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# Police Power, Investigation and Criminal Procedure in India: A Critical Study on Human Rights, Custodial Violence, Delay in Trial, Role of Public Prosecutor and FIR under BNSS, 2023

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## ABSTRACT

*The criminal justice system in India constitutes a vital mechanism for maintaining social order while safeguarding individual liberties. With the transition from the Code of Criminal Procedure, 1973 to the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, India has undertaken significant procedural reforms aimed at modernizing investigation and trial processes. However, despite these legislative advancements, persistent challenges such as misuse of police powers, custodial violence, delays in trial, inefficiencies in investigation, and issues in the functioning of public prosecutors continue to undermine the system. This paper critically examines these structural and procedural deficiencies within the Indian criminal justice system. It evaluates constitutional safeguards, judicial interventions, and institutional practices, highlighting the gap between legal provisions and their implementation. The study further explores the role of the First Information Report (FIR) as a gateway to justice and the challenges associated with its registration. Through a comprehensive doctrinal and analytical approach, the paper argues that meaningful reform requires not only legal changes but also institutional accountability, technological integration, and a rights-based approach. Ultimately, the study emphasizes the need to create a balanced system that ensures both effective law enforcement and protection of human dignity.*

**Keywords:** Criminal Justice System, Police Powers, Human Rights, Custodial Violence, Delay in Trial, Public Prosecutor, FIR, BNSS 2023.

## I. INTRODUCTION

The administration of criminal justice in India plays a central role in upholding the rule of law

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and ensuring societal stability. It is designed to balance two essential yet often competing objectives: maintaining public order through effective law enforcement and protecting individual freedoms from arbitrary state action. This balance is reflected in procedural frameworks that regulate the powers of police, courts, and prosecuting authorities. The replacement of the Code of Criminal Procedure, 1973 with the Bharatiya Nagarik Suraksha Sanhita, 2023 marks a significant step toward reforming India's criminal procedure. The BNSS introduces technological integration, attempts to streamline investigation processes, and seeks to address longstanding inefficiencies. However, structural issues within the system persist despite these reforms. India's criminal justice system continues to face serious concerns, including misuse of police authority, custodial violence, prolonged pre-trial detention, delays in judicial proceedings, and lack of prosecutorial independence.<sup>3</sup> These issues not only undermine the effectiveness of the system but also raise grave human rights concerns. The persistence of such challenges reflects a disconnect between legal theory and practical implementation.

This paper aims to critically analyze key aspects of the criminal justice system, focusing on police powers, investigation procedures, human rights violations, delays in trials, the role of public prosecutors, and the functioning of FIRs under BNSS. It also seeks to identify systemic gaps and suggest reforms to improve fairness, efficiency, and accountability.

## **II. POLICE POWER AND ITS CONSTITUTIONAL LIMITS<sup>4</sup>**

Police power constitutes one of the most critical elements of the criminal justice system, as it empowers law enforcement agencies to maintain public order, prevent crime, and enforce the law. These powers include arrest, search, seizure, interrogation, and investigation. While such authority is indispensable for ensuring societal stability, it also carries a significant risk of misuse if not exercised within clearly defined legal and constitutional boundaries.<sup>5</sup>

The Constitution of India provides a robust framework to regulate and limit police powers, ensuring that individual rights are not arbitrarily violated. Among these safeguards, Article 21 plays a central role by guaranteeing the right to life and personal liberty. Over time, judicial interpretation has expanded the scope of Article 21 to include the right to live with dignity, the right to a fair trial, and protection against arbitrary state action. This implies that any exercise of police power must conform not only to statutory provisions but also to principles of fairness,

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<sup>3</sup> *Constitution of India, Art. 22.*

<sup>4</sup> *Constitution of India, Art. 20(3).*

<sup>5</sup> *D.K. Basu v. State of West Bengal, (1997) 1 SCC 416.*

reasonableness, and justice.

Article 22 further strengthens protections against arbitrary arrest and detention. It mandates that a person who is arrested must be informed of the grounds of arrest and must be produced before a magistrate within 24 hours. It also ensures the right to consult and be defended by a legal practitioner of one's choice. These provisions are intended to prevent unlawful detention and ensure procedural fairness. Additionally, Article 20(3) provides protection against self-incrimination, ensuring that an accused person cannot be compelled to testify against themselves during investigation or trial.

Despite these constitutional safeguards, the practical reality often reflects significant deviations. Instances of arbitrary arrest, illegal detention, and custodial abuse continue to be reported across the country. One of the primary reasons for this is the broad discretionary power granted to police authorities. While discretion is necessary for effective law enforcement, the absence of adequate checks and balances can lead to its misuse. In many cases, arrests are made without sufficient evidence or justification, often targeting individuals from economically or socially disadvantaged backgrounds.<sup>6</sup>

Another issue is the lack of awareness among citizens regarding their rights. Many individuals are unaware of the legal protections available to them, making them more vulnerable to abuse of power. Furthermore, access to legal aid remains limited, particularly in rural areas, which exacerbates the problem. This creates a situation where constitutional safeguards exist in theory but are not effectively realized in practice.<sup>7</sup>

Judicial interventions have played a significant role in attempting to regulate police powers. Courts have laid down detailed guidelines governing arrest procedures, detention, and interrogation practices. These guidelines emphasize transparency, accountability, and adherence to due process. For instance, the requirement to maintain arrest records, inform relatives of the arrested person, and conduct medical examinations are intended to prevent abuse and ensure accountability.

However, the effectiveness of these judicial guidelines is often undermined by weak implementation. Lack of monitoring mechanisms, institutional resistance, and inadequate disciplinary action against erring officials contribute to continued violations. In many cases, victims of police abuse face difficulties in seeking redress due to fear, lack of resources, or procedural hurdles.

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<sup>6</sup> *Joginder Kumar v. State of Uttar Pradesh*, (1994) 4 SCC 260.

<sup>7</sup> *Code of Criminal Procedure, 1973* (now replaced by BNS, 2023).

Institutional culture within police organizations also plays a crucial role. In some instances, there is an emphasis on achieving quick results, which may lead to shortcuts and disregard for legal procedures. This is particularly evident in cases where confessions are obtained through coercion rather than proper investigation.

To address these issues, comprehensive police reforms are necessary. These reforms should focus on enhancing accountability through independent oversight bodies, such as police complaints authorities. Training programs must emphasize human rights, ethical conduct, and professional standards. Additionally, there is a need to reduce political interference in policing to ensure impartiality and independence.<sup>8</sup>

Technological advancements can also play a role in improving accountability. The use of body cameras, CCTV surveillance in police stations, and digital record-keeping can increase transparency and reduce instances of abuse. Moreover, strengthening internal disciplinary mechanisms and ensuring swift action against misconduct are essential for building public trust.<sup>9</sup>

In conclusion, while police power is essential for maintaining law and order, its exercise must be strictly regulated to prevent abuse. Constitutional safeguards provide a strong foundation, but their effectiveness depends on proper implementation. Ensuring accountability, transparency, and adherence to legal principles is crucial for balancing the needs of law enforcement with the protection of individual rights.

### **III. INVESTIGATION PROCESS UNDER BNSS, 2023**

The investigation process<sup>10</sup> forms the backbone of the criminal justice system, as it is responsible for gathering evidence, identifying suspects, and building the foundation of a criminal case. A fair, impartial, and efficient investigation is essential for ensuring justice, as it directly influences the outcome of trials. Any deficiencies in the investigation process can lead to wrongful convictions, acquittals, or delays in justice delivery.

The *Bharatiya Nagarik Suraksha Sanhita, 2023* introduces several reforms aimed at modernizing and improving the investigation process in India. One of the key features of the BNSS is its emphasis on the use of technology in criminal investigations. Provisions for electronic recording of statements, digital documentation of evidence, and increased reliance on forensic science are intended to enhance the accuracy and efficiency of investigations. These

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<sup>8</sup>*Bharatiya Nagarik Suraksha Sanhita, 2023.*

<sup>9</sup> *Law Commission of India, 177th Report on Law Relating to Arrest (2001).*

<sup>10</sup> *National Human Rights Commission (NHRC), Guidelines on Custodial Deaths (2010).*

measures represent a shift toward a more scientific and evidence-based approach to criminal justice.

The BNSS also seeks to introduce time-bound investigation procedures to reduce delays and ensure timely completion of cases. This is particularly important in a system where prolonged investigations often contribute to delays in trials. By setting timelines and encouraging accountability, the legislation aims to improve overall efficiency.<sup>11</sup>

Despite these progressive reforms, several challenges continue to hinder the effectiveness of the investigation process. One of the most significant issues is the lack of adequate training among investigating officers. Many officers are not sufficiently trained in modern investigative techniques, including forensic analysis, cybercrime investigation, and handling of digital evidence. As a result, investigations often rely on outdated methods, which may be less reliable and more prone to errors.

Infrastructural deficiencies also pose a major challenge. Forensic laboratories in India are often overburdened, leading to delays in analysis of evidence. In many regions, there is a shortage of forensic experts and modern equipment. This affects the quality of evidence collected and weakens the prosecution's case in court. Without proper infrastructure, the benefits of technological advancements introduced by the BNSS cannot be fully realized.<sup>12</sup>

Another issue is the heavy workload and understaffing within police departments. Investigating officers are often required to handle multiple cases simultaneously, which reduces the time and attention they can devote to each case. This can result in incomplete investigations, procedural errors, and delays.

External influences, such as political pressure and corruption, further undermine the integrity of the investigation process. In some cases, investigations may be biased or manipulated to serve vested interests. This can lead to wrongful convictions of innocent individuals or acquittal of guilty persons. Such practices not only violate principles of justice but also erode public confidence in the system.

The lack of coordination between investigating agencies and prosecutors is another significant concern. Effective prosecution depends on the quality of investigation and proper presentation of evidence. However, poor communication and coordination often result in inconsistencies and cases in court.

To address these challenges, it is essential to adopt a multi-pronged approach. First, there must

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<sup>11</sup> *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273.

<sup>12</sup> *K.N. Chandrasekharan Pillai, R.V. Kelkar's Criminal Procedure (6th ed., 2018)*.

be a strong emphasis on training and capacity building for investigating officers. Regular training programs should be conducted to equip officers with the skills required for modern investigation techniques. Specialization in areas such as cybercrime and forensic science should be encouraged.

Second, investment in infrastructure is crucial. Establishing more forensic laboratories, improving existing facilities, and ensuring access to modern equipment can significantly enhance the quality of investigations. Adequate funding and resource allocation are necessary to achieve these objectives.

Third, ensuring independence of investigating agencies is critical for maintaining impartiality. Measures should be taken to reduce political interference and strengthen institutional autonomy. Transparent procedures and accountability mechanisms can help prevent misuse of power.<sup>13</sup>

Fourth, technological integration must be effectively implemented. Digital tools for evidence collection, case management systems, and data analysis can improve efficiency and reduce delays. However, proper training and infrastructure are necessary to support these technologies.

Finally, improving coordination between police and prosecutors is essential. Regular communication, joint training programs, and collaborative approaches can enhance the effectiveness of both investigation and prosecution.

In conclusion, the investigation process under the BNSS, 2023 represents a significant step toward modernization and reform. However, the success of these reforms depends on effective implementation and addressing existing challenges. A strong, independent, and well-equipped investigation system is essential for ensuring justice and maintaining public confidence in the criminal justice system.

#### **IV. HUMAN RIGHTS AND CUSTODIAL VIOLENCE**

Custodial violence remains one of the most serious human rights concerns in India's criminal justice system.

Custodial violence refers to any form of physical or mental abuse inflicted on individuals while they are in police or judicial custody. It includes torture, assault, humiliation, illegal detention, and even custodial deaths. Such practices directly violate fundamental rights guaranteed under the Constitution and undermine the rule of law.<sup>14</sup>

The persistence of custodial violence highlights a deep-rooted problem within the law

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<sup>13</sup> *Upendra Baxi, The Crisis of the Indian Legal System (1982)*

<sup>14</sup> *Malimath Committee Report on Criminal Justice Reforms (2003).*

enforcement system. Despite clear constitutional safeguards, legal provisions, and judicial guidelines, incidents of custodial abuse continue to occur. This reflects a gap between legal norms and actual practices.

One of the primary reasons for custodial violence is the pressure on police to solve cases quickly. In an attempt to obtain confessions or information, officers may resort to coercive methods. This approach not only violates human rights but also leads to unreliable evidence, increasing the risk of wrongful convictions.

Institutional culture within police forces also contributes to the problem. In many cases, the use of force is normalized as a means of investigation. Lack of accountability and weak disciplinary mechanisms further encourage such practices.

Custodial violence disproportionately affects marginalized communities, including economically weaker sections, minorities, and socially disadvantaged groups. Their limited access to legal aid and lack of awareness make them more vulnerable to abuse.

Judicial interventions have attempted to address custodial violence by laying down guidelines for arrest and detention. These include requirements for medical examinations, maintaining arrest records, and ensuring access to legal counsel. However, implementation remains inconsistent.

The absence of effective monitoring mechanisms is a major challenge. Complaints against police officers are often not properly investigated, and victims rarely receive justice. This creates a culture of impunity.

Preventing custodial violence requires a multi-pronged approach. Strict enforcement of laws, independent investigation of complaints, and accountability of officers are essential. The use of technology, such as CCTV cameras in police stations, can enhance transparency.<sup>15</sup>

Training police personnel in human rights and ethical practices is also crucial. Building a culture of respect for human dignity is necessary for long-term reform.

## **V. DELAY IN CRIMINAL TRIALS <sup>16</sup>**

Delay in criminal trials is one of the most persistent and complex problems in the Indian justice system. The right to a speedy trial is a fundamental right under Article 21. However, in reality, the judicial system is burdened with a massive backlog of cases, leading to prolonged delays.

One of the primary reasons for delay is the shortage of judges and inadequate judicial

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<sup>15</sup> *National Crime Records Bureau (NCRB), Crime in India Report (latest edition).*

<sup>16</sup> *Hussainara Khatoon v. State of Bihar, (1979) AIR 1369.*

infrastructure. Courts are often overburdened, making it difficult to dispose of cases efficiently.<sup>17</sup>

Procedural complexities also contribute to delays. Frequent adjournments, lengthy documentation, and inefficient case management slow down the process. In many cases, trials are postponed repeatedly due to absence of witnesses or lawyers.

Delays in investigation further add to the problem. Incomplete or poorly conducted investigations lead to additional time during trial.

The impact of delay is severe. Undertrial prisoners often spend years in custody without conviction, which is a violation of their fundamental rights. Victims also suffer due to prolonged uncertainty.

To address this issue, comprehensive reforms are needed. Increasing the number of judges, improving infrastructure, and adopting modern case management systems are essential.

The use of technology, such as e-courts and virtual hearings, can significantly reduce delays. Fast-track courts for specific cases can also help.

In conclusion, ensuring timely justice is essential for maintaining public confidence in the legal system.

## **VI. ROLE OF PUBLIC PROSECUTOR**

The public prosecutor occupies a central position in the criminal justice system, acting as the representative of the State in criminal proceedings. Unlike private advocates who primarily serve the interests of their clients, the public prosecutor is expected to function as an impartial officer of the court. The primary duty of a public prosecutor is not merely to secure convictions but to ensure that justice is served by presenting the case fairly, objectively, and in accordance with the law.<sup>18</sup>

The role of the public prosecutor begins at the stage of investigation and continues throughout the trial process. Prosecutors are responsible for scrutinizing evidence collected by the police, advising investigating officers on legal aspects, and determining whether sufficient grounds exist to proceed with prosecution. During the trial, they present evidence, examine witnesses, and make legal arguments to assist the court in arriving at a just decision.<sup>19</sup>

However, in practice, the functioning of public prosecutors in India is often constrained by

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<sup>17</sup> Sheela Barse v. State of Maharashtra, (1983) 2 SCC 96.

<sup>18</sup> State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335.

<sup>19</sup> UN Convention Against Torture (1984).

several structural and institutional challenges. One of the most significant issues is the lack of independence. Public prosecutors are typically appointed by the government, which can create a perception of bias or influence, particularly in politically sensitive cases. This raises concerns about the neutrality of prosecution and its ability to act independently of executive control.

Political interference is another major challenge affecting the role of public prosecutors. In certain cases, decisions regarding prosecution may be influenced by political considerations rather than legal merit. This undermines the credibility of the criminal justice system and erodes public trust.

Inadequate resources and infrastructure further limit the effectiveness of public prosecutors. Many prosecutors handle a large number of cases simultaneously, which affects their ability to prepare thoroughly. Lack of access to proper research facilities, legal databases, and support staff also hampers their performance.

Another critical issue is the tendency, in some cases, to focus on securing convictions rather than ensuring justice. This approach can lead to suppression of exculpatory evidence, over-reliance on weak testimonies, or failure to disclose material facts. Such practices not only violate ethical standards but also increase the risk of wrongful convictions.

Coordination between investigating agencies and public prosecutors is often weak. Ideally, prosecutors should be involved from the early stages of investigation to guide evidence collection and ensure legal compliance. However, in practice, this coordination is limited, resulting in inconsistencies and gaps in the prosecution's case.<sup>20</sup>

Training and professional development of public prosecutors is another area of concern. Many prosecutors lack specialized training in areas such as forensic evidence, cybercrime, and evolving legal standards. Continuous training programs and capacity-building initiatives are essential to enhance their effectiveness.

Strengthening the role of public prosecutors requires comprehensive reforms. Ensuring their independence from political and executive influence is crucial. Transparent appointment procedures and security of tenure can help achieve this objective. Providing adequate resources, reducing workload, and improving infrastructure are equally important.<sup>21</sup>

Additionally, fostering better coordination between police and prosecutors can significantly improve the quality of prosecution. The adoption of a collaborative approach, where prosecutors

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<sup>20</sup> *Justice V.S. Malimath Committee, Reforms of Criminal Justice System (2003).*

<sup>21</sup> *N.R. Madhava Menon, Criminal Justice System in India (2004).*

actively guide investigations, can lead to stronger and more reliable cases.

In conclusion, the public prosecutor plays a vital role in ensuring fairness and integrity in the criminal justice system. Strengthening this institution is essential for achieving justice and maintaining public confidence in the legal system.

## VII. FIR AND ACCESS TO JUSTICE

The First Information Report (FIR) serves as the foundation of the criminal justice process in India. It is the first formal record of information relating to the commission of a cognizable offence and marks the beginning of an official investigation. The importance of the FIR lies in its role as a gateway to justice, enabling individuals to seek legal redress and ensuring that offences are formally recognized by the legal system.<sup>22</sup>

The registration of an FIR sets the criminal law in motion and imposes a duty on the police to investigate the matter. It ensures that allegations of crime are documented at the earliest stage, preserving the integrity of evidence and providing a basis for further legal proceedings. As such, the proper and timely registration of FIRs is essential for the effective functioning of the criminal justice system.

Despite its significance, several challenges exist in the practical implementation of FIR registration. One of the most common issues is the refusal by police authorities to register FIRs, particularly in cases involving influential individuals or sensitive matters. Victims are often discouraged from filing complaints or are directed to settle disputes informally. Such practices undermine the rule of law and deny individuals their right to access justice.

Delay in registering FIRs is another significant problem. In many cases, complaints are not recorded promptly, leading to loss of crucial evidence and weakening of the case. Delays can also create suspicion regarding the authenticity of the complaint, affecting its credibility during trial.<sup>23</sup>

Manipulation or distortion of facts in FIRs is also a concern. In some instances, police officers may alter or omit details to suit a particular narrative or to reduce the seriousness of the offence. This not only affects the course of investigation but also compromises the fairness of the trial.

Judicial interventions have played a crucial role in addressing these issues. Courts have consistently emphasized that registration of FIRs in cognizable offences is mandatory and not discretionary. This principle is aimed at ensuring that victims have unimpeded access to the

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<sup>22</sup> *Zahira Habibullah Sheikh v. State of Gujarat*, (2004) 4 SCC 158.

<sup>23</sup> Supreme Court of India, Guidelines on FIR Registration, *Lalita Kumari v. Govt. of U.P.*, (2014) 2 SCC 1

justice system.

The introduction of provisions for electronic FIR registration under the BNSS, 2023 represents a progressive step toward improving accessibility and transparency. Online platforms can enable victims to file complaints without physically visiting police stations, thereby reducing barriers and minimizing opportunities for refusal or delay.

However, the success of such measures depends on effective implementation and public awareness. Many individuals, particularly in rural areas, may not be aware of their rights or the availability of online systems. Digital literacy and access to technology remain significant challenges.

Another important aspect of FIR registration is the protection of victims' rights. Victims must be treated with dignity and sensitivity, especially in cases involving vulnerable groups such as women and children. Ensuring confidentiality and providing support services are essential components of a victim-centric approach. Improving the FIR system requires a combination of legal, administrative, and technological reforms. Strict enforcement of mandatory registration provisions, accountability mechanisms for non-compliance, and regular monitoring can help address existing issues.

Public awareness campaigns and legal education initiatives can empower citizens to assert their rights. Additionally, strengthening grievance redressal mechanisms can provide victims with avenues to challenge refusal or delay in FIR registration.

In conclusion, the FIR plays a crucial role in ensuring access to justice. Strengthening its registration process is essential for maintaining the integrity and effectiveness of the criminal justice system.

## **VIII. CRITICAL ANALYSIS OF SYSTEMIC ISSUES**

A comprehensive analysis of the Indian criminal justice system reveals the presence of deep-rooted structural and institutional challenges that hinder its effective functioning. While the legal framework provides extensive safeguards for the protection of individual rights, the gap between law and its implementation remains a persistent concern.<sup>24</sup>

One of the most significant systemic issues is the misuse of police power. As discussed earlier, the discretionary authority granted to police officers, combined with weak oversight mechanisms, often leads to abuse. Arbitrary arrests, custodial violence, and unlawful detention

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<sup>24</sup> Ministry of Home Affairs, Model Police Act (2006).

reflect a pattern of systemic failure rather than isolated incidents.

Custodial violence, in particular, highlights the lack of accountability within law enforcement agencies. Despite legal safeguards and judicial guidelines, enforcement remains weak. The absence of effective monitoring and disciplinary mechanisms allows such practices to continue unchecked.

Delay in criminal trials is another critical issue that affects the efficiency of the justice system. The backlog of cases, shortage of judges, and procedural complexities result in prolonged litigation. This not only violates the right to a speedy trial but also undermines public confidence in the system.

The role of public prosecutors, as discussed earlier, is also affected by systemic challenges such as lack of independence, inadequate resources, and poor coordination with investigating agencies. These issues weaken the prosecution's ability to present cases effectively and ensure justice.

Corruption and institutional inefficiency further aggravate these problems. In some instances, decisions within the criminal justice system may be influenced by personal or political considerations, leading to unfair outcomes.

Marginalized communities are disproportionately affected by these systemic issues. Socio-economic disadvantages, lack of legal awareness, and limited access to resources make them more vulnerable to injustice. This raises serious concerns about equality before the law and access to justice.

Technological adoption within the criminal justice system remains uneven. While reforms such as the BNSS emphasize modernization, implementation is often slow and inconsistent. Lack of infrastructure, training, and funding hinder the effective use of technology.

Another important aspect is the lack of coordination among different components of the criminal justice system. Police, prosecutors, and judiciary often operate in silos, leading to inefficiencies and delays. A more integrated and collaborative approach is necessary for improving overall performance.

Addressing these systemic issues requires a holistic approach that goes beyond legislative reforms. Institutional accountability, transparency, and cultural change within organizations are essential. Strengthening oversight mechanisms, improving training, and promoting ethical practices can help address these challenges. In conclusion, the problems faced by the Indian criminal justice system are interconnected and require comprehensive solutions. Bridging the

gap between law and practice is essential for ensuring fairness, efficiency, and public trust.<sup>25</sup>

## IX. CONCLUSION

The Indian criminal justice system stands as a crucial institution for upholding the rule of law, maintaining public order, and safeguarding individual rights. Built upon a robust constitutional framework, it aims to balance the need for effective law enforcement with the protection of civil liberties. However, as this study demonstrates, the system continues to face significant structural and functional challenges that hinder its ability to deliver justice in a fair and timely manner.

The misuse of police powers, instances of custodial violence, and weaknesses in the investigation process highlight serious concerns regarding the protection of human rights. Despite constitutional safeguards and judicial guidelines, the gap between legal provisions and their implementation remains wide. Similarly, delays in criminal trials not only violate the fundamental right to a speedy trial but also erode public confidence in the justice system. The role of public prosecutors, though central to ensuring fair trials, is often undermined by lack of independence, inadequate resources, and poor coordination with investigating agencies. Additionally, issues in the registration of FIRs continue to restrict access to justice, particularly for vulnerable sections of society.<sup>26</sup>

The introduction of the Bharatiya Nagarik Suraksha Sanhita, 2023 represents a progressive step toward modernizing criminal procedure in India. Its emphasis on technological integration, efficiency, and transparency has the potential to address several longstanding issues. However, legislative reform alone cannot bring about meaningful change unless it is supported by effective implementation, institutional accountability, and cultural transformation within the system.

To ensure a more just and efficient criminal justice system, comprehensive reforms are essential. These must include strengthening police accountability, improving investigation standards, enhancing judicial capacity, and ensuring the independence and professionalism of public prosecutors. The integration of technology, along with increased public awareness of legal rights, can further enhance transparency and accessibility.

Ultimately, the success of the criminal justice system depends on its ability to uphold the principles of fairness, accountability, and human dignity. Bridging the gap between law and practice is imperative for restoring public trust and ensuring that justice is not only done but is

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<sup>25</sup> *2nd Administrative Reforms Commission, Report on Public Order (2007)*.

<sup>26</sup> *Amnesty International, India: Custodial Violence Reports (various years)*.

seen to be done.

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