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Legal Study in India

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Justice can only be rendered effectively when the actual offender is arrested and charged with offense he committed. For establishing faith in the people of any country towards the legal institutions, the veracity and ethos of the criminal justice system need to be safeguarded. This endeavor can only be realized when the guilty are condemned and the innocents are exonerated from punishment. Strong criminal justice systems, underpinned by appropriate laws and specialized capacity, are essential to enables States to combat terrorism. Indeed, the improved capacity of national criminal justice systems to deal with complex crimes such as terrorism will have positive implications for the system as a whole. It is, however, not possible to build the capacity of a justice system to fight terrorist activities without addressing its overall capacity to function as a fair, efficient and accountable system. Internal Security in many ways is related to the state of criminal justice administration in the country. Efficient policing and successful investigation and prosecution of crimes help generate fear of law in the minds of criminally inclined persons and generally keep them within the bounds of law. On the other hand, disregard of acts of violence, mounting arrears of undetected crimes, high acquittal rate, low conviction rate and delayed justice generate a sense of impunity among such persons that consequently emboldens them to take the law in their own hands at the slightest provocation or inducement.

The present research study was carried out to comprehend how terrorist-related cases are investigated and prosecuted, as well as to assess the level of acquittal and conviction in terrorism cases in *India*. Besides, the study sought to explore the factors responsible for the high rate of acquittal in terrorism cases, as well as to trace out technological advances in the field criminal justice system and how, with the aid of technology, the overall performance of the criminal justice system might be improved.

Terrorism is often regarded as one of the world's most ubiquitous and heinous abuses of human rights. Numerous extraordinary laws have been enacted to combat terrorism, with the argument made at the time of their passage that it is too difficult to secure conviction under ordinary criminal law because *India's* existing criminal justice system dealing with ordinary crimes is burdened by a huge backlog of cases, excessive delays, and a low conviction rate. As a result, a different legal framework evolved to deal with terrorism.

Despite such stringent laws, one of the key concerns has been the abysmally low percentage of conviction in cases filed under the provisions of the *UAPA*. It is here important to note that the intention of this study was not to argue for a high conviction rate; in fact, the primary goal of the criminal justice system is to ensure that the guilty are punished and the innocent are exonerated. Conversely, if the guilty goes scots free while the innocent are falsely implicated. Certainly, questions about the credibility of a criminal justice system may be raised. Interestingly, the analysis of the *National Crime Record Bureau Report* on terrorism from 2014 to 2020 in the previous chapter of this research study reveals that the conviction rate in cases filed under the *UAPA* was just 27.55 percent whereas acquittal rate was extremely high. Therefore, an attempt has been made by the researcher to find out the factors responsible for high rate of acquittal.

The study also reveals that there are various faults in the criminal justice system that allows the guilty to escape unpunished. However, the analysis also revealed, in addition to the numerous flaws in the criminal justice system. Poor criminal investigation, on the other hand, is a major bottleneck in the path of justice in ordinary crimes in general and terrorism in particular.