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"Zero FIR and Victim-Centric Reforms under BNSS:A New Era Justice?"

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Introduction

India's criminal justice system is embracing a victim-first shift with the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), replacing the CrPC. At its heart is the empowering concept of **Zero FIR**—allowing victims to file an FIR at any police station, regardless of where the crime occurred. This simple yet powerful change removes the jurisdiction barrier that often blocks justice, especially for women and vulnerable communities. BNSS reflects a more humane approach—putting the victim's experience, dignity, and timely access to justice at the center. But its true impact depends on how sincerely the police and system embrace this change in spirit and practice.

Zero FIR

Meaning

In serious cases like rape or missing persons, Zero FIR ensures prompt action by permitting filing at any police station, regardless of jurisdiction. It eliminates location-related delays, supports victim-friendly justice, and incentivizes the reporting of crimes. It was later moved to the appropriate police station after being marked "0."[1]

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1 https://xpertslegal.com/blog/the-concept-of-zero-fir-in-india-a-step-towards-easier-access-to-justice/#:~:text=Zero%20FIR%20is%20a%20type,in%20sexual%20offenses%20or%20accidents.

Background: How the Need Arose

Police sometimes refused to file reports prior to Zero FIR if the crime did not occur within their jurisdiction. Delays, evidence loss, and victim discomfort resulted from this. Many individuals lost faith in the legal system because it put procedures before people.

Nirbhaya Case – A Turning Point

The **2012 Delhi gang rape case (Nirbhaya)**[2] highlighted the urgent need for reform.

It was found that **precious time was lost** in the Nirbhaya case due to **jurisdictional disputes** between Delhi police units.This delay was one of the **catalysts for legal reform** in India.
Public outrage led to the formation of the **Justice Verma Committee**, which recommended **victim-centric changes**, including the idea behind Zero FIR.

Legal Foundation of Zero FIR

Zero FIR is based on Section 154 of the Criminal Procedure Code (CrPC), 1973, which mandates the police file First Information Reports (FIRs) for crimes that are punished by law, but it is not expressly specified in the legislation.When the Supreme Court ruled in Lalita Kumari v. Govt. of U.P. (2013) Circulars from the Ministry of Home Affairs and other state police departments aided in the implementation of Zero FIR.

Zero FIR: A Lifeline When Every Second Counts

Zero FIR ensures that no victim is turned away just because a crime occurred outside a police station's jurisdiction. Especially vital for women, children, travelers, and those from marginalized groups, it enables quick police action and encourages timely reporting. While it speeds up justice and improves coordination across stations, many officers still hesitate due to lack of training or awareness. A real example is of a

2https://launchpadeducation.in/js-verma-committee-report/#:~:text=A%20key%20recommendation%20by%20JS,should%20be%20classified%20as%20rape.

woman stalked on public transport—she was able to file a Zero FIR at a nearby station, ensuring her safety and swift investigation. Wider awareness and training remain key to its effective use.[3]

Statutory Recognition of Zero FIR in BNSS: Section 173(3) and Its Impact on Jurisdiction

By making Zero FIR a legislative right and eliminating the jurisdictional barrier that frequently postponed justice, Section 173(3) of the BNSS, 2023, represents a significant improvement. Zero FIR, which was previously only supported by rulings such as Lalita Kumari v. Govt. of U.P., is now enforceable. No matter where the crime took place, police must report cognizable offenses to ensure prompt justice. This gives victims the ability to report crimes right away, particularly in delicate situations like rape or kidnapping. By enforcing consistency, accountability, and victim-centric policing, it improves the responsiveness and compassion of law enforcement. This change guarantees that procedural obstacles won't exacerbate trauma.

Why Zero FIR Matters

In order to empower victims, particularly when they are at their most vulnerable, zero FIR is an essential first step. It guarantees that a complaint can be filed right away at any police station, regardless of jurisdiction. By doing this, the victim avoids the emotionally and mentally taxing task of rushing between

3https://indianexpress.com/article/explained/everyday-explainers/what-is-zero-fir-why-it-is-registered-8854310/

stations. Zero FIR helps avoid delays that frequently result in lost evidence or deteriorating witness memory by reducing jurisdictional barriers. More significantly, by providing prompt recognition and assistance at the initial point of contact, it shields patients from later trauma. In this sense, Zero FIR changes the system to put people before procedures.

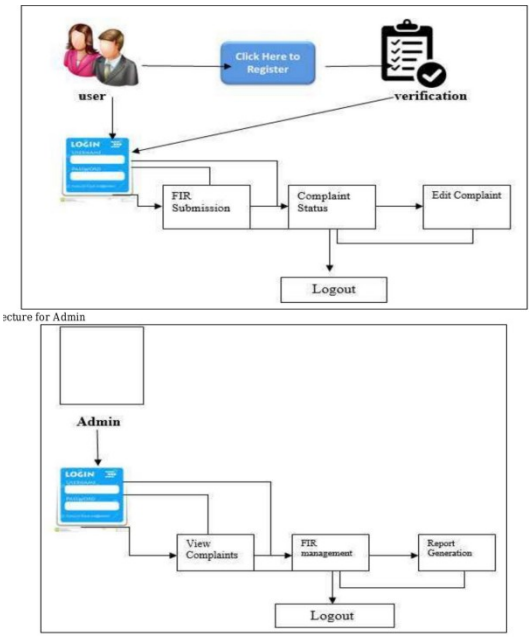
Relevant Case Law Support

In Lalita Kumari v. Govt. of U.P. (2014)[4], the Supreme Court affirmed the police's obligation to act promptly by ruling that FIR registration is required in circumstances of cognizable offenses. The foundation for guaranteeing victims' access to justice was established by this ruling. The 2012 Nirbhaya gang rape case revealed serious shortcomings in the police response and caused widespread public indignation, which in turn sparked a number of changes, notably the Justice Verma Committee Report. These incidents sparked the adoption of Zero FIR, which guarantees that victims can lodge complaints at any police station, regardless of jurisdiction, in order to avoid formalities.

Other Victim-Centric Reforms in BNSS

A number of progressive improvements are introduced by BNSS to improve victim protection. Time-bound inquiry reduces protracted trauma by requiring police to finish investigations within a predetermined time frame. Victims now have the right to information under Section 193, which guarantees them updates on the status of their case and improves openness. Victims can now lodge complaints remotely thanks to e-FIRs, which is especially important for people in dangerous situations or in distress. Furthermore, videotaping statements—especially those made by women and children—protects against coercion and enhances the credibility of the evidence.

4https://www.dhyeyalaw.in/lalita-kumari-v-government-of-uttar-pradesh#:~:text=Decision%3A,of%20Lalita%20Kumari%2C%20stating%20that%3A&text=The%20police%20are%20required%20to,obligations%20and%20shall%20invite%20contempt.



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Challenges in Implementation

Police effectiveness is hampered by a lack of training in victim-sensitive protocols and digital procedures, even with significant improvements. Digital tools like e-FIRs are hampered by infrastructure deficiencies, particularly in rural or semi-urban areas. Additionally, people' and lower-level police officers' awareness is still insufficient, which has an impact on compliance. To make sure that BNSS's victim-centric measures are practical rather than merely symbolic, it is imperative to close these gaps.

Conclusion

The BNSS, 2023 eliminates jurisdictional hurdles to filing FIRs by establishing Zero FIR as a legislative entitlement under Section 173(3). The Nirbhaya case and the Lalita Kumari ruling served as inspiration for this change, which gives victims—particularly women and vulnerable groups—the ability to promptly seek

police assistance. Transparency and speed are improved by victim-centric changes like e-FIR, video recording, right to information (Sec. 193), and time-bound investigations. However, there are significant obstacles due to a lack of public awareness, digital infrastructure, and police training. Consistent execution, national awareness campaigns, and accountability systems are necessary for BNSS to be genuinely transformative in order to guarantee that victims obtain prompt, compassionate, and efficient justice.