

---

# **EVALUATING THE EFFECTIVENESS OF ALTERNATE DISPUTE RESOLUTION IN CRIMINAL CASES: DIMENSIONS, CHALLENGES AND GLOBAL PERSPECTIVES**

---

Aadhya Anand, BBA LLB (Hons.), Symbiosis Law School, Pune

## **ABSTRACT**

India's criminal justice system, plagued by delays and backlogs, necessitates innovative solutions. This study probes the potential of Alternative Dispute Resolution (ADR) to alleviate these systemic pressures, moving beyond its current limited application. Examining plea bargaining, restorative justice, and victim-offender mediation, the research critically assesses the feasibility of broader ADR integration, drawing lessons from global practices. While acknowledging the risks of undermining due process and justice, this article advocates for a balanced expansion of ADR to socio-economic, petty, and private offenses. By analysing legislative frameworks and judicial pronouncements, this study proposes actionable strategies to enhance ADR's role, emphasizing restorative outcomes and efficient case resolution, ultimately contributing to a more responsive and effective criminal justice system in India.

## Literature Review

One of the most comprehensive papers on the subject, “*The Importance of ADR in criminal Justice system*”<sup>1</sup> by Anushtha Anupriya<sup>1</sup> and Anusha C Gudagur, details all perspectives concerning the role and incorporation of ADR in the criminal justice system, and the possible challenges in the same.

Ogbuabor et. al. (2014)<sup>2</sup> examine the application of ADR in criminal justice systems across various legal traditions, highlighting its limited use in common law jurisdictions like Nigeria. They advocate for expanding ADR to serious offences, aligning legal framework with practical realities.

Lumina L.’s 2024 paper<sup>3</sup>, “An Analysis on the Efficiency....Emphasis on Plea Bargaining” examines the adoption of ADR in India, while focussing on plea bargaining. The study compares international practices and suggest reforms to enhance the effectiveness of ADR.

## Research Gap

While the aforementioned literature comprehensively analyses the importance and need to adopt ADR in criminal justice mechanisms, they do not address the extent to which such adoption can take place and the probable shortcomings involved in the same-especially in the **Indian Context**. Existing literature is also lacking in the direct comparison of India’s ADR (in criminal justice) systems with those of other jurisdictions.

## Introduction

*"Discourage litigation. Persuade your neighbours to compromise whenever you can. As a peacemaker, the lawyer has a superior opportunity of being a good man."*

— **Abraham Lincoln**

---

<sup>1</sup> Anushtha Anupriya & Anusha C. Gudagur, The Importance of ADR in Criminal Justice System, 15 Indian J. Crim. L. & Reform 45 (2023).

<sup>2</sup> Chukwunweike Ogbuabor, Clara Obi-Ochiabutor & Ebelechukwu Okiche, Using Alternative Dispute Resolution (ADR) in the Criminal Justice System: Comparative Perspectives, 7 J. L. Pol’y & Glob. 318 (2014).

<sup>3</sup> Lumina L., An Analysis on the Efficiency of Alternative Dispute Resolution in Criminal Justice System with Emphasis on Plea Bargaining, 8 Int’l J. Futur. Manag. Res. 1 (2024).

## Concept of ADR

The foundation of any civilized society is justice. For generations, humanity has continually strived to achieve this ideal<sup>4</sup>. As rightly said by **Hon'ble Justice S.B Sinha** “*Administration of Justice involves the maintenance of rights within a political community by the means of protection of the innocent; punishment of the guilty along with the satisfactory resolution of disputes.*”<sup>5</sup> While having established and functioning systems that effectively deliver justice is paramount in a society, ensuring that the same is accomplished speedily is equally important. However, in India, the present infrastructure of courts and the state of the judicial system fails to accomplish this goal of speedy adjudication<sup>6</sup>. Despite ongoing efforts to increase the capacity of our judicial infrastructure, individuals may remain stuck in litigation for years-even across generations, often exhausting their resources and falling into poverty.

While speedy trial is unarguably one of the main tenets of the criminal justice system, it must be balanced against the consideration that justice cannot be overlooked as “*justice hurried is justice buried*”. This dilemma, coupled with the inadequacy of courts, lengthy legal procedures and high litigation expenses led to the rise of the **Alternative Dispute Resolution Mechanism**<sup>7</sup>.

Alternate Dispute Resolution (ADR) refers to resolving conflict outside the traditional courtroom setting, using methods like mediation, arbitration, conciliation, negotiation and Lok Adalats. These processes involve a neutral third-party who helps the disputing party reach a fair settlement<sup>8</sup>. ADR is typically faster, more cost-effective and less adversarial than formal litigation.

## ADR in Criminal Cases

---

<sup>4</sup> V. Vijayasai Reddy: Justice Hurried is Justice Buried, DECCAN CHRONICLE (2020), <https://www.deccanchronicle.com/opinion/columnists/131220/v-vijayasai-reddy-justicehurried-is-justice-buried.html>.

<sup>5</sup> Hon'ble Thiru Justice S.B. Sinha, Judge Supreme Court of India, ADR and Access to Justice: Issues and Perspectives, (2021).

<sup>6</sup> Legal Correspondent, Supreme Court Launches Portal to Track Cases Pending at District Courts, THE HINDU (2015), <https://www.thehindu.com/news/national/supreme-court-launchesportal-to-track-cases-pending-at-district-courts/article7668677.ece>.

<sup>7</sup> AVTAR SINGH, LAW OF ARBITRATION AND CONCILIATION, P. 239 (6th ed. 2002)

<sup>8</sup> Jamila A. Chowdhury, *ADR in Criminal Cases and Decriminalisation of Violence: A Gender Perspective*, 7 INDIAN J.L. & JUST. 1 (September 2016).

Presently, In India, 3.18 crore out of the 4.26 crore pending cases are of the criminal category<sup>9</sup>. While delays and excruciatingly tedious judicial processes are gradually being normalized, one should not shun the importance of speedy trial in the criminal justice system. Several forms of ADR are still legitimized and practiced in criminal justice systems like Plea Bargaining, victim-offender mediation, community service and victim support programmes etc.. The concept of restorative justice, which underlines the use of ADR in the criminal justice system, emphasizes that alongside punishing the offender, the victim should also be compensated for the harm that they've suffered.

The advent and development of ADR in the criminal justice system can be traced back to the **English Common Law Courts** in the 17<sup>th</sup> century. At that time, the idea of pardon was extended to abettors involved in criminal cases, contingent upon the defendant's subsequent acquittal or conviction<sup>10</sup>. When it comes to using ADR in criminal cases, there are both supporting and opposing viewpoints. Some legal systems permit ADR in criminal matters, but typically only under particular conditions or for certain types of offences.<sup>11</sup>

### Research Question

*How efficient is the current use of Alternative Dispute Resolution (ADR) mechanisms in the Indian criminal justice system, and to what extent is it practicable to expand their application?*

### Research Objectives

- a. To analyse the current use of ADR in India's criminal justice system and evaluate its key advantages and disadvantages
- b. To assess whether the current ADR framework in India's criminal justice system should be expanded or maintained at present levels, through comparative analysis with other jurisdictions.
- c. To analyse India's ADR framework and propose practical solutions for stakeholders to

---

<sup>9</sup> According to National Judicial Data Grid, as on 14.04.2023.

<sup>10</sup> MohammadAktarulAlam Chowdhury, 'An Overview Of The Practice And Prospect Of Alternative Dispute Resolution In Criminal Justice System Of Bangladesh: Promotion Of Access To Justice.' (2018) 6(11) International Journal of Advanced Research 712.

<sup>11</sup> *Supra Note* at 3.

enhance its effective implementation.

## Critical Analysis

### Types of ADR in Criminal Cases

Traditionally, ADR is not recognized as part of the criminal justice system. Further, no provisions of international law explicitly deal with the usage of ADR mechanisms in criminal cases, however, the calls for the inclusion of the same in criminal cases are sounded by various international instruments. World over, many civilized countries have incorporated the essence and ideals of the ADR mechanism in their criminal justice systems, in varying degrees and methodologies. ADR subtypes that are commonly employed in criminal cases are:-

- A. **Plea Bargaining:** One of the most common ADR methods, it is a process involving negotiations between the defendant and the prosecution, where the former consents to pleading guilty one or more charges, in consideration for a fewer charges or less stringent punishment.
- B. **Restorative Justice:** It focuses on repairing the harm caused by criminal acts by actively involving the victim, offender and the community in the resolution process. It provides the opportunity to have an open dialogue about the impacts of the crime, allowing all parties involved to formulate a solution that promotes healing, accountability and reconciliation.
- C. **Diversion Programmes:** These are designed to steer individuals charged with non-violent programmes away from the formal criminal justice systems, through alternative interventions like counselling, community service or rehabilitation. This ensures that the root cause of the criminal behaviour is addressed to prevent future offences,
- D. **Compounding:** Specific offences contain provisions which enable the victim and accused to privately resolve the matter, *sans* court intervention. This ADR methodology is strictly limited to offences classified as compoundable by respective penal codes<sup>12</sup>.

---

<sup>12</sup> *Supra* Note at 10.

## Effectiveness of ADR in Criminal Cases and Challenges

Undoubtedly, the speedy disposal of cases is the most definite advantage of the ADR mechanism. Considering the overburdening of judiciary and massive backlog of cases, ADR seems to offer the only probably solution to the conundrum. Further, mutual resolution between parties is more advantageous to their interpersonal relationship, as opposed to court interventions which often involve a degree of publicity. Most importantly, in ADR in criminal cases (such as plea ADR), there is no need of a lawyer, which makes the process seamless and hassle-free.

ADR in criminal cases have their pros and cons. The burden on the courts and personalized solutions can be brought about through mediation, diversion programmes and restorative justice<sup>13</sup>. Nonetheless, the implementation of these methods has drawn criticism due to several concerns, including inadequate legal safeguards, imbalanced power dynamics, pressure on victims, diminished accountability, potential for re-traumatization, limited effectiveness in serious offences and uncertain outcomes. While traditional criminal justice systems are grounded in established legal procedures that protect the rights of both the accused and the victim, ADR mechanisms may lack comparable protections, raising questions about due process and fairness. Victims may feel compelled to forgive or reconcile with offenders, potentially compromising their autonomy and emotional need for justice.

ADR is suitable for minor, non-violent offences focused on reconciliation<sup>14</sup>. However, serious crimes impact society at large, making mutual settlement inappropriate. Such cases require formal adjudication to uphold justice, maintain public trust, and ensure accountability, as compromise may undermine the gravity and deterrence of the offence.

## History ADR in India

Historically speaking, ADR was prevalent in India during the pre-independence as well as the pre-British period. Rural areas often witnessed disputes, including those with criminal undertones, being resolved amicably by the village heads or respected elders, whose decision was abided by the parties involved. Gradually, the systematic Panchayat System was

---

<sup>13</sup> Anoop Kumar and Aarushi Batra, 'Interface of ADR and Criminal Law' (2021) 12(7) Turkish Online Journal of Qualitative Inquiry (TOJQI) 6.

<sup>14</sup> Aastha Aggarwal, *Should ADR Be Applicable in Criminal Cases?*, 20 SUPREMO AMICUS 17 (2020).

responsible was resolving most disputes within their respective regions. With the advent of the British, there were efforts to formalize the traditional informal dispute resolution systems, however there was an absence of statutory recognition of the same. **The Code of Criminal Procedure of 1898** included a classification of compoundable and non-compoundable offences under **Section 345**<sup>15</sup>. While this contention is refuted by many, the early genesis of ADR in the context of India was seen in **Section 345** as compounding is in fact one of the forms of ADR.

Considering the mounting arrears of criminal cases in the country, **the Law Commission in its 142<sup>nd</sup> report** considered the concept of plea bargaining for the first time<sup>16</sup>. Subsequently, plea bargaining was formally recommended by the Law Commission in their **154<sup>th</sup> and 177<sup>th</sup> report**. These recommendations were strengthened by the report of a committee on Criminal Justice Reform under the Chairmanship of **Dr. (Justice) V.S Malimath**. The committee recommended the introduction of plea bargaining to tackle the ever-growing problem of the overburdening of courts. These recommendations were strengthened by the success of similar initiatives in the US, as enumerated by the report. These developments culminated with the passing of **The Criminal Law (amendment) Bill, 2003** which formally introduced plea bargaining in the **Code of Criminal Procedure, 1973**.

### Effectiveness of ADR in India

While the aforementioned pros seem appealing in theory, the ground level practicability, especially in India, is varied. There is always the possibility of police intervention in ADR mechanisms in criminal cases. Pleas bargaining can be used unlawfully by the Police to torture a compromise out of the accused. Further, corruption may taint ADR systems, thus helping the accused evade legal repercussions. Moreover, given the impact that crimes have on the overall psyche of the society, it is widely argued that ADR is insufficient in dealing with criminal cases and ensuring rightful conviction. The imperative of a speedy trial should not come at the cost of justice, nor should it result in the exploitation of the victim.

ADR in criminal cases, particularly in the Indian context, seems **to be more suitable** in matrimonial & family disputes, minor assault & hurt cases and economic offences. In the first category, mediation ensures amicable settlement and encourages restoration and maintenance

---

<sup>15</sup> **Code of Criminal Procedure, § 345, No. 2, Acts of Parliament 1974 (India).**

<sup>16</sup> Suchitra Ghogare-Katkar, *Plea Bargaining – Challenges for Implementation*, Bharati L. Rev., Apr.–June 2016, at 237.

of inter-personal relationships<sup>17</sup>. In the second category, for offences compoundable under **Section 359**<sup>18</sup> of the BNSS, ADR offers a quick solution which is also appropriate, considering the lower degree of seriousness involved<sup>19</sup>. In the last category, ADR allows for restitution and compensation in cases involving cheating, criminal breach of trust etc., where economic loss is the primary damage suffered.

### **Advantages of ADR in India**

- Reduces case backlog by clearing minor cases, especially in overburdened criminal courts.
- Ensures victim participation in the outcome, thus enhancing overall satisfaction with the resolution
- Advocates for restorative justice by focusing on repair and reconciliation, not just punishment
- Saves time and resources for parties and judiciary

### **Limitations of ADR in India**

- Unsuitable for murder, rape and other grave offences that are non-compoundable for public policy reasons.
- Possibility of coercion in domestic violence/dowry cases due to pressure from family and society.
- Unequal bargaining power for victims from marginalized groups who may be coerced into unfavourable settlements.
- No uniform mediation mechanism and lack of trained mediators, especially in criminal matters.

---

<sup>17</sup> G. R. Sowmya & Gowtham Raj, *ADR in Criminal Justice System*, 4 INDIAN J.L. & LEGAL RSCH. 1 (2022).

<sup>18</sup> Bharatiya Nagarik Suraksha Sanhita, 2023, § 359, No. 45, Acts of Parliament (India).

<sup>19</sup> *Supra Note* at 17.



## Legal Framework and Judicial Pronouncements

### Statutory Provisions

**Section 359** of the BNSS allows compounding of certain criminal offences. These are categorized as Compoundable without court permission (Ex: Defamation) and Compoundable with Court permission (Ex: Criminal Breach of Trust, grievous hurt). Such settlements are encouraged in disputes that are personal in nature and public interest is not significantly impacted.

Through **Section 289<sup>20</sup>**, the BNSS allows plea bargaining in a time bound manner i.e., applications should be made within 30 days of framing of charge (**Section 290<sup>21</sup>**). It is applicable to offences punishable with less than seven years and does not extend to crimes against women, children or socio-economic offences. In case a mutually satisfactory disposition is probable, the court issues notice to accused, victim, public prosecutor and police officer (**Section 291<sup>22</sup>**). After a satisfactory disposition is reached, a report in furtherance of the same is prepared and signed by the relevant parties involved. In case no settlement is reached, the court records the observation and proceeds with the trial (**Section 292<sup>23</sup>**).

**Lok Adalat's**, established under the **Legal Services Authorities Act, 1987**, are entitled to settle **compoundable offences** through compromise. While proceedings are informal and non-adversarial, the awards passed are final and binding under **Section 21<sup>24</sup>** of the Act.

### Judicial Pronouncements

Prior to the **154<sup>th</sup> Law Commission Report** recommending the inclusion of Plea Bargaining, the courts were quiet opposed to this ADR mechanism. In *Murlidhar Meghraj Loya v. the State of Maharashtra*<sup>25</sup>, plea bargaining was held to be violative of fundamental rights as it forces an accused to be a witness against themselves. Plea Bargaining was also criticized as being ultra-vires to the society as it may encourage corruption and “taint the pure well of

---

<sup>20</sup> Bharatiya Nagarik Suraksha Sanhita, 2023, § 289, No. 45, Acts of Parliament (India).

<sup>21</sup> Bharatiya Nagarik Suraksha Sanhita, 2023, § 290, No. 45, Acts of Parliament (India).

<sup>22</sup> Bharatiya Nagarik Suraksha Sanhita, 2023, § 291, No. 45, Acts of Parliament (India).

<sup>23</sup> Bharatiya Nagarik Suraksha Sanhita, 2023, § 292, No. 45, Acts of Parliament (India).

<sup>24</sup> Legal Services Authorities Act, 1987, § 21, No. 39, Acts of Parliament (India).

<sup>25</sup> 1976 AIR 1929 1977 SCR (1).

justice” (*Kasambhai v. State of Gujarat & Kachhia Patel & Shantilal Koderlal v. State of Gujarat and Anr*<sup>26</sup>).

On the other hand, ADR mechanisms in criminal jurisprudence have been encouraged by courts. In *K. Srinivas Rao v. D.A. Deepa*<sup>27</sup>, the court urged the parties to opt for out of court settlement, despite the charge under Section 498-A of IPC being non-compoundable.

In **Gian Singh v. State of Punjab**<sup>28</sup>, the Supreme Court held that High Courts may quash criminal proceedings under **Section 482 CrPC** if the offence is private in nature and a full settlement is reached, especially where continuing prosecution would result in injustice or serve no meaningful purpose.

*In State of Punjab v. Dalbir Singh*<sup>29</sup>, the court emphasised the need to explore ADR mechanisms in criminal cases, especially in minor offences or those arising out of matrimonial disputes.

## Comparative Study

### Analysis of Global Practices

**Canada:** During the 1980’s and 90s, the need for ADR mechanisms, as opposed to traditional adversarial approach was felt in Canada, thus marking the advent of ADR into the country’s criminal justice systems. In this system, all relevant stakeholders (the victim, offender, their families etc), join in a round-table discussion. Typically available for those who’ve already pled guilty, the outcome is submitted to the judge, although he is not bound by the same. This model reflects how traditional justice systems, when adapted, can foster community involvement and shared responsibility in achieving restorative outcomes<sup>30</sup>. This is comparable to India’s Plea Bargaining framework, where the outcome is non-binding and subject to judicial discretion.

**USA:** Victim-offender mediation is the popularly used ADR method in USA’s criminal justice system, It involves a system where victims and offenders meet under the supervision of a

---

<sup>26</sup> 1980 AIR 854.

<sup>27</sup> AIR 2013 SUPREME COURT 2176.

<sup>28</sup> **2012 AIR SCW 5333.**

<sup>29</sup> [2012] 4 S.C.R. 608.

<sup>30</sup> Scott Baker & Claudio Mezzetti, *Prosecutorial Resources, Plea Bargaining, and the Decision to Go to Trial*, 17 Source: Journal of Law (2001).

mediator to resolve issues stemming from a crime. This approach allows both parties to actively participate in addressing the consequences of criminal actions through structured dialogue. The **US Department of Justice's** survey finds that one-third of the criminal cases go through criminal mediation before finding a formal guilt, while half of these are referred after the discovery of the same. Saviour nature cases, including homicide and serious assault, have appropriately been disposed of by ADR<sup>31</sup>. Further, Plea Bargaining is available for any kind of offence in the USA, while the applicability in India is restricted by **Section 359**.

**United Kingdom:** While ADR mechanisms are actively promoted as a method for resolving tax-related disputes, it is not widely accepted as an alternative mechanism to deal with criminal cases. As such cases involve a clear offence against the state, the concept of "dispute" is less applicable. Thus, it is widely believed that the State possesses better jurisdiction to address criminal cases.

### Suggestions

As a result of the study and ensuing analysis conducted, some of the suggestions regarding the current status and future potential of ADR in Indian Criminal Jurisprudence is as follows:-

- a. The current rigidity of the adversarial systems, sidelines victims and reduces them to mere witnesses. Thus, **the Victim-Offender model (VoM)**, as practiced in US, needs to be adopted as it would prioritize restorative justice by enabling direct dialogue between offenders and victims. This approach focuses on victim's needs for reparations and emotional closure, while fostering offender accountability through mutually agreed resolutions. With India's overburdened courts and low conviction rates, VoM could expedite justice, reduce case backlogs and enhance victim satisfaction.
- b. **The Lack of Awareness** about ADR mechanisms among the general public, as well as the paucity of competent trained ADR practitioners are major hurdles in the realization of its full potential. The National and State Legal Services Authorities must continue spreading awareness about these mechanisms through appropriate means.
- c. Although it is commendable that **Plea Bargaining** has been introduced with statutory

---

<sup>31</sup> Sanu Rani Paul, The Need for Horizontal Application of Fundamental Rights in India with Reference to State Action Doctrine in the Context of Globalisation, 2 Christ U. L.J. 81 (2013).

recognitions, **shortcomings remain**. *Firstly*, many undertrial detainees are not informed about plea bargaining – laws requiring probation officers and jail authorities to educate them must be formulated. *Secondly*, clear guidelines are needed for classifying socioeconomic offences to prevent arbitrary decisions. The scope of plea bargaining must be practicably broadened, and eligibility must consider factors beyond just the length of the possible sentence, ensuring a more equitable and transparent approach.

## Conclusion

Ensuring a robust legal system is a continuous endeavour, and while India's early adoption of ADR in criminal justice is commendable, substantial improvements remain necessary. Expanding ADR indiscriminately to all criminal cases may seem appealing given the backlog, low conviction rates, and delays, but a cautious, balanced approach is essential. The traditional adversarial system must be retained for serious crimes, while ADR should be promoted for socio-economic, petty, and private offenses with minimal societal impact.

Plea bargaining should be broadened beyond **Section 359** to cover most such offenses, as recommended by the **Malimath Committee** and reflected in the Supreme Court's *Gian Singh* dicta, which allows settlements for certain non-compoundable offenses if public interest is not harmed. Courts should actively assess ADR's suitability on a case-by-case basis, encouraging its use where appropriate and building a stronger body of precedents to guide future applications.

Comprehensive legislative reforms, pilot programmes and capacity-building for stakeholders are crucial for integrating ADR effectively into India's criminal justice system. This study aims to stimulate further engagement and reforms, strengthening ADR's role and ensuring justice that is both efficient and responsive to all parties involved.

## Bibliography

### Case Laws

1. In Murlidhar Meghraj Loya v. the State of Maharashtra, 1976 AIR 1929 1977 SCR (1).
2. Kasambhai v. State of Gujarat & Kachhia Patel & Shantilal Koderlal v. State of Gujarat and Anr, 1980 AIR 854.
3. K. Srinivas Rao v. D.A. Deepa, AIR 2013 SUPREME COURT 2176.
4. **Gian Singh v. State of Punjab, 2012 AIR SCW 5333.**
5. *In State of Punjab v. Dalbir Singh, [2012] 4 S.C.R. 608.*

### Statutes

1. Bhartiya Nyaya Suraksha Sanhita, No. 45, Acts of Parliament, 2023 (India).
2. Code of Criminal Procedure, No. 2, Acts of Parliament, 1974 (India).
3. The Criminal Law (Amendment) Bill, Bill No. 88 of 2003 (India).

### Books

1. AVTAR SINGH, LAW OF ARBITRATION AND CONCILIATION, P. 239 (6th ed. 2002).

### Research Articles

1. Anushtha Anupriya & Anusha C. Gudagur, The Importance of ADR in Criminal Justice System, 15 Indian J. Crim. L. & Reform 45 (2023).
2. **Chukwunweike Ogbuabor, Clara Obi-Ochiabutor & Ebelechukwu Okiche**, Using Alternative Dispute Resolution (ADR) in the Criminal Justice System: Comparative Perspectives, **7 J. L. Pol'y & Glob.** 318 (2014).
3. **Lumina L.**, *An Analysis on the Efficiency of Alternative Dispute Resolution in Criminal*

*Justice System with Emphasis on Plea Bargaining*, 8 Int'l J. Futur. Manag. Res. 1 (2024).

4. MohammadAktarulAlam Chowdhury, 'An Overview Of The Practice And Prospect Of Alternative Dispute Resolution In Criminal Justice System Of Bangladesh: Promotion Of Access To Justice.' (2018) 6(11) International Journal of Advanced Research 712.
5. Anoop Kumar and Aarushi Batra, 'Interface of ADR and Criminal Law' (2021) 12(7) Turkish Online Journal of Qualitative Inquiry (TOJQI) 6.
6. <sup>1</sup> Suchitra Ghogare-Katkar, *Plea Bargaining – Challenges for Implementation*, Bharati L. Rev., Apr.–June 2016, at 237.
7. Scott Baker & Claudio Mezzetti, *Prosecutorial Resources, Plea Bargaining, and the Decision to Go to Trial*, 17 Source: Journal of Law (2001).
8. Sanu Rani Paul, The Need for Horizontal Application of Fundamental Rights in India with Reference to State Action Doctrine in the Context of Globalisation, 2 Christ U. L.J. 81 (2013).
9. Alliance Centre for Alternate Dispute Resolution, *Rise of Alternative Dispute Resolution: Stepping Towards Efficient Justice System* (Alliance School of Law, Alliance University 2021).
10. Dr. Shehnaz P. Billimoria, Importance of ADR in Criminal Justice, VTC Law College Journal, 2 (2023).
11. Anushta Anupriya & Anusha C. Gudagur, Importance of ADR in Criminal Justice, 2 Int'l J. Legal Sci. & Innovation 526 (2020).
12. Jamila A. Chowdhury, *ADR in Criminal Cases and Decriminalisation of Violence: A Gender Perspective*, 7 INDIAN J.L. & JUST. 1 (September 2016).
13. Aastha Aggarwal, *Should ADR Be Applicable in Criminal Cases?*, 20 SUPREMO AMICUS 17 (2020).

14. G. R. Sowmya & Gowtham Raj, ADR in Criminal Justice System, 4 INDIAN J.L. & LEGAL RSCH. 1 (2022).

### **Miscellaneous**

1. V. Vijayasai Reddy: Justice Hurried is Justice Buried, DECCAN CHRONICLE (2020), <https://www.deccanchronicle.com/opinion/columnists/131220/v-vijayasai-reddy-justicehurried-is-justice-buried.html> .
2. Hon'ble Thiru Justice S.B. Sinha, Judge Supreme Court of India, ADR and Access to Justice: Issues and Perspectives, (2021).
3. Legal Correspondent, Supreme Court Launches Portal to Track Cases Pending at District Courts, THE HINDU (2015), <https://www.thehindu.com/news/national/supreme-court-launchesportal-to-track-cases-pending-at-district-courts/article7668677.ece>