

# NATIONAL CONFERENCE ON SENTENCING, PROBATION AND VICTIMOLOGY [P-1423]

(16<sup>th</sup> & 17<sup>th</sup> November, 2024)

At National Judicial Academy (NJA), Bhopal

## PARTICIPANTS: DISTRICT JUDICIARY

Academic Coordinator – Dr. Humayun Rasheed Khan, Professor, NJA

### PROGRAM SCHEDULE

SESSION & TIMING	THEMES	RESOURCE PERSON(S)
<b>DAY 1</b> <b>16<sup>th</sup> November 2024</b> <b>(Saturday)</b>		
<b>SESSION 1</b> 10:00 AM -11:30 AM	<b>Sentencing Procedure: Issues and Challenges</b> <i>Proposed Scope of Discussion</i> <ul style="list-style-type: none"><li>• Sentencing Parameters in major offences</li><li>• Judicious Approach in determination of Quantum of Sentence</li><li>• Doctrine of Proportionality</li><li>• Individualization of punishment and Just deserts</li><li>• Mercy, Leniency &amp; Misplaced Sympathy in Sentencing</li><li>• Sentencing Practice in Sexual offences</li><li>• Sentencing Practice in Economic Offences</li><li>• Remission of sentence</li></ul>	<b>Justice D.K. Upadhyaya</b> <b>Justice Joymalya Bagchi</b> <b>Justice Ashwani Kumar Mishra</b>
Cc	<b>Tea Break</b>	
<b>SESSION 2</b> 12:00 PM - 01:30 PM	<b>Death Sentence: Changing Contours</b> <i>Proposed Scope of Discussion</i> <ul style="list-style-type: none"><li>• Right to Life, Death Sentence and Age of Reformation</li><li>• Rule of ‘Absolute certainty’, ‘Beyond Reasonable Doubt’, and ‘Residual Doubts’</li><li>• Major Shift in Approach to Sentencing in Murder</li><li>• Aggravating and Mitigating circumstances</li><li>• Crime Test, Criminal Test &amp; Rarest of Rare Test</li><li>• Life Imprisonment for a Fixed Period</li><li>• Minimum Mandatory Sentence for Culpable Homicide not amounting to Murder under Section. 105 of Bharatiya Nyaya Sanhita, 2023</li></ul>	<b>Justice Joymalya Bagchi</b> <b>Justice Ashwani Kumar Mishra</b>
01:30 PM – 02:30 PM	<b>Lunch Break</b>	
<b>SESSION 3</b> 02:30 PM – 04:00 PM	<b>Commutation of Death Sentence</b> <i>Proposed Scope of Discussion</i> <ul style="list-style-type: none"><li>• From ‘Judge-centric sentencing’ to ‘Principled Sentencing’</li><li>• Individualized Sentencing Enquiry</li><li>• Discussion on <i>Manoj v. State of M.P., 2022 SCC Online SC 677</i></li><li>• Practical Guidelines to collect mitigating circumstances</li><li>• Mandatory Pre-Sentence Report (PST) in Death Penalty Cases</li><li>• Mandatory Report from Probation Officer, Prison Authority &amp; Medical Health Professional</li></ul>	<b>Justice D.K. Upadhyaya</b> <b>Justice P. S. Dinesh Kumar</b>
04:00 PM – 04:30 PM	<b>Tea</b>	

**DAY 2**  
**17<sup>th</sup> November 2024**  
**(Sunday)**

<b>SESSION 4</b> 10:00 AM -11:30 AM	<b>Sentencing Policy under New Criminal Laws &amp; Victim Compensation</b>  <i>Proposed Scope of Discussion</i> <ul style="list-style-type: none"> <li>• Sentencing Policy under Bharatiya Nyaya Sanhita, 2023</li> <li>• Community Service as a Form of Punishment</li> <li>• Rehabilitative and Reformative Justice</li> <li>• Changing Role of Victim in the Criminal Justice System</li> <li>• Victim Compensation under Cr. P. C., 1973, BNSS, 2023 &amp; Victim Compensation Scheme</li> </ul>	<b>Justice Anoop Chitkara</b> <b>Prof. (Dr.) G.S. Bajpai</b> <b>Mr. Anil Kishore Yadav</b>
11:30 AM - 12:00 PM	<b>Tea Break</b>	
<b>SESSION 5</b> 12:00 PM - 01:30 PM	<b>Probation, Triple Method &amp; Interface of Technology &amp; Sentencing</b>  <i>Proposed Scope of Discussion</i> <ul style="list-style-type: none"> <li>• Sentence Determination</li> <li>• Probation of Offenders Act, 1958 &amp; Triple Method</li> <li>• Lenient Punishment for plea bargaining for first-time offenders</li> <li>• Early release of certain under-trial prisoners</li> <li>• Artificial Intelligence and Sentencing Justice</li> <li>• Discussion on <i>State of Wisconsin v. Eric. E. Loomis</i> case</li> <li>• AI Algorithms and Issues of Fairness</li> </ul>	<b>Justice Anoop Chitkara</b> <b>Prof. (Dr.) G.S. Bajpai</b>
01:30 PM – 01:45 PM	<b>Audit of the Course by Participant Judges</b>	
<b>Lunch &amp; Departure</b>		

**Academic Coordinator**

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