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4.	Subhash Chandra Singh, <b>DNA Profiling and the Forensic use of DNA Evidence in Criminal Proceedings</b> , 53(2) Journal of the Indian Law Institute (APRIL-JUNE 2011)	506
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<b>Suggested Reading</b>		
<ul style="list-style-type: none"> <li>➤ <b>DNA Profiling in Justice Delivery System</b>, Central Forensic Science Laboratory, Directorate of Forensic Science, Ministry of Home Affairs, Govt. of India (2007)</li> <li>➤ <b>Working Procedures Manual Forensic DNA Testing-2019</b></li> </ul>		
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