

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4367

ANSWERED ON:06.09.2012

LEGAL SYSTEM

Singh Shri Rajiv Ranjan (Lalan);Thamaraiselvan Shri R.

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) Whether the Government has taken note that our legal system makes life easy for criminals and too difficult for the law abiding citizens;
- (b) If so, the details thereof;
- (c) Whether this observation made by the Hon`ble Supreme Court in regard to judicial system;
- (d) If so, the details thereof; and
- (e)The steps proposed to be taken up by the Government to address these issues?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

(a) to (d): Yes, Madam. The observation that our legal system has made life too easy for criminals and too difficult for law abiding citizens has been made by Hon`ble Supreme Court in their judgment dated 17.8.2012 in the matter of Ranjan Dwivedi Vs. CBI in the context of inordinate delay in criminal trial for assassination of late Shri L. N. Misra, the then Railway Minister in January, 1975. In the same judgement, the Hon`ble Supreme Court has also observed that our system has not failed, but the accused was successful in dragging on the proceedings.

(e): Expeditious disposal of pending criminal cases under trial is within the domain of the judiciary. Under the Constitution control over district and subordinate courts vests in the High Courts having jurisdiction over such courts. Necessary provisions have been made in the Code of Criminal Procedure to, inter alia, avoid frequent adjournments and ensure expeditious court proceedings. The Hon`ble Supreme Court has also observed that it is for the criminal court to exercise powers under various provisions of law to effectuate the right to a speedy trial.