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SPECIAL ISSUE VOLUME II

One Day State Level Conference
On

LEGAL EVOLUTION: UNDERSTANDING INDIA'S NEW CRIMINAL LAWS (LEUINCL-2024)



Saturday, 14 September 2024



Organized by

Narayanrao Chavan Law College, Nanded

(NAAC Re-Accredited in 3rd Cycle with 'A' Grade)

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Swami Ramanand Teerth Marathwada University, Nanded



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Legal Transformation: A Deep Dive into India's New Criminal Legislation: Analytical Study

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Abstract:

"Legal Transformation: A Deep Dive into India's New Criminal Legislation" is a compelling and precise title that encapsulates the significant shifts occurring in India's criminal justice system. The phrase "Legal Transformation" highlights the fundamental changes and reforms being introduced, signaling a break from the past and the beginning of a new era in legal practice. "A Deep Dive" suggests a thorough and detailed exploration of the subject, indicating that the discussion will go beyond surface-level analysis to explore the nuances of the new legislation. "India's New Criminal Legislation" directly addresses the subject matter, clearly indicating that the focus will be on the recent legal reforms in India's criminal law.

Overall, this title effectively sets the stage for an in-depth examination of how these new laws will reshape the legal landscape in India, making it both informative and engaging for readers interested in legal developments. The three new criminal laws aim to consolidate the traditional provisions and procedures, making them more concise, contemporary, and relevant. The Bharatiya Nyaya Sanhita, specifically addressing organized crime, represents a significant shift in the legal landscape in India, with immense potential to empower a forensic investigation process. ¹All together, the new laws aim to bring the Indian legal system up to date and better suit the demands of contemporary society. In an effort to improve accessibility and comprehension for both the general public and legal professionals, they want to modernize and consolidate some of the more archaic legal requirements.

Keywords: *The Bharatiya Nyaya Sanhita (BNS), Bharatiya Nagarik Suraksha Sanhita (BNSS), and Bharatiya Sakshya Adhinyam (BSA), New criminal laws, victim-centric.*

These three new criminal laws come with various huge and small changes in the previously existing criminal provisions. The well-thought-out new provisions

¹ "Three New Criminal laws effective from 1 July 2024 A forensic lens to assess the impact of recent legal reforms

Available at: <https://www2.deloitte.com/in/en/pages/finance/articles/three-new-criminal-laws-in-India.html> last visited on 2/9/2024. At 11.22am.

are drafted to meet the present needs, but some provisions also attract criticism.² The overarching goal is to create a criminal justice system that not only protects citizens' rights but also upholds the Rule of Law, ensuring accessible and speedy justice for all. This reform represents a significant stride towards an equitable, modern, and just legal framework in India.³ These new rules represent a change from a punitive to a justice-oriented approach, representing *Bhartiya Nyaya Paddhati*. They are based on Indian values of justice (*nyaya*). Prime Minister Narendra Modi stated these reforms aim to “eradicate the mentality and symbols of slavery” and create a “new confident India.” The government argues that the new laws prioritize justice and fairness over punishment alone. However, legal experts and civil rights advocates have raised concerns about these changes.⁴

There are provisions in the new legislation that change the way the legal system operates. For example, they provide the police more authority by permitting them to conduct preliminary investigations prior to filing First Information Reports (FIRs) for specific offences. Critics claim that this would result in more police discretion and possible case filing delays.

Introduction:

With the enactment of new criminal legislation, India's legal landscape has recently changed significantly, signaling an important development in the country's justice system. India's top judge DY Chandrachud praised the new laws as a “watershed moment for our society”.⁵

The Indian government has put up a number of reforms that address the antiquated and frequently colonial nature of the current laws in an effort to modernize and streamline the country's criminal justice system. These changes seek to safeguard individual rights, improve the effectiveness of the legal system, and more accurately reflect modern ideals.

² Astha Pasricha, “Three New Criminal Laws of India: How Are They Different From the Previous Laws? Here Are the Key Features Explained” (JUL 3, 2024), available at:

<https://www.jagranjosh.com/general-knowledge/three-new-criminal-laws-of-india-how-are-they-different-here-are-the-key-features-explained-1719935014-1> last visited on 2/9/2024. At 11.41am.

³ Government of India's “New Awareness Programme on New Criminal Laws”, (1/7/2024), available at: <https://innovateindia.mygov.in/awareness-programme-law/> last seen on 2/9/2024. At 11.46am.

⁴ “India's criminal law overhaul: An essential backgrounder”, (Jul 12, 2024), available on: <https://frontline.thehindu.com/the-nation/indian-criminal-law-reform-criminal-justice-bns-bnss-bsa/article68397331.ece> last seen on 2/9/2024. At 11.46am.

⁵ <https://www.aljazeera.com/news/2024/7/1/concerns-as-india-replaces-colonial-era-laws-with-new-criminal-codes> “Concerns as India replaces colonial-era laws with new criminal codes”, (1 Jul 2024), last visited at: 2/9/2024. At 6.35pm.

IMPORTANT ELEMENTS OF THE REVISED CRIMINAL CODE

1. Contemporary Legal Provisions:

The Indian Penal Code (IPC) of 1860, the Criminal Procedure Code (Cr. P.C) of 1973, and the Indian Evidence Act of 1872 are to be replaced by the new laws. These laws were mostly brought over from British colonial control. By bringing existing laws into line with 21st-century reality, the revisions want to make them applicable and efficient in dealing with contemporary crimes, such as cybercrimes and economic offences.

A notable focus on technology and forensic science positions the legal framework in the modern era. The Acts demonstrate a commitment to providing enhanced protection for marginalized and vulnerable segments of society, aligning the criminal justice system with current needs and values.⁶

A strong criminal law framework is crucial for averting wrongdoers from committing a wrong and also for making the justice system uncomplicated, reasonable, and quick.⁷ It also includes online filing of complaints, electronic summons via SMS, and swift sharing of evidence.⁸

The e-FIR system is designed to be efficient as it eliminates the need for people to travel to a police station and wait in long queues to file a complaint.⁹ These laws introduce innovative measures like Zero FIR and expedited trials while addressing concerns about expanded police powers. With meticulous preparations underway, including training programs and technological upgrades, the nation anticipates a transformative shift towards a more efficient and just legal system, emphasizing fairness and timely justice delivery.¹⁰

⁶ "New Criminal Laws in India", (February 8, 2024), available at: <https://www.lexisnexis.in/blogs/new-criminal-laws-in-india/> last visited at: 2/9/2024. At 6.35pm.

⁷ Nishika Kamnath, "Criminal Law in India", (September 17, 2022), available at: <https://blog.ipleaders.in/criminal-law-in-india/> last visited at: 2/9/2024. At 6.45pm.

⁸ Business Today, "Curtain falls on British-era rules, new criminal laws come into effect from July 1.", available at: <https://www.businesstoday.in/india/story/new-criminal-laws-come-into-effect-on-july-1-key-changes-you-need-to-know-435211-2024-06-30> Last visited on 3/9/2024. At 11.41am.

⁹ "Victim-centric Approach Empowering Victims, Ensuring Justice", (2/20/24), available at: <https://bprd.nic.in/uploads/pdf/202402200732062866143VictimCentricApproach.pdf> Last visited on 3/9/2024. At 11.15am.

¹⁰ "New criminal laws enacted from today: All you need to know about them", available at: <https://economictimes.indiatimes.com/news/how-to/new-criminal-laws-enacted-from-today-all-you-need-to-know-about-them/articleshow/111391637.cms?from=mdr> last visited on 2/9/2024. At 3.19pm.

2. Victim-Centric Approach:

“For too long, the law has centered its attention more on the rights of the criminal than on the victims of crime. It is high time we reversed this trend and put the highest priority on the victims and potential victims.” – President Gerald R. Ford ¹¹

Thus the new laws guaranteed various rights to the victims and this is considered as a paradigm shift to the victim-centric approach in India. The access to the victim is also insured. ¹² The scrapping of the colonial laws was the need of the hour in order to reshape the legal system in accordance with the recent times and this has been successfully carried out by the new criminal laws. They are truly a ray of hope for not only the victims but also for all the citizens of the country. It is definitely a paradigm shift towards victim empowerment. ¹³ The scrapping of the colonial laws was the need of the hour in order to reshape the legal system in accordance with the recent times and this has been successfully carried out by the new criminal laws.

There is no particular statute in India and the compensatory jurisprudence is currently developing. Nonetheless, there are a number of laws that provide financial assistance to victims of crime, and Article 21 of the Indian Constitution provides compensation for torture, unjust imprisonment, and death in custody. Since 2009, all states have been required by the federal government to develop a compensation plan for those who have been harmed or lost something. As a result, the victims' rights to compensation and participation have been protected. Despite these recent changes to our criminal code, our criminal justice system still needs a number of

¹¹ Ahmad Siddique. “Criminology problems and perspective “, (Lucknow: Eastern Book Company, 2001) 504.

¹² Srimathi S, “Victim – Centric Reforms In Indian Criminal Law: Enhancing Support And Protection Fr Victims”, (July 21, 2024), available on: <https://lexosphere.in/victim-centric-reforms-in-indian-criminal-law-enhancing-support-and-protection-fr-victims-authored-by-srimathi-s/#:~:text=The%20new%20laws%20recognise%20the,and%20the%20Right%20to%20Compensation.> Last visited on 3/9/2024. At 10.35am.

¹³ Simran Khanolkar, “Victim-centric Measures In The Light Of New Criminal Laws”, (July 27, 2024), available at: <https://aklegal.in/victim-centric-measures-in-the-light-of-new-criminal-laws/> Last visited on 3/9/2024. At 11.54am.

fixes very soon.¹⁴ We are moving towards victim-centric justice and towards freeing people from the colonial mindset and its symbols.¹⁵

The emphasis on victims' rights and protection is one of the new laws' major changes. New provisions have been made to guarantee prompt delivery of justice, shorten the duration of court cases, and offer victims more comprehensive assistance, such as restitution and rehabilitation.

Improvement of Police Accountability:

Prime Minister Narendra Modi comments that the criminal laws will reflect a paradigm shift in the justice system and in line with informing our global profile, the police should transform itself into a modern force to realize the version of developed India.¹⁶ PM emphasized on the need of modernization of the police forces and exhorted them to 'work with data instead of *danda*'. With the changing nature of crime like threats of cyber crime, we need to act urgently on reforming the old and outdated policing system in India.¹⁷

The BNSS's Section 105 will provide greater openness and prevent the abuse of police authority by making it impossible for the police to fabricate evidence. In addition, section 176 of the BNSS, which outlines the process for a police inquiry, now has a new sub-part (3).

A fair and just system is contingent upon how efficiently the police agency operates. Police reforms and accountability are thus essential to ensure the highest standard of conduct and to prevent any misuse of power. There is no doubt that the foundation for a modern, smart, and accountable police force is provided by legal and policy reforms.¹⁸ To rethink police accountability in India, we must focus on two core areas—community policing, and better training.¹⁹

¹⁴ Delhi Domestic Working Women's Forum v. Union Of India And Others, 1995 SCC CRI 7, State of Himachal Pradesh v. Sanjay Kumar, 2017 SCC 2 51

¹⁵ "Victim-centric laws to ensure swift and timely justice: Shri Amit Shah", (17-01-2024), available at: <https://www.bjp.org/interviews-and-articles/victim-centric-laws-ensure-swift-and-timely-justice-shri-amit-shah> last visited on 3/9/2024. At 11.33am.

¹⁶ The New Indian Express, <https://www.newindianexpress.com/nation/2024/Jan/17/victim-centric-laws-to-ensure-swift-and-timely-justice-amit-shah>, last visited on 3/09/2024 at 10.55 am.

¹⁷ "Police Reform In India In 2024", (January 13th, 2024) available at: <https://forumias.com/blog/police-reform-in-india-explained-pointwise/> last visited on 3/09/2024 at 3.18 pm.

¹⁸ "Police Reforms and Accountability", (21 Nov 2023), available at: <https://www.drishtiias.com/blog/police-reforms-and-accountability> last visited on 3/09/2024 at 1.53pm.

¹⁹ Priya Vedavalli and Tvesha Sippy, "How Can We Rethink Police Accountability in India?" available at: <https://www.epw.in/engage/article/how-can-we-rethink-police-accountability-india> last visited on 3/09/2024 at 1.53pm.

In India, there is significant evidence of rising police misbehavior. In Indian media, incidents of police brutality, extortion, and other crimes perpetrated by policemen in various regions of the nation are gaining attraction.²⁰

In response to long-standing worries about police misconduct and power abuse, the new legislation offer steps to increase police accountability and openness. The BNSS's Section 105 will provide greater openness and prevent the abuse of police authority by making it impossible for the police to fabricate evidence. In addition, section 176 of the BNSS, which outlines the process for a police inquiry, now has a new sub-part (3). BNSS encourages the use of technology at all stages, from crime scene visits to investigations and trials. It also establishes accountability by prescribing the stipulated time for the supply of documents, police reports, and even the pronouncement of judgments. In the coming times, these laws will be a game changer in ensuring a speedy trial and bringing transparency to the investigation process.²¹

The policing system needs to be reformed to be in tune with present day scenario and upgraded to effectively deal with the crime and criminals, uphold human rights and safeguard the legitimate interests of one and all.²² Starting today, residents can approach the police more conveniently with the implementation of new laws.²³

The new laws enshrine the concept of justice embedded in our Constitution to improve the criminal justice system of the country. While the old laws were British legacies which were introduced by the colonial masters to enforce and strengthen their rule in India, the new laws are citizen centric, victim centric and sensitive to offences against women and children, introducing new offences, such as 'deshdroh', 7 terrorist acts, mob lynching's, organized crimes, petty organized

²⁰ Baidya nath Mukherjee, Dr. Bhupinder Singh, "Chapter 9 Accountability Of Indian Police: Need Of The Hour", available at:

https://www.riverpublishers.com/pdf/ebook/chapter/RP_P9788770040075C9.pdf last visited on 3/9/2024. 2.21pm.

²¹ "New criminal laws: An era of accountability, transparency and justice", (3/11/24,) available at: <http://pure.jgu.edu.in/id/eprint/7440/1/firstpost.com-New%20criminal%20laws%20An%20era%20of%20accountability%20transparency%20and%20justice.pdf> last visited on 3/9/2024. 12.03pm.

²² "Status Note on Police Reforms in India", available at: <https://www.mha.gov.in/sites/default/files/PoliceReforms%28E%29181013.pdf> last visited on 3/9/2024. 2.28pm.

²³ The Economic Times, "IPC, Cr.P.C replaced by 'Swadesh Criminal Laws': Now, you will find it easier to approach police, file FIR." available at: <https://economictimes.indiatimes.com/news/india/ipc-crpc-replaced-by-swadesh-criminal-laws-now-you-will-find-it-easier-to-approach-police-file-fir-heres-how/articleshow/111399180.cms?from=mdr> last visited on 3/9/2024. 2.54pm

crimes, snatchings, etc²⁴. Enhancing the investigative process is a priority, with stronger rules and supervision systems to guarantee unbiased and fair enquiries.

Streamlining Judicial Processes:

Increasing the Criminal Justice System's Efficiency, the BNSS aims to increase the Criminal Justice System's efficiency by streamlining processes and cutting down on delays. By cutting down on procedural red tape and streamlining legal processes, the reforms seek to accelerate the judicial process. The revamped legal structure aims to streamline judicial processes, enhance the efficacy of law enforcement, and uphold the principles of justice and fairness.²⁵

A key component of these changes, which seek to improve the accessibility and effectiveness of the legal system, is the introduction of technology into court procedures. Examples of this include digital submissions and virtual hearings. The lack of comprehensive and accurate data relating to cases from courts across the country poses a hurdle to efficient policymaking. This issue has been noted by the Law Commission of India in its 245th Report as well as in the Action Plan of the National Court Management System set up by the Supreme Court.²⁶ With the combined efforts of the government, court, and legal community, India can usher in a new age of justice for its people.²⁷

Human Rights and Gender Justice:

"Human rights are women's rights and women's rights are human rights, once and for all." - Hillary Clinton²⁸.

India has a long history of being one of the most unequal and insensitive to gender issues nations in the world.²⁹

In the present existence, with the impact of modernization and use of innovative

²⁴ <https://police.mizoram.gov.in/wp-content/uploads/2024/06/FAQ-on-new-Criminal-Laws.pdf> last visited at: 3/9/2024. at 3.05pm.

²⁵ Akshat Khetan, "A Modern Indian Legal System, But One That Needs More Fine-Tuning"(27 July 2024), available at: <https://www.livelaw.in/law-firms/law-firm-articles/-a-modern-indian-legal-system-but-one-that-needs-more-fine-tuning-264761> last visited at: 4/9/2024. At 10.29am.

²⁶ "Department Of Justice", available at: <https://doj.gov.in/judicial-processes/> last visited at: 4/9/2024. At 10.29am.

²⁷ What is the Transformative Impact of India's New Criminal Laws?", <https://www.lingayasvidyapeeth.edu.in/what-is-the-transformative-impact-of-indias-new-criminal-laws/> last visited at: 4/9/2024. At 10.50am.

²⁸ S J.Michael, "A Study Of Women Rights In India ", (4/6/20), available at: <https://ijcrt.org/papers/IJCRT2004047.pdf> last visited at: 4/9/2024. At 12.38pm.

²⁹ "Gender Justice", (October 18, 2023), available at: <https://www.clearias.com/gender-justice/> last visited at: 4/9/2024. At 12.38pm.

methods, the rights of women have been acknowledged.

In the present existence, with the impact of modernization and use of innovative methods, the rights of women have been acknowledged.

Gender justice may be understood as a concept which focuses on a world where there is no discrimination based on the person's gender. It entails ending the inequalities between women and men that are produced and then also reproduced in the family, society, market and the state.³⁰

India's criminal laws have developed through centuries, shaped by indigenous legal customs, foreign intrusions, and colonial influences. The legal framework is in a constant state of evolution, adapting to contemporary challenges while safeguarding principles of justice, fairness, and human rights.³¹ This process necessitates reforms in order to keep the legal system adaptable to the demands of a changing society. In the process of creating a just and equitable legal system, India aims to balance the effects of the past with its dedication to preserving core principles.

The essential object of criminal law is to protect society against criminals and law-breakers.³² Recently, a fabricated rape accusation and subsequent imprisonment revealed a range of systemic shortcomings in our law enforcement machinery and social complexities that demand urgent attention.³³

- a. The new laws place a strong emphasis on advancing gender justice and defending human rights. "The laws in their current form will be used as pretext to violate the rights of all those who dare speak truth to power. The three new criminal laws in India must be immediately repealed and brought in line with international human rights standards to prevent the continued flagrant misuse to crackdown on peaceful dissent in the country."³⁴

³⁰ "Gender Violence: In View Of Human Rights And Gender Justice In India", (6/20/23), available at: <https://shodhgangotri.inflibnet.ac.in/bitstream/20.500.14146/13110/1/stuti%20synopsis-%20ph%20d.pdf> last visited at: 4/9/2024. At 12.05pm.

³¹ "Overview of Recent Criminal Law Reforms: Features, Challenges, and Implications for India", (February 24, 2024), available at: <https://pwnlyias.com/criminal-law-reforms-in-india/> last visited at: 2/9/2024. At 6.56pm.

³² Dr. Reshma Umair, "Development of Criminal Law in India", available at: <http://data.conferenceworld.in/ICSSR/28.pdf> last visited at: 2/9/2024. At 7.05pm.

³³ "Criminal Justice System", (22 Jun 2024) available at: <https://www.drishtiias.com/daily-updates/daily-news-analysis/criminal-justice-system-9> last visited at: 2/9/2024. At 7.12pm.

³⁴ "India: Authorities must immediately repeal repressive new criminal laws", (July 1, 2024), available at: <https://www.amnesty.org/en/latest/news/2024/07/the-laws-in-their-current-form-will-be-used-as->

- b. Stricter punishments for crimes against women and children are among the reforms, along with strengthened safeguards against torture in detention and false convictions.

Emphasis on Rehabilitation Rather than Punishment:

THE objectives of the Indian criminal justice include penalizing, reforming, and rehabilitating the offender. Reformation is its ultimate goal, as the system professes to be more rehabilitative than retributive.³⁵

In India, prison reforms did not emerge out of the social movement but were necessarily an outcome of the worst conditions of treatment faced by the political sufferers in prisons during the period of their imprisonment. They repeatedly launched protests with the prison authorities and made all possible efforts to see that the rigours of prison life are mitigated and prisoners are humanly treated.³⁶

The new criminal laws place more of an emphasis on restorative justice and rehabilitation than they do on punitive measures alone.

Rather than merely locking up criminals, this strategy indicates a shift towards reforming them and reintegrating them into society.

Challenges:

Every day, since July 1, 2024, the country's 17,535 police stations have been grappling with the implementation of three new criminal laws.³⁷ It can be challenging to conduct investigations, file charge sheets, and appear in court for both new and old legislation. This is especially true when numerous new features are added, adding to the burden of responsibility without allocating more funding. There are fresh challenges for every day.

New criminal laws took effect in India on July 1, 2024, triggering widespread debate and concern about their potential to expand state power at the expense of

pretext-to-violate-the-rights-of-all-those-who-dare-speak-truth-to-power/ last visited on 4/9/2024. At 12.20pm.

³⁵ Joysheel Shrivastava, "Indian Criminal Justice System: Navigating the Three Rs of Retribution, Reformation and Rehabilitation", (July 8, 2021), available at: <https://theleaflet.in/criminal-justice-system-does-it-want-retribution-reformation-or-rehabilitation/> last visited on: 6/9/2024. At 10.21am.

³⁶ Kaustubh Rote, "Prison Reform and Social Change in India", available at: <https://niu.edu.in/sla/online-classes/FM-Jul14-LSC-Koustubh.pdf> (7/11/14), last visited on 6/9/2024. 10.35am.

³⁷ Yashovardhan Azad, Sanjay Hegde and R K Vij, "Why India's New Criminal Laws Need to be Rolled Back", (29/Aug/2024), available at: <https://thewire.in/law/why-indias-new-criminal-laws-need-to-be-rolled-back> last visited on 6/9/2024. At 10.44am

civil liberties.³⁸ While these reforms represent a significant step forward, they have also faced criticism and challenges:

Implementation Concerns:

The new laws' success will mostly depend on how well they are implemented locally. It is essential to make sure that the judiciary and law enforcement organizations have the necessary tools and training to handle these changes.

Implementation is a concern, too. The government has fast-tracked implementation before training and preparing the law-enforcement machinery for it. At every level, including the police, the legal fraternity, and even the judiciary, there is likely to be confusion.³⁹ The law enforcement system, including the judiciary, is grossly lacking in infrastructure, and it will now have to cope with the new demands made on it. Implementation is a concern, too. The administration has expedited the implementation process without providing adequate training or readying the law enforcement apparatus. There will probably be misunderstandings at every level, including the judiciary, the legal community, and the police. Because all cases registered before June 30 will be tried under the old laws, and those registered after June 30 will be tried under the new laws, two parallel systems will operate concurrently. Considering that there are more than 30 million cases pending, this will be quite difficult. The judicial system and the rest of the law enforcement apparatus are woefully underequipped, and now they must deal with additional demands.

Balancing Rights: The rights of the accused and victims must be balanced, especially when it comes to guaranteeing fair trials and avoiding legal abuse.

Resource Constraints: If substantial expenditures in infrastructure and human resources are not made in conjunction with the implementation of new legislation, the already overcrowded judicial system in India may become even more so.

³⁸ Rebecca John, "The new criminal laws are like old wine in new bottles", (Jul 12, 2024), available at: <https://frontline.thehindu.com/interviews/rebecca-john-lawyer-supreme-court-india-new-criminal-laws-problems-penal-code-bns-bsa/article68384946.ece#:~:text=New%20criminal%20laws%20took%20effect,the%20expense%20of%20civil%20liberties.> last visited on 4/9/2024. At 2.38pm.

³⁹ New laws bring new challenges A worry is that the new laws can be wielded with greater effect to curb citizens' rights. (03 July 2024), available at: <https://www.deccanherald.com/opinion/editorial/new-laws-bring-new-challenges-3090290> last visited on 6/9/2024, at 11.16am.

Conclusion

An important turning point in India's legal history has been reached by the changes in the country's criminal laws. These reforms have the potential to greatly enhance India's criminal justice system by remediating the flaws in legislation from the colonial era and implementing a more modern, rights-based strategy. They will, however, need to be carefully implemented and continually assessed to make sure the desired results of efficiency, justice, and fairness are realized.

The enactment of the BNSS, BNS, and BSA marks a significant milestone in the evolution of India's criminal justice system. These reforms have the potential to address long-standing issues of delay, inefficiency, and outdated legal provisions, aligning the system with contemporary needs and principles of justice.⁴⁰ But for them to be successful, they must be implemented well, deal with issues like the digital divide and reluctance to change, and make sure the legal system and law enforcement are prepared to operate within the new framework..

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⁴⁰ Pawan Kumar and Kashish Jain, The New Indian Express, available at: <https://www.newindianexpress.com/web-only/2024/Jul/02/new-criminal-laws-signal-end-of-colonial-hangover-but-challenges-await> last visited on 6/9/2024. at 12.54pm.

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