

SECTION-II

Question 4: Evaluate problems in criminal trials in Pakistan, adding suggestions for improvement therein.

SECTION - II

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Introduction:

Criminal trials in Pakistan suffer from serious structural and procedural weaknesses that undermine justice delivery. Delays, weak investigation, low conviction rates and political interference have eroded public trust.

According to the Law and Justice Commission of Pakistan (LJCP, 2023), over 2.2 million cases are pending in courts, a large proportion of which are criminal trials. These problems demand urgent institutional reform.

Delay in Criminal Trials:

Delay is the most persistent problem. Criminal cases often take 5-10 years to conclude. Causes include repeated adjournments

shortage of judges and poor case management. The Supreme Court of Pakistan (2022) notes 'justice delayed is justice denied' remains a harsh reality. Prolonged trials discourage victims and embolden offenders, especially in serious crimes like murder and rape.

Suggestion: Introduce strict timeliness, limit adjournments and expand case flow management systems under the Criminal Procedure Code (CrPC).

Weak Investigation and Prosecution:

Police investigations remain flawed due to lack of training, political pressure and poor forensic capacity. According to SSDD (2024), conviction rates in murder and rape cases remain below 10%. In cases like the Zainab rape-murder (Kasur), conviction was achieved only due to forensic evidence, highlighting systemic weaknesses elsewhere.

Suggestion: Strengthen forensic

science agencies, modernize police training and ensure prosecutorial independence.

Political Influence and Corruption:

Political interference compromises fair trials. Powerful accused persons often influence police, prosecutors and witnesses. The HRCP (2023) reported frequent withdrawals of cases due to intimidation. This creates a perception of selective justice.

Suggestion: Enforce protection witness laws, insulate prosecutors from political control, and strengthen accountability mechanisms.

Poor Legal Aid and Inequality

Most accused persons cannot afford competent legal representation. State-provided legal-aid is inadequate. As a result, undertrial prisoners constitute nearly 70% of Pakistan's prison population (Prison Statistics

Pakistan, 2023).

Suggestion: Expand state funded legal aid, strengthen public defender systems and reduce unnecessary pre-trial detention.

Outdated Laws and Procedures:

Colonial-era laws like the CrPC (1898) do not reflect modern criminal justice needs. Manual record keeping and lack of technology slow trials.

Suggestion: Digitize court records, introduce e-courts and update procedural laws.

Conclusion:

Criminal trials in Pakistan face delays, weak investigations, political interference and inequality before law. Meaningful reform requires institutional dependence, legal modernization and capacity building, not cosmetic changes.