

An Analytical Study of the Stages in the Administration of Criminal Justice

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Abstract—The Indian criminal justice system is crucial in maintaining law and order, protecting individual rights, and ensuring justice. Rooted in the Indian Penal Code (IPC), the Code of Criminal Procedure (CrPC), and the Indian Evidence Act, it operates within a framework of fairness, transparency, and neutrality. The system is responsible for addressing offenses that disrupt societal balance by investigating, prosecuting, and punishing offenders. The administration of justice is divided into two categories: civil and criminal. Criminal law addresses offenses that harm society, while civil law deals with private grievances. This study critically analyses the procedural stages of the criminal justice process in India, highlighting key steps such as the filing of the First Information Report (FIR), investigation, chargesheet filing, framing of charges, witness examination, evidence presentation, and the final judgment. The process concludes with sentencing, and if dissatisfied, the parties can file appeals or revision petitions for higher court review. This structured approach ensures justice, upholds societal norms, and provides mechanisms for correcting legal errors.

IndexTerms—Criminal Procedure (CrPC), Indian Criminal Justice System, Indian Penal Code (IPC), Legal Appeals, Procedural Stages

I. INTRODUCTION

The Indian criminal justice system plays a fundamental role in upholding law and order, safeguarding individual rights, and ensuring the delivery of justice. Grounded in the core values of fairness, neutrality, and transparency, it functions within a comprehensive legal structure primarily shaped by the Indian Penal Code (IPC), the Code of Criminal Procedure (CrPC), and the Indian Evidence Act. Administering justice is a vital responsibility of

the state, which maintains public order through the enforcement of laws. This process reinforces citizens' awareness of the legal framework, the authority of the state, and their faith in the Rule of Law.¹ Since human beings are inherently prone to conflict and possess a naturally aggressive disposition, the necessity for an effective system of justice has been recognized by society from the very beginning of civilization.² To lead a dignified and well-organized life within society, the authority of the state is essential for upholding individual rights and regulating the responsibilities of its citizens. As Salmond noted, "Given human nature—where each person is eager to pursue and protect their own interests—society can only function under the protection of the state. The law and justice administered by the state are enduring and indispensable foundations for peace, order, and civilization."³ In an ideal society, the need for a justice system might not arise; however, in today's materialistic and complex world, life without a system for administering justice is unimaginable. Therefore, the administration of justice should be seen as a constant and essential component of civilization an institution for which there is no viable alternative.

¹ B.N.M. Tripathi, An Introduction to Jurisprudence 154 (ALA 1980).

² S.P. Dwivedi, Jurisprudence and Legal Theory 156 (CLA 2012).

³ Salmond, Jurisprudence 107 (11th ed. 2016).

When a criminal act takes place, it becomes the responsibility of the criminal justice system to assess whether it has infringed upon the rights and freedoms of individuals, and if so, to take appropriate measures to restore the balance disrupted by the offense. Consequently, the system is primarily designed to address a specific aspect of crime delivering justice. In fulfilling this role, the criminal justice system adopts a retrospective approach, concentrating on offenses that have already occurred. The necessity for criminal justice administration emerged from the state's commitment to uphold a high standard of human behaviour essential for ensuring the safety of individuals and society. Its objective is to safeguard the public by reducing crime risk and by enforcing laws through the processes of apprehending, investigating, prosecuting, and punishing those who violate societal norms⁴.

Meaning and Necessity of Administration of Justice
Salmond described the “Administration of Justice” as the enforcement of rights within a political society through the use of the state’s physical power. It involves the state applying its authority and force to uphold and implement the principles of justice and the rule of law⁵. No matter how well-ordered a society may seem, or how much individuals appear to follow the law out of reason rather than fear of force, the presence of force remains active and influential. It may be hidden or dormant to some extent, but it has not vanished. A society where the state's power rarely needs to be visibly exercised does not signify the absence of government control, but rather its ultimate success and dominance⁶.
In the absence of organized law enforcement, individuals are inclined to seek personal revenge for the wrongs done to them. The modern state's system of administering justice offers a more civilized and structured alternative to such primitive forms of retaliation.

⁴ N.K. Dutta, *Origin and Development of Criminal Justice System in India*, Deep and Deep Publication, New Delhi, 1990, p.12.

⁵ Salmond, *Jurisprudence* 107 (11th ed. 2016).
⁶ Salmond, *Jurisprudence* 88 (12th ed. 1966).

Divisions of Administration of Justice

The administration of justice is broadly divided into two categories: civil and criminal. Generally, the key difference between them lies in the nature of the wrong crimes are considered offenses against the public, while civil wrongs are viewed as personal or private grievances. As Blackstone explains, wrongs can be classified into two types: private and public. Private wrongs involve the violation or denial of an individual’s civil rights and are commonly referred to as civil injuries. On the other hand, public wrongs represent breaches of public rights and obligations that impact society as a whole, and are labelled more severely as crimes or misdemeanors.

A crime is an act that the law considers harmful to society as a whole, even if it directly affects only an individual. When such acts are committed, it is the state that takes legal action against the offender, and if found guilty, the individual is punished. In contrast, civil wrongs like breach of contract or trespassing are viewed primarily as violations of the rights of a specific individual rather than of society at large. Therefore, the law typically allows the affected person to seek compensation through a civil lawsuit.

II. REVIEW OF LITERATURE

Sambeeta Dabral's (2019)⁷ study explores the concept of the criminal justice system and its evolution in India. The paper highlights the two distinct types of criminal justice systems found worldwide, with a particular focus on the system in India. It examines the presence of the criminal justice system during different historical periods, including Ancient, Mughal, British, and Post-independence India. The study analyzes the key components of the criminal justice system, such as investigating agencies, the judiciary, and correctional institutions, along with their respective functions. Recommendations are provided to enhance and strengthen the current criminal justice system in India.

⁷ Sambeeta Dabral, *Development of Criminal Justice System in India—A Historical Perspective*, 6 J. Emerging Tech. & Innovative Res. 704 (2019).

Bhupinder Singh's (2022)⁸ study concludes that the effective administration of criminal justice can only be achieved through proper training and coordination at all levels, involving all three key agencies: the police, the criminal courts, and the correctional system, which includes the prison service, probation service, and other correctional agencies. The study emphasizes that only when this crucial coordination is established at every stage and level will the true objective of crime prevention, through the reformation and rehabilitation of offenders, be realized.

Divya Raviya and Dilip Mevada (2022)⁹ in their study highlight that the criminal justice system is not only costly and complex but also becoming more vital. When the poor are unable to access justice, it indirectly denies them their rights, leaving the vulnerable members of society unprotected. To address this, the courts have taken proactive steps to assist victims in their pursuit of justice. Currently, the judicial system is undergoing reforms to provide relief to the public. The researchers aim to explore what is needed in contemporary society to achieve justice, the requirements of their study, and to present their own perspective on the matter. A socio-legal study examines the relationship between society and the law.

The study by Vinay Kumar and Yogendra Singh (2024)¹⁰ highlights the necessity of a criminal justice system that is victim-focused, transparent, and efficient in upholding the constitutional principles of justice, equality, and fairness. The Indian criminal justice system, which originated from colonial legal frameworks and has since been adapted to align with modern constitutional values, plays a vital role in

sustaining democracy. It ensures the rule of law, protects individual rights, and maintains public order. At its foundation, the system must prioritize victims, be fair, and remain accessible to all, particularly to marginalized groups who often face systemic bias and discrimination.

Objective

- To critically analyse the procedural stages involved in the administration of criminal justice in India

III. METHODOLOGY

The study involves a comprehensive examination of the various stages of the criminal justice process in India, based on the secondary data.

Analysis of Stages of Administration of Criminal Justice

Criminal Trials in India: Step – by Step Stages:

The judicial system in India plays a crucial role in ensuring justice for all. Criminal proceedings in India follow a structured process that prioritizes fairness and upholds the principles of natural justice.

1. Filing of the First Information Report (FIR):

The process starts with the filing of a First Information Report (FIR), which is an official document containing information about the alleged crime and is submitted to the local police station. The FIR serves as the starting point for initiating the investigation and subsequent legal proceedings. Although the First Information Report is not explicitly defined in the Criminal Procedure Code (Cr.P.C.), it can be described as follows:

- It is an information which is given to the police officer,
- Information must relate to an offence,
- It is an information first in point of time,
- It is based on the information that investigation into the offence commences.

Information may be in cognizable cases or as to non – cognizable cases.

2. Investigation and Arrest:

Once the FIR is filed, the police begin an investigation to collect evidence and identify the suspect. They visit the crime scene, gather witness testimonies, and examine any relevant forensic evidence. If the investigation uncovers sufficient evidence linking someone to the crime, the police

⁸ Bhupinder Singh, Criminal Justice System and Governance in India, 3 J. Int'l Crim. L. 10 (2022).

⁹ Divya Raviya & Dilip Mevada, A Socio-Legal Study on Criminal Administration of Justice in India with Special Reference to State of Gujarat, 1 Vidya: A J. 34 (2022).

¹⁰ Vinay Kumar & Yogendra Singh, Investigation and Trial: Analysing Procedural Challenges in the Indian Criminal Justice System, 4 Int' J. Crim. Common & Stat. L. 196 (2024).

may arrest the individual. The investigation process differs for cognizable and non-cognizable offenses. In non-cognizable cases, the officer-in-charge of the police station must record the information in a book and refer it to the magistrate. No police officer is allowed to investigate a non-cognizable case without the magistrate's permission, who has the authority to try or commit the case for trial (Sec. 155 Cr.P.C). In contrast, for cognizable cases, any police officer in charge of a station may investigate the case without needing a magistrate's order, as long as the case falls within the jurisdiction of the court that can inquire into or try the case, as outlined in Chapter XIII of the Cr.P.C. (Jurisdiction of Criminal Courts in Inquiries and Trials).¹¹

3. Filing of Chargesheet:

After the investigation is finished, the police compile a chargesheet, which provides a comprehensive summary of the evidence collected, the charges levied against the accused, and the list of witnesses. This chargesheet is then submitted to the court, serving as the foundation for the trial.

4. Framing of Charges:

Once the chargesheet is received, the court reviews the evidence and determines which charges will be formally brought against the accused. The accused is then notified of the charges and given the chance to respond. They also have the right to obtain legal representation for their defense.

5. Examination of Witnesses and Cross – Examination:

During the trial, the prosecution calls witnesses to testify under oath. The defense counsel then cross-examines these witnesses to assess the reliability of their statements and dispute the evidence presented.

6. Presentation of Evidence and Arguments:

Both the prosecution and the defense are given the opportunity to present their evidence and arguments to the court. The prosecution seeks to prove the accused's guilt beyond a reasonable doubt, while the defense works to create reasonable doubt or challenge the credibility of the prosecution's case.

7. Closing Arguments and Judgment:

Once all the evidence and arguments have been presented, both parties deliver their closing statements, summarizing their respective positions.

The judge then thoroughly examines all the evidence, arguments, and legal factors before issuing the final verdict. The judgment may lead to the acquittal or conviction of the accused, followed by the imposition of a suitable sentence.

8. Quantum of Punishment:

If the judgment results in the conviction of the accused, both parties present their arguments regarding the severity of the punishment, either on the day of the judgment or on a later date set by the judge. The prosecution advocates for the maximum punishment, while the defense argues for the minimum.

9. Imposition of an Appropriate Sentence:

After hearing the arguments regarding the severity of the punishment, the judge announces the imposition of a suitable sentence based on the relevant legal provisions regarding the prescribed punishment.

10. Appeal and Revision:

If either party is unhappy with the judgment, they have the right to challenge it by filing an appeal. Higher courts, such as the High Court or the Supreme Court, examine the case to identify any errors or injustices. Furthermore, the dissatisfied party may also file a revision petition, requesting the higher court to review the legality, regularity, or fairness of the lower court's decision.

In short, stages of Administration of Criminal Justice may be summarized as below:

- i. FIR/Complaint
- ii. Investigation and Arrest
- iii. Filing of Chargesheet
- iv. Trial:
 - a. Framing of charges
 - b. Examination of witnesses and Cross Examination
 - c. Presentation of Evidence and Arguments
- v. Closing Arguments
- vi. Judgement
- vii. Quantum of Punishment
- viii. Imposition of an appropriate sentence
- ix. Appeal and revision.

IV. CONCLUSION

The administration of criminal justice in India follows a structured and systematic process designed to ensure fairness, transparency, and justice for all individuals. From the filing of the First Information

¹¹ Sec. 156. Cr.P.C.

Report (FIR) to the final judgment, the process involves various critical stages, including investigation, filing of charges, framing of charges, examination of witnesses, presentation of evidence, and the imposition of a sentence. Throughout this journey, both the prosecution and the defense have opportunities to present their case, ensuring a balanced approach. The appeal and revision processes also provide mechanisms for the correction of any errors or miscarriages of justice. Overall, the criminal justice system aims to protect public safety, uphold individual rights, and maintain the Rule of Law, reinforcing the state's responsibility to safeguard the well-being of its citizens and ensure societal order.

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