship Dynamics and Early Manifestations of Abuse

While the initial phases of the relationship suggested mutual affection, latent patterns of coercive control and physical abuse soon became evident. The severance from her familial support network rendered Shraddha particularly susceptible to enduring abuse. Pertinently, prior to her ultimate demise, Shraddha had lodged a formal police complaint in 2020, explicitly detailing threats from Aaftab, including a chilling premonition that he would “cut her into pieces” (India Today). This earlier complaint, while indicative of the severity of the abuse, seemingly did not precipitate effective long-term intervention or protection, highlighting a systemic gap in the protective mechanisms available to victims of domestic violence. Her mother’s health started deteriorating which was a consequence of emotional distress which led to her subsequent death briefly reconnected Shraddha with her father, during which troubling disclosures about Aaftab’s violent tendencies surfaced.

Despite paternal intervention and entreaties to sever ties with Aaftab, Shraddha relapsed into the abusive relationship. Seeking psychological respite and perhaps geographical anonymity, the couple migrated to Delhi, establishing residence in the Chhatarpur locality.

However, Shraddha’s social withdrawal deepened in Delhi, culminating in an alarming cessation of communication with her father and a disappearance from her previously active digital presence became the developments that presaged the tragic denouement. One of Shraddha’s final known communications included an urgent WhatsApp message to a friend that read, “Rescue me or Aaftab will kill me.” She warned that if she stayed at the apartment that night, he would murder her. This message later served as a critical lead during the investigation. The increasing isolation of the victim from her support systems is a common tactic employed by abusers to exert control and minimize the likelihood of detection or intervention.

The Homicide Event (in Brief)

On May 18, 2022, a domestic altercation escalated into lethal violence. In a display of acute aggression, Aaftab asphyxiated Shraddha by compressing her neck, culminating in her death. Subsequently, he embarked on an elaborate and macabre effort to conceal his crime, he initiated

a meticulous and gruesome endeavour. This involved acquiring a substantial 300-liter refrigeration unit, intended for the preservation of the dismembered remains. With grim determination, and employing a kulhari (hatchet) along with plastic refuse bags, he systematically dissected Shraddha's body into 35 distinct parts over the course of several agonizing hours. Following this horrific act, Aaftab diligently sanitized the scene of the crime, employing chemical agents and scent-masking substances in a calculated effort to eliminate any trace of his barbarity. Under the cover of darkness, he then embarked on a series of clandestine journeys, methodically disposing of the bodily fragments within the nearby expanse of the Chhatarpur forest.

This harrowing ritual persisted over three weeks. Disturbingly, Aaftab resumed quotidian life, maintained employment, engaged in new romantic pursuits, and hosted acquaintances within the very premises concealing Shraddha's remains. His later confession, delivered with chilling nonchalance, revealed an alarming degree of psychopathy.

Discovery and Forensic Investigation

This case is a chilling example of how forensic investigation plays a pivotal role in establishing the truth and securing justice in criminal cases. The sequence of events leading to Shraddha's murder and the subsequent investigation highlights the importance of forensic science in piecing together a crime, corroborating witness statements, and ultimately bringing the perpetrator to justice.

Shraddha Walker's sudden disappearance in May 2022 raised alarm bells, especially after her abrupt digital and telephonic silence. Her father, having unsuccessfully tried to contact her, approached Aaftab, her live-in partner, to inquire about her whereabouts. Aaftab's evasive responses further fuelled suspicion. Considering the growing concern and no trace of Shraddha, her father filed a formal missing person's report with the Mumbai Police. However, the case eventually fell under the jurisdiction of the Delhi Police as investigations pointed to Aaftab's residence in Delhi, which marked the initiation of a full-fledged forensic investigation.

The Apprehension and Forensic Evidence

Aaftab Poonawala's arrest on November 12, 2022, after a prolonged investigation, marked a turning point in the case. The role of forensic science and investigative techniques became

central to unravelling the horrifying truth. Forensic teams, with the aid of science and technology, uncovered vital pieces of evidence that established Aaftab's role in Shraddha's murder and subsequent dismemberment.

1. Blood Stains and Tissue Remnants:

One of the most critical forensic findings came from Aaftab's apartment in Delhi. The apartment, which had been thoroughly examined by forensic experts, yielded blood stains and tissue remnants. Forensic investigators meticulously collected samples for DNA analysis, which later confirmed that the blood and tissue belonged to Shraddha. This evidence proved that Shraddha was not just missing but had indeed met with foul play.

2. DNA Analysis:

DNA analysis played an indispensable role in this case. Forensic labs compared the blood samples and tissue remnants from Aaftab's apartment with DNA from Shraddha's family. The conclusive match provided irrefutable evidence of Shraddha's identity and her tragic fate. The DNA samples also confirmed the extent of the crime, as it was clear that Shraddha had been murdered and her body dismembered, an act that further deepened the gravity of the case.

3. Sniffer Dogs and Search in Chhatarpur Forest:

The investigation did not stop at the apartment. Sniffer dogs were deployed to assist the authorities in locating additional remains of Shraddha's body. The dogs led the investigators to the Chhatarpur forest, where further human remains were discovered. These remains were subsequently identified as belonging to Shraddha, cementing the horrific details of the crime. Forensic teams worked with the utmost precision to analyse these remains, ensuring that no stone was left unturned in the pursuit of evidence.

4. Digital Evidence:

In the modern age, digital footprints often play a crucial role in investigations. In this case, the forensic investigation extended beyond physical evidence to include Aaftab's digital activity. The police traced Aaftab's movements and interactions through geolocation data and social media forensics. Aaftab's attempts to cover up his crime were partially exposed through these digital traces. His geolocation data showed that he had visited various locations, including areas

near the forest where Shraddha's remains were later found, confirming his involvement in disposing of the evidence in an attempt to evade detection.

A particularly tragic aspect of the case lies in Shraddha's desperate digital cry for help just days before her murder. Through a WhatsApp message to her close friend, Laxman Nadar, she wrote, "Rescue me or Aaftab will kill me," and further warned that if she stayed with him that night, she feared he would kill her. This message was not speculative—it was a plea grounded in prior patterns of violence and escalating threat. The urgency and specificity of this communication point toward a premeditated and imminent danger. It was this very message that prompted her friend to contact Shraddha's family in Palghar, Maharashtra, eventually leading them to lodge a missing person's report. In retrospect, this final message stands as a direct piece of digital evidence of Shraddha's awareness of the life-threatening situation she was in—one tragically ignored by both her social circle and law enforcement mechanisms in time.

5. Aftab's Statement:

While the forensic evidence in the Shraddha Walker case was crucial in establishing the victim's identity and confirming that she had been murdered and dismembered, it still left several key questions unanswered, particularly regarding the exact sequence of events leading to her death. Despite the discovery of blood stains, tissue remnants, and remains in the Chhatarpur forest, the forensic findings alone could not provide a detailed account of how Shraddha was killed, the motive behind the crime, or the specific actions taken by Aaftab. This is where Aaftab Poonawala's statement became pivotal.

Aaftab's confession provided the missing link to understanding the crime in its entirety. In his statement to the police, Aaftab revealed the horrifying details of how he murdered Shraddha in a fit of rage after an argument. He explained how he strangled her to death and then proceeded to dismember her body, attempting to dispose of the remains over several days. His statement also clarified how he meticulously cleaned up the crime scene to avoid detection and attempted to cover his tracks by using various means, including altering his appearance and disposing of evidence in different locations. Aaftab's confession not only confirmed the forensic evidence but also provided a clear narrative of the events, helping investigators understand the premeditated nature of the crime and aiding in building a strong case against him. His

statement, therefore, was crucial in filling the gaps left by the physical and digital evidence, offering a coherent and chilling account of the murder.

The Role of Forensic Science Laboratories (FSL)

Forensic Science Laboratories (FSL) were instrumental in the successful investigation of this case. Their role was essential in not just identifying the victim through DNA but also in verifying and connecting various pieces of physical and digital evidence. The forensic teams employed cutting-edge techniques to ensure the integrity of the evidence and its admissibility in court. The evidence gathered from the apartment, the forest, and digital footprints provided a concrete foundation for the case, which would later play a key role in securing a conviction.

The integration of forensic science into criminal investigations has revolutionized the way cases are adjudicated. In the case of Shraddha Walkar, the scientific methods of evidence gathering—whether through DNA analysis, the use of sniffer dogs, or digital forensics—played a crucial role in piecing together the narrative of the crime and establishing Aaftab Poonawala's guilt. The combination of physical, biological, and digital evidence presented an airtight case against the accused, showcasing the critical importance of forensic science in the modern criminal justice system.

Narcoanalysis: Scientific Principles and Legal Constraints

The narcoanalysis test—also known as a “truth serum” test—administered to Aaftab involved the intravenous administration of sodium pentothal, a fast-acting barbiturate that acts on the central nervous system to depress consciousness and induce a sedative state. In this hypnotic state, the subject’s imagination and cognitive filters are believed to be neutralized, potentially leading to more candid responses. Sodium pentothal was historically used during World War II by intelligence operatives and is classified as a “short duration anaesthetic” in higher medical doses. The test does not offer guaranteed accuracy and is not admissible as direct evidence in Indian courts. The dosage varies depending on the individual’s age, sex, and health, and must be meticulously administered by a qualified anaesthetist.

Under Indian jurisprudence, the 2010 Supreme Court judgment in **Selvi v. State of Karnataka** ruled that such tests cannot be conducted without the informed, voluntary consent of the accused, who must also be advised by legal counsel about the implications. These measures

ensure that the subject's Article 20(3) right against self-incrimination is protected. In Aaftab's case, the Delhi court permitted the test after receiving written consent from him, as well as legal clearance. While such tests may offer investigative leads, they remain contentious in both ethical and scientific domains and cannot replace robust forensic corroboration.

Polygraph vs. Narcoanalysis: Scientific and Procedural Distinctions

It is critical to distinguish narcoanalysis from the polygraph test, as both are often conflated in public discourse. A polygraph test relies on recording physiological responses such as blood pressure, heart rate, perspiration, and respiratory changes using electrodes attached to the suspect. These variables are tracked as the subject is questioned, and deviations from baseline are interpreted to indicate deception. Importantly, this method does not involve any drugs and is entirely non-invasive. The polygraph has its origins in the work of Italian criminologist Cesare Lombroso and was later refined by psychologist William Marston and police officer John Larson in the early 20th century. While both polygraph and narcoanalysis are used in criminal investigations as supplementary tools, neither is regarded as conclusive proof in Indian law due to their variable accuracy and susceptibility to manipulation.

Judicial Guidelines for Lie Detection Tests

In its authoritative verdict in *Selvi v. State of Karnataka (2010)*, the Supreme Court of India held that narcoanalysis, polygraph, and brain-mapping techniques are inherently intrusive and can violate constitutional protections if performed without consent. The bench, led by Chief Justice K.G. Balakrishnan, ruled that no such test may be administered except on the basis of explicit and informed consent by the accused. Further, those who volunteer must have the implications of the test—legal, psychological, and physical—explained in detail by both the police and a legal representative. This judgment effectively aligned the Indian position on lie detection with international human rights norms, reinforcing safeguards under Articles 20(3) and 21 of the Constitution.

Judicial Proceedings

The prosecutorial strategy encompassed the assembly of a voluminous 6,629-page chargesheet, replete with forensic analyses, digital trails, testimonial affidavits, and confession narratives.

A supplementary dossier of approximately 3,000 pages, filed in May 2024, further substantiated the charges.

Aaftab was indicted under the Indian Penal Code's Section 302 (Murder) [Now, Section 103 of Bharatiya Nyaya Sanhita] and Section 201 (Causing Disappearance of Evidence) [Now, Section 238 of Bharatiya Nyaya Sanhita]. He remains in custodial detention at Tihar Jail, awaiting trial. The case has emerged as a crucible for testing the robustness of contemporary forensic methodologies, digital evidence admissibility, and psychological profiling within India's criminal justice paradigm.

Societal Reverberations and Copycat Phenomena

The grotesque nature of the crime and its saturation in public discourse galvanized widespread debate concerning:

- The precarity of women in informal cohabitative arrangements absent legal safeguards.
- Sociocultural ostracism confronting women exercising autonomy.
- Institutional inertia in responding to early indicators of domestic violence.
- Media's ethical obligations in reporting sensitive and sensational cases.

Notably, the case engendered a series of mimicry crimes, with perpetrators emulating the modus operandi of dismemberment and clandestine body disposal—most infamously evidenced by the Bengaluru “fridge murder.” This phenomenon elucidates the unintended criminogenic potential of media sensationalism.

The media's extensive coverage of the Shraddha Walkar case, while crucial in bringing the matter to public attention and demanding justice, inadvertently contributed to a detailed and graphic portrayal of the crime. This extensive reporting, including the specifics of the dismemberment, the use of a refrigerator, and the disposal of body parts in a forested area, seemingly provided a template for subsequent offenders. Criminologists argue that such detailed reporting can have a "contagion effect," where vulnerable individuals, often with pre-existing violent tendencies or a susceptibility to suggestion, may identify with the perpetrator and replicate the crime's methodology.

Moreover, the societal discourse surrounding the case, while condemning the violence, also inadvertently contributed to its normalization in the public consciousness. The repeated exposure to the gruesome details, the extensive discussions on news channels and social media, and the widespread dissemination of information, may have desensitized some individuals to the severity of the crime, blurring the lines between moral outrage and a morbid fascination. This desensitization can have dangerous consequences, potentially lowering the threshold for violence in a society where such acts are increasingly visible and, in some perverse way, normalized.

Intimate Partner Violence (IPV) Context

The Shraddha Walkar case is a stark reminder of the pervasive issue of Intimate Partner Violence (IPV) globally and its devastating consequences. The World Health Organization (WHO) defines IPV as “behavior by an intimate partner or ex-partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological abuse and controlling behaviors.” WHO studies indicate that IPV is a major public health problem that affects a significant proportion of women worldwide.

Specifically, the WHO estimates that 30% of women worldwide have experienced either physical and/or sexual intimate partner violence in their lifetime. This violence not only results in immediate physical and psychological harm but also has long-term consequences for the victim’s health and well-being, including increased risk of depression, anxiety disorders, and substance abuse. The Shraddha Walker case tragically aligns with these statistics and underscores the urgent need for comprehensive strategies to prevent and address IPV in all its forms. The case also highlights that IPV is not limited to legally recognized marriages but also occurs within other forms of intimate relationships, such as live-in partnerships.

Conclusion and Suggestion

The Shraddha Walker homicide crystallizes the profound societal and systemic deficiencies in pre-empting intimate partner violence and protecting vulnerable individuals.

The Shraddha Walker case is not only a horrifying criminal act but a revealing case study of what happens when institutional inertia meets forensic underutilization. Despite early red flags—such as Shraddha’s 2020 police complaint clearly stating she feared being “cut into

pieces”—there was no systemic follow-up, no risk assessment, and no forensic documentation of injuries that could have provided legal grounds for early intervention.

This case demonstrates a critical need to institutionalize forensic protocols in all domestic violence complaints, including mandatory medical-legal documentation and photographic evidence of injuries. Additionally, police personnel must be trained to recognize escalating abuse patterns, particularly in live-in relationships that are currently under-regulated by the Indian legal system.

On the legal front, it is suggested that, a statutory expansion of the Protection of Women from Domestic Violence Act (2005) to clearly cover live-in partners with enforceable protection orders and access to forensic support. There should also be a legal mandate requiring the police to flag complaints that include homicidal threats for special scrutiny and case review by forensic and psychological professionals.

Moreover, cases like this highlight the potential of forensic science—not just as a post-mortem tool—but as a preventive mechanism. If Shraddha’s injuries had been documented and preserved using forensic protocols, they could have served as strong legal evidence for restraining orders or even prosecution under IPC provisions before the fatal escalation.

In sum, forensic science must be reframed not just as an instrument for solving crimes, but as a strategic component of violence prevention and early legal intervention. The Shraddha Walker case is a call to reform not just how we react to violence, but how we anticipate and prevent it using evidence-based frameworks.

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