

Fast-Track Courts in India: Legal Basis, Performance, Challenges

July 24, 2026 • vajiramandravi.com



Fast-Track Courts in India Latest News

- PM Modi has proposed setting up fast-track courts (FTCs) to try paper leak cases amid ongoing protests.
- This has renewed focus on whether such courts can genuinely deliver on their promise of speedy justice, given India's persistent judicial backlog.

What Are Fast-Track Courts?

- FTCs are not governed by a single central legislation. Their origin lies in the recommendations of the Fourteenth Finance Commission (2015–2020), which proposed setting up 1,800 FTCs to expedite trials of:
 - Heinous crimes such as murder, kidnapping, and extortion
 - Property disputes pending for over five years
 - Cases involving vulnerable groups — women, children, senior citizens, persons with disabilities, and those with terminal illnesses

Fast-Track Special Courts (FTSCs)

- In 2019, following a criminal law amendment and a Supreme Court directive, the Union government launched a **centrally sponsored scheme for FTSCs**.
- Partly funded through the Nirbhaya Fund, these courts are dedicated exclusively to time-bound trials of rape cases and offences under the **POCSO Act**.

Can a Special Court Be Set Up for a Single Case?

- Setting up special courts must satisfy **Article 14** (equality before law).
- In *State of West Bengal vs Anwar Ali Sarkar* (1952), the Supreme Court struck down a law allowing arbitrary selection of cases for special courts merely for “speedier trial,” holding that speed alone is too vague a justification.
- Any classification for fast-tracking must rest on a **rational, objective basis** — such as the nature of the offence or victim vulnerability.

Precedents of case-specific special courts

- Andhra Pradesh High Court set up a special court in 2010 for the Satyam Computer Services scam.
- The Supreme Court directed a dedicated special court for the 2G spectrum allocation scam (notified March 2011, Patiala House Courts).
- It remains to be seen whether the NEET paper leak case, currently before a Delhi court, will similarly be referred to a special court.

Speed and Targets

- Litigants have no automatic statutory right to a fixed trial deadline.
- The **Bharatiya Nagarik Suraksha Sanhita** (BNSS) recommends trials be completed within two years generally, and within two months for sexual offences.
- Each FTSC is expected to dispose of 41–42 cases per quarter, translating to at least 165 cases annually.

Performance So Far

- As of January 2026: 862 regular FTCs functioning across 21 states/UTs, alongside 774 FTSCs (including 398 exclusive POCSO courts) across 29 states/UTs.
- FTSC disposal rate stands at around 96%.
- In 2024, 88,902 new cases were filed in FTSCs while 85,595 were resolved.
- An FTSC disposes of about 9.5 cases per month — nearly three times the 3.3 cases cleared monthly by a regular trial court of similar jurisdiction.
- Despite high clearance rates, pendency remains significant: over 2.4 lakh cases were pending in FTSCs by end-2023.

Why Delays Persist

- The Ministry of Law and Justice, in a March 2026 Lok Sabha response, attributed delays to **multiple factors**: infrastructure availability, case complexity, investigation quality, evidence nature, and cooperation among the bar, investigating agencies, forensic support, witnesses, and litigants.
- Legal experts note mixed efficacy across subject areas — FTCs handling POCSO and IPC cases face heavy case volumes and judge shortages, while those under the Prevention of Corruption Act show comparatively better outcomes.

Judicial Position on Trial Timelines

- In *P. Rama Chandra Rao vs State of Karnataka* (2002), a seven-judge Constitution Bench ruled it is **“neither advisable nor judicially permissible”** to prescribe a fixed outer limit for concluding criminal trials, holding that such rigid limitation would amount to impermissible judicial legislation.

Conclusion

- Fast-track courts offer measurably faster case disposal than regular courts, but their success is constrained by infrastructure gaps, judge shortages, and rising case inflow.
- Without addressing these root causes, fast-tracking risks becoming a symbolic response to public pressure rather than a durable fix for India’s justice delivery system.

Source: IE

Source: <https://vajiramandravi.com/current-affairs/fast-track-courts-in-india/>
© Vajiram & Ravi. For personal use only.