PROTECTION OF VICTIMS OF CRIME AND VICTIMS OF ABUSE OF POWER: THE LEGAL SYSTEM IN BANGLADESH VIS-À-VIS THE UN DECLARATION OF BASIC PRINCIPLES OF JUSTICE FOR VICTIMS OF CRIME AND ABUSE OF POWER – AN OVERVIEW

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I. INTRODUCTION: CURRENT SITUATION, PROBLEMS AND COUNTERMEASURES AGAINST CRIME

In view of the decisions taken in the UN Resolution A/RES/40/34 of November 29, 1985, the legal system in Bangladesh definitely falls short of the desired standard in as much as compensation, restitution and rehabilitation of victims of offences and victims of abuse of power have not been incorporated in the country's Code of Criminal Procedure. But, as it will be seen later in this overview, some special statutes enacted in Bangladesh during the last five years, have made legal provisions for realizing compensation for the purpose of restitution of the victims of offences.

Bangladesh emerged as an independent state in 1971, after 190 years of British colonial subjugation, and another 24 years of semi-colonial domination. Almost all the statutes of the pre-independence colonial period were given continuance in the post-independence era. The criminal justice system of the pre-independence period was encoded in The Code of Criminal Procedure of 1898. This statute is still in force although remarkable changes have been effected from time to time over the last 34 years of independence.

II. THE CRIMINAL JUSTICE SYSTEM OF BANGLADESH

Any person aggrieved or acquainted with an offence can set the law in motion by lodging a complaint with the nearest police station describing the occurrence, either orally or in black and white, disclosing the commission of an offence. In the alternative, he/she can lodge a complaint with the magistrate empowered to take cognizance of offences. A complaint lodged with a police station is called, in legal parlance, an FIR (First Information Report). The police are statutorily required to investigate every cognizable offence, i.e. offences the perpetrators of which may be arrested by the police without warrant. The investigation having finished, the police bring an indictment against the offender by submitting a charge-sheet in case the evidence is sufficient, and if no evidence is found the police make a report accordingly to release the accused. Generally, a magistrate is empowered to take cognizance of a police report or upon a complaint from any person. The magistrate so empowered, after taking cognizance, takes steps to secure the attendance of the accused. When the accused turns up, the magistrate himself can try the offender if the law permits him to do so, or he/she can send the case and the accused to a court having jurisdiction to try him/her.

III. TYPES OF CRIMINAL COURTS IN BANGLADESH

At the lowest level there is the Village Court in rural areas operating in accordance with the Village Court Ordinance of 1976. Some small matters like cattle lifting, larceny of property up to Taka 5,000.00 (US$ 80) value, offences of minor hurt, trespass, etc. are tried by the Village Court. This court can impose a fine only; it cannot pass a sentence of imprisonment.

The village court has no jurisdiction in municipal areas. The Conciliation of Disputes (Municipal Areas) Ordinance, 1979 is the city-edition of the Village Court Ordinance of 1976. Legal jurisdiction is almost the same. This court can pass an order imposing a fine only; it cannot pass a sentence of imprisonment.

Then there are Courts of Magistrates of different classes and types. Generally, there are the Courts of Magistrate of the First, Second and Third class. In four metropolitan cities of the country, there is a special type of Magistracy in which Metropolitan Magistrates perform judicial works assigned to them by the Code of Criminal Procedure 1898. Courts of Magistrates of the First Class and Metropolitan Magistrates can ordinarily pass sentences of imprisonment up to five years and a fine. Magistrates can try offences which are relatively minor.

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Major offences like murder, dacoity (armed robbery), rape, etc. are tried by Courts of Sessions which are superior to all courts of Magistrates. Courts of Session enjoy appellate and revisional jurisdictions against orders of Magistrates. Some Courts of Sessions function as tribunals for the speedy trial of certain grave offences under some special statutes. These courts dispose of cases relating to offences of gruesome murder, offences against women and children, offences under the Arms Act 1878, the Narcotics Control Act 1990, the Control of Acid Act 2002, and the Acid Offences Act 2002. Court of Sessions can pass death sentences, sentences of imprisonment up to any duration, including imprisonment for life, and also impose a fine.

Above all these courts, there is the High Court Division of the Supreme Court of Bangladesh, which enjoys appellate, revisional and original jurisdiction in criminal matters against orders of all subordinate criminal courts and tribunals of the country. The High Court Division is a creature of both the Code of Criminal Procedure of 1898 and the Constitution of Bangladesh. The High Court Division enjoys *habeas corpus* writ jurisdiction under which it can examine the legality of the detention of persons, and can pass the necessary order to set the person free in appropriate cases. Every death sentence, before execution, has to be approved by the High Court Division.

The highest court of the country, the Appellate Division of the Supreme Court of Bangladesh, enjoys appellate, revisional and review jurisdiction of orders passed by all other courts and by itself. This is, in short, the hierarchy of criminal courts in Bangladesh.

IV. MEASURES TO PROTECT VICTIMS OF CRIME

The Penal Code of 1860 (Act XLV of 1860) defines and prescribes punishment for criminal offences. The Code of Criminal Procedure 1898, (Act V of 1898) and the Evidence Act of 1872 (Act I of 1872) are applicable in all the criminal courts and tribunals of the country. These statutes lay down the general procedures for the adjudication of criminal cases in Bangladesh, and are generally considered sufficient for administering the judicial responsibilities of the State. But, as has been rightly observed in the UN Resolution A/RES/40/30 of 1985, these statutes do not contemplate the restitution, compensation and rehabilitation of victims of offences. Nor do these statutes accommodate all victims of offences to play a substantial role in various stages of judicial proceedings.

For total implementation of the UN Declaration enactment of new laws providing for protection and restitution of victims of offences is necessary. It has been observed that in some statutes that came into existence in Bangladesh at the beginning of the new millennium, some provisions have been made to compensate, rehabilitate and protect victims and witnesses of offences.

Some provisions of law in order to punish public servants for abuse of power are already there in the existing statutes. Illegal detention, wrongful incarceration, false indictment, obtaining of confessional statement under duress and any injury caused by police in that process, etc. have been punishable offences since the late 19th century in the Penal Code of 1860. Here again the law provides for punishment of offenders only, but victims of the abuse of power are 'forgotten people'. Any person who is a victim of abuse of power cannot seek reparation in the criminal court. He/she has to pursue civil litigation – a tardy judicial process where he/she becomes a victim once again. The Penal Code of 1860 contains provisions for punishment of offences by public servants, including police, for abuse of power. Chapter XVI of the Penal Code of 1860 describes offences affecting the human body. This chapter contains 77 sections of law in which offences against the human body, and punishments thereof, are defined and prescribed. These penal sections prescribe punishment for all offenders irrespective of their caste, creed and identity. Sections 330 and 331 of the Penal Code provide for punishment of public servants who inflict bodily injuries to a person in order to obtain confessional statements, or information to be used in judicial proceedings. The maximum punishment prescribed in section 330 and 331 of the Penal Code are seven years and ten years imprisonment, respectively.

Section 375 of the Penal Code defines rape, and section 376 prescribes punishment for rape. But now there is a special statute called (in English) an Act for the Suppression of Cruelty to Woman and Children 2000 (Act VIII of 2000) wherein rape has been redefined and more stringent punishment for rape has been prescribed. Punishment for rape, now, is imprisonment for life and a fine. If the victim of rape dies as a

consequence of rape and assault, the punishment is either death or a life term of imprisonment. Sections 378 to 462B of the Penal Code of 1860 define, and prescribe punishments for, offences against property. These sections provide punishment for larceny, robbery, extortion, burglary, deception, mischief, criminal breach of trust, harbouring of thieves, being a thug, etc. Punishments vary from mere fine to imprisonment for life and the death penalty. Sections 344 to 348 of the Penal Code define and provide punishment for wrongful confinement and illegal restraint. Sections 348 of the Penal Code provide punishment for delinquent public servants who wrongfully confine a person for the purpose of extorting a confession or information or of compelling restoration of property. The maximum punishment prescribed in section 348 of the Penal Code is three years imprisonment and a fine. These sections prescribe punishment for all offenders irrespective of their identity.

Sections 363 to 374 of the Penal Code of 1860 define and provide for punishment for kidnapping, abduction, slavery and forced labour. Section 366A provides punishment for abduction of minor girls. The Act for the Suppression of Cruelty to Woman and Children 2000 (Act VIII of 2000), provides for more stringent punishment for offences related to procuring minor girls for immoral purposes.

V. CURRENT SITUATION, PROBLEMS AND COUNTERMEASURES AGAINST THE ABUSE OF POWER

Every offence of abuse of power presupposes that the offender is more powerful than the victim of the offence. When the offender is a public servant then the situation is more precarious for the victim. Generally, when we talk about abuse of power, the focus is mainly on the abuse of power by members of law enforcing agencies. Unrestrained behaviour by law enforcers is a common phenomenon almost everywhere in the world. It is too frequent in less developed countries where the socio-political scenario is more volatile than that of developed countries. There can be no denial of the fact that incidences of abuse of power by law-enforcers, at times, do take place in Bangladesh. However, in Bangladesh law enforcers are not above the law. Offences described in the Penal Code are equally applicable to law-enforcers. The Penal Code of 1860, in sections 211, 330, 331, 448, provides provisions for punishment for offences by members of the police and other law enforcers. As has been enumerated earlier, sections 344 to 348 of the Penal Code define and provide punishment for wrongful confinement and illegal restraint by law-enforcers also. Sections 348 of the Penal Code provides punishment for delinquent police personnel who wrongfully confine a person for the purpose of extorting a confession or information or of compelling restoration of property. The maximum punishment prescribed in section 348 of the Penal Code of 1860 is three years imprisonment and a fine.

Custodial death is considered as culpable homicide amounting to murder, and the law does not take a discriminatory view in the case of a murderer who is a police officer. Bangladesh has a recent example of the execution of death sentences on three policemen who were convicted of rape and murder of a young girl. The case is popularly known as the *Yasmin Murder Case*. A few years back some police personnel, including a senior police officer were given life terms of imprisonment for their involvement in the murder of a young student who was in their custody. Section 211 of the Penal Code of 1860 provides punishment for a police officer who brings a false indictment against any person. Section 330 of the Penal Code of 1860 provides punishment for police officers who inflict injury of a simple nature upon any person in order to obtain a confessional statement. Section 331 of the Penal Code of 1860, provides punishment for a police officer who inflicts grievous injury upon any person to obtain a confessional statement. Section 448 of the Penal Code provides punishment for a police officer who detains a person illegally for the purpose of obtaining a confessional statement. Offences of abuse of power by police personnel are dealt with severely by bringing the delinquents to justice. The Battalion Police Ordinance, 1979 (Ordinance XXV of 1979), provides for the creation of Special Courts for the trial of some offences by police personnel. But they are also tried in criminal courts created under the Code of Criminal Procedure 1898. Instances of punishment meted out to police personnel are not rare, although accurate numbers of delinquents found guilty are not available because there is no central system for keeping records of such punishment. Thus, it is evident that sufficient legal deterrents exist in the law which can be taken to guard against the abuse of power.

The Special Powers Act of 1974 (Act XIV of 1974), section 3, provides for preventive detention of some persons who are involved in prejudicial activities defined in section 2 of this Act. Under this Act a person suspected of being involved in prejudicial activities can be detained for any length of time subject to the

condition that the detention order is approved by an Advisory Board consisting of three members of whom two must be Judges of the High Court - one of them is to chair the Board. The detention order, of course, is amenable to judicial scrutiny by the High Division of the country in its writ jurisdiction. Thus the only Bangladeshi statute which provides legal authority for preventive detention is not at all repressive in nature inasmuch as a detained person or his relatives can challenge the process of detention before the highest court of the country. Experience has shown that hundreds of persons detained under the Special Powers Act 1974, have been set at liberty by order of the High Court Division. So, it can be claimed that public servants or the Government do not enjoy unfettered authority to detain a person for long without cogent reasons. Hence, the opportunity for abuse of power is not absolute.

The Constitution of Bangladesh is considered one of the good constitutions in the world in that it contains almost all the provisions of the Universal Human Rights Declaration. Part III of the Constitution of Bangladesh sets forth the fundamental rights of the citizens which are enforceable by the courts of law. The fundamental rights enshrined in the Constitution guarantee that there shall not be any law which is inconsistent with any one of the fundamental rights guaranteed in Part III of the Constitution of Bangladesh. Article 31 of the Constitution declares that no person shall be deprived of life or personal liberty save in accordance with law. Article 33 guarantees that no person arrested shall be detained in custody without being informed of the grounds for arrest and shall not be denied the right to consult a lawyer of his/her choice. It has also been ensured that every person arrested must be produced before a magistrate within 24 hours of arrest. A person arrested shall not remain in custody unless authorized by the Magistrate. Article 42 guarantees a citizen's right to acquire and transfer property.

VI. PROTECTION FOR VICTIMS OF OFFENCES

Sufficient legal provisions are in force in Bangladesh to protect its citizens from being victims of offences. Very effective legal and penal measures are there to punish offenders. But, until the turn of the century, there was no law that protected the interests of the victims of offences. They, the victims, were really 'forgotten people', and had to fend for themselves. This may be due to general poverty and the low economic condition of the people because of which the legislature did not want to inflict financially burdensome punitive sentences upon offenders. At the beginning of the millennium some laws came into existence in Bangladesh wherein, for the first time in the history of our legislation, the interests of victims have been taken in to consideration. The statutes listed below have some provisions for compensation and restitution of the victims of offences, without having recourse to the tardy process of civil litigation.

VII. LEGISLATION ENACTED WITH A VIEW TO PROTECTION AND RESTITUTION OF VICTIMS OF OFFENCES

(All the statutes were enacted in Bengali).
1. The Legal Aid Act 2000 (Act VI of 2000)
2. Act for Suppression of Cruelty to Women and Children 2000 (Act VIII of 2000)
3. Act for the Disabled Person 2001 (Act XII of 2001)
4. Control of Acid Act 2002 (Act I of 2002)
5. Acid Offences Act 2002 (Act II of 2002)

The Legal Aid Act (Act VI of 2000) declares, in the preamble, that the Act aims at giving legal aid to those persons who are poor, insolvent, destitute and otherwise incapacitated, for socio-economic reasons, to be engaged in legal fights. Section 6 of this Act empowers a district committee to engage a lawyer, at the expense of the government, for a poor and destitute person who has become a victim of offences or abuse of power. The government bears all the expenditure incurred in this process. In every district there is a list of legal aid attorneys who, upon appointment by the authority, can work in courts on behalf of the destitute seeker of justice.

The first ever legislation that attempts to make legal provisions for compensation and restitution for victims of offences in Bangladesh is the Act for the Suppression of Cruelty to Woman and Children 2000 (Act VIII of 2000). Section 31 of this Act provides for victims of offences to be kept in a safe home to be maintained by the government. There are two such safe-homes in and around the city of Dhaka. Section 13 of the Act provides that a baby born as a result of rape is to be looked after by its mother or mother's relative

and the expenses to be defrayed by the Government and the Government has been authorized to realize the amount of money spent from the offender's present or future assets. This Act also provides for some measures to protect victims and witnesses of offences. Section 22 of the Act makes provision for the recording of statements of witnesses at the scene of the crime, or in hospital, instead of calling the witnesses to the court. Any statement so recorded can be relied upon while deciding the merit of the case. Section 20, subsection 6, of the Act provides that the trial of a rape-case may be held in camera. This is necessary for the protection of the privacy of the victim of rape and the witnesses to offences. Section 20, sub-clause 4 of the Act provides that while deciding the custody of a woman or of a child-victim under this Act, courts must take into consideration the interests of the victim. The Ministry of Home Affairs of the Government of Bangladesh has set up a monitoring cell to watch upon the course of investigation and trial of some special cases relating to offences against women and children, and some organized offences of gruesome murders. These include organized murders affecting law and order in general and offences of atrocities inflicted upon or causing death of women for extorting of dowry, offences of abduction and kidnapping of women for the satisfaction of immoral and carnal desire, and offences of illegal trafficking of women and children for immoral purposes. The monitoring cell watches the investigation and trial of cases, and coordinates the appearance of witnesses in order to ensure the early disposal of cases. The Police headquarters transmit daily reports on offences relating to women and children to the Home Ministry. All these arrangements are intended to contain the offences under the Act for the Suppression of Cruelty to Woman and Children 2000.

The Act for Control of Acid 2002, (Act I of 2002) and the Acid Offences Act, 2002 (Act II of 2002) were enacted in consideration of the interests of victims of acid offences. These two statutes have incorporated sufficient clauses of law for rehabilitation, compensation and restitution of victims of these offences. In these statutes, one can trace the legal requirements intended for the restitution of victims of offences as have been contemplated in the UN Resolution A/RES/40/34 of 1985.

The preamble of the Act for Control of Acid 2002 (Act I of 2002) is eloquent of the purpose of the Act. It says that the law intends: (a) to give medical treatment, (b) to rehabilitate, and (c) to give legal aid to the victims of acid-offences. The law contemplates the formation of a *Council to Control Acid* whose duty it is, among others, to make funds available for treatment and rehabilitation of the victims of acid offences. Section 13 of this Act requires that the government establish a rehabilitation centre for the victims of acid. Section 14 authorizes local officers to make arrangements for the treatment of acid-victims. Section 15 authorizes the district committee to make arrangements for giving legal aid to acid-victims. Section 44 of the said Act enjoins that any amount of fine realized from an offender shall be given as compensation to the victims of an acid-offence, and in case of the death of the victim, the amount shall be given to his/her heirs. Section 47 of the Act provides that a list of acid-victims has to be maintained for the purpose of this Act.

The Act for Suppression of Acid Offences, 2002 (Act II of 2002) also follows the same line of legislation in so far as the interests of victims of offences are concerned. Section 9 of the Acid Offences Act of 2002 provides that a person burnt or maimed or killed in consequence of an acid offence is entitled to get compensation from the convict. The section of law authorizes the court to make an order to realize the amount of money from the property of the convict, and in case of the death of the convict, from the property the deceased leaves behind. In case the victim of an offence dies, the compensation is to be given to his/her heirs.

Section 10 of the Acid Offences Act of 2002 lays down the procedure for realizing of the fine imposed upon a convict. It provides that the Tribunal itself, or the Collector of the district being authorized by the Tribunal, can realize the fine by selling the moveable or immoveable property of the convict. This clause authorizes the Tribunal to pay compensation, from the money realized under this section, to the victim of the offence or to the heirs to the victim in case of his/her death.

Thus, the restitution of victims of acid offences and victims of rape have not been kept out of the purview of legislation. The victims of acid offences are not altogether forgotten people. They are not required to go through the tardy judicial process of civil litigation. So it is quite evident that, in Bangladesh, the five statutes, enacted with the turn of the century, have incorporated legal provisions for restitution, compensation and rehabilitation of victims of offences. This is indeed a new trend in the history of our

criminal legislation. These are the Legal Aid Act, 2000 (Act VI of 2000), the Act for Suppression of Cruelty to Women and Children, 2000 (Act VIII of 2000), the Act for the Disabled Person, 2001 (Act XII of 2001), the Control of Acid Act, 2002 (Act I of 2002) and the Acid Offences Act, 2002 (Act II of 2002).

The Act for the Disabled Person, 2001 (Act XII of 2001) is not criminal legislation. It makes some legal provisions regarding the rights of some people who are physically retarded. But this is certainly indicative of a legislative intention to rehabilitate all victims – either of an offence or of nature's preference.

VIII. PARTICIPATION OF VICTIMS IN THE CRIMINAL JUSTICE PROCEDURE: LEGAL PROVISIONS FOR RESTITUTION OF VICTIMS OF OFFENCES

Article 31 of The Constitution of Bangladesh guarantees that "to enjoy the protection of law and to be treated in accordance with law ... is the inalienable right of every citizen". Article 27 of the Constitution declares that "All citizens are equal before law and are entitled to equal protection of law". The Code of Criminal Procedure, 1898, allows any victim of an offence to start a judicial proceeding by proffering a complaint. According to section 154 of the Code of Criminal Procedure, 1898, the police are bound to record such complaint. Alternatively, he/she can lawfully file the complaint petition to the Magistrate empowered to take cognizance of the offence. In addition to the Public Prosecutor, the complainant of the case or any victim can engage a private lawyer. Courts attach much importance to the privately engaged lawyers. They are allowed to conduct cases on behalf of the victims of offences. They oppose bail of the offenders. They canvass for the causes and interests of the victims along with the Public Prosecutors. Section 493 of the Code of Criminal Procedure provides that any pleader privately engaged is to work under the directions of the Public Prosecutor. These rights are not limited to the pages of statutes only; these are indeed in practice in all the criminal courts of Bangladesh. Victims participate in criminal proceedings in other ways also. A victim is considered as a vital witness. Investigation officers are frequently seen to have the statements of victims recorded by Magistrates. Much importance is attached to these statements by courts while deciding on the points for determination of cases. Section 80 of the Evidence Act, 1872, authorizes the court to rely upon this type of statement in order to reach a decision.

Provisions for recovery of loss or compensation from offenders through the criminal justice process have been incorporated in the Act for Suppression of Cruelty to Women and Children, 2000 (Act VIII of 2000), the Control of Acid Act, 2002 (Act I of 2002) and the Acid Offences Act, 2002 (Act II of 2002). This type of legal provision is not available in respect of offences described in the Penal Code of 1860. The Code of Criminal Procedure, 1898, does not contemplate recovery of loss and realization of compensation from the offenders. Of course, section 345 of the Code of Criminal Procedure provides a list of 67 offences of the Penal Code of 1861 which are styled as compoundable offences, and which can be resolved if the victims of offences agree to compromise. This means that in cases disclosing offences stated in section 345 of the Code of Criminal Procedure of 1898, victims have a chance to press home their demand for compensation. These 67 sections of offences are those of injuries of a simple nature; offences of theft, cheating, misappropriation, defamation, etc. Offences of graver types are not compoundable. Thus, in these 67 sections out of a total 511 sections of the Penal Code of 1860 victims of offences do have an opportunity for active participation in the process of trial. But the rest of the sections of the Penal Code of 1860 do not allow any such compromise. The Ministry of Law, Justice and Parliamentary Affairs of the Government of Bangladesh is presently working on a draft bill intended to amend the Code of Criminal Procedure, 1898, in order to insert some legal provisions for realizing of compensation for victims of offences from the convicted accused. The draft bill is now being examined by Judges, Magistrates and legal practitioners.

IX. PROVIDING INFORMATION FOR VICTIMS OF CRIME

The legal system and practice in Bangladesh allows the victims of crime to be informed of the results of an investigation. The Police are statutorily bound to inform the complainant of the results of their investigation. Section 173(1) (b) of the Code of Criminal Procedure of 1898 and Regulation 278 of the Police Regulation of Bengal, require an investigation officer of the Police to communicate to the complainant the results of their investigation in a prescribed form. The victim can claim further investigation if he is not satisfied with the results of the investigation by the police. The victim has every right to attend the trial of his/her case at every stage. This is indeed a victim's fundamental right guaranteed by Articles 27 and 31 of the Constitution of Bangladesh. This is very much in practice in Bangladesh. But, at present there is no legal

system of providing the community with information concerning the release of an offender either on bail or upon expiry of the term of imprisonment.

X. TRIAL OF JUVENILE OFFENDERS IN BANGLADESH

Youthful offenders in Bangladesh are treated separately. The Children Act of 1974 (Act XXXIV of 1974) enjoins that no child shall be charged with, or tried for any offence together with an adult. It also lays down a separate procedure for the trial of youthful delinquents. According to this statute any person below the age of 16-years shall be treated as a child for the purpose of this Act. Children offenders are not to be detained in the custody of jails. It has been ordained that juvenile offenders should be released on bail even in the case of non-bailable offences, but bail may be withdrawn if it is felt that such release of the child may bring him in association with reputed criminals. They are to be kept in the confinement of reformatory or certified homes run by the Department of Social Welfare. The Children Act of 1974 provides for separate courts for youthful offenders called the Juvenile Court. Metropolitan Magistrates, Magistrates of the 1st Class and Session Judges are ex-officio judges of the Juvenile Courts. There are two exclusive Juvenile Courts which deal with matters relating to the Children Act of 1974. A juvenile delinquent found guilty of any offence is sent to the reformatory centre for correction. Unlike an adult offender, a juvenile offender cannot be sentenced with imprisonment for any term. The trial of juvenile offenders is to be held in camera where his/her parents only may be allowed.

The Children Act 1974 and the Children Rules 1976 lay down exhaustively the procedures of treatment of not only youthful offenders, but also of uncontrollable, destitute and homeless children. Chapter VI of the Children Act provides punishment for showing cruelty to children and for employing them for begging and other immoral and undesirable activities. The Children Act emphatically restricts the use of words like 'conviction' and 'sentence' in relation to a juvenile offender. In fact, the legislative intention is that children do not commit offences; they just commit wrongs which can be corrected.

XI. CONCLUSION

Thus, it is obvious that, in recent years, the Bangladesh legislature is taking into consideration the predicament of victims of offences while making laws for the punishment of the perpetrators of offences. Three statutes [*1. the Act for Suppression of Cruelty to Women and Children, 2000 (Act VIII of 2000), 2. the Control of Acid Act, 2002 (Act I of 2002), and 3. the Acid Offences Act, 2002 (Act II of 2002)*] enacted by the Bangladesh legislature during the last five years have provisions for the realizing of compensation from offenders, and reimbursement of the same to the victims of offences, without taking recourse to the tardy process of civil litigation. The Code of Criminal Procedure of Bangladesh allows participation of victims in the criminal justice procedure to a considerable extent. But, Bangladesh is lagging behind in respect of participation of victims in criminal justice compared to the standard set by the UN resolution A/RES/40/34 of 1985 of 1985, but it is encouraging that the Bangladesh Government is planning to amend the Code of Criminal Procedure of 1898 in order to incorporate some legal provisions which would enable the courts to realize compensation from the accused in order to reimburse the same to the victims of offences. This proposed amendment having been done, the Code of Criminal Procedure of Bangladesh will go further ahead to satisfy the requirements of the Basic Principles of Justice for Victims of Crime and Abuse of Power set forth in UN Resolution A/RES/40/34 of 1985.