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## VICTIM-ORIENTED CRIMINAL JUSTICE SYSTEM: NEED OF THE HOUR

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### SUMMARY

The present adversarial model of the criminal law is heavily tilted towards the accused while affording fewer protections to a victim of the crime. The victims, the initiator of criminal law machinery, are the least cared off people in the system. His participation remains at the minimal level in the criminal justice system as the initiator of the prosecution and as witnesses. However, it is not completely true in present scenario as we are moving gradually towards victim-oriented approach. Recently 268<sup>th</sup> Law Commission Report (May 2017) recommended "Victim impact assessment" by public prosecutor in matters of bail and 2013, Criminal Law Amendment Act which provides payment of fine from accused to the victim for treatment in cases of acid attacks. The present paper critically analyses the position of the victim in Indian criminal justice system and make suggestions for making system more victim-oriented. However, the authors also cautioned that in our zeal to promote victim's right, we should not do injustice to accused. It is because there should be a delicate balance between the rights of the accused and rights of the victim and neither party should have an undue advantage in the system.

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*Presently, moving towards victim-oriented approach is the need of the hour for maintaining that good balance in victim's interest.*

**Keywords:** *Victim, Victim's role, Rights, Criminal justice system, Law, Compensation, Reparation, Prosecution, Protection.*

## INTRODUCTION

THE history of crime is as old as humanity itself.<sup>1</sup> Crime is a wrongful act against the victim and society. The human society has progressed from the age old theory of retaliation — an eye for an eye, a tooth for a tooth. With the advancement of civilization crime is no longer considered as an offense against the individual but against the whole society and state took upon itself to punish the offenders.

The criminal justice system aims to safeguard the interests of the victim and the establishment against the intentional invasion by an offender who disturbs the fundamental social norms. The way to protect the different concerns of the victim is by ensuring the punishment to the accused by the law. The accused has been granted certain rights and privileges to make sure that the machinery does not suppress the blameless. Our present criminal justice system is more concerned with the offender, his activities, his rights and correctional needs.<sup>2</sup> The accused or the convict has several rights under the constitution along with vast statutory provisions.

The victims, the initiator of criminal law machinery, are the least cared off people in the criminal justice delivery system. His participation remains at the minimal level in the criminal justice system as the initiator of the prosecution and as witnesses if the prosecution desires. He is neither participant in the proceeding launched against the criminal nor the directional force to criminal prosecution. The law even does not afford him any relief by way of compensation or reparation for the harm suffered except to a limited extent.

Krishna Iyer, J. in the case of *Rattan Singh Vs. State of Punjab*<sup>3</sup> aptly remarked that:

*"It is the weakness of our jurisprudence that victims of crimes do not attract the attention of the law. In fact, the victim reparation is still the vanishing point of our criminal law."*

1. Dr. Justice A.S. Anand, *Shri P. Babulu Reddy Foundation Lecture: Victims of Crime — The Unseen Side*, 1 SCC J 3-13 (1998).
2. *Ibid* at p. 4.
3. *Rattan Singh Vs. State of Punjab*, 4 SCC 719 (1979).

The United Nation General Assembly in 1985 adopted the declaration of "Basic Principles of Justice for Victims of Crime and Abuse of Power"<sup>4</sup> which involves the requirement to set minimum rules in global law for safeguarding the interests of a victim. It recognizes access to justice and fair treatment, compensation, restitution, and assistance as four primary ingredients for rights of the victim.<sup>5</sup>

The "Committee on Reforms of Criminal Justice System" in its report it accepted that sufficient legal rights and safeguards are not available to sufferers of crimes which they require for a better standing in the criminal process which results in improper administration of criminal justice.<sup>6</sup> The Committee in its report focused on a complete chapter on "Justice to Victims" reiterating the need for more participation & protection of victim for restoring the public faith be restored in the justice delivery system. It recognized that the victims' rights categorized into two types namely right to participate in criminal proceeding and right to compensation for injuries suffered.<sup>7</sup>

However, some authors suggest that if we continue with this time of criticism of victim's position in criminal justice system as the needs of the victims are consistently being recognized by legislatures and courts around the world.<sup>8</sup> The victim-oriented approach has recently been shown again by Law Commission of India in May 2017 recommended that public prosecutor should do "victim impact assessment" by consultation with the victim of crime before saying no objection in the matters of grant of bail to accused.<sup>9</sup>

4. A/RES/40/34. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Un.org (1985), <http://www.un.org/documents/ga/res/40/a40r034.htm> (last visited Jun 12, 2017).
5. S. Muralidhan, *Rights of Victims in the Indian Criminal justice System*, National Human Rights Commission Journal, International Environment Law Research Centre 1-3 (2004), <http://www.ielrc.org/content/a0402.pdf> (last visited Jun 15, 2017).
6. Dr. Justice V.S. Malimath, *Committee on Reforms of Criminal Justice System 77* (2003), [http://www.mha.nic.in/hindi/sites/upload\\_files/mha\\_hindi/files/pdf/criminal\\_justice\\_system.pdf](http://www.mha.nic.in/hindi/sites/upload_files/mha_hindi/files/pdf/criminal_justice_system.pdf) (last visited Jun 8, 2017).
7. *Ibid.*
8. Future Challenges of International Victimology, 4 *African Journal of Criminology and Justice Studies* 14 (2011).
9. 268<sup>th</sup> Report, Law Commission of India on Amendments Relating to Provisions of Bail, 100 (2017), <http://lawcommissionofindia.nic.in/reports/Report268.pdf> (last visited Jun 21, 2017).

### WHO IS A VICTIM?

The U.N. Declaration of Basic Principles for Victims of Crime and Abuse of Power, 1985 defines 'victims' as:

*"persons who, individually or collectively have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within the Member States, including those laws prescribing criminal abuse of power."*<sup>10</sup>

Clause A (2) further provides that Victim includes:

*"immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization."*<sup>11</sup>

According to Section 2 (wa)<sup>12</sup> of the Code of Criminal Procedure Act, 1973:

*"victim means a person who has suffered any loss or injury caused because of the act or omission for which the accused person has been charged, and the expression victim includes his or her guardian or legal heir."*

### VICTIMS IN CRIMINAL JUSTICE DELIVERY SYSTEM

The primary objective of the state, being the guardian of its citizens, is to safeguard all its citizens against any unlawful intrusion to their person or property, as observed by Justice Malimath. The law is the medium through which the State secures above objective and prevents the citizens from breaking the law. However, the whole criminal justice system has shifted its focus on accused rather than the victim. In criminal law; they are just witnesses to crime with a much-marginalized role. Victims had the rescue of civil law only for monetary compensation as, under the criminal law; State is the prosecutor to punish the accused.<sup>13</sup>

### VICTIM AT DIFFERENT STAGES OF CRIMINAL TRIAL

The basis of our justice delivery system is the adversarial model which emanates from the British model of criminal jurisprudence. There are two

10. *Supra* Note 4.

11. *Ibid.*

12. As amended by the Code of Criminal Procedure (Amendment) Act, 2008.

13. *Supra* note. 6 at p. 77.

parties accused and the prosecution. The judges act as umpires deciding by the evidence. However, there is no statutory provision which enables the victim to interpose as a party and play an active role and coordinate with the prosecuting agencies to establish the guilt of the accused.<sup>14</sup>

*Justice, P.V. Reddy*, states that a crime is committed against the whole society are the reason provided by the law makers for an excursion of the victim from the prosecution scenario. The State has the responsibility of protecting the entire society, so it has become the front runner for the trial of the criminals in the community. It is also bound to restrain the individual from taking the law into his own hands. The prosecution process may get biased if we include victim in the process because it may be very normal for a victim that he wants to take revenge on the matter thus vitiating the fair trial.<sup>15</sup>

The present legal system propounds that only the State selected counsel with the appropriate person to plead the case on behalf of the victim and to punish the accused. However, the Code does not restrict the victim from participating in the criminal proceedings entirely. An advocate appointed by the victim can act as the assistant to the public prosecutor in a limited capacity in the conduct of the trial but with the permission of the court. The victim can also submit written arguments with the authorization of the court after the closure of evidence.<sup>16</sup>

The idealist prosecutor is a distant dream, the impartial and dedicated police officers are far, and few make a good case for giving the victim, certain though limited role from the stage of investigation till the completion of the trial. The role of victim in a criminal prosecution must be an active one from the beginning of the legal process to the time of awarding punishment to the accused.

### VICTIM AND INVESTIGATION

At present, the role of victim is confined to the lodging of a complaint or First Information Report (from now on FIR) and later on to tender evidence when called by the prosecution. The prosecution is overall in charge of the conduct of criminal proceedings. The victim is not even a party to the procedure except in cases where the private complaint is lodged before a magistrate. It is the police which conducts an investigation

14. P.V. Reddy, *Role of Victims*, 18 Student Bar Review, National Law School of India University, Bangalore 4 (2006).

15. *Ibid.* at p. 10.

16. Section 301(2), The Code of Criminal Procedure, 1973. Act No. 2 of 1974 (India).

on the basis of FIR and files the final report or charge-sheet. Then it is the judge after looking into the record of the case, and report of probe take cognizance and frame charges leading to the trial.

Only opportunity available to the victim is that when the magistrate/judge is not inclined to take cognizance and propose to drop the proceeding, an opportunity is given to the victim to present his case. That is too is available only to the informant by Supreme Court's decision in the case of *Bhagwant Singh Vs. Commissioner of Police*.<sup>17</sup> The actual victim or his relatives who may not be informant are still not having such right.

The Malimath Committee also recommended that the victim should be given right to know the status of the investigation and to move to court to issue direction for further probe on a particular matter or to a supervisory officer to ensure active and proper investigation to assist in the search for truth.<sup>18</sup>

## VICTIM AND PROSECUTION

At present, the prosecution is carried on by the Public Prosecutor. He is the officer of the court with the duty to assist the court in arriving at its decision. He is not required to be associated with the police or to get a conviction by any mean. At present, the victim has no active role to play.

## REPRESENTATION OF VICTIM AT TRIAL

In certain cases, the court may permit an advocate authorized by the victim to assist Public Prosecutor, but such advocate does not have separate right to represent. His role is only that of an assistant of the Public prosecutor even though he may submit written argument after the closure of evidence with the permission of the court.<sup>19</sup> The Supreme Court has stated that the role of private counsel in such cases is more or less that of a junior lawyer who assists a senior. He cannot act independently of the Public Prosecutor.<sup>20</sup>

## ROLE OF VICTIM ON BAIL ISSUE

A victim has a considerable concern on the issue of granting and cancellation of bail. A victim can move the court for cancellation of bail. However, it is dependent on the opinion of the prosecution. The

17. *Bhagwant Singh Vs. Commissioner of Police*, 2 SCC 537 (1985) (India).

18. *Supra* note 6 at p. 79.

19. *Supra* note 16.

20. *Shivkumar Vs. Hukum Chand*, 7 SCC 467 (1999) (India).

prosecution is entirely free to withdraw the case from the court at any stage during the trial with no discussion with the victim. The privilege of filing an appeal against the undesirable result of a criminal proceeding was available initially either to the offender when convicted or to the state in cases of acquittals or insufficient punishment. Hence the victims of crimes had no right to Appeal when there was an acquittal of the accused. Therefore, every victim of a crime deserves a chance to appeal in a case of acquittal of a person charged with a crime. Law Commission of India in May 2017 recommended that public prosecutor should do "victim impact assessment" on the basis of consultation with victim of crime before saying no objection in the matters of grant of bail to accused.<sup>21</sup>

### VICTIM IN PLEA BARGAINING

Plea bargain was introduced in Indian criminal system by the Amendment Act of 2005.<sup>22</sup> It is a welcome step as it protects the interest of the victim. No mutually satisfactory disposition of the case can take place without a notice of meeting to the victim.

### COMPENSATION TO VICTIM OF CRIME

It is the need of the justice that a victim should be compensated for his loss. It lies on the shoulders of the offender to make good any resultant injury to the victim. However, if the criminal is unable to compensate the victim due to the indigent circumstances, then the victim must be indemnified by the State as it has failed to safeguard the interests of its subjects.<sup>23</sup> At present, there are four statutes under which the victim can claim compensation. They are namely: the Fatal Accident Act, 1855, the Motor Vehicles Act, 1988, Criminal Procedure Code, 1973, the Probation of Offenders Act, 1958. The victim can also claim compensation under constitutional remedies for human rights violation. However, all these laws have proved to be inadequate in addressing the need for the victims' right to be compensated. Then the 14<sup>th</sup> Law Commission in its 156<sup>th</sup> report reiterated the demand for framing 'victim compensation scheme'.<sup>24</sup>

*"The Fatal Accidents Act, 1855" provides for compensation to the dependants of the person whose death has been caused by actionable*

21. *Supra* note 9.
22. Section 265A- 265L, Chapter XXIA, Code of Criminal Procedure, 1973 (India).
23. K.I. Vibhute, Criminal justice: A Human Rights Perspective of the Criminal Justice Process in India 351 (1 ed. 2004).
24. *Ibid.*



wrong. However, the time-consuming, a lengthy and expensive procedure in a civil suit has always deterred the victim from claiming the compensation under the Act.

“**Motor Vehicles Act, 1988**” also provides compensation to victims of road accidents resulting from rash and negligent driving or otherwise. It also provides compensation in cases even without fault in certain cases to avoid hardship to dependents.<sup>25</sup> It provides for a certain amount of compensation in all cases or either death or injuries, and the victim has right to move to court to get additional compensation if the accident was caused due to rash and negligent acts.

Law Commission of India, in its 42<sup>nd</sup> Report intending to give prominence to the Indian Penal Code, 1860 ask for inclusion of payment of compensation as Punishment under Section 53 of the Indian Penal Code.<sup>26</sup> “**The Probation of Offenders Act, 1958**” provides for compensation to the victim where the accused is let off with an admonition or released on the probation.

The Court granted compensation to the victim of the human right violation. In *Rudal Shah Vs. State of Bihar*,<sup>27</sup> the Court ordered to pay compensation to the victim of illegal detention.

Similarly in case of *Nilabati Behera Vs. State of Orissa*<sup>28</sup> held the state vicariously liable for the acts of its functionaries and ordered compensation to be paid to the victim of custodial death. The Court highlighted the responsibility of the state in paying compensation to the victim or his heirs of custodial death/torture.

Malimath Committee referring to overseas legislative measure observed that “the victims’ compensation is a state obligation in all serious crimes whether the offender is apprehended or not, convicted or acquitted. It also recommended the framing of separate legislation which would among other things provide for the scale of compensation in different offenses and the condition under which it is to be awarded to the victim.”<sup>29</sup> The Supreme Court also underscores the need for Compensation Board

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25. Section 140 to 142, Motor Vehicles Act, 1988 (59 of 1988) (India).

26. 42<sup>nd</sup> Report on Indian Penal Code, Law Commission of India, 50 (1971), <http://lawcommissionofindia.nic.in/1-50/Report42.pdf> (last visited Jun 13, 2017).

27. *Rudal Shah Vs. State of Bihar*, 4 SCC 144 (1983) (India).

28. *Nilabati Behera Vs. State of Orissa*, 2 SCC 746 (1993) (India).

29. *Supra* note 6, at p. 251.

especially in connection with the victims of rape in the case of *Delhi Domestic Working Women's Forum*.<sup>30</sup>

**"The Code of Criminal Procedure, 1973"** also provides that when fine forms part of the sentence then whole or a portion of it may be paid to the victim as per the discretion of the court.<sup>31</sup> The Code also provides for compensation when fine is not part of the punishment.<sup>32</sup> The Code does not make provision for indemnity by the offender in the case of acquittal or non-apprehension.

The Supreme Court in the case of *Hari Singh Vs. Sukhbir Singh*<sup>33</sup> lamented that the court has seldom exercised the provision of Section 357 and cautioned:

*"payment by way of compensation must, however, be reasonable. What is reasonable may depend upon the facts and circumstances of each case. The quantum of compensation may be determined by taking into account the nature of the crime, the justness of claim by the victim and the ability of accused to pay. If there are more than one accused, they may be asked to pay in equal terms unless their capacity to pay varies considerably. The payment may also vary depending upon the acts of each accused. A reasonable period for payment of compensation, if necessary by installments, may also be given. The Court may enforce the order by imposing a sentence in default."*<sup>34</sup>

The Supreme Court in the case of *Delhi Domestic Working Women Forum Vs. Union of India*<sup>35</sup> stated that the Court also has the power to grant interim compensation as it is within the overall jurisdiction of the Court. The Court said that

*"if the court trying an offense of rape has the competence to award the compensation at the final stage, there is no reason to*

30. *Delhi Domestic Working Women's Forum Vs. Union of India*, 1 SCC 14 (1995).

31. *Supra* note 16, Section 357(1).

32. *Ibid*, Section 357(3).

33. *Hari Singh Vs. Sukhbir Singh*, AIR 2127 (1988) (India).

34. K.N, Chandrasekharan Pillai & R.V. Kelkar, R.V. Kelkar's Criminal Procedure 90 (4 ed. 2012).

35. *Supra* note 30.

deny to the court the right to award interim compensation.....”<sup>36</sup>

Section 357A<sup>37</sup> provides for “the victim compensation scheme i.e. every State Government in coordination with the Central Government shall prepare a scheme for providing funds for the purpose of reparation of the victim or his dependents who have suffered loss or injury as a result of crime and who require rehabilitation.”

After 2013 Criminal Law Amendment, CrPC further provides that the compensation payable by the State Government under Section 357A shall be in addition to payment of fine to the victim under Section 326A or section 376D of IPC.<sup>38</sup> Moreover, 2013 Amendment has also imposed a mandatory duty on the hospitals, public or private, to provide first aid or medical treatment free of cost to a victim of the sexual offense.<sup>39</sup>

In a very recent judgement, *Tekan Alias Tekram Vs. State of Madhya Pradesh (Now Chattishgarh)*<sup>40</sup> Hon’ble SC directed all the States and Union Territories to formulate a uniform scheme to compensate physically injured victims of rape/ sexual exploitation. The SC directed:

“All the States and Union Territories shall make all endeavor to formulate a uniform scheme for providing victim compensation in respect of rape/sexual exploitation with the physically handicapped women as required under the law taking into consideration the scheme framed by the State of Goa for rape victim compensation.”

Hon’ble Supreme Court directed all States/Union Territories to pay uniform compensation of at least 3 lakh rupees in all cases of acid attacks victims. The court also directed that ₹ 1 lakh must be paid within 15 days from the reporting of the incident to police, to the victim.<sup>41</sup>

### REPARATION AND REHABILITATION OF VICTIM

In addition to compensation, the state must also provide certain other measures to ensure reparation to the victims of crime including medical aid, legal assistance, and counseling. The state must also make provision as

36. *Ibid.*

37. *Supra* note 16.

38. Section 357B, Indian Penal Code, 1860 (Act No. 45 of 1860) (India).

39. *Ibid.* Section 357C.

40. *Tekan Alias Tekram Vs. State of Madhya Pradesh (Now Chattishgarh)*, CrI. App. No. 884 (2015) (India).

41. *Laxmi Vs. Union of India*, 5 SCALE 77 (2015) (India).

to rehabilitation of such sufferer of a crime. The rehabilitation of victim of a crime like children and women must be given priority. The rehabilitation of the poor victim is another area which requires urgent attention. Those who have lost parental care and the victims of sexual assault required to be rehabilitated so that the scar of such crime is erased from the memory of such victim.

### **MEDICAL AID TO VICTIM**

The victim must be provided immediate medical help in cases of violent crimes. In cases of rape, there must be psychiatric services available to the victim of such crime. In addition to monetary relief, the victims must be given psychological support. The need for organizing counseling by experts for victims of such crime is of utmost importance.<sup>42</sup> In this matter, the help of NGO's working in such area may come handy.

### **LEGAL AID TO VICTIM**

The legal aid must be provided to the victim of crime who is indigent at the state expense. The Supreme Court has stressed the need to provide legal assistance to the victim of rape from the level of the police station.<sup>43</sup> The need for well-qualified advocates with experience in the criminal justice system can hardly be exaggerated.

### **WITNESS PROTECTION TO VICTIM**

Another important area requiring the attention is that of the witness protection programme. The victims' journey as a witness is a painful one. He is made to appear regularly, and the cases of adjournment take its toll on witness faith in judiciary leading to witnesses turning hostile. He must be provided adequate security from harassment and threats. He must be provided appropriate means by way of monetary held to appear in cases.

A significant instance of the same is the *Sohrabbuddin* case where the star witness, Azam Khan, turned hostile due to threats from CBI itself.

*Zahira Habibulla H. Sheikh & Another Vs. State of Gujarat and Others*<sup>44</sup> i.e. the *Best Bakery Case* the Supreme Court highlighted the need for protection of witnesses. The Supreme Court observed that "Legislative measures to emphasize prohibition against tampering with witnesses, victim or informant, have become the imminent and inevitable

42. *Supra note.6* at p.23.

43. *Supra note 30*.

44. *Zahira Habibulla H. Sheikh & Another Vs. State of Gujarat and Others*, 4 SCALE 375 (2004) (India).

need of the day.”<sup>45</sup> The Court also referred to “Witness Protection Programmes” formulated in various countries.<sup>46</sup> Justice to sufferers of crime is not possible without safeguarding the witness of the offense, keeping in mind, the potential danger to them from accused. The National Police Commission (1980)<sup>47</sup> also highlighted inconvenience to witnesses during court proceedings and vouched for protecting their interests.

The Justice Malimath Committee on Criminal Justice Reforms (2003)<sup>48</sup> gave positive suggestion to improvise the victim’s position in the system of criminal law. The legislature has accepted some of these proposals and included them in CrPC through amendments, for instance: the power given to appoint a lawyer in addition to public prosecutor by the victim and case of victim’s death, by his nearest relative.<sup>49</sup> The attorney designated by the victim, can also appear before the court and present his arguments which may be different from the opinion of the public prosecutor. Another change recommended is that victim is also allowed to file an independent appeal in all cases even if the prosecution decides not to appeal. Presently, controversy exists, in the absence of explicit legislative provision and Supreme Court judgement, on the right to appeal of a victim in the case of acquittal when he is not a complainant in the case.<sup>50</sup>

### SUMMATION AND SUGGESTIONS

Any criminal justice system to work properly must aim at ensuring safety and instilling a sense of security in the victim and their families. The primary concern of the victim can be summarized into following:

- To be heard and have their interest recognized by the society.
- To feel safe and that any threat has been removed.
- To feel supported and not blamed for what has happened to them.
- To have material support so that they can heal and not be in any way disadvantaged and
- To gain strength through state-funded self-help group.

45. *Ibid.* at p. 395.

46. *Supra* note 44. at p. 399.

47. 4th Report, National Police Commission, 2 (1980).  
<http://police.pondicherry.gov.in/Police%20Commission%20reports/4th%20Police%20Commission%20report.pdf> (last visited May 23, 2017).

48. *Supra* note 6.

49. *Supra* note 16, Section 24.

50. *Supra* note 16, Section 372.

*"UN Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985" mandates the requirement of setting benchmark rules for victim protection in the global scenario. It recognizes four building blocks of the rights of victims as "access to justice and fair treatment, compensation, restitution, and assistance."*<sup>51</sup>

Similarly, Malimath Committee focused on a whole chapter on "Justice to Victims" reiterating the need for more participation of victim so that the faith of people be restored in the justice delivery system. It also took into account the United Nation Declaration on the rights of the victim and examined various systems prevalent in European Countries. It recognized that the victims' rights could be categorized into two categories namely right to participate in criminal proceeding and right to compensation for injuries suffered.<sup>52</sup>

This thing can only be done by securing a meaningful participation of victim in a criminal prosecution from the very beginning at the investigation stage till the awarding of sentences.

Also, he must be provided adequate monetary compensation either from the accused or in the case of inability of accused, then from the state. They must also be provided certain other aid including legal and medical. It will instill confidence of people in the judicial system of our nation.

The need for constituting Compensation Board and scheme of compensation to the victim of serious offenses will be a welcome step in the said direction. The state must also consider enacting a comprehensive Victims Right Bill recognizing the rights of the victim to participate in and influence key decision in the criminal legal process.

The Government of India, being a welfare state, must provide at least adequate compensation to millions of victims of criminal violence who are indigent and helpless to protect their dignity and life.

The proper victim justice can be secured by doing more improvisation in the criminal legal system through certain steps like training of police personnel in victim sensitization, separate investigation & prosecution wings, training of lawyers and judges, no vigilante justice, etc. The criminal will continue to take benefit from the faulty system unless and until the anomalies will be removed. A robust penal system with the victim-oriented approach is the need of the hour.

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51. *Supra* Note 4.

52. *Ibid.*