

CRIMINAL VICTIMIZATION AND JUSTICE ADMINISTRATION IN INDIA

Written by *Satavisa Bora Baishya*

Assistant Professor of Law, N.E.F Law College

“Just as medicine treats all patients and all diseases, just as criminology concern itself with all the criminals and all forms of crime, so victimology must concern itself with all the victims and all aspect of victim city in which society takes an interest.”- Nelson Mandelaⁱ

ABSTRACT

Violations are not dedicated in the or with the vacuum. Every crimes shows a misfortune to the casualty. Uncountable number of survivors of distinctive age, sexual orientation and sex are dependent upon the merciless face of the truth. The anguish and the cultural pressing factor is far past the creative mind. A casualty would not like to get treated as a casualty. There are two sorts of philosophies with which a victim is looked at-"bechari" and "guneghar". The victim of crimes turns into the survivor of the Indian equity framework. Isn't it obligation of the State to examine the casualty first, concurred, the denounced should be rebuffed, however is adequately that to allow equity to the person in question? Victims are the piece insignificant part of the criminal arbitration.

ⁱⁱVictimization isn't characterized anyplace in the law. 1985, the primary year where in General Gathering of United Nations, an announcement was made for equity for victims of crimes. NAVSS (National association of Victim Support Schemes) was begun for assets by the government to consider victimology. In 1996, a significant advance was taken and rules for victim help with instance of assault casualty were given according to ⁱⁱⁱIndian Constitution, criminal equity framework is a British Borrowed model. Criminal equity is administered by the Indian Penal Code, Criminal Procedure Code, Indian Evidence Act also, Indian Constitution. The casualties are treated as witnesses.

Since 1980, the Apex court has viewed the treatment of casualties appropriately and in various cases. In ^{iv}Kumari Madhuri Patila And Another versus Addl. Magistrate , the Supreme Court requested the UP Govt. to begin disciplinary activity against officials for not doing the examination of an assault case appropriately and moreover coordinated to pay Rs. 2,50,000 as compensation. The instance of Hari Kisan, the victim was allowed remuneration of Rs. 50,000/-also, subordinate courts were to guarantee remunerations is conceded to victims. Be that as it may, this stayed uniquely on record. The remuneration to casualties isn't compulsory under any punitive laws.

INTRODUCTION

“The criminal law in India is not victim oriented and the suffering of the victim, often immeasurable is entirely overlooked in misplaced sympathy for the criminal. Though our modern criminal law is designed to punish as well as reform the criminals, yet it overlooks the by-product of crime i.e. the victims” - Justice Krishna Iyer”.

The criminal equity framework all through the world is in the possession of State and State being at the middle stage. Law and request is the principal obligation of the State. With this essential obligation the state cultivates harmony, flourishing, keeps up rule and request and gives admittance to Justice to all. Each resident in the advanced government assistance state is required to have the essential common freedoms. At whatever point these rights are abused the legal situation gives instrument to redressal of such infringement. At whatever point a resident is hurt, harmed, slaughtered because of wrongdoing, the individual in question is alluded as "casualty". However there has been inbuilt component to start criminal procedures against the wrongdoer of such wrongdoing, anyway such victims may himself looks for equity by putting the criminal equity framework into action either by advising the police about the equivalent or by protest. Crimes influences the individual victims, their families and makes monetary misfortunes the casualties. These crimes cause genuine and mental wounds to the groups of victims of crimes. Such a demonstration needs to be well and appropriately reviewed by the courts by giving the casualties simple admittance to equity. It is just previously barely any many years that the effects of exploitation on wrongdoing have influenced the individual and

drew their consideration towards the present arrangement of criminal equity and requested to be treated with empathy and poise so their major rights should be ensured and protected.

Crime analysis all around this wonderful earth made by God mirrors the way that there can't be a general public without crimes and lawbreakers, viciousness and misfortune. Crimes has been alluded as one of the social marvels which have consistently been looked by the advanced society. No general public whether it is crude or current, no country whether it is created or in the creating stage is liberated from the grip of Crime. Crime obliterates and harms the social texture. "The historical backdrop of the wrongdoing and discipline in the entire edified world uncovers a consistently expanding concern with the treatment of hoodlums and the virtual power outage of victim's consideration towards wrongdoing. For more than thousand years, before the mid-20th century the victim of crime in our general public and the organization of Justice has been, disregarded." The casualty of wrongdoing has been considered has the 'neglected man' of the criminal equity. This absence of information about the casualties is stunning; given that the criminal equity framework which is winning today would fall if their collaboration was not forthcoming. The governing body gives the system of enactment inside which any remaining offices work. The police are worried about the requirement of law, the courts with the organization of equity through different methodology and restorative help with the treatment of criminal through a few institutional and non institutional projects. The most significant object of the criminal law is the assurance of essential individual right to life, individual freedom and the property. In the more extensive meanings, the assurance is should be against the unlawful attack by other-the wilderness, the vicious, the messy, savage and false practices. Yet, where the liable man, held up, took care of, dressed, warmed, lit, engaged at the costs of the state model cell, given from it with amount of cash legally procured, has paid obligation to the general public. He can set the casualty at his rebellion however the casualty has his comfort. He can believe that by charges he pays to the state depository, he has contributed towards parental consideration, which has monitored the criminal during his visit in the jail. The development of "victimology development" in the last part of the 1970s and early 1980s in the United States of America (U.S.)^{vi} is credited for putting at the front line the predicaments of the casualties by portraying them as the "failed to remember element" in the criminal equity organization. The development in the U.S. was a consequence of the consistent disregard and obliviousness of the privileges of the casualties in the criminal equity measure.

The story remains constant for India too. In India, it is generally accepted that victims don't have adequate lawful rights and assurances, and thus they are viewed as the most disregarded substance in the whole criminal equity organization. There is an overall inclination that except if equity to the casualties is made the point of convergence of the Indian lawbreaker equity organization, the framework is probably going to turn into a foundation for propagation of treachery against the people in question. Sadly in India, after the wrongdoing is accounted for and the lawbreaker movement is brought into power, the whole center slants towards the charged, failing to remember totally the casualties' privileges and points of view. As an outcome, the casualties are at some point named as "failed to remember substance" or "underestimated element" in the Indian criminal equity organization. The lethargic demeanor of the criminal equity organization adds to the predicaments and agonies of the casualties in numerous and changed ways. At the point when we take a gander at the criminal equity organization alongside its methodology, we find that it is shifted increasingly more for the blamed to the detriment for the privileges of the people in question. The blamed have been furnished with assurance at all the stages-pre preliminary, preliminary and post preliminary of the criminal equity. When the wrongdoing is carried out and blamed is grabbed, exertion is made to give him every one of the rights like the privilege to lawful portrayal, right to clinical assessment, creation before the judge inside 24 hours, right to be educated regarding the ground of capture, and so on. Be that as it may, as against this, victim is left at his/her kindness. The fine forced on the charged structure part of the remuneration to the person in question. Nonetheless, the fine sum is too lacking to even think about acquiring any generous significant changes the life of the person in question. Further, recovery is the most ignored region in the whole criminal equity organization. Since restoration has monetary ramifications, the state for the most part dismisses this measurement. Nonetheless, such disposition of the state adds to the situations of the people in question particularly when casualties have been exposed to sexual offense, which now and again bring about loss of business, undesirable pregnancy, mental injury, and exclusion from society and a few different issues. Thus, for every one of these reasons, casualties keep on being the "minimized substance" of the Indian criminal equity organization. Notwithstanding, in the most recent couple of years, with the developing mindfulness in regards to the predicaments of the people in question, endeavors have been made to fix the circumstance. A few changes have been made in the law and strategy to deal

with the casualties' privileges. One such model is the inclusion of Victim Pay Scheme in Section 357A of the Criminal Procedure Code (Cr.P.C.), 1973 (embedded by Act 5 of 2009).

ANALYZING INDIAN CRIMINAL JUSTICE ADMINISTRATION FROM VICTIMS' PERSPECTIVE

The idea of Criminal Justice System came into India with the appearance of Manu. He had portrayed numerous offenses and trusted in the "heavenly hypothesis" which implies that King is the Supreme and individuals are bound to keep his guidelines and guidelines. With the adjustment in the perspective of the general public individuals began denying the King's standard and begun making their own law according to their comfort. The new standard that is "Might is Right" begun being continued without the classified law and individuals began requesting "tit for tat equity". It was in this difficult stretch just that the hypotheses like Divine hypothesis, Social Contract hypothesis and hypothesis of Natural Justice appeared. In present day times we have the arranged laws. The fundamental objects of these laws are to shield society from undesirable criminal articles and make danger of disciplines to the planned culprits. In India the organization of Criminal Justice is isolated into two parts :-

1. Substantive Law
2. Procedural Law

Substantive Criminal law characterizes the offenses and disciplines for the offenses while procedural regulated the considerable law and give the methodology which prompts Justice actually.

ANCIENT CRIMINAL JUSTICE SYSTEM

The idea of regular equity additionally won in the old period when there were no classified laws. In old civilization, the survivor of the offense has been alluded as focal figure in the criminal settings. In crude social orders there was as such no managed arrangement of criminal

equity. In the old social orders, redressal for the individual crime was in the possession of the person. The survivor of the wrongdoing was reserving the option to take law into his hands and rebuff the assailant as per winning practices acknowledged by his general public. He had done the discipline as vengeance focused on discouragement and pay. It was a private vengeance and pay was solely close to home. The premise of crude law was the compensation by the guilty party of the wrongdoer's family to the casualty for his misfortune and injury. Simultaneously there was finished non-attendance of political foundation to authorize those laws and rebuff the hoodlums, so the option to rebuff was vested with the person in question or casualty's kinfolk. The casualty's family was permitted to rebuff a lawbreaker or they can straightforwardly get cash as remuneration for wrongdoing. In crude societies, detainment facilities didn't exist, accordingly the decision of rebuffing an genuine guilty parties were capital punishment, outcast or fine. Lawbreakers were brutally rebuffed and the hypothesis of tit for tat was utilized to rebuff the hoodlums. The above all else obligation of the lord was to shield his subject from the chomps of taken thistles and treat them deservedly. Rebuilding of the taken property, examination of wrongdoing of casualty remuneration from the regal court was incorporated under law requirement of the program. A nitty gritty depiction about the criminal equity framework in old India was given by Manu, Kautilya and Yajnavalka^{vii}. According to Manu, "If an appointed authority or his agent neglects to perform their obligations or uncover sub-judice court matters to public will get discipline. As per Madhatithi , Brashaspati, and Sukraniti, lord was the sole expert in executing both the discipline and acquittal, nor the court and judge. In early civilization, the obligation of securing oneself against wrongdoing and rebuffing the guilty parties rested with people, which mirrored the possibility of "retributive equity". As the general public got coordinated as states, the obligation of ensuring the individuals against the lawbreakers and rebuffing the violators of criminal code moved to the political power. The cures anyway kept on being put together all around with respect to the retributive equity, which give pay, by the transgressors to the people in question or his family individuals. Subsequently during the nineteenth century, most authoritative action has happened in the states, giving victim administrations, changing the criminal cycle, underscoring extraordinary gatherings, setting up victim rights and managing all the more brutally with criminals. They were having more noteworthy say in preliminary detailing sentence. They appreciated various assurance and rights till rise of states as government assistance states where in casualty gradually run off from the criminal equity framework. The

victim comprises the most significant just as the most abused element in any criminal equity organization. The affirmation likewise determines certain manners by which victims ought to approach legal and regulatory systems and how they ought to be dealt with reasonably. The announcement says that the victims ought to be treated with sympathy and regard for their poise and entitled to provoke review. The casualties ought to be educated about their privileges in looking for review through formal and victim strategies the quick, reasonable, economical and accessible. The responsiveness of legal and regulatory cycles ought to be equipped to serve the necessities of the person in question. The casualties ought to be educated about their jobs and extension, timings and progress of the procedure and attitude of the case. Criminals furthermore, outsiders answerable for the wrongdoing should make reasonable compensation to casualties, their families and wards. Such compensation ought to incorporate the installment of mischief or misfortune endured or repayment of costs caused because of exploitation. Additionally the public authority should assist with embracing rehearses and guidelines to consider compensation as an accessible condemning choice in criminal cases.

WHO ARE VICTIMS?

"Much about the ethical fiber of a general public can be gained from the manner in which it manages CRIMES. It isn't enough to treat crooks with as much sympathy as possible, particularly when this liberal soul is conveyed to the overabundance of meddling with wrongdoing anticipation as the courts have done. It is no time like the present society showed a little good strength by recognizing that casualties, genuine individuals, are harmed by crimes and that it is to them that crooks owe their obligation."

The world is brimming with crimes and hoodlums, misfortune and savagery. Crime is a social wonder. No general public crude or current, no country whether created or immature is liberated from the grip of wrongdoing. The presence of wrongdoing and brutality in each general public is inescapable and is old as mankind itself. The result of the crime and victims similarly will undoubtedly arise. The center has fundamentally and consistently been on criminal and wrongdoing, none on the casualties of wrongdoing. "So the neglected man in the lawful world and society happens to the casualties for the individuals who predicament cure we have the entire framework." The term casualty in basic terms may allude to each one of the

individuals who encounters injury, misfortune and difficulties and such as been caused due "CRIMES". Joined Nation General Assembly characterized "VICTIMS" as an "individual who, exclusively or altogether, has endured hurt, including physical or mental injury, enthusiastic affliction, monetary misfortune or considerable hindrance of their essential rights, through acts or oversights that are in infringement of criminal laws employable inside part states, including those laws banishing criminal maltreatment of force".

^{viii}Section 2(wa) of the Code of Criminal Procedure defines 'victim' as 'a person who has suffered any loss or injury caused by reason 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. Thus victimization is the result of the ponder move made by the man or an organisation to abuse, mistreat, hurt or to pulverise another property or belongings. The Latin word "Victima" signifies "Sacrificial Creature". Therefore "Victimology" may be defined as the scientific study of victimization, including relationships between the victims and offenders, the interaction between the Criminal Justice System and Victims.

JUVENILE/ADOLESCENT VICTIMS

Adolescent Victimization is the idea that has gotten more begging to be proven wrong. A Child under eighteen years old experiences crimes like Molestation, physical and mental maltreatment, inappropriate behavior and other deplorable violations which influence the entire existence of Victim. The public wrongdoing Victimization overview detailed that the normal yearly pace of fierce wrongdoing proceeds to the most elevated among youth between the ages of 16 to 19 years who were defrauded at a pace of 55.6 per 1000 persons¹⁶. To shield kids from the exploitation the just instrument is "Instruction". The Supreme Court made Article 21-A to make training basic right of youngsters/childrens.

VICTIMIZATION OF WOMEN

During the previous few decades, exploitation of ladies has expanded definitely and the explanation for such is the low attitude of individuals and absence of training. Exploitation of

ladies incorporates lewd behavior, actual maltreatment, torment, slaughtering them for endowment and aggressive behavior at home. As indicated by National Center for Injury Prevention and Control, ladies encounters about 4.8 million close accomplice related attacks and assault each year

VICTIMIZATION OF DISABLED PERSON

Handicap individual are more defraud than the typical individual in light of their incapacities. Individuals consistently take benefit of their handicap and exploit to satisfy their self intention of wrongdoing. Incapacity incorporates the Cognitive handicaps, tactile inabilities and mental incapacities. As per National Crime Exploitation Survey 2017 for both male and female pace of savage wrongdoing was more noteworthy for those with incapacities than the rate for those without inabilities. The rate for guys with handicaps was 59 for each 1000 contrasted with 25.1 per 1000 for guys without incapacities while the rodent was 61.8 per 1000 for females without incapacities.

COMPENSATION TO THE PEOPLE IN QUESTION

Regardless of the shortfall of any uncommon enactment to deliver Justice to the casualties in India, the Supreme Court has made an in confirmed move in embracing the idea of helpful Justice and granting remuneration to the survivors of crime.

VICTIMS IN CRIMINAL JUSTICE SYSTEM- COMPENSATORY JURISPRUDENCE FOR VICTIMS

In contrast to the denounced, casualties have practically no rights in criminal procedures. Victims are left to either endure foul play quietly or look for individual requital by bringing law into their hands. Justice Krishna Iyer makes it clear that criminal law in India isn't casualty situated rather it is guilty party arranged and enduring of victims regularly incomprehensible, are altogether ignored in lost compassion toward the lawbreaker. Disavowal of any job of the victims isn't just refusal of equity to the people in question yet in addition would commensurate

to refute the Rule of law, the central of majority rules system and constitutionalism. In India the denounced has been treated as a special individual. He gets all conceivable assistance from all sides of the country. Not just he gets protection counsel at the expenses of the state at the hour of the preliminary however he is likewise profited after conviction. The aftercare reformative what's more, rehabilitative projects for the denounced are additionally at the ascent. The discipline can be viewed as additional as treatment, restoration and re socialization through probation, parole and after care local area administrations. The cutting edge criminal law neglects the result of the survivors of crimes. The absence of casualty arranged statute is the primary driver of crumbling of the states of the person in question and their relatives. The casualty sets the criminal into movement however then goes into blankness. The selection by the General Assembly of the United Nations at its 96th Plenary on November, 29/1985 perceived the four significant parts of the privileges of survivors of wrongdoing Access to Justice and reasonable Treatment, Restitution, Compensation and Assistance. The Indian Legal Framework with respect to Compensatory Jurisprudence is perused under two heads-

1. Judicial/Legal Response
2. Under the Constitutional Scheme

The lawful Framework in regards to the pay to casualties of wrongdoing can be followed in three significant enactments to be specific as-

CrPC Chapter XXVII^{ix}

S. 357 Order to pay compensation

1. When a Court imposes a sentence of fine or a sentence (including a sentence of death) of which fine forms a part, the Court may, when passing judgment order the whole or any part of the fine recovered to be applied—
 1. in defraying the expenses properly incurred in the prosecution;
 2. in the payment to any person of compensation for any loss or injury caused by the offence, when compensation is, in the opinion of the Court, recoverable by such person in a Civil Court;

3. when any person is convicted of any offence for having caused the death of another person or of having abetted the commission of such an offence, in paying compensation to the persons who are, under the Fatal Accidents Act, 1855 (13 of 1855), entitled to recover damages from the person sentenced for the loss resulting to them from such death;
4. when any person is convicted of any offence which includes theft, criminal misappropriation, criminal breach of trust, or cheating, or of having dishonestly received or retained, or of having voluntarily assisted in disposing of, stolen property knowing or having reason to believe the same to be stolen in compensating any bona fide purchaser of such property for the loss of the same if such property is restored to the possession of the person entitled thereto.
2. If the fine is imposed in a case which is subject to appeal, no such payment shall be made before the period allowed for presenting the appeal has elapsed, or if an appeal be presented, before the decision of the appeal.
3. When a Court imposes a sentence, of which fine does not form a part, the Court may, when passing judgment order the accused person to pay, by way of compensation such amount as may be specified in the order to the person who has suffered any loss or injury by reason of the act for which the accused person has been so sentenced.
4. An order under this section may also be made by an Appellate Court or by the High Court or Court of Session when exercising its powers of revision.
5. At the time of awarding compensation in any subsequent civil suit relating to the same matter, the Court shall take into account any sum paid or recovered as compensation under this section.

CrPC Chapter XXVII^x

S. 357 A Victim compensation scheme

1. Every State Government in co-ordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who, require rehabilitation.
2. Whenever a recommendation is made by the Court for compensation, the District Legal Service Authority or the State Legal Service Authority, as the case may be, shall decide

the quantum of compensation to be awarded under the scheme referred to in sub-section (1)

3. If the trial Court, at the conclusion of the trial, is satisfied, that the compensation awarded under section 357 is not adequate for such rehabilitation, or where the cases end in acquittal or discharge and the victim has to be rehabilitated, it may make recommendation for compensation.
4. Where the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to the State or the District Legal Services Authority for award of compensation.
5. On receipt of such recommendations or on the application under sub-section (4), the State or the District Legal Services Authority shall, after due enquiry award adequate compensation by completing the enquiry within two months.
6. The State or the District Legal Services Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer incharge of the police station or a Magistrate of the area concerned, or any other interim relief as the appropriate authority deems fit.

S 5. THE PROBATION OF OFFENDERS ACT, 1958^{xi}

Power of court to require released offenders to pay compensation and costs.

(1) The court directing the release of an offender under section 3 or section 4, may, if it thinks fit, make at the same time a further order directing him to pay—

- (a) such compensation as the court thinks reasonable for loss or injury caused to any person by the commission of the offence; and
- (b) such costs of the proceedings as the court thinks reasonable.

(2) The amount ordered to be paid under sub-section (1) may be recovered as a fine in accordance with the provisions of sections 386 and 387 of the Code.

(3) A civil court trying any suit, arising out of the same matter for which the offender is prosecuted, shall take into account any amount paid or recovered as compensation under sub-section (1) in awarding damages.

CONSTITUTIONAL LAW OF INDIA AND VICTIMS OF CRIME

The Indian Constitution has a few arrangements which underwrite the guideline of casualty pay. The group of stars of these statements had set out the establishment of new request in which Justice-Social, Affordable and Political would bloom in the public existence of the nation (Article 38). Additionally Article 41, which has pertinence to Victimology commands that the State will make a powerful arrangement for getting public help with instance of disablement. Article 51-A makes it a principal obligation of each resident of India to secure and improve the common habitat... furthermore, to have correlation for living animals and to create humanism. In the event that sympathetically deciphered and innovatively extended, one can discover here the sacred beginnings of victimology in the assessment of Krishna Iyer.^{xiii} Article 21 gives insurance of individual freedom and life and commits the State to repay survivors of criminal brutality. While each blamed has a privilege to have reasonable preliminary, and the individuals who are sentenced are to be served equity not only by rebuffing them, yet by sending them to remedial homes where various types of mental and professional preparing is granted to them. The issue of casualty's privileges appears to have been dispatched to the sideline and neglected. It is in this setting that everyone needs to understand that legal arrangements in Indian criminal law for casualties are not many, yet legal executive has helped in broadening the extent of the existing arrangements to the people in question. Albeit the legal executive is effectively occupied with discovering the review for the victims an definitive objective is to pass incredible, inventive and productive enactment to fortify the hands of the Judiciary. The rule of installment of remuneration to the survivor of wrongdoing was developed by the Supreme Court on the ground that it is the obligation of the government assistance state to ensure the crucial privileges of the residents not just against the activities of its offices yet additionally answerable for difficulties to the casualties on the ground of compassion and commitments of social government assistance, obligation to ensure its subjects, fair equity and so on.

JUDICIAL PRECEDENTS

In ^{xiii}Rudal Sah v. Province of Bihar the Supreme Court interestingly made it completely evident that the higher legal executive has the ability to grant pay for infringement of crucial rights through the exercise of writ ward and developed the standard of compensatory equity in the records of common liberties statute. This is the most praised situation where the Supreme

Court guided the State of Bihar to pay of Rs.35, 000/- to Rudal Sah who was kept in prison for a very long time even after his absolution on the ground of madness and held that it is an infringement of Article 21 by the State.

In the land mark instance of ^{xiv}Sarwan Singh v. Territory of Punjab, the Supreme Court held that in granting remuneration, the court needs to mull over different factors like limit of the denounced to pay, the idea of the wrongdoing, the idea of the injury endured and other important variables. The court noticed: "ability to grant pay to casualties ought to be generously practiced by courts to meet the finishes of equity. Notwithstanding conviction. The court may arrange blamed to pay some sum via remuneration to the casualty who has endured by activity of charged. It isn't option to yet furthermore thereto. The installment of pay should be sensible. On the off chance that there are more than one blamed, quantum might be isolated similarly except if their ability to pay changes extensively. Sensible period for installment of pay if essential by, portion might be given".

^{xv}In D.K.Basu v. Province of West Bengal, the Supreme Court noticed: "It is presently a very much acknowledged suggestion in the greater part of the locale, that the money related and monetary remuneration in a fitting and in fact an viable and now and again maybe the lone reasonable solution for the redressal of the set up encroachment of the Fundamental Right to life a resident by the community workers. The State is vicariously responsible to which the guard of sovereign resistance isn't accessible and the resident should get the measure of pay from the State, which will reserve the option to be repaid from the miscreant".

CONCLUSION

"An excessive amount of kindness regularly brought about additional wrongdoings which were lethal to guiltless casualties who need not have been casualties if equity showed been put first and leniency second." - Dame Agatha Christie

The Victim of wrongdoing is as yet a "Neglected man" in the criminal Justice System. A Paradigm move in the Justice System is the need of great importance. There ought to be change in the idea and centre from criminal Equity to Victim Justice, however Victim Justice will be

seen as reciprocal and non-logical inconsistency to criminal equity. "Equity ought not exclusively be done, yet in addition is by all accounts done".

ENDNOTES

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- ⁱ B. Mendelson, "Victimology and Contemporary Society's Trends" *Victimology* 1 (1976), pp. 8-28
- ⁱⁱ *Bodhisattwa Gautam v. Subhra Chakraborty*.
- ⁱⁱⁱ Kumaravelu Chockalingam. Measures for Crime Victims in the Indian Criminal Justice System, UNAFEI (Feb.13, 2018), http://www.unafei.or.jp/english/pdf/RS_No81/No81_11VE_Chockalingam.pdf.
- ^{iv} *Kumari Madhuri Patila and Another v. Addl. Commissioner*, AIR 1995 SC 14.
- ^v V. R. Krishna Iyer: Access to Justice- A case of Basic change (1991) p.14
- ^{vi} ANN WOLBERT BURGESS, REGEHR CHERYL & ALBERT R. ROBERTS, *VICTIMOLOGY: THEORIES AND APPLICATION* 31-32 (Jones and Bartlett Publishers, Massachusetts 2010)
- ^{vii} Manusmriti : IX 272
- ^{viii} Added by The Code of Criminal Procedure (Amendment) Act, 2008
- ^{ix} The Code of Criminal Procedure, 1973 <http://devgan.in/crpc/section/357/>
- ^x The Code of Criminal Procedure, 1973 <http://devgan.in/crpc/section/357/>
- ^{xi} THE PROBATION OF OFFENDERS ACT, 1958 <https://legislative.gov.in/sites/default/files/A1958-20.pdf>
- ^{xii} <https://indiankanoon.org/doc/1199182/>
- ^{xiii} AIR 1983 SC 1086
- ^{xiv} AIR 1978 SC 1575
- ^{xv} AIR 1997 SC 610