

A Critical Analysis Criminal Justice System Relating to Cyber-Crime

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Abstract – The role of criminal justice system in other traditional crimes they are same role is cyber-crime related crimes. The biggest difference between traditional crime and cyber-crime is the use of modern technology such as computers and the Internet to commit crimes. Due to which there is a need to change the nature of crime in the way of conducting crime related investigation. In the present time, it has become a necessity to change the criminal justice system according to cybercrime.

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INTRODUCTION

The word cyber-crime is formed from the combination of computer and internet when crimes are committed by a person or organization through computer and internet, it comes under cyber-crime. The first computing machine became the first computer to be invented Abacus was made to calculate the numbers. Where did the world's first calculating machine with the help of this calculation? Were made over time and over time the hardware of computer became smaller by technology and at present laptop mobile, computer tablet is a computer in this form which is momentary. Can do many tasks in it and many tasks can be saved in it and information can be transferred from one place to another through online medium. Money can be transferred and other necessary work irrespective of the area of computer. Made easy by at present, most of the work is being done by computer itself, in the era of increasing dependence on technology and more modernization of people. Computer has become an essential part of life. In such a situation, cyber-crime has been born with the passage of time, earlier there were traditional crimes but at present cyber-crimes are happening. Computer and internet are the two biggest weapons of cyber-crime groups of individuals, which they use to achieve their personal objectives.

CRIMINAL JUSTICE SYSTEM

Criminal justice includes all those systems, functions and government institutions which work to maintain social control prevent and reduce crime and punish and rehabilitate those who violate the law, also investigation and punishment of the accused of crime. Protection has been provided against the misuse of Criminal Justice System. That is the complete process

of investigation of any crime in which Police Investigation Institution, court System, Prison Reform System, all these institutions come when a person's case is registered his investigation. The necessary documents are presented in the witness court so that he gets justice and the offender who commits the crime is punished and sent to jail or correctional home and it is tried not to commit any such crime in future. All the corrective work is done; the purpose of justice is to bring someone on the right path. The process of giving punishment according to all these related institutions is called criminal justice system. Criminal justice is the delivery of justice to those who have committed crimes. The criminal justice system is a series of government agencies and institutions. Goals include the rehabilitation of offenders, preventing other crimes, and moral support for victims. The primary institutions of the criminal justice system are the police, prosecution and defence lawyers, the courts and prisons.[1]

THE CRIMINAL JUSTICE SYSTEM CONSISTS OF THREE MAIN PARTS:

1. Law enforcement agencies, usually the police.
2. Courts and accompanying prosecution and defence lawyers.
3. Agencies for detaining and supervising offenders, such as prisons and probation agencies.

In the criminal justice system, these distinct agencies operate together as the principal means of maintaining the rule of law within society.[2]

RELATED TO CRIMINAL JUSTICE SYSTEM CYBER-CRIME

In any crime, the entire process from the victim to the criminal to the corrective, punitive work in the prison comes under the Criminal Justice System that is in getting justice to the victim. The medium through which justice is provided to the victim is intertwined. On the basis of coordination and best work morality is reached. A superior justice is reached and the criminal who has committed the crime gets punishment in relation to his crime, by that punishment he brings necessary improvement in his life. But at present, there is a lot of difficulty in getting justice related to cyber-crime because the criminal justice system which was made for the tasks related to traditional crimes. According to the current cyber-crime the change in the criminal justice system was done only partly which is not the change that is necessary. As done, there are three main parts of the criminal justice system, first police investigation agency, second court system, third prisoner system, justice is achieved only through these, when there are shortcomings in these mediums, then how to get complete justice on the current cyber-crime related topic. Police is going through many problems like Digital Evidence related difficulties and jurisdictional issues and lack of experienced experts on the subject related to Cyber Crimes In its Police Station (Cyber Cell) and according to the traditional court system Cybercrime itself. Jail reforms have not been able to change and reform is necessary in the prison reform system. Prisons in which serious criminals live, criminals who commit cybercrime are often read. There are people who either or commit a crime for some other purpose, but such people learn the tendency to commit other crimes along with cyber-crime by living with other criminals and towards crime in future. The possibility of increasing increases, in view of the necessary corrective program related crimes, it has become extremely necessary to do corrective work in the criminal justice system.[3]

CONCLUSION AND SUGGESTIONS

Cyber-crime has emerged as a serious problem not only in India, but in the whole world, people's dependence on technology and modernization of the world. Computers want to achieve their tasks and objectives through the Internet, in today's era, and most of the work is done through online medium. Due to which new cyber-crime people are being used to complete their crimes by using a better medium computer internet, along with the need of strict laws to deal with this, the related structure is also being changed. It has become necessary that unless there is a necessary change in the law, it will not be possible to stop the crime properly and according to that law, it has become necessary to make necessary reforms in the whole process till the punishment of the guilty

person. The cases being technical, the evidences are of technical level and the problems related to obtaining the evidence and the jurisdictional rights have to be raised by the organization doing the cyber-crime related investigation, keeping all these things in mind, this conclusion it turns out that at present it is absolutely necessary to change the way of investigation of traditional crimes. so that cyber-crime can be stopped such as cyber law which was created while keeping business is failing to prevent cyber-crime completely Cyber-crime. To prevent this, complete cybercrime law should be made and police investigation, which currently investigates traditional crimes, in which there is a shortage of cyber-crime specialist, only those persons should be appointed who have special knowledge in the concerned particular, so it should be changed and Establishment of special courts in the court system, which will hear only and only cyber-crime related cases, like there is a family court, like there is a consumer court, similar cyber court should be established in all the courts and the judge and advocate on the related subject. Training should be given and discussion should be done on cyber-crime related topic from time to time so that both bar and bench level can get the knowledge on the related subject so that the Clear justice will be achieved because justice is delivered late and it is not justice if received vaguely.

REFERENCE

1. https://en.wikipedia.org/wiki/Criminal_justice
2. H.R Bhardwaj The Criminal justice system konark publication 2019
3. Deepak Ratan online cyber-crime aliya law agency Lucknow 2021
4. Vinaykumar computer 21 man than publication Allahabad 1st addition 2008
5. Gyanvati Dhakad, Cyber Law & Cyber-crimes 11 (India Publication Company 2017)
6. Santosh kumar cyber law & crimes Whiteman publication 2nd edition 2021
7. E.G. Lalat Fatima internet law and cyber-crimes E.B.C publication 1st addition 2018
8. E. G. Deje & Morgan cyber forensics oxford publication 2018

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