



# ILS Law College, Pune

Chiplunkar Road, (Law College Road)

Pune, Maharashtra - 411004

Phone No. 020 2565 6775

## ONE DAY SEMINAR

ON

## REFORMS IN BAIL LAW TO MAXIMIZE ACCESS TO JUSTICE.

14<sup>TH</sup> OCTOBER 2023 | ILS Law College, Pune



## BROCHURE

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## I. INDIAN LAW SOCIETY

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The Indian Law Society was established in 1923 as a Public Charitable Trust registered under the Societies Registration Act. It is a non-profit organization established with the sole purpose of imparting legal education. The Society is a voluntary association of persons, who came together with a pledge to launch courses on law, formal and informal, where law and legal doctrines are taught with social utility, purpose, impact, and social relevance. The founder members of the Indian Law Society were the legal luminaries like Sir Narayanrao Chandavarkar, Shri J. R. Nanasaheb Gharpure, Diwan Bahadur and P. B. Shingane. Indian Law Society established ILS Law College in 1924, with a view of facilitating infrastructure essential for the study of law. Establishment of the Law College by the Indian Law Society was indeed a pivotal moment in Indian Legal Education as the College exemplified academic excellence, social relevance, and professional competence. Imaginative realignment of written law or the hard law with a view to reorient them with the Indian social milieu has always been the strength of the Indian Law Society.



## II. ILS LAW COLLEGE, PUNE

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Established in 1924, ILS Law College is one of the oldest law schools in India and has been playing a pioneering role in legal education and scholarship in the country. 100 years since its establishment, the Law College has acquired the reputation of being a premier institution imparting quality legal education. Since its inception, ILS Law College has produced some of the most highly regarded contributors in the field of law.

- Justice P.B. Gajendragadkar: Chief Justice, Supreme court of India (1964-66);
- Justice Y.V. Chandrachud: Chief Justice, Supreme court of India (1977-85);
- Justice E.S. Venkataramaih: Chief Justice, Supreme court of India (1987-89);
- Justice Mridula Bhatkar: Judge, Bombay High Court;
- Shri K. M. Reddy: Former Governor of Maharashtra;
- Shri Y.B. Chavan: Former Deputy Prime Minister of India;
- Shri Mohan Dharia: Former Minister of Commerce;
- Shri Sushilkumar Shinde: Home Minister, Govt. of India & Former Chief Minister of Maharashtra;
- Shri Vilasrao Deshmukh: Former Chief Minister of Maharashtra;
- Shri Arun Kirloskar: Industrialist;
- Dr. Prabha Atre: Indian Classical Vocalist;



- Prof. S.P. Sathe: Former Director, Institute of Advanced Legal Studies (IALS) and Ex-Principal, ILS Law College;
- Dr. Alice Jacob: Former Director of Indian Law Institute and Ex-Member, Law Commission of India; and
- Dr. A.T. Markose: First Director of Indian Law Institute & Former Professor, Cochin University.

With its illustrious history and heritage, the institution has contributed immensely to the growth of the legal profession and has upheld its tradition of producing meritorious legal scholars who dedicate themselves to public service and reform. The generations of distinguished legal luminaries who have been nurtured by this unique institution have made a seminal contribution globally to the evolution of the esteemed field of Law.



### III. ABOUT POST GRADUATE DEPARTMENT IN LAW

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The ILS Law College, Pune conducts a two-year LL.M degree program, which is affiliated to the Savitribai Phule Pune University. The Course offers specialization in Business Laws and International Law. The LL.M program is research based and seeks to enhance teaching-learning skills, professional and research skills of the students. The LL.M program has stepped into its thirteenth year creating a vibrant and strong culture of research and publication amongst students. Research in Law is the key focus along with an encouragement for interdisciplinary research.

### IV. CONCEPT NOTE

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The Indian Constitution envisages an affirmative use of law for bringing about a profound social transformation. The Constitution contemplates the use of law as an instrument of social engineering. This "Law" is itself a resource. Unless this resource is equitably accessible, i.e., unless people can use law successfully for securing their entitlements under the various laws, the social engineering is not likely to be successful. It is a fact that justice is denied to many people because of their inability to activate the law on their behalf. Access to law becomes crucial in context of Criminal Justice system; particularly when a larger number of the accused come from a disadvantaged section of the society. A 2021 census demonstrates that those from communities considered SC formed 22.8 % of undertrials and 21.7 % of



the convicts respectively as compared to their share of 16.6% in the population as per the 2011 census.

Criminal law is one of the most sensitive areas which can exercise unalterable impact on the lives of people. The criminal justice system aims to protect the right to personal liberty against invasion by others; to protect the weak against the strong, law abiding against lawless, peaceful against the violent. Within the legal framework there are several provisions which offer adequate safeguards to the accused against intrusion on personal liberty. Law relating to Bail is one such law which provides for securing bail to the accused under certain conditions. The law of bail is premised on the principle of balance considerations of personal liberty with public interest. However, it is observed that the bail law and process relating bail creates significant constraints on the accused and consequently leaves the accused in a state of despair. Access is curtailed due to several reasons such as ambiguity in law, poverty, unreasonable bail conditions, lack of awareness about the law etc.

The Apex Court in 2022 remarked that there is an urgent need to reform the law relating to bail. Further it is observed that the Courts in India have applied inconsistent standards while granting bail. There is lack of uniformity and hence the judge's sole discretion becomes the controlling factor to grant or deny bail. Given the situation the Bail system as we see it administered today in the Criminal Courts is extremely unsatisfactory and needs drastic change.



This seminar attempts to examine the issues around the law relating to bail and alongside will try to propose reforms in bail law to maximise access to justice. The Seminar will also analyse judicial precedents to discern whether there is uniformity in the parameters on which bail is granted or denied to the accused.

### **Who can Attend?**

Academicians, legal practitioners, research scholars, law students, activists and others may participate in the Seminar.

### **Speakers of the Seminar**

- Mr. Swanand Gowindwar, Advocate, Pune District & Session Court.
- Mr. Rohit Dangare Advocate, Pune. District & Session Court.
- Mr. Asim Sarode Advocate, High Court & Supreme Court.
- Mr. Namit Saxena Advocate, Supreme Court.



## V. INSTRUCTIONS FOR PARTICIPANTS

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- 1) The Registration fee for the Seminar is Rs Rs. 236/- (Rs. 200/- + 18% GST) for ILS Students.
- 2) Activists/Practitioners/ Academicians /Non-ILS Students: Rs 590/- (Rs. 500/- + 18% GST)
- 3) Each participant must register and pay the registration fees to confirm participation.
- 4) Last Date for Registration is 13/10/2023.
- 5) For registration in 'students' category, College/ University Photo ID card is mandatory.
- 6) Participants will receive a E-Certificate of participation.

## VI. CONTACT

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### Faculty Convener:

Dr. Shaila Daware, Head of Department, Post-Graduate Department in Law, ILS Law College.

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