

Women Victims and the Criminal Justice System: A Critical Analysis of Their Perceptions and Experiences

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Abstract:

Women victims of crime occupy a particularly vulnerable position within the criminal justice system, where they may experience not only the consequences of the original offence but also secondary victimization during the processes of reporting, investigation, prosecution, and adjudication. This article critically examines the perceptions and experiences of women victims within the Indian criminal justice system. It focuses on the extent to which existing legal and institutional mechanisms protect the rights, dignity, safety, and interests of women victims and facilitate their effective access to justice. The study analyses the challenges faced by women in approaching police authorities, registering complaints, participating in investigations, giving evidence, accessing legal assistance, and seeking timely judicial remedies. It also examines the impact of social stigma, gender stereotypes, insensitive institutional responses, procedural delays, inadequate victim support, and lack of awareness of legal rights on women's experiences of justice. The article further considers the constitutional and statutory safeguards available to women victims and the role of the judiciary in strengthening victim-oriented approaches within criminal proceedings.

The study adopts a doctrinal and victimological approach to identify the gap between formal legal protections and their practical implementation. It argues that a genuinely victim-centred criminal justice system must move beyond merely prosecuting offenders and should also ensure dignity, participation, protection, compensation, rehabilitation, and meaningful access to justice for victims. The article concludes that greater gender sensitivity among justice-delivery institutions, effective victim and witness protection mechanisms, accessible legal aid, speedy trials, and stronger support services are essential for improving women victims' confidence in the criminal justice system and ensuring substantive justice.

Keywords: Women Victims, Criminal Justice System, Victimology, Victims' Rights, Gender Justice, Secondary Victimization, Access to Justice, Legal Protection, Victim-Centred Justice, Women's Rights.

INTRODUCTION:

Crime against women is not merely a violation of individual rights and human dignity; it is also a significant challenge to the effectiveness, fairness, and responsiveness of the criminal justice system. Women may become victims of various forms of crime, including domestic violence, sexual offences, harassment, stalking, trafficking, dowry-related violence, cybercrime, and other forms of gender-

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based violence. Although the criminal justice system is primarily designed to investigate offences, prosecute offenders, and administer justice, the experiences of victims demonstrate that the process of justice cannot be evaluated solely by the conviction of an accused. The manner in which victims are treated by the police, prosecution, courts, legal aid institutions, medical authorities, and other agencies is equally important in determining whether justice has actually been achieved.

The concept of victimology has significantly transformed the understanding of crime by shifting attention from the offender alone to the victim and the consequences of victimization. Traditionally, criminal proceedings were largely perceived as a contest between the State and the accused, while the victim often remained a peripheral participant. Modern victimological approaches, however, recognize that victims have legitimate rights and interests in the criminal justice process, including the right to information, protection, participation, legal assistance, compensation, dignity, and fair treatment. In the case of women victims, these concerns become particularly important because gender-based discrimination, social stigma, economic dependency, cultural expectations, and unequal power relations may influence their ability to seek and obtain justice. Procedural reforms have also attempted to make the criminal justice process more sensitive to the needs of victims. Judicial decisions have further expanded the interpretation of constitutional rights and emphasized the importance of dignity, privacy, compensation, legal aid, and fair procedures. Despite these developments, the existence of legal provisions does not necessarily ensure their effective implementation.

One of the major concerns is the phenomenon of secondary victimization. A woman who has already suffered from a criminal act may experience further trauma when she approaches the justice system. Insensitive questioning, repeated recording of statements, delays in investigation and trial, lack of privacy, inappropriate attitudes of officials, social judgment, and repeated appearances before authorities may intensify the victim's emotional and psychological distress. In some cases, women may also face victim-blaming attitudes, doubts regarding their credibility, pressure from family or community members, and fear of social consequences. Such experiences can discourage victims from reporting offences or continuing with criminal proceedings.

The perception of women victims regarding the criminal justice system is therefore an important indicator of its effectiveness. A system may provide extensive statutory safeguards on paper but still fail to provide meaningful justice if victims perceive the police, prosecution, courts, or support institutions as inaccessible, insensitive, intimidating, or ineffective. Victims' experiences with these institutions influence their confidence in the rule of law and their willingness to cooperate with investigations and prosecutions. Consequently, understanding the perceptions and lived experiences of women victims is essential for identifying institutional shortcomings and developing victim-centred reforms.

Access to justice is another critical dimension of the issue. For many women, particularly those belonging to economically or socially disadvantaged groups, access to justice may be restricted by lack of legal awareness, financial dependence, geographical barriers, inadequate legal assistance,

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social pressure, or fear of retaliation. Even where legal aid is formally available, its practical effectiveness depends upon its accessibility, quality, and responsiveness. Similarly, victim compensation and rehabilitation mechanisms must be evaluated not merely in terms of their legal availability but also in terms of whether victims can actually obtain timely and adequate assistance.

The criminal justice system must therefore be examined from a broader perspective that includes both procedural justice and substantive justice. Procedural justice requires that women victims be treated with dignity, respect, fairness, and sensitivity throughout the criminal process. Substantive justice requires effective investigation, prosecution, adjudication, protection, compensation, and rehabilitation. A victim-oriented approach does not undermine the rights of the accused; rather, it seeks to establish a balanced criminal justice system in which the rights of the accused, the interests of victims, and the broader interests of society are appropriately protected. This article critically analyses the perceptions and experiences of women victims within the Indian criminal justice system from a legal and victimological perspective. It examines the existing legal safeguards, institutional mechanisms, and judicial approaches concerning women victims and identifies the gap between legal protection and practical implementation. Particular attention is given to reporting and investigation, participation in criminal proceedings, access to legal assistance, victim protection, compensation, secondary victimization, and the role of justice-delivery institutions.

HISTORICAL BACKGROUND:

The historical development of women's rights within the criminal justice system reflects a gradual transition from a predominantly offender-centred model of criminal justice to a more victim-oriented and rights-based approach. For centuries, women who suffered violence were often treated primarily as members of a family or community rather than as independent rights-bearing individuals. Social customs, patriarchal structures, economic dependence, and limited access to formal legal institutions frequently prevented women from reporting offences or seeking effective remedies. The historical position of women victims must therefore be understood in the broader context of the evolution of women's legal status and the development of criminal justice institutions in India.

1. Position of Women in Ancient India

The position of women in ancient Indian society was not uniform and varied across different historical periods and social groups. Certain ancient texts recognized women's participation in family, social, and intellectual life, while later social developments increasingly imposed restrictions on women's autonomy. Practices such as child marriage, denial of property rights, social seclusion, and other forms of gender inequality gradually affected women's ability to exercise independent legal and social rights. In relation to criminal justice, the primary concern was generally the protection of family and social order rather than the individual rights and psychological needs of a woman victim. Women who experienced violence could face social stigma and pressure to remain within the family structure. Consequently, the concept of an independent legal identity of the woman victim was relatively underdeveloped.

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2. Medieval Period

During the medieval period, social and political conditions further influenced the position of women. Practices such as purdah, child marriage, restrictions on education, and limited economic independence contributed to women's vulnerability. The administration of justice was influenced by customary, religious, and political institutions, and women's access to formal mechanisms of justice was often restricted. Violence against women was frequently regarded as a private or familial matter rather than as a violation requiring independent intervention by the State. This historical perception has significance even today because some forms of gender-based violence continue to be influenced by the belief that family matters should remain outside formal criminal justice institutions.

3. Colonial Period and the Beginning of Legal Reform

The colonial period marked an important stage in the development of formal legal protections for women in India. The British administration introduced codified criminal laws and institutional structures that gradually created a more uniform framework for dealing with criminal offences. The Indian Penal Code, 1860, became the principal substantive criminal law and recognized several offences affecting women.

Social reform movements also played an important role in challenging discriminatory practices. Reformers and social organizations advocated changes concerning practices such as sati, child marriage, and restrictions on women's education and social participation. Legislative interventions gradually recognized women as individuals entitled to legal protection rather than merely as members of a family. The Bengal Sati Regulation, 1829, was a significant early intervention against the practice of sati. Later legislation addressed other areas of women's vulnerability, including widow remarriage, child marriage, and women's property rights. Although these reforms did not establish a comprehensive victim-centred criminal justice system, they represented an important transition toward recognizing State responsibility for protecting women from harmful practices and violence.

4. Development of Criminal Law Concerning Women

The enactment of the Indian Penal Code provided a formal framework for addressing various offences against women. Provisions relating to rape, kidnapping and abduction, offences affecting marriage, cruelty, and other forms of gender-based violence established criminal liability for conduct that had previously been inadequately addressed through formal legal institutions.

5. Constitutional Transformation after Independence

The adoption of the Constitution of India in 1950 fundamentally transformed the legal position of women. Constitutional guarantees of equality, non-discrimination, life and personal liberty, and access to justice created the foundation for a rights-based approach to women's protection. Articles 14, 15, and 21 are particularly significant. Article 14 guarantees equality before the law and equal protection of the laws, while Article 15 prohibits discrimination on specified grounds and permits special provisions for women and children. Article 21 protects life and personal liberty and has

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subsequently been interpreted by the judiciary to include dignity, privacy, and various conditions necessary for a meaningful life.

6. Emergence of the Victimological Perspective

A major development in the modern criminal justice system has been the emergence of victimology, the systematic study of victims, victimization, and their relationship with criminal justice institutions. Traditional criminal law primarily focused on the offender and the State. Victimology challenged this approach by emphasizing that victims should not disappear from the justice process once an offence is reported.

7. Judicial Development of Victims' Rights

Indian courts have played an important role in expanding the legal understanding of women's rights and victims' rights. Through constitutional interpretation, the judiciary has emphasized dignity, privacy, fair investigation, compensation, legal aid, and protection from discriminatory treatment.

Judicial interventions concerning sexual violence and other offences against women have contributed to greater sensitivity in criminal proceedings. Courts have increasingly recognized that the treatment of a victim during investigation and trial is an essential component of justice. The judiciary has also contributed to the development of principles concerning victim compensation and the protection of vulnerable victims.

8. Legislative Reforms in the Contemporary Period

The contemporary period has witnessed significant legislative developments relating to women's safety and victims' rights. Important legislation includes the Protection of Women from Domestic Violence Act, 2005, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and amendments to criminal law concerning sexual offences.

9. Contemporary Victim-Centred Approach

The contemporary Indian criminal justice system increasingly recognizes women victims as participants with legitimate rights and interests. The focus has gradually expanded from "crime and punishment" to a broader framework involving protection, participation, compensation, rehabilitation, and access to justice.

10. Historical Significance

The historical development demonstrates a gradual movement through three broad stages: family and community-centred control of women, State-centred criminal prosecution, and the emerging victim-centred justice model. The present challenge is to strengthen the third stage by ensuring that women victims are treated with dignity and sensitivity throughout the criminal justice process.

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LEGISLATIVE TRENDS

The legislative development relating to women victims in India reflects a gradual transition from a predominantly offender-centred criminal justice framework to a more victim-sensitive and rights-based approach. Over time, Parliament has introduced substantive criminal provisions, procedural safeguards, special protective legislation, compensation mechanisms, and institutional measures intended to improve women's access to justice. The recent replacement of the Indian Penal Code, 1860, the Code of Criminal Procedure, 1973, and the Indian Evidence Act, 1872, by the Bharatiya Nyaya Sanhita, 2023 (BNS), Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), and Bharatiya Sakshya Adhiniyam, 2023 (BSA) represents the latest major stage in this legislative development.

1. Constitutional Foundation

The Constitution of India provides the fundamental legal foundation for protecting women against discrimination and violence. Articles 14, 15 and 21 establish equality before law, protection against discrimination, and the right to life and personal liberty. Article 15(3) specifically enables the State to make special provisions for women and children. These constitutional guarantees have influenced subsequent legislation and judicial interpretation concerning women's dignity, safety, equality, and access to justice.

2. Indian Penal Code, 1860 and Protection against Offences

The Indian Penal Code, 1860 provided the principal substantive framework for criminalizing various offences against women, including rape, kidnapping and abduction, cruelty, dowry death, offences relating to marriage, and outraging the modesty of women.

The insertion of provisions relating to cruelty by husband or relatives, dowry death, and sexual offences represented important legislative recognition that violence against women within the family and society requires State intervention. Nevertheless, the traditional framework remained substantially focused on the prosecution and punishment of offenders rather than on the comprehensive rights and rehabilitation of victims.

3. Dowry Prohibition Act, 1961

The Dowry Prohibition Act, 1961 represented an important legislative response to dowry-related victimization. It sought to prohibit the giving and taking of dowry and complemented criminal provisions dealing with cruelty and dowry death.

The legislation demonstrated an important shift from treating domestic violence as a private family matter toward recognizing certain forms of domestic abuse as matters of public concern requiring legal intervention.

4. Criminal Law Reforms and Protection of Women

Subsequent amendments to criminal law progressively strengthened protection against sexual and

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gender-based offences. The Criminal Law (Amendment) Act, 2013, introduced significant reforms following widespread public concern regarding sexual violence. It expanded the scope of several sexual offences and strengthened procedural protections for victims.

The Criminal Law (Amendment) Act, 2018 further strengthened penalties for specified sexual offences, particularly those involving children. These amendments reflected the legislative trend toward stronger deterrence, more comprehensive recognition of sexual violence, and greater sensitivity toward victims.

5. Protection of Women from Domestic Violence Act, 2005

The Protection of Women from Domestic Violence Act, 2005 marked a major development because it adopted a broader understanding of domestic violence. Instead of limiting protection to physical violence, the legislation recognized physical, sexual, verbal, emotional, and economic abuse.

The Act also introduced civil remedies such as protection orders, residence orders, monetary relief, custody orders, and compensation. This represented a significant movement toward a victim-centred approach, as the objective was not merely to punish the perpetrator but also to provide immediate protection and relief to the woman victim.

6. Sexual Harassment of Women at Workplace Act, 2013

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 established a statutory framework for preventing and addressing sexual harassment at the workplace. It requires appropriate institutions to establish mechanisms for receiving and resolving complaints.

This legislation is significant from a victimological perspective because it recognizes that women may experience victimization in institutional and professional environments and therefore require accessible, confidential, and responsive complaint mechanisms.

7. Protection of Children from Sexual Offences Act, 2012

Although primarily focused on children, the POCSO Act, 2012 has considerable relevance to the protection of girl children. It created a specialized framework for sexual offences against children and introduced child-sensitive procedures concerning reporting, investigation, evidence, and trial.

The legislation reflects the broader legislative trend toward recognizing that vulnerable victims require procedures adapted to their particular circumstances rather than being subjected to conventional criminal procedures.

8. Victim Compensation and Procedural Protection

An important legislative trend has been the increasing recognition of the victim's right to compensation. Criminal procedure has gradually incorporated provisions enabling victims of crime to receive compensation and rehabilitation assistance. This reflects a movement away from the

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traditional assumption that punishment of the offender alone constitutes justice.

Compensation can serve multiple purposes, including medical assistance, rehabilitation, financial support, and restoration of dignity. However, the effectiveness of compensation mechanisms depends upon timely determination, accessibility, adequate amounts, and effective implementation.

9. Bharatiya Nyaya Sanhita, 2023

A significant contemporary development is the Bharatiya Nyaya Sanhita, 2023, which replaced the Indian Penal Code and came into force on 1 July 2024. The BNS places offences against women and children together in a dedicated chapter, reflecting their legislative importance.

The new framework retains and modifies several offences affecting women and introduces provisions addressing contemporary forms of sexual exploitation. Among other changes, it specifically addresses sexual intercourse obtained through deceitful means in circumstances covered by the provision. The Government has also highlighted strengthened punishments for specified offences against women and children.

10. Bharatiya Nagarik Suraksha Sanhita, 2023 and Victim-Centric Procedure

The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) represents an important development in criminal procedure. The legislative approach emphasizes technological integration, electronic communication, and more accessible procedures.

One important victim-oriented development is the ability to report incidents through electronic communication and the continuation of the Zero FIR approach, which enables a person to initiate an FIR irrespective of territorial jurisdiction. These measures can reduce procedural barriers faced by women victims when approaching police authorities.

The new procedural framework also provides safeguards concerning the recording of statements of women victims in certain offences. The Government has highlighted provisions for recording statements through audio-video means and, where practicable, through a woman Magistrate, thereby seeking to create a more sensitive environment for victims.

11. Bharatiya Sakshya Adhiniyam, 2023

The Bharatiya Sakshya Adhiniyam, 2023 replaces the Indian Evidence Act, 1872, and forms part of the broader restructuring of India's criminal justice framework. Its relevance to women victims lies particularly in the modernization of evidentiary procedures and recognition of contemporary forms of evidence, including electronic and digital evidence.

This development is increasingly important because women's victimization may occur through digital platforms, electronic communications, online harassment, image-based abuse, and other technology-mediated forms of violence.

12. Legislative Shift toward Victim-Centric Justice

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Taken together, these developments demonstrate several important legislative trends:

- From punishment to protection and rehabilitation
- From offender-centred justice to victim-sensitive justice
- From treating domestic violence as a private matter to recognizing it as a legal wrong
- From conventional reporting to electronic and Zero FIR mechanisms
- From generalized procedures to gender-sensitive procedures
- From physical evidence alone to recognition of digital evidence
- From formal legal equality to substantive protection of vulnerable victims

The Government has described the new criminal laws as containing several victim-centric changes intended to make criminal justice more accessible, efficient, and citizen-oriented.

13. Critical Assessment

Despite substantial legislative progress, the effectiveness of these reforms depends largely upon implementation. The existence of comprehensive laws does not automatically guarantee justice for women victims. Problems such as under-reporting, delays in investigation and trial, inadequate legal awareness, insensitive police responses, social stigma, lack of adequate support services, and secondary victimization continue to affect victims' experiences.

Consequently, the central legislative challenge is no longer merely the creation of protective laws, but ensuring their effective implementation. A victim-centred criminal justice system must ensure that statutory rights translate into practical rights to protection, participation, compensation, rehabilitation, privacy, dignity, and timely justice.

Conclusion

The legislative history of women's protection in India demonstrates a significant transformation in the understanding of women as victims and rights-holders. From the early criminalization of specific offences to contemporary legislation emphasizing victim protection, compensation, digital procedures, and gender-sensitive investigation, the law has progressively moved toward a more comprehensive framework. The BNS, BNSS and BSA, operational from 1 July 2024, constitute the latest stage of this transformation.

However, the ultimate success of legislative reforms must be measured not simply by the number or severity of statutory provisions but by the actual experiences of women victims within the criminal justice system. The continuing task is therefore to bridge the gap between legislative intent and institutional practice and to create a criminal justice system in which every woman victim can seek justice with dignity, safety, equality, participation, and confidence.

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JUDICIAL ERA

The Indian judiciary has played a significant role in transforming the position of women victims within the criminal justice system. Through constitutional interpretation, public interest litigation, guidelines, and directions to investigating and judicial authorities, the Supreme Court has progressively moved from a predominantly offender-centred approach toward a victim-sensitive and rights-oriented model of criminal justice. The Supreme Court itself has recognized a “paradigm shift” in Indian criminal justice, with increasing emphasis on the interests and participation of victims.

1. Constitutionalization of Women’s Rights

A major judicial trend has been the use of Articles 14, 15 and 21 of the Constitution to strengthen the legal protection of women. The Supreme Court has interpreted the right to life under Article 21 broadly to include dignity, privacy, bodily integrity, and protection from degrading treatment. This approach has enabled the judiciary to treat violence against women not merely as an ordinary criminal offence but as an infringement of fundamental rights. The emphasis on dignity has become particularly important in cases involving sexual violence.

2. Vishaka v. State of Rajasthan: Right to Work with Dignity

The decision in *Vishaka v. State of Rajasthan* (1997) represents one of the most significant judicial interventions concerning women’s rights. In the absence of specific legislation at that time, the Supreme Court formulated guidelines to prevent sexual harassment of women at the workplace.

The Court connected sexual harassment with the constitutional guarantees of equality, non-discrimination, life and liberty, and the right to work with dignity. The principles established in *Vishaka* subsequently contributed to the enactment of the Sexual Harassment of Women at Workplace Act, 2013. The Supreme Court continues to recognize *Vishaka* as an important example of judicial protection of women’s constitutional rights.

3. Delhi Domestic Working Women’s Forum v. Union of India

In *Delhi Domestic Working Women’s Forum v. Union of India* (1995), the Supreme Court emphasized the need for greater sensitivity toward victims of sexual violence. The Court recognized that victims require legal assistance and appropriate support during criminal proceedings.

This decision contributed to the development of the broader principle that a woman who has suffered sexual violence should not be left alone to navigate the criminal justice system. Legal assistance, support, and protection are important components of meaningful access to justice.

4. Bodhisattwa Gautam v. Subhra Chakraborty

In *Bodhisattwa Gautam v. Subhra Chakraborty* (1996), the Supreme Court recognized the importance of providing relief to a victim of sexual violence during the pendency of criminal proceedings. The case contributed to the development of the principle that compensation and interim relief can form

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part of the judicial response to victimization.

The decision reflects the emerging recognition that justice for victims cannot be restricted to punishment after conviction; appropriate relief and assistance may also be necessary during the judicial process.

5. Protection of Victim Dignity and Privacy

The judiciary has increasingly emphasized that investigation and trial procedures must not cause additional trauma to women victims. In *Lillu v. State of Haryana* (2013), the Supreme Court held that the so-called “two-finger test” violated the privacy, physical integrity, and dignity of rape survivors.

More recently, the Supreme Court reiterated that such practices can re-traumatize survivors and that a woman's sexual history is irrelevant to determining whether the ingredients of rape are established. This represents a significant judicial shift away from stereotypical assumptions about women's sexuality and toward a dignity-based approach to sexual-offence adjudication.

6. Rejection of Gender Stereotypes

Another important judicial trend is the rejection of patriarchal and stereotypical assumptions concerning women victims. Courts have increasingly emphasized that the credibility of a woman victim cannot be assessed merely on the basis of her sexual history, character, clothing, lifestyle, or perceived conformity with traditional social expectations. The Supreme Court has specifically emphasized that being sexually active does not make a woman incapable of being a rape victim and that her sexual history does not determine the credibility of her allegation. This approach is important because victim-blaming and gender stereotypes can result in secondary victimization within the justice system.

7. Victim Compensation and Rehabilitation

The Supreme Court has increasingly recognized compensation as an important component of victim-oriented justice. In proceedings concerning *Nipun Saxena v. Union of India*, the Court dealt extensively with compensation and rehabilitation of victims of sexual assault.

The Court referred to the Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018, prepared by the National Legal Services Authority, and emphasized the need for timely compensation, counselling, legal aid, medical assistance, and social and economic rehabilitation.

Thus, judicial policy has progressively moved toward the principle that justice should include restoration and rehabilitation of victims, not merely punishment of offenders.

8. Prevention of Secondary Victimization

The prevention of secondary victimization has become an increasingly important judicial concern. Courts have recognized that insensitive medical examinations, inappropriate questioning, disclosure

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of personal information, unnecessary procedural repetition, and stereotypical judicial reasoning may cause further trauma to survivors.

In Nipun Saxena-related proceedings, the Supreme Court issued directions concerning the protection of the identity and privacy of victims of sexual offences and addressed procedures relating to their treatment. The Court has also directed States and Union Territories to implement standardized medico-legal procedures for survivors of sexual violence.

9. Victim Participation in Criminal Justice

Indian judicial decisions have also contributed to strengthening the role of victims in criminal proceedings. The Supreme Court has identified a broader shift toward recognizing victims' interests and expanding their role within procedural justice. This development is particularly significant for women victims because participation can provide them with greater access to information, legal representation, compensation, and opportunities to express their concerns during the criminal process.

10. Judicial Sensitivity in Sexual-Offence Cases

A contemporary judicial trend is the increasing emphasis on gender-sensitive judicial reasoning. The Supreme Court's recent landmark materials include proceedings concerning the need to develop guidelines for greater sensitivity and compassion in judicial approaches to sexual-offence cases. In 2026, the Court specifically considered whether guidelines were required to inculcate sensitivity and compassion while dealing with matters involving sexual offences.

This development demonstrates that judicial responsibility extends beyond interpreting statutory provisions; courts must also ensure that judicial language and reasoning do not perpetuate stereotypes or cause further harm to victims.

11. Judicial Recognition of Legal Aid

Access to justice has also been strengthened through judicial recognition of the importance of free legal aid. The Supreme Court identifies women among the categories entitled to free legal aid through the Supreme Court Legal Aid Committee, subject to the applicable framework. For women victims, particularly those facing financial or social barriers, legal assistance can be crucial in understanding rights, navigating criminal proceedings, seeking compensation, and challenging institutional failures.

CONCLUSION

The position of women victims within the Indian criminal justice system has undergone a significant transformation from a predominantly offender-centred approach toward a more victim-centred, rights-based, and gender-sensitive framework. The historical development of law, legislative reforms, and judicial interventions demonstrates an increasing recognition that justice cannot be achieved merely through the prosecution and punishment of offenders. The dignity, safety, participation, compensation, rehabilitation, and overall well-being of women victims must also constitute essential

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components of criminal justice. The study reveals that women victims frequently face multiple layers of victimization. In addition to the harm caused by the original offence, they may experience secondary victimization through insensitive police investigation, inappropriate medical procedures, social stigma, procedural delays, repeated questioning, lack of privacy, gender stereotypes, and inadequate institutional support. Such experiences can weaken victims' confidence in the justice system and may discourage reporting and participation in criminal proceedings.

The Indian constitutional framework provides a strong foundation for protecting women through equality, non-discrimination, dignity, life and personal liberty, and access to justice. Legislative developments, including laws dealing with domestic violence, sexual harassment, sexual offences, victim compensation, and the recent criminal-law framework comprising the Bharatiya Nyaya Sanhita, 2023, Bharatiya Nagarik Suraksha Sanhita, 2023, and Bharatiya Sakshya Adhiniyam, 2023, demonstrate the continuing evolution of legal protection for women victims.

The judiciary has also played a transformative role. Through landmark decisions, the Supreme Court has emphasized the dignity and privacy of survivors, rejected gender stereotypes, strengthened victim compensation and legal assistance, and promoted greater sensitivity in the investigation and adjudication of offences against women. These developments indicate a clear judicial movement toward recognizing women victims as rights-bearing participants rather than merely witnesses to criminal proceedings. However, the existence of progressive laws and judicial principles does not necessarily guarantee effective justice. The principal challenge remains the gap between law and implementation. Delayed investigation and trials, inadequate victim-support mechanisms, limited legal awareness, institutional insensitivity, insufficient rehabilitation, and social and economic barriers continue to affect women's experiences of justice. Therefore, legal reform must be accompanied by institutional reform and effective implementation. A genuinely victim-centred criminal justice system should ensure that women can report offences without fear, receive respectful and confidential treatment, obtain competent legal assistance, participate meaningfully in proceedings, and receive timely compensation, protection, counselling, and rehabilitation. Police officers, prosecutors, judges, medical professionals, and legal-aid authorities should receive regular gender-sensitization and victimology-based training. Special attention should also be given to women from economically and socially vulnerable backgrounds.

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