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VICTIM COMPENSATION AND REHABILITATION UNDER THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023: A CRITICAL ANALYSIS OF LEGAL PROTECTION AND ACCESS TO JUSTICE

Abstract

The effectiveness of criminal justice cannot be assessed solely by the number of prosecutions completed or convictions secured. Crime frequently produces consequences that extend beyond the immediate incident, including physical injury, psychological trauma, financial loss, social exclusion and disruption of livelihood. Victim compensation and rehabilitation are therefore important elements of a justice system that recognises the needs of persons affected by criminal conduct. The Bharatiya Nagarik Suraksha Sanhita, 2023 contains provisions addressing compensation, victim compensation schemes and immediate medical treatment. This paper examines Sections 395, 396 and 397 of the BNSS and evaluates their role in providing financial assistance and supporting rehabilitation. It analyses the distinction between compensation ordered by a criminal court and compensation provided through a State-funded scheme, together with the relevance of interim relief and the treatment obligations imposed on hospitals for specified offences. The study adopts a doctrinal methodology based on statutory interpretation, judicial precedents and official legal materials. Decisions of the Supreme Court, particularly *Ankush Shivaji Gaikwad v. State of*

Maharashtra and *Suresh v. State of Haryana*, are considered to understand the judicial approach to compensation and rehabilitation. The paper identifies concerns relating to awareness, procedural accessibility, delay, adequacy of compensation, administrative coordination and the availability of continuing support. It argues that statutory recognition alone is insufficient unless victims can obtain timely, appropriate and accessible assistance. The paper concludes by recommending reasoned judicial consideration of compensation, effective legal aid, prompt interim relief, transparent assessment procedures and better coordination between criminal courts, legal services authorities, hospitals and welfare institutions.

Keywords: *Victim compensation; rehabilitation; BNSS, 2023; Section 396; access to justice; legal services authorities.*

Introduction

Criminal justice has traditionally concentrated on the investigation of offences, determination of guilt and imposition of punishment. These victim compensation is essential function to the rule of law. However, they do not necessarily address the practical difficulties experienced by the person who has suffered the consequences of a crime. A victim may require prolonged medical treatment, psychological support, financial assistance or protection from further harm. Where the victim was the principal earning member of a family, the consequences may also affect dependants who have not directly experienced the criminal act.

The completion of a criminal trial does not automatically restore the victim's earlier circumstances. A conviction may establish criminal responsibility, but it does not necessarily compensate for medical expenditure, loss of income, permanent disability or the death of a family member. Similarly, an acquittal or the inability to identify an offender does not mean that the victim has no continuing need for assistance. These circumstances demonstrate why victim compensation must be considered separately from the punishment imposed upon an accused person.

Victim compensation refers broadly to financial assistance intended to address loss or injury resulting from crime. Rehabilitation has a wider meaning. Depending on the circumstances, it may involve medical treatment, psychological counselling, temporary accommodation, educational assistance, vocational training, livelihood support and measures designed to restore personal independence. Compensation may contribute to rehabilitation, but the two

concepts should not be treated as identical. A financial award may be essential while still being insufficient to meet every need arising from serious injury or trauma.

The Code of Criminal Procedure, 1973 (CrPC), replaced into The Bharatiya Nagarik Suraksha Sanhita, 2023 which came into effect from 1 July 2024. Its provisions concerning compensation and victim assistance are particularly relevant to the movement towards a more victim-oriented criminal justice framework. Section 395 deals with an order to pay compensation, Section 396 provides for a victim compensation scheme, and Section 397 addresses the treatment of victims of specified offences. Section 398 separately concerns witness protection. These provisions must be understood according to their respective purposes rather than treated as a single, interchangeable remedy. [1]

The existence of statutory provisions does not, by itself, establish that victims can obtain effective relief. Their practical value depends upon awareness of the available remedies, the accessibility of the application process, the speed of administrative decisions, the adequacy of the assistance provided and the availability of appropriate rehabilitation services. A person who has suffered a serious injury may have neither the financial resources nor the legal knowledge required to navigate a complicated procedure.

This paper examines the legal framework for victim compensation and rehabilitation under the BNSS, with particular attention to the relationship between court-ordered compensation, State-funded assistance and immediate medical treatment. It also considers the judicial principles developed under the corresponding provisions of the CrPC, identifies concerns that may affect implementation and proposes measures to make the statutory framework more accessible and effective. The central argument is that compensation should not be treated as an incidental consequence of criminal proceedings. It should be considered an important part of a comprehensive response to the harm caused by crime.

2. Research Methodology

This study follows a doctrinal legal research methodology. It analyses the relevant provisions of the BNSS, examines the relationship between the present statutory framework and the earlier provisions of the CrPC, and considers judicial decisions addressing compensation and rehabilitation. Official legal materials are used to identify the statutory framework and the institutional role of legal services authorities.

The primary legal sources are Sections 395, 396 and 397 of the BNSS. The study also considers Article 21 of the Constitution of India and selected decisions of the Supreme Court concerning compensation to victims. The Tamil Nadu victim compensation framework is discussed as a practically. The research is qualitative and interpretative. It does not claim to present original interviews, field surveys or statistical findings concerning the actual rate of compensation disbursement in Tamil Nadu or elsewhere. Accordingly, the implementation concerns discussed in this paper are legal and administrative issues identified through analysis of the statutory framework, rather than claims based on original empirical data.

Three considerations guide the analysis. The first is accessibility: whether victims can understand and initiate the relevant procedure without unreasonable difficulty. The second is timeliness: whether assistance can be provided when it is needed rather than only after the conclusion of lengthy proceedings. The third is adequacy: whether the nature and amount of assistance respond to the victim's actual circumstances and rehabilitation needs. These considerations are used to evaluate the relationship between statutory entitlement and practical access to justice.

3. Statutory Framework For Victim Compensation Under The Bnss

3.1 Section 395: Order to Pay Compensation

Section 395 of the BNSS provides for an order to pay compensation in the circumstances specified by the provision. It carries forward the general approach found in Section 357 of the CrPC. Where the statutory conditions are satisfied, the criminal court may direct that the whole or part of a fine recovered be applied towards specified purposes, including compensation to a person who has suffered loss or injury because of the offence. The section also permits compensation to be ordered in circumstances where the sentence does not include a fine. [1][2]

The importance of Section 395 lies in its recognition that the consequences of an offence may require a response beyond imprisonment or another penal sanction. Punishment addresses criminal responsibility, while compensation seeks to provide financial redress to the person who has suffered harm. These purposes may complement one another, but they are not the same. The practical value of court-ordered compensation may depend upon the financial capacity of the offender, the amount recoverable and the time required to enforce the order.

Where the offender lacks sufficient resources, the amount ordered may not meet the victim's actual needs. The statutory framework must therefore be read alongside Section 396, which provides for compensation through a State scheme.

A court should consider compensation as a distinct question when the circumstances and applicable law require it. The imposition of imprisonment should not automatically be treated as a complete answer to the victim's financial loss. Equally, compensation should not be awarded mechanically without considering the statutory requirements and relevant circumstances.

3.2 Section 396: Victim Compensation Scheme

Section 396 is central to the statutory framework for victim compensation. It requires every State Government, in coordination with the Central Government, to prepare a scheme for providing funds to compensate victims or their dependants who have suffered loss or injury as a result of crime and require rehabilitation. The provision places an important responsibility upon the State to establish a mechanism through which victims can seek assistance. [1]

Under Section 396(2), where a court recommends compensation, the District Legal Services Authority (DLSA) or State Legal Services Authority (SLSA), as applicable, determines the amount in accordance with the scheme. This arrangement separates the court's role in identifying the need for compensation from the authority's role in determining the amount under the relevant scheme.

Section 396 also addresses circumstances in which compensation awarded under Section 395 is inadequate for rehabilitation. It contemplates cases that end in acquittal or discharge where rehabilitation remains necessary. The provision further permits an application to the competent legal services authority where the offender is not traced or identified and no trial takes place. These features are important because the victim's need for assistance may continue even when a conventional prosecution does not result in a conviction.

The provision prescribes a two-month period for the enquiry and award in the circumstances covered by the relevant subsections. It also provides for immediate first aid, medical benefits free of cost or other interim relief in the circumstances specified by the section. These

provisions recognise that a victim may require assistance before every aspect of a compensation claim has been finally assessed. [1]

The statutory scheme therefore serves a purpose different from compensation ordered against an offender. It provides a mechanism for State-funded assistance where the statutory conditions are satisfied and the victim requires rehabilitation.

3.3 Section 397: Treatment of Victims

Section 397 addresses the immediate treatment of victims of specified offences. It requires public and private hospitals to provide immediate first aid or medical treatment free of cost to victims of the offences listed in the provision, including specified sexual offences under the Bharatiya Nyaya Sanhita, 2023, and specified offences under the Protection of Children from Sexual Offences Act, 2012. The provision also requires hospitals to inform the police immediately. [1][3]

The significance of Section 397 is that financial or administrative concerns should not prevent the provision of the treatment covered by the statutory obligation. Immediate treatment may be crucial to preserving life, preventing complications and reducing the long-term consequences of injury.

However, the scope of Section 397 must be stated accurately. It applies to the offences identified by the provision; it should not be described as a blanket guarantee of free hospital treatment for every victim of every criminal offence. Its specific treatment obligation must also be distinguished from the wider compensation scheme under Section 396.

The two provisions may operate together. Immediate treatment addresses an urgent medical need, while compensation and rehabilitation may address continuing expenses, financial loss and other consequences. Effective administration requires the relevant institutions to understand these different responsibilities.

4. The Concept And Scope Of Rehabilitation

4.1 Rehabilitation Beyond Monetary Compensation

Rehabilitation is not limited to the payment of money. Its purpose is to assist a victim in addressing the continuing consequences of crime and, where possible, restoring personal independence and social participation.

A victim who suffers a serious physical injury may require surgery, follow-up treatment, physiotherapy and assistive devices. A survivor of sexual violence may need confidential medical services, psychological counselling and protection from intimidation or social stigma. A person who loses the principal earning member of the family may require financial assistance to meet immediate needs while also facing longer-term difficulties concerning education, housing and livelihood.

These circumstances demonstrate why the amount of compensation cannot always be evaluated in isolation. A payment may provide immediate financial relief but may not meet the full cost of long-term treatment or disability-related support. Conversely, rehabilitation services may be available through other government programmes even where a particular need is not directly covered by the compensation scheme.

The BNSS provides a statutory foundation for compensation and specified treatment. However, Sections 395–397 do not exhaustively establish every possible rehabilitation service. Depending on the victim's circumstances, support may also have to be accessed through health services, social welfare programmes, disability-related legislation, child-protection mechanisms and other applicable schemes.

4.2 Interim Relief and Immediate Needs

The timing of assistance is often as important as the amount ultimately awarded. A victim who requires urgent treatment or temporary accommodation cannot necessarily wait for the conclusion of a criminal trial. Delay may worsen the injury, increase debt or force the victim to abandon necessary treatment.

The interim-relief mechanism under Section 396 is therefore significant. It allows immediate needs to be considered within the framework and circumstances prescribed by the provision. The decision concerning interim assistance should be distinguished from the final assessment of compensation.

Interim relief should not be treated as an automatic entitlement to a predetermined amount in every case. The applicable statutory requirements and scheme must be followed. Nevertheless, where those requirements are satisfied, the possibility of immediate assistance should be considered meaningfully rather than postponed without sufficient reason.

A procedure that recognises urgency only after the final outcome of a prosecution risks defeating the purpose of victim-oriented relief. Effective implementation requires authorities to identify urgent needs early and process them in accordance with the governing law.

4.3 Compensation Where the Offender Is Unknown

A victim may suffer serious harm even where the offender cannot be identified or traced. If compensation depended entirely upon the conviction and financial capacity of a particular accused person, victims in such cases could be left without an effective remedy.

Section 396 addresses this difficulty by permitting an application to the State or District Legal Services Authority in the circumstances specified by the section where the offender is not traced or identified and no trial takes place. This is an important feature of the scheme because it recognises that rehabilitation needs do not necessarily disappear merely because a prosecution cannot proceed.

The competent authority must still apply the statutory requirements and the applicable scheme. The provision does not eliminate the need for an appropriate enquiry. Its significance is that it creates a route through which the victim may seek State-funded assistance without making a successful prosecution an absolute precondition in every case.

4.4 Acquittal, Discharge and the Need for Assistance

Section 396 also recognises that a case may end in acquittal or discharge while the victim may continue to require rehabilitation. This aspect must be understood carefully.

A compensation proceeding cannot be used to declare an acquitted person criminally guilty after the conclusion of the trial. The determination of criminal responsibility remains governed by the law applicable to the criminal proceedings. The proper approach is to maintain the distinction between criminal liability and eligibility for compensation under the applicable scheme. The authority must act within the statute and follow a fair procedure. The

victim's need for assistance should be considered in accordance with the law without turning the compensation process into an indirect criminal punishment.

5. Judicial Approach To Victim Compensation

5.1 *Ankush Shivaji Gaikwad v. State of Maharashtra*

In *Ankush Shivaji Gaikwad v. State of Maharashtra*, (2013) 6 SCC 770, the Supreme Court examined the exercise of the power to award compensation under Section 357 of the CrPC. The Court emphasised that the question of compensation requires judicial consideration and should not be treated as an incidental matter that can simply be overlooked. [4]

The decision is important because it places responsibility upon criminal courts to consider the victim's position when dealing with the consequences of an offence. A judgment upholds that the guilt and imposes punishment may still leave a question concerning the victim's suffering and loss. The Court's reasoning supports the need for a judicial approach in which compensation is considered in accordance with the law and the circumstances of the case.

The decision was delivered under the CrPC. Its relevance to the BNSS arises from the corresponding framework concerning court-ordered compensation. The statutory provisions must nevertheless be applied according to their current wording. The practical lesson is that the question of compensation should not be ignored merely because the principal issue before the court is the guilt or innocence of the accused. The could must consider that fact and circumstances while determining the compensation which will be a legally appropriate.

5.2 Suresh v. State of Haryana

Prior to the victim compensation scheme under Section 396 of the BNSS, the Supreme Court in discussed Section 357A of CrPC in Suresh v. State of Haryana (2015) 2 SCC 227, The Court explained that where the amount awarded for compensation was either insufficient or where a case was acquitted or discharged and the compensation was needed for rehabilitation purposes, the State would be entitled to the compensation. [5]

The Judgement became more important due to acknowledges that compensation awarded towards the context of an offender's case under a State scheme. Financial support by the offender may not be enough for the victim to be rehabilitated.

The Court's also highlights the importance of interim compensation. In some cases, support might be required prior to the criminal process has been concluded. If the victim has to pay significant costs in the meantime in a compensation scheme, then this can reduce the usefulness of the scheme. Like Ankush Shivaji Gaikwad, the judgement interpreted the CrPC. Its principles continue to be relevant to considering the purpose of the relevant provisions of the BNSS, with reference to the present wording of these provisions and to the State scheme.

5.3 Constitutional Values and Article 21

Life and personal liberty have been safeguarded by Article 21 of the Constitution. This guarantee has been given a broad interpretation by the judiciary with respect to human dignity and protection of life. The constitutional values can guide a practical stance to the administration of statutory remedies within the framework of victim compensation.

To state that Article 21 alone provides uniformity of compensation for all crimes is incorrect. It will depend on law and scheme as to the amount and the eligibility. The constitutional law ensure the life and dignity which also need to be ensure in statutory remedies fairly and effectively.

If a victim is unable to get immediate care due to lack of funds, they could end up with extra issues in addition to the injury. Likewise, if a person cannot complete an application to obtain assistance available under the law, he or she can not obtain it. These worries inform a scheme in which information is available, applications are acted on in a timely manner and decisions are well qualified.

The constitutional approach does not preclude a claim of verification or procedural fairness. Rather, it provides an interpretation and implementation of the current framework that treats the victim with dignity while not being beyond the statute's bounds.

6. PRACTICAL CHALLENGES IN IMPLEMENTATION

6.1 Lack of Awareness

One of the practical difficulties associated with victim compensation is that a person may not know which remedy is available or which authority is responsible for processing an

application. A victim dealing with medical treatment, police enquiries or family hardship may not be in a position to research the applicable scheme independently.

The problem is particularly serious where the victim has limited access to legal advice or is unfamiliar with the legal system. A remedy that depends on the victim independently identifying the relevant section, locating the current scheme and preparing an application may be difficult to use in practice.

Legal services authorities can contribute to this challenge by making its information and services easily available. There can also be court points of contact, as well as hospitals and police stations, to inform victims of the applicable compensation process. This information should be correct, easy to read and be aligned with the current scheme of work.

6.2 Delay in Processing Applications

Delay can undermine the purpose of compensation. The two-month period prescribed by Section 396 in the circumstances covered by the provision reflects the importance of timely decisions. However, a statutory time limit is effective only when applications are promptly registered, relevant records are obtained and responsibility for processing is clearly assigned. [1]

If an application remains unregistered, is repeatedly returned for clarification or moves between departments without a clear decision, the victim may continue to experience financial hardship despite the existence of a statutory remedy.

An effective system should provide a clear record of the application, identify the authority responsible for the next step and communicate any deficiency to the applicant. Where the law permits interim relief, urgent needs should be considered separately from the final determination of the total compensation amount.

6.3 Adequacy of Compensation

Another worry is the compensation that's offered. Different results can occur if the victims suffer from the same type of crime. One may recover after a brief recovery period, the other might suffer permanent disability, and be unable to make a living.

The factors that may be relevant include the nature and severity of the injury, the cost of medical treatment, loss of income earning ability, ongoing medical treatment, disability and age and dependency on family. The scheme to which it applies is always the prevailing regulation but it is meant to be applied in a reasoned way to the case in question.

Compensation schedules also require periodic review. Where amounts remain unchanged despite significant changes in medical costs or living expenses, their practical value may diminish. Any claim concerning the amount available in a particular case must, however, be based on the current scheme and notification rather than an outdated schedule.

6.4 Administrative Coordination

Victim assistance may involve several institutions. The police investigate the offence; hospitals provide treatment; criminal courts consider compensation and make recommendations where appropriate; legal services authorities administer the relevant scheme; and other departments may provide rehabilitation services.

If these institutions do not communicate effectively, victims may be required to approach several offices without knowing which one is responsible for the next step. A court recommendation may not result in prompt processing if the receiving authority does not obtain the necessary information. Similarly, a financial award may not address continuing needs if the victim is unaware of other available services.

Better coordination should not compromise confidentiality or the independence of the institutions involved. It should ensure that information is transferred lawfully, responsibilities are clear and victims receive accurate guidance about the available remedies.

7. TAMIL NADU AND THE ADMINISTRATION OF VICTIM COMPENSATION

The statutory framework under the BNSS is implemented through the relevant State scheme and the institutions responsible for administering it. In Tamil Nadu, the Tamil Nadu State Legal Services Authority (TNSLSA) provides information relating to victim compensation schemes. The scheme applicable to an individual case must be identified before determining eligibility, the competent authority or the amount that may be awarded. [6]

The first practical step is to distinguish the type of assistance being sought. Where the issue is compensation ordered by a criminal court, Section 395 and the circumstances of the case must be examined. Where State-funded assistance is required for rehabilitation, Section 396 and the current Tamil Nadu scheme become central. Where immediate treatment is required for an offence covered by Section 397, the hospital's statutory obligation must be considered independently.

The applicable scheme may prescribe an application procedure and specify the material required to establish the victim's identity, the incident, the nature of the injury and the relevant loss. Practitioners should check the current scheme and amendments rather than relying on an amount or procedure mentioned in an older decision or publication.

Legal services authorities can contribute significantly by explaining the process, helping eligible applicants prepare applications and coordinating with the institutions holding relevant records. This assistance is particularly important for children, persons with disabilities, survivors of sexual violence and persons who lack the resources to obtain private legal assistance.

The role of the criminal court should also be treated seriously. Where appropriate under the law, the court should consider whether compensation needs to be addressed and whether a recommendation under Section 396 is warranted. A clear record of the court's consideration can reduce the risk that the question of compensation is overlooked while the proceedings concentrate on the determination of guilt and sentence.

The two-month period prescribed by Section 396 should be treated as a meaningful statutory standard in the cases to which it applies. If a decision cannot be made within the prescribed period, the reasons for delay should be identifiable and communicated in accordance with the applicable procedure. Where interim assistance is legally available, urgent needs should not automatically be postponed until every aspect of the final claim has been resolved.

These measures would help make the State scheme more accessible while preserving the need for lawful verification and fair decision-making.

8. Recommendations For A Victim-Centred Framework

First, compensation should be considered as a distinct issue in appropriate criminal proceedings. Courts should examine whether Section 395 applies and whether a recommendation under Section 396 is required. The decision must depend on the statutory conditions and the circumstances of the case, but the question should not be overlooked merely because the court is primarily concerned with conviction and sentence.

Second, interim relief should be considered promptly where the applicable statutory requirements are satisfied. A process that fails to distinguish urgent assistance from the final assessment of compensation risks leaving the victim without meaningful support at the time it is most needed.

Third, State schemes should be made accessible through clear and current information. Victims should be able to identify the competent authority, the procedure for applying, the documents ordinarily required and the steps available if an application is delayed or rejected. The date of the current scheme and any amendments should be clearly indicated so that outdated information is not relied upon.

Fourth, legal services authorities should provide practical assistance rather than merely receive applications. Where appropriate, they should help applicants understand the scheme, obtain relevant information and identify the next procedural step. A traceable application reference and clear communication about pending requirements could reduce repeated visits and uncertainty.

Fifth, compensation decisions should be reasoned. The authority should identify the relevant criteria, the material considered and the basis for the amount awarded. Where an application is refused or a lower amount is granted, the applicant should be informed of the reasons and any remedy available under the governing law. Reasoned decisions can improve transparency and consistency.

Sixth, rehabilitation should be approached as a continuing process. Where the victim requires medical, psychological, educational, livelihood or protection-related assistance, appropriate information or referrals should be provided where available and lawful. The grant of compensation should not be treated as proof that every rehabilitation need has been met.

Seventh, the adequacy of State schemes should be reviewed periodically. Review should consider changes in medical costs, the consequences of permanent disability, the needs of dependants and barriers faced by economically disadvantaged applicants. Any revision must be undertaken through the appropriate legal and administrative process.

Eighth, implementation should be monitored through reliable aggregate information. Relevant indicators may include the number of applications received, the time taken to decide them, the number of interim-relief decisions, the amount actually disbursed and the number of pending applications. Such reporting should protect victims' identities and confidential information.

Finally, the treatment obligation under Section 397 should be supported by clear hospital procedures and staff awareness. Personnel should understand which offences are covered and how immediate treatment and the obligation to inform the police operate under the law. Treatment should not be delayed by avoidable administrative confusion concerning payment or responsibility.

These recommendations seek to improve the practical operation of the existing statutory framework. They do not assume that every proposed measure is already a legal duty under the BNSS; some would require administrative action, scheme revision or further policy development.

9. Conclusion

Victim compensation and rehabilitation are important elements of a criminal justice system that recognises the consequences of crime beyond the determination of criminal responsibility. Sections 395, 396 and 397 of the Bharatiya Nagarik Suraksha Sanhita, 2023, address different aspects of this responsibility. The provisions should not be treated as interchangeable. Court-ordered compensation, State-funded assistance and immediate medical treatment respond to different needs. Their combined importance lies in the possibility of addressing both the immediate consequences of crime and the longer-term difficulties that victims may experience.

The judicial reasoning in *Ankush Shivaji Gaikwad* and *Suresh* highlights the importance of considering compensation and recognising the role of State-funded rehabilitation. Although

those decisions interpreted the CrPC, their principles remain relevant to understanding the corresponding framework under the BNSS, subject to the current statutory language and applicable scheme.

The effectiveness of the statutory framework ultimately depends upon implementation. Limited awareness, procedural complexity, delay, inadequate information and fragmented administration can prevent victims from receiving assistance when it is needed. The existence of a statutory entitlement is therefore only the beginning. The relevant institutions must make the procedure accessible, process applications within the applicable time frame and provide reasoned decisions.

This paper has argued that compensation should be viewed as part of a wider process of rehabilitation. Financial assistance may be indispensable, but it may not alone restore health, livelihood, personal security or social participation. A victim-centred framework must therefore combine lawful compensation procedures with accessible legal assistance, timely interim relief, appropriate referrals and continuing attention to rehabilitation needs.

The BNSS provides an important statutory foundation for this approach. Its promise will be realised only when the institutions responsible for administering it translate legal provisions into timely, fair, adequate and respectful assistance. Justice should not end with the pronouncement of a judgment while the victim remains unsupported in dealing with the consequences of crime.

References

[1] The Bharatiya Nagarik Suraksha Sanhita, 2023, Act No. 46 of 2023, §§ 395–398.

[2] The Code of Criminal Procedure, 1973, Act No. 2 of 1974, §§ 357 and 357A.

[3] The Protection of Children from Sexual Offences Act, 2012, Act No. 32 of 2012.

[4] *Ankush Shivaji Gaikwad v. State of Maharashtra*, (2013) 6 SCC 770.

[5] *Suresh v. State of Haryana*, (2015) 2 SCC 227.

[6] Ministry of Home Affairs, Government of India, *New Criminal Laws*, official statutory materials. Available at: https://www.mha.gov.in/en/commoncontent/new-criminal-laws

[7] India Code, *The Bharatiya Nagarik Suraksha Sanhita, 2023*. Available at: https://www.indiacode.nic.in/indiacode/handle/123456789/20099?view_type=browse