

MEDIA TRIAL: A LEGAL DILEMMA

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Media is regarded as one of the pillars of democracy. Media has wide ranging roles in the society. Media plays a vital role in moulding the opinion of the society and it is capable of changing the whole viewpoint through which people perceive various events. The media can be commended for starting a trend where the media plays an active role in bringing the accused to hook. Freedom of media is the freedom of people as they should be informed of public matters. It is thus needless to emphasise that a free and a healthy press is indispensable to the functioning of democracy. In a democratic set up there has to be active participation of people in all affairs of their community and the state. It is their right to be kept informed about the current political, social, economic and cultural life as well as the burning topics and important issues of the day in order to enable them to consider forming broad opinion in which they are being managed, tackled and administered by the government and their functionaries. To achieve this objective people need a clear and truthful account of events, so that they may form their own opinion and offer their own comments and viewpoints on such matters and issues and select their future course of action. The right to freedom of speech and expression is contained in article 19 of the constitution¹. However the freedom is not absolute as it is bound by the sub clause (2)² of the same article. However the right to freedom and speech and expression does not embrace the freedom to commit contempt of court.

RIGHT TO A FAIR TRIAL

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¹ Protection of certain rights regarding freedom of speech etc.

(1) All citizens shall have the right

(a) to freedom of speech and expression;

(b) to assemble peaceably and without arms;

(c) to form associations or unions;

(d) to move freely throughout the territory of India;

(e) to reside and settle in any part of the territory of India; and

(f) omitted

(g) to practise any profession, or to carry on any occupation, trade or business.

² Nothing in sub clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence

Right to a fair trial is absolute right of every individual within the territorial limits of India vide articles 14³ and 20⁴, 21⁵ and 22⁶ of the Constitution. Needless to say right to a fair trial is more important as it is an absolute right which flows from Article 21 of the constitution to be read with Article 14. Freedom of speech and expression incorporated under Article 19 (1)(a) has been put under 'reasonable restriction' subject to Article 19 (2) and Section 2 (c)⁷ of the Contempt of Court Act. One's life with dignity is always given a priority in comparison to one's right to freedom of speech and expression. Media should also ponder upon these facts.

³ Equality before law The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

⁴ Protection in respect of conviction for offences

(1) No person shall be convicted of any offence except for violation of the law in force at the time of the commission of the act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence

(2) No person shall be prosecuted and punished for the same offence more than once

(3) No person accused of any offence shall be compelled to be a witness against himself.

⁵ Protection of life and personal liberty No person shall be deprived of his life or personal liberty except according to procedure established by law.

⁶ Protection against arrest and detention in certain cases

(1) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice

(2) Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate

(3) Nothing in clauses (1) and (2) shall apply (a) to any person who for the time being is an enemy alien; or (b) to any person who is arrested or detained under any law providing for preventive detention

(4) No law providing for preventive detention shall authorise the detention of a person for a longer period than three months unless (a) an Advisory Board consisting of persons who are, or have been, or are qualified to be appointed as, Judges of a High Court has reported before the expiration of the said period of three months that there is in its opinion sufficient cause for such detention:

(5) When any person is detained in pursuance of an order made under any law providing for preventive detention, the authority making the order shall, as soon as may be, communicate to such person the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order

(6) Nothing in clause (5) shall require the authority making any such order as is referred to in that clause to disclose facts which such authority considers to be against the public interest to disclose

(7) Parliament may by law prescribe

(a) the circumstances under which, and the class or classes of cases in which, a person may be detained for a period longer than three months under any law providing for preventive detention without obtaining the opinion of an Advisory Board in accordance with the provisions of sub clause (a) of clause (4);

(b) the maximum period for which any person may in any class or classes of cases be detained under any law providing for preventive detention; and

(c) the procedure to be followed by an Advisory Board in an inquiry under sub clause (a) of clause (4) Right against Exploitation.

⁷ "criminal contempt" means the publication (whether by words, spoken or written, or by signs, or by visible representation, or otherwise) of any matter or the doing of any other act whatsoever which—

(i) scandalises or tends to scandalise, or lowers or tends to lower the authority of, any court; or

(ii) prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or

(iii) interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner;

Fair trial is not purely private benefit for an accused – the public's confidence in the integrity of the justice system is crucial⁸. The right to a fair trial is at the heart of the Indian criminal justice system. It encompasses several other rights including the right to be presumed innocent until proven guilty, the right not to be compelled to be a witness against oneself, the right to a public trial, the right to legal representation, the right to speedy trial, the right to be present during trial and examine witnesses, etc. In the case of *ZahiraHabibullah Sheikh v. State of Gujarat*⁹, the Supreme Court explained that a "fair trial obviously would mean a trial before an impartial Judge, a fair prosecutor and atmosphere of judicial calm. Fair trial means a trial in which bias or prejudice for or against the accused, the witnesses, or the cause which is being tried is eliminated."

RIGHT TO FREEDOM OF SPEECH AND CONSTITUTION

As we know that our Constitution does not separately refer to the freedom of the press or of the electronic media in Part III but these rights are treated by the law as part of the 'Freedom of speech and expression' assured by Article 19 (1) (a) of the Constitution of India. The guarantee is subject to 'reasonable restrictions' which can be made by legislation to the extent permitted by Article 19(2). 'Contempt of Court law' deals with non-interference with the "administration of justice" and that is how the "due course of justice" that is required for a fair trial, can require imposition of limitations on the freedom of speech and expression. Article 20(1)¹⁰, Art 20(2)¹¹ & Art 20, (3)¹² are important. Art 21¹³ is the crucial article which guarantees the right to life and liberty. Article 22(2) requires that a person who is arrested has to be produced before a Magistrate within 24 hours of the arrest. The Supreme Court in *Maneka Gandhi's case*¹⁴ has interpreted the words 'according to procedure established by law'. In Art 21 as requiring a procedure which is fair, just and equitable and not arbitrary. The Supreme Court of India, in *Life Insurance Corporation of India v. Manubhai D Shah*¹⁵ has stated that the "freedom of speech and expression" in Article 19(1) (a) means the right to express one's convictions and opinions freely, by word of mouth, writing, printing, pictures or electronic media or in any other manner. In *Romesh Thapar v. State of Madras*¹⁶, it was held that the freedom includes the freedom of ideas, their publication and circulation. It was stated in *Hamdard Dawakhana v. Union of India*¹⁷ that the right includes the right to acquire

⁸Jagannadha Rao, Fair Trial and Free Press: Law's Response to Trial by Media, p. 26.

⁹*ZahiraHabibullah Sheikh v. State of Gujarat*, (AIR 2004 SCC 158).

¹⁰ "no person shall be convicted of any offence except for violation of the law in force at the time of the commission of the act charged as an offence and not be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence."

¹¹no person shall be prosecuted and punished for the same offence more than once.

¹² No person accused of any offence shall be compelled to be a witness against himself."

¹³ No person shall be deprived of his life or personal liberty except according to procedure established by law'.

¹⁴AIR 1978 SC597.

¹⁵AIR1993 SC171.

¹⁶AIR 1950 SC 124

¹⁷AIR 1960 SC 554

and impart ideas and information about matters of common interest. The right to telecast includes the right to educate, to inform and to entertain and also the right to be educated, be informed and be entertained.¹⁸ The former is the right of the telecaster, while the latter is the right of the viewers. The right under Art 19(1) (a) includes the right to information and the right to disseminate through all types of media, whether print, electronic or audio-visual. The Supreme Court has held that a trial by press, electronic media or by way of a public agitation is the very anti-thesis of rule of law and can lead to miscarriage of justice¹⁹. A Judge is to guard himself against such pressure. The right to freedom of speech and expression is contained in article 19 of the constitution. However the freedom is not absolute as it is bound by the sub clause (2) of the same article. However the right to freedom of speech and expression does not embrace the freedom to commit contempt of court. But after these guidelines media interfering in the legal proceeding and acting as aggressive journalism. By the Delhi High Court in *Mother Dairy Foods & Processing Ltd v. Zee Tele films*²⁰ aptly describe the state of affairs of today's media. He says that journalism and ethics stand apart. While journalists are distinctive facilitators for the democratic process to function without hindrance the media has to follow the virtues of 'accuracy, honesty, truth, objectivity, fairness, balanced reporting, respect or autonomy of ordinary people'. These are all part of the democratic process. But practical considerations, namely, pursuit of successful career, promotion to be obtained, compulsion of meeting deadlines and satisfying Media Managers by meeting growth targets, are recognized as factors for the 'temptation to print trivial stories salaciously presented'. In the temptation to sell stories, what is presented is what 'public is interested in' rather than 'what is in public interest'. After the above said discussion, it is observed that the media isn't violating the provisions of the constitution but also interfering in the privacy of the people's life. It is true, in last decade media highlighted many suspense's and mysteries of murder and corruption cases but by overriding the rule of law and fundamental rights of common man.

IMMUNITY UNDER THE CONTEMPT OF COURT ACT, 1971

Under the Contempt of Court Act, 1971, pre-trial publications are sheltered against contempt proceedings. Any publication that interferes with or obstructs or tends to obstruct, the course of justice in connection with any civil or criminal proceeding, which is actually 'pending', only then it constitutes contempt of court under the Act. Under Section 3(2), sub clause (B) of clause (a) of Explanation, 'pending' has been defined as "In the case of a criminal proceeding, under the Code of Criminal Procedure, 1898 (5 of 1898) or any other law – (i) where it relates to the commission of an offence, when the charge sheet or challan is filed; or when the court issues summons or warrant, as the case may be, against the accused." Certain acts, like publications in the media at the pre-trial stage, can affect the rights of the accused

¹⁸Union of India v. Association for Democratic Reforms (AIR 2002 SC2112).

¹⁹State of Maharashtra v. RajendraJawanmal Gandhi (AIR 1997 SC 3986).

²⁰AIR 2005 Delhi H.C 195.

for a fair trial. Such publications may relate to previous convictions of the accused, or about his general character or about his alleged confessions to the police. Under the existing framework of the Contempt of Court Act, 1971, media reportage, as seen during the AarushiTalwar case, where the press, had literally gone berserk, speculating and pointing fingers even before any arrests were made, is granted immunity despite the grave treat such publications pose to the administration of justice. Such publications may go unchecked if there is no legislative intervention, by way of redefining the word 'pending' to expand to include 'from the time the arrest is made' in the Contempt of Court Act, 1971, or judicial control through gag orders as employed in United States of America. Due to such lacunas, the press has a free hand in printing colourful stories without any fear of consequences. Like a parasite, it hosts itself on the atrocity of the crime and public outrage devoid of any accountability.

THE PUBLIC'S RIGHT TO KNOW

The Supreme Court has expounded that the fundamental principle behind the freedom of press is people's right to know.²¹Elaborating, the Supreme Court opined, "The primary function, therefore, of the press is to provide comprehensive and objective information of all aspects of the country's political, social, economic and cultural life. It has an educative and mobilising role to play. It plays an important role in moulding public opinion"²².

However, the Chief Justice of India has remarked, "freedom of press means people's right to know the correct news", but he admitted that newspapers cannot read like an official gazette and must have a tinge of "sensationalism, entertainment and anxiety".²³ In the Bofors Case²⁴, the Supreme Court recounted the merits of media publicity: "those who know about the incident may come forward with information, it prevents perjury by placing witnesses under public gaze and it reduces crime through the public expression of disapproval for crime and last but not the least it promotes the public discussion of important issues"²⁵." Two important core elements of investigative journalism envisage that (a) the subject should be of public

²¹Express Publications (Madurai) Ltd. v. Union of India (AIR 2004 SC 1950), Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal (AIR 1995 SC 1236).

²²In Re: Harijai Singh and Anr.;InRe: Vijay Kumar, (AIR1996 SCC 466).

²³CJI says media must not run parallel trials,<http://www.asiamedia.ucla.edu/article.asp?parentid =99360>, (Last Modify May, 2, 2014).

²⁴KartongenKemiOchForvaltning AB v. State through CBI, 2004 (72) DRJ 693.

²⁵Ibid, para10.

importance for the reader to know and (b) an attempt is being made to hide the truth from the people.²⁶

INEFFECTIVE LEGAL NORMS GOVERNING JOURNALISTIC CONDUCT

Under the Press Council Act, 1978, the Press Council of India is established, with the objectives to “preserve the freedom of the Press and to maintain and improve the standards of newspapers and news agencies in India”²⁷. To achieve these objectives, it must “ensure on the part of newspapers, news agencies and journalists, the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities of citizenship”²⁸ and “encourage the growth of a sense of responsibility and public service among all those engaged in the profession of journalism”²⁹.

The Council, also, enjoys powers to censure. If someone believes that a news agency has committed any professional misconduct, the Council can, if they agree with the complainant, “warn, admonish or censure the newspaper”, or direct the newspaper to, “publish the contradiction of the complainant in its forthcoming issue” under Section 14(1) of the Press Council Act, 1978³⁰. Given that these measures can only be enforced after the publication of news materials, and do not involve particularly harsh punishments, their effectiveness in preventing the publication of prejudicial reports appears to be limited.

In *Ajay Go swami v. Union of India*³¹, the shortcomings of the powers of the Press Council were highlighted:

Section 14 of the Press Council Act, 1978 empowers the Press Council only to warn, admonish or censure newspapers or news agencies and that it has no jurisdiction over the electronic media and that the Press Council enjoys only the authority of declaratory adjudication with its power limited to giving directions to the answering respondents arraigned before it to publish particulars relating to its enquiry and adjudication. It, however, has no further authority to ensure that its directions are complied with and its observations

²⁶G.N. Ray, Should there be a Lakshman Rekha for the Press, <http://presscouncil.nic.in/speech7.htm>, (Last Modified, May, 2, 2014).

²⁷ Press Council Act, 1978, Section 13(1).

²⁸ Press Council Act, 1978, Section 13(2) (c).

²⁹ Press Council Act, 1978, Section 13(2) (d).

³⁰Section 14(1) of the Press Council Act, 1978, states: “Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that a newspaper or news agency has offended against the standards of journalistic ethics or public taste or that an editor or working journalist has committed any professional misconduct, the Council may, after giving the newspaper, or news agency, the editor or journalist concerned an opportunity of being heard, hold an inquiry in such manner as may be provided by regulations made under this Act and, if it is satisfied that it is necessary so to do, it may, for reasons to be recorded in writing, warn, admonish or censure the newspaper, the news agency, the editor or the journalist or disapprove the conduct of the editor or the journalist, as the case may be.”

³¹(2007) 1 SCC 143.

implemented by the erring parties. Lack of punitive powers with the Press Council of India has tied its hands in exercising control over the erring publications.³²

Along with these powers, the Press Council of India has established a set of suggested norms for journalistic conduct. These norms emphasize the importance of accuracy and fairness and encourage the press to “eschew publication of inaccurate, baseless, graceless, misleading or distorted material.” The norms urge that any criticism of the judiciary should be published with great caution. These norms further recommend that reporters should avoid one-sided inferences, and attempt to maintain an impartial and sober tone at all times. But significantly, these norms cannot be legally enforced, and are largely observed in breach. Lastly, the PCI also has criminal contempt powers to restrict the publication of prejudicial media reports. However, the PCI can only exercise its contempt powers with respect to pending civil or criminal cases. This limitation does not consider the extent to which pre-trial reporting can impact the administration of justice³³.

The relationship between the Public, Press and the Judiciary

Does the media, both print and electronic, influence judges? With the sudden vicious onslaught of verdicts by the activist media in matters that are sub judice, one wonders its impact on the administration of justice and the judicial personnel. Article 10 of the Universal Declaration of Human Rights, (1948), deals with the right of an accused “in full equality to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge against him”³⁴. Judges from various jurisdictions have not denied the influence of media on the judges³⁵. In *Re: P.C. Sen*³⁶, it was stated that the real danger of prejudicial comments in newspapers or by other media of mass communication that must be guarded against is the “impression that such comments might have on the Judge’s mind or even on the minds of witnesses for a litigant”³⁷. The frailty of the judicial system stems from the fact that judges are human beings and undue influence of

³²Ibid., para41.

³³ Hereinafter referred to as the PCI.

³⁴ Article 10 of the Universal Declaration of Human Rights, 10 Dec.1948, UNGA Res. 217 (LXIII).

³⁵Justice Frankfurter in *John D. Pennekamp v. State of Florida*, (1946) 328 US 331: “No Judge fit to be one is likely to be influenced consciously...However, Judges are also human and we know better than did our forbears how powerful is the pull of the unconscious and how treacherous the rational process ...and since Judges, however stalwart, are human, the delicate task of administering justice ought not to be made unduly difficult by irresponsible print....in a particular controversy pending before a court and awaiting judgment, human beings, however strong, should not be torn from their moorings of impartiality by the undertone of extraneous influence. In securing freedom of speech, the Constitution hardly meant to create the right to influence Judges and Jurors.’

³⁶ AIR 1970 SC 1821.

³⁷Ibid., para18

irresponsible expression may taint the rational process of adjudication. This limitation has been admitted by the Supreme Court of India, wherein it ruled, “prejudice, a state of mind, cannot be proved by direct and positive evidence. Therefore, it cannot be judged on the basis of an objective standard...”³⁸. The practice of ‘trial-by-media’ has been deprecated by the Courts, “No journalist can assume the role of an investigator, in a pending case, and then attempt to influence the mind of the Court”³⁹. But in the recent past, the Indian judiciary has tacitly denied any influence of media, both print and electronic, upon the judges. In *Balakrishna Pillai v. State of Kerala*⁴⁰, the Apex Court stated, “the grievance relating to trial by press would stand on a different footing. Judges do not get influenced by propaganda or adverse publicity⁴¹”.

MEDIA ACTIVISM - EVILS OF ‘TRIAL BY MEDIA’

Justice Katju and P. Sainath have attacked the media for focusing attention on “non-issues” and “trying to divert attention of the people from the real issues to non-issues”⁴² and “stifling of smaller voices⁴³”. Who will watch the watchdog as it abdicates its role as an educator in favour of being an entertainer⁴⁴. A line between informing and entertaining must be drawn⁴⁵. Due to extensive media propaganda, justice and rule of law are no longer about the process but the outcome⁴⁶.

Public opinion may exercise an indirect influence over the criminal justice system. “Justice should not only be done, it should manifestly and undoubtedly be seen to be done”⁴⁷. Psychological pressures stemming from media scrutiny could possibly taint verdicts to

³⁸Bhajan Lal, Chief Minister, Haryana v. Jindal Strips Ltd., (1994) 6 SCC 19.

³⁹Rao Harnarain v. Gumori Ram, (AIR 1958 Punjab 273).

⁴⁰AIR 2000 SC 2778.

⁴¹Ibid., para 9.

⁴²Markandey Katju, Ideal and reality: Media’s role in India, <http://www.hinduonnet.com/thehindu/thscrip/print.pl?file=2008081955330900.htm&date=2008/08/19/&prdt=th&>, (Last Modified, May 2, 2014).

⁴³P. Sainath, “Lost the Compass? Rural India is a giant canvas that is begging the media to do a portrait” Outlookindia.com, 17 October 2005, <http://www.outlookindia.com/full.asp?fodname=20051017&fname=CP+Sainath&sid>, (Last Modified, May 2, 2014).

⁴⁴Ramachandra Guha, Watching the Watchdog-Time for the press to look within, The Telegraph, May 10, 2008, http://www.telegraphindia.com/1080510/jsp/opinion/story_9244220.jsp#, (Last Modified, May 3, 2014).

⁴⁵Nancy L. Trueblood, *Curbing The Media: Should Reporters Pay When Police Rides Along Violate Privacy?*, 84 MARQ. L. REV., 541, 549.

⁴⁶Jessica Lal Murder Case and the Rule of Law, <http://cbcnn.blogspot.com/2008/05/jessica-lal-murder-case-and-rule-of-law.html>. (Last Modified, May 3, 2014).

⁴⁷R v. Sussex Justices : Ex parte McCarthy : 1924(1) KB 256.

conform to public opinion rather than the evidence offered at trial⁴⁸ Justice Bilal Nazki said the credibility of a judge is at stake when a trial by media declares a person guilty but the judge gives a differing opinion based on facts.

For example, a provision of the English Criminal Justice Act of 1967, involving the suspending of sentences of imprisonment, is cited as a law that was passed as a result of the direct influence of public opinion⁴⁹.

In *Labour Liberation Front v. State of Andhra Pradesh*⁵⁰, the High Court of Andhra Pradesh indicated the abyssal levels, to which the norms of journalism have drifted.

Justice L. Narasimha Reddy frowning upon the practice of 'media-by trial' stated:

*...the freedom of the prosecuting agency, and that of the Courts, to deal with the cases before them freely and objectively, is substantially eroded, on account of the overactive or proactive stances taken in the presentations made by the print and electronic media. Once an incident involving prominent person or institution takes place, the media is swinging into action and virtually leaving very little for the prosecution or the Courts to examine the matter. Recently, it has assumed dangerous proportions, to the extent of intruding into the very privacy of individuals. Gross misuse of technological advancements, and the unhealthy competition in the field of journalism resulted in obliteration of norms or commitment to the noble profession. The freedom of speech and expression which is the bed rock of journalism, is subjected to gross misuse. It must not be forgotten that only those who maintain restraint can exercise rights and freedoms effectively*⁵¹.

CONCLUSION

From the above account it becomes clear that the media had a more negative influence rather than a positive effect (except for a few exceptions here and there). The media has to be properly regulated by the courts. The media cannot be granted a free hand in the court proceedings as they are not some sporting event. The law commission also has come up with a report on 'Trial by Media: Free Speech vs. Fair Trial under Criminal Procedure (Amendments to the Contempt of Court Act, 1971)' [Report number 200 prepared in 2006]. The report is still pending in the Parliament as such the researcher could not get a copy of the report. It will be available to the public once it is presented in the Parliament.

SUGGESTIONS

On behalf of this paper I would like to submit the following suggestions:

⁴⁸ Brian V. Breheny & Elizabeth M. Kelly, *Maintaining Impartiality: Does Media Coverage of Trials Need to be Curtailed?* 10 ST. JOHN'S J. LEGAL COMMENT 371, 383. (Last Modify, May 3, 2104).

⁴⁹ *Julian v. Roberts, Public Opinion, Crime, and Criminal Justice*, 16 CRIME & JUST. 99, 161 (1992).

⁵⁰ 2005 (1) ALT 740.

⁵¹ *Ibid.*, para 14.

1. Though it is open to a newspaper to report pending judicial proceedings but in a fair, accurate and reasonable manner. So, it shall not publish anything - running commentary or debate, regarding the personal character of the accused standing trial on a charge of committing a crime. Because it may directly or as immediate effect, create a substantial risk of obstructing, impeding or prejudicing seriously the due administration of justice.
2. Newspaper shall not as a matter of caution, publish or comment on evidence collected as a result of investigative journalism.
3. While newspapers may, in the public interest, make reasonable criticism of a judicial act or the judgement of a court for public good; they shall not cast scurrilous aspersions on, or impute improper motives, or personal bias to the judge.
4. Further media must not scandalize the court or the judiciary as a whole, or make personal allegations of lack of ability or integrity against a judge.
5. Newspaper shall, as a matter of caution, avoid unfair and unwarranted criticism which, by innuendo, attributes to a judge 's extraneous consideration for performing an act in due course of his/her judicial functions, even if such criticism does not strictly amount to criminal Contempt of Court.
6. News items about court proceedings must be published only after thorough verification. A lot remains to be done to ensure that two of the strongest pillars of our democracy i.e. the judiciary and the media work in tandem to promote the democratic secular principles enshrined in our constitution. In last, Media trials have created a far-reaching effect on the judicial system in the country; media trial not only affected the people but also affected lawyers involved in the case as well as the judiciary. In the wake of current situation media needs to be regulated. There should be a strong judicial system checked by self-imposed code of conduct or by legislature.