

NEW CRIMINAL LAW FOR SPEEDY JUSTICE PROCESS

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Details of provisions made in new criminal laws for expediting judicial process are as follows:-

- i. **Faster and Fair Resolution:** The new laws promise a faster and fair resolution of cases, instilling confidence in the legal system. Crucial stages of investigation and trial like - preliminary enquiry (to be completed in 14 days), further investigation (to be completed in 90 days), supply of document to the victim and accused (within 14 days), commitment of a case for trial (within 90 days), filing of discharge applications (within 60 days), framing of charges (within 60 days), pronouncement of judgment (within 45 days) and filing of mercy petitions (30 days before Governor and 60 days before President) - have been streamlined and to be completed within stipulated time period.
- ii. **Fast-Track Investigations:** The new laws prioritize the investigations for offences against women and children, ensuring timely completion within two months of recording information.
- iii. **Adjournments:** Provision of a maximum of two adjournments to avoid unnecessary delays in case hearings, ensuring timely justice delivery.
- iv. **To significantly improve the speed, efficiency and transparency of the judicial process,** applications like e-Sakshya, e-Summon, and Nyaya-Shruti (VC) have been developed. While the e-Sakshya enables lawful, scientific and tamper-proof collection, preservation and electronic submission of digital evidence thus ensuring authenticity and reducing delays, e-Summon allow summons to be delivered through electronic means, making the process faster, time-bound and easily trackable. Nyaya-Shruti (VC) facilitates virtual appearance of accused persons, witnesses, police officials, prosecutors, scientific experts, prisoners etc. through video conferencing.

Details of provisions made in the new criminal laws for protecting the dignity of rape victim are given below:

- i. In order to provide more protection to the victim of rape and enforce transparency in investigation related to an offence of rape, the statement of the victim shall be recorded through audio video means by police.
- ii. For certain offences against woman, statement of the victim is to be recorded, as far as practicable, by a woman Magistrate and in her absence a male Magistrate in the presence of a woman to ensure sensitivity and fairness, creating a supportive environment for victims.
- iii. Medical practitioners are mandated to send the medical report of a victim of rape to the investigating officer within 7 days.
- iv. The new laws provide for free first-aid or medical treatment to victims of crimes against women and children at all hospitals. This provision ensures immediate access to essential medical care, prioritizing the well-being and recovery of victims during challenging times.

In the Bharatiya Nyaya Sanhita, 2023, stringent punishment up to death sentence has been provided for the offence of rape on minor women. The offence of gang rape on a minor woman is punishable with imprisonment for life or death.

This was stated by the Minister of State in the Ministry of Home Affairs Shri Bandi Sanjay Kumar in a written reply to a question in the Rajya Sabha.

RK/VV/HS/PS/PR

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