



NAVIGATING THE COMPLEXITIES: CRIMINOLOGY AND THE CRIMINAL JUSTICE SYSTEM IN INDIA

Author: Manmeet Kour,

(Jammu, J&K,

(Ph.D. Scholar, Department of Law, University of Jammu, J&K)

Abstract

Justice administration is hampered in India by a number of problems related to criminology and criminal justice. It is challenging to administer justice in India's criminal justice system because of many issues, including high wait periods, corruption, and inadequate budget. The legal architecture of the criminal justice system in India lacks adequate resources, which poses a difficulty for criminal justice experts such as criminologists. The force is underfunded, understaffed, and underequipped as a result of a shortage of forensic labs, resources, and qualified personnel. Because there are fewer of them, investigations are of a poorer calibre, delaying justice and leading to cases being cleared. Second, there is a lack of mutual trust between the police and the public. It is well known that cops can be harsh while holding suspects and that they can be corrupt. Because of this mistrust, people don't report crimes and won't help with investigations. Finally, the lengthy legal proceedings in India are a well-known feature of the system. The judicial system is slowed down and the backlog of cases grows as a result of this delay, which therefore violates the fundamental right to a quick trial. Finally, the Indian criminal justice system's inability to effectively administer justice is caused by a number of problems. To successfully handle these problems, experts from the legal system, civic society, and the government must collaborate to develop a solution. Only a few of the measures that can greatly improve India's judicial system are increasing accountability, improving police training, and increasing resources. The intricate interplay between criminology and the Indian criminal justice system is the subject of this particular article. The different facets of crime, the challenges facing law enforcement, and structural issues affecting the administration of justice are also examined. By means of a critical analysis, this aims to shed light on the intricate workings of the criminal justice system and emphasise the necessity of significant reforms to deal with the system's core problems and ensure equity and effectiveness.

Keywords: Criminal Justice System, Hindrance, Dilemmas, Reforms, Shortcomings.

I. Introduction

The criminal justice system and the discipline of criminology play a major role in India's development. An effective criminal justice system is essential for maintaining peace and order, protecting people's rights, and promoting social and economic growth. Attracting investment and promoting economic growth require an efficient criminal justice system. Money invested in nations with predictable and stable legal systems is more likely to be made by investors. Enforcing contracts and punishing criminal activity with a strong criminal justice system helps create a predictable and stable economic environment, which is essential for drawing in foreign investment. Promoting social cohesiveness and lowering crime rates require an effective criminal justice system.¹ Crime and violence are major obstacles to social and economic development. A criminal justice system that effectively punishes criminal behaviour and provides a sense of justice and fairness helps to reduce crime rates and promote social cohesion.²

The criminal justice system and criminology are crucial for defending citizen's rights. Citizen's fundamental rights, a number of fundamental rights, including the rights to life, liberty, and property, are protected by an effective criminal justice system.³ It makes ensuring that people are not arbitrarily detained, arrested, or punished, and that they are treated properly and humanely at all times throughout the criminal justice system.

II. Role of Criminal justice system in Human Development: Indian Perspective

When it comes to fostering human growth, the criminal justice system is an extremely important factor. Recidivism can be decreased and social reintegration can be encouraged under a criminal justice system that places a strong emphasis on rehabilitation and restorative justice.⁴ This can assist to lessen inequality and poverty by providing people with the information and tools they need to contribute positively to society. The criminal justice system and criminology are crucial for advancing democracy and the rule of law.⁵ To guarantee that no one is above the law and that all citizens are treated equally before it, a sophisticated and independent criminal justice system is required. It supports the rule of law, accountability, and transparency three essential components of a democratic society. Preserving India's national security necessitates an effective criminal justice system. A smart and effective criminal justice system is needed to tackle terrorism, organised crime, and other threats to national security. Progress in both social and economic spheres depend on maintaining the safety and security of the country. For India to progress, criminology and the criminal justice system are essential. They are critical to the advancement of democracy, social cohesion, economic success, national security, and human development.⁶ Because it covers such essential topics, the book "Navigating the

¹ UNODC, "Justifying punishment in the community" Available on: <https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-7/key-issues/2--justifying-punishment-in-the-community.html>

² Vision IAS, "India's Criminal Justice System: Reforming Institutions for delivering Justice" April 2021

³ Committee on Reforms of Criminal Justice System, Government of India, Ministry of Home Affairs.

⁴ UNODC, The Prevention of Recidivism and the Social Reintegration of Offenders.

⁵ Nicola Lacey, "Criminal Justice and Democratic Systems: Inclusionary and Exclusionary Dynamics in the Institutional Structure of Late Modern Societies" Professor of Criminal Law and Legal Theory London School of Economics, 2007.

⁶ Criminal Justice System in India - History, Objectives, Components, Constitutional Provisions & More, Jan 17, 2024.

Complexities: Criminology and the Criminal Justice System in India” has a big impact on individual rights, governance, and society. Given its mandate to protect public safety, enforce the law, and ensure that all citizens receive justice, the criminal justice system is an essential component of any democracy. That being said, in a country as diverse and dynamic as India, there are a lot of fine aspects in this system that must be properly considered.

First of all, the Indian criminal justice system and criminology are significant subjects since crime is a dynamic field of study. Law enforcement and policymakers face unprecedented challenges when new criminal behaviours emerge due to the advancements in technology and society. Sophisticated knowledge of criminological principles and useful preventive and intervention strategies are needed to comprehend and counter these emerging threats, which range from cybercrime to organised criminal syndicates.

The complex structure of this country's criminal justice system simultaneously draws attention to structural issues that affect the administration of justice and the defence of individual rights. The inefficiency and equity of the legal system are jeopardised by a number of problems, including judicial backlogs, corruption, resource constraints, and unequal access to justice. Addressing these systemic issues is essential to ensuring that everyone has equal protection under the law and to promoting public trust in the criminal justice system.

Furthermore, criminology and the criminal justice system in India are intrinsically multidisciplinary subjects that incorporate ideas from economics, sociology, psychology, law, and other disciplines. It demands an all-encompassing strategy that considers the political, cultural, and socioeconomic aspects that affect crime and justice. By overcoming these obstacles, academics, legislators, and practitioners can develop evidence-based interventions and policies that address the root causes of crime and promote social justice and cohesion.

In the end, developing a society where each person's rights and dignity are upheld and justice is genuinely blind requires an awareness of and commitment to tackling the complexity of India's criminal justice system. We may encourage significant changes and contribute to the creation of a society that is more equitable and just for future generations by bringing these issues to the public's attention. To make sure that its criminal justice system is robust, efficient, and ready to take on the challenges of the twenty-first century, India must keep making investments in it. India can maintain its progress and prosperity as a modern, wealthy country by doing this.

III. Shortcomings of criminology and Criminal Justice system

- a) **India's criminal justice system lacks sufficient resources, mostly due to a chronic dearth of staff with training:** Appropriate resources are desperately needed for the Indian criminal justice system to operate well. India is home to one of the greatest democracies in the world, but despite this, the country's criminal justice system is still severely underfunded, which causes several inefficiencies and delays in giving justice. The insufficient number of qualified personnel in India's criminal justice system is one of the main causes of the inadequate resources. Juries, prosecutors, and other legal professionals are

severely undersupplied, which has led to an excessive backlog of cases.⁷ Over 51 Lakh (51,52,921) cases are waiting in the country's high courts, and about 3.5 Crore (3,44,73,068) cases are pending in the country's subordinate courts, according to a recent report from the Union Ministry of Law and Justice. The Punjab and Haryana High Court is the next largest backlog of high court proceedings, with over 7 lakh cases pending before the Allahabad High Court.⁸

- b) **Lack of adequate infrastructure:** The shortage of trained personnel is compounded by the lack of adequate infrastructure. Many courts across the country are housed in dilapidated buildings with inadequate facilities, leading to congestion and overcrowding.⁹ The absence of contemporary technology and apparatus, such as computers, printers, and scanners, is another issue. These items are necessary for the smooth operation of courts. This lack of adequate infrastructure in the domains of criminology and criminal justice in India is one of the many difficulties that law enforcement agencies, judicial institutions, and other parties' encounter. The term "infrastructure" describes the organisational capabilities, technological resources, and physical spaces required for the criminal justice system to operate efficiently. Still, other structural problems that contribute to the system's complexity worsen India's inadequate infrastructure.¹⁰
- c) **Limited Police Resources:** Understaffed law enforcement agencies sometimes struggle with outdated equipment and inadequate training facilities. Police stations usually understaff and have officers with high workloads. Furthermore, the investigation process is hampered by the absence of contemporary forensic facilities and technology, which causes delays in case resolution and the administration of justice.¹¹

Effect on the Law Enforcement Divisions: Effective efforts to suppress crime are undermined by corruption within law enforcement agencies, such as the police. The ability of police officers to enforce the law and uphold public order is compromised by bribery, extortion, and coordination with criminal forces. Corrupt behaviours within law enforcement agencies reduce community collaboration and the public's trust in the police, which impedes attempts to prevent and investigate crimes.

- d) **Courtroom Amenities and Judicial Facilities:** The Indian judiciary is confronted with notable infrastructure-related obstacles, such as inadequate courtroom amenities, antiquated infrastructure, and overcrowded court buildings.¹² The proper operation of legal procedures is hampered by the fact that many courts are housed in run-down structures with subpar amenities. The backlog of cases also makes

⁷ Sameer Yasir, "A Lifelong Nightmare': Seeking Justice in India's Overwhelmed Courts" The New York Times Jan. 13, 2024

⁸ Live Law.in, "Over 51 Lakh Cases Pending in Indian High Courts; 3.5 Crore in District & Subordinate Courts" 21 Sept 2020, 5:44 PM.

Available on: <https://www.livelaw.in/news-updates/over-51-lakh-cases-pending-in-indian-high-courts-35-crore-in-district-subordinate-courts-read-statement-163269>

⁹ N.V. Ramana, Chief Justice of India, "Good judicial infrastructure for courts in India has always been an afterthought. It is because of this mindset that courts still operate from dilapidated structures making it difficult to effectively perform their functions." October 2021

¹⁰ Abhishek Dangra, "The Missing Piece in India's Economic Growth Story: Robust Infrastructure" 2 Aug, 2016

¹¹ Police reforms in India, Available on: <https://prsindia.org/policy/analytical-reports/police-reforms-india>.

¹² Niranjana Sahoo and Jibrana Khan, "The Indian judiciary is confronted with notable infrastructure-related obstacles, such as inadequate courtroom amenities, antiquated infrastructure, and overcrowded court buildings." 20 July, 2022.

the already-existing infrastructure even more burdened, which delays the prompt administration of justice.

Impact on Judicial Processes: Bribery, undue influence, and trial manipulation are examples of judicial corruption that jeopardises the fairness and integrity of India's legal system. The legitimacy of court rulings is compromised by judicial corruption, which also erodes the idea of equality before the law. Unethical practices, such as the sale of judicial appointments and the manipulation of court proceedings for personal gain, undermine the rule of law and erode public trust in the judicial system.

Impact on Access to Justice: Corruption within the criminal justice system exacerbates disparities in access to justice, particularly for marginalized and economically disadvantaged individuals. Bribery and extortion prevent individuals from accessing their legal rights and obtaining fair treatment within the legal system. The cost of corruption, including bribes paid to police officers, lawyers, and court officials, creates financial barriers to accessing justice, perpetuating inequalities and injustices within society.

- e) **Correctional Facilities:** Indian prisons suffer from severe overcrowding, substandard living conditions, and inadequate rehabilitation programs.¹³ The lack of sufficient infrastructure to accommodate inmates not only violates their human rights but also undermines efforts at rehabilitation and reintegration into society. Moreover, the absence of modern correctional facilities impedes the implementation of the criminal justice system in addressing recidivism and promoting rehabilitation.¹⁴
- f) **Technological Infrastructure:** In the digital age, technological infrastructure is crucial for the efficient management of criminal justice processes, including case management, evidence collection, and information sharing.¹⁵ However, many law enforcement agencies and judicial institutions in India lack access to modern technology and information systems. The absence of integrated databases, online case management systems, and digital evidence management tools hampers the effectiveness of investigations and court proceedings.¹⁶
- g) **Training and Capacity Building:** Adequate infrastructure for training and capacity building is essential for enhancing the skills and capabilities of law enforcement personnel, judges, prosecutors, and other stakeholders involved in the criminal justice system.¹⁷ However, directing facilities and resources are often inadequate, leading to gaps in knowledge and skills among criminal justice professionals. Additionally, it is difficult to stay up to date with changing crime trends and new issues when there are no possibilities for continuous professional growth.

It would take extensive upgrades and expenditures on many fronts to address the inadequate infrastructure present in India's criminal justice system. This includes setting aside enough money in the budget for the building and upkeep of contemporary police stations, judicial buildings, and prisons.

¹³ Shubham Kashyap, "Major problems of prison system in India" JAN 01, 2022.

¹⁴ Mark W Lipsey, "The Effectiveness of Correctional Rehabilitation: A Review of Systematic Reviews" December 2007

¹⁵ Danial Khan, "The impact of technology on the criminal justice system" July 2023.

¹⁶ Vikash Kumar Singh, "leveraging technology to accelerate the criminal justice system: a comprehensive analysis" Advocate, University of Delhi, IJCRTO.ORG

¹⁷ Governance, Peace and Security, Enhancing the Delivery of Justice and Security

Furthermore, procedures can be streamlined and efficiency increased by utilising technology to digitise court proceedings, set up forensic labs, and put online case management systems into place. To further improve professionalism and efficacy in the criminal justice system, funding for capacity-building and training programmes for judges and law enforcement officials is essential. India can overcome the difficulties in its criminal justice system and guarantee that everyone receives prompt, just, and equal justice by giving infrastructure development top priority.

h) **Lack of funding:** Moreover, there is an acute lack of funds for this nation's criminal justice system. The criminal justice system receives minimal funding from the government, which leaves it with insufficient resources to enhance its operation. In addition to preventing legal professionals from taking advantage of opportunities for training and development, a lack of funding has exacerbated the shortage of skilled staff.¹⁸

The deficiency of sufficient financial resources in the field of criminology and the Indian criminal justice system is a grave concern that has a substantial effect on the efficacy, efficiency, and equity of the system. Inadequate finance aggravates the problems in the criminal justice system by making it more difficult for courts, law enforcement, and other stakeholders to fulfil their duties effectively.

Law enforcement Agencies Are Not Enough Funded: Law enforcement agencies in India often operate with limited resources, meaning that they do not have enough money to hire people, buy equipment, or provide training. Police departments suffer from high workloads and officer burnout as a result of a manpower shortage. Furthermore, outdated tools and technology make it difficult for police officers to investigate crimes effectively. Lack of funding for capacity building and training makes law enforcement operations less effective and professional.¹⁹

Court System: The Indian judiciary has long been underfunded, which has led to a number of issues, such as a backlog of cases, lengthy courtroom waits, and inadequate facilities. Underfunding of courts results in a shortage of contemporary facilities, understaffing, and restricted access to legal aid services for litigants. The shift to computerised case management systems is further hampered by the lack of sufficient financing for court modernization and digitization initiatives, which exacerbates inefficiencies in the legal system.

Legal Aid Services: Due to chronic underfunding, it is challenging for marginalised and economically disadvantaged individuals to access the legal system. Due to their limited financial means, legal aid organisations find it difficult to provide poor defendants and crime victims with sufficient representation. As a result, many people find it difficult to assert their legal rights in court, which leads to injustices and inequalities in the criminal justice system.

Forensic Laboratories and Technology: The lack in funding for forensic laboratories and technological infrastructure poses significant challenges for criminal investigations and evidence

¹⁸ A report by the President's commission on law enforcement and administration of justice "The challenge of crime in a free society"

¹⁹ I Pleadings, "Problems faced by the police system of India and their solutions" August 7, 2021. Available on:

<https://blog.ipleaders.in/problems-faced-police-system-india-solutions/>

collection.²⁰ Outdated forensic facilities, inadequate equipment, and insufficient training for forensic personnel hinder the timely analysis of evidence and forensic examinations. Moreover, the absence of funding for research and development in forensic science undermines efforts to enhance the capabilities of forensic laboratories and stay abreast of technological advancements in crime detection and investigation.²¹

Correctional Facilities and Rehabilitation Programs: Indian prisons suffer from chronic underfunding, resulting in overcrowding, substandard living conditions, and limited rehabilitation programs for inmates. Insufficient funding for correctional facilities and rehabilitation initiatives impedes efforts to address recidivism, promote prisoner reintegration into society, and ensure the humane treatment of incarcerated individuals.

Addressing the lack of funding within the criminal justice system in India requires concerted efforts from policymakers, government agencies, civil society organizations, and other stakeholders. Budgetary appropriations for law enforcement organisations, courts, legal aid organisations, forensic labs, jails, and rehabilitation centres should all be prioritised. Furthermore, it is imperative to augment transparency and accountability in the distribution and application of finances to guarantee that assets are employed efficaciously and efficiently to tackle the intricacies inherent in the criminal justice system. By allocating adequate funding and resources, all Indian citizens will have access to justice, the criminal justice system would be reinforced, and the rule of law will be upheld.

i) **Poor state of prisons:** The deplorable conditions of prisons all throughout India are a direct result of the criminal justice system's lack of sufficient funding.²² Numerous prisons are filthy, overcrowded, and devoid of necessities like access to clean water for drinking and medical care. Due to this, prisoners have a high rate of illness and disease, which violates their human rights. One major factor contributing to the complexity of criminology and the Indian criminal justice system is the situation of the jails. Prisons give a crucial role in rehabilitation and punishment of offenders, but the inadequate conditions within Indian prisons pose serious challenges in functioning of the criminal Justice system and the well-being inmates.

Overcrowding and Infrastructure Deficiencies: Indian prisons are notoriously overcrowded, with facilities operating at well above their intended capacities. Overcrowding exacerbates issues related to sanitation, hygiene, and living conditions, posing risks to the health and safety of inmates. Many prisons lack adequate infrastructure, including proper ventilation, lighting, and sanitation facilities. Dilapidated buildings and inadequate amenities contribute to the dehumanizing conditions within prisons and undermine efforts at prisoner rehabilitation.²³

²⁰Government, The Sciences, "What Really Is Holding Back Forensic Science in India?" Shreehari Paliath, 22-08-2023.

²¹Shreehari Paliath, "What Really Is Holding Back Forensic Science in India?" 22nd August 2023. Available on:

<https://science.thewire.in/the-sciences/india-forensic-science-shortcomings/>

²² Ibid 23

²³ Ibid 35

Substandard Living Conditions: Inmates in Indian prisons often endure substandard living conditions, including overcrowded and poorly ventilated cells, inadequate access to clean water and sanitation facilities, and insufficient nutrition. These conditions violate basic human rights and can lead to physical and mental health problems among prisoners. Limited access to medical care and mental health services further compounds the challenges faced by inmates, particularly those with pre-existing health conditions or mental illnesses. Attempts to provide for the medical requirements of prisoners are hampered by a shortage of qualified medical workers and necessary pharmaceuticals.²⁴

- j) **Corruption, Violence, and Abuse:** Both prison employees and inmates are guilty of committing acts of corruption, violence, and abuse in Indian jails. Victimized prisoners frequently become the targets of abuse because to overcrowding and poor supervision, which fosters conflict and exploitation. Prison system corruption erodes efforts to keep jails secure and orderly. Examples of this corruption include bribery, extortion, and the smuggling of contraband. A culture of impunity and increased vulnerability among prisoners are caused by the possibility of extortion by both staff members and other detainees.

Corruption is a major element behind the public's lack of trust in law enforcement. Since bribery and other forms of corruption are widespread throughout most of the country, there is a lack of confidence in the police's ability to do their responsibilities impartially. Public trust has been further undermined by the belief that the police are dishonest and easily swayed by individuals in positions of authority. The lack of diversity within the police force is another factor. Men from higher castes make up the bulk of police personnel in India. The idea that the police force is biased towards specific populations and does not represent the various population of the country has arisen due to this lack of diversity.

Law enforcement and criminology are made much more difficult by the widespread issue of corruption in India's criminal justice system. This damages the system's fairness, integrity, and efficacy, which erodes public confidence, results in injustices, and encourages criminal activity. Understanding the complex issues that law enforcement, the judiciary, and other stakeholders face requires an exploration of corruption within India's criminal justice system.

- k) **Few Rehabilitation and Reintegration Programmes:** In spite of the declared goals of rehabilitation and reintegration, Indian prisons frequently do not have enough resources or programmes to assist convicts in their recovery. Inadequate opportunities for education and career development hinder attempts to provide prisoners with the knowledge, skills, and resources necessary for a smooth release from prison. The absence of comprehensive rehabilitation programs perpetuates cycles of recidivism, as released inmates struggle to reintegrate into society and find gainful employment. Without adequate support and resources, former prisoners may be at increased risk of reoffending, perpetuating the cycle of crime and incarceration.

²⁴ Shubham Kashyap, "Major problems of prison system in India" Times Of India, Jan 01, 2022.

- l) **Legal Rights and Access to Justice:** Inmates in Indian prisons often face barriers to accessing their legal rights and obtaining legal representation.²⁵ Limited access to legal aid services, delays in trial proceedings, and bureaucratic obstacles hinder efforts to seek redress for grievances or challenge wrongful convictions. Vulnerable populations, including women, juveniles, and socio-economically disadvantaged individuals, may face additional barriers to accessing justice within the prison system. Their vulnerability is increased by discrimination, marginalisation, and a lack of assistance, which also undermines efforts to guarantee equal protection under the law.

The deplorable conditions in Indian prisons highlight the structural flaws in the criminal justice system and the pressing need for extensive reforms. Policymakers, government agencies, civil society organisations, and other stakeholders must work together to address the overcrowding, poor infrastructure, poor living conditions, violence, abuse, corruption, and inadequate rehabilitation programmes in Indian prisons. India may endeavour to create a criminal justice system that is more just, efficient, and equitable while also respecting the principles of justice, dignity, and human rights by giving priority to the health, safety, and rights of prisoners.

- m) **There are several reasons why the public mistrusts the police:** India's challenging, long-standing relationship between the public and the police has been mostly characterised by a lack of trust. The intricate matter of public mistrust towards law enforcement is significantly shaped by the historical and socioeconomic background of the nation. The belief that the police are biased against the powerful and wealthy is a significant contributing factor to the lack of confidence. Even if the government is more accepting of the wealthy and powerful, those from lower socioeconomic backgrounds believe that it will eventually take action against them.

This opinion is reinforced by a number of well-publicized incidents in which influential persons have gotten away with their wrongdoings. Another element fuelling the mistrust is the overuse of force by the police. Police brutality incidents²⁶ and other regions of the nation have reported cases of extrajudicial killings. Numerous cases go unreported because of the public's suspicion of the police, which has made people reluctant to report crimes.²⁷ As a result, there is now less faith in the criminal justice system's ability to carry out the administration of justice. These incidents have increased the public's suspicion and contempt. Police use of force has been the catalyst for protests and rallies since it is commonly perceived as a violation of human rights.

- n) **Facilitation of Criminal Activities:** Corruption within the criminal justice system provides fertile ground for criminal activities to flourish.²⁸ Collusion between law enforcement officials and criminal elements enables organized crime syndicates to operate with impunity, undermining efforts to combat organized crime. The enforcement of laws and regulations is weakened by bribery, extortion, and other

²⁵ Adv. Sanjay Sarraf, "Exploring Prisoners in India -Rights, Conditions, and the Quest for Justice" June 2023.

²⁶ Khatri vs. State of Bihar (The Bhagalpur Blinding case), 1981 SCR (2) 408, 1981 SCC (1) 627

²⁷ Pavithra K M, "NFHS-5 data clearly establishes under reporting of Crime against Women in some States" December 17, 2020

²⁸ Edgardo Buscaglia and Jan van Dijk, "controlling organized crime and corruption in the public sector"

corrupt practices, which makes it easier for illegal operations like drug and people trafficking and organised crime to occur.²⁹

- o) **Undermining Public Confidence and Trust:** The public's confidence in the institutions charged with upholding the rule of law is weakened by the criminal justice system's corruption. The public's perception of the legal system and law enforcement agencies can have an impact on the desire of the populace to cooperate with the police and follow the law. The rule of law, human rights, and social order in society are at risk due to the public's rising dissatisfaction with the criminal justice system.

The pervasive and intricate issue of corruption in India's criminal justice system poses a challenge to the fairness, impartiality, and effectiveness of legal and law enforcement processes. To combat corruption in the criminal justice system, extensive reforms that promote transparency, accountability, and integrity in the judiciary, law enforcement, and other institutions are required. By combating corruption and promoting the rule of law, India can build a more equitable, dependable, and effective criminal justice system that upholds the rights of all of its citizens to justice, equality, and human dignity.

- p) **The Indian court system's case backlog is a significant issue that has long plagued the country's legal system:** Due to the significant backlog of cases, the administration of justice has been severely delayed, leaving the public and litigants angry and disillusioned.³⁰ One major factor contributing to the backlog of cases is the shortage of judges. A new analysis states that India has only 21 judges per million population, far lower than the average for other countries. Because of the judge scarcity, there is an overwhelming backlog of cases, with some taking years or even decades to resolve. Intricate and protracted legal procedures have contributed to the backlog of cases as well. Cases may take longer to resolve in India due to the legal system's need for several files and hearings. Many plaintiffs have been deterred from pursuing their complaints by the protracted and complex legal procedures, which has led to an extra backlog of cases. The lack of enough resources and infrastructure is another major factor that greatly adds to the backlog of cases. The fact that numerous courts across the country are housed in dilapidated buildings with inadequate amenities contributes to congestion and crowding. Modern equipment and technology, such as computers, printers, and scanners, are also in short supply while being essential to the efficient operation of courts.³¹ The scarcity of competent labour is another problem that makes a difference. A serious lack of judges has resulted in a backlog of cases. The problem is exacerbated by inadequate infrastructure, which adds to the shortage of skilled labour.

Trends in criminology and the criminal justice system inside the judiciary: In recent years, India's criminal justice system and criminology have seen a number of landmark decisions. Numerous issues with the Indian criminal justice system have been exposed by these verdicts, which have also made it possible for some

²⁹National Security council, "Transnational Organized Crime: A Growing Threat to National and International Security" Available on: <https://obamawhitehouse.archives.gov/administration/eop/nsc/transnational-crime/threat>

³⁰ Ibid 28

³¹ E-Committee Supreme Court of India, Digital Courts Vision & Roadmap, Phase III of the e Courts Project.

improvements to take place. In the murder case of Jessica Lal, the Delhi High Court rendered one of the most important rulings concerning criminology and the criminal justice system in India.³² The case was a high-end Delhi nightclub murder, when the son of a senior politician killed model Jessica Lal. The accused was cleared by the trial court in spite of strong evidence and eyewitness testimony, which sparked demonstrations and public indignation. The offender was given a life sentence by the Delhi High Court, which reversed the acquittal. The ruling held great significance as it brought attention to the necessity of unbiased inquiries, equitable trials, and the responsibility of the criminal justice system.

The Supreme Court's decision in the Nirbhaya gang-rape case was another important ruling pertaining to criminology and the criminal justice system in India.³³ The case concerned a horrible incidence of gang-rape and murder of a young lady in Delhi. Public indignation and widespread protests followed the accused's execution sentence. The ruling was important because it made clear that cases of sexual assault must be tried quickly, and that tougher legislation are required to prevent future incidents of this kind.

The Supreme Court's decision in the Aruna Shanbaug case is another important ruling concerning criminology and the Indian criminal justice system. Here, Aruna Shanbaug, a nurse, was sexually assaulted by a medical staff member, resulting in over 40 years of vegetative condition. Despite being accused with assault, robbery, and attempted murder, the defendant was found not guilty of the rape charge. The decision was significant because it demonstrated the need for new laws addressing euthanasia and victim-centered strategies in sexual assault cases.

The Yakub Memon case ruling by the Supreme Court is another significant decision concerning criminology and the Indian criminal justice system.³⁴ In this case, which involved the 1993 Mumbai bombings, Yakub Memon was found guilty of planning to carry out the bombs. Numerous conversations regarding the death sentence and the equity of the criminal justice system sprang from this case. The Supreme Court upheld the death penalty despite Yakub Memon's pleas for mercy. The decision was significant because it demonstrated that the criminal justice system need change and that the death penalty should only be applied seldom.

V. Conclusion

The backlog of cases is a serious problem in the Indian legal system that needs to be addressed right away. The backlog of cases is caused by a number of factors, such as inadequate infrastructure and resources, convoluted legal processes, a dearth of judges, and a lack of qualified specialists. In order to provide prompt and efficient administration of justice in India, it is critical to tackle these challenges by implementing measures such as augmenting the quantity of judges and legal specialists, rationalising the legal framework, and improving infrastructure and assets. It is important to voice concerns on the insufficient funding for India's criminal justice system. Poor prison conditions, a severe lack of qualified experts, inadequate infrastructure, a lack of funding, and restricted access to justice for marginalised communities are just a few of the problems that lead to

³² Siddharth Vashish @ Manu Sharma V. State NCT Delhi, (2010) 6 SCC 1; (2010) 2 SCC (cri) 1385.

³³ Mukesh & Anr v. State for NCT of Delhi & Ors., (2017) 6 SCC 1.

³⁴ Yakub Abdul Razak Memon vs State of Maharashtra, 2013 SC 661.

inefficiencies and delays in the administration of justice. To guarantee prompt and equal justice for all members of society, the Indian government must promptly tackle these concerns and enhance the resources allocated to the criminal justice system. Addressing the lack of trust between the public and the police is essential to ensuring that justice is served impartially and restoring public confidence in the criminal justice system.

To mitigate the issue, a few strategies that might be used include raising police accountability, promoting diversity within the force, and improving community policing programmes. Furthermore, steps should be taken to prevent police corruption and ensure that officers are held accountable for their acts. In conclusion, the problem of public mistrust in the Indian police force is complex and calls for an all-encompassing approach to be addressed. Addressing the issues of bias, excessive force, corruption, and a lack of diversity in the police force is necessary to reestablish public confidence in the criminal justice system and ensure the unbiased administration of justice.

