One Year of New Criminal Laws

Posted at: 02/07/2025

One Year of New Criminal Laws: Reform, Reality, and Road Ahead

---

Context

India undertook a landmark legal reform by replacing the colonial-era criminal laws — the Indian Penal Code (IPC), the Criminal Procedure Code (CrPC), and the Indian Evidence Act — with three new legislations:

- **Bharatiya Nyaya Sanhita (BNS)**

- **Bharatiya Nagarik Suraksha Sanhita (BNSS)**

- **Bharatiya Sakshya Adhiniyam (BSA)**

These laws came into effect on **July 1, 2024**, with the objective of making the criminal justice system more citizen-centric, technology-driven, and efficient.

FIRs Filed Under New Laws

- From **July 1, 2024 to June 25, 2025**, a total of **35,18,544 FIRs** were registered under the Bharatiya Nyaya Sanhita (BNS), as per the Ministry of Home Affairs (MHA).

- In comparison, **35,61,279 FIRs** were filed in 2022 and **36,63,630 FIRs** in 2021 (NCRB data).

- The consistency in numbers indicates a smooth transition and operational continuity under the new legal regime.

Key Provisions in New Criminal Laws

- Complaints can now be filed from any location, including through **online platforms**

- Summons can be issued **electronically via SMS**

- **Videography of crime scenes** made mandatory in all heinous crimes

- Punishment for **gang rape** includes **20 years imprisonment**, with **death penalty** if the victim is under 12

- **Mob lynching** is recognised as a specific criminal offence

- **Trial in absentia** permitted for fugitive criminals

- Obsolete offences such as **homosexuality, adultery, attempt to suicide,** and **sedition** have been repealed

- Section 152 of BNS replaces sedition law by criminalising attempts to incite **secession, armed rebellion, or subversive acts**

Capacity Building and Training

- Out of around **20 lakh police personnel**, approximately **8.6 lakh** have been trained on the new criminal laws

- Training modules focus on **procedural reforms, digital evidence collection**, and **updated legal provisions**

Strengthening Forensic Support

- **2,649 forensic experts** have been recruited on a contractual basis

- An allocation of **₹215.66 crore** has been made for **modernising Forensic Science**

Laboratories (FSLs) in **24 States/UTs**

Enhancing Digital Infrastructure

- Major focus on increasing the capacity for **electronic evidence storage**

- New digital tools are being adopted to ensure compliance with **BNSS mandates**

- Modernisation aims at faster and standardised handling of digital evidence

---

Digital and Institutional Ecosystem

Inter-operable Criminal Justice System (ICJS):

- An integrated digital platform connecting:

  - Police (CCTNS)

  - Courts (e-Courts)

  - Jails (e-Prisons)

  - Forensics (e-Forensics)

  - Prosecution (e-Prosecution)

Upgraded CCTNS Portal:

- Allows **online FIR registration** and **real-time crime tracking**

Nyay Setu Platform:

- A new digital interface to streamline coordination between police and other agencies

iGOT Karmayogi Portal:

- Offers targeted training to police officers, including SHOs, IOs, and computer operators

Use of QR Codes:

- Applied to track property and messenger details to ensure **chain of custody**

---

e-Sakshya App: A Game-Changer in Evidence Handling

- Developed by NIC in collaboration with MHA

- Enables recording of **audio-video evidence** with **geo-coordinates and timestamps**

- Features include:

    - Mandatory for **serious offences under BNSS**

    - Selfie requirement for IOs to prevent delegation

    - Ensures **on-site forensic expert presence** at crime scenes

---

Challenges in Implementation

- Courts currently do not have direct access to photos and videos stored on the **National Government Cloud (NGC)** via ICJS

- Despite digital access, IOs still need to **submit evidence manually** through pen drives

- Some police stations have only **one tablet**, insufficient for multiple IOs

- IOs often rely on **personal smartphones**, which may not meet technical requirements

- Each video is capped at **4 minutes**, and faulty uploads cannot be deleted or managed under current FIR-linking features

Way Forward

- Need for structured **feedback mechanisms** from police departments and IOs to improve implementation

- Resolve legal challenges related to **judicial access to digital evidence**

- **MedLEaPR system** under pilot in Chhattisgarh will enable digital transmission of medico-legal and post-mortem reports via CCTNS

- Additional investment required in:

  - Expanding forensic infrastructure

  - Upgrading ICT systems

  - Deploying **mobile FSL units** at the district level