

The background of the journal cover features a top-down view of a desk. On the left, there is a pair of black leather brogue shoes. In the center, an open notebook with lined pages and a silver pen lies on a light-colored wooden surface. To the right, a black leather bag is partially visible, and a black leather watch with a silver dial is placed on the desk. A large, semi-transparent white rectangular box is centered over the image, containing the journal's title and ISSN information.

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JUVENILE JUSTICE SYSTEM IN INDIA: BALANCING REHABILITATION AND PUNISHMENT

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Abstract

The juvenile justice system in India is grounded in the principle that children in conflict with law require care, protection, and rehabilitation rather than punishment. However, recent legal developments have introduced punitive elements. This paper examines whether the system balances rehabilitation and punishment effectively.

Introduction

Children represent the future of any nation. The juvenile justice system in India is based on the understanding that children lack the maturity of adults and are more capable of reform. Unlike the traditional criminal justice system, it emphasizes rehabilitation and reintegration.

Constitutional and Legal Framework

The Indian Constitution provides a strong foundation for child protection through Articles 14, 15(3), 21, and 39(f). The Juvenile Justice Act, 2015 governs juvenile justice and introduces provisions allowing certain juveniles to be tried as adults.

Rehabilitation Approach

Rehabilitation focuses on reform through education, counseling, vocational training, and reintegration. It aims to address the root causes of delinquency and reduce recidivism.

Punitive Shift

The 2015 Act allows juveniles aged 16–18 involved in heinous offences to be tried as adults. This shift has been criticized for undermining the reformatory philosophy of juvenile justice.

Empirical Analysis

Data shows juveniles account for a small percentage of crimes, and most offences are non-heinous. Socio-economic factors play a major role in juvenile delinquency.

Judicial Approach

Courts emphasize child-friendly justice and rehabilitation. They stress that detention should be a last resort and the best interests of the child must be prioritized.

Challenges

Challenges include lack of infrastructure, trained professionals, delays, and social stigma affecting reintegration.

International Perspective

India follows UNCRC principles emphasizing rehabilitation and minimal use of detention. The punitive shift raises compliance concerns.

Conclusion

The juvenile justice system must balance rehabilitation and punishment. A child-centric approach is essential to ensure justice and societal well-being.



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