



# INDIAN JOURNAL OF LEGAL AFFAIRS AND RESEARCH

VOLUME 3 ISSUE 1

Peer-reviewed, open-access, refereed journal

**IJLAR**

+91 70421 48991  
editor@ijlar.com  
www.ijlar.com

## **DISCLAIMER**

The views and opinions expressed in the articles published in the Indian Journal of Legal Affairs and Research are those of the respective authors and do not necessarily reflect the official policy or position of the IJLAR, its editorial board, or its affiliated institutions. The IJLAR assumes no responsibility for any errors or omissions in the content of the journal. The information provided in this journal is for general informational purposes only and should not be construed as legal advice. Readers are encouraged to seek professional legal counsel for specific legal issues. The IJLAR and its affiliates shall not be liable for any loss or damage arising from the use of the information contained in this journal.

## **Introduction**

Welcome to the Indian Journal of Legal Affairs and Research (IJLAR), a distinguished platform dedicated to the dissemination of comprehensive legal scholarship and academic research. Our mission is to foster an environment where legal professionals, academics, and students can collaborate and contribute to the evolving discourse in the field of law. We strive to publish high-quality, peer-reviewed articles that provide insightful analysis, innovative perspectives, and practical solutions to contemporary legal challenges. The IJAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.

## **Preface**

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

## Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

# **SPEEDY TRIAL AS A CONSTITUTIONAL MANDATE: RETHINKING PROCEDURAL REFORM IN INDIAN CRIMINAL JUSTICE**

AUTHORED BY - MR.PALASH KALRA

Affiliation- Research Scholar, School of Legal Studies, Vikrant University, Gwalior, M.P.

## **Abstract:**

*This paper examines the constitutional evolution of the right to a speedy trial under Article 21 and argues that judicial recognition alone is insufficient to address systemic delay in Indian criminal justice. By analyzing structural sources of delay across investigation, bail, and trial stages, it highlights the limits of case-by-case constitutional enforcement. The study proposes a shift toward structured procedural reform including statutory timelines, case management, and regulated adjournments while emphasizing normative safeguards to protect due process. It concludes that speedy trial must function as an operational guarantee embedded within legislative and institutional design, ensuring that efficiency strengthens rather than compromises fairness.*

**Keywords:** Speedy Trial; Article 21; Procedural Reform; Criminal Justice System

## **Introduction**

The guarantee of a speedy trial occupies a central yet contested space within Indian constitutional jurisprudence. Although criminal procedure has traditionally been viewed as a domain of statutory regulation, constitutional interpretation has transformed timeliness in adjudication into a fundamental rights concern. Prolonged pre-trial detention, delayed investigations, and extended trials do not merely reflect administrative inefficiency; they implicate the dignity, liberty, and fairness guarantees embedded in Part III of the Constitution. In this sense, delay in criminal justice is not only a systemic flaw but a constitutional question.

The Supreme Court's transformative reading of Article 21 marked a decisive shift in this regard. In *Maneka Gandhi v. Union of India*<sup>1</sup>, the Court held that any procedure depriving a person of life or personal liberty must be "just, fair and reasonable," thereby expanding the substantive content of due process in India. Building upon this doctrinal foundation, the Court in *Hussainara Khatoon v. State of Bihar*<sup>2</sup> explicitly recognized the right to a speedy trial as an essential component of Article 21. These decisions collectively constitutionalized timeliness, transforming it from a matter of legislative policy into a judicially enforceable mandate.

Despite this constitutional recognition, the lived reality of criminal adjudication in India reveals persistent delay at every stage starting from investigation and charge-sheet filing to evidence recording and final judgment. Under trial prisoners often spend years in custody awaiting conclusion of proceedings, and victims similarly endure protracted uncertainty. Procedural reforms introduced through amendments to the Code of Criminal Procedure, establishment of special courts, and digitization efforts have sought to mitigate these concerns. Yet, delays continue to recur, suggesting that reform has not sufficiently internalized the constitutional dimension of speed<sup>3</sup>.

This paper proceeds on the premise that the right to a speedy trial must be understood not as an aspirational directive but as a binding constitutional mandate that shapes the design and operation of criminal procedure. It argues that existing reform efforts have tended to focus on administrative efficiency without re-evaluating the deeper procedural architecture that generates delay. Rethinking procedural reform requires situating speed within the normative framework of fairness, proportionality, and accountability.

By analyzing doctrinal developments, structural bottlenecks, and the interaction between constitutional principles and procedural practice, this study seeks to reimagine criminal justice reform through the lens of Article 21. The central claim advanced is that meaningful reduction of

---

<sup>1</sup> AIR 1978 SC 597

<sup>2</sup> 1979 AIR 1369

<sup>3</sup> Gul, Gazala, and Iftikhar Hussain Bhat. "Right to Speedy Trial in India: A Critical Examination of Legal and Practical Obstacles." *Issue 3 Int'l JL Mgmt. & Human.* 7 (2024): 2971.

delay demands a reconfiguration of investigative processes, trial management, appellate structures, and institutional incentives in a manner that treats timeliness as intrinsic to justice rather than incidental to it. Only by embedding speed within constitutional morality can Indian criminal justice reconcile efficiency with liberty and restore credibility to its adjudicatory process.

## II. Evolution of Speedy Trial as a Constitutional Right

The constitutional journey of the right to a speedy trial in India reflects the broader evolution of Article 21 from a narrowly interpreted procedural guarantee to a dynamic source of substantive rights. In the early decades of constitutional adjudication, Article 21 was confined to a formal understanding of “procedure established by law,” with minimal judicial scrutiny of the fairness or reasonableness of such procedure. This restrictive interpretation gradually gave way to a more expansive reading, through which the judiciary infused the provision with substantive due process content. The transformation of Article 21 into a living guarantee of dignity and liberty laid the doctrinal foundation upon which the right to a speedy trial would later emerge.

The watershed moment in this expansion was the decision in *Maneka Gandhi v. Union of India*<sup>4</sup>, where the Supreme Court held that any procedure affecting life or personal liberty must be “just, fair and reasonable,” and not arbitrary or oppressive. By linking Articles 14, 19, and 21, the Court constitutionalized fairness in state action and opened the door to recognizing derivative procedural rights as intrinsic to personal liberty. In this reconfigured constitutional landscape, delay in criminal proceedings could no longer be dismissed as a mere administrative inconvenience; it became a potential violation of fundamental rights.

Building upon this doctrinal shift, the Supreme Court in *Hussainara Khatoon v. State of Bihar*<sup>5</sup> explicitly articulated the right to a speedy trial as an essential component of Article 21. Confronted with the plight of under trial prisoners languishing in jail for periods exceeding the maximum punishment prescribed for their alleged offences, the Court declared that the State has a constitutional obligation to ensure expeditious investigation and trial. This recognition marked a

---

<sup>4</sup> AIR 1978 SC 597

<sup>5</sup> 1979 AIR 1369

decisive constitutionalized timeliness in criminal adjudication. Subsequent decisions reinforced this principle, clarifying that unreasonable delay could vitiate proceedings and that the right extended across stages, from investigation to appeal.

The Hon'ble Supreme Court in *Sheela Barse v. Union of India*<sup>6</sup> emphatically recognized that the right to a speedy trial is an essential component of the fundamental rights guaranteed under Article 21 of the Constitution of India. The Court observed that prolonged detention of undertrial prisoners without timely adjudication amounts to a violation of the right to life and personal liberty, and directed the State to ensure expeditious investigation and trial so that justice is not delayed or denied.

Over time, the judiciary elaborated factors to determine whether delay violates constitutional guarantees, including the length of delay, reasons attributable to the prosecution or defense, assertion of the right by the accused, and prejudice caused by prolonged proceedings. This jurisprudential development signaled a shift from abstract declaration to contextual evaluation. However, the remedial approach largely remained case-specific. Courts often addressed violations by granting bail, quashing proceedings in extreme cases, or issuing directions to expedite particular trials. While such interventions provided relief in individual instances, they did not systematically restructure the procedural framework generating delay.

This case-by-case model reveals inherent limitations. Judicial remedies operate retrospectively, responding to delay after it has already occurred rather than preventing its recurrence. Moreover, the absence of uniform benchmarks for determining "reasonable time" has resulted in inconsistent application across jurisdictions. The balancing test adopted by courts, though flexible, often produces uncertainty and unpredictability. In many situations, delay is acknowledged but not deemed sufficiently prejudicial to warrant termination of proceedings, leaving the structural causes of congestion untouched.

---

<sup>6</sup> (1986) 3 SCC 596

Thus, while the evolution of the right to a speedy trial represents a significant constitutional achievement, its enforcement has largely depended upon episodic judicial correction rather than institutional redesign. The jurisprudence has affirmed timeliness as a fundamental right, yet the procedural architecture of criminal justice has not been comprehensively recalibrated to operationalize that mandate. This disjunction between constitutional principle and systemic practice underscores the need to rethink procedural reform not merely as administrative adjustment, but as a constitutional imperative grounded in the evolving meaning of Article 21.

### III. Structural Sources of Delay in Criminal Justice

While constitutional jurisprudence has firmly recognized the right to a speedy trial, the persistence of delay within criminal proceedings reveals that doctrinal affirmation alone is insufficient. The criminal justice process unfolds across interconnected stages starting from investigation, prosecution, trial, and appeal, each one of which can generate delay independent of judicial action. To meaningfully operationalize the constitutional mandate of speed, it is necessary to identify the structural bottlenecks embedded within these stages. The investigation phase, in particular, often sets the tempo of the entire criminal process. Inefficiencies and weaknesses at this foundational stage not only prolong pre-trial detention but also burden courts with incomplete or defective cases, thereby compounding systemic delay<sup>7</sup>.

#### A. Investigation Stage

The investigation stage represents the entry point of the criminal justice system, and its structural weaknesses frequently determine the trajectory of subsequent proceedings. One significant concern is the limited depth of specialized legal training available to investigating officers. Although police personnel are entrusted with complex evidentiary responsibilities, many lack sustained exposure to evolving standards of criminal jurisprudence, evidentiary rules, and constitutional safeguards. This gap can result in poorly structured case diaries, inadequate documentation, and failure to anticipate legal challenges at trial. When investigative deficiencies

---

<sup>7</sup> Krishnan, Jayanth K., and C. Raj Kumar. "Delay in process, denial of justice: the jurisprudence and empirics of speedy trials in comparative perspective." *Geo. J. Int'l L.* 42 (2010): 747.

surface during court proceedings, they often necessitate repeated adjournments, supplementary investigations, or even reinvestigation, thereby prolonging adjudication.<sup>8</sup>

Procedural formalism further contributes to delay at this stage. The investigative process is governed by detailed statutory requirements intended to preserve fairness and prevent arbitrariness. However, excessive emphasis on technical compliance without corresponding substantive efficiency can create bottlenecks. Mechanical adherence to procedural steps executed without effective supervision or prioritization might slow the completion of investigations, particularly in routine cases where evidence is relatively straightforward. Formal compliance becomes time-consuming when administrative capacity is limited, and coordination mechanisms are weak.

The absence of consistent prosecutorial oversight during investigation also undermines efficiency. Ideally, prosecutors should engage early in the investigative process to guide evidence collection, identify gaps, and ensure legal sufficiency before the matter reaches court. In practice, however, investigative agencies and prosecutorial offices often function in parallel rather than in partnership. This disconnect leads to situations where charge-sheets are filed without adequate legal scrutiny, resulting in subsequent objections, discharge applications, or requests for additional evidence. Such post-filing corrections inevitably consume judicial time and contribute to avoidable delay. Delayed filing of charge-sheets constitutes another structural challenge. Statutory timelines exist to prevent indefinite investigation, yet extensions and prolonged inquiries are not uncommon, particularly in complex or resource-intensive cases. For accused persons in custody, such delay directly impacts personal liberty; for the justice system, it disrupts scheduling and contributes to backlog accumulation. When investigations exceed reasonable duration, courts are often compelled to intervene through bail orders or monitoring directions, thereby shifting what should be an executive responsibility into the judicial domain.

Collectively, these investigative deficiencies reveal that delay in criminal justice frequently originates before the commencement of trial. The investigation stage, when marked by inadequate training, fragmented oversight, and procedural stagnation, creates a cascading effect that burdens

---

<sup>8</sup> Krishna, Om. "Structural reforms for overcoming delays in justice delivery." *Journal of Constitutional Law and Jurisprudence* 1, no. 1 (2018): 32-41.

courts and undermines the constitutional promise of timely adjudication. Addressing delay, therefore, requires structural strengthening of investigative institutions alongside judicial reform.

### **B. Bail Stage**

The bail stage represents a critical intersection between personal liberty and procedural delay. Although bail jurisprudence in India is guided by established principles propounded by the apex court such as the presumption of innocence and the need to secure the presence of the accused, its practical application often reveals significant inconsistency. Judicial discretion, while necessary, can produce divergent outcomes across similarly situated cases. Variations in interpretation regarding gravity of offence, risk of absconding, or potential tampering with evidence frequently result in prolonged hearings and appeals. This discretionary variability not only increases litigation but also contributes to uncertainty and delay.

Repetitive bail applications further compound this congestion. In situations where initial bail is denied, successive applications are often filed on marginally altered grounds. While the right to seek reconsideration is an important procedural safeguard, routine repetition burdens already congested dockets. Each application requires judicial time, notice to the prosecution, and reasoned adjudication. The cumulative effect is the diversion of court resources toward interlocutory liberty determinations, sometimes at the expense of advancing the main trial.

Court congestion at the bail stage also reflects systemic imbalance. Magistrate courts and Sessions Courts frequently handle extensive remand and bail lists daily, leaving limited time for detailed hearings. The pressure of volume may result in short adjournments, incomplete arguments, or deferral of decisions. When bail hearings are repeatedly postponed, the consequence falls most heavily upon under trial prisoners. For individuals unable to secure prompt adjudication of bail, pre-trial detention can extend for months or even years, effectively converting the process into a form of anticipatory punishment. Such outcomes not only strain prison infrastructure but also undermine the constitutional commitment to personal liberty.

The bail stage thus illustrates how delay in criminal justice is not confined to trial proceedings. It operates through discretionary practices, repetitive litigation, and docket overload, collectively shaping the lived experience of accused persons long before guilt or innocence is determined.

### **C. Trial and Judgment Stage**

If investigation and bail proceedings establish the tempo of criminal adjudication, the trial stage often determines its duration. Frequent adjournments remain one of the most visible contributors to delay. Requests for time, whether to secure witness attendance, prepare arguments, or accommodate scheduling conflicts all accumulate over months and years. Although adjournments may sometimes be justified, habitual or loosely scrutinized postponements disrupt continuity and elongate proceedings. The absence of strict case management mechanisms permits trials to progress in fragmented intervals rather than in sustained phases.<sup>9</sup>

Fragmented hearings exacerbate this problem. Instead of consecutive day-to-day proceedings, many trials unfold sporadically, with significant gaps between evidentiary sessions. Such interruptions dilute judicial focus, require repeated familiarization with facts, and extend the lifespan of cases unnecessarily. Where courts are overburdened, scheduling continuity becomes difficult to maintain, resulting in prolonged evidentiary cycles.

Witness non-appearance constitutes another structural impediment. Summons service delays, logistical challenges, and inadequate witness protection measures frequently lead to repeated adjournments. When witnesses fail to appear, evidence recording stalls, and courts must issue fresh summons or warrants. This iterative process significantly lengthens trials, particularly in cases involving multiple witnesses or expert testimony. The inability to ensure reliable witness attendance reflects broader coordination gaps between investigative agencies and courts.

Even after evidence and arguments conclude, delay may persist at the stage of judgment pronouncement. Heavy caseloads, administrative responsibilities, and competing priorities can postpone the delivery of reasoned decisions. While judicial deliberation is essential to fairness, prolonged reservation of judgments undermines finality and perpetuates uncertainty for both accused persons and victims.

Taken together, the bail, trial, and judgment stages reveal that delay in criminal justice operates cumulatively. It is not the product of a single procedural lapse but the aggregation of discretionary inconsistency, repetitive interlocutory litigation, fragmented hearings, logistical failures, and deferred adjudication. Each stage adds incremental time to the overall lifecycle of a case, transforming isolated postponements into systemic congestion. Recognizing this cumulative

---

<sup>9</sup> Gupta, Gauri. "Speedy Trial: A Constitutional Point of View." *Issue 4 Int'l JL Mgmt. & Human.* 4 (2021): 1555.

character is essential to rethinking procedural reform in a manner that addresses delay as a process-wide phenomenon rather than a stage-specific anomaly.

#### **IV. Limits of Judicially Enforced Speedy Trial**

Although the Supreme Court has firmly recognized the right to a speedy trial as an integral component of Article 21, the enforcement of this right has largely remained judicially driven rather than structurally embedded. This reliance on adjudicatory correction reveals important limitations. Constitutional declaration, while normatively powerful, does not automatically translate into uniform procedural transformation. The gap between principle and practice persists in part because speedy trial jurisprudence has developed without a comprehensive statutory framework to operationalize it.<sup>10</sup>

One central limitation lies in the absence of uniform statutory timelines governing the various stages of criminal proceedings. While certain provisions of the Code of Criminal Procedure prescribe maximum periods for investigation in specific contexts, particularly where default bail is implicated then there is no comprehensive legislative architecture prescribing reasonable outer limits for investigation, evidence recording, argument, or judgment. In the absence of codified benchmarks, courts are left to determine reasonableness on a case-by-case basis. This flexibility, though context-sensitive, results in uncertainty and uneven enforcement across jurisdictions.

Judicial enforcement of the right to speedy trial also remains inherently discretionary. Courts assess delay by weighing multiple factors, including the length of delay, reasons for postponement, prejudice to the accused, and complexity of the case. While such balancing is doctrinally sound, it often leads to inconsistent outcomes. Similar durations of delay may yield different conclusions depending on judicial perception of prejudice or prosecutorial fault. The absence of structured criteria or uniform thresholds limits predictability and weakens the deterrent value of the right itself.

---

<sup>10</sup> Chattaraj, Abir. "Justice delayed-justice denied-the right to speedy trial in India." *Available at SSRN 1919493* (2011).

Remedial inconsistency further illustrates these limitations. In some cases, prolonged delay has resulted in quashing of proceedings; in others, courts have merely directed expeditious disposal without terminating prosecution. The choice between these remedies frequently depends on the specific facts of the case, yet the broader systemic consequences differ significantly. Quashing proceedings may vindicate individual liberty but can raise concerns regarding accountability in serious offences. Directions for speedy disposal, by contrast, may provide only temporary relief without altering structural causes. The absence of a consistent remedial framework creates doctrinal ambiguity and practical unpredictability.

Another practical challenge lies in fixing institutional responsibility for delay. Criminal proceedings involve multiple actors such as investigative agencies, prosecutors, defense counsel, court administration, and judges. When delay occurs, attributing responsibility becomes complex. Courts may identify prosecutorial lapses or systemic congestion, but imposing accountability within a fragmented institutional structure is difficult. Without clear lines of responsibility, judicial declarations of constitutional violation risk becoming symbolic rather than corrective.

These limitations demonstrate that judicial recognition of speedy trial, though constitutionally transformative, cannot alone secure systemic change. The enforcement model has been reactive and case-centric, addressing violations after delay has occurred rather than preventing recurrence through procedural redesign. This structural gap necessitates a reconsideration of reform beyond purely adjudicatory remedies.

## **V. Rethinking Procedural Reform**

If speedy trial is to function as a genuine constitutional mandate, procedural reform must move from judicial exhortation to legislative and institutional design. The objective is not to curtail safeguards in the name of efficiency, but to embed timeliness within the architecture of criminal procedure itself. Reform must therefore integrate clear timelines, managerial oversight, accountability mechanisms, and rights-based protections in a balanced framework.

One central reform proposal involves the introduction of statutory time limits for both investigation and trial stages, accompanied by carefully crafted safeguards. Time-bound investigation periods are subject to judicially monitored extensions in complex cases which can prevent indefinite inquiries. Similarly, structured timelines for framing of charges, evidence recording, and argument can enhance predictability. However, rigid inflexibility must be avoided. Extensions should remain available where justified by complexity, public interest, or unforeseen circumstances, ensuring that fairness is not sacrificed to mechanical compliance.

Mandatory case management hearings constitute another critical reform measure. Early judicial engagement after filing of charge-sheets can clarify issues, identify evidentiary gaps, schedule witness examination, and establish a structured calendar for trial. Such hearings would transform criminal adjudication from a reactive process into a planned progression. Judicial supervision at this stage can also discourage unnecessary interlocutory applications and streamline subsequent proceedings.

For serious offences, particularly those involving grave harm or public interest, the adoption of continuous trial models merits consideration. Day-to-day hearings, once trial commences, can prevent fragmentation and reduce cumulative adjournments. Concentrated scheduling enhances coherence of evidence appreciation and minimizes witness fatigue. While resource-intensive, continuous trial models can significantly reduce overall duration in complex cases.

Adjournment regulation must also be strengthened. While adjournments serve legitimate purposes, their routine grant contributes substantially to delay. Clear statutory standards, realistic cost imposition for unjustified requests, and structured recording of reasons can recalibrate incentives. Regulation should aim at eliminating dilatory tactics while preserving flexibility in genuinely unavoidable circumstances.

Early prosecutorial scrutiny of investigations represents another structural safeguard. Prosecutors should review evidence prior to filing of charge-sheets to ensure legal sufficiency and reduce post-filing corrections. Such pre-trial scrutiny can prevent avoidable discharge applications and

evidentiary disputes during trial. Closer coordination between investigative and prosecutorial authorities enhances efficiency without diminishing rights.

Structured bail guidelines may further harmonize liberty protection with systemic efficiency. Transparent criteria governing grant, denial, and reconsideration of bail can reduce repetitive applications and promote consistency. Clear guidance helps limit unnecessary appellate litigation while safeguarding the presumption of innocence.

Finally, comprehensive speedy trial legislation incorporating constitutional safeguards could provide coherence to these reforms. Such legislation should codify timelines, monitoring mechanisms, extension criteria, and remedies for violation, while expressly preserving due process guarantees. By embedding constitutional principles within statutory design, the right to speedy trial can transition from reactive adjudication to proactive governance.

Throughout these reform proposals, balance remains paramount. Efficiency cannot override fairness, nor can procedural safeguards become instruments of obstruction. Rethinking procedural reform requires harmonizing liberty, accountability, and administrative rationality within a constitutionally grounded framework. Only by embedding speed within the structural design of criminal justice can the constitutional promise of timely and fair adjudication be meaningfully realized.

## **VI. Normative Safeguards: Protecting Due Process**

While procedural reform is necessary to operationalize the right to speedy trial, the pursuit of efficiency must remain subordinate to the foundational values of fairness and due process. The constitutional guarantee under Article 21 is not merely a promise of quick adjudication, but of just, reasonable, and fair procedure. Any reform agenda that prioritizes speed without adequate safeguards risks converting constitutional protection into procedural compression.<sup>11</sup>

---

<sup>11</sup> Chattaraj, Abir. "Justice delayed-justice denied-the right to speedy trial in India." *Available at SSRN 1919493* (2011).

One primary concern is the danger of rushed trials. Strict timelines, if applied mechanically, may pressure courts and counsel to truncate evidence, restrict cross-examination, or abbreviate legal argument. Criminal adjudication, particularly in serious offences, demands careful evaluation of facts and law. Speed that compromises evidentiary integrity or judicial reasoning undermines both legitimacy and accuracy. Reform must therefore ensure that timelines operate as managerial tools rather than coercive deadlines.

The impact of accelerated procedures on vulnerable and unrepresented accused persons requires particular attention. A significant proportion of under trial prisoners come from socio-economically disadvantaged backgrounds and depend on legal aid. These individuals often face communication barriers, limited access to counsel, and inadequate understanding of procedural rights. If procedural timelines advance without strengthening legal aid infrastructure and ensuring effective representation, reforms may disproportionately disadvantage those already at risk within the system.

Ensuring defense preparedness is central to maintaining the balance between efficiency and fairness. Adequate time for consultation, investigation, and preparation of defense strategy is an indispensable component of a fair trial. Structured timelines must therefore incorporate realistic preparation periods and provide for justified extensions where complexity, evidentiary volume, or late disclosure of materials necessitates additional time. Procedural discipline cannot negate the accused's right to meaningful participation in the defense.

Judicial discretion must remain embedded within any structured time framework. While statutory benchmarks promote uniformity and predictability, rigid inflexibility would be inconsistent with constitutional standards. Courts should retain authority to extend timelines where required to prevent miscarriage of justice, provided reasons are recorded transparently. Discretion, however, should operate within principled boundaries to avoid reverting to the culture of routine delay that reform seeks to correct.

Ultimately, normative safeguards ensure that speed strengthens justice rather than dilutes it. Timeliness enhances fairness when it reduces prolonged uncertainty, prevents oppressive

incarceration, and preserves evidentiary reliability. It becomes problematic only when pursued at the cost of procedural equality or deliberative adjudication. A constitutionally grounded reform model must therefore integrate efficiency with substantive due process at every stage.

## VII. Conclusion

The constitutional recognition of speedy trial has marked a significant evolution in Indian criminal jurisprudence. Yet its transformative potential remains incomplete so long as it functions primarily as declaratory doctrine rather than as an operational guarantee. Judicial pronouncements, though normatively powerful, cannot alone secure systemic discipline in a structurally complex criminal justice system.

For speedy trial to attain meaningful constitutional force, procedural discipline must be embedded within legislative design and institutional practice. Statutory timelines, case management mechanisms, structured discretion, and coordinated accountability are necessary to convert principle into performance. Reform must aim not merely to reduce pendency, but to align institutional functioning with the constitutional promise of fairness, reasonableness, and dignity.

The legitimacy of criminal adjudication ultimately depends on its capacity to deliver justice within a reasonable time frame while preserving due process. When delay becomes endemic, constitutional guarantees lose practical value. By integrating enforceable procedural frameworks with normative safeguards, India can move toward realizing Article 21 as a living guarantee where timeliness and fairness operate not in tension, but in constitutional harmony.

## References

### Articles

- Gul, Gazala, and Iftikhar Hussain Bhat. "Right to Speedy Trial in India: A Critical Examination of Legal and Practical Obstacles." *Issue 3 Int'l JL Mgmt. & Human.* 7 (2024): 2971.

- Krishnan, Jayanth K., and C. Raj Kumar. "Delay in process, denial of justice: the jurisprudence and empirics of speedy trials in comparative perspective." *Geo. J. Int'l L.* 42 (2010): 747.
- Chattaraj, Abir. "Justice delayed-justice denied-the right to speedy trial in India." *Available at SSRN 1919493* (2011).
- Gupta, Gauri. "Speedy Trial: A Constitutional Point of View." *Issue 4 Int'l JL Mgmt. & Human.* 4 (2021): 1555.
- Krishna, Om. "Structural reforms for overcoming delays in justice delivery." *Journal of Constitutional Law and Jurisprudence* 1, no. 1 (2018): 32-41.

#### Case Laws

- Maneka Gandhi v. Union of India AIR 1978 SC 597
- Hussainara Khatoon v. State of Bihar 1979 AIR 1369
- Sheela Barse v. Union of India (1986) 3 SCC 596

