

## Juvenile Delinquency

Isha Panwar (Law Student, Chandigarh University - Mohali)

### Article History

Received: 24 April 2022

Accepted: 03 May 2022

Reviewed by Dr Vanadana Tripathi and Ashish Mishra.

ISBN: 9798886848885

© 2022 The Author(s). Published by Vera Causa Legal, trading as Lex Scholasticus Journal of Law And Socio-Economic Issues.

---

### ABSTRACT

“IF EVERY SAINT HAS A PAST THEN EVERY CRIMINAL HAS A FUTURE”... MAHATMA GANDHI.

Juvenile Delinquency basically refers to the anti social and criminal behaviour of a minor or an individual younger than the statutory age of majority. In UNITED STATES OF AMERICA the Juvenile delinquent is a person who is typically below 18 whereas in states of GEORGIA, MICHIGAN, NORTH CAROLINE, and TEXAS etc it is 17 years of age. In INDIA it is 16 years for Males and 18 years for Females. The Act came into force from 15 January, 2016. It replaced the Juvenile Justice Act, 2000/2006.

All across the globe, scholars found that the crime amongst the youth have increased and it's really important to introduce some policies and help the struggling youth as children are the future of a nation and it is more like a responsibility of everyone that they should have the adequate environment to live peacefully.

There are many factors that affects the young children to commit such acts and crimes, which later becomes problem for them. One of the main factor is the peer pressure, under the influence of the peer they get indulge themselves in the activities like robbery, drugs and even rapes and murders. The role of parents is equally important in the development of the child health both physically and mentally.

### INTRODUCTION

The term Juvenile has been defined in clause (h) of section 2 of the Juvenile Justice act, 1986. The term delinquency has been defined in clause (e) of section 2 of the Juvenile

Justice Act, 1986. A juvenile is a person who has not completed 18 years of age whereas the juvenile delinquency is the violation of law by a child.

In country like India it is more likely common to see the children getting involved in criminal activities as they do not have the proper and healthy environment and even proper guidance for their future ahead, so they get influence from the things that they see around them and then adopt themselves in that manner only. That is why the crimes among the children are increasing and it's really important for them to get out of here and look the world with different aspect and opportunities.

Juvenile delinquency is divided into two categories.

1) CRIMINAL OFFENCE – Crimes that are committed by a minor has to be dealt in the criminal justice system.

2) STATUS OFFENCE – It is the offence that only minor can commit, for example intake of alcohol by a minor.

Almost every country has the issue with the juvenile and many even don't keep records of the crime that is committed by the minors. It's a major issue of concern for developing nation like India, and education the best solution to get rid of this problem as more the educated youth more open mindset and opportunity grasping power.

#### **FACTORS THAT AFFECTS THE DELINQUENCY**

1) PEER INFLUENCE- The peer pressure is the most common thing in the adolescent age and many children tend to indulge in the wrong activities, so having a good peer environment is important for the proper growth and development of the child.

2) FAMILY ENVIRONMENT- A child learns from what he/she observe from their environment, if their environment is bad than it is obvious that their upbringing will also be bad which will affect their mind-set and they are more likely to do the same thing which they are watching. For example, if they are watching their father stealing the things or indulged in some sort of criminal activities than they will also want to try that which is not good for them. So the family environment also plays the important role for the juvenile delinquency. A healthy family environment leads to the healthy child upbringing.

3) GENDER- Gender is the risk factor for in influencing delinquent behaviour. As it is seen that the women and less likely to be included in the delinquent act than the males, which shows that males are more indulged in the delinquent activities, women commit less offensive crimes whereas the males are indulged in more serious activities like drugs, robbery and even rapes and murders.

4)

5) **PSYCHOLOGICAL-** Psychological behaviour also matters as often delinquents are diagnosed with different disorders. And since childhood these disorders can develop the misconduct and aggressive behaviour in the child, which will later lead to the major problem.

### **NIRBHAYA CASE: OUTLOOK REPLACED**

The Delhi gang rape case had made the major impact on the society. The brutal rape case took place in a moving bus in Delhi, on 16<sup>th</sup> December 2012.

It was found that one of the convict involved in the case was minor. It means that the juvenile delinquent is seen in the Nirbhaya Gang Rape Case. This incident is can be used as the example for the Juvenile Justice Act.

The minor who was involved in this case was separated from his family and used to live on the streets, it is assumed as he used to live on streets he came in contact with the criminals who made him involve with themselves, and made him deviant. That's why parental guidance and affection plays important role for the child. It's very difficult to live without a family.

### **PREVENTION**

\*Education helps to promote not only the economic growth but also the national productivity and innovation, that is why the education itself is a big prevention for the juvenile delinquency for minors and help them to explore more and in a better way.

\*The criminal justice approach is through the juvenile court system, specifically for the minors.

\*Orientation courses, seminars and awareness programs should be organized by the government on juvenile justice on regular intervals.

\*For better development of a child games, sports and other functional programs should be organised, so that it can distract their mind and also help in their mind and body growth properly.

### **CONCLUSION**

Juvenile delinquency is a major concern and needs to be discussed on a serious note as children are the future of the nation and it is our sole duty to help them and protect them from all the bad situations and provide them a healthy environment for their proper growth and development. There should be adequate amount of education provided to children to prevent them from getting indulged in filthy activities. Children should be involved in mind evolving activities. Community plays a major role in child's mind-set, so their should be an eco-friendly environment for a healthy mind-set of an adolescent. In early stage of a child's

growth period. Mind mapping helps a lot in detecting a child's mind-set , which is a very least involved activity in a child's upbringing.

In India, previously Juvenile Delinquency was not a great issue but after the Nirbhaya case it raised a great concern in the society, as it was shocking that a minor was also included in the incident. Government should introduce methods to prevent JUVENILE DELIQUENCY. Extra classes should be held in schools to help children devote their mind-set towards positive growth. It is never too late to change the educational methods and getting more involved in a child's life to make it better.



# LEX SCHOLASTICUS

LET' S BE HEARD