

B.A.LL.B. X SEM
SUBJECT: INDIAN JUDICIAL SYSTEM
CODE: BL-914

TOPIC: Delay in Justice, Speedy Justice Judicial accountability

There is a serious case regarding infirmity of the legal and judicial system which is responsible for this gross denial of justice to the under trial prisoners in India which is solely responsible for notorious delay in disposal of case.

It is a sad reflection on the legal and judicial system that the trial is accused should not even, commence for a long number of years speedy trial is of the essence of criminal justice and there can be no doubt that delay in trial by itself constitutes denial of justice.

Meneka Gandhi

V/s

Union of India (1978 S.C.)

Article 21 confers a fundamental right an every person not to be deprived of his life or liberty except in accordance with the procedure prescribed by law and it is not enough to constitute compliance with the requirement of that Article.

By speedy trial it is to be clearly understand that the word “Speedy” can not reasonable expeditions trial.

Babu Singh

V/s

State of U.P. (1978 S.C.)

Supreme court says that our justice system, even in grave bases, suffers from slow motion syndrome which is lethal fair trial, whatever the ultimate decision. Speedy Justice is a component of social justice since the community.

Recording the evidence by video conferencing also satisfies the object of providing in section 273 (in Cr.PC 1973), that evidence be recorded in the presence of the pleased. This it is clear that so long as the accused or his pteder are present.

Sheela Barse

V/s

Union of India (1986 S.C.)

The honourable Supreme Court has accepted right to speedy trial as a fundamental right.

Hussainara Khatoon Case 1979

Justice P.N. Bhagwati Observed –

The state can not avoid its constitutional obligation to provide speedy trial to the accused by pleading financial or administrative inability. The state is under a constitutional mandate to ensure speedy trial.,

Conclusively, the supreme court has held that a wider interpretation article of 21 of the constitution confers the right speedy trial on the accused. It is in the interest of all the concerned that the case is disposed off quickly.

Justice as they say must not only be done. But it must also seem to have been done.

For further clarification you may reach us via

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