Due Process in Sentencing

One issue. 4 GS papers. 3 dimensions. 1 fair process test.

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CURRENT AFFAIRS → MULTIDIMENSIONAL THINKING

⚡THE ISSUE IN 30 SECONDS

FACT	WHY IT MATTERS
Bachan Singh (1980) set safeguards	Death only if life term is unquestionably foreclosed
Manoj (2022) added sentencing guidelines	Mental health and custody conduct reports are required
Trial courts sentenced 128 in 2025	The Manoj procedure was not followed in 95.18% of assessable cases
Nearly a third ended in acquittals	Death sentences decided by High Courts and the Supreme Court in a decade

CORE IDEA: The safeguards from Bachan Singh to Manoj make individualised sentencing and evidence on reformation the test of fairness, so the key reform question is compliance in trial courts and the quality of investigation, not only the sentence itself.

🌍THINK BEYOND

Bachan Singh sets rarity safeguards → **Manoj adds sentencing guidelines** → **Trial courts often skip the procedure**

Flawed investigations surface on appeal → **Acquittals show systemic gaps** → **Fair process makes punishment legitimate**

If safeguards exist, why does compliance at the trial stage still lag?

🗂UPSC CONNECT

🌍 GS1 · SOCIETY
Social and psychological factors in crime and sentencing

Use in: Society • Crime

🏛 GS2 · GOVERNANCE
Judiciary, due process and Article 21 safeguards

Use in: Judiciary • Due process

⚡ GS3 · SECURITY
Investigation quality, policing and criminal justice

Use in: Policing • Investigation

⚖ GS4 · ETHICS
Dignity, fairness and the duty of due process

Use in: Dignity • Fairness

🎯OPTIONAL CONNECT

PUB ADMIN
Police reform and **investigation** quality

LAW
Bachan Singh and **sentencing** guidelines

SOCIOLOGY
Crime, **punishment** and social context

PSYCHOLOGY
Mental health **evaluation** and sentencing

✏HOW CAN I USE THIS IN MAINS?

ESSAY *"A just process is what makes punishment legitimate."*

GS3 *Use this to discuss investigation quality, policing and criminal justice.*

GS2 *Use it to discuss due process, Article 21 and judicial safeguards.*

GS4 *Use it to discuss dignity, fairness and procedural justice.*

👤THINK LIKE AN OFFICER

★ KEY SECTION

CASE: You are a District Judge hearing a sentencing matter. The record lacks mental health and custody conduct reports, and you must ensure a fair hearing before deciding.

YOU HAVE 60 SECONDS: WHAT DO YOU DO?

☐ Proceed with the available record ☐ Decide on gravity alone

☐ Seek the required reports and hear both sides ☐ Delay without reason

MODEL ADMINISTRATIVE APPROACH

1 · CALL FOR REPORTS
Seek mental health and custody conduct reports

2 · HEAR MITIGATION
Give the defence a real chance to present material

3 · TEST REFORMATION
Ask whether reform is truly foreclosed

4 · RECORD REASONS
Write clear reasons on every sentencing factor

🔑3 THINGS TO REMEMBER

01 · CONNECT
Process is the safeguard

02 · THINK
Compliance matters most

03 · APPLY
Apply this across GS1-4, Essay and optionals