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Juvenile Crime in the Digital Age: Examining the Impact of Social Media and Online Gaming in India

CHITTI SAI SINDHU*  AND VIKRAM PONNAM** 

ABSTRACT

The rise of social media and online gaming has transformed the social space within which Indian children and adolescents grow, communicate and engage with digital culture. These technologies provide great opportunities for education, creativity, peer interaction and recreation, but they also provide environments in which cyberbullying, exposure to harmful content, online grooming, fraud recruitment, violent behaviour and other forms of offending can occur. This paper offers an integrated legal and socio-psychological analysis of the relationship between social media, online gaming and juvenile crime in India. It examines whether online environments are a direct trigger for juvenile offending or whether they are risk-enhancing factors that interact with family circumstances, peer influence, developmental vulnerability and pre-existing behavioural conditions. The study covers the Juvenile Justice (Care and Protection of Children) Act, 2015, the Information Technology Act, 2000, the Protection of Children from Sexual Offences Act, 2012 and the Bharatiya Nyaya Sanhita, 2023, along with the relevant judicial and institutional developments. Special attention is given to cyberbullying, violent and antisocial content, online radicalisation, financial fraud, grooming and the recruitment of children into technology-facilitated criminal activity. The paper also evaluates the rehabilitative philosophy of Indian juvenile justice and the importance of separating media exposure from individual criminal accountability. It argues that an effective response cannot be based solely on punishment or platform restriction. Instead, it calls for child-appropriate digital design, child-safety measures, specialised investigation, digital-literacy standards, parental engagement, trauma-informed intervention and valid research data. The paper concludes that Indian law must protect children from digital harms while safeguarding their developmental rights, freedom of expression and access to technology, and must respond to children in conflict with law through proportionate, rehabilitative and child-centred mechanisms, supported by evidence-based legal and institutional responses.

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I. INTRODUCTION

The digital transformation of childhood and adolescence has become one of the defining social developments of contemporary India. Smartphones, inexpensive internet access, social-media applications, streaming services and online games have altered the manner in which children communicate, learn, form friendships and spend leisure time. The digital environment is therefore no longer a separate sphere existing outside ordinary childhood; it is embedded within everyday social life. This transformation has produced substantial benefits, including access to educational material, opportunities for creativity, participation in online communities and new forms of recreation. At the same time, it has generated a range of child-protection concerns, including cyberbullying, online grooming, exposure to sexually explicit or violent material, fraudulent recruitment, privacy violations and other forms of technology-facilitated misconduct.

The emergence of these risks has led to growing concern about the possible relationship between digital media and juvenile crime. Some forms of offending can be facilitated directly by digital technologies, such as unauthorised access, online fraud, dissemination of prohibited material, cyber harassment and certain forms of sexual exploitation. In other cases, the relationship is less direct. Social media and gaming environments may influence peer relationships, reward particular forms of behaviour, expose children to aggressive material or provide opportunities for contact with persons who seek to manipulate them. The important legal issue is therefore not whether technology is inherently criminogenic, but how particular digital environments interact with developmental and social vulnerabilities.¹

Juvenile crime is a multifactorial phenomenon. Adolescence is characterised by evolving cognitive capacities, heightened sensitivity to peer approval, experimentation with identity and an increased tendency toward risk-taking. These developmental characteristics operate within family, school and community environments. Economic disadvantage, family conflict, educational exclusion, exposure to violence, substance use and delinquent peer groups may influence offending trajectories. Digital experiences may intersect with these conditions. A child who already experiences social isolation may find belonging in an online community; a child exposed to bullying may retaliate through digital means; and a financially vulnerable child may

¹ NATIONAL CRIME RECORDS BUREAU, CRIME IN INDIA 2023 vol. I, ch. 5A (Juveniles in Conflict with Law) (Ministry of Home Affairs, Gov't of India 2025).

be persuaded to participate in an online fraud scheme. Such examples illustrate why technological exposure should be treated as one factor within a wider causal and social framework rather than as a complete explanation for offending.

The distinction between correlation and causation is particularly important in legal analysis. Studies examining violent video games and aggressive behaviour have produced differing conclusions, with some identifying associations between exposure and aggressive cognition while others emphasise modest effects, methodological limitations and the importance of pre-existing characteristics. Even where a statistical association exists, it does not establish that a particular child committed an offence because of a particular game or platform. Criminal responsibility depends upon proof of conduct and the statutory elements of an offence. Socio-psychological research can inform prevention and rehabilitation, but it cannot replace proof of individual responsibility.

Indian juvenile justice is founded upon a distinct legal philosophy. The Juvenile Justice (Care and Protection of Children) Act, 2015 emphasises care, protection, development, treatment, social reintegration and rehabilitation. The Act recognises that children in conflict with law require a framework different from that applicable to adults. The technological sophistication of an accused child should therefore not automatically be equated with adult maturity. At the same time, digital offending can cause substantial harm and may require specialised investigation. The challenge is to reconcile effective accountability with the statutory commitment to child-friendly and rehabilitative justice.²

The legal landscape is not confined to the Juvenile Justice Act. The Information Technology Act, 2000 addresses specified forms of computer-related and online conduct; the Protection of Children from Sexual Offences Act, 2012 provides a specialised framework for sexual offences against children; and the Bharatiya Nyaya Sanhita, 2023 contains general criminal provisions that may apply where digital conduct satisfies their ingredients. These laws interact with intermediary regulation, privacy principles and institutional child-protection measures. The overlap is particularly important because one digital incident can involve several forms of conduct, and because a child may simultaneously be a victim, witness, coerced participant or accused person.³

² Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016 (as amended by the Juvenile Justice (Care and Protection of Children) Amendment Act, No. 23 of 2021).

³ Information Technology Act, No. 21 of 2000; Protection of Children from Sexual Offences Act, No. 32 of 2012; Bharatiya Nyaya Sanhita, No. 45 of 2023.

This paper examines the impact of social media and online gaming on juvenile crime through a combined legal and socio-psychological analysis. It first examines the characteristics of digital environments and the pathways through which they may facilitate offending or victimisation. It then considers developmental and peer influences, analyses the Indian statutory framework, reviews judicial and institutional responses, evaluates the strengths and gaps of the existing system, and proposes reforms. The central objective is to develop an evidence-sensitive approach that recognises genuine digital risks without treating technology as a simplistic explanation of juvenile delinquency.

II. LITERATURE REVIEW, METHODOLOGY AND ANALYTICAL FRAMEWORK

A. Conceptualising digital juvenile crime

Digital juvenile crime includes both cyber-dependent conduct, which requires information technology, and cyber-enabled traditional offences committed or amplified through digital means. The distinction is useful because many offences involving children are not technically cyber offences in the narrow sense. Threats, cheating, sexual exploitation and recruitment may occur through ordinary communication platforms even though the underlying legal offence is defined in technology-neutral terms. The digital medium may nevertheless alter the scale, speed and evidentiary characteristics of the conduct.⁴

B. Socio-psychological literature

Social learning theory provides one useful explanation for the influence of observed behaviour, reinforcement and peer modelling. Research on gaming and aggression, however, remains contested concerning the magnitude and practical significance of effects. Studies have also identified protective factors, including family support, school attachment and positive peer relationships. The literature therefore supports a risk-and-resilience approach rather than a deterministic media-effects model.⁵

C. Research methodology

The study is principally doctrinal and analytical. It examines the Juvenile Justice Act, the Information Technology Act, the Protection of Children from Sexual Offences Act, the Bharatiya Nyaya Sanhita and relevant constitutional principles, together with Supreme Court

⁴ Information Technology Act, No. 21 of 2000, §§ 66, 66C, 66D, 67, 67A, 67B (cyber-dependent and cyber-enabled offences).

⁵ ALBERT BANDURA, SOCIAL LEARNING THEORY (1977); Sonia Livingstone & Peter K. Smith, *Annual Research Review: Harms Experienced by Child Users of Online and Mobile Technologies: The Nature, Prevalence and Management of Sexual and Aggressive Risks in the Digital Age*, 55 J. CHILD PSYCH. & PSYCHIATRY 635 (2014), <https://doi.org/10.1111/jcpp.12197>.

jurisprudence and institutional measures concerning children and digital safety. Socio-psychological literature is used to contextualise legal questions concerning developmental vulnerability, peer influence and behavioural risk. The research connects formal legal rules with the practical conditions under which digital juvenile cases arise.⁶

D. Scope and limitations

The paper focuses on India and on juvenile offending and victimisation associated with social media and online gaming. It does not assume that every child using these services is at risk of offending, nor that all digital harms constitute criminal offences. The analysis does not attempt to establish a universal causal relationship between violent media and serious criminal conduct. Its principal concern is the legal transition from digital activity to individual responsibility and the institutional measures required to prevent and respond to harm.⁷

E. Analytical framework

The paper applies five connected inquiries: first, what digital activity occurred; second, what social or developmental factors influenced the conduct; third, what statutory offence, if any, is attracted; fourth, what evidence establishes attribution, knowledge and participation; and fifth, what child-centred response is legally proportionate. This framework prevents technology from becoming either an automatic explanation of offending or an excuse to disregard genuine digital harms.

III. LEGAL FRAMEWORK GOVERNING JUVENILE DIGITAL OFFENDING

A. Juvenile Justice (Care and Protection of Children) Act, 2015

The Juvenile Justice Act constitutes the central framework for children in conflict with law. Its statutory principles reflect the distinctive developmental position of children and emphasise rehabilitation and social reintegration. Where a juvenile is accused of a technology-mediated offence, the fact that the conduct involves sophisticated devices or online networks does not remove the child from the statutory framework. The child's age, circumstances, participation and rehabilitative needs remain legally relevant.⁸

⁶ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016; Information Technology Act, No. 21 of 2000; Protection of Children from Sexual Offences Act, No. 32 of 2012; Bharatiya Nyaya Sanhita, No. 45 of 2023; INDIA CONST. arts. 14, 19, 21.

⁷ Andrew K. Przybylski & Netta Weinstein, *Violent Video Game Engagement Is Not Associated with Adolescents' Aggressive Behaviour: Evidence from a Registered Report*, 6 ROYAL SOC'Y OPEN SCI. 171474 (2019), <https://doi.org/10.1098/rsos.171474>.

⁸ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, §§ 3, 4, 14–18.

B. Preliminary assessment and heinous offences

Section 15 provides a preliminary-assessment mechanism where a child who has completed sixteen years of age is alleged to have committed a heinous offence, that is, an offence for which the minimum punishment is imprisonment for seven years or more. The assessment concerns the child's mental and physical capacity to commit the offence, ability to understand its consequences and the circumstances in which it was allegedly committed, and should not be understood as an automatic conversion of every older adolescent into an adult accused. Digital sophistication, access to technology or knowledge of online systems may form part of the factual background, but cannot substitute for the statutory assessment itself.⁹

C. Information Technology Act, 2000

The Information Technology Act remains relevant to digital conduct involving children. Depending on the facts, provisions concerning computer-related offences, identity theft, cheating by personation and prohibited online material may apply. Section 67B is particularly important where electronic material or conduct involves children in sexually explicit contexts. The statute operates alongside general criminal law rather than replacing it.¹⁰

D. Protection of Children from Sexual Offences Act, 2012

POCSO provides a specialised framework for sexual offences against children and is directly relevant to online grooming, sexual communication, exploitation and circulation of child sexual-abuse material. Digital platforms can provide the initial contact through which an offender establishes trust and later demands sexual material or physical access. Where the alleged offender is also a child, POCSO must operate alongside the juvenile-justice framework, requiring simultaneous protection of the victim and child-sensitive treatment of the accused.¹¹

E. Bharatiya Nyaya Sanhita, 2023

The BNS contains general offences that may be committed through digital means. Cheating, personation, criminal intimidation, stalking, sexual harassment, forgery and other offences may therefore arise in cases involving social media or gaming platforms. Technology-neutral

⁹ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, §§ 2(33), 15; *Salil Bali v. Union of India*, (2013) 7 SCC 705 (upholding, under the Juvenile Justice (Care and Protection of Children) Act, 2000, the uniform age of eighteen for juveniles); *Dr. Subramanian Swamy v. Raju*, (2014) 8 SCC 390 (declining to read down the 2000 Act so as to make an offender's mental and intellectual maturity, rather than age, the test of juvenility); *Shilpa Mittal v. State (NCT of Delhi)*, (2020) 2 SCC 787 (holding that an offence carrying a maximum sentence above seven years but no minimum sentence, or a minimum below seven years, is not a "heinous offence" under § 2(33)); see also Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, §§ 18(3), 19 (transfer of the trial to the Children's Court and trial as an adult).

¹⁰ Information Technology Act, No. 21 of 2000, §§ 66, 66C, 66D, 67, 67A, 67B.

¹¹ Protection of Children from Sexual Offences Act, No. 32 of 2012, §§ 11–15; Information Technology Act, No. 21 of 2000, § 67B.

application of general criminal law is important because new digital methods can emerge faster than legislative amendment. At the same time, technology-neutral drafting requires investigators and courts to identify precise statutory ingredients rather than treating online conduct as inherently criminal.¹²

IV. DIGITAL ENVIRONMENT AND PATHWAYS TO JUVENILE OFFENDING

A. The expanding digital environment

Social media and online gaming have developed into important spaces of adolescent socialisation. Unlike traditional media consumption, these environments permit users to interact, respond, create content and form continuing relationships. Social-media platforms combine communication with recommendation systems, public metrics, private messaging and rapid content circulation. Online games may combine competition, voice communication, virtual currencies and persistent communities. These characteristics can produce constructive social experiences, but they can also increase exposure to strangers and harmful behaviour.¹³

B. Cyberbullying and online harassment

Cyberbullying can involve repeated insults, threats, impersonation, exclusion, publication of humiliating material or coordinated abuse. Unlike many offline incidents, digital harassment can continue after school hours and can reach a large audience. Adolescents may underestimate its impact where peer approval rewards aggressive behaviour. Legal intervention should identify the precise conduct and applicable offence, while schools and families should provide early non-criminal interventions where the statutory threshold for an offence is not met.¹⁴

C. Violent and antisocial content

Online games and social-media content can expose children to violent or antisocial material. Social learning theory suggests that observation and reinforcement may influence behavioural scripts, but the empirical literature does not establish a simple causal pathway from game exposure to serious criminal violence. Regulatory measures such as age ratings, parental controls and safety-by-design can address foreseeable risks without converting ordinary gaming into criminal evidence.¹⁵

¹² Bharatiya Nyaya Sanhita, No. 45 of 2023, §§ 75 (sexual harassment), 78 (stalking), 318 (cheating), 319 (cheating by personation), 336 (forgery), 351 (criminal intimidation).

¹³ UNESCO, *Guidelines for the Governance of Digital Platforms* (2023); OECD, *Recommendation of the Council on Children in the Digital Environment*, OECD/LEGAL/0389 (May 31, 2021).

¹⁴ SAMEER HINDUJA & JUSTIN W. PATCHIN, *BULLYING BEYOND THE SCHOOLYARD: PREVENTING AND RESPONDING TO CYBERBULLYING* (3d ed. 2024); Information Technology Act, No. 21 of 2000, §§ 66, 67; Bharatiya Nyaya Sanhita, No. 45 of 2023, §§ 351, 356.

¹⁵ AM. PSYCHOL. ASS'N, *Resolution on Violent Video Games* (2015, rev. Feb. 2020), <https://www.apa.org/about/policy/resolution-violent-video-games.pdf>; Douglas A. Gentile et al., *Mediators and*

D. Grooming, fraud and criminal recruitment

Digital platforms allow offenders to contact children directly and develop relationships through repeated communication. Grooming may involve attention, gifts, secrecy, emotional dependence and gradual requests for images or meetings. Children may also be recruited into financial fraud by being asked to lend accounts, receive transfers, purchase digital assets or perform tasks presented as legitimate. Some children may understand the criminal purpose, while others may be deceived or coerced. Investigation should identify the recruiter, the instructions given, the child's benefit and the surrounding circumstances.¹⁶

E. Online radicalisation and group-based influence

Digital communities can expose adolescents to extremist or strongly antisocial narratives and facilitate recruitment through private communication. Exposure alone does not prove adoption of an ideology or participation in an offence. A rights-sensitive response should focus on identifiable unlawful conduct while strengthening critical media literacy and early intervention. Where organised criminal activity exists, investigation should examine the network and the role of adult participants.¹⁷

V. EVIDENTIARY AND INVESTIGATIVE CHALLENGES

A. Attribution of digital communications

A social-media account, telephone number or gaming identity may provide an investigative lead but does not necessarily prove authorship. Devices may be shared, accounts may be compromised and credentials may be used by different persons. Attribution should therefore combine subscriber information, device identifiers, login records, IP information, financial trails and surrounding circumstances. The prosecution must establish a legally sufficient connection between the electronic activity and the particular child accused.¹⁸

B. Screenshots, metadata and preservation

Screenshots are useful investigative material but may not preserve the complete context or demonstrate the origin of a communication. Metadata, timestamps, message identifiers, forensic

Moderators of Long-Term Effects of Violent Video Games on Aggressive Behavior: Practice, Thinking, and Action, 168 JAMA PEDIATRICS 450 (2014), <https://doi.org/10.1001/jamapediatrics.2014.63>.

¹⁶ INDIAN CYBER CRIME COORDINATION CENTRE (I4C), Annual Reports and Advisories on Cyber Crime Prevention (Ministry of Home Affairs); NATIONAL CRIME RECORDS BUREAU, ACCIDENTAL DEATHS AND SUICIDES IN INDIA 2023.

¹⁷ COUNCIL OF EUROPE, *Recommendation CM/Rec(2018)7 of the Committee of Ministers to Member States on Guidelines to Respect, Protect and Fulfil the Rights of the Child in the Digital Environment* (July 4, 2018).

¹⁸ *Anvar P.V. v. P.K. Basheer*, (2014) 10 SCC 473; *Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal*, (2020) 7 SCC 1.

images and extraction logs can provide stronger evidence concerning provenance and integrity. Preservation should occur promptly because online content can be deleted or altered. Investigators should maintain a documented chain of custody from seizure or collection through forensic examination and production before the court.¹⁹

C. Electronic evidence under the Bharatiya Sakshya Adhiniyam

The Bharatiya Sakshya Adhiniyam, 2023 establishes the current evidentiary framework for electronic and digital records. Sections 61 to 63 are particularly relevant to electronic material relied upon in criminal proceedings. The principles developed in *Anvar P.V. v. P.K. Basheer* and *Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal*, decided under section 65B of the Indian Evidence Act, 1872, whose certification requirement section 63 carries forward, remain important for understanding authenticity and statutory compliance. Electronic evidence should not be treated as self-proving merely because it appears on a screen.²⁰

D. Mens rea, juvenile circumstances and causation

Digital evidence may assist in establishing knowledge or intention, but interpretation of adolescent communications requires caution. A child may repeat language without understanding its legal significance, act under peer pressure or be manipulated by an adult. The prosecution must prove the mental element required by the offence. Likewise, the existence of online exposure before an offence does not establish that the exposure caused it. Criminal adjudication must remain focused on conduct and statutory requirements.²¹

E. Child-sensitive investigation

Investigation involving children should minimise unnecessary trauma and protect privacy. Digital devices may contain intimate photographs, conversations and information concerning other children. Investigators must preserve relevant evidence while limiting unnecessary dissemination. Specialised training in child interviewing, digital forensics and victim support is necessary to ensure that evidence collection does not create additional harm.²²

¹⁹ *Anvar P.V.*, *supra* note 18 (holding that a certificate under § 65B(4) of the Indian Evidence Act, 1872 is mandatory for secondary evidence of an electronic record, because such records are susceptible to tampering and alteration).

²⁰ Bharatiya Sakshya Adhiniyam, No. 47 of 2023, §§ 61–63; *Anvar P.V.*, *supra* note 18; *Arjun Panditrao Khotkar*, *supra* note 18 (affirming *Anvar P.V.* and holding the § 65B(4) certificate a condition precedent to the admissibility of secondary evidence of an electronic record).

²¹ See *Kali Ram v. State of Himachal Pradesh*, (1973) 2 SCC 808 (presumption of innocence; where two views of the evidence are reasonably possible, the view favourable to the accused must be adopted); *Sharad Birdhichand Sarda v. State of Maharashtra*, (1984) 4 SCC 116 (a conviction resting on circumstantial evidence requires circumstances that are fully established and consistent only with the hypothesis of guilt).

²² Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, § 3 (principles of care and protection); Bharatiya Nagarik Suraksha Sanhita, No. 46 of 2023 (provisions on investigation involving children).

VI. JUDICIAL AND INSTITUTIONAL RESPONSE

A. Supreme Court jurisprudence on juvenile justice

The Supreme Court has repeatedly emphasised the distinctive rationale of juvenile justice. *Salil Bali v. Union of India* considered the constitutional and statutory basis for differential treatment of children. *Dr. Subramanian Swamy v. Raju* addressed the juvenile-justice framework and developmental considerations. Both were decided under the Juvenile Justice (Care and Protection of Children) Act, 2000, before the preliminary-assessment mechanism of the 2015 Act was introduced. *Shilpa Mittal v. State (NCT of Delhi)* clarified the statutory classification of offences under the 2015 Act, holding that only offences carrying a minimum sentence of seven years' imprisonment or more are "heinous offences". These decisions provide an important foundation for cases involving technologically sophisticated juvenile conduct.²³

B. Privacy, dignity and digital childhood

Justice K.S. Puttaswamy (Retd.) v. Union of India recognises privacy as a constitutionally protected right, while digital services collect extensive information concerning communications, preferences and behaviour. Child-safety measures should therefore be designed with privacy safeguards and proportionality. Investigations should avoid unnecessary disclosure of intimate digital material and should protect the dignity of both victims and accused children.²⁴

C. Judicial response to online sexual exploitation

In re Prajwala demonstrates judicial concern with the circulation of sexual-violence material and the institutional need for responses to harmful online content. Digital circulation increases the persistence and replicability of harmful material. The response therefore requires timely preservation, reporting, removal mechanisms and support for affected children while respecting evidentiary requirements.²⁵

D. Institutional guidelines and cybercrime mechanisms

The NCPCR and government agencies have developed guidance concerning child safety and online risks, while cybercrime reporting mechanisms provide channels for complaints. Their effectiveness depends on implementation at the first-response stage. Police officers,

²³ *Salil Bali*, *supra* note 9; *Dr. Subramanian Swamy*, *supra* note 9; *Shilpa Mittal*, *supra* note 9.

²⁴ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1; Digital Personal Data Protection Act, No. 22 of 2023, § 9 (not yet in force: under the commencement notification issued with the Digital Personal Data Protection Rules, 2025 on Nov. 13, 2025, § 9 takes effect eighteen months later, in May 2027).

²⁵ *In re Prajwala Letter Dated 18.2.2015 Videos of Sexual Violence and Recommendations*, (2018) 15 SCC 551.

prosecutors, Juvenile Justice Boards and child-protection personnel require continuing training because digital evidence and platform practices change rapidly.²⁶

E. Platform responsibility and cooperation

Technology platforms possess information and technical capabilities that individual investigators may not have. Effective child protection therefore requires lawful cooperation concerning preservation, reporting and disclosure of relevant information. Such cooperation must remain subject to statutory safeguards, privacy principles and due process. Platform responsibility should complement, rather than replace, public investigation and child-protection institutions.²⁷

VII. CONSTITUTIONAL RIGHTS AND RIGHTS-SENSITIVE PROSECUTION

A. Article 21, dignity and child protection

Article 21 protects life and personal liberty and has been interpreted to include dignity. Children exposed to online exploitation, bullying or sexual abuse may suffer serious violations of dignity and personal security. At the same time, children accused of digital offences retain constitutional protections. A child-centred system must therefore protect victims without abandoning the dignity of the accused child.²⁸

B. Article 19(1)(a) and digital expression

Social-media communication falls within the broader constitutional context of speech and expression, subject to permissible restrictions. *Shreya Singhal v. Union of India* demonstrates the importance of precision when criminal restrictions are imposed on online expression. The existence of harmful online content does not justify treating every offensive, unpopular or immature statement as criminal without identifying the statutory basis.²⁹

C. Privacy and digital investigation

Digital investigations can expose extensive information about a child's private life. Devices may contain medical information, family conversations, photographs and unrelated communications. Investigators should collect material relevant to the offence and adopt

²⁶ NAT'L COMM'N FOR PROT. OF CHILD RTS., Guidelines for Child Safety on Digital Platforms and Online Gaming (2021–2024 series); MINISTRY OF ELECTRONICS & INFORMATION TECHNOLOGY, Advisory on Online Gaming and Social Media Platforms (2023).

²⁷ Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (as amended); *Shreya Singhal v. Union of India*, (2015) 5 SCC 1.

²⁸ INDIA CONST. art. 21; *Justice K.S. Puttaswamy*, *supra* note 24.

²⁹ *Shreya Singhal*, *supra* note 27; INDIA CONST. art. 19(1)(a), (2).

safeguards against unnecessary disclosure. The constitutional principle of proportionality is particularly significant where surveillance or extraction of personal data is involved.³⁰

D. Fair trial and presumption of innocence

A digital record can appear highly persuasive even when its provenance is uncertain. Courts should distinguish authenticity from interpretation and attribution from mere possession. The presumption of innocence remains applicable within the juvenile framework, subject to statutory provisions. Where reasonable alternative explanations for digital activity remain, the prosecution must satisfy the applicable standard of proof rather than relying on technological appearance alone.³¹

E. Balancing public safety and developmental rights

Public safety requires effective responses to serious digital offending, but child protection also requires opportunities for education, rehabilitation and reintegration. The appropriate balance is not achieved through either unrestricted digital activity or indiscriminate surveillance. Measures should be necessary, proportionate and directed toward identifiable risks.³²

VIII. CRITICAL ASSESSMENT AND RECOMMENDATIONS

A. Principal findings

The existing Indian framework contains substantial legal tools for addressing digital juvenile crime, but its effectiveness depends upon coordination, evidence quality and institutional capacity. The Juvenile Justice Act provides a rehabilitative foundation, while POCSO, the IT Act and the BNS address different forms of substantive misconduct. The principal difficulty is often not the absence of an offence provision but the ability to establish attribution, intent and context in a rapidly changing digital environment.³³

B. Digital forensic investigation

Police cyber units should adopt standard protocols for preservation of messages, device imaging, metadata, account records and financial trails. First responders require training because mistakes made at seizure or collection may compromise later admissibility. Forensic

³⁰ *Justice K.S. Puttaswamy*, *supra* note 24 (holding privacy to be a fundamental right and requiring any State intrusion upon it to satisfy legality, a legitimate aim and proportionality).

³¹ *Kali Ram*, *supra* note 21; *Sharad Birdhichand Sarda*, *supra* note 21.

³² Convention on the Rights of the Child arts. 3, 40, Nov. 20, 1989, 1577 U.N.T.S. 3; Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, § 3.

³³ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016; Protection of Children from Sexual Offences Act, No. 32 of 2012; Information Technology Act, No. 21 of 2000; Bharatiya Nyaya Sanhita, No. 45 of 2023.

laboratories should develop capacity to analyse gaming platforms, encrypted communications, synthetic media and other emerging forms of digital evidence.³⁴

C. Police, prosecutorial and judicial capacity

Juvenile Justice Boards, prosecutors and investigators should receive specialised training on digital offending and child development. Prosecutors should distinguish the substantive offence from the child's procedural and rehabilitative status. Courts should scrutinise digital attribution and electronic-evidence compliance while ensuring that proceedings remain child-sensitive.³⁵

D. Prevention through education and parental engagement

Schools should provide practical digital-literacy education concerning grooming, cyberbullying, fraud, privacy and reporting. Parents should be encouraged to maintain open communication and understand the platforms used by children. Age-appropriate controls and supervision can reduce risk, but excessive surveillance may discourage disclosure. Prevention should therefore be based on trust, education and accessible support.

E. Legislative and platform reforms

Child-safety regulation should encourage privacy-protective defaults, effective age assurance, restrictions on unsolicited adult contact and accessible reporting systems. Platform obligations should be proportionate to the risks presented by the service. The law should also provide clearer mechanisms for preservation of relevant electronic material while safeguarding children's privacy and lawful expression.

F. Research and data infrastructure

India requires stronger empirical research on the relationship between digital activity and juvenile offending. Studies should distinguish cyber-victims, offenders, coerced participants and children exposed to harmful content. Longitudinal research should examine the interaction of digital experiences with family, school, peer and socio-economic factors. Better data would permit policy to respond to demonstrated risks rather than assumptions.

G. Proposed rights-sensitive model

A rights-sensitive model should proceed through sequential stages: early prevention and digital literacy; rapid reporting and preservation of evidence; specialised child-sensitive investigation; precise identification of the applicable offence; individualised assessment of the child's role and

³⁴ *Anvar P.V.*, *supra* note 18; *Arjun Panditrao Khotkar*, *supra* note 18; Bharatiya Sakshya Adhiniyam, No. 47 of 2023, §§ 61–63.

³⁵ *See generally Salil Bali*, *supra* note 9; *Dr. Subramanian Swamy*, *supra* note 9.

circumstances; and proportionate rehabilitative intervention. Where adult recruitment or organised criminal activity is present, investigation should extend to the wider network. This approach can combine accountability with protection and rehabilitation.

IX. CONCLUSION

The impact of social media and online gaming on juvenile crime in India is neither insignificant nor explicable by a single causal hypothesis. The digital environment offers children many platforms on which to communicate, connect, encounter information and experience peer influence. Online forums can facilitate cyberbullying, grooming, fraud, sexual abuse and other illegal activities, while also offering educational, artistic and recreational opportunities and spaces for connecting with like-minded peers. Proper legal intervention should reflect that duality.

Socio-psychological studies conclude that online experiences interact with individual growth and contextual social influences. The need for peer admiration, instant gratification and status, together with family, school and socio-economic vulnerabilities, are crucial considerations. Indian law contains several vital components: the Juvenile Justice Act is a special law of care, protection, development, rehabilitation and social reintegration; the IT Act recognises categories of technology-enabled misconduct; the POCSO Act offers specific safeguards for children against sexual offences; the Bharatiya Nyaya Sanhita offers general criminal law provisions that can be applied to digital conduct; and intermediary regulation adds further safeguards, as will the Digital Personal Data Protection Act, 2023 once its provisions on children's data come into force.

Institutional mechanisms such as the NCPCR and governmental cybercrime units add further oversight and regulatory channels. Together, they can secure compliance with developments in the law and respect for the juvenile's dignity, privacy and development. The Supreme Court's constitutional and juvenile-justice jurisprudence indicates that children should be understood as persons at different stages of development with different needs, and privacy principles imply that strategies must evolve in the era of digital data.

The administration of criminal justice is integral: courts may need to apply general criminal law concepts in specific ways when persons under eighteen are involved. Child rights commissions and specialised institutional bodies such as the NCPCR and cyber police can supplement that work. The primary question is whether this is implemented in a manner suited to a digital sphere in which information is processed at great speed. Indian law has several crucial elements that

define how vulnerable children can be protected, with care and sensitivity, from digital victimisation, victim-offender overlap and undue prejudice.

Much can be achieved if the focus of policy shifts from law enforcement and punishment to prevention and repair. Age-appropriate design of digital platforms, privacy protection by default, reporting mechanisms, expert investigation and innovative approaches to digital literacy can make children safer. Policies and interventions should also be supported by sound data analysis so that lawyers, judges and policymakers can understand causes and effects accurately. A child-centred digital framework can allow children to enjoy the benefits of digital technology while minimising its potential for harm.
