



Judicial Interpretation of Juvenile Rights in India A Study of Recent Case Laws

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ABSTRACT :

Ensuring a balance between rehabilitation and criminal accountability is greatly influenced by the judicial interpretation of juvenile rights in India, which in turn shapes the legislative landscape around juvenile justice. For the most serious crimes, adolescents between the ages of 16 and 18 can be tried as adults according to the Juvenile Justice (Care and Protection of Children) Act, 2015, which also includes reformative justice measures. In matters of age determination, adult trial, rehabilitation, and equitable treatment, the Indian judiciary has made substantial contributions through seminal decisions that have defined the breadth of juvenile rights. This paper delves into the latest case laws that have influenced how juvenile rights are interpreted, drawing attention to the importance of courts in upholding constitutional requirements and international human rights norms. It goes on to list problems with juvenile justice laws that are hard to fix, including unclear legislation, long court processes, no rehabilitative programs, social shame, and inconsistent court rulings. To ensure that youths who are in conflict with the law are treated fairly while upholding public safety and justice, the study stresses the need of enhancing the juvenile justice system through public awareness campaigns, improved rehabilitation infrastructure, and standardized judicial guidelines.

Keywords: Judicial Interpretation; Juvenile Rights; Rehabilitation; Legal Framework; Juvenile Delinquency.

INTRODUCTION

The goal of India's Juvenile Justice System is to help rehabilitated and reintegrated youth who have run afoul of the law while also protecting their rights. The juvenile justice system in India has developed substantially over the years as a result of changes in legislation and rulings by the judiciary, with its foundations in child welfare, reformative justice, and constitutional protections. As a successor to the Juvenile Justice Act of 2000, the Juvenile Justice (Care and Protection of Children) Act, 2015 maintained the fundamental principle of rehabilitation above punishment while introducing strict regulations, especially for minors engaged in violent offenses. Judgment on the balance between justice, rehabilitation, and society security is subjective and frequently relies on judicial judgment.

Juvenile justice laws in India have been significantly influenced by the judiciary's progressive interpretations and seminal rulings. The courts have dealt with matters such as determining a juvenile's age, trying them as adults, providing procedural protections, and rehabilitating them, in addition to protecting their rights. Cases involving the categorization of crimes, the function of the Juvenile Justice Board (JJB), and the constitutionality of certain clauses have put the framework's strength to the test in recent times. In order to clarify controversial elements and uphold the fundamental rights of minors, as provided by Articles 21 and 39 of the Indian Constitution, the Supreme Court and High Courts have intervened on multiple occasions.

Focusing on recent case laws that have influenced the understanding and implementation of the Juvenile Justice Act, 2015, this paper critically explores the judicial interpretation of juvenile rights in India. The purpose of this article is to examine major court cases in order to find out how the courts have dealt with the competing goals of protecting children, holding offenders accountable, and serving society interests. More than that, it draws attention to new developments in the law, obstacles faced by the juvenile justice system in India, and possible changes that could improve it. Juvenile offenders must be treated with fairness, equity, and rehabilitation in order to protect the larger interests of justice, as shown by the research. This must be done by the judiciary.

LEGAL POSITION OF THE JUVENILE JUSTICE ACT 2015

Repealing the Juvenile Justice Act of 2000, the Juvenile Justice Act of 2015 acknowledged the necessity for an improved, all-encompassing, and effective juvenile justice system that prioritized both rehabilitation and prevention strategies. Some in Parliament argued that minors should have more leeway to undergo reform, progress, or transformation than adults have, and that this can only be achieved by creating a different legal system. Therefore, the

Juvenile Justice (Care and Protection of Children) Act, 2015, prioritized the use of procedures that are friendly to juveniles in order to adjudicate and resolve the cases.

The current law, J.J.A., 2015, disgracefully disregards both the Indian constitution and the UNCRC by permitting the trial and sentencing of juveniles (between the ages of 16 and 18) accused of horrific crimes (those carrying a sentence of seven years or more in prison) as adults. Compared to what was available 150 years ago, the new Act represents a step backward in India's history of children's rights. Justice J.S. Varma's committee also declined to suggest reforms to the juvenile justice system, particularly regarding sexual offenses. Since doing so would violate Articles 14 and 15(3) of the Constitution of India, 1949, respectively, it was unnecessary to subject juveniles to a separate or adult court system.

Juvenile is defined as any individual who has not attained the age of eighteen according to the JJ Act, 2015, which has the same meaning as kid. According to the United Nations Convention on the Rights of the Child, every individual below the legal age of eighteen is considered a child. "It is mandatory for the state governments to constitute Juvenile justice board in every district" according to Section 4 of the Juvenile Justice Act, 2015, and "setting up child welfare committee for each district" is provided for in Section 27. An significant feature that was introduced in the 2015 Act is that the Juvenile Justice Board can transfer the case to the Children's Court to try the juvenile as an adult based on the preliminary evaluation of a juvenile accused of a serious offense under this section. Knowing the difference between a heinous offense, a minor offense, and a serious offense is crucial in this situation.

The word "heinous offenses" is defined in Section 2(33) of the Act as "offences for which the minimum punishment under the Indian penal code or any other law for the time being is imprisonment for 7 years or more." "Offences for which the maximum punishment under the Indian penal code or any other of the timing in force is imprisonment up to 3 years" is what Section 2(45) of the Act implies when it defines small offenses. "Offences for which the punishment under the Indian penal code or any other law for the time being is imprisonment between 3 to 7 years" are what the Act calls "serious offences" according to Section 2(54).

All Indian statutes are based on the constitution, which also includes provisions for children's rights and protections. Juvenile justice acts were created solely on Article 15(3) of the Indian constitution, which grants the ability to the state to make particular measures for the children. The "role of the state as sovereign and guardian of persons and the legal disability including children and insane" is a fundamental premise of our nation's constitution known as the "parens patriae." That "state must take care for those who cannot take care of themselves," including children "who lack proper care and protection from their parents," is a tenet of this idea. Consequently, the 'Parents Patriae' doctrine forms the basis of the Juvenile Justice Act of 2015's second scope, which deals with the protection of children.

CURRENT TRENDS IN JUVENILE DELINQUENCY IN INDIA

The way a country's justice system handles juvenile offenders is determined by their legal classification. The Indian juvenile justice system and international standards both forbid treating a minor in the same way as an adult. A juvenile is said to be *doli incapax* if they are unable to comprehend the repercussions of their acts.

Men A person's cognitive incapacity to understand the consequences of their own acts is called *rea*. On this basis, juvenile justice procedures differ from adult criminal justice procedures in that they are designed with kids in mind. They are not subject to capital punishment or jail. Article 40(3)(a) of the Convention on the Rights of the Child (CRC) outlines the obligation of state parties, including India, to promote the establishment of a specific age below which a child is considered incapable of committing a crime. This obligation is in line with Indian legislation. A person who commits a crime when under the age of seven is not legally liable for it, according to Section 82 of the Indian Penal Code (IPC), 1860.

This leads us to the conclusion that seven years of age is the bare minimum for criminal responsibility. If a child does anything illegal and does not yet have the mental maturity to comprehend the gravity of the situation, their parents or guardians cannot hold them accountable for their actions (Section 83 of the Indian Penal Code (IPC), 1860). But juvenile delinquency has been on the rise, and it's a concern in India's capital city Delhi and elsewhere. The participation of minors in heinous crimes like murder, attempted murder, kidnapping, and abduction is a source of national concern. In the aftermath of the Nirbhaya case, a gang rape in Delhi that occurred in December 2012, the juvenile justice system's insensitivity to such severe crimes was a central point of contention. Since it has been acknowledged that children can display aggressive behaviour on par with adults, the evaluation and treatment of juvenile offenders in India have been reevaluated. According to psychiatrists, the mixing of adult and youth expectations is being driven by the ubiquitous nature of the internet. The National Criminal Records Bureau (NCRB) reports that the occurrence of adolescent delinquency has been on the rise, particularly among individuals aged 16 to 18. Juvenile delinquency patterns are shown by the following NCRB statistics.

JUDICIAL DECISIONS ON RECENT CASE LAWS

The landscape of juvenile delinquency legislation in India has been profoundly affected by recent judicial rulings that have centred on the need for a balance between rehabilitation and accountability. Some notable examples are:

Kathua Rape and Murder Case (2018): A girl from the Bakarwal community was kidnapped, raped, and killed in Kathua, Jammu & Kashmir, in January 2018. A minor was one of the accused, and the Juvenile Justice system handled his or her trial independently. The case brought attention to the conflicts within the community and the need for a delicate approach when dealing with adolescent offenders who have committed horrific atrocities.

Hyderabad Gang Rape Case (2022): In the Jubilee Hills neighbourhood of Hyderabad, a group of people raped a little girl in May 2022. Several minors were involved in the incident. After the accused minors had been in custody for fifty days, the Juvenile Justice Board granted them bail. Questions about whether or not the juvenile justice system is sufficient to handle major crimes perpetrated by youths have arisen in response to this case.

Murder of Pradyuman Thakur (2017): The body of Pradyuman Thakur, a boy of seven years old, was discovered in the school's restroom in Gurugram, Haryana, in September 2017. An inquiry eventually led to the capture of a 16-year-old student from the same school, although the initial arrest was of a school bus conductor. Taking into account the seriousness of the crime and the accused's age, the Juvenile Justice Board chose to try him or her as an adult. Juveniles charged with major offenses face unique challenges when trying to determine their trial procedure, as seen in this case.

Within India's system for dealing with juvenile delinquency, these cases illustrate the continuing efforts of the judiciary to strike a balance between the concepts of rehabilitation and justice.

CHALLENGES IN THE IMPLEMENTATION OF JUVENILE JUSTICE LAWS IN INDIA

Even though India's Juvenile Justice (Care and Protection of Children) Act, 2015 is clear, the country is still struggling to put it into practice. These problems emerge as a result of society's views, differences in court interpretations, flawed infrastructure, procedural delays, and legal uncertainties. The main obstacles to the effective enforcement of India's juvenile justice legislation are as follows:

1. Ambiguities in Age Determination and Trial as an Adult

Allowing minors (those between the ages of 16 and 18) to be tried as adults for serious offenses is a contentious part of the Juvenile Justice Act, 2015. Inconsistent medical records, differing opinions across Juvenile Justice Boards (JJBs), and inadequate paperwork are common obstacles to the age determination procedure. Trial dates for adolescents facing serious charges are often postponed because of the extensive processes of preliminary evaluation required by Section 15 of the Act.

As an example, a 2023 ruling by the Gujarat High Court forbade the prosecution of a minor on charges of adultery based on an inaccurate psychiatric evaluation. These discrepancies show how hard it is to establish uniform criteria for determining age.

2. Lack of Proper Rehabilitation and Reintegration Mechanisms

While India's juvenile justice system prioritizes treatment over punishment, there aren't enough organized programs to help young people who have run afoul of the law get back on track. Reintegration into society is made more challenging in most observation homes and special homes due to a lack of qualified counselors, vocational training facilities, and adequate education systems.

Recidivism is more likely among ex-offenders since many of these youths have difficulty finding work or social acceptance after serving their sentences. Reformed juvenile offenders frequently face stigmatization due to the ineffective implementation of the "Right to be Forgotten" for juvenile offenders, as established in the *Suresh Kumar v. Union of India* case.

3. Overburdened Juvenile Justice Boards and Infrastructural Deficiencies

When it comes to juvenile matters, the Juvenile Justice Boards (JJBs) and Child Welfare Committees (CWCs) normally have a backlog of cases that causes justice to be postponed. When it comes to critical juvenile situations, many districts either do not have JJBs or the necessary infrastructure to manage them.

Juveniles do not have access to adequate mental health care, and institutions such as shelters, special homes, and observation homes are overcrowded and underfunded. The NCPDR has voiced its disapproval of the lack of adequate facilities in numerous juvenile detention centers.

4. Lack of Awareness and Inconsistent Judicial Interpretations

A considerable portion of the general public, as well as many members of the judiciary and law enforcement, do not understand the legal safeguards that apply to minors. Thus, there have been cases where police personnel have violated the Juvenile Justice Act by treating minors as adults and treating them as offenders.

Different Indian courts have reached different conclusions on the subject of juvenile rights. When it comes to adolescents accused of serious crimes, the courts have taken a reformatory stance in some instances and permitted harsher sanctions in others. National indignation and demands for stronger juvenile legislation were prompted by the bail given to accused juveniles in the Hyderabad Gang Rape Case (2022) following only fifty days in jail.

5. Challenges in Addressing Juvenile Recidivism

A major cause for alarm is the alarming rate of recidivism among young offenders, especially in the areas of sexual offenses, violent crimes, and organized crime. Teens who have served their time in prison may reoffend if the systems put in place to keep them from doing so are inadequate.

Concerned about the lack of harsh measures for repeat offenders in the present juvenile justice rules, the Madhya Pradesh High Court (2024) voiced its disapproval of the clemency meted out to minors accused of horrific crimes.

6. Inadequate Legal Representation and Procedural Delays

Because there aren't enough attorneys who focus on juvenile justice matters, many youth who get in trouble with the law go unrepresented. Procedural bottlenecks and injustice result from a lack of adequately educated public defenders or legal aid providers.

Juveniles' mental health and rehabilitation prospects are negatively impacted by the length of time they spend in observation homes due to the sluggish justice system.

7. Societal Stigma and Resistance to Rehabilitation

Juveniles who have run afoul of the law endure tremendous stigma even after serving their time, which makes it hard for them to reintegrate into regular society. Recidivism is more likely among formerly incarcerated youth because of their difficulty finding work, continuing their education, or reestablishing themselves in society.

Public support for juvenile justice legislation is low, and many people would rather see more severe penalties than efforts to help abused youth become productive members of society. Public pressure to reduce the age of juvenile prosecutions for major crimes has been increased by high-profile cases involving juvenile offenders, such as the 2012 Nirbhaya Case.

Legal uncertainties, inadequate infrastructure, procedural delays, and social hostility are some of the obstacles that juvenile justice laws in India confront when trying to be put into practice. Inconsistencies in judicial interpretation and a lack of institutional support make it difficult for the Juvenile Justice Act, 2015, to achieve its goal of balancing rehabilitation and accountability. To address these challenges and guarantee that juvenile offenders are treated fairly while society's interests are protected, we need unified legal rules, better rehabilitation facilities, an improved justice system, and more public awareness.

CONCLUSION

A major factor in the development and implementation of India's Juvenile Justice (Care and Protection of Children) Act, 2015, has been the judicial interpretation of juvenile rights. By issuing a number of seminal rulings, the Indian court has been instrumental in striking a balance between criminal accountability and reformatory justice. In order to address concerns about the growing involvement of kids in major crimes, the courts have repeatedly stressed the significance of age determination, psychological evaluation, and procedural safeguards to guarantee that juveniles are treated fairly. The problem with consistently applying the law to diverse circumstances is that there have been inconsistent judicial interpretations and varied precedents. There are still several obstacles to the effective application of juvenile justice laws in India, even though the country has a robust legislative structure. Problems that reduce the system's efficacy include overworked Juvenile Justice Boards (JJBs), inadequate rehabilitation programs, lengthy procedures, and social stigma. Furthermore, there is still debate over whether or not to try minors as adults for serious crimes; some rulings favor a reformatory approach, while others argue that the crimes warrant heavier consequences. It is clear that better rehabilitation techniques and established judicial rules are necessary to guarantee consistency, equity, and the successful reintegration of juvenile offenders into society.

Improving the juvenile justice system going ahead will necessitate a combination of strategies. Juveniles must be safeguarded from excessive punishment while simultaneously being held responsible for their acts, and courts must interpret juvenile statutes in a way that keeps with constitutional and international human rights norms. In order to decrease recidivism and encourage social reintegration, the government should prioritize on institutional assistance, vocational training, and psychological treatment for youth. In order to help rehabilitate juvenile offenders and eliminate the stigma associated with them, public education and community engagement are crucial. To promote public safety and victim justice in a more equitable and rehabilitative legal setting for youths involved in criminal activity, it is essential to have a juvenile justice system that is both balanced and well executed.

REFERENCES

A. Books

- Tripathi, S.C., (2008). Law relating to Women and Children 3rd Edition , Central Law Publication, Allahabad
- Babu, S., (2007). Social Justice and Labour Jurisprudence: Justice V.R. Krishna Iyer's. Sage Publication Inc.
- Bajpai, A., (2003). Child Rights in India - Law, Policy and Practice, Oxford University Press, New Delhi.
- Choudhury, R.N., (2006). Law Relating to Juvenile Justice in India 3rd Edition, Orient Publishing Company, Allahabad.
- Kant, A., (2006). The law relating to Women and Children, 2nd Edition, Central Law Publication, Allahabad. Khurshid,

- Nalwa, S. & Kohli, H.D., (2011), Commentary on Juvenile Justice Act, Universal Law Publishing Co. Pvt. Ltd. Narayan, D. R., Speech on the Occasion of the Annual Function. The Annual Function . University of Jamia Miliya Islamia, Delhi.
- Okpala, O., (2009). Plato's Republic vs. Democracy. Raffle, D.D., (1977) Problem of Political Philosophy, Mc Milan, New Delhi.
- S., & Malik, L., (2016). Justice at heart Life Journey of Justice V. R. Krishna Iyer. Eastern Book Company.
- Sharma, R.K., (2011). Urban Sociology, Urban Juvenile Delinquency.
- Sheela, G., (2015). A Study of Attitude towards Education of Juvenile Delinquents.
- Suhail Sharma, Juvenile Justice System, Reforms and Policing System in India: Origin, Dialectics, Comparisons, and Way Forward (Cambridge University Press 2022).

B. Journal Articles

- Kumar Askand Pandey, Brain Science, Juvenile Delinquency and the Juvenile Justice (Care and Protection of Children) Act, 2015: A Critique, 7 RMLNLUJ -54 (2015).

C. Statutes

- Constitution of India, 1950, Art. 15(3)
- Juvenile Justice (Care and Protection of Children) Act, 2015 (Act No 2 of 2016) S. 19
- Juvenile Justice (Care and Protection of Children) Act, 2015 (Act No 2 of 2016) S. 2(54).