

**EXPLORING THE ISSUES AND CHALLENGES IN CONTROLLING CHILD  
SEXUAL ABUSE AND MURDER IN THE STATE OF GUJARAT**

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**Abstract:**

In India, women are traditionally revered as goddesses, and young girls are frequently thought of as Goddess Lakshmi's incarnations. Paradoxically, however, the country has also become one of those reporting a startling increase in crimes like rape, sexual abuse, and the killing of women and young girls. In addition to being shocking, this contradiction is extremely embarrassing for society and the country at large. After Uttar Pradesh, Bihar, Madhya Pradesh, Odisha, and Rajasthan, now Gujarat is the state with the highest number of child rape cases registered under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act). The government and law enforcement agencies in Gujarat face a significant challenge due to the rising rates of child sexual abuse, rape, and murder. While India has passed laws specifically addressing crimes like rape, murder, and child sexual abuse, these laws primarily concentrate on punishing offenders after the crime has been committed. Due to its inadequate ability to deter such offenses, the current legal framework's preventive impact appears to be limited. As a result, the current version of the law has failed to stop these serious crimes from being committed.

**Keywords:** POCSO, Child, Rape, Abuse, Murder, Gujarat

**Introduction:**

*“Child abuse casts a shadow the length of lifetime”*

- Herbert Ward

Crimes of child sexual abuse, rape, and murder have shown a persistent and disturbing increase in the State of Gujarat, indicating serious deficiencies in preventive and deterrent mechanisms. Reports of such offences now appear with alarming regularity in print and electronic media, reflecting the magnitude and frequency of crimes against children. According to data published by the National Crime Records Bureau (NCRB), a total of 14,524 cases under the Protection of Children from Sexual Offences (POCSO) Act, 2012 were registered in Gujarat during the

period 2019 to 31 May 2024.<sup>1</sup> A closer examination of this data suggests that, on average, approximately seven minor girls are subjected to sexual offences each day in the State, underscoring the severity of the crisis.

The gravity of this situation necessitates immediate and sustained intervention by the State government and law enforcement agencies. Analysis of POCSO cases registered in Gujarat reveals that a majority of the accused are known to the victims, including relatives, neighbours, or individuals residing in close proximity.<sup>2</sup> This pattern exposes the vulnerability of children within their immediate social environment and challenges the conventional perception of risk being confined to external or unknown threats. In numerous cases, offenders, motivated by sexual gratification, have subjected minor girls to extreme cruelty, and in certain instances, have committed murder to destroy evidence and evade accountability.

The continuous rise in such offences has created a pervasive climate of fear and insecurity across society. Parents increasingly hesitate to leave their daughters unattended, permit independent mobility, or repose trust even within familiar social circles. This erosion of social trust is a direct consequence of the escalating incidence of POCSO offences in Gujarat and reflects systemic failures in deterrence, policing, community surveillance, and child protection frameworks.<sup>3</sup> The situation highlights the urgent need for comprehensive legal, administrative, and social reforms aimed at safeguarding children and restoring public confidence in the criminal justice system.

#### **Literature Review:**

A review of relevant literature is essential to justify the selection of the research topic and to achieve the stated objectives of the present study. An in-depth examination of existing scholarly, statutory, and empirical literature enables the researcher to identify gaps, avoid duplication, and develop a nuanced understanding of the various legal, social, and criminological dimensions associated with child sexual abuse and murder. The available literature provides both theoretical foundations and empirical insights necessary for addressing the research problem.

The Law Commission of India, in its 283rd Report, undertakes a detailed examination of sexual offences in India, with particular reference to the age of the victim and the issue of consent. The report analyses the evolving jurisprudence on sexual offences and emphasizes the need for a victim-centric legal framework that adequately safeguards the rights and dignity of children. It highlights systemic shortcomings in the investigation and prosecution of sexual crimes and underscores the necessity for stringent legal measures to protect minors from sexual exploitation.<sup>4</sup>

V.N. Shukla, in his authoritative work *Constitution of India* (2022), elaborates upon the constitutional mandate under Article 39(f) of the Constitution of India, which directs the State to ensure that children are provided opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that childhood is protected against exploitation

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<sup>1</sup> National Crime Records Bureau. (2020–2024). *Crime in India* reports. Ministry of Home Affairs, Government of India.

<sup>2</sup> Ministry of Women and Child Development & NCRB data indicating offender profiles in POCSO cases.

<sup>3</sup> Law Commission of India, judicial observations in POCSO cases, and state crime analysis reports.

<sup>4</sup> Law Commission of India, *Report No. 283: Age of Consent under the Protection of Children from Sexual Offences Act, 2012* (Government of India).

and moral and material abandonment. This Directive Principle of State Policy has served as the constitutional foundation for the enactment of child-protective legislations, including laws prescribing stringent punishment to deter sexual offences against children.<sup>5</sup>

R.P. Kataria, in his commentary on *The Protection of Children from Sexual Offences Act, 2012* (2019), provides a comprehensive analysis of the statutory framework enacted to address sexual offences against children. The author examines the objectives, scope, and procedural safeguards under the POCSO Act and highlights the legislative intent behind introducing severe punishments and child-friendly mechanisms in investigation and trial. The work emphasizes that effective implementation of the Act is crucial to achieving its deterrent purpose.<sup>6</sup>

Mulla's treatise on the *Bharatiya Nyaya Sanhita, 2023* (2025 edition) discusses the restructured penal provisions governing crimes across India. Chapter V of the Sanhita specifically addresses offences against women and children, including aggravated forms of sexual violence and murder. The commentary provides valuable insight into the legislative reforms introduced to strengthen the criminal justice response to sexual offences against minors.<sup>7</sup>

Prof. N.V. Paranjape, in his seminal work *Criminology and Penology* (2004), particularly in the chapter on the causes of sex delinquency, identifies multiple socio-economic and psychological factors contributing to the rise in sexual crimes. These include breakdown of family structures, moral degeneration, substance abuse, and inadequate social control mechanisms. The criminological perspectives offered in this work assist in understanding the behavioural patterns underlying sexual offences against children.<sup>8</sup>

Judicial discourse has also contributed significantly to the development of legal principles governing punishment in cases involving rape and murder of minors. In *Shankar Kisanrao Khade v. State of Maharashtra*, Justice K.S. Radhakrishnan of the Supreme Court of India made critical observations regarding the imposition of the death penalty in rape and murder cases. The judgment authoritatively delineates the circumstances under which capital punishment may be justified, particularly in cases involving extreme brutality and aggravating factors, thereby shaping sentencing jurisprudence in sexual offence cases.<sup>9</sup>

Empirical insights are primarily drawn from reports published by the National Crime Records Bureau (NCRB), which functions under the Ministry of Home Affairs, Government of India. NCRB reports provide comprehensive data on crimes registered across the country, including offences against children under the POCSO Act. According to NCRB data, 14,524 POCSO cases were registered in the State of Gujarat between 2019 and 31 May 2024, revealing a disturbing pattern of persistent and high incidence of sexual offences against children. A closer analysis of these figures indicates that, on an average, nearly seven minor girls in Gujarat are subjected daily to sexual violence, highlighting the urgent need for effective preventive and remedial measures.<sup>10</sup>

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<sup>5</sup> V.N. Shukla, *Constitution of India* (13th ed., Eastern Book Company, 2022).

<sup>6</sup> R.P. Kataria, *The Protection of Children from Sexual Offences Act, 2012* (LexisNexis, 2019).

<sup>7</sup> Mulla, *The Bharatiya Nyaya Sanhita, 2023* (LexisNexis, 2025).

<sup>8</sup> N.V. Paranjape, *Criminology and Penology* (Central Law Publications, 2004).

<sup>9</sup> *Shankar Kisanrao Khade v. State of Maharashtra*, (2013) 5 SCC 546.

<sup>10</sup> National Crime Records Bureau, *Crime in India Reports* (2019–2024), Ministry of Home Affairs, Government of India.

**Research Problem:**

The continuous rise in cases of child sexual abuse, rape, and murder in the State of Gujarat presents a serious socio-legal challenge that questions the efficacy of existing child protection laws and enforcement mechanisms. Despite the enactment of stringent legislations such as the Protection of Children from Sexual Offences Act, 2012, and the availability of constitutional safeguards, offences against children continue to increase, indicating persistent deficiencies in prevention, investigation, prosecution, and deterrence. The growing number of POCSO cases not only reflects institutional and administrative shortcomings at the State level but also underscores a broader national crisis concerning child safety and the credibility of the criminal justice system. This situation necessitates a critical examination of the legal framework, enforcement practices, and socio-cultural factors contributing to the continued perpetration of sexual and violent crimes against children.

**Objectives of the Study:**

1. To examine the underlying factors contributing to the continuous increase in cases of child sexual abuse, rape, and murder in the State of Gujarat.
2. To analyse the legal framework and effectiveness of the Protection of Children from Sexual Offences Act, 2012, in addressing crimes against children.
3. To assess the scope and effectiveness of public awareness initiatives undertaken by the government to prevent offences such as child sexual abuse, rape, and murder.
4. To identify and evaluate the factors responsible for delays in the investigation, trial, and execution of punishment in cases involving crimes against children.
5. To explore and recommend preventive measures and policy interventions aimed at reducing the incidence of child sexual abuse, rape, and murder.

**Hypothesis:**

1. Inadequate public awareness regarding the POCSO Act, 2012 significantly contributes to the increase in child sexual offence cases in Gujarat.
2. Socio-economic and behavioural factors, including substance abuse and migration-related vulnerabilities, play a significant role in the rise of child sexual offences in the State.
3. Institutional and enforcement deficiencies undermine the effectiveness of child protection laws in Gujarat.
4. Delays in the execution of punishment adversely affect deterrence in cases involving child sexual abuse and murder.

**Research Methodology:**

The study employs a combined doctrinal and non-doctrinal research approach. The doctrinal method is used to examine statutory provisions, judicial decisions, Law Commission of India reports, and parliamentary debates relating to child protection and sexual offences. The non-doctrinal approach relies on secondary data collected from books, law journals, research articles, newspapers, reports of the National Crime Records Bureau, government publications, and official websites of national and international organisations. The collected material has been critically analysed to identify legal, institutional, and socio-legal factors contributing to the rising incidence of child sexual abuse, rape, and murder in the State of Gujarat.

### **Statutory Framework:**

#### **(a) Constitutional Provisions**

The legislative framework for the protection of children against sexual offences in India is firmly rooted in the constitutional philosophy reflected in the Directive Principles of State Policy and provisions enabling protective discrimination. Article 39(f) of the Constitution of India mandates the State to ensure that children are provided with opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that childhood and youth are protected against exploitation as well as moral and material abandonment.<sup>11</sup> This provision imposes a positive obligation upon the State to enact and effectively implement laws aimed at safeguarding children from sexual exploitation and abuse.

In addition, Article 15(3) of the Constitution of India empowers the State to make special provisions for women and children.<sup>12</sup> This constitutional authorization legitimizes child-centric and gender-specific protective legislations and provides the normative foundation for the enactment of stringent laws addressing sexual offences against minors. Together, these constitutional provisions serve as the bedrock for specialised criminal legislation such as the Protection of Children from Sexual Offences Act, 2012.

#### **(b) Statutory Provisions**

##### **1. Protection of Children from Sexual Offences Act, 2012**

The Protection of Children from Sexual Offences Act, 2012 (POCSO Act) was enacted to provide a comprehensive statutory framework for the protection of children from offences of sexual assault, sexual harassment, and pornography.<sup>13</sup> The Act seeks to secure the best interests of the child by incorporating child-friendly procedures at every stage of the criminal justice process, including reporting, investigation, and trial. Implemented with effect from 19 June 2012, the POCSO Act mandates the establishment of Special Courts for the speedy trial of offences and prescribes stringent punishments to enhance deterrence and ensure the protection of children's fundamental rights.

##### **2. Bharatiya Nyaya Sanhita, 2023**

Prior to the enactment of the POCSO Act, offences involving sexual violence against women and children were primarily dealt with under the Indian Penal Code, 1860. In pursuance of comprehensive criminal law reform, the IPC has been replaced by the Bharatiya Nyaya Sanhita, 2023, which consolidates and strengthens penal provisions relating to serious offences such as sexual violence, rape, kidnapping, and murder.<sup>14</sup> The Sanhita reinforces the legislative intent to adopt a more stringent and responsive criminal justice framework and operates in conjunction with the special protections afforded to children under the POCSO Act.

### **Executive Approach:**

The executive approach to addressing child sexual abuse, rape, and murder operates through the implementation of statutory mandates by administrative authorities at the Union and State levels. In the State of Gujarat, the executive machinery plays a decisive role in enforcing child protection laws, coordinating investigations, prosecuting offenders, and ensuring the care,

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<sup>11</sup> V.N.Shukla, Constitution of India, art. 39(f)

<sup>12</sup> V.N.Shukla, Constitution of India, art. 15(3).

<sup>13</sup> Protection of Children from Sexual Offences Act, 2012 (Act No. 32 of 2012), Government of India.

<sup>14</sup> Mulla's (2025) - The Bharatiya Nyaya Sanhita, 2023, 2025 Edition

protection, and rehabilitation of child victims. This approach is executed through the integrated functioning of the police, child welfare authorities, prosecution departments, and social welfare agencies.

At the enforcement level, the Gujarat Police are responsible for the prompt registration of First Information Reports, conducting investigations in a child-friendly manner, and ensuring compliance with procedural safeguards under the Protection of Children from Sexual Offences Act, 2012.<sup>15</sup> The executive has constituted Special Juvenile Police Units (SJPU) in every district, as mandated under the Juvenile Justice (Care and Protection of Children) Act, 2015, to handle cases involving children with sensitivity and specialised training.<sup>16</sup>

The Department of Women and Child Development, Government of Gujarat, implements welfare and protective mechanisms through institutions such as Child Welfare Committees (CWCs) and District Child Protection Units (DCPUs).<sup>17</sup> These bodies are entrusted with providing immediate care, protection, counselling, and rehabilitation to child victims of sexual offences. The executive also facilitates access to medical assistance, psychological counselling, and compensation through the Victim Compensation Scheme and child care institutions operating under statutory supervision.<sup>18</sup>

Preventive strategies form an important component of the executive approach. The State Government conducts public awareness campaigns through schools, anganwadi centres, and community outreach programmes to educate children, parents, and teachers about child rights, reporting mechanisms, and the legal consequences of sexual offences. National-level initiatives such as Mission Vatsalya and the Beti Bachao, Beti Padhao Scheme are also implemented at the State level to strengthen child protection systems and promote societal vigilance against crimes involving minors.<sup>19</sup>

Despite the existence of these administrative and welfare mechanisms, significant challenges persist. Delays in investigation, shortage of trained personnel, inadequate coordination between police and child welfare authorities, and limited reach of awareness programmes—particularly in migrant and marginalised communities—continue to undermine the effectiveness of executive action. The executive approach, therefore, requires greater accountability, continuous training of enforcement personnel, and systematic monitoring to translate legislative intent into effective protection for children.

### **Judicial Approach:**

The judiciary has played a pivotal role in addressing the menace of child sexual abuse, rape, and murder by interpreting statutory provisions strictly, recognising the vulnerability of child victims, and emphasising deterrent sentencing in appropriate cases. Courts at various levels—District Courts, the Gujarat High Court, and the Supreme Court of India—have consistently underscored that offences against children not only violate individual dignity but also shock the collective conscience of society.

#### **a) District Courts: Enforcement of Deterrent Punishment**

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<sup>15</sup> Protection of Children from Sexual Offences Act, 2012 (Act No. 32 of 2012), ss. 19–27.

<sup>16</sup> Juvenile Justice (Care and Protection of Children) Act, 2015, s. 107.

<sup>17</sup> Department of Women and Child Development, Government of Gujarat, Child Protection Framework.

<sup>18</sup> Gujarat Victim Compensation Scheme, notified under s. 357A, Code of Criminal Procedure, 1973.

<sup>19</sup> Ministry of Women and Child Development, Government of India, *Mission Vatsalya and Beti Bachao, Beti Padhao* Scheme guidelines.

Special POCSO Courts in Gujarat have, in several cases, imposed capital punishment where offences involved extreme brutality, sexual assault, and murder of minor girls. In *State of Gujarat v. Harsharai Ramraj Gurjar*, the Special (POCSO) Court, Surat, awarded the death penalty after finding that the accused committed repeated sexual assault on a minor child and subsequently murdered her to prevent disclosure.<sup>20</sup> The court treated the offence as falling within the “rarest of rare” category due to the abuse of trust, prolonged sexual exploitation, and deliberate elimination of evidence.

Similarly, in *State of Gujarat v. Anil Surendrasingh Yadav*, the Special (POCSO) Court, Surat, sentenced the accused to death for kidnapping, raping, and murdering a three-year-old girl.<sup>21</sup> The court emphasised that crimes of such depravity against helpless children require exemplary punishment to serve the ends of justice and deterrence. A comparable approach was adopted by the Special (POCSO) Court, Kodinar, in *State of Gujarat v. Shamjibhai @ Somabhai Solanki*, where the death sentence was imposed for rape and murder of an eight-year-old child.<sup>22</sup>

These judgments reflect the trial judiciary’s commitment to enforcing stringent punishment in cases involving aggravated sexual assault and murder of children under the POCSO framework.

#### **b) Gujarat High Court: Sentencing Review and Deterrence**

The Gujarat High Court has consistently adopted a strict approach while reviewing sentences in child sexual offence cases. In *State of Gujarat v. Pankajbhai @ Punabhai Bhikhabhai Patadiya*, the High Court enhanced the sentence imposed by the Special Court, holding that awarding only the minimum punishment was inadequate given the age of the victim and the gravity of the offence.<sup>23</sup> The Court stressed that youth of the accused or hostile witnesses cannot dilute punishment in heinous crimes against children.

In *Anil Surendrasingh Yadav v. State of Gujarat*, the High Court confirmed the death sentence awarded by the Special Court, applying the “rarest of rare” doctrine.<sup>24</sup> The Court held that the aggravating circumstances—including the age of the victim, the brutality of the crime, and absence of remorse—far outweighed mitigating factors, thereby justifying capital punishment. The judgment reaffirmed that judicial discretion in sentencing must prioritise societal interest and deterrence in cases involving extreme sexual violence against children.

#### **c) Supreme Court: Constitutional Perspective and Systemic Directions**

The Supreme Court has played a transformative role in shaping judicial discourse on child sexual abuse. In *Vasanta Sampat Dupare v. State of Maharashtra*, the Court confirmed the death penalty for rape and murder of a four-year-old child, holding that subsequent claims of reform cannot outweigh extreme depravity and brutality.<sup>25</sup> The Court reiterated that offences against children warrant a stern judicial response to uphold societal conscience.

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<sup>20</sup> *State of Gujarat v. Harsharai Ramraj Gurjar*, Spec. (POCSO) Case No. 144/2018 (Addl. Sessions Court, Surat).

<sup>21</sup> *State of Gujarat v. Anil Surendrasingh Yadav*, Spec. (POCSO) Case No. 223/2018 (Special POCSO Court, Surat).

<sup>22</sup> *State of Gujarat v. Shamjibhai @ Somabhai Bhimabhai Solanki*, Spec. (POCSO) Case No. 30/2022 (Special POCSO Court, Kodinar).

<sup>23</sup> *State of Gujarat v. Pankajbhai @ Punabhai Bhikhabhai Patadiya*, (2016) 2 GLR 1046 (Guj. HC).

<sup>24</sup> *Anil Surendrasingh Yadav v. State of Gujarat*, (2020) 1 Crimes 218 (Guj. HC).

<sup>25</sup> *Vasanta Sampat Dupare v. State of Maharashtra*, (2017) 6 SCC 631.

In *Jugendra Singh v. State of Uttar Pradesh*, the Supreme Court observed that rape and murder of a child destroys the moral fabric of society and demands strict punishment to maintain social equilibrium.<sup>26</sup> The Court highlighted that such crimes transcend individual harm and impose collective trauma on society.

Further, in *Re: Alarming Rise in the Number of Reported Child Rape Incidents*, the Supreme Court issued comprehensive directions for the establishment of exclusive POCSO Courts, appointment of trained prosecutors and support persons, and implementation of awareness measures to prevent child sexual abuse.<sup>27</sup> These directions demonstrate judicial activism aimed at strengthening institutional mechanisms for child protection.

In *Re: Exploitation of Children in Orphanages in the State of Tamil Nadu v. Union of India*, the Court adopted a purposive interpretation of child protection laws, holding that victims of sexual abuse under the POCSO Act must be treated as “children in need of care and protection” under the Juvenile Justice Act.<sup>28</sup> This judgment significantly expanded the protective umbrella for child victims and reinforced the welfare-oriented approach of child protection jurisprudence.

Judicial responses to child sexual abuse cases reveal a clear trend towards stricter sentencing, victim-centric interpretation of statutes, and reinforcement of deterrence. However, despite strong judicial pronouncements, delays in trial completion, appeals, and execution of sentences continue to dilute the deterrent impact of judgments. This highlights the need for coordinated judicial and executive reforms to ensure timely justice and effective implementation of child protection laws.

#### **Data Collection and Data Analysis:**

The present study relies primarily on secondary data, collected through doctrinal and empirical sources relevant to child sexual abuse, rape, and murder in the State of Gujarat. Official crime statistics were obtained from the National Crime Records Bureau (NCRB) publications, particularly the *Crime in India* reports for the years 2019 to 2023, along with provisional data available up to 31 May 2024. These reports provided quantitative information on the number of cases registered under the Protection of Children from Sexual Offences Act, 2012, as well as related offences involving rape and murder of minors.

Judicial data was collected from reported and unreported judgments of Special POCSO Courts, the Gujarat High Court, and the Supreme Court of India, accessed through law journals, online legal databases, and official court websites. These judgments were examined to identify trends in conviction rates, sentencing patterns, application of the “rarest of rare” doctrine, and judicial interpretation of child protection statutes.

Legislative and policy-related data was sourced from statutory enactments, Law Commission of India reports, parliamentary debates, and policy documents issued by the Ministry of Women and Child Development and the Government of Gujarat. Supplementary information was drawn from academic books, peer-reviewed journal articles, newspaper reports, and publications of child rights organisations to contextualise the legal data within socio-economic realities.

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<sup>26</sup> *Jugendra Singh v. State of Uttar Pradesh*, (2012) 6 SCC 297.

<sup>27</sup> *Re: Alarming Rise in the Number of Reported Child Rape Incidents*, (2019) 0 Supreme (SC) 871.

<sup>28</sup> *Re: Exploitation of Children in Orphanages in the State of Tamil Nadu v. Union of India*, (2017) 7 SCC 578.

Table 01: Crimes Against Children in Gujarat (2019–2023)<sup>29</sup>

Year	Total Crimes Against Children	Child Murder Cases	Child Marriage (PCMA)	POCSO Cases (Registered)
2019	4,685	134	20	2,131
2020	4,365	118	15	2,058
2021	4,515	125	12	2,210
2022	4,785	80	18	2,450
2023	5,225	85	22	2,680

Table 02: Gujarat vs. All India<sup>30</sup>

Year	Gujarat: Total Crimes Against Children	India: Total Crimes Against Children	Gujarat Crime Rate (per lakh children)	India Crime Rate (per lakh children)
2019	4,685	1,48,185	23.4	33.2
2020	4,365	1,28,531	21.8	28.9
2021	4,515	1,49,404	22.5	33.6
2022	4,785	1,62,449	23.9	36.6
2023	5,225	1,77,335	26.1	39.9

An examination of the National Crime Records Bureau (NCRB) data from 2019 to 2024 (provisional) reveals a consistent and disturbing upward trend in cases registered under the Protection of Children from Sexual Offences Act, 2012 in the State of Gujarat. The data indicates that despite periodic legislative amendments and enhanced punishments, the incidence of child sexual offences has not shown a corresponding decline.

From 2019 onwards, Gujarat has reported a steady rise in POCSO cases, with marginal fluctuations during the COVID-19 pandemic years. The temporary reduction observed in certain years appears to be linked more to under-reporting and restricted mobility rather than

<sup>29</sup> National Crime Records Bureau (NCRB) and Parliamentary data as of 2025

<sup>30</sup> NCRB release (Sept 2025) and parliamentary projections.

an actual decline in offences. Post-pandemic data reflects a sharp resurgence in reported cases, indicating increased reporting as well as continued prevalence of offences against children.

By 2023–2024, Gujarat emerged as one of the states with a significant volume of registered POCSO cases, highlighting systemic challenges in prevention, early intervention, and deterrence. NCRB data further suggests that a large proportion of these cases involve known or familiar offenders, including neighbours, relatives, and persons in positions of trust, reinforcing concerns regarding child safety within domestic and community spaces.

The year-wise analysis demonstrates that stringent penal provisions alone have not translated into effective crime control, thereby necessitating a deeper evaluation of enforcement mechanisms, public awareness, and institutional response.

### **Conclusion:**

The study concludes that the increasing incidence of child sexual abuse and murder in the State of Gujarat is not a consequence of legislative inadequacy, but rather a failure of effective implementation, prevention, and societal intervention. Although the Protection of Children from Sexual Offences Act, 2012 and the Bharatiya Nyaya Sanhita, 2023 provide a comprehensive legal framework, persistent delays in investigation, prosecution, and sentencing dilute the deterrent value of law.

Judicial pronouncements demonstrate a strong commitment to child protection and societal conscience, yet these efforts are undermined by executive inefficiencies and lack of community awareness. NCRB data further establishes that crimes against children are deeply rooted within familial and social structures, necessitating a holistic approach beyond penal measures. Unless institutional accountability, awareness mechanisms, and victim rehabilitation are strengthened, the menace of child sexual abuse in Gujarat will continue unabated.

### **Suggestions and Recommendations:**

#### **Strengthening Preventive Awareness:**

Mandatory child safety education programmes should be introduced in schools, anganwadis, and migrant settlements.

#### **Fast-track POCSO Trials:**

Exclusive POCSO courts must strictly adhere to statutory timelines to restore deterrence and public confidence.

#### **Specialised Training for Police and Prosecutors:**

Regular sensitisation and skill-based training should be made compulsory for investigating officers and public prosecutors.

#### **District-specific Intervention Policies:**

Urban districts with high migrant populations require targeted monitoring and community-based vigilance mechanisms.

#### **Victim Rehabilitation and Protection:**

Psychological counselling, witness protection, and compensation must be implemented promptly to prevent secondary victimisation.

#### **Use of Technology:**

Child helplines, digital reporting mechanisms, and surveillance near vulnerable zones should be strengthened.

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25. Vasanta Sampat Dupare v. State of Maharashtra, (2017) 6 SCC 631.
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27. Re: Alarming Rise in the Number of Reported Child Rape Incidents, (2019) 0 Supreme (SC) 871.
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