

SPEEDY JUSTICE PROCESS

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The Law Commission of India in its various Reports had recommended section-specific amendments in the criminal laws. Also, Committees like Bezbaruah Committee, Vishwanathan Committee, Malimath Committee, Madhawa Menon Committee, etc. made recommendations for section-specific amendments in the criminal laws and general reforms in criminal justice system.

The Department-related Parliamentary Standing Committee on Home Affairs, in its 111th (2005), 128th (2006) and 146th (2010) Reports, recommended for a comprehensive review of the Criminal Justice System of the country by introducing a comprehensive legislation in Parliament rather than bringing about piece-meal amendments in respective Acts.

Accordingly, the Ministry of Home Affairs had undertaken the comprehensive review of criminal laws i.e. the Indian Penal Code, 1860, the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872 with a view to provide accessible and affordable justice to all and create a legal structure which is citizen centric. The above three Acts have been repealed and replaced by three new laws namely, the Bharatiya Nyaya Sanhita (BNS), 2023, the Bharatiya Nagarika Suraksha Sanhita (BNSS), 2023 and the Bharatiya Sakshya Adhiniyam (BSA), 2023 respectively.

The details of provisions in the Bharatiya Nyaya Sanhita (BNS), 2023, Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 and Bharatiya Sakshya Adhiniyam (BSA), 2023 to ensure speedy justice 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.

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 Lok Sabha.

RK/PR/PS/SC

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