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Feasibility and Acceptability of Victim Impact Report (Delhi Vir Model) in India – An Analysis

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ABSTRACT

The rights of victims, and indeed victimology, is an evolving jurisprudence. From the victimology's viewpoint, retribution is one of the goals of sentencing policy, and restoration is one of the goals of compensating policy. Therefore, both goals attract equal importance to impart confidence to society in the criminal justice system. The steps taken by the Indian judiciary are commendable. The present paper tried to explore the suitability and viability of the Victim Impact Report (VIR) method designed by the High Court of Delhi to strengthen mechanisms of awarding compensation to victims of crime under the Criminal Code to ensure the aim and objective of and imparting complete justice. The paper also tried to compare the Victim Impact Statement (VIS) with VIR to explore whether they can substitute each other in principle. If yes, which ones have more potential from the practicality and applicability perspective.

Keyword: Victim Impact Report, Victim Impact Statement, Victimology, Criminal injuries compensation, victim compensation, Section 357 of CrPC, Section 357A of CrPC

I. INTRODUCTION

The rights of victims, and indeed victimology, is an evolving jurisprudence. It must find fulfillment not by giving more pain to the offender but by lessening the loss of a victim². Krishna Iyer J. said that it is a weakness of our jurisprudence that the victims of the crime do not attract the attention of the law.³ It needs no citations or studies to know and understand the fundamental connection that the harms caused to the victims of crimes are not just symbolic harm to the social order; it is substantive harms. Victims of crime suffered immense economic, emotional, physical, and mental trauma or agony. They often lost their human rights to life and liberty with dignity. The offenders of crimes are the violators of the constitutional and human rights of the victims. However, the question is whether only

¹ Author is a LLM Student at Galgotias University, India.

² Maru Ram v. Union of India, (1981) 1 SCC 107

³ Rattan Singh v. the State of Punjab, (1979) 4 SCC 719

offenders of crimes violate such rights of the victims? In most of the criminal justice system globally, two types of victims' rights have been very well recognized. These are the right to participate in criminal proceedings and the right to be compensated for harms or injury suffered. The State being the custodian of all fundamental rights is duty-bound to protect the victims' rights. Therefore, in the welfare state, where the State fails in preventing the crimes or falls in preserving the constitutional and legal rights of the victims should not be categorized as a "secondary violator" of the rights of victims? In this regard, there may be several arguments and approaches from both sides; however, the undeniable truth is that if justice is not done to the victim of the crime, criminal justice will look hollow.

Recently, on 27 November 2020, the High Court of Delhi at New Delhi, India passed a landmark judgment in *Karan vs. State NCT of Delhi*⁴ in favour of the most unfortunates forgotten people in the criminal justice administration system. The victims of crime!. In this judgment, the High Court took cognizance of victims' plight concerning the criminal injuries compensation. The Court showed its concerns over non-enforcement of the victims' compensation provision provided under the criminal Procedure Code.

The Court was emphatic about the need to protect the rights of victims of crime.⁵ Therefore, the Court has categorically recognized compensation (pecuniary) to the victims of crime as protecting their rights. It further emphasized that victims and their families (secondary or tertiary victims) need may not be the same; it is bound to be extensive and varied. Therefore, the Court believed that although the monetary compensation to the victims of crime cannot reconcile their losses which they suffered, it could be of some solace to them.

The Criminal code of India provides provisions for the victim compensation in Chapter XXVII of Criminal Procedure Code (CrPC). However, the same has seldomly been applied by the concerned Courts. The Court's discretionary powers in the chapter stated above are related to the quantum of compensation to victims of crime only; therefore, considering the said discretion for hearing on compensation is a misconceived notion. The victim compensation provisions are mandatory.

In the backdrop above, the Delhi High Court directed the Trial Courts to exercise their powers under Section 357(3), CrPC, for awarding compensation. The High Court further directed the DSLSA to submit a Victim Impact Report (VIR) with their recommendations in the prescribed format provided in the judgment to the Trial Court, who thereof, after considering the same, has to determine the compensation amount. The purpose of VIR is to

⁴ *Karan vs. State NCT of Delhi*, Delhi High Court, dated 27.11.2020 in CrI. A. No.352 of 2020

⁵Id.

weigh the impact of crime on the victim. Its other objective is to assess the accused's capacity for quantifying and awarding compensation to the victim. From the standpoint of victimology, the main aim and object behind formulating such a resolatory process are to deliver complete and adequate justice to the victims.

Indian judiciary has always been the guardian-protector of the constitutional and fundamental rights of the people. By formulating a method concerning the victim, compensation is a progressive step and can be considered part and parcel of judicial activism. The judiciary has put the wheel of justice in motion. However, the strength of the spikes of the wheel is yet to be checked. It has to pass the rule of enforceability. The present paper has tried to explore the difficulties in its practical implementation and further explore the viability of the Victim Impact Report- Delhi Model (VIR-D) at the pan India level.

At this juncture, it is pertinent to note that the VIP and the Victim Impact Statement or Assessment (VIS) are not the same. However, they share the same contextual approach; that is, they assess the impact of harm or loss caused to the victim due to crime committed by the convict. However, they are distinct from each other based on their scope, purposiveness, and procedure application. The Victim Impact Statement or Assessment (VIS) is the old player of the field of victimology. The VIS is a document of a victim's expression to the Court about how the crime has affected or has been affecting him or her. This document is taken into account while considering the sentencing of the convict.

In comparison, the VIR is a report prepared by a third-party agency after conducting a summary inquiry. It is to decide victim compensation. For the present paper, a limited part of VIS, which is relevant for comparative studies, has been considered. In addition, the present paper has tried to explore the suitability of the mode and procedure provided in the judgment for awarding compensation.

II. MODE & PROCEDURE PROVIDED FOR QUANTUM OF COMPENSATION

High Court's directions in Karan Case⁶ concerning the quantum of compensation are as follows:

1. The Court (Trial Court) shall determine the quantum of compensation;
2. The factors which the Court shall consider before awarding compensation amount includes-
 - a. The gravity of the offence;

⁶ Id. Note 3 (supra)

- b. The severity of mental and physical harm or injury suffered by the victim;
 - c. Damages or losses suffered by the victim; and
 - d. The accused's capacity to pay wherein, the factors such as the current employment, occupation, or income of the accused shall have to be considered.
3. Procedure to be adopted in the case where the accused is convicted for an offence:
- a. The Trial Court has to direct-
 - i. the accused to file the assets & income Affidavit **within ten days** (from the date of conviction);
 - ii. the State to file an affidavit of the expenses incurred on prosecution **within 30 days**.
 - b. The Trial Court has to send-
 - i. the accused's affidavit, documents filed with the affidavit, and the copy of the judgment on conviction to DSLSA (Delhi State Legal Services Authority) **immediately** on receipt of the same from the accused.
 - c. The DSLSA, on receipt of documents from the Trial Court, described above, shall-
 - i. conduct a summary inquiry to-
 1. quantify the victims' loss; and
 2. to assess the paying capacity of the accused
 - d. The DSLSA, **after summary inquiry**, shall prepare the Victim Impact Report (VIR) with **recommendations** and submit the same to the Trial Court **within 30 days**.
 - e. After considering the VIR and after hearing both the parties, the Trial Court shall award compensation to the victim; and cost to the prosecution.
 - f. The Court shall award the compensation **if** the accused has the capacity to pay the same.
 - g. In case any compensation is awarded, the same shall be deposited by the accused with DSLSA.

- h. DSLSA shall disburse the awarded compensation to the victims **according to their Scheme.**
 - i. The Court shall **invoke S. 357A CrPC (for compensation under the Delhi Victims Compensation Scheme, 2018) if** the accused found to be incapable of paying the compensation or the awarded compensation against the accused is not adequate for rehabilitation of the victim.
4. DSLSA shall seek the necessary assistance from the concerned SDM, SHO, and/or prosecution for summary inquiry.
 5. The affidavit of the accused and VIR has to be filed by the concerned parties in the prescribed format provided by the High Court. The same is Annexure A, Annexure B-1 (VIR in criminal cases other than motor accident cases) & B-2 (criminal cases regarding motor accident cases) enclosed with the judgment.
 6. Victim Impact Report (VIR) shall disclose the impact of the crime on the victim.

III. LAW OF COMPENSATION UNDER INDIAN CRIMINAL CODE & PRECEDENTS

The social and financial disparity are two decisive factors to understand the nature and extent of victimization. Section 357 CrPC deals with victim compensation. The provisions empowered the Court to award victim compensation while passing judgment on sentence to victims of crime for the injury or loss they suffered due to the commission of that crime. The determining factors for quantification of compensation are the nature of the crime, extent of loss or damages, and the paying capacity of the convict. The provision is mandatory. Therefore, the Courts are duty-bound to consider the victim compensation in every criminal case unless it is exempted in any other law for the time being in force. The Courts cannot ignore the provision; they have to give reasons for awarding or rejecting the compensation to the victims. The amount of compensation sought to be imposed must be reasonable and not arbitrary, and thus a summary inquiry to weigh the capacity of the convict to pay is necessary. The Courts cannot exercise the jurisdiction at their whims and caprice.⁷ Direction for payment of compensation is a matter of inquiry by the criminal Court either the Court has exercised its power under Section 357 CrPC or any other provision of law such as Section 5 of the Probation of Offenders Act. The amount paid under-compensation is subject to recovery.⁸ To compensate the victims, the Apex Court even suggested setting up a common fund for victims' compensation to take a small portion of wages earned by Convicts in

⁷Dilip S. Dahanukar v. Kotak Mahindra Co. Ltd., (2007) 6 SCC 528

⁸ Raj kumar vs. State, Delhi High Court dated 03 December 2019, CrI. A. 187 of 2018

prison.⁹

In cases of certain heinous crimes or injuries due to commission of a crime are self-evident, such as injuries to victims of acid attack, rape victim or death due to motor accident, the Court can invoke section 357A CrPC. Section 357A provides that if the Courts find that the convict is incapable of paying the compensation or that the awarded compensation is not adequate for rehabilitation of the victim, the Court can recommend to Legal Services Authority for awarding compensation. The amount of compensation under Section 357A is to be paid from the State-funded Victim Compensation such as Funds under the Delhi Victim Compensation Scheme, 2018 in a manner prescribed in the Scheme.

The provision was introduced to reassure the victim that he or she is not forgotten in the criminal justice system.¹⁰ However, the Courts have been ignoring the objective and importance of these provisions, and thus it seems that they seldom invoked them.¹¹ It is pertinent to note that the power of courts to award compensation is not ancillary, but it is in addition to other sentences.¹² In *Manish Jalan Case*¹³, the Apex Court observed despite existing comprehensive provisions concerning awarding victim compensation, the Courts have hardly exercised their jurisdiction in this regard. The Apex Court observation is as follows-

"12. Though a comprehensive provision enabling the Court to direct payment of compensation has been in existence all through but the experience has shown that the provision has rarely attracted the attention of the courts. Time and again, the courts have been reminded that the provision is aimed at serving the social purpose and should be exercised liberally, yet the results are not very heartening."

The Apex Court has been repeatedly noted that the Criminal Courts have not exercised the powers vested in them under Section 357 CrPC concerning compensation clause significantly despite the provision for payment of compensation has been in existence on the statute book in this country.¹⁴ The Court further held that the provision is mandatory and has to be applied in every criminal case, and the Courts are required to record reasons for such application.¹⁵ Section 357 of CrPC confers a power coupled with a duty on the courts to apply its mind to

⁹ *State of Gujarat v. Hon'ble High Court of Gujarat*, (1998) 7 SCC 392

¹⁰ *Ankush Shivaji Gaikwad v. the State of Maharashtra*, (2013) 6 SCC 770

¹¹ *Hari Singh v. Sukhbir Singh*, (1988) 4 SCC 551; *K.A. Abbas H.S.A. v. Sabu Joseph*, (2010) 6 SCC 230

¹² *Id.*

¹³ *Manish Jalan v. the State of Karnataka*, (2008) 8 SCC 225

¹⁴ *Roy Fernandes v. the State of Goa*, (2012) 3 SCC 221

¹⁵ *Ankush Shivaji Gaikwad v. the State of Maharashtra*, (2013) 6 SCC 770

the question of awarding compensation in every criminal case.¹⁶

However, there is always a word of caution while granting and disbursing compensation to the victims of crime. The compensation schemes may be misused. Recently the Delhi High Court in a criminal case came across one such point. The Court opined that it should be taken as a wake-up call to plugged all possibilities of abuse of the victim compensation fund.¹⁷

From the discussion mentioned above, it is befitted to conclude that the law regarding victim compensation has been part of the Indian criminal justice system. However, the core issue is its non-implementation. The primary reasons are the ignorance of the courts, perhaps, for want of any prescribed strict actions in this regard and the insensitive approach towards the plight of the victims. Therefore, the plan should be to develop an effective mechanism or process for implementing and enforcing the already existing provisions of victim compensation.

In a recent case of *Mallikarjun Kodagali*¹⁸, the Apex Court, concerning the rights of the victims of a crime, moved one step forward. Its emphasis on the need to give a hearing to the victim on sentence. The observation of the Court was that-

“8. Among the steps that need to be taken to provide meaningful rights to the victims of an offence, it is necessary to seriously consider giving a hearing to the victim while awarding the sentence to a convict. A victim impact statement or a victim impact assessment must be given due recognition so that an appropriate punishment is awarded to the convict. ...”

In the light of this judgment, it would be interesting to see whether the Victim Impact report can be substituted by the Victim Impact Statement to award compensation also.

IV. VICTIM IMPACT REPORT VS. VICTIM IMPACT STATEMENT

Victim Impact Report is already mentioned earlier. On the cost of repetition, VIR is the report to be prepared by a third person based on information provided to it. It consists of three parts. First, the description of harm caused to the victim(s) due to commission of a crime by the convict, second, the paying capacity of the convict, and third, the recommendation regarding compensation component by the Third person. The report is to be submitted in Court where the Court considers it for granting compensation to the victims. However, the Court has to determine the amount of compensation based on the material placed on the court

¹⁶ Id.

¹⁷ Id. Note 8 (supra)

¹⁸ *Mallikarjun Kodagali (Dead) v. The State of Karnataka* on 12 October 2018

record by the parties and the argument advanced. Thus, the VIR is, at best, called an informative document regarding the compensation amount in the position mentioned above.

A victim Impact Statement is a statement of the harm, losses, injuries, or damages suffered by the victim(s) regarding their perception and expressions of the emotional, physical, psychological, or economic harm they suffered due to the commission of a crime.¹⁹ It symbolizes the victim's active participation in the criminal justice system as it allows the victim to share thoughts and feelings which will otherwise not allowed at trials. In addition, it gives a chance to place on the court record the impact of harm from the victim's perspective in a subjective manner. Thus, one of the rights of the victim is to participate in criminal proceedings. The same has also been emphasized upon by the Apex Court wherein the Court was pragmatic about the necessity of the Victim Impact Statement to incorporate in sentencing policy.²⁰ The victim's involvement in proceedings further gives a sense of satisfaction with the justice process and creating an avenue for psychological healing and restoration.²¹ There are disadvantages also attached with the VIS; that is, it can be misused by the victims using it as a weapon of revenge or retaliation.²² Sharing VIS is a voluntary act on the victim's part, which means, if the victim does not want to participate, he or she will not be forced to share the statement. However, if the victim chooses to share the Victim Impact Statement, then the offender may have the opportunity to cross-examine the victim in a given case. In various countries such as the USA²³, Canada²⁴, Australia²⁵, Malaysia²⁶, and South Africa²⁷, the Victim Impact Statement is part of sentencing policy and is also consider for awarding compensation in some countries such as in the USA; the VIS is being used for both

¹⁹ Ismail, S., 2021. Victim Impact Statement In Criminal Sentencing: Success Or Setback For The Criminal Justice Process?. [online] Available at: <<https://www.researchgate.net/publication/322405791>> [Accessed 4 August 2021].

²⁰ Id. Note 18 (supra)

²¹ Id. Note 19

²² id.

²³ 2021. VICTIM IMPACT STATEMENTS: KNOW YOUR RIGHTS. [online] Available at: <https://www.justice.gov/sites/default/files/usao-wdla/legacy/2013/02/27/vns_Victim%20Impact%20Statements%20Know%20Your%20Rights.pdf> [Accessed 4 August 2021].

²⁴ Justice.gc.ca. 2021. Victim Impact Statements: Recent Guidance from the Courts of Appeal - Victims of Crime Research Digest, Issue No. 5. [online] Available at: <<https://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd5-rr5/p2.html>> [Accessed 4 August 2021].

²⁵ Victims of Crime South Australia. 2021. Victim Impact Statements. [online] Available at: <<https://www.voc.sa.gov.au/going-court/victim-impact-statements>> [Accessed 4 August 2021].

²⁶ Bhd, C., 2021. CRIMINAL PROCEDURE CODE (AMENDMENT) ACT 2010 (AMENDMENT) BILL 2011 | #CLJLaw. [online] Cljlaw.com. Available at: <<https://www.cljlaw.com/?page=dr392011>> [Accessed 4 August 2021].

²⁷ der Merwe, A., 2020. The use of impact statements, minimum sentences and victims' privacy interests: a therapeutic exploration. [online] De Jure Law Journal. Available at: <http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2225-71602020000100001&lng=en&nrm=iso&tlng=en> [Accessed 4 August 2021].

the sentencing of the convict as well as for compensating the victim²⁸. Analysis of the Victim Impact Statement is beyond the scope of this paper; however, the mentioning of the same in brief is to understand its basic connotes and to show the difference between the scope, nature, and purpose of the Victim Impact Report from the Victim Impact Statement.

The question is whether VIR and VIS can be substituted for each other? If yes, which one is better to opt for?

In general, the Victim Impact Report is pro-restorative whereas, Victim Impact Statement is pro-retributive. However, both deal with a similar fundamental point: the inquiry or analysis of the impact of the harm caused to the victim due to the commission of a crime. So, it can be comfortably supposed that they can be a substitute for each other. Now the question remains which one could be better?

V. ISSUES THAT MAY ARISE IN IMPLEMENTING THE VIR-D MODEL INCLUDES

1. **Adverse effect on Speedy justice.** The author understands that in applying the procedure in terms of the Karan Case.²⁹ as described above, all the stakeholders of the justice administration system have to face specific fundamental difficulties such as-
 - a. delay in passing judgment on sentence is a highly probable outcome of the waiting period of at least 60 (sixty) days, ideally in every conviction case. It is assumed that all the parties would act within the time frame prescribed.
 - b. However, in the absence of empirical data, let's keep in mind the external factors that would adversely influence the time frame, such as the availability of competent and authorized human resources in time, general pendency of cases in Trial Courts, and working culture of legal professionals and the courts. For instance, the delay in submitting the convict's affidavit beyond ten days or delay in filing of prosecution's affidavit beyond 30 days cannot be ruled out even assumingly that the delay was caused due to some just and plausible reasons.
 - c. Similarly, there is no time prescribed for sending relevant records by the trial Court to the DSLSA. The prescribed rule says "immediately" after receiving the affidavit from the convict. The word "immediately" must not

²⁸ Id. Note 23

²⁹ Id. Note 3 (supra)

be construed as before hands; it must be just and within a reasonable time or without unnecessary delay.

- d. Delay in mandatory inquiry, recommendation, preparation of VIR, and submission of the same by the DSLSA beyond 30 days from the date of receiving all the documents from all concerns cannot be ruled out, especially when the Authority has to depend on persons of different departments who are not directly in their control or supervision. Also, there is no time frame or mandatory rules prescribed for the assistance in inquiry within 30 days.
- e. Also, there is no timeframe prescribed for deciding the compensation by the Trial Court after receiving the VIR from DSLSA.

Thus, the likelihood of delay in delivering justice to the satisfaction of all the stakeholders cannot be ruled out.

2. **Significance of Victim Impact Report.** It appears that the Victim Impact Report is the least significant document for the consideration of awarding victim compensation under Section 357 CrPC by the Court for the reasons that-

- a. As it appears, the Trial Court has to determine the amount of compensation based on material provided and argument advanced by the parties. Therefore, the VIR is relevant for consideration of harms caused and payable capacity of the convict. However, the acceptance of the recommendation of the DSLSA is not mandatory. Therefore, it can be comfortably presumed that all the arguments qua the compensation to be awarded shall remain open before the Trial Court even after the whole exercise done by DSLSA as described above.
- b. Another example, if the DSLSA finds that the convict is not capable of paying, then there is no question of giving recommendations.
- c. Also, if the trial court also finds the exact status of the accused, the Court has to invoke Section 357A of CrPC. In that case, the matter shall again send back to the DSLSA. Moreover, it is pertinent to note that the victim's compensation scheme under this provision is limited to certain heinous crimes. It does not cover victims of all the crimes, such as it does not cover loss/damages suffered by the victim due to offence against property.

- d. **Inquiry under objection:** In the case where Section 357A is invoked, a different process is to be followed because, in that case, the compensation is not to be paid by the convict to the victim; therefore, the convict has no role to play. The compensation is to be paid by DSLSA from the fund created for this purpose. However, in compensation under Section 357(3) CrPC, the convict has to compensate the victim from his or her funds. Thus, there is a high possibility of challenging the inquiry or VIR before the Court of law by the convict on various grounds, such as refuting the harm and its impact claimed therein, lack of fairness in inquiry, or report based on incorrect information facts.
3. **Lack of fairness.** It appears that there is no sanction attached to the victim's version of harm in the Victim Impact Report. Therefore, it would depict a lack of fairness towards the convict who is directed to compensate the victim without himself getting the chance to cross-examine the victim in that regard.
4. **No substantive benefits shall be achieved.** The process prescribed appears to be complexed in nature, time-consuming, expensive, needs enormous human resources, and the Victim Impact Report is not very effective.
5. **Other factors.** Such as monitoring all the cases by DSLSA until they attain finality. In other words, until the parties exhaust all the remedies up to the Apex Court. It will divert the sources, funds, and resources of the legal cell authority from their other necessary and practical tasks; or

Issues related to other statutory provisions may also crop up, for instance, issues related to the right to appeal, revisions, effect on limitation periods, the multiplicity of litigations (such as two appeals may be preferred first against the judgment of conviction and another later against the verdict on sentence), bail, jail, or parole.
6. It is analyzed that besides other complexity, the voluntariness of victim participation is missing in VIR- Delhi Model (emphasized) because it is made a mandatory process in all conviction cases.
7. It is a complex, expensive, and time-consuming affair, especially keeping in mind the population of India. for instance, in the year 2019, the total cases of conviction

in Delhi were in 17,574³⁰ Cases under IPC and 6356 Cases under Special laws. If we consider 365 days as working, even then, the ratio of cases that undergo the VIR-D process will be 48 cases under IPC alone per day. One has to keep in mind the other factors, such as the strength of population ratio per police personal, cases per judicial officer, and infrastructure. The total convictions tally for all over India is 8,37,075³¹ cases in IPC and 13,78,322³² Cases under Special laws.

The points above are illustrative. The ground reality could be explained and interpreted from the empirical data in this regard. In the absence of empirical data, the Author hypothesises the issues, analyze the same and tried to interpret the prescribed rules based on known legal parameters of the criminal justice delivery system. In a nutshell, for the actual practicability and suitability of the process, the specified mode and the formulation of the victim Impact report need modification. The same in the present form may not be viable enough to secure and ensure complete justice to any of the stakeholders.

VI. CONCLUSION

Retribution is one of the goals of sentencing policy, and restoration is one of the goals of compensating policy. Thus, to impart confidence to society in the criminal justice system, both goals should be given equal importance. The steps taken by the judiciary are commendable. However, the mechanism designed for enforceability is appeared to be more promising on paper from its practicality standpoints. Its needs extensive modification or alterations. Therefore, implementing the Victim Impact Report Delhi (VIR-Delhi Model) should be deferred for the time being, and extensive empirical and legal research should be carried out in a time-bound manner to get fruitful results in the future. Also, till the coming of an effective process, the Trial Courts can be directed to issue notice to the victim to the effect that if the victim desires, they may participate in the proceedings and share their Impact Statement (VIS) orally or in writing before it.

Similarly, the concerned Court can direct the accused or convict to file an affidavit of asset and income or declaration that he or she is insolvent with relevant details. Thereafter, before awarding compensation, the Court may make inquiries in such cases where it deemed to do so. The factors for considering the impact of harm mentioned in the VIR-D shall be work as a guideline for the Court to determine the quantum of compensation.

³⁰ 2021. Crime in India 2019. [online] Available at: <<https://ncrb.gov.in/sites/default/files/CII%202019%20Volume%201.pdf>> [Accessed 4 August 2021].

³¹ 2021. Crime in India 2019. [online] Available at: <<https://ncrb.gov.in/sites/default/files/CII%202019%20Volume%201.pdf>> [Accessed 4 August 2021].

³² Id.

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