

Safeguarding the Future: Preventive Measures against Juvenile Delinquency

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Article Info.

E-ISSN: 2583-6528

Impact Factor (SJIF): 6.876

Peer Reviewed Journal

Available online:

www.alladvancejournal.com

Received: 19/June/2025

Accepted: 20/July/2025

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Abstract

Children are the cornerstone of a nation's future, and their well-being is integral to societal progress. Recognized as individuals with inherent rights, children are initially free from delinquent tendencies. However, when deprived of proper care, a nurturing environment, and positive influences, they become vulnerable to adverse conditions, potentially leading to delinquent behaviours. Juvenile delinquency, characterized by actions that contravene societal norms and legal standards, poses a significant challenge, not only for the individual involved but also for the community as a whole. The Juvenile Justice (Care and Protection of Children) Act, 2000 was passed in order to solve these problems. Through the promotion of a child-centric and restorative approach within the court system, this act seeks to regulate the legal framework for adolescents in conflict with the law and children in need of care and protection. This study explores the legal significance of early intervention and preventive strategies in mitigating juvenile delinquency, underscoring the need to protect youth and ensure a more secure and just society.

Keywords: Juvenile delinquency, children, law, juvenile justice act, legal framework, prevention, rehabilitation, early intervention.

1. Introduction

The problem of Juvenile delinquency is a major point of concern across the society. The young ones and youth are expected to engage themselves in studies and positive ideas rather than involving in crimes and full of negativity. The increasing rate of juvenile delinquency is a contemporary issue which has its origins in recent history. In ancient times, there was no distinction between adult and juvenile offenders, and both were subject to the same legal consequences. [1] Adolphe Quetelet, an American-Belgian social statistician, noted that adolescent conflict is a significant factor in the involvement of young males in criminal activities. Various factors contribute to criminal behaviour among youth, including biophysical, social, economic, and political changes. These factors have collectively led to an increase in juvenile delinquency cases. [2] Legally, a juvenile delinquent is defined as an individual below the age of majority—typically between 7 and 16 or 18 years—who engages in criminal activities. The seriousness of the offense, the offender's actions, and their ability to distinguish between right and wrong can all influence whether an offender is classified as an

adult or a juvenile. For example, a juvenile involved in serious crimes such as rape, murder, or theft may be tried as an adult depending on the circumstances of the offense, their behavior, and their mental capacity. Status offenses—such as truancy, vagrancy, immorality, and governability—also fall under the purview of juvenile delinquency. Any deviant conduct by a minor that violates societal norms or legal standards is considered juvenile delinquency.” [3] Prevention is a key strategy in addressing juvenile delinquency. While it is common for children to become involved in illicit activities, it is not always a reflection of their inherent behavior. Proper diagnosis and intervention are crucial to prevent a juvenile offender from developing into a habitual or hardened criminal. The legal system must carefully assess the underlying factors contributing to a juvenile's conduct to ensure appropriate measures are taken, balancing the need for accountability with the goal of rehabilitation. [4]

2. Research Methodology

In the present paper the doctrinal methodology has been used to study the concept of juvenile delinquency in India. For this

purpose, various books, research papers and articles have been referred from online and offline sources. Beside this, evaluative and critical approach has been adopted to assess India's role in dealing with the issue of juvenile delinquency and need to have a specific legislation on it.

3. Objectives

- i) To study the concept of Juvenile Delinquency in India.
- ii) To critically analyse the legal preventive measure in addressing Juvenile Delinquency.
- iii) To critically analyze the role of courts in addressing the role of Juvenile Delinquency.

4. Meaning & Concept of Juvenile Delinquency

The term "delinquency" is derived from the Latin word "delinquer", which means "to omit" or "to fail in duty."^[5] The term "juvenile" refers to young individuals, typically minors, who are involved in activities that violate legal or social norms. Therefore, juvenile delinquency legally refers to unlawful or deviant behavior exhibited by minors, whose actions are deemed unacceptable and rebellious by societal standards.^[6] When a youngster consistently disobeys the legal orders of their parents, guardians, or other authorities, they are deemed delinquent. This can include angry, disruptive, or even erotic behaviors, all of which are included in the more general category of juvenile delinquency. To put it another way, juvenile delinquency refers to the participation of juveniles in activities that cross social and legal limits and includes a variety of violations, from small infractions to major felonies.^[7]

Under the Juvenile Justice (Care and Protection of Children) Act, 2000, Section 2, Clause (k) defines a juvenile as "a person who has not yet reached the age of 18 years." "In other words, any individual under the age of 18 is considered a juvenile and is subject to the provisions of the juvenile justice system rather than the adult criminal justice system."^[8]

According to Black's Law Dictionary, {5th edition}, "a juvenile is defined as a person who has not attained the age at which they can be treated as an adult within the criminal justice system. This definition states that juveniles are distinct from adults in terms of legal responsibility and the treatment they receive under the law."^[9]

Furthermore, Section 2, Clause (a) of the Juvenile Justice and Delinquency Prevention Act of 1974 in the United States defines juvenile delinquency as involving a person who has not yet attained the age of 18 years and who is engaged in activities that violate the law or are deemed unlawful. Juvenile delinquency refers to illegal or deviant behavior committed by minors, who are still subject to protective and rehabilitative measures rather than punitive actions reserved for adults.^[10]

5. Historical Evaluation of Juvenile Delinquency in India

In India, the idea of adolescent delinquency has changed significantly, especially when compared to other nations like the US. The handling of minors engaged in illegal activity was first governed by standard criminal law rather than any specific legislation. Juveniles who broke the law were subject to the same severe penalties as adults under this system, regardless of their age. Because they were exposed to seasoned criminals in the adult criminal justice system, this strategy frequently resulted in young people developing a habit of committing crimes. Several factors contributed to the involvement of children in criminal activities, including

poverty, unemployment, lack of moral education, absence of parental control, and other socio-economic issues. The traditional criminal justice system labelled these juveniles as "delinquent children," treating them no differently than adult criminals, which often exacerbated their delinquent behavior. Recognizing the inadequacies of this approach and its long-term detrimental effects, a need emerged for special legislation focused on the welfare and rehabilitation of juveniles. In response, the Indian Constitution incorporated provisions specifically aimed at the protection of children. In order to give children particular status and safeguards and guarantee that their legal rights were upheld, Articles 15(3), 24, 39(e), and 39(f) were added. Since then, early legislative initiatives like the Reformatory Schools Act and the Apprentices Act have offered corrective rather than punitive approaches to address the problem of juvenile delinquency. A major advancement was made with the passage of the Children Act, 1960, which established the legal foundation for the treatment, prosecution, and rehabilitation of juvenile offenders. In order to differentiate between criminal children and those who require care because of neglect, the Children Act required that juveniles be treated in specific facilities. Instead of being imprisoned in prisons, the latter were placed in homes. The Juvenile Justice Act of 1986 was introduced in order to further handle juvenile criminality. A more organized and restorative approach to juvenile justice was made possible by this Act, which created Juvenile Welfare Boards, Juvenile Courts, Observation Homes, Special Homes, and Aftercare Homes. But in spite of these initiatives, the Act's efficacy was hampered by implementation issues, such as poor infrastructure and a lack of public support. The Juvenile Justice (Care and Protection of Children) Act, 2000 was passed in order to address these issues and enhance previous laws. The unified definition of juveniles in conflict with the law and juveniles in need of care and protection, which applies equally to boys and girls, is one of the major improvements brought about by this Act. It also emphasized the principles of rehabilitation and proper adjudication, aligning the juvenile justice system with international standards and focusing on the holistic development and reintegration of juveniles into society.^[11]

6. Legal Provisions

The juvenile delinquency prevention and treatment in India spans from 1860 to the enactment of the Juvenile Justice Act of 2015. The foundation was established by the Indian Penal Code of 1860, which distinguished between juvenile and adult offenders. Rehabilitative methods were established by the Reformatory Schools Act of 1897, which prioritized improvement above punishment. The Juvenile Justice (Care and Protection of Children) Act, 2000, eventually took the place of the Juvenile Justice Act, 1986, which concentrated on care, protection, and rehabilitation. Ultimately, these laws were improved by the Juvenile Justice Act of 2015, which placed a stronger emphasis on responsibility and justice that is child-friendly. The foundation for dealing with juvenile delinquency has been established by these significant legislative actions.

The Apprentices Act of 1850

The Apprentices Act, 1850, enacted on April 1, 1850, was the first legislative measure in India addressing children in conflict with the law. The Act aimed to regulate the apprenticeship of children, particularly those between the ages of 10 and 18 years, by providing them with vocational

training to ensure they could earn a livelihood. It primarily targeted orphans and neglected children who were dependent on public charity, enabling them to learn various trades and crafts. The Act sought to rehabilitate these children by placing them under the guardianship of skilled tradesmen who would teach them specific skills, ensuring their eventual employment and integration into society. By addressing the needs of vulnerable children, the Act was an early legislative attempt to promote social welfare and provide a structured means of livelihood for disadvantaged youth, reducing the likelihood of their engagement in criminal activities. ^[12]

The Indian Penal Code (IPC)

The Indian Penal Code (IPC) includes specific provisions addressing the criminal liability of children. "A child below the age of seven is deemed incapable of committing a crime due to their lack of understanding and maturity. The law recognizes that a child of this age cannot comprehend the nature or consequences of their actions and, therefore, is exempt from any criminal responsibility." ^[13] Section 83 extends this principle to children between the ages of seven and twelve. While these children may be more developed, they are still considered to lack sufficient maturity to fully grasp the consequences of their conduct. "If it is determined that the child, though above seven years of age, did not have the mental capacity to know the implications of their actions, they are also exempt from criminal liability. This reflects a humane approach in recognizing the developmental stages of children and protecting them from harsh legal consequences." ^[14]

The Reformatory Schools Act, 1897

In order to address the treatment of young criminals, the Reformatory Schools Act of 1897 was passed. A boy under the age of 15 who has been found guilty of a crime that carries a legal penalty is considered a "youthful offender" under this Act. The Act provides for the rehabilitation of such criminals by enrolling them in a reformatory school, as opposed to imposing ordinary criminal sanctions on them. Instead of applying punitive measures, the Act's main goal is to educate and reform the offender in order to deter future criminal activity and facilitate their rehabilitation into society as responsible citizens. ^[15]

The Children Act of 1960

The Children Act of 1960, was an important legislative measure aimed at addressing the issue of juvenile delinquency, specifically for Delhi and Union Territories. This Act was adopted by several states, such as Assam, Rajasthan, and Jammu & Kashmir, as a framework to protect and reform juvenile offenders. However, there were significant challenges in the implementation of the Children Act, 1960, as many loopholes became apparent over time. The scope of the Act needed expansion to provide broader protection and a more comprehensive approach to juvenile justice. In response, the Children Amendment Act of 1978 was introduced to address these issues. The 1978 Amendment brought significant changes to the original Children Act. It established two key authorities: Juvenile Courts and Child Welfare Boards. The primary purpose of these authorities was to distinguish between children who were delinquent and those who were in vulnerable situations due to parental neglect or other social factors. The Juvenile Courts were tasked with addressing cases of juveniles in conflict with the law, while the Child Welfare Boards were created to protect

children who were victims of neglect or poor parental obligations. This distinction was crucial because, at times, children in care institutions were not necessarily delinquents. The creation of the Child Welfare Boards ensured that these children were provided with appropriate support and not treated as offenders. Despite these reforms, there was no uniform legislation across the various states of India, leading to inconsistencies in the treatment of juveniles. To address this issue, the Juvenile Justice Act, 1986, was enacted to standardize the legal framework across the country. This Act drew heavily from the Children Act of 1960 but introduced several changes aimed at improving the protection and care of children. "The Juvenile Justice Act of 1986 sought to provide care, protection, and rehabilitation for both neglected and delinquent children. It established a more structured approach to juvenile justice, laying the foundation for further developments in child welfare legislation." ^[16]

Juvenile Justice (Care and Protection) Act

To improve and modify the prior legislative framework, the Juvenile Justice (Care and Protection) Act was adopted in 2000. With an emphasis on developing a kid-friendly approach to justice, this new law sought to guarantee that all acts done under the Act were in the child's best interest. Instead of focusing on punishment, the Juvenile Justice (Care and Protection) Act of 2000 prioritized rehabilitation, care, and social reintegration. Additionally, it included clauses to safeguard children who have been neglected and those who are in legal trouble. In order to protect adolescents' welfare and lessen the stigma associated with being classified as delinquents, the law sought to implement worldwide best practices.

Juvenile Justice (Care and Protection) Amendment Act of 2006

Several amendments were made to the Juvenile Justice Act over the years, including the Juvenile Justice (Care and Protection) Amendment Act of 2006, which brought some major changes. One key provision introduced under Section 7A provided a clear procedure for courts dealing with juveniles who were brought before them. This section emphasized the need for sensitivity and understanding when handling cases involving juveniles, ensuring that they were treated fairly and not as adults. Section 10 of the Act also introduced a crucial change by stating that only special juvenile police units or designated police officers trained to deal with juveniles were authorized to handle cases involving children in conflict with the law. This measure was introduced to ensure that children were treated appropriately from the moment they came into contact with law enforcement.

In addition to these changes, Section 31 of the Juvenile Justice Act expanded the categories of individuals and institutions involved in the welfare of children. It introduced terms like "guardian," "fit person," and "fit institutions" to ensure that children who were placed under care or rehabilitation were in safe, nurturing environments. These changes reflected the evolving understanding of juvenile justice and child protection in India, with a greater emphasis on the welfare and rehabilitation of the child, rather than mere punishment for offenses. ^[17]

Juvenile Justice (Care and Protection) Act of 2015

The most recent development in juvenile justice law came with the Juvenile Justice (Care and Protection) Act of 2015. This Act introduced significant changes, particularly with

regard to juveniles aged 16 to 18 who were involved in heinous offenses. Under this Act, such juveniles could be tried as adults if they were found to have committed serious crimes like murder or rape. This shift was a response to growing public concern over juvenile involvement in violent crimes, particularly following high-profile cases. However, the Act continued to maintain its focus on rehabilitation, ensuring that even juveniles tried as adults received appropriate care and protection while being held accountable for their actions.

Bharatiya Nyaya Sanhita, 2023

The Bharatiya Nyaya Sanhita made more improvements to the way juvenile offenders are treated in 2023. The Act reaffirmed that no child under the age of seven may be prosecuted for a crime under Section 20 of the legislation. Likewise, Section 21 made it clear that children less than seven are too young to be held accountable for their behavior. This clause supports the long-standing legal precept that minors under a specific age are incapable of understanding the repercussions of their conduct and, as a result, cannot be charged with crimes.

Throughout these legislative developments, India's approach to juvenile justice has evolved to reflect a more humane, child-friendly approach. The focus has consistently shifted toward rehabilitation, protection, and care, recognizing the vulnerability of children and the need to shield them from the harsh realities of the criminal justice system.^[18]

7. Causes of Juvenile Delinquency

Juvenile delinquency, a pressing concern in modern legal systems, refers to the participation of minors in illegal activities. According to criminologist Radzinowick, juveniles are particularly vulnerable to criminal behavior due to their dynamic nature and lack of maturity, making them susceptible to various influences. Several factors contribute to the rise in juvenile delinquency, including biophysical factors, poverty, rapid industrialization, technological advancements, and the influence of mass media. These factors create an environment that fosters criminality and abuse among young individuals.^[19]

8. Disintegration of Family system

The family stands as the most significant factor in increasing the juvenile delinquency. The role of family in shaping a child's behavior is crucial, as it directly impacts their moral and psychological development. Issues such as broken homes, family tensions, parental rejection, and lack of supervision can push a child toward delinquency. In today's economic climate, both parents often work to maintain a certain standard of living, which may lead to children feeling neglected and without guidance. The early years of a child's life are critical for personality development, and without proper care and attention, children may struggle to differentiate between right and wrong. This underscores the importance of addressing familial issues in any legal framework aimed at reducing juvenile delinquency.^[20]

9. Biological Factors

Juvenile delinquency, influenced by biological factors such as early physiological maturity or low intelligence, is a growing concern. Among girls, the age of puberty has significantly dropped to around twelve or thirteen years, earlier than in previous generations. This shift in biological development does not align with their mental or emotional maturity, leaving them vulnerable to risky behaviors. Young girls,

lacking full comprehension of life's realities, may engage in sexual activities for temporary pleasure, without understanding the potential consequences. This can lead to unintended outcomes, including exploitation or victimization. In response to these challenges, it is crucial for parents to take proactive steps in educating their children, particularly girls, about the risks of premature sexual involvement. Open conversations around the consequences of such behavior can act as an early deterrent, equipping girls with the knowledge needed to make informed decisions. Additionally, society must prioritize the protection of young girls from severe threats like prostitution and child pornography. With adequate education and protection, girls can be shielded from exploitation, ensuring their safety during these vulnerable years. Engaging parents, educators, and society at large is essential in addressing these issues and fostering a safer environment for juveniles.^[21]

10. Digital Social Environment

The digital social environment, particularly social networks, has become a critical factor in the discussion surrounding juvenile delinquency. Criminologists argue that mass media, especially social media, exerts a profound influence on the minds of young individuals, particularly teenagers. While it offers both positive and negative effects, the increasing concern lies in its contribution to the development of delinquent behavior in minors, especially in the absence of moral and emotional support from family. When children lack sufficient guidance from parents or guardians, they often turn to social media for validation and support, which can have serious consequences. Social media is increasingly viewed as an addictive platform, akin to drug use. Its excessive consumption has the potential to distort a child's perception of reality, leading to confusion between the real world and the fictional world often portrayed online. In recent times, minors have gained easy access to smartphones and other digital devices, with limited restrictions that can often be bypassed. This unrestricted access leaves children vulnerable to harmful content, including films, web series, and online games that glorify violence and criminal behavior. In many cases, fictional portrayals of criminals as "heroes" in media lead to the normalization of illicit activities among impressionable youth.^[22]

The legal implications of this influence are significant. For example, a case involving a schoolboy who stabbed his teacher after failing an exam exemplifies the dangers of media influence. The boy cited a film as inspiration for his violent act, reflecting the impact media content has on young minds. Such instances highlight the need for legal frameworks that address the influence of social media and mass media on juvenile behavior. By regulating content exposure and providing support systems for at-risk youth, the legal system can help mitigate the negative impacts of the digital social environment on juvenile delinquency.^[23]

11. Drug Dependence

The growing involvement of juveniles in consumption of drugs has become a significant factor contributing to juvenile delinquency. The ease of access to drugs from local markets, often sold for minimal amounts of money, has made it increasingly challenging to control this illegal activity. Despite legal measures such as fines and imprisonment for drug possession and consumption, these efforts have yet to substantially curb juvenile drug use. Many juveniles willingly engage in drug use, while others are coerced or pressured into

consuming these substances. This poses a serious threat to the physical and mental health of young individuals and their susceptibility to criminal behavior.

It is essential to address both the supply and demand side of this problem. While law enforcement agencies work to crack down on drug trafficking and illegal sales, understanding why juveniles turn to drugs is critical in devising effective prevention strategies. One major factor is peer pressure, particularly among adolescents who view drug use as a status symbol or a sign of belonging within certain social groups. Additionally, the lack of strict regulation and control over drug distribution in some areas further exacerbates the problem, making it easy for juveniles to obtain these substances. Furthermore, the erosion of moral values and the absence of proper guidance from families and communities contribute to this issue. Many juveniles involved in drug use come from environments where they lack emotional support or a clear understanding of the dangers associated with drug consumption. In legal terms, this highlights the need for a comprehensive approach that includes not only punitive measures but also rehabilitation and educational programs for at-risk youth. Providing better access to counselling, peer support groups, and educational initiatives that teach the consequences of drug use can play a significant role in reducing juvenile delinquency linked to drug abuse. [24]

12. Incarceration of Mothers

The incarceration of mothers has a profound impact on their children, often leading to juvenile delinquency due to the negative influences of the prison environment and the trauma of separation. In India, children under six may live with their incarcerated mothers, but prisons lack the nurturing atmosphere essential for healthy emotional and psychological development. Exposed to violence and criminal behavior, these children miss out on positive role models and structured family support, which are vital for developing a sense of right and wrong. According to Bowlby's attachment theory, separation from the primary caregiver during critical developmental stages can result in insecure attachments and behavioral problems like aggression, anxiety, and emotional withdrawal. This trauma, coupled with the social stigma of having an imprisoned mother, makes children more vulnerable to delinquent behavior. These children, often referred to as "invisible victims," suffer despite their innocence. Their exposure to the prison environment increases their risk of becoming involved in crime later in life, perpetuating a cycle of criminality. To address this issue, legal systems must prioritize alternatives to incarceration for mothers, such as community-based sentences and rehabilitation programs, to protect the well-being of both mother and child and reduce the likelihood of future delinquency. [25]

13. Peer Pressure

Peer pressure is another reason for increasing the rate of Juvenile delinquents. Peer pressure can be understood as a behaviour which one does under a pressure just because his friends and companions except so. Such behaviour is very common among youngsters in the race of behaving like rich and luxurious persons. In such a pity race many youngsters fall prey of some crimes or become accessories for a crime.

14. Judicial Approach

The judicial approach to preventing juvenile delinquency emphasizes understanding different types of behavior rather

than just focusing on criminal acts. Unlike administrative bodies that handle general issues without strict definitions, the judiciary requires clear proof of specific offenses before making a decision. This leads to a key question: who qualifies as a delinquent? Some children may display behaviours like rebellion or truancy that don't necessarily indicate criminal intent. To address this, scholars suggest dividing behaviours into categories, such as minor misbehaviour, personal adjustment issues, or serious crimes. They believe minor infractions or social problems might be better handled by social services rather than the courts. In countries like India, where social resources are limited, the judiciary must balance handling both minor and serious juvenile cases, while supporting a system that distinguishes between minor misbehaviour and more severe problems. [26]

The following cases have played a significant role in shaping the judiciary's approach to preventing juvenile delinquency: The case of Saurav Kumar v. State of Bihar [27] is important because it explains how the Juvenile Justice (Care and Protection of minors) Act, 2015, affects juveniles aged 16 to 18 differently than younger minors. The accused in this instance, who was older than sixteen, was charged with major crimes such attempted murder and murder. Under the Act, juveniles aged 16-18 who commit heinous crimes are subject to stricter scrutiny than younger children, but the emphasis remains on rehabilitation and reintegration, rather than punishment. The court's decision to grant bail to the accused, after more than three years in custody, illustrates this approach. Even though the crime was severe, the court prioritized the principles of reform, as there was no evidence that the accused would face moral, physical, or psychological danger upon release. This decision underscores the Act's focus on ensuring that juveniles have the opportunity to reform, and prolonged detention should only occur if there are compelling reasons.

By distinguishing between older juveniles (16-18 years) and younger children, the Act and this case highlight that while older juveniles may face stricter measures for serious crimes, they are still entitled to a rehabilitative approach. The court balanced the need for public safety with the goal of reintegration, ensuring that detention does not become purely punitive but serves the juvenile's potential for reform. This case reinforces the view that juveniles in this age group should be treated differently from younger children, with a focus on evidence-based decisions that consider their long-term well-being.

The case of CCL 'A' v. State (NCT of Delhi), [28], is significant for highlighting the judiciary's commitment to the rehabilitative principles of the Juvenile Justice (Care and Protection of Children) Act, 2016 (JJ Act). The Delhi High Court granted bail to a juvenile involved in a murder case, citing his limited role, the absence of concrete evidence linking him directly to the crime, and his satisfactory behavior during over a year spent in an Observation Home. The court applied Section 12 of the JJ Act, which mandates that bail should be granted to juveniles unless their release poses a risk to their well-being or public safety. The ruling underscores that the specific provisions of the JJ Act take precedence over general bail laws under the Criminal Procedure Code (CrPC), reflecting the special treatment juveniles receive within the justice system.

This judgment is crucial because it emphasizes the Act's focus on rehabilitation and reintegration, even for juveniles accused of serious offenses like murder. It demonstrates that juveniles should not be treated like adults in the legal system,

as they possess a greater capacity for reform. The court's decision reflects a balanced approach, protecting public safety while prioritizing the juvenile's potential for positive change. This case reinforces the judiciary's role in ensuring that juvenile justice remains compassionate and focused on long-term rehabilitation rather than punitive measures, even in cases involving grave offenses.

Sheela Barse v. Secretary, Children's Aid Society [29]: In order to guarantee that children are treated fairly, this verdict placed a strong emphasis on the creation of juvenile courts specifically for that purpose and the training of officials in these courts. The Supreme Court ordered the proper care, safety, and rehabilitation of children in observation homes. It further mandated that children's homes follow strict guidelines to prevent harm. This case acts as a preventive measure for juvenile delinquency by emphasizing the specialized handling of minors and ensuring they receive proper legal and social care instead of punitive treatment.

Vishal Jeet v. Union of India [30]: In this PIL addressing child prostitution, the Supreme Court issued guidelines to state governments and Union Territories to combat child prostitution. It ordered the creation of rehabilitation programs and welfare schemes for child victims. The ruling pushed for protective measures that include care, development, and reintegration into society, which serve as preventive strategies against the exploitation of children and the consequential criminal behaviors that may stem from such environments, thus helping prevent juvenile delinquency by focusing on rehabilitation and protection.

M.C. Mehta v. State of Tamil Nadu [31]: This case addressed the issue of child labor in hazardous industries. The Supreme Court ruled that child labor abolition is constitutional and directed the government to implement policies ensuring education, health, and nutrition for child labourers. The ruling acts as a preventive measure for juvenile delinquency by focusing on the importance of compulsory education and removing children from exploitative work environments, which often contribute to their involvement in crime due to poverty and lack of guidance.

Sakshi v. Union of India [32]: In this case, the Supreme Court ordered the government and the Law Commission to examine laws on child abuse and recommend measures to prevent such crimes. This judgment serves as a preventive measure against juvenile delinquency by aiming to protect children from abuse, which can lead to trauma and behavioural issues. By ensuring stricter regulations and safeguarding children from abuse, the judgment helps create a safer environment for children, reducing the chances of their involvement in criminal activities.

Conclusions

Juvenile delinquency is a growing concern, with negative influences ranging from smartphone addiction to inadequate social support and exposure to criminogenic environments. The use of smartphones from an early age has shown adverse effects on children's mental health, leading to behavioral addiction and exposure to cybercrimes. Additionally, children living with incarcerated parents face vulnerabilities, including the risk of being influenced by criminogenic activities within prisons. To prevent juvenile delinquency, there needs to be a multi-faceted approach.

i) The first step is to promote parental control and awareness regarding the negative impacts of smartphones and ensure that children have limited and supervised access. Cybersecurity measures should be strengthened,

and comprehensive digital literacy programs should be implemented to educate both parents and children about the risks of cybercrime.

- ii) The comprehensive sex education should be made mandatory to ensure that children understand sexual boundaries and can protect themselves from sexual crimes. Schools and communities should collaborate to educate young individuals about healthy relationships and consent.
- iii) Legislation should be introduced specifically to address the needs of children living with incarcerated parents, ensuring their best interests are protected. NGOs and corporate social responsibility (CSR) initiatives should be encouraged to provide resources such as crèches and developmental programs within prison settings. [33]
- iv) The revival of traditional values, such as "Garbasanskara" from Hindu literature, may help in nurturing positive traits from birth. By fostering strong social bonds, family attachments, and community involvement, children will have a more secure foundation, reducing the risk of falling into delinquency. The focus should be on nurturing responsibilities—both social and familial—so that children grow up in an environment that promotes public morality and lawful behavior, ultimately contributing to a more developed nation. [34]

References

1. Paranjape Criminology V. Penology with Victimology (Central Law Publications, Allahabad, Fifteenth Edition, 2012).
2. Ram Ahuja. Criminology (Rawat Publications, Jaipur, 2011).
3. Nisha "Role of Police in Prevention And Treatment of Juvenile Delinquency" HPJ, 2020, 3.
4. Qadri SMA. Criminology & Penology Eastern Book Company, Lucknow, 6th Edition, 2009.
5. Paranjape NV. The Code of Criminal Procedure Alongwith Juvenile Justice (Care & Protection of Children) Act & Probation of offenders Act 684 Central Law Agency, Allahabad, Fourth Edition, 2011.
6. Tapash Gan Choudhary Mitra's Legal & Commercial Dictionary 501 (Eastern Law House, Kolkata, Sixth Edition, 2010).
7. Keller's RV. Lectures on Criminal Procedure including Probation and Juvenile Justice 377-379 Eastern Book Company, Lucknow, Fifth Edition, 2014.
8. The Apprentices Act of 1850 (India Act XIX, 1850)
9. The Indian Penal Code (Act 45 of 1860), s. 82,
10. The Reformatory Schools Act, 1897 (Act No. 8 of 1897)
11. The Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023)
12. Vansh Dhania The Dark Side of the Like Button: Implications of Social Media in Juvenile Delinquency cases, available at: <https://juriscentre.com/2024/03/15/the-dark-side-of-the-like-button-implications-of-social-media-in-juvenile-delinquency-cases/> (last visited on 21st September 21, 2024)
13. Virender Kumar, Naresh Kumar. *et al.* Child Rights Laws, Policies And Practices 59 Bharti Publications, New Delhi First Edition, 202)