**Importance of digital evidences in investigation and in court of law:**

The purpose of digital forensics is to identify and preserve the digital evidence in its most-purest form, to make it possible for relevant investigation procedures to be performed and conclusions made. For corporates and businesses, digital forensics is a very important part related to the incident response process.

What is digital evidence and how is it admissible in courts?



Owing to its intangible nature Digital evidence can be encoded and encrypted and therefore, they must be decoded before the court could proceed to accept or reject them. Being sensitive, electronic records can be altered very easily and any alteration that may take place can render them inadmissible.

Tracing the electronic records to the offender also poses a task, the information passes through innumerable channels and to follow it back may constitute violations of privacy of the intermediaries involved, which the court may not readily grant and accept. However, with all the setbacks involved with the presentation and admission of digital evidence they constitute an inextricable part of the modern justice system wherein often reliance is placed on CCTV footages, Call Records, Geo-Location etc. to determine various aspects involved in criminal and civil offences.

S.65, Indian Evidence Act, 2000

In the digital era where most communications, transactions take place through the online mediums the importance of Electronic Records has been realised for proving offences and subsequently through amendments s.65 has been expanded to give sanction to Electronic Records as Digital evidence.

S.65- A and s. 65 B lay down criterion for admissibility of Electronic Records as Digital Evidence:

The evidence is produced out of a computer in regular use for any lawful activity during the period

Information of the kind produced as evidence was regularly fed into the computer as a part of daily activities.

The operation of the computer does not compromise the accuracy of the electronic record so produced.