



Title:	Victim Rights in the Indian Criminal Justice System: An Analysis of Legal Protection
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DOI:	https://doi.org/10.65919/uimrj.2025.v1i7003
History:	Received: 11 May 2026, Accepted: 08 June 2026, Published: 07 July 2026
Citation:	Tanisha, (2026). Victim Rights in the Indian Criminal Justice System: An Analysis of Legal Protection. UnivColl International Multidisciplinary Research Journal, 2(7), 20-31. https://doi.org/10.65919/uimrj.2025.v1i7003
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Conflict of Interest:	The author(s) declare no conflict of interest.
Funding:	This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.
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Published By:	UnivColl Publications

Victim Rights in the Indian Criminal Justice System: An Analysis of Legal Protection

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Abstract

Victim rights constitute an essential element of a fair, humane, and accountable criminal justice system. This paper examines the legal protection available to victims within the Indian criminal justice framework and evaluates the extent to which existing laws recognise victims as active rights-bearing participants rather than merely as informants or prosecution witnesses. The study analyses the constitutional foundation of victim protection under Articles 14, 21, and 39A of the Constitution of India, along with relevant provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Bharatiya Nyaya Sanhita, 2023, and the Bharatiya Sakshya Adhiniyam, 2023. It also considers specialised protections available under the Protection of Children from Sexual Offences Act, 2012, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and the Protection of Women from Domestic Violence Act, 2005. Particular attention is given to victims' rights concerning complaint registration, investigation updates, legal aid, privacy, medical assistance, participation in trial, compensation, appeal, witness protection, and rehabilitation. The study finds that although India has developed a broad legal framework for victim protection, practical barriers such as procedural delay, institutional insensitivity, intimidation, inadequate awareness, inconsistent compensation, and weak coordination continue to limit its effectiveness. It concludes that stronger implementation, victim-sensitive training, timely compensation, regular case information, and coordinated institutional support are necessary to achieve meaningful victim-centred justice.

Keywords: Victim rights, Criminal justice system, Legal protection, Victim compensation, Legal aid, Witness protection, Rehabilitation.

Introduction

The criminal justice system is expected not only to identify and punish offenders but also to recognise the suffering, dignity, safety, and legitimate interests of persons harmed by crime. For a long period, criminal proceedings in India were largely viewed as a contest between the State and the accused. The victim generally performed the limited role of an informant or prosecution witness, even though the physical, financial, emotional, and social consequences of the offence were primarily experienced by the victim and the victim's family. Such an approach often left victims without sufficient information, participation, protection, compensation, or rehabilitation.

The idea of victim-oriented justice has gradually developed through constitutional interpretation, statutory reforms, judicial decisions, compensation schemes, and specialised laws. Contemporary criminal justice recognises that fairness cannot be measured only by the protection granted to an accused person. It must also include respectful treatment of victims, access to justice, timely investigation, protection against intimidation, opportunities to participate in proceedings, medical and psychological assistance, restitution, compensation, and rehabilitation. These protections are particularly important for victims of sexual violence, domestic abuse, trafficking, caste-based atrocities, child abuse, cybercrime, terrorism, and other offences that create long-term harm.

The Bharatiya Nagarik Suraksha Sanhita, 2023 defines a victim as a person who has suffered loss or injury because of the act or omission of the accused and includes the victim's guardian or legal heir. This definition provides an important legal foundation for recognising both direct victims and persons who legally represent them. The Sanhita also provides for victim-compensation schemes under which

State Governments must establish funds for victims or their dependants who have suffered loss or injury and require rehabilitation. District and State Legal Services Authorities are entrusted with determining compensation in appropriate cases and may provide immediate medical assistance or interim relief.

Victim protection is also supported by specialised legislation. The Protection of Children from Sexual Offences Act, 2012 adopts procedures intended to reduce the trauma experienced by child victims. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 expressly recognises rights relating to information, participation, protection from intimidation, assistance, relief, and rehabilitation. Section 15A of that Act places responsibility upon the State to protect victims, dependants, and witnesses from coercion, violence, and threats.

Despite these legal developments, a substantial gap frequently exists between formal recognition and practical implementation. Victims may face delayed registration of complaints, insensitive questioning, repeated appearances before authorities, social stigma, economic hardship, inadequate legal assistance, and uncertainty about the progress of their cases. Compensation may be delayed or may not fully address the actual harm suffered. Therefore, a meaningful analysis of victim rights must examine not only the existence of legal provisions but also their accessibility, consistency, and effectiveness in practice.

Statement of the Research Problem

The central research problem addressed in this study is whether the Indian criminal justice system provides victims with effective and enforceable protection or merely offers fragmented rights that remain difficult to exercise. Although Indian law now recognises compensation, legal aid, protection, participation, medical assistance, privacy, and rehabilitation in different contexts, these rights are distributed across several statutes, judicial decisions, government schemes, and administrative procedures. The absence of a single comprehensive victim-rights law may create inconsistency in awareness, interpretation, and implementation.

Another concern is that the availability of protection often depends upon the nature of the offence or the social identity of the victim. Certain special laws provide detailed safeguards for women, children, and members of Scheduled Castes and Scheduled Tribes, while victims of other serious offences may depend mainly upon general criminal procedure and State compensation schemes. This raises questions concerning equality, uniformity, and accessibility.

Victims may also experience secondary victimisation through insensitive institutional conduct, delayed investigation, repeated examination, disclosure of identity, intimidation by offenders, and lack of timely information. Rural residents, economically disadvantaged persons, children, women, elderly persons, persons with disabilities, and socially marginalised communities may encounter additional barriers. Although NALSA and State Legal Services Authorities administer legal-aid and victim-compensation mechanisms, the effectiveness of such schemes depends upon awareness, institutional capacity, timely decision-making, and adequate funding.

The study therefore examines whether existing legal protections successfully transform the victim from a passive witness into a rights-bearing participant and identifies the reforms necessary for a more accessible, humane, and victim-centred justice system.

Objectives of the Study

The principal objectives of this study are:

1. To examine the concept and development of victim rights within the Indian criminal justice system.

2. To analyse the constitutional, statutory, judicial, and institutional framework governing the protection of victims.
3. To evaluate victims' rights during reporting, investigation, prosecution, trial, appeal, compensation, and rehabilitation.
4. To study the protection available to women, children, victims of caste-based offences, and other vulnerable groups.
5. To examine the role of courts, police agencies, public prosecutors, NALSA, State Legal Services Authorities, and District Legal Services Authorities.
6. To identify practical barriers such as delay, intimidation, secondary victimisation, inadequate legal awareness, and unequal access to compensation.
7. To assess whether the existing framework adequately balances the rights of victims, the accused, and the requirements of a fair trial.
8. To suggest legal, procedural, and institutional reforms for developing a more effective, participatory, and victim-sensitive criminal justice system in India.

Concept and Meaning of Victim

The concept of a victim occupies a central position in a fair and humane criminal justice system. A victim is generally understood as a person who suffers physical injury, emotional trauma, financial loss, damage to property, violation of dignity, or deprivation of legal rights because of a criminal act or omission. The harm caused by crime may be immediate and visible, such as bodily injury or loss of property, or continuing and less visible, such as fear, anxiety, social stigma, loss of livelihood, and psychological suffering. Victimhood must therefore be understood in a broader sense rather than being restricted only to the person against whom the offence was directly committed.

The Bharatiya Nagarik Suraksha Sanhita, 2023 defines a victim as a person who has suffered any loss or injury because of the act or omission of the accused. The definition also includes the guardian or legal heir of such a person. This statutory recognition is important because the consequences of an offence may extend beyond the immediate sufferer and affect family members or lawful representatives.

A direct victim is the person who is immediately subjected to the criminal act. A person who is assaulted, cheated, threatened, sexually abused, robbed, or defamed is a direct victim because the offence is committed against that person. Indirect victims are those who suffer as a consequence of the harm caused to the direct victim. The spouse, children, parents, or other family members of a person who is killed, seriously injured, trafficked, or permanently disabled may experience emotional, social, and economic loss. They may lose financial support, companionship, security, or social standing even though the offence was not directly committed against them.

The idea of victims and dependants is particularly relevant in cases involving death, permanent disability, loss of employment, or destruction of the family's primary source of income. Dependants may require financial compensation, rehabilitation, counselling, education, medical assistance, and long-term social support. The inclusion of guardians and legal heirs within the statutory definition enables them to seek appropriate remedies and participate in proceedings where the direct victim is a child, incapacitated, missing, or deceased.

Certain victims are regarded as vulnerable because their age, gender, disability, social position, economic condition, or relationship with the offender makes it more difficult for them to report crime or participate safely in legal proceedings. Children, women subjected to sexual or domestic violence, elderly persons, persons with disabilities, victims of trafficking, members of marginalised communities, and persons dependent upon the offender may require special protection. A victim-sensitive justice system must protect them from intimidation, repeated humiliation, disclosure of identity, insensitive questioning, and secondary victimisation.

Constitutional Basis of Victim Rights

The Constitution of India does not contain a separate chapter exclusively devoted to victims of crime. However, several constitutional provisions provide a strong foundation for their protection. Article 14 guarantees equality before the law and equal protection of the laws to every person. It requires the State and its institutions to treat victims fairly and prohibits arbitrary discrimination in access to police protection, investigation, legal remedies, compensation, and judicial proceedings.

Article 21 protects life and personal liberty except according to procedure established by law. Judicial interpretation has expanded the meaning of life beyond mere physical existence to include human dignity, privacy, safety, bodily integrity, and meaningful access to justice. For victims, this means that the State must not treat them merely as sources of evidence. Their dignity, identity, security, medical needs, and psychological well-being must be respected throughout investigation and trial.

Article 39A directs the State to ensure that the legal system promotes justice on the basis of equal opportunity and that free legal aid is provided so that economic or other disabilities do not prevent citizens from securing justice. This principle is especially important for poor, marginalised, and vulnerable victims who may otherwise be unable to understand legal procedures, engage counsel, claim compensation, or effectively participate in criminal proceedings.

The right to fair and speedy justice is also connected with Article 21. Unreasonable delay may prolong a victim's trauma, weaken evidence, increase expenses, and reduce confidence in the justice system. The Supreme Court has recognised reasonably expeditious proceedings as an integral part of Article 21. Speedy justice should therefore protect not only the liberty of the accused but also the victim's legitimate interest in timely investigation, trial, relief, and closure.

Rights of Victims at the Reporting and Investigation Stage

The protection of a victim begins from the moment an offence is reported. A person affected by a cognisable offence has the right to approach the police and provide information orally, in writing, or through electronic communication. Under Section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023, such information may be given to the officer in charge of a police station irrespective of the place where the offence occurred. A copy of the recorded information must be supplied to the informant or victim free of cost. In specified offences against women, the information is required to be recorded by a woman police officer or woman officer. Special arrangements are also provided where the victim is temporarily or permanently mentally or physically disabled.

Respectful treatment requires police officers to communicate with victims without humiliation, prejudice, hostility, or unnecessary repetition of traumatic details. In cases involving sexual offences, the victim's statement may be recorded at her residence or another place of her choice, as far as practicable by a woman police officer and in the presence of a trusted person.

Victims are also entitled to receive information about the progress of the investigation. Section 193 of the BNSS requires the investigating officer to inform the informant or victim about investigative progress within ninety days, including through electronic communication.

Medical assistance is particularly important in cases involving sexual violence, acid attacks, and serious bodily harm. Section 397 requires public and private hospitals to provide immediate first aid or medical treatment free of cost to victims of specified offences and to inform the police. Privacy must be maintained during recording, medical examination, and investigation, especially where disclosure may expose the victim to stigma or danger. The identity of victims of specified sexual offences is protected under the Bharatiya Nyaya Sanhita. Eligible victims may obtain free legal

assistance under the Legal Services Authorities Act, 1987. Protection from intimidation must also be provided wherever threats, coercion, or pressure may interfere with reporting or investigation.

Rights of Victims During Trial

A victim's role does not end after the filing of the police report. A fair trial must recognise the victim as a person directly affected by the offence while preserving the accused's constitutional and procedural safeguards. Victim participation may include being present during proceedings, receiving relevant documents, consulting an advocate, assisting the prosecution within the limits permitted by law, presenting concerns before the court, and applying for compensation or protection.

The Bharatiya Nagarik Suraksha Sanhita provides that where a proceeding is instituted on a police report, a victim represented by an advocate must be furnished specified documents, including the police report and related records, free of cost within the prescribed period. This enables the victim and legal representative to understand the prosecution case and follow the progress of the proceedings. The right to legal representation is especially important for victims who may otherwise be unable to understand complex procedures. Persons qualifying under the Legal Services Authorities Act may receive free legal services through the appropriate legal services authority.

A fair and speedy trial protects victims from prolonged uncertainty, repeated court appearances, financial hardship, and continuing emotional distress. Speed, however, must not compromise a complete investigation, reliable evidence, or the accused's right to defend the case.

Victims who appear as witnesses must be protected from threats, coercion, and retaliation. Courts may use protective measures where direct confrontation could cause additional trauma. In the case of a woman below eighteen years who is alleged to have suffered rape or another sexual offence, the court may ensure that she is not directly confronted by the accused while preserving the right of cross-examination.

Trials involving rape and specified sexual offences must be conducted in camera. Child sexual-offence trials are also conducted in camera before Special Courts. The Bharatiya Sakshya Adhiniyam prohibits reliance on the victim's previous sexual experience to prove consent and empowers courts to prevent indecent, scandalous, insulting, or annoying questions. These safeguards preserve dignity and reduce secondary victimisation during examination and cross-examination.

Post-Trial Rights of Victims

The conclusion of a criminal trial does not necessarily end the consequences of crime for the victim. Physical injury, psychological trauma, social stigma, loss of income, medical expenses, displacement, and fear of retaliation may continue long after the judgment. Post-trial rights therefore seek to ensure that victims receive information, financial relief, rehabilitation, protection, and access to further legal remedies.

A victim should be informed about the outcome of the case, the sentence imposed, compensation awarded, and any appeal affecting the finality of the judgment. Access to this information enables the victim to understand the result of the proceedings and decide whether further legal action is necessary. The BNSS gives a victim the right to appeal against an order acquitting the accused, convicting the accused of a lesser offence, or awarding inadequate compensation. The appeal lies before the court that would ordinarily hear an appeal against the conviction passed by that court.

Compensation is an important post-trial remedy, although it cannot completely repair the suffering caused by crime. Section 396 of the BNSS requires State Governments, in coordination with the Central Government, to establish schemes for compensating victims or their dependants who have

suffered loss or injury and require rehabilitation. Compensation may be recommended where the amount awarded by the trial court is inadequate or where the case ends in acquittal or discharge but rehabilitation remains necessary. A victim may also apply where the offender cannot be identified or traced and no trial takes place.

Restitution seeks, as far as possible, to restore property, money, or benefits unlawfully taken from the victim. Rehabilitation is broader and may include medical treatment, counselling, shelter, education, livelihood support, and social reintegration. The nature of rehabilitation should correspond to the actual harm suffered rather than being limited to a fixed financial amount.

Protection may remain necessary after trial where the offender, associates, or community members continue to threaten the victim or witnesses. Effective post-trial justice therefore requires enforcement of compensation orders, continuing safety measures, information about appeals or release, and access to legal and psychological assistance.

Legal Framework Protecting Victim Rights in India

Victim rights in India are protected through a combination of general criminal laws and specialised welfare legislation. The Bharatiya Nyaya Sanhita, 2023 defines and punishes offences that cause physical, sexual, financial, reputational, and psychological harm. It also protects the identity of victims of specified sexual offences and directs that fines imposed for certain serious sexual offences be paid to the victim. The Sanhita further criminalises failure by persons responsible for hospitals to provide treatment required under the law.

The Bharatiya Nagarik Suraksha Sanhita, 2023 provides the principal procedural framework. It regulates registration of information, investigation, recording of statements, medical examination, supply of documents, in-camera proceedings, compensation, free treatment, and victim appeals. Sections 173, 193, 230, 366, 396, 397, and 413 collectively improve the victim's access to information, participation, medical assistance, rehabilitation, privacy, and appellate remedies.

The Bharatiya Sakshya Adhinyam, 2023 governs the admission and evaluation of evidence. It protects victims of specified sexual offences by declaring their previous sexual experience irrelevant to the issue of consent. It also authorises courts to stop indecent, scandalous, insulting, or needlessly offensive questions during examination.

The Legal Services Authorities Act, 1987 establishes national, State, district, and local institutions for providing free legal services to eligible persons. It is particularly significant for women, children, members of Scheduled Castes and Scheduled Tribes, trafficking victims, persons with disabilities, persons in custody, and economically disadvantaged litigants.

The Protection of Children from Sexual Offences Act, 2012 creates child-sensitive reporting, investigation, medical examination, identity protection, Special Courts, and in-camera trial procedures. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 expressly recognises the rights of victims, dependants, informants, and witnesses to information, participation, protection, relief, and rehabilitation. The Protection of Women from Domestic Violence Act, 2005 provides access to protection orders, residence orders, monetary relief, custody orders, compensation, shelter, medical assistance, and in-camera proceedings. Together, these laws form a broad but dispersed framework for victim protection in India.

Victim Compensation Scheme

Victim compensation is based on the principle that criminal justice should not be limited to punishing the offender. It should also recognise the physical injury, emotional trauma, loss of income,

medical expenditure, disability, and social disruption suffered by the victim. Compensation is not treated as the price of suffering; rather, it provides immediate relief and supports the victim's recovery and rehabilitation. It may assist with medical treatment, counselling, education, shelter, livelihood restoration, and other essential needs arising from the offence.

Section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023 requires every State Government, in coordination with the Central Government, to establish a scheme for providing compensation to victims or their dependants who have suffered loss or injury and require rehabilitation. The District Legal Services Authority or State Legal Services Authority determines the amount payable under the applicable scheme. Compensation may be recommended where the amount awarded by the court is insufficient or where the accused is acquitted or discharged but the victim still requires rehabilitation. A victim or dependant may also apply for compensation when the offender is unidentified or cannot be traced and no trial has taken place. The authority may order immediate medical assistance, first aid, or interim relief while the application is being decided.

NALSA provides national guidance and model schemes, while State Legal Services Authorities administer compensation policies at the State level. District Legal Services Authorities receive applications, conduct inquiries, assess the harm, and determine compensation. In practice, victims may face delays, lack of awareness, complicated documentation, inconsistent compensation amounts, and difficulty proving financial or psychological loss. Simplified applications, time-bound decisions, trained officials, and automatic referral of eligible cases are therefore necessary.

Legal Aid and Access to Justice

Access to justice becomes meaningful only when a victim can understand the legal process and effectively exercise available remedies. Financial hardship, social disadvantage, illiteracy, disability, geographical distance, and lack of legal awareness may prevent victims from approaching courts or participating in criminal proceedings. Free legal services seek to remove these barriers by ensuring that justice does not depend solely upon a person's economic resources.

The Legal Services Authorities Act, 1987 establishes a national institutional framework for providing free and competent legal services to weaker and disadvantaged sections of society. Legal services include legal advice and assistance in conducting cases or proceedings before courts, tribunals, and other authorities. Women, children, members of Scheduled Castes and Scheduled Tribes, victims of trafficking, persons with disabilities, persons in custody, victims of mass disasters, and persons satisfying the prescribed income criteria are among those entitled to assistance.

NALSA develops policies and schemes at the national level, while State Legal Services Authorities supervise their implementation within States. District and Taluk Legal Services Committees make legal assistance accessible at the local level. Their functions include appointing legal-aid lawyers, providing legal advice, assisting with compensation applications, organising awareness programmes, and conducting Lok Adalats where legally appropriate.

Legal representation enables victims to understand investigation reports, court procedures, bail proceedings, compensation rights, and available remedies. However, many victims remain unaware that free legal assistance is available or do not know where to apply. Rural communities may face distance and communication barriers, while some beneficiaries experience delays or inadequate contact with assigned lawyers. Legal-aid offices should therefore maintain help desks at police stations, hospitals, courts, and community centres. Information should be provided in simple local languages, and victims should receive lawyers who are trained in victim-sensitive representation.

Rights of Women Victims

Women who experience sexual violence, domestic abuse, stalking, acid attacks, trafficking, or other gender-based offences require protection that addresses both legal injury and continuing physical, psychological, social, and economic harm. The criminal justice system must ensure that such victims are treated with dignity, are not blamed for the offence, and do not face repeated humiliation during reporting, medical examination, investigation, or trial. Victims of specified sexual offences are entitled to immediate first aid and medical treatment free of cost from public as well as private hospitals. This obligation exists to prevent delay in essential treatment and to ensure that financial inability does not endanger the victim's health. The victim may also require trauma counselling, psychiatric assistance, reproductive healthcare, temporary shelter, and long-term psychological support. Such services should form part of rehabilitation rather than being treated as optional assistance.

Privacy is essential because disclosure of a woman's identity may expose her to stigma, harassment, retaliation, and further trauma. Section 72 of the Bharatiya Nyaya Sanhita, 2023 restricts publication of information that may reveal the identity of victims of specified sexual offences, subject to limited statutory exceptions.

The Protection of Women from Domestic Violence Act, 2005 provides civil remedies in addition to criminal-law protection. An aggrieved woman may seek protection orders, residence orders, monetary relief, custody orders, compensation, shelter, medical assistance, and, where appropriate, in-camera proceedings. Victim compensation schemes may further provide financial support for medical expenses, loss of livelihood, disability, and rehabilitation. Effective protection requires coordination among police officers, hospitals, protection officers, courts, legal services authorities, shelter homes, and counsellors so that the woman is not required to approach several disconnected institutions for assistance.

Rights of Child Victims

Children affected by sexual offences require procedures that reflect their age, emotional condition, communication ability, and dependence upon adults. Ordinary police and courtroom practices may frighten a child or cause the child to relive the trauma. The Protection of Children from Sexual Offences Act, 2012 therefore establishes child-sensitive procedures for reporting, investigation, medical examination, trial, legal assistance, and rehabilitation.

The statement of a child should ordinarily be recorded at the child's residence, usual place of residence, or another place chosen by the child. As far as practicable, it must be recorded by a woman police officer who is not in uniform. The investigating officer must ensure that the child does not come into contact with the accused and is not detained at a police station during the night. The statement may be recorded in the presence of a parent or another person whom the child trusts. Interpreters, special educators, and communication experts may be used where necessary. Medical examination should similarly take place in the presence of a parent or trusted person, and the examination of a girl child must be conducted by a woman doctor.

Special Courts are designated for the trial of POCSO offences. They must maintain a child-friendly atmosphere, permit the presence of a trusted family member or friend, avoid repeated testimony, prevent aggressive questioning, and protect the dignity of the child. The child's identity, including identifying details about family, school, neighbourhood, or relatives, must not be disclosed except where the court considers disclosure to be in the child's interest.

The child or guardian is entitled to legal assistance, and the Legal Services Authority must provide a lawyer when the family cannot afford one. Special Courts may also award compensation for

physical or mental trauma and immediate rehabilitation. Such rehabilitation should include counselling, healthcare, education, safe accommodation, family support, and continuing protection from intimidation.

Major Challenges in Protecting Victim Rights

Despite significant constitutional, statutory, and judicial developments, the effective protection of victims remains a major challenge within the Indian criminal justice system. One of the most serious obstacles is the lack of legal awareness. Many victims do not know that they are entitled to free legal assistance, compensation, medical treatment, information about the investigation, and protection against intimidation. This problem is particularly visible among economically disadvantaged persons, rural communities, children, women, elderly persons, and socially marginalised groups. Although Legal Services Authorities have been established to ensure that access to justice is not denied because of economic or other disabilities, their services do not always reach every eligible victim.

Delay in investigation and trial further weakens victim protection. Repeated adjournments, delayed forensic reports, shortage of judicial personnel, and difficulties in securing witnesses may prolong proceedings for several years. Such delays create financial and psychological pressure and may force victims to lose interest in pursuing the case. They may also increase the possibility of witnesses becoming unavailable or evidence losing its reliability.

Victims frequently experience secondary victimisation through insensitive questioning, repeated narration of traumatic events, unnecessary disclosure of personal information, hostile cross-examination, or disrespectful treatment by institutions. Instead of receiving support, a victim may feel blamed or humiliated during reporting, investigation, medical examination, or trial. Social stigma creates an additional barrier, particularly in cases involving sexual offences, domestic violence, trafficking, caste-based violence, and child abuse. Fear of family rejection, reputational harm, or community pressure may discourage victims from reporting offences or continuing legal proceedings.

Inadequate and delayed compensation also limits meaningful rehabilitation. Section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023 provides for State victim-compensation schemes and permits relief even where the offender is unidentified or no trial takes place. In practice, however, victims may face complicated procedures, documentation requirements, inconsistent amounts, and long waiting periods.

Weak witness protection remains another serious concern. Victims and witnesses may be threatened, influenced, socially boycotted, or financially pressured by offenders and their associates. The Witness Protection Scheme, 2018 provides protection based on threat assessment and permits measures such as identity protection, relocation, secure accommodation, and other safety arrangements. Nevertheless, effective implementation depends on adequate funds, trained authorities, confidentiality, and prompt assessment of threats.

Victim participation in criminal proceedings also remains limited. Victims may not receive timely information about bail, investigation, trial dates, judgments, appeals, or the release of offenders. They may be treated mainly as prosecution witnesses rather than as persons having independent interests in the outcome. Finally, poor implementation of existing laws creates a gap between formal rights and actual experience. The absence of coordination among police authorities, prosecutors, hospitals, courts, legal services institutions, and rehabilitation agencies further reduces the effectiveness of protection. Strengthening victim rights therefore requires greater awareness, time-bound procedures, sensitive institutional behaviour, effective compensation, reliable witness protection, and meaningful participation at every stage of the criminal process.

Conclusion

Victim rights are an essential component of a fair, humane, and accountable criminal justice system. Indian law has gradually moved beyond an exclusively offender-centred approach by recognising the victim's rights to information, dignity, participation, medical assistance, legal representation, compensation, protection, and rehabilitation. Constitutional guarantees, the Bharatiya Nagarik Suraksha Sanhita, 2023, specialised protective laws, Legal Services Authorities, victim-compensation schemes, and the Witness Protection Scheme collectively provide an important foundation for victim-oriented justice. However, the existence of legal provisions does not automatically ensure effective protection. Lack of awareness, delayed proceedings, secondary victimisation, social stigma, inadequate compensation, intimidation, and inconsistent implementation continue to prevent many victims from receiving meaningful justice. These difficulties are more severe for women, children, persons with disabilities, economically disadvantaged individuals, and members of marginalised communities.

India therefore requires a coordinated approach that treats victims as rights-bearing participants rather than merely as sources of evidence. Police officers, prosecutors, judges, medical professionals, and legal-aid lawyers must receive regular victim-sensitive training. Compensation and protection applications should be decided within clear timelines, and victims should receive regular information about their cases. A justice system that protects dignity, supports recovery, and ensures meaningful participation can strengthen public confidence while maintaining fairness toward every party involved in criminal proceedings.

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