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Authored By: Dr. Manu Sharma, Assistant Professor of Law & Co-Authored
By: Ms. Barsa Rani, Ph.D. Scholar (Law), School of Legal Studies &
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I. INTRODUCTION:

“From the very beginning, the Indian judiciary has adopted a child-centric approach towards the protection of child rights. Through various landmark judgments and judicial interventions, the courts have consistently emphasised the need to safeguard the dignity, welfare, and paramount welfare of children. The judiciary has played a significant role in addressing issues relating to child abuse, child labour, trafficking, exploitation, neglect and juvenile justice by interpreting constitutional provisions and child protection legislation in a progressive manner¹. The judicial system in India has periodically delivered crucial judgments in favour of children and has taken proactive measures to prevent child abuse and exploitation. By broadening the scope of fundamental rights under the Constitution of India, the judiciary has enhanced the legal protections available to children and reinforced the principle that every child is entitled to live with dignity, security, and freedom from abuse. Furthermore, the judiciary has consistently directed State authorities to ensure the effective implementation of child welfare laws and policies. Through public interest litigation, judicial activism, and constitutional interpretation, the courts have played a significant role in developing a child-sensitive legal framework in India. Therefore, the judicial approach to child rights protection demonstrates the Indian judiciary's dedication to upholding justice, equality, and the comprehensive development of children in society.²”

II. OBJECTIVES:

- i. To examine the role of the judiciary in the protection and promotion of child rights in India.*
- ii. To study the judicial approach adopted by the Indian courts in safeguarding children from abuse, exploitation, neglect and discrimination.*

1. Dr. Preeti Verma, *Juvenile Justice Administration, Indian And International Approaches*, (Chyren Publication, 2026).

² Ibid.

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iii. To evaluate important judicial pronouncements and landmark cases concerning child rights protection.

III. METHDOLOGY:

For the present research paper, the Doctrinal methodology has been adopted. For this purpose, various statutes, books, journals, commentaries, reports, magazines, newspapers, websites, etc. have been consulted and referred to. For preparing this paper, analytical, critical, historical, evaluative and socio-legal approaches are also applied to examine the existing laws, policies and their effects.

IV. MEANING AND CONCEPT OF CHILD RIGHTS:

Child rights refer to the fundamental rights and protections guaranteed to children for ensuring their safety, dignity, development and overall well-being in society. These rights provide children with social, legal, and constitutional security against all forms of abuse, exploitation, neglect, discrimination and harassment. In India, a child is generally considered a person who has not completed the age of eighteen years, and the Constitution of India guarantees various rights for their protection and welfare. If the rights of a child are violated or if a child is subjected to exploitation or abuse in any manner, legal remedies and constitutional safeguards are available to ensure protection and justice.³ The concept of child rights is primarily based on the principle of the "best interest of the child," which emphasises that every decision concerning children should promote their welfare, safety, dignity and holistic development. Every child is entitled to live with equality, freedom, protection and opportunities for proper physical, mental, emotional and educational growth. The Indian Constitution incorporates several provisions for the protection of children, including Article 14, which guarantees legal equality. Furthermore, Article 15(3) empowers the State to make special provisions for children, and Article 21 ensures the right to life and personal liberty. These constitutional provisions, along with various child welfare legislations and

³ Don Cipriani, *Children's Rights And The Minimum Age Of Criminal Responsibility A Global Perspectives*, (Taylor & Francis Publiushers, 2016).

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international conventions, establish a strong legal framework for safeguarding the rights and interests of children in India.

V. ROLE OF JUDICIARY IN CHILD RIGHTS PROTECTION:

The judiciary has played an essential role in safeguarding and promoting children's rights in India by acting as the guardian of constitutional values and human rights. Its involvement in child rights protection began with the progressive interpretation of fundamental rights guaranteed under the Constitution of India, especially Articles 14, 15(3), 21, 21A, 23, and 24, which secure equality, dignity, education, protection from exploitation, and the right to life for children. Initially, judicial intervention mainly focused on protecting children from exploitation and child labour; however, with the development of constitutional jurisprudence and human rights principles, the judiciary gradually adopted a more child-focused and welfare-oriented approach. Over time, the Indian judiciary expanded the scope of child rights through judicial activism, Public Interest Litigations, and landmark judgments concerning child abuse, trafficking, juvenile justice, education, adoption, and protection from sexual offences. The courts consistently emphasised the principle of the “best interest of the child” and acknowledged that children require special care, protection, and opportunities for comprehensive development. The judiciary has also instructed the State authorities to ensure the effective implementation of child welfare laws and policies. Therefore, the judicial approach to child rights has evolved from a limited protective mechanism to a comprehensive framework that emphasises dignity, rehabilitation, welfare, equality, and the overall development of children in India.⁴

VI. LANDMARK JUDICIAL PRONOUNCEMENTS ON CHILD RIGHTS:

⁴ *Ibid.*

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The precedent-setting judgement of *Sheela Barse vs. Union of India*,⁵ is regarded as one of the earliest and most significant post-independence judicial interventions concerning the rights of children in conflict with law. The case originated from a Public Interest Litigation (PIL) filed by journalist and child rights advocate Sheela Barse. It drew the Supreme Court's attention to the inhumane and unconstitutional conditions under which children were detained in various jails across India. The petition pointed out serious violations of their fundamental rights, especially their continued incarceration in adult prisons, often without prompt trials or adequate legal support. This judgment is highly significant in the history of juvenile justice in India, as it clearly established that children should not be treated as offenders to be punished but as individuals needing care, protection, and rehabilitation. It set the basic principles for a child-focused justice system, prioritising rehabilitation over punishment and reaffirming the State's duty as a guardian of child rights. The case also highlighted the powerful role of Public Interest Litigation in advancing human rights, especially for vulnerable populations. Overall, Sheela Barse remains a landmark judgment that has greatly strengthened constitutional protections for juveniles and shaped the development of juvenile justice in India. Another case concerning child rights, *Bandhua Mukti Morcha vs. Union of India (1984)*,⁶ highlights that the protection of children is a key principle in safeguarding human rights. This case is a foundational judgment in the area of bonded labour and child rights in India. The Supreme Court, through Public Interest Litigation, recognised that bonded labour conditions amount to a violation of Article 21 of the Constitution, which guarantees the right to life with dignity. The Court observed that many children were being subjected to forced labour in inhuman conditions, depriving them of education, health and basic development. It directed the State authorities to identify such children, release them from exploitation and provide rehabilitation, education and financial assistance. This judgment expanded the scope of human rights jurisprudence and established that the State has a constitutional obligation to protect vulnerable children from exploitation.

⁵Sheela Barse v. Union of India, 19863 SCC 596.

⁶Bandhua Mukti Morcha v. Union of India, AIR 1984 SC 802.

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Furthermore, *Laxmi Kant Pandey vs. Union of India*⁷, this case addressed serious concerns regarding inter-country adoption of Indian children and the risk of trafficking and exploitation. The Supreme Court laid down comprehensive guidelines to regulate adoption procedures and ensure that children are not treated as commodities. The Court emphasised that adoption must be guided by the “best interest of the child” and must be strictly supervised by recognised agencies and the government. It mandated proper scrutiny of adoptive parents, both within India and abroad, to ensure safety, suitability, and emotional security of the child. This judgment significantly strengthened legal safeguards in adoption law and became a milestone in preventing child trafficking through illegal adoption practices. Another important case is *Vishal Jeet vs. Union of India*,⁸ which dealt with the alarming issue of child prostitution and trafficking across the country. The Supreme Court expressed serious concern over the exploitation of children in red-light areas and directed the government to take immediate preventive and rehabilitative measures. It emphasised the need for coordinated efforts between police, social welfare departments, and NGOs for rescue operations. The Court also directed the establishment of protective homes and rehabilitation programs for victims. It recognised that such exploitation violates the right to life, dignity, and freedom guaranteed under Article 21. This judgment strengthened the legal framework for combating trafficking and child sexual exploitation. One of the historical landmark cases, *Mohini Jain vs. State of Karnataka*⁹ (1992), established that the right to education is an integral part of the right to life under Article 21 of the Constitution. The Supreme Court held that education is essential for the development of human dignity and personality, especially for children. It struck down discriminatory educational practices and emphasised equal access to educational opportunities. The judgment laid the foundation for recognising education as a fundamental right, later reinforced by a constitutional amendment. It significantly advanced the concept of child development rights in India.

⁷ Laxmi Kant Pandey v. Union of India, AIR 1984 2 SCC 244.

⁸ Vishal Jeet v. Union of India, AIR 1990 SC 1412.

⁹ Mohini Jain v. State of Karnataka, AIR 1992 SC 1858

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This case, *Unni Krishnan vs. State of Andhra Pradesh*,¹⁰ further strengthened the right to education by holding that children up to the age of 14 years have a fundamental right to free and compulsory education. The Court evolved a structured framework for state responsibility in providing education and regulating private institutions. It linked education with the broader constitutional goal of social justice and equality. This judgment directly contributed to the insertion of Article 21A into the Constitution through the 86th Constitutional Amendment. It remains a cornerstone in child education jurisprudence in India. This prominent case, *M.C. Mehta vs. State of Tamil Nadu (1996)*,¹¹ addressed the issue of child labour in hazardous industries, particularly in Sivakasi firecracker factories. The Supreme Court held that employment of children in dangerous occupations violates Article 24 of the Constitution. It directed complete prohibition of child labour in hazardous sectors and ordered rehabilitation measures for affected children. The Court also mandated financial compensation and vocational training for families dependent on child labour. It emphasised education as a substitute for child labour and strengthened enforcement mechanisms under child labour laws. This case focused on large-scale child trafficking, missing children, and forced labour. The Supreme Court issued detailed guidelines for the rescue, protection, and rehabilitation of trafficked and missing children. It directed the establishment of standard operating procedures for police and child welfare authorities. The Court emphasised inter-state coordination and effective implementation of child protection laws. It also stressed the importance of timely investigation and child-friendly legal processes. The judgment significantly improved institutional response mechanisms for child protection in India. The case of *Sakshi vs. Union of India*¹² (2004), arose as a Public Interest Litigation seeking judicial intervention to address the inadequacy of the then-existing definition of "rape" under the Indian Penal Code, which was largely confined to penile-vaginal penetration. The petitioner, an NGO working in the field of child rights, contended that such a narrow definition failed to adequately protect children from various forms of sexual abuse,

¹⁰ Unni Krishnan v. State of Andhra Pradesh, AIR 1993 1 SCC 645.

¹¹ M.C. Mehta v. State of Tamil Nadu 1996 6 SCC 756.

¹² Sakshi v. Union of India, AIR 2004 SC 3566.

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particularly non-penetrative sexual assaults such as inappropriate touching and other forms of sexual violence that were not legally categorised as rape at that time. The petition urged the Court to adopt a broader interpretation so as to include all forms of sexual assault against children within the ambit of rape, thereby ensuring more effective protection of minors. Although the Supreme Court did not directly expand the statutory definition, it issued significant directions emphasising the need for child-sensitive judicial procedures, including the recording of testimony in a manner that minimises trauma and the use of special procedures to protect child victims during trial. The judgment is significant as it highlighted the legislative gap in sexual offence laws and ultimately contributed to the evolution of child protection jurisprudence, paving the way for more comprehensive legislation such as the Protection of Children from Sexual Offences Act, 2012, which later provided a broader and more inclusive definition of sexual offences against children. The Supreme Court's judgment in ***Pratap Singh vs. State of Jharkhand*¹³ (2005)**, is a landmark judgment in juvenile justice jurisprudence that clarified the crucial issue of determining a juvenile's age in conflict with law. The Court was primarily concerned with whether juvenile status should be assessed on the date of commission of the offence or on the date of production before the competent authority. It also examined the applicability of the Juvenile Justice (Care and Protection of Children) Act, 2000 to pending cases and the transitional legal framework between the 1986 and 2000 legislations. The Court held that the determining factor for juvenile status is the age of the accused on the date of commission of the offence, thereby ensuring consistency and preventing misuse of procedural delays. It further emphasised that the Juvenile Justice legislation is a beneficial and welfare-oriented law that must be interpreted liberally in favour of children to advance its rehabilitative purpose. This judgment is significant as it firmly established a uniform rule for age determination, strengthened the protective framework for juveniles, and reinforced the rehabilitative philosophy of juvenile justice in India. The case of ***Save the Child Foundation vs. Union of India*¹⁴**, is a significant Public Interest Litigation

¹³ Pratap Singh v. State of Jharkhand, AIR 2005 SCC 204.

¹⁴ Save the Child Foundation v. Union of India, WP (Cr.)2005.

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concerning the urgent need for strengthening institutional mechanisms to combat child trafficking, labour exploitation, and other forms of abuse. In this matter, the Court, taking cognisance of systemic delays and ineffective enforcement of child protection laws, issued stringent directions aimed at ensuring swift and effective intervention. It laid down rigorous timelines, including the mandatory rescue of missing and trafficked children, prompt registration of cases, and filing of charge sheets within a stipulated period of 45 days, thereby reinforcing the principle of expeditious investigation under Article 21 of the Constitution of India. The Court further emphasised the role of coordinated action by law enforcement agencies and child welfare institutions, particularly highlighting the involvement and contribution of organisations such as the Kailash Satyarthi Children's Foundation, which has been actively engaged in rescuing children from exploitative conditions. Additionally, the judgment stressed the importance of immediate rehabilitation measures, ensuring that rescued children are provided with psychological support, education, and reintegration into society. This decision is highly significant as it strengthens the framework of child protection in India by introducing time-bound procedural safeguards, enhancing accountability of state authorities, and reinforcing a child-centric approach to justice that prioritises rescue, rehabilitation, and restoration over delay and procedural inefficiency. The Supreme Court in ***Salil Bali vs. Union of India (2013)***¹⁵, dealt with a constitutional challenge to the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, particularly the rule that treated all offenders below the age of 18 as juveniles irrespective of the seriousness of the offence. The petitioner argued that the law should permit harsher treatment for juveniles involved in heinous crimes such as rape and murder. The Court rejected this contention and upheld the constitutional validity of the juvenile justice framework, emphasising that age-based classification is reasonable and consistent with the objective of rehabilitation rather than retribution. It observed that juveniles are a distinct class requiring protection due to their psychological and emotional immaturity, and that international conventions also support a separate juvenile justice system. The Court further held that policy decisions regarding the

¹⁵ Salil Bali v. Union of India (2013)7 SCC 705.

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age of juvenility fall within the domain of the legislature and not judicial interference. This judgment is significant as it reaffirmed the rehabilitative philosophy of juvenile justice in India, strengthened the protection of children in conflict with law and upheld the constitutional legitimacy of treating all persons below 18 as juveniles. This case, ***Sampurna Behura vs. Union of India***¹⁶ (2018), highlighted the ineffective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Supreme Court expressed concern over delays in setting up Child Welfare Committees and Juvenile Justice Boards. It directed all States to ensure proper functioning of child protection institutions and timely appointment of trained personnel. The Court emphasised the rehabilitation, care, and protection of children in conflict with the law and children in need of care and protection. This judgment reinforced accountability in the child justice system. In ***State of Himachal Pradesh vs. Sanjay Kumar @ Sunny***¹⁷, the Supreme Court of India reaffirmed the fundamental protection under the POCSO Act, 2012: that a minor's consent is legally irrelevant in sexual offence cases. The Court clearly stated that for victims under eighteen years, any alleged consent holds no legal weight because a minor cannot comprehend the implications of such acts. The judgment highlighted that the POCSO Act is a special law designed specifically to shield children from sexual exploitation. As such, its provisions must be interpreted strictly and in a manner that serves the child's best interests. In this landmark judgment ***Independent Thought vs. Union of India*** (2017)¹⁸, the Supreme Court read down the exception to marital rape under the IPC for girls aged 15–18 years. It held that sexual intercourse with a minor wife constitutes rape and violates the Protection of Children from Sexual Offences Act, 2012. The Court strongly emphasised the dignity, bodily integrity, and autonomy of children. It reinforced the principle that marriage cannot be a defence for sexual exploitation of minors. This judgment significantly strengthened protection against sexual abuse and affirmed child rights as fundamental human rights. In recent years, the Indian judiciary has adopted a progressively child-centric and trauma-informed approach to address

¹⁶Sampurna Behura v. Union of India AIR 2018 (2)S.C.R. 940

¹⁷ Himachal Pradesh v. Sanjay Kumar @ Sunny, AIR 2025 INSC 561.

¹⁸ Independent Thought v. Union of India AIR 2017 SC 4904.

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emerging challenges in the field of child rights. Moving beyond a rigid and purely punitive framework, the Supreme Court of India has increasingly emphasised the protection of a child's mental health, digital privacy, and emotional well-being as central considerations in judicial decision-making. This shift reflects a broader jurisprudential evolution in which the best interest of the child is accorded primacy over adversarial legal processes, thereby strengthening the protective and rehabilitative dimensions of child justice in India. The Supreme Court, in *Sheetal Vasant Thakur vd. Chirag Arora*¹⁹, held that children cannot be subjected to routine psychological or psychiatric evaluations as a matter of course in adversarial custody disputes. The Court emphasised that in cases involving sensitive allegations, including those under the Protection of Children from Sexual Offences Act, 2012, the adjudicating authority must adhere to the principle of minimum intrusion into the child's mental and emotional state. It further observed that repeated assessments by multiple experts may result in secondary victimisation and psychological harm, thereby defeating the very purpose of child-centric justice. The Court categorically reaffirmed that a child cannot be treated as an object of litigation. It held that the emotional safety and well-being of the child constitute a paramount consideration in all judicial proceedings involving minors. In *Arvind Kumar vs. State of U.P.*,²⁰ the Allahabad High Court addressed the application of Section 144 BNSS in the context of maintenance claims involving minor children. The Court held that Family Courts are duty-bound to ensure that the welfare of the child remains the primary consideration while adjudicating maintenance disputes. It accentuated that children should not suffer financial hardship due to conflicts between parents and that the law must operate to protect their basic needs at all times. The Court further observed that Section 144 BNSS embodies the principle of shared parental responsibility which requires both parents to facilitate the upbringing and maintenance of their children in proportion to their financial capacity. The judgment elucidated that maintenance is not a matter of discretion but a statutory obligation intended to safeguard the dignity and well-being of minors. In addition,

¹⁹ Sheetal Vasant Thakur v. Chirag Arora, 2026 INSC 638

²⁰ Arvind Kumar v. State of U.P., 2024: AHC: 27023.

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the Apex Court, ***In Re: Protection of Missing and Trafficked Children vs. Union of India & Ors***²¹, case taken a cognisance of the alarming rise in coordinated, pan-India child trafficking networks and systemic failures in tracing missing children across States. The Court observed that a large number of missing children cases were not being promptly or effectively investigated, resulting in children being exposed to heightened vulnerability and exploitation due to inadequate coordination between law enforcement agencies and weak functioning of *Anti-Human Trafficking Units (AHTUs)*. The key issues before the Court included whether all missing children cases should be treated as potential trafficking cases at the initial stage of investigation, whether existing mechanisms ensure speedy investigation and trial in compliance with Article 21 of the Constitution of India, whether institutional frameworks such as *AHTUs* are adequate to address trafficking effectively, and whether systemic delays amount to violation of children's fundamental rights. The Court held that every missing child case must be treated as a prima facie case of trafficking unless proven otherwise, thereby adopting a protective presumption in favour of the child's safety. It further directed that trafficking cases involving children must be investigated and tried on a day-to-day basis and concluded within six months to ensure expeditious justice. The Court also ordered the immediate strengthening and effective operationalisation of Anti-Human Trafficking Units across all States and Union Territories to ensure coordinated investigation and enforcement. This judgment significantly strengthens child protection jurisprudence in India by reinforcing a proactive, child-centric justice approach, enhancing inter-agency coordination, and expanding the scope of Article 21 to ensure the protection of life, dignity, and liberty of children in vulnerable situations. The Supreme Court, in ***State of Uttar Pradesh vs. Anurudh & Anr.***²², addressed the emerging and concerning misuse of the Protection of Children from Sexual Offences Act, 2012, in cases involving adolescents engaged in consensual romantic relationships. The Court observed an alarming trend wherein the statute, originally enacted as a protective legislation for children, was being invoked to criminalise

²¹In Re: Protection of Missing and Trafficked Children v. Union of India & Ors available at <http://indiankanoon.org/doc/70119735>(last visited on June 15 2026)

²² State of Uttar Pradesh v. Anurudh & Anr 2026 INSC 47

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consensual relationships between adolescents aged 16 to 18 years. It further noted that in several instances, families were using the stringent provisions of the Act as a tool of social control, particularly to target inter-caste or inter-economic relationships, thereby resulting in the criminalisation of consensual adolescent relationships. The Court expressed concern that such misuse not only undermines the legislative intent of the Act but also leads to the weaponisation of child protection laws, thereby causing injustice to young individuals. It emphasised the need to distinguish between genuine cases of sexual exploitation and consensual adolescent relationships, which require a more nuanced legal approach. Accordingly, the Court directed the Union Government to examine appropriate corrective legislative and policy measures to prevent such misuse of the law. Furthermore, the Court mandated that police authorities must obtain scientifically verified and medically certified age determination reports at the earliest stage of investigation, ensuring that the age of the parties is accurately established before initiating coercive criminal proceedings. This safeguard was introduced to prevent wrongful implication and to uphold procedural fairness, thereby reinforcing the constitutional mandate of Article 21 of the Constitution of India, which includes protection against arbitrary prosecution. This judgment is significant as it highlights the evolving judicial approach towards balancing child protection with individual autonomy, while also addressing the socio-legal complexities arising from adolescent relationships in contemporary society. It reinforces the principle that child protection laws must not be misused to criminalise consensual conduct and underscores the necessity of a fair, evidence-based investigative process. In a deeply disturbing incident ***Kerala Toddler Murder (2026)***²³, reported in late May 2026, an 18-month-old child in Nedumangad, Thiruvananthapuram (Kerala), was found dead after allegedly suffering severe physical abuse. A subsequent medical post-mortem examination revealed that the child had sustained more than 50 internal and external injuries, indicating prolonged and extreme physical torture. The report also pointed towards possible cigarette burn marks, suggesting sustained

²³ Kerala Toddler's Post Mortem Reveals 7 Fractured Ribs, Burns, Available At [Http://Www.Ndtv.Com/India-Nerws/Kerla-Toddler-Murder](http://www.ndtv.com/India-Nerws/Kerla-Toddler-Murder) (Last Visited On June 13, 2026).

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cruelty. Following the investigation, the child's mother and her live-in partner were arrested on charges of child abuse and murder. The case highlights serious concerns regarding domestic child protection failures. It underscores the urgent need for strengthened enforcement of child safety mechanisms under Indian criminal law and child welfare statutes, including the Protection of Children from Sexual Offences Act, 2012, where applicable and other relevant provisions relating to cruelty and homicide.

VII. LOOPHOLES AND DRAWBACKS:

The following are the loopholes and drawbacks in the Indian judicial system:

1. Delays in Investigation and Court Proceedings

The judicial process in child abuse cases frequently experiences significant delays, which undermine the principle of a speedy trial under Article 21 and negatively impact the child's psychological recovery and access to justice.

2. Low Conviction Rates

Despite the rise in reporting child abuse cases, the conviction rate remains low due to challenges such as weak evidence collection, uncooperative witnesses, and procedural inefficiencies.

3. Re-traumatization of Child Victims

Children often face repeated questioning, cross-examination, and psychological assessments, leading to further trauma during legal proceedings.

4. Lack of Child-Friendly Court Facilities

Many courts do not have specialized child-friendly courts, dedicated waiting areas, or trained personnel, making the judicial environment intimidating for young victims.

5. Poor Implementation of Child Protection Laws

Legislation like the Protection of Children from Sexual Offences Act, 2012, is not consistently enforced, resulting in gaps between law and practice.

6. Insufficient Training of Investigators

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Police and investigative agencies frequently lack proper training to handle child-sensitive cases, which hampers effective evidence collection and procedural compliance.

7. Misapplication of Laws

Sometimes, laws such as POCSO are incorrectly used in cases of consensual adolescent relationships, leading to wrongful criminalization.

8. Inadequate Victim Support and Protection

Witness protection and victim support mechanisms are often weak, exposing children to threats, intimidation, and social stigma.

9. Lack of Interagency Coordination

Poor collaboration among police, child welfare committees, medical professionals, and courts causes delays in justice delivery and rehabilitation.

10. Focus on Punishment Over Rehabilitation

The system tends to prioritize punishment rather than providing psychological counseling, education, and social reintegration for child victims.

VIII. CONCLUSIONS:

India's modern judicial perspective on child rights has shifted from a strict, punitive approach to a more progressive, child-centric, and trauma-informed framework. Instead of viewing children as passive participants in legal proceedings, India's highest courts now recognise them as vulnerable rights-holders whose emotional well-being, mental health, and long-term development are given priority over procedural formalities. This transformation is based on the "best interest of the child" principle, implemented flexibly to reduce secondary trauma by limiting repeated psychological assessments and protecting children from hostile or adversarial questioning during trials. Furthermore, the judiciary has actively addressed current social challenges by safeguarding minors' privacy and bodily autonomy and preventing the misuse of laws like the Protection of Children from Sexual Offences Act 2012 in cases of consensual teenage relationships. The Supreme Court increasingly acts as a constitutional protector, holding the government accountable through scrutiny of inaction,

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ordering prompt trials in trafficking cases, and improving child-sensitive judicial infrastructure. Overall, this approach balances strict enforcement against offenders with a rehabilitative, protective stance toward children, strengthening a rights-based, welfare-focused juvenile justice system in India.

IX. SUGGESTIONS AND RECOMMENDATIONS:

In modern times, the judiciary plays a pivotal role in shaping legal developments, as it both adheres to established principles and progressively evolves jurisprudence to address emerging social realities. Suggestions are as follows:

1. Protecting Child Identity through Anonymity

The principle of anonymity mandates strict protection of a child's identity involved in legal proceedings. Revealing personal details such as name, address, or family background can cause lasting psychological harm and social stigma. Therefore, maintaining anonymity is vital to uphold the child's dignity and support their reintegration into society.

2. Maintaining Confidentiality in Child-Related Judicial Cases

Confidentiality is crucial in child-related legal cases to ensure a fair and protective justice process. All records, hearings, and evidence pertaining to children must be kept strictly confidential to safeguard their privacy and dignity from public exposure.

3. Mandatory Private Trial Procedures in Child Cases

In-camera trials are conducted privately without public or media presence. This approach is essential in child cases to provide a safe, non-threatening environment protecting the child from intimidation, humiliation, or outside pressure during judicial proceedings.

4. Redaction of Identifiable Information in Court Records

Judicial documents and judgments must not reveal any identifying details of children involved in legal proceedings. Systematic redaction is necessary to prevent social stigma and shield the child's identity from public dissemination.

5. Media Reporting Regulations in Cases Involving Child Victims

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While the media significantly influence public perception, unregulated reporting can breach privacy rights. Strict guidelines should be enforced to oversee media coverage and prevent the publication of any information that could identify or harm the child.

6. Legal Accountability and Penalties for Violating Child Privacy

To effectively protect children's identities, strict legal penalties must be enforced on individuals or organisations that disclose confidential information. Such penalties serve as a deterrent and emphasise the importance of safeguarding child rights.

7. Avoiding Secondary Victimization in the Justice Process

Secondary victimisation happens when a child experiences additional trauma during legal proceedings due to insensitive handling. The justice system must implement child-sensitive procedures to prevent retraumatization during investigation, trial, or testimony.

8. Adoption of Trauma-Informed Judicial Practices

Recognising the psychological effects of abuse, judicial officers and legal professionals should adopt trauma-informed practices. These ensure that questioning and procedures are handled with sensitivity, minimising re-traumatisation. Comprehensive training programs should be introduced for judges, police officers, prosecutors, and related stakeholders. This training will foster understanding of child psychology and rights, leading to a more compassionate and effective justice system for children.

10. Institutionalising Child-Centric Judicial Reforms

Reforms that focus on child welfare and protection should be institutionalised within the justice system. A child-centric approach guarantees that all legal procedures support the principles of rehabilitation, dignity, and the child's best interests.