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Speedy trial and its role in the administration of justice in India

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Abstract
The right to speedy trial is an integral part of the right to life and personal liberty under Article 21 of the Indian Constitution. It ensures that every accused gets a fair opportunity to be judged within a reasonable time period. The Indian criminal justice system, however, is facing a lot of issues due to long investigations by the police, long delays in hearings, slow submission of witnesses and evidence, lack of judges, and an increase in pending cases. These delays not only affect the accused but also the victim, witnesses, and the entire society. An unsuspecting person may be sent to jail, face financial issues, lose their reputation, and face a lot of emotional distress while waiting for the outcome of their trial. The victim may not get justice in a timely manner and may lose faith in the court system. This research paper analyses the meaning of the right to speedy trial, its importance under the Constitution, and the laws supporting it in India. It focuses on Article 21 and judgments relating to this right. It also analyses the major reasons and effects of delays in criminal cases and evaluates how effective the current laws and judgments are in solving these issues.

Keywords: Right to speedy trial, Article 21, Indian Constitution, right to life and personal liberty

Introduction

Aim

To understand the impact fast trials have on the Indian Criminal Justice System and how quickly cases are dealt with helps protect individuals' rights, ensure justice for all, and improve the court system.

Objectives

1. To understand the concept and importance of speedy trial.
2. To analyse the constitutional and legal provisions regarding the right to a speedy trial in India.
3. To analyse the effect of speedy trial on the accused, victims, and society.
4. To analyse the ways in which speedy trials can help reduce the pendency of cases in the courts and examine significant judgments in relation to the right to a speedy trial.
5. To understand the challenges faced while ensuring the speedy disposal of cases in the courts in India.
6. To Provide suggestions and modifications that can be made to improve the functioning of the court system so that people can receive justice quickly.

The Concept of Speedy Trial

This means that anyone accused of a crime will have the right to have a quick trial. Speedy trials aim to ensure that justice is served in a fair and quick manner. If there were long delays in the trial, it would cause issues for the accused, victims, witnesses, and society as a whole. The phrase ‘justice delayed is justice denied’ demonstrates the importance of ensuring criminal cases are dealt with quickly. Long trials can cause the accused to be held in jail for longer periods of time, witnesses may no longer be available, key evidence may be lost, and victims may suffer long-term emotional and financial issues. Quick trials are therefore important to ensure people have faith in the court system.

The Constitutional and Legal Provision Relating To the Right to Speedy Trial in India

The right to a speedy trial is mostly considered to be an intrinsic part of Article 21 of the Indian Constitution, which guarantees every individual the right to life and liberty. The Supreme Court has interpreted Article 21 to include the right of a person accused of a crime to have their matter concluded within a reasonable time frame. Although the words ‘speedy trial’ are never mentioned within the Constitution itself, the courts have recognised it as a vital aspect of a fair, just, and reasonable trial. Within the Code of Criminal Procedure, 1973 (CrPC), there are various procedures in place to guarantee speedy trials of criminal matters. However, with the introduction of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), there are various new laws that have been put into place to reform criminal procedures. This aims to increase the speed of the process and prevent delays. Other provisions of the Constitution also help in this matter. Article 14 guarantees equality before the law and equal protection of the law. Article 39A states that the government should take steps to secure justice for all and provide free legal assistance when required. This therefore works in conjunction to allow the main aim of justice being accessible and timely to be achieved.

The Impact of Speedy Trial on Accused Person, Victim, Society

- **Effects on accused persons**

The speed of the trial is important to protect the accused’s freedom and reduce the stress placed upon them. An innocent person should not have to wait for an extended period of time whilst their case is being dealt with. If they are in jail, the importance of having a quick trial is even greater.

- **Effects on victims**

Those who have been affected by crime often have issues with their mental health and finances. A long trial can cause

more stress and trauma. Having a quick trial within the courts can allow victims to gain justice, money, and peace of mind more quickly.

- **Effect on society**

Having quick trials increases people's confidence in the court system. Having a reasonable amount of time to complete criminal cases shows that the legal system can protect people's rights and appropriately punish criminals. However, having a quick trial does not mean the trial is rushed. The aim is to ensure fairness and efficiency so that both the accused and the victim have a proper opportunity to be heard.

The Role of Speedy Trial in Reducing Judicial Delays and Case Backlogs

One issue within the Indian court system is that there are a large number of cases that are still awaiting trial. Delays in cases can cause long legal processes and prevent individuals from receiving a fair trial. Quick trials can help prevent this by ensuring that criminal cases are processed quickly through all stages, including evidence checks, charging, questioning witnesses, arguments, and a decision being made. Courts can be more efficient by having good case management, more technology, prompt investigations, enough judges, and good court facilities. Utilising e-Courts, online submissions, video calls, and digital systems can help reduce delays. However, there should be fewer delays and disruptions to court proceedings. This will help speed up trials and therefore reduce the number of cases that are awaiting trial, improving the justice system overall.

Important Judicial Decision Concerning the Right to Speedy Trial

The Supreme Court of India has played an important role in establishing and improving the right to a speedy trial.

One of the most important cases relating to the right to a speedy trial is the case of Hussainara Khatoon v. Home Secretary, State of Bihar (1979)[1]. In this case, the Supreme Court had realised that the right to a speedy trial was an integral part of the right to life and liberty as protected by Article 21. The case explained that undertrial prisoners could be stuck within prison for long periods of time.

A ruling was also given in 1992 within the case of A.R. Antulay v. R.S. Nayak[2], where the Supreme Court had emphasised the importance of a speedy trial by stating that it should apply at different points throughout the criminal process and unreasonable delays would amount to a violation of Article 21. However, it was stated that each criminal case is unique; therefore, there cannot be a fixed time frame for all cases

Another ruling was given in 2002 in the case of P. Ramachandra Rao v. State of Karnataka[3]. The Supreme Court analysed whether fixed time frames could be set by courts for criminal trials to be concluded. However, the court stated that strict and universal time frames could not be accepted. It emphasised that "unreasonable delay" would depend on the circumstances in each case. These rulings demonstrate that the courts are still attempting to strike a balance between having cases dealt with quickly and ensuring they are done fairly and properly.

Identify the Challenges in Ensuring the Speedy Trials in Indian Court

- There are a large number of cases to be heard.
- There is a lack of judges, so those who are available have a heavy workload.
- Hearings can often be delayed, meaning the trial takes longer.
- Investigations can take too long to complete.
- Evidence can be slow to be gathered, and charges can be slow to be formalised.
- Witnesses may not turn up, move away, or may not be available.
- The court may not have enough space, staff, or technology.
- There are many rules to follow and steps to take within legal processes, meaning delays may occur.
- Judges and prosecutors often move around, meaning disruption to cases.
- Forensic reports are pending, so cases cannot move forward.
- Unnecessary legal actions and appeals can cause criminal cases to take longer to resolve.

Suggest Suitable Reforms and Measure for Improving the Efficiency of the Judicial System and Ensuring Timely Justice

1. Additional judges and court staff can be employed to help deal with the large number of cases. This will allow the courts to be run more efficiently, and cases will be concluded more quickly. Courts should be strict with granting adjournments and try to conclude cases as quickly as possible. The police should be well-staffed, trained, equipped, and supported to ensure they conduct their investigations correctly and quickly.
2. Improving the forensic system by increasing the number of laboratories can help reduce delays caused by waiting for reports.
3. Implementing e-filing, virtual hearings, digital case files, and electronic summonses can help speed up the court processes and reduce delays. Alternative dispute resolution should be used where possible. Using methods like mediation and plea bargaining can help reduce the workload of the courts. This can allow the courts to focus on older cases and produce good witness examination and argument conclusion plans.
4. Ensuring that those who cannot afford a lawyer still have access to quality legal help. This will mean that they will not be delayed due to financial issues. Improving cooperation between the police, prosecution, forensic teams, prisons, and courts can help reduce delays in the legal process.
5. Regularly monitoring cases that are outstanding will help identify why delays are occurring. This can allow the courts to make improvements. The main aim should be not only to conclude cases quickly but also to ensure justice is served in a timely, fair, and correct manner. The Indian criminal justice system needs a fair process to make things run more quickly without removing the rights of those involved, such as the accused, victims, and witnesses.

Review of Literature

1. Ganesh Shrirang Nale, "Right to Speedy Trial: A Critical Study" (2025) Ganesh Shrirang Nale provides an insight into the Right to Speedy Trial. The study provides an overview of how the Right to Speedy Trial has been developed in the Indian Constitution and case law. It recognises that although the Right to Speedy Trial is not explicitly mentioned in the Constitution, it is recognised as an important aspect of Article 21. It explores how the Right to Speedy Trial relates to fair justice, correct legal processes, and respect for human dignity. It also highlights how there are significant issues in the system, such as slow processes in the courts and inefficiencies. The study recognises that improvements are needed to ensure that justice is delivered in a timely manner while ensuring that the criminal justice system is fair.
2. The Law Commission of India looked into the issue of delays in criminal cases and recognised the importance of timely and fair justice. The analysis recognises that unreasonable delays would go against the requirements of a fair and reasonable process as required under Article 21. The Commission also outlines the court decisions that have established the right to a speedy trial as a constitutional right. This demonstrates that there is a need for sufficient courts, judges, staff, and facilities to reduce delays in the system. This research is therefore important as it links the constitutional right to a speedy trial with the real changes that are needed in the criminal justice system.
3. Hussainara Khatoon v. Home Secretary, State of Bihar (1979) This decision is recognised as a key milestone in recognising the right to a speedy trial in India. The Supreme Court looked into the situation of prisoners who had been detained for long periods of time without their trials being completed. The court recognised that a speedy trial was a key aspect of the fundamental right to life and personal liberty as outlined in Article 21. It recognised that delays in criminal cases could be seen as a breach of fundamental human rights. This therefore provided the basis for future judicial decisions on the right to a speedy trial.
4. A.R. Antulay v. R.S. Nayak (1992) This case was dealt with by the Supreme Court in detail, and the court made it clear that the right to a speedy trial could encompass investigation, inquiry, trial, appeal, revision, and retrial. The court also recognised that reasonable delay would depend on the facts of the case. Factors such as the nature of the offence, the number of accused/witnesses, and the busyness of the court may all be considered. Key guidance was provided regarding determining whether a delay amounts to a breach of Article 21.
5. P. Ramachandra Rao v. State of Karnataka (2002) The Supreme Court, in this case, considered whether it should set time limits on how long criminal cases should take to complete. The court made it clear that it wouldn't set a strict time limit for all criminal cases. The court recognised that every case has different levels of complexity. However, the decision also reminded the courts that they must ensure individuals' right to a speedy trial. Therefore, this judgment highlighted the importance of balancing the need for speedy trials while also ensuring that everyone gets a fair trial.
6. Current judicial trends have shown that the constitutional right to a speedy trial is an important right. When dealing with bail applications, the Supreme Court has considered the impact delays in trials can have. Recent considerations and decisions have shown that not only does the need for a speedy trial benefit the accused but also victims and society as a whole. Delays cause victims prolonged uncertainty and can lead to a loss of public confidence in the justice system. This shows that speedy adjudication is now seen as an important part of a strong justice system.
7. In their 77th Report (1978–1979), the Law Commission of India investigated the issue of delays and backlog of cases in trial courts. This report highlighted that delays in trial courts are a major issue affecting the proper administration of justice. The report details how trial courts function and outlines the reasons as to why there is such a large number of unresolved cases. This report is significant as it shows that delay is not a new issue and has been a major issue for many years. The report will help to demonstrate that changes need to be made to the structure and functioning of the courts to improve trial courts.
8. The Law Commission of India investigated the issue of delays and backlog of cases in High Courts and other appellate courts. In their 79th Report, they noted that delays in higher courts can have a large impact on the provision of justice. If it takes a long time to resolve cases at an appellate level, it causes delays in the termination of the legal dispute. This report provides key insights into how slow the courts are and makes it clear that improvements need to be made to improve how the courts function and handle cases.
9. In their 221st Report, Need for Speedy Justice – Some Suggestions (2009), the Law Commission of India focuses on the importance of speedy justice and suggests ways to improve the efficiency and effectiveness of the legal system. The report states that delays can cause problems in achieving the aim of court cases and cause people to lose confidence in the courts. The report discusses changes that have been made to improve how the court system functions. This report is particularly significant for this study as it links the concept of speedy justice to actual changes in how institutions function.
10. The Law Commission of India, in its Report No. 239 (2012), examined the importance of speedy trials and speedy disposal of criminal cases involving public figures. It highlights the importance of not delaying criminal cases on the basis of the status of the person involved and also the importance of a speedy inquiry as part of the right to speedy justice. The importance of this report is that it demonstrates that the need for speedy disposal requires efficiency not just in the courts but also during the investigation stage.
11. Hussainara Khatoon v. State of Bihar This case was a landmark in speedy trial jurisprudence in India. It was held by the Supreme Court that the right to a speedy trial is part of the fundamental right to life and personal liberty under Article 21. This case highlighted the issues faced by undertrial prisoners and their long periods of detention. It was held that the State has a duty to provide a procedure to ensure criminal cases are not delayed.

12. A.R. Antulay v. R.S. Nayak This case greatly developed the law on speedy trials. The Supreme Court held that the right to a speedy trial does not just apply to the trial itself but also to each stage of the criminal process. It was also highlighted that determining whether a delay is unreasonable requires looking at the facts of each case, so there is no set formula. This case provides a key framework for determining if a delay is unreasonable under Article 21.
13. P. Ramachandra Rao v. State of Karnataka In this case, the Supreme Court again considered the issue of delays in criminal proceedings. The Court stated that a strict time limit cannot be imposed on criminal cases as every case is unique. Some cases will be more complex, with more witnesses, different types of crime, and other unique circumstances. However, it was again emphasised that having a speedy trial is an important factor. This decision ensures that there is a fair balance between clearing old cases in a timely manner whilst ensuring that everyone receives a fair trial.
14. The recent rulings from the Supreme Court show that the right to a speedy trial remains an important part of the constitutional safeguards. The Court has stated again that a speedy trial is an important part of Article 21 and that excessive delays can cause an unfair criminal process. The Court has also acknowledged that long criminal cases can cause serious issues for the accused and can make it difficult to ensure they receive fair justice. Recent rulings show that the right to a speedy trial remains an important part of the Constitution.

Research Methodology

This research adopts a doctrinal approach to explore the principle of a speedy trial and its significance in the criminal justice system of India. It explores constitutional provisions, statutes, case law, and literature relating to the right to a speedy trial. The research is largely based on secondary sources, including the Constitution of India, criminal statutes, case law from the Supreme Court and High Courts, books, legal journals, research papers, government reports, and reliable online legal resources. The research is descriptive and analytical in nature. It provides an overview of the current legislation relating to a speedy trial and explores the problems and challenges faced in causing delays in the criminal justice system. The research includes an overview of the scope of the research. This research will largely focus on the Indian legal system, exploring constitutional provisions relating to a speedy trial (Article 21), associated criminal statutes, case law, and potential reforms to increase the speed of criminal cases. A qualitative approach has been used to analyse the information collected. This research explores previous case law and legislation to provide an understanding of how the right to a speedy trial has evolved and how effective it has been. A limitation of this research is that it has been largely based on secondary literature, and therefore, there is not a large amount of empirical research. The effectiveness of the suggested reforms will depend on the state of the judicial system, availability of resources, and how consistently they are applied throughout the justice system.

Data Analysis and Findings of the Study

1. Delays within the judicial system are a significant problem faced by the Indian judicial system. There are many cases that are outstanding at various stages within the court system, meaning there are long delays in delivering justice. The government recognises the importance of reducing delays in processing cases and has implemented several strategies. These delays are often worse in criminal cases, as they can affect the freedom of the accused, the rights of victims, and the ability to locate witnesses and evidence. This therefore means that reducing the number of outstanding cases is directly linked to the constitutional right to deliver justice fairly and in a timely manner (Article 21).
2. The study includes a list of reasons why criminal cases take longer than expected to be dealt with. These include a lack of judges and staff in court, a large number of outstanding cases, courts often delaying hearings, slow police investigations, delays in filing charges and documents, witnesses not attending, slow forensic reports, issues with court procedures and processes, many legal steps being taken between court decisions, and poor court facilities. These issues often occur together, causing problems with the courts delivering timely trials.
3. Delays in criminal cases can have a large impact on the accused. The accused can experience social embarrassment, financial issues, and psychological pressure for many years. If the person is in jail awaiting trial, delays in the legal process can mean they spend a long time in jail. The right to a speedy trial helps to protect people from unfair imprisonment. It does not only help the accused but also ensures that criminal cases are dealt with in a timely and fair manner whilst ensuring that the procedures of fair trials are followed.
4. Delayed processes will have a negative impact on crime victims. Victims may feel stressed and uncertain during the lengthy process. Witnesses may also struggle to come forward or may forget details, leading to weaker evidence. By ensuring that cases are dealt with as quickly as possible, the rights of the accused individuals can be protected, and victims can be given fair and realistic justice.
5. Fast Track Courts and Fast Track Special Courts have been created to speed up specific cases. There are now many operational Fast Track Special Courts (some of these are specialised to deal only with POCSO cases), but there is still a large amount of outstanding work. This shows that specialist courts can help cases be dealt with more quickly, but simply creating more courts isn't enough. There must be an adequate number of judges, prosecutors, staff, and facilities, along with regular monitoring.
6. Technology plays a large role in speeding up the justice system. By using electronic filing, digital records, online court appointments, digital notifications, and online case management, delays caused by documentation can be reduced, and the court process can be made more accessible. Government projects have been put in place to improve court facilities and technology.

Recommendation

1. The number of judges should be increased. Not having enough judges is one of the main reasons why many cases are taking a long time to be resolved. More judges and support staff should be employed, particularly in busy criminal courts. If there are enough staff in the courts, it will help improve workload management and speed up cases.
2. Reduce unnecessary adjournments. Unnecessary and frequent adjournments should be strictly limited. Courts should have a regular schedule for holding hearings, especially when there are witnesses involved and evidence to examine in criminal cases. This can improve case flow.
3. Improving the police force to aid their investigations will ensure that criminal cases start on time. However, if they take too long to investigate, this can cause delays.
4. Police departments should have enough staff, proper training, good technology, and the necessary equipment so that they can complete their investigations and produce the required reports within the given time frame. Forensic evidence is becoming more important in solving crimes and conducting criminal investigations. The government should invest in building more forensic labs and employing enough experts to ensure that forensic reports are not delayed.
5. Technology should be introduced into the judicial system, such as e-filing, electronic case files, video conferencing, electronic summons, and case management systems. The government recognises the importance of the e-Courts Mission Mode Project.
6. Fast Track Courts and Fast Track Special Courts can be used to help resolve certain cases. They can be improved by having enough judges, prosecutors, staff, and proper facilities. There are hundreds of operational Fast Track Special Courts as of 2026 (Department of Justice), which shows that they are still being used to speed up legal cases.
7. Give priority to old and long-pending cases.Cases that have been waiting for several years should be dealt with first. The Supreme Court's plan to reduce backlog in the district courts focuses on handling old cases first and lowering the pile of pending matters.
8. Courts need to use better case management systems by setting realistic timeframes for each step of the legal process. Finding problems early, checking with witnesses on time, and planning arguments properly can help cut down on unwanted delays.
9. People who can't pay for a lawyer should have access to good legal help. Legal help should be given early on so that not having a lawyer doesn't cause the process to take longer.
10. To ensure quick justice, different agencies like the police, prosecutors, courts, forensic labs, prisons, and legal aid offices need to work together smoothly. Better teamwork can help avoid delays when bringing in people accused of crimes, witnesses, papers, and forensic evidence.
11. Courts need to keep checking on cases that are still waiting to be heard and find out exactly why they are taking so long. Cases that have been waiting for an unusually long time need to be checked again, and proper actions should be taken to resolve them quickly.
12. Make sure speed doesn't mean a trial is rushed or unfair. The goal is to make sure justice is done on time while making sure the rights of the accused, victims, and witnesses are protected. Speed and fairness need to work together when handling criminal cases.

Conclusion

The right to a speedy trial plays a vital role in the dispensation of justice in India. Although there is no mention of the phrase “speedy trial” within the Constitution, the Supreme Court has always held this to be an important aspect of the fundamental rights to life and personal liberty under Article 21. Without a process that allows for a fair and timely trial, this would be an unfair, unjust, and unreasonable process. This study highlights how delays in criminal cases affect the accused, victims, witnesses, and society as a whole. The accused will suffer due to lengthy procedures by being worried, facing financial issues, experiencing embarrassment within society, and, in some cases, being held in custody for a long period of time before trial. The victim will suffer due to delays, as they will continue to suffer for longer and will not receive true justice in a timely manner. The Supreme Court has also recently stated that a speedy trial is beneficial to the victim and that there can be negative impacts on society if there are too many delays.

The case law analysed throughout this study shows how the right to a speedy trial has developed. The cases of Hussainara Khatoon, A.R. Antulay, and P. Ramachandra Rao have provided key principles regarding how the Constitution ensures that criminal cases are dealt with in a timely manner. The right to a speedy trial can include investigation, inquiry, trial, appeal, revision, and retrial.

This study shows that there are many reasons why there can be delays within the courts. These include a lack of judges, a large backlog of cases, repeated adjournments, slow investigations, the unavailability of witnesses, delays in forensic work, and poor infrastructure. Simply knowing that there is a right to a speedy trial within the Constitution is not enough. For the right to be effective, there must be strong institutions in place, good case management, and clear accountability throughout the criminal justice process.

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