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An Examination of Juvenile Justice Laws and Policies

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ABSTRACT

This research critically examines the effectiveness and challenges of juvenile justice laws and policies, with a specific focus on their application within India. The study delves into the legal framework governing juvenile justice, particularly the Juvenile Justice (Care and Protection of Children) Act, 2015, which introduced significant changes, including allowing juveniles aged 16-18 to be tried as adults for heinous crimes. The research evaluates the rationale behind this amendment, its implications for juvenile rehabilitation, and the broader societal impact. Through an analysis of legal provisions, case laws, and statistical data, the dissertation assesses the effectiveness of existing juvenile justice mechanisms in ensuring both the protection of children and the deterrence of juvenile delinquency. It explores the role of Juvenile Justice Boards, Child Welfare Committees, and special homes in providing rehabilitative and corrective measures for young offenders. Additionally, the study addresses key challenges in the implementation of juvenile justice policies, including procedural delays, lack of adequate infrastructure, and inconsistencies in judicial decisions.

The research also considers international perspectives, drawing comparisons between India's juvenile justice system and those of other jurisdictions, particularly in relation to rehabilitation-oriented approaches versus punitive measures. It highlights the influence of social, economic, and psychological factors on juvenile delinquency and the effectiveness of existing intervention programs. Findings suggest that while the Juvenile Justice Act provides a structured framework, there are significant gaps in its execution, particularly in balancing the interests of juvenile offenders and victims. The study recommends reforms such as strengthening rehabilitation programs, ensuring swift legal proceedings, enhancing police and judicial training, and improving the coordination between government agencies and non-governmental organizations working in child welfare.

Keywords: Juvenile, Juvenile Justice Act, Rehabilitation and Judiciary.

I. INTRODUCTION

Mahatma Gandhi's remark that one should hate the crime, not the offender, is a corollary to this

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statement. This is especially true in the situation of juvenile justice, where the international community has recognized the notion of reformation as the prevailing manner of punishment when dealing with adolescents who have broken the law. It has also been observed in recent years that the number of crimes committed by children aged 14-17 has increased significantly. The general tendency or psychology behind the commission of a crime, or the causes of crime, are early-life experiences, dominant masculinity, upbringing, economic calamity, lack of education, and so on. It is an embarrassment that children between the ages of 7 to 10 are now used as tools to carry out unlawful or illegal activities. Because children's minds are innocent and manipulative, they can be enticed at a low cost.

Offences against children and juvenile offence has become an independent issue. It is indeed a good beginning for creating awareness about the rights relating to children. In the last few decades, the crime rate by the children under the age of 16 years has increased. The reason of increasing crime rate is may be due to the upbringing environment of the child, economic conditions, lack of education and the parental care. These are the some of the basic reasons. And the most disappointing part is that, children (especially under the age group of 5 to 7 years) now a days are used as tool for committing the crime as at that this stage their mind is very innocent and can easily be manipulated. The frightful incident of "Nirbhaya India Gang Rape Case", on December 16, 2012 shocked the whole nation and many debates were started among legal fraternity and socialists. The main reason and issue of the debate was the involvement of accused, which was just six months short to attain the age of 18 years. The involvement of the accused in such a heinous crime of rape forced the Indian Legislation to introduce a new law and thus, Indian Parliament came up with a new law which is known as" (Juvenile Justice Care and Protection), 2015. The Introduction of the Act has replaced the existing juvenile laws and has introduced some remarkable changes. One of the remarkable changes is juvenile under the age group of 16 to 18 years should be tried as an adult.

II. DIFFERENCE BETWEEN JUVENILE AND CHILD

A person under the age of full legal obligation and responsibility is a minor or a person who is below the legal age of eighteen years is minor. A child being accused of a crime is not tried as an adult and is sent to Child Care Centre whereas juvenile is a person between the age group of sixteen and eighteen years. A young person who is been accused of crime is a juvenile offender and is tried as adult in court proceedings. In general sense both the term has same meaning but however difference lies in context of implications in the eyes of law. Minor implies young and teen persons whereas juvenile either indicates immature person or young offenders.

(A) Judicial Trends

Judicial trends relating to juvenile delinquency are being set by various courts which can be assessed under following ways:

1. Age of juvenile.
2. Jurisdiction.
3. Apprehension and production
4. Right to Bail.
5. Disposition.

(B) Determination of Age of Juvenile

It is the responsibility and duty of the court to determine the age of a person who is being involved or committed a crime, whether he is juvenile or not. The court held that "very young children should not be sent to prison"³

A juvenile under JJ Act, 1986 means "a boy who has not completed the age of sixteen years and a girl who has not completed age of eighteen years". In Juvenile Justice (Care & Protection) Act 2000, the difference of age of male and female child has been removed and a uniform age pattern was provided i.e. 18 year of age for both. Further, Juvenile Justice (Care & Protection) Act 2015, defined "child" and "juvenile" under sections 2(12) and (35) of the Act respectively, define as "a person who has not completed the age of eighteen years". And as per section 2(13) of the Act 2015 "child in conflict with law" means "a juvenile who is alleged or found to have committed an offence and has not completed eighteen years of age as on the date of commission of offence

III. HISTORY OF JUVENILE JUSTICE SYSTEM IN INDIA

The Juvenile Justice System in India has undergone significant changes over the years. The first juvenile court in India was established under the Juvenile Justice System in India in 1920 in the city of Bombay (now Mumbai) under the Children Act of 1920. This act recognized that children under the age of 16 were in need of special protection and care and established a separate court system to deal with juvenile offenders.

In 1986, the Juvenile Justice Act was enacted to replace the Children Act of 1920. The Juvenile Justice Act recognized that children in conflict with the law were not criminals but in need of care and protection. It introduced the concept of a Juvenile Welfare Board to oversee the

³ Emperor v. Dharam Parkash AIR 1926 (Lahore) 611 AIR 1921 (Oudh) 190.

implementation of the Act and the establishment of observation homes for the temporary care of children awaiting trial.

In 2000, The Juvenile Justice Act was amended to bring it in line with the United Nations Convention on the Rights of the Child. The amendment raised the age of juvenile delinquency from 16 to 18 years and emphasized the rehabilitation and social reintegration of juvenile offenders. In 2015, the Juvenile Justice Act was amended again in response to a high-profile case involving a juvenile offender who was involved in the brutal gang-rape and murder of a young woman in Delhi in 2012.

The amendment to The Juvenile Justice Act was in 2021, which aimed to further strengthen the juvenile justice system in India. The amendment introduced provisions for foster care and adoption of children in need of care and protection, strengthened measures for the rehabilitation and social reintegration of juvenile offenders, and enhanced the role of the Juvenile Justice Boards and Child Welfare Committees in the decision-making process. In present era, a movement for the special treatment of juvenile offenders has started throughout the world including many developed countries like U.K., U.S.A. This movement has been started around the 18th century. Prior to this, juvenile offenders were treated as same as other criminal offenders. And for the same reason, General Assembly of United Nations has adopted a Convention on the Rights of Child on 20th November 1989. This convention seeks to protect the best interest of juvenile offenders. The Convention states that to protect the social - reintegration of juvenile, there shall be no judicial proceeding and court trials against them. The Convention leads the Indian Legislation to repeal the Juvenile Justice Act, 1986 and to make a new law. Thus, Indian Legislation came up with a new act which was called as "The Juvenile Justice (Care and Protection of Children) Act, 2000. The Juvenile Justice, 1986 which repealed the earlier Children Act, 1960, aimed at giving effect to the guidelines contained in the Standard Minimum Rules for the Administration of Juvenile Justice adopted by the U.N. countries in November 1985.¹² the above-mentioned Act consisted of 63 Sections, 7 Chapters and is extended to whole India except to the State of Jammu and Kashmir. The primary purpose of the Act was to provide care and protection, treatment, development and rehabilitation of the neglected juvenile delinquent. The main objectives of the Act were:

- i. The act basically laid down uniform framework for the juvenile justice in country in such a way that it protects the right and interest of juvenile.
- ii. It talks about the machinery and infra - structure for the care, protection treatment, development and rehabilitation of the juvenile offenders.

- iii. It set out the basic provisions for the proper and fair administration of criminal justice in case of heinous crime done by juvenile offenders.

IV. JUVENILE JUSTICE ACT, 2000

The act was enacted in Year 2000 with aim and intent to provide protection for children. The mentioned was amended twice - first in the year of 2006 and later in year of 2011. The amendment was made to address the gap and loopholes in the implementation. Further, the increasing number of cases of juvenile crimes in the last recent years and frightful incident of "India Gang Rape Case" ha forced the law makers to come up with the law. The major drawback of the Act was that it contains ill equipped legal provisions and malfunctioning juvenile system was also the major reason in preventing the juvenile crimes in India. The act was replaced soon by The Juvenile Justice (Care and Protection) Act, 2015. A Juvenile is a child who as below the age of 18 years. As we know that India is a developing state. The crime rate of juvenile is increasing day by day. To stop such type of the government of India amend the act which deals with the matters related to the juvenile and that act is known as JJP A. The main purpose of this act is passed to punish the juvenile if they commit offence which affect the society in large as The Delhi Gang Rape ... The juvenile are the future of our nation so they should know about what is good and what is wrong. The juvenile Detention centers or children jails provides various facilities which are not provided in adult jails these facilities provide juvenile to maintain and correct their life .Minors who used to commit the crime that are heinous in nature could also get way with a maximum sentence of 3 years of juvenile detention center. According to 2015 act for a crime committed by child who is sixteen years a Preliminary assessment must be committed.

(A) Present Juvenile Justice System in India

Like the other countries, India had also made legal provisions that especially and specifically deals with the rights and protection of juvenile offenders which seeks to tackle the problem of juvenile delinquency. The Juvenile Justice System in India is made on the basis of three main assumption young offenders should not be tried in courts, rather they should be corrected in ways, they should not be punished by the courts, but they should get a chance to reform trial for child in conflict with law should be based on non-penal treatment through the communities based upon the social control agencies for e.g., Observation Homes and Special Homes.

(B) International Perspective on Juvenile Justice

The global approach has been to hold parents accountable for their children's behaviour, establish boot camps, and create educational models meant to combat deviant juvenile

behaviour to stop the tide of rising juvenile criminality. Reducing youth incarceration and making the victims of their crimes whole led to the development of restorative justice.⁴

(C) Development of Indian Legislation for Juvenile Justice

There were no explicit rules managing juvenile delinquency during the pre-colonial times; instead, the laws were included under the existing Hindu and Muslim laws, where the individual families were in charge of controlling the actions of the children. The 'Apprentice Act of 1850', 'The Code of Criminal Procedure of 1861', and 'The Reformatory School Act of 1876' were all passed as the British began to rule. Under 'The Apprentice Act', offenders between the ages of 10 and 18 were not found guilty but were instead placed in the employ of businessmen as apprentices. Even the IPC provided special guidelines for the kids under Section 82, which said that kids under the age of seven could not be found guilty.²⁷ The Procedural Law, or CrPC, mentions setting up separate tribunals for children under the age of fifteen who would be sent to reformatories rather than the usual prisons. The Reformatory School Act, which established special reformatories for delinquents for a period of two to seven years until the age of eighteen before transferring them to regular jails, served as the foundation for the current juvenile justice laws in India. Although there were no overarching regulations, the provinces of Madras and Bombay developed their statutes to address juvenile delinquency.

(D) Juvenile Justice Act, 2015

The aims to consolidate the laws relating to children alleged and found to be in conflict with law and children in need of care and protection by catering and considering their basic needs through proper care & protection, development, treatment, social- integration, by adopting a child friendly approach in the adjudication and disposal of matters in the best interest of children. The act also focuses on rehabilitation of juvenile offenders through various child care houses and Institutions.

(E) Juvenile Justice Board

The Board shall consist of Principal Magistrate and two social among whom one should be a woman. The Act provides that under no circumstances the

Board can regulate and operate from regular court premises. The decision taken by the Principal Magistrate shall be final. Special Procedure of Juvenile Justice Board: - The Act has provided the procedure against the juvenile offender. Following is the main special procedure

⁴ James W. Beeks Sr, 'Juvenile Justice In Global Perspective' 'Juvenile Justice Information exchange' (30 November 2015) 01

- The proceedings cannot be initiated on a complaint registered by the police or citizen
- The hearing must be informal and should be strictly confidential.
- The offenders should be kept under Observation Home after detention.
- The trial of juvenile in conflict with law shall be conducted by Lady Magistrate.
- A child in conflict with law may be produced before an individual member of the Board, when Board is not sitting.

(F) Juvenile Justice and Constitution of India

The Constitution of India is considering as the fundamental law of India. Constitution provides rights and duties of citizens. It also provides provision for the working of the government machineries. Constitution in Part III has provided Fundamental Rights for its citizens in the same manner in its Part IV it has provided Directive Principles of State Policies (DPSP) which acts as general guidelines in framing government policies. Constitution has provided some basic rights and provisions especially for the welfare of children. Like:

- i. Right to free and compulsory elementary education for all the children under the age of 6 to 14 years. (Article 21A)
- ii. Right to be protected from any hazardous employment under the age of fourteen age. (Article 24)
- iii. Right to be protected from being abused in any form by an adult. (Article 39(e)).
- iii. Right to be protected from human trafficking and forced bonded labor system. (Article 39)
- iv. Right to be provided with good nutrition and proper standard of living. (Article 47)
- v. Article 15(3) of the Constitution of India provides special powers to State to make any special laws for the upliftment and the betterment of children and women.

Therefore, the law makers while drafting the Juvenile Act, 2015 has considered all the necessary provisions laid down by the Constitution so that child's rights are protected in all the possible ways. This is for the same reason that Chapter IV of the Act lays down the provisions for betterment of the juveniles and has focused on the Reformation and Rehabilitation of Juveniles in all the possible circumstances.

(G) Causative Factors of Juvenile Crimes

There could be no single cause of Juvenile crimes, but there are many varied causes. In general, has been identified threefold.

1. Biological cause- Biological problems such as speech and hearing problems, irritation, etc.
2. Socio-Environmental causes-
 - Mobility: Migration of persons to a new place where they are strangers offers them opportunity for crime
 - Cultural Conflicts: Cultural conflicts between inhabitants are immigrants" results in deviant behavior and enormous increase in crime.
3. Family Background: Family Structure: The nature and structure of the family are largely responsible for carving out the personality and that personality makes up of the Children a functionally adequate family encourages growth, confidence, frankness and ability to face reality.
4. The young family needs to remain emotionally dependent on a mother figure for a considerable number. Without this attachment we know that Children have difficulties in formation early relationship with other Children. Delinquents mostly come from functionally inadequate home criminal acts of family members influence Children and sometimes they themselves induct children into offences.
 - a) Parent-Child Relationship: Misunderstandings, hard feelings, insufficient love and open conflicts between parents and Child results in dissatisfaction and hostility in the Child subsequently, such dissatisfaction and hostility precipitates social deviance. Lack of appropriate guidance and discipline-Inconsistent discipline, parental indifference, abusive parenting can lead to a poor self-image and personality problems, making Children vulnerable to negative influences outside the home.
 - b) Alcoholic parents and constant quarrel between parents make the home environment intolerable for the Children that lead to delinquent behavior of the Child. Even excessive punishment also leads to Child's involvement in anti-social activities because of his feelings of frustration. Parents are responsible for teaching their Children how to live in a normal life within their limits.

V. JUVENILE JUSTICE ACT, 1986

The Juvenile Justice Act, 1986, was a significant piece of legislation in India aimed at addressing the needs of children in conflict with the law. Prior to its enactment, the juvenile justice system in India lacked a clear framework for the protection and rehabilitation of minors involved in criminal activities. The Act was introduced to ensure the treatment of juveniles in a manner that was both legal and compassionate, focusing on their welfare, reform, and

reintegration into society rather than punishment

(A) Administration of Juvenile Justice

Something and functions behind the Juvenile Justice Bill were "to bring the task of Juvenile Justice System within the nation in consistence with the world organization customary Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)". whereas putting in place Juvenile Justice Act 1986, the Parliament practiced its Force given to that by Article 253 of the Constitution, to form any law for the entire or a part of the country for finishing a general assertion, custom, or call, the JJA created stress with the criminal and removed Juveniles where for the duration of the country. The endorsing itself, regardless, failed to stamp associate adjustment within the procedure characteristic with the affiliations, unions, and exercises to direct reprobate and abused Childs. The developments created within the JJA failed to mirror any wonderful capability either within the set up or the methodology towards reprobate and unnoticed Childs, and it absolutely was a virtual re-endorsement of the Childs Act 1960. on the point of subbing the word 'Pre-adult' with 'Child', the JJA had created changes within the significance of unnoticed Juvenile, substituted the methods characteristic with medications and after-care, and showed 5 new ways. The position of 'disregarded' Child within the JJA separated in unequivocal regards from that within the youngster Act 1960. All told honesty, the definition has aroused being a lot of expansive than that below the Childs Act 1960. By virtue of progression within the noteworthiness of 'calm' to 'narcotic medicine' and Psychotropic substances' the procedure for exchange of Childs subject to narcotic prescriptions and mind-e paneling substances to a fitting treatment focus had been incorporated in Section forty-eight of the Juvenile Justice Act, that acknowledged fast increase within the issue of unlawful drug use among Childs and Juvenile persons. Fragment twelve of the Juvenile Justice Act characteristic with once thought was surprisingly dynamically convoluted associated agitated off the bulk of the problems that went into the event of an intensive course of action for after-care. Regardless, the procedure, as was earlier what is more, failed to build medical aid needed and left it to be managed by basics to be created below the Juvenile Justice Act. Piece fifty-two of the Juvenile Justice Act mirrored the confirmation of the elemental for a substitute set one thing aside for the welfare and recovery of the Childs managed thereunder. In any case, the Procedure neither created the formation of such a spare needed nor incontestable the Nation's guarantee to that. Territories fifty three and fifty-four of the JJA given to constitution of a bulletin board and arrangement of guests for institutions. The bulletin board was to set up the activities of assorted Unions connected with doing the objectives of the JJA, to grow such unions as indicated by any Section-express necessities, and to assemble cash connected, material, and HR. Guests were

needed to be distributed for every home. The homes would have aroused being unquestionable to society by the arrangement of guests who may have gone regarding as spokespersons for the one thing apart from what is expected 'out of the image and so impertinent of sight (maybe out of psyche in like way) Childs at totally different structure within and out of doors those homes. The constitution of the bulletin board and trip of that guests, as an oversized portion of trade system, was left to the reasonableness of the regime. Pre-adult Justice Act 1986 showed some certified changes within the regularizing structure of the JJS in India. These developments included:

- i. A standardized significance of Juvenile for the entire country;
- ii. A more and more broad employment given to NGO's;
- iii. Prohibition on management of Juveniles below all conditions; and

The JJA determined the Juveniles who were within its zone below Juvenile Justice Act, 1986 Boys a lot of energetic than sixteen years associated young ladies a lot of Juvenile than eighteen years fell within the Section of the JJA if they were found to possess shown an offense or were pained. Wild children may in like method be brought within the Section of the JJA once thus brought by their persons or guardians.

(B) The Juvenile Justice (Care and Protection of Children) Act, 2000

The Juvenile Justice Act 2000 received the assent of the President of India on 30th December 2000. The Act provides for the care, protection, treatment, development and rehabilitation of neglected and delinquent children and also spells out the machinery and infrastructure required for this. The JJ Act 1986 has been repealed. Some of the provisions of the JJ Act 2000 have been amended through the Juvenile Justice (Care and Protection of Children) Amendment Act 2006, which received the assent of the President of India on 22nd August 2006.

VI. CONSTITUTION OF COMPETENT AUTHORITY

There are for the foremost half specialists to subsume the "Juvenile in battle with law" and "youth requiring care and protection" that are Juvenile Justice Board and Child Welfare Committee.

(A) Juvenile Justice Board

Juvenile Justice Board (JJB) is the concerned authority to deal with Children in Conflict with Law (JCL). JCL means a child who is alleged to have committed an offence.

- The State Government may, by notification in the Official Gazette, constitute for a district or a group of districts specified in the notification, one or more Juvenile Justice Boards for exercising the powers and discharging the duties conferred or imposed on such boards in relation to Juvenile in conflict with law under this act.
- A Board shall consist of a metropolitan magistrate or a judicial magistrate of the first class, as the case may be, and to social workers of whom at least one shall be a woman, forming a Bench's
- Any child in and with conflict law is produced before JJB within 24 hours of custody. JJB further does enquiry of the case and takes the decision in best interest of the Child.
- Children in conflict with law who enter the juvenile justice system through JJB, require residential care and protection during pendency of any inquiry are facilitated in Observation Homes.

(B) Juvenile Justice (Care And Protection Of Children) Act, 2015

The Juvenile Justice (Care and Protection of Children) Act, 2015 has got Force and invalidations the Juvenile Justice (Care and Protection of Children) Act, 2000. The Juvenile Justice (Care and Protection of Children) Bill, 2015 was gone along Lok Sabha on seventh night, 2015; was gone along Rajya Sabha on 22nd Dec, 2015 and got Presidential assent and are available into Force on thirty first Dec, 2015. The JJ Act, 2015 suits continuing with the Procedures for the 2 Juveniles requiring care and protection and Childs fighting with law. a touch of the key Procedures include: modification in expressing from 'Juvenile' to 'Child' or 'Child fighting with law', over the Act to cleanse the contrary significance connected with the word 'Pre-adult'; connotation of a number of new definitions, as an example, stranded, tricked and given Childs; and immaterial, certified and ugly offenses shown by Childs; clearness in Forces, limit and obligations of Juvenile Justice Board (JIB) and Child Welfare Committee (CWC); clear courses of occasions for enthusiasm by Juvenile Justice Board (JIB); new Procedures for gorgeous offenses started along by children over the Period of young; separate new half on Adoption to contour event of vagrant, given and given Childs; care of latest offenses submitted against Childs; and needed determination of Child Care establishments. Segment fifteen characterized, "exceptional procedures are created to handle Child wrongdoers submitting ugly offenses within the cohort of 16-18 years. The Juvenile Justice Board is given the selection to exchange instances of grievous offenses by such children to Court of Session within the wake of directive starter

appraisal.

VII. LEADING CASES

- In *Rajinder Chandra v. Chandigarh*⁵ administration the defendant was charged underneath section 302/34, IPC on Gregorian calendar month twenty-seven, 1997 and was captured that day. He stood up for Himself to be a Juvenile and asked for the side of being endeavored underneath the Juvenile Justice Act, 1986 (by and by repealed). The court of officer first-class rejected the supplication of the criticized within the wake of holding a requirement concerning his age and also the session court furthermore well-kept the elemental court call. The charged recorded a rectification bid against this demand and also the judicature recognized the specialist's supplication that he was a Juvenile and was work the bill for be endeavored underneath the Juvenile Justice Act. The litigant and father of the tragic loss each supply against the demand of the judicature to the Supreme Court. The Supreme Court touched base at the goals that enthusiastic about BHP, birth and destruction register and also the auxiliary faculty verification, the date of birth of the defendant was thirtieth Sep, 1981 and this was supported by confirmation of the parent and educators of the decried. The court control that the heaviness of showing that the rebuked was within the prescribed regulation for being treated as juvenile is on the charged, he. Regardless, the demand of the charged that he was a Juvenile and during this manner be endeavored underneath the Juvenile Justice Act having been rejected by the starter court and also the Court of Session, there was 2 simple sentiments 140 concerning this issue. Thusly, the court selected that wherever there section unit 2 conflicting points offered a few explicit issue, the one that is favorable to the defendant ought to be recognized. Accordingly, the upbraided was to be treated as Juvenile and be endeavored underneath the Juvenile Justice Act.
- In *Pratap Singh v. State of Jharkhand*⁶, a three judge Bench of the Supreme Court, whereas considering the request as for the date by respect to that age of a child or a ,lady should be settled thus on check whether or not the person be itlg observed could be a Juvenile or not, saw that there exists battle between the selections of the court in *Arnita Das v. State of Bihar*, and *Umesh Chandra v. Nation of Rajasthan* The seat, afterwards, saw that since the request enclosed is one in every of the relentless rehashes and also the purpose of read on law taken for this circumstance is possibly about to have concerning the new Juvenile Justice Act, 2000, the problem has the on to be detected by constitution seat of the court.

⁵ AIR 1998 SC 236

⁶ AIR 2000 SC 2264

- The read sent by the Supreme Court in Arnita Das⁷ case, notice support within the technique contained in portion three of the Juvenile Justice (care and confirmation of Childs) Act, 2000 which provides that wherever the court is happy that toward the start of demand, the punished was a Juvenile, his starter underneath the exhibition would continue paying very little mind as to whether the person crosses the prescribed most extraordinary age of eighteen years within the interior of primer methodology. As wants be the crucial date for affirmation of the age of the abused to be endeavored.
 - In Sheela Bares v. Union of India⁸ the Supreme Court had seen that paying very little mind to statutory methodology with the top goal that youths mustn't be unbroken in jail, a substantial variety of Childs and Juveniles were hitherto delayed in detainment facilities. The court saw that there is no dispute or vulnerability that the Juveniles should be unbroken in observation homes and not in jail unfinished solicitation or primer autonomous of the style during which that they need crossed the age uttermost compasses of being treated as Juvenile unfinished solicitation or basic.
 - In the case of Bacau Pande & others v. State of Bihar⁹ the partaking party was bolted in with against the law case near fourteen alternative co-accused and condemned underneath Section three hundred scan with fragment 149 IPC. The supplication of the charged (prosecutor) that he was a child on the date of offense was thought of by the primer court Associate in Nursing he was a Juvenile on the date of offense was thought of by the starter court and picked in negative. The evoke wasn't tried on these lines it concluded up being definitive and no Arguments on this issue were raised within the interior of starter or underneath the attentive gaze of judicature it had been struggled underneath.
5. Offense was thought of by the starter court and picked in negative. The evoke wasn't tried on these lines it concluded up being definitive and no Arguments on this issue were raised within the interior of starter or underneath the attentive gaze of judicature. it had been struggled underneath the watchful eye of the Supreme Court that the date of birth recorded within the faculty register wasn't right Associate in Nursing an attestation with this impact was rumored underneath the careful gaze of the court by the daddy of the Child (for instance partaking group).
- vindication of a touch of the censured people wouldn't act the saint of alternative people UN agency The court saw that a self-seeking sworn rationalization recorded by father of the

⁷ AIR 200 SC 748

⁸ 3 2004 (5) SCALE 617

⁹ AIR 2000 SC 2264

Child cannot be acceptable and also the mentioned honest request with regard to the age of the partaking party had accomplished finish in context on the sooner demands of the primer court equally because the judicature, from this point forward it cannot be raised once more, underneath the watchful eye of the Supreme Court. The court in like manner selected that section unit prosecuted enthusiastic about proof on record developing their pith and backing. The interest was, in like manner, ousted Dilip saha vs. state of Bengal.¹⁰

VIII. CONCLUSION

Juveniles are the future of any nation. They play a significant role in the expansion of the nation. So, to protect them from unsocial basics is very essential. Only death sentence is not only solution of the problem. There are numerous other ways to addressed with this problem like first of all government should ban all the websites on internet which carries unprincipled content or should make strict laws on access of these type of websites because this is the main reason behind this unsocial behavior of juveniles and parents also should keep watch on the activities of their children and if feels somewhat wrong mustn't neglect it. We have to make them aware about the future consequences and also tell them how these can destroy their whole life. The rising rates of juvenile crime in India are a thoughtful concern but if we will try to tackle this problem together, we will certainly achieve this goal.

Human plus progress anticipates a basic add the money connected improvement of a nation. This can be a speculation towards rising the chance of human life. Ignoring the way within which that improvement secures money connected increment to society general, express assessments section unit to this point needed to ensure that they reach the damage and also a lot of delicate Sections of the bulk, for instance, ladies, Childs, and dejected, debilitated and created parents. It is unbelievably abandoned that Juveniles section unit going toward completely different problems for a staggering term, for instance, Child disregard, Child misuse,

Immature Delinquency, real term for lead of children and Juveniles that in adult's would-be settled on a selection concerning criminal underneath law. within the us, definitions and age cutoff inspirations driving Juveniles modification, the most effective age being set at fourteen years in a very few Nations and as high as twenty-one years in others. The 16-to 20-year age bracket, reflected fully fledged juvenileness in numerous spots, and encompasses a boss among the foremost surprising frequencies of veritable alarming direct. Associate in nursing abnormal Nation of adult offenders has an institution of early Delinquency. Felony is that the most extraordinary offense by Childs; forcefully valid property dreadful practices and strike section

¹⁰ 1979 Cri LJ 88 (FB)

unit in each means that basically matters currently and once more committed in later youth. The elucidations behind such fast, like those of alarming direct once all is claimed in done, section unit found in a very advanced of mental, social, and money fragments. Clinical examinations have uncovered fiery maladjustments, all around rising out of surprise family situation& in numerous delinquents.
