



Rise in crimes against women, children in Mumbai in 2019-2020: Praja Foundation report

The variety of rape circumstances in Mumbai went up from 728 in 2015-2016 to 904 in 2019-2020 (a 24% enhance), in accordance with the city-based Praja Foundation report launched on Thursday, which said that there was a rise in crimes in opposition to ladies and kids.

A complete of two,145 molestation circumstances had been registered in 2015-2016, as in opposition to 2,677 in 2019-2020, a rise of 25%. The report said that youngsters had been victims in 61% of the rape circumstances in Mumbai in 2019.

According to the report, probes in 67% of the 15,654 crimes in opposition to ladies, and 73% of the 11,268 crimes in opposition to youngsters had been pending. It additionally said that 61% investigations (3,039 circumstances) below the Protection of Children from Sexual Offences (POCSO) Act had been pending.

The report additionally said related pendency throughout courts in Mumbai — 94% of the 23,791 circumstances associated to crimes in opposition to ladies had been pending in courts, whereas 92% of the 8,126 circumstances of crime in opposition to youngsters had been pending in courts. 89% of the 4,250 circumstances below POCSO Act, too, was pending in courts, said the report. Also, the report said that of the 222 circumstances tried in 2019, solely 20% had been completed inside a 12 months. Section 35 of the POCSO Act states that the court docket ought to full the trial inside one 12 months of cognisance of the offence.

“There are multiple reasons for trials to be delayed. Increase in cases and shortage of police personnel are among them,” mentioned Jennifer Spencer, challenge coordinator at Praja Foundation.

Former chief public prosecutor of Mumbai periods court docket, Kalpana Chavan, mentioned that circumstances will get delayed majorly as a result of courts are overburdened. “There are lots of factors responsible for delay. Sometimes, witnesses are not available or cannot come on a particular date. Or, at

times, either the public prosecutor or defence lawyers are not available, or the courts could be busy in some other cases. There is no single factor for delay in conducting trials,” Chavan mentioned.

Similarly, Chavan identified a number of elements accountable for low conviction price. “In a criminal case, the most important thing is preparation of a case and case papers of investigation. The police officer has to make sure that he has prepared all documents as per mandatory provisions. At times, for technical reasons, the accused gets the benefit of doubt,” Chavan mentioned.

he key level is punchnama in felony trials. According to the Indian regulation, the investigating officer has to grab a chunk of proof in entrance of an impartial witness which can be referred as punchas and a doc is ready below their signature on how a chunk of proof is collected from the scene of offence. If that is defective, the method of assortment of proof is invalidated, Chavan identified.

While speaking on crimes in opposition to girl, Chavan mentioned, Many of the circumstances filed are circumstances of relationship went unsuitable. “There is a rise in cases wherein a relationship went wrong and women file a complaint of rape out of revenge. These kind of cases result in acquittal as the parties at the end make a settlement out of court,” Chavan mentioned.

Flavia Agnes, a ladies’s rights lawyer and pioneer of the ladies’s motion in India centered on problems with gender and regulation reforms, mentioned, “Trial is the last part of the journey which starts after a year or two. And by that time, everything is settled. In most cases, investigation is not done properly, which results in lower conviction rates.”

The sufferer faces so many issues on the time when a case is registered, and likewise through the trial. But there isn’t a one to help them, mentioned Agnes.

“There is not support system for the victim after the incident. We need to provide support to the victims, which we do not have. The support system should be improved,” mentioned Flavia.

RC Chavan, former decide, Bombay excessive court docket (HC), who joined the judiciary in March 1976 as a civil decide (junior division) and judicial Justice of the Peace first-class and went on to change into a excessive court docket decide in 2005, mentioned that defective investigation is likely one of the key motive for low conviction price.

“The police is always under pressure during the investigation. In such circumstances, judiciary has to play an active role. The magistrate has a power to reject the charge sheet filed by the investigating officer. The power is not used much, because of which, the faulty charge sheet is accepted and taken further,” Chavan mentioned.

Chavan mentioned {that a} decide has to see on the preliminary stage itself if there may be proof sufficient to prosecute the accused or if one thing is lacking. “Rejection of charge sheet would give an opportunity to the police to strengthen the case. This will help in improving conviction rate,” Chavan added.

On the delay in judicial system, Chavan mentioned, “The major reason is service of summons to the witnesses. The police are overburdened and at times they cannot serve the summons to the witnesses on time, which delays the trial. Most of the court’s time wasted in this and they are just made to wait for either prosecution of defence to come up for hearing. The judiciary is, however, in process of developing a system that can solve the problem in future.”

Link:- <https://news.vnap.net/rise-in-crimes-against-women-children-in-mumbai-in-2019-2020-praja-foundation-report/>