

Modernizing Criminal Procedures: BNSS 2023 and Its Positive Legal Repercussions

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Abstract— The Bharatiya Nagarik Suraksha Sanhitha (BNSS), 2023, represents a significant overhaul of India's criminal procedural laws, replacing the Code of Criminal Procedure (CrPC), 1973. This reform aims to modernize the justice system by integrating technology, enforcing stricter timelines, and enhancing victim rights. Key features include e-FIR and Zero FIR provisions, mandatory forensic investigations for serious crimes, time-bound trials, and victim-centric measures. While these changes promise a more efficient and transparent legal process, challenges such as infrastructural limitations, the need for extensive training, and privacy concerns must be addressed to ensure successful implementation.

Index Terms— Bharatiya Nagarik Suraksha Sanhitha, Criminal Procedure Code, Procedural Reform, Justice System, BNSS 2023.

I. INTRODUCTION

For nearly five decades, India's criminal justice system operated under the Code of Criminal Procedure (CrPC), 1973. Despite its comprehensive framework, the CrPC faced criticism for procedural delays, limited technological integration, and inadequate victim support mechanisms. Recognizing these shortcomings, the Government of India introduced the Bharatiya Nagarik Suraksha Sanhitha (BNSS) in 2023, alongside the Bharatiya Nyaya Sanhita (BNS) and the Bharatiya Sakshya Adhinyam (BSA), to reform the criminal justice landscape comprehensively. The BNSS aims to create a more transparent, efficient, and victim-friendly system by leveraging technology and enforcing accountability.

II. HISTORICAL CONTEXT AND THE NEED FOR REFORM

The CrPC, enacted in 1973, was a product of its time, reflecting the socio-legal context of post-independence India. Over the years, rapid

technological advancements and evolving societal norms rendered many of its provisions outdated. Reports by the Law Commission of India and various expert committees highlighted the need for a procedural overhaul to address systemic inefficiencies, case backlogs, and the lack of victim-centric approaches. The BNSS was conceived to address these issues by introducing reforms that align with contemporary standards and expectations.

III. KEY FEATURES OF BNSS

- One of the most notable reforms is the introduction of electronic First Information Reports (e-FIRs) and Zero FIRs. Citizens can now file FIRs electronically, enhancing accessibility and reducing procedural delays. The Zero FIR provision allows individuals to lodge complaints at any police station, irrespective of jurisdiction, ensuring prompt action, especially in urgent cases.
- The BNSS mandates that investigations for most offenses be completed within 90 days, extendable to 180 days for serious crimes. This provision aims to expedite the legal process and reduce case pendency.
- For offenses punishable with seven years or more of imprisonment, the BNSS requires mandatory forensic investigations. Forensic experts must visit crime scenes to collect evidence, which must be recorded electronically. This move seeks to enhance the scientific rigor of investigations.
- In certain grave offenses, police custody can now extend up to 60 days, subject to judicial oversight. This extension aims to provide law enforcement with adequate time for thorough investigations while ensuring checks against potential misuse.
- The BNSS facilitates the admissibility of electronic records and supports virtual court proceedings. This

integration of technology aims to modernize the judicial process and make it more efficient.

- Victims are now granted participatory rights in the trial process, including receiving updates on case status and access to protection measures. This shift emphasizes the importance of victim welfare in the justice system.

IV. IMPACT ON INDIAN CRIMINAL LAW

By enforcing strict timelines for investigations and trials, the BNSS seeks to reduce the backlog of cases and ensure timely justice delivery. The mandatory use of digital records and technology-driven processes minimizes the scope for procedural manipulation and enhances accountability within the system. Victim participation provisions empower complainants, fostering greater trust in the legal system and ensuring their voices are heard throughout the judicial process. The increased reliance on forensic evidence enhances the credibility and accuracy of investigations, aligning with global best practices in criminal justice. The integration of virtual hearings and electronic submissions modernizes the judiciary, making it more accessible and efficient.

- E-FIR and Zero-FIR provisions are now codified into law, allowing citizens to file FIRs electronically or at any police station regardless of jurisdiction, with the police required to record the FIR and then transfer it as needed. This statutory formalization removes procedural friction and increases accessibility, especially for vulnerable or remote complainants. Chandigarh Police reported that between July 1, 2024 and June 30, 2025 they registered 3,154 FIRs, including 1,459 e-FIRs. Of 78 resolved cases, 71 cases concluded in convictions—an impressive 91.1% conviction rate—with average time to conviction reduced from 300 to just 110 days. This acceleration was attributed to electronic procedures and digital evidence infrastructure such as e-Sakshya, which recorded over 2,675 multimedia search and seizure operations, synchronizing FIRs and evidence in the cloud.
- Strict timelines are embedded across BNSS. Investigations must conclude within 90 days for most offenses, extendable up to 180 days in serious cases under judicial oversight; charge sheets and framing of charges follow within 60 days; judgments must be

pronounced within 30 days post-argument (extendable to 45 in exceptional circumstances). Uttar Pradesh's "Operation Conviction" campaign has fast-tracked 458 heinous crime cases between July 2023 and mid-2025, achieving four death sentences, ten life terms, nineteen over-20-year sentences, and 425 under-20-year sentences. Over 97,000 convictions placed through swift trials, video testimonies, and robust digital documentation saved the state approximately ₹25 crore in legal costs.

- The integration of forensic science has received legal impetus. BNSS mandates forensic teams to visit crime scenes in all offenses punishable by seven years or more, with evidence collection recorded digitally, often via mobile videography, and transmitted to judicial authorities. This emphasis on scientific rigor enhances evidentiary reliability and reduces tampering or manipulation. Supporting this, India's investment of over ₹2,200 crore from 2024 to 2029 toward expanding forensic science infrastructure—including new campuses under the National Forensic Sciences University and central forensic laboratories—reflects long-term commitment to this transformation.
- Victim-centric reforms also mark a paradigm shift: victims are entitled to updates on case progress within 90 days, they must be heard before any withdrawal of prosecution, and they gain stronger rights in bail hearings and compensation decisions. These measures empower victims, restore trust, and foster participatory justice. Electronic issuance and service of summons and warrants streamline procedures: courts can now issue e-summons and e-warrants; statements under Sections 161 and 164 can be recorded via audio-video means; and written documents—FIRs, charge-sheets, statements—must be provided to accused and victims within 14 days of filing. Chandigarh's adoption of video conferencing studios, hiring of IT experts, and cloud-based evidence tools has increased procedural transparency and minimized physical court appearances.
- The introduction of community service as a sentencing alternative for minor offenses reflects BNSS's emphasis on rehabilitative justice. In Manipur, first-time youthful offenders charged during protests performed community cleaning tasks rather than undergoing formal prosecution. This restorative approach under Section 4(f) prevented

criminal records for misguided youths and garnered widespread public appreciation. Confiscation of criminal assets is now faster and more effective due to streamlined procedures under Section 107. Bihar Police identified 1,172 individuals with illicit assets, submitted proposals in nearly 188 cases, secured four orders of asset confiscation, suspended dozens of corrupt personnel, and increased FIR filings—demonstrating stronger enforcement and deterrence capabilities under BNSS.

- At a broader systemic level, BNSS replaces archaic and stigmatizing terminology such as “lunatic person” with respectful phrases like “person with mental illness” or “intellectual disability,” aligning legal language with contemporary norms and mental health legislation. This change signifies legal dignity and inclusion in judicial discourse.

- Judicial oversight and accountability are enhanced through regular audits and mandatory supervision of investigations. Senior officers must monitor case progress, preventing political misuse or negligent handling. In Rajasthan, the High Court recently directed lower courts to avoid rubber-stamp FIRs and flagged cash transactions above ₹2 lakh for Income Tax reporting, reinforcing procedural integrity under BNSS.

Meanwhile, home ministry directives promote direct issuance of e-summons from courts, prosecution timelines, and a targeted 20% rise in conviction rates for heinous crimes—a vision tied to BNSS implementation priorities.

- Taken together, these developments spotlight BNSS as a legal revolution that strengthens the criminal justice machinery. The combination of digital transformation, procedural discipline, forensic modernization, victim empowerment, alternative sentencing, and asset confiscation provisions delivers faster, fairer, and more credible outcomes. Early indicators from states like Uttar Pradesh, Chandigarh, Bihar, and Rajasthan show tangible improvements in conviction rates, infrastructure deployment, case resolution speed, and citizen outreach. As India continues to operationalize BNSS uniformly across jurisdictions, these benefits are likely to scale up further, offering a promising path toward an efficient, transparent, and citizen-centric criminal justice system rooted in constitutional ideals and modern legal standards.

V. CONCLUSION

The Bharatiya Nagarik Suraksha Sanhitha, 2023, marks a transformative step in India's criminal justice system, aiming to make it more transparent, efficient, and victim-centric. By embracing technological advancements and enforcing accountability, the BNSS has the potential to address longstanding issues plaguing the legal system. However, the success of these reforms hinges on effective implementation, adequate infrastructure, and continuous training of stakeholders. Addressing the challenges proactively will be essential to realize the envisioned improvements in justice delivery.

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