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Victimization of Plaintiff and Defendant During Undertrial Proceeding in Bangladesh

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Abstract

Victimization during trial procedures is a common occurrence in the judicial system in Bangladesh. General people go to court for justice but suffer day after day, yet they do not get timely resolution of their cases. The objective of this paper is to identify the root causes and effects of undertrial victimization in the judge's court in Bangladesh. This study is based on a quantitative research approach and case study, using an interview method with a structured questionnaire. The survey interview is conducted with 61 plaintiffs and defendants who were victimized during trial proceedings. The study finds that the majority of the respondents are male rather than female. Among them, 46% of the respondents are plaintiffs, and 44% are defendants. Most of the respondents are involved in land-related disputes, and almost all of the respondents said they experienced court corruption. The majority of the respondents' said lawyers are mainly responsible for delays in the disposal of cases. The majority of the respondents are facing economic loss (76%), frustration (36.1%), and different types of social stigmatization (43.2%). Due to the increasing corruption in the courts and the lack of timely judgments in their cases, 34.9% lost confidence in the justice system. This is impacting their human right to access to justice and also becoming a target for social stigmatization and labeling. This study suggests that there is a need for accountability for judges and lawyers. Reducing court corruption and mandating time limits for solving cases may help reduce undertrial victimization.

1. Introduction

“I am accused in a case. But due to the lack of witnesses for the state side, the case has not been solved even in ten years. As a result, I am in financial crisis to spend money behind this case. I don't know when I will get rid of it. New date if you come to court, but danger if you don't come” It was a victim's statement.

We can say from this incident that the majority of people are being victimized by the trial procedure as a result of the delay in disposing of cases at the appropriate time (Hossain, 2019). Some report shows that, till now more than 40 lakhs cases are pending in several court in Bangladesh. The timely disposal of cases is a fundamental principle of the judicial system, and a delay in the disposal of cases can lead to several negative consequences (Rahman, 2015). In many countries, including developing countries, there is a huge backlog of cases pending in courts, leading to prolonged trials and victimization of the parties involved (Hassan et al., 2021). The delay in the disposal of cases not only affects the parties involved but also undermines the legitimacy of the judicial system (Tahura, 2022). According to the 2018 Justice Audit Bangladesh (JAB) report, the proportion of pending cases at Chief Judicial Magistrate Courts was 14% during 2016-2017. Meanwhile, the increase in the number of pending cases was 16% at Sessions' Judge Courts and 9% at High Court Division. The report projected that if this trend continues, the percentage of pending cases at Chief Judicial Magistrate Courts, Sessions' Judge Courts, and High Court Division would be 72%, 82%, and 89%.

The causes and effects of undertrial victimization have been the subject of numerous studies and debates globally. In many developing countries, including Bangladesh, the issue of delay in the disposal of cases that creates undertrial victimization has become a critical concern (Hannan & Arifuzzaman, 2021). The backlog of cases in the country's judicial system has reached an alarming level, with millions of cases pending before the courts (Islam & Oliul, 2021).

This study aims to examine the reasons behind the delays in disposing of cases in Bangladesh's legal system and the impacts of these delays on the affected parties and society as a whole. Though this study focuses on the causes and effects of delay in the disposal of cases only in Naogaon district court, it will give a broad idea about the current case backlog situation in the Bangladesh court system, which create the undertrial victimization for seeking justice people. The causes of delays in the disposal of cases can include factors such as a high volume of cases, a shortage of judges, corruption, inefficient court procedures, and a lack of resources. The effects of these delays can be widespread, including negative impacts on the administration of justice, decreased public trust in the justice system, and the prolongation of suffering for those affected by the legal dispute. Additionally, delays in disposing of cases can result in increased costs for all parties involved, including the government and the judiciary. By identifying the causes of delays in disposing of cases and their effects, my research provides valuable information for policy-makers and stakeholders in Bangladesh who are looking to improve the efficiency of the legal system and ensure that justice is served in a timely manner.

2. Theoretical framework

2.1 Due process model

The Due Process Model is a concept in criminal justice that ensures that individuals receive a fair and impartial trial. Due process is the legal requirement that all the legal rights of an individual should be respected by the state (Packer, 1964). The main goal of this model is to establish a system in which a person is acquitted until proven guilty in court. Due Process Model is relevant to this study as it highlights the importance of a prompt and efficient disposal of cases, which is crucial for ensuring the fair treatment of defendants and protecting their constitutional rights. Delays in the disposal of cases can result in victimization at the time of the trial procedure. Because of this, people face numerous negative effects, including increased costs, decreased public confidence in the justice system, and potential violations of the defendant's right to a fair trial (Hayes & Lynn, 2020). Therefore, it is important to examine the causes of these delays and take steps to address them in order to uphold the principles of the due process model (Issacharoff, 2001). Due Process Model could be useful in improving the case backlog situation in judiciary system in Bangladesh.

2.2 Labeling theory

Labeling theory explains how people come to be labeled as deviant or criminal, and how those labels impact their future behavior and opportunities (Bernburg et al., 2006). Delays in the disposal of cases can prolong the labeling process, complicating its negative effects. According to this theory, the weak are more likely to receive unfavorable labels from authorities, which lead to criminal and deviant behavior (Heilicher et al., 2025). Delays in the disposal of cases can result in individuals being labeled as criminal, even if they have not yet been convicted. This label can have a lasting impact on their lives and future opportunities which lead to further marginalization and increased involvement in criminal behavior. Labeling theory suggests that individuals who are labeled as criminals may be subject to negative treatment and stigmatization, which can impact their experiences in the justice system (Saydjari et al., 2015). Delay in the justice system can exacerbate this stigmatization, leading to a greater sense of victimization for those accused of crimes.

3. Methods

This research follows descriptive research design with quantitative approach to describe the causes and effect of undertrial victimization. The research has been conducted at the Naogaon District Court, Bangladesh. This court has to deal with a greater number of criminal and civil cases. That's why day-to-day case backlog situations arise in this court. As a result, this specific area has been chosen as the study area. The data were collected from primary sources which has been collected from those who have faced court procedures through structured questionnaire. The population of was unknown as there has been no record about how many plaintiffs and defendants have faced the judicial process. Through non-probability purposive sampling 61 participants were interviewed through structured survey. Only the people who has directly participated in the court system were interviewed. Following the data collection, the data was properly checked and cross-checked. And then Statistical Package for the Social Sciences (SPSS) was used as a database for processing data and further results.

4. Findings and Discussion

This chapter represent the findings of this study on victimization in trial proceedings through descriptive statistics and hypothesis testing. The findings have been analyzed from the collected data, and the findings include the demographic information, causes, effects, and preventive measures of victimization in trial proceedings. Socio-demographic characteristics of the respondents.

The table 1 presents data for 61 respondents, where most of the respondents are male (87%) Regarding age, the largest group was 40-49 years old (42.7%), followed by 30-39 years old (22.9%), while the least representation was 60-70 years old (16.7%). In education, the majority have levels of SSC or below, with the largest group possessing an SSC level (36.1%), while 11.5% are illiterate. Occupationally, Farmer is the most common category (44.3%), followed by Businessman (23.0%). This correlates with the finding that 96.7% of respondents live in rural areas. Financially, the most common monthly income range is

1000-5000 BDT (50.4%), indicating an average income below 15000 BDT. Demographically, the majority were married (95%) and identified as Muslim (87%).

Table 1: Sociodemographic Characteristics of Respondents (Source: Authors)

Sociodemographic Variables	Frequency	Percentage (%)
Gender		
Male	53	87%
Female	8	13%
Age		
30-39 Years	14	22.9%
40-49 Years	26	42.7%
50-59 Years	11	17.7%
60-70 Years	10	16.7%
Educational Qualification		
Illiterate	7	11.5%
Below SSC	14	23.0%
SSC	22	36.1%
HSC	8	13.1%
Graduate	10	16.4%
Occupation		
Farmer	27	44.3%
Teacher	7	11.5%
Businessman	14	23.0%
Housewife	8	13.1%
Private Job	5	8.2%
Marital Status		
Married	58	95%
Divorce	3	5%
Religion		
Islam	53	87%
Hinduism	8	13%
Living Place		
Rural Area	59	96.7%

Urban Area	2	3.3%
Monthly Income (BDT)		
1000-4999	33	50.4%
5000-9999	11	17.0%
10000-14999	2	3.2%
15000-19999	5	13.1%
20000-24999	4	6.5%
25000-30000	6	9.8%
Total	**61**	**100%**

4.1 Involvement in Court System

Table 2 posits that, regarding legal status, respondents were categorized as plaintiffs (46%), defendants (44%), or both (10%). The majority of court users had a length of experience between 3-9 years (60.8%). The data depicts that 59.0% were involved in civil cases, compared to 41.0% in criminal cases. Consequently, the largest section of pending cases is in civil court (57.4%), followed by criminal court (34.4%). The table indicates that land-related disputes (67.2%) are the primary cause of action, proving land disputes are a core issue for conflict. Finally, regarding duration, 59.0% of cases have been pending for more than 5 years, while 39.3% have been pending for 2-5 years. This suggests that long-term pending cases are a significant factor in the judicial process.

Table 2: Involvement in Court System (Source: Authors)

Involvement in Court System	Frequency	Percentage (%)
Status of the Respondent		
Plaintiff/Complainant	28	46%
Defendant/Defense	27	44%
Both	6	10%
Experience as Court User		
3-9 Years	37	60.8%
10-19 Years	16	26.1%
20-29 Years	6	9.7%
30-40 Years	2	3.3%
Type of Case Involvement		
Civil Case	36	59%
Criminal Case	25	41%
Court Where Case is Pending		
Civil Court	35	57.4%
Criminal Court	21	34.4%
Session Court	2	3.3%
Special Tribunal	3	4.9%
Causes of Action		
Offences related to domestic violence	5	8.2%
Financial dispute	8	13.1%
Land related dispute	41	67.2%
Murder	5	8.2%
Multiple disputes	2	3.3%
Duration of Pending Case		
2 Years	1	1.6%
2-5 Years	24	39.3%
More than 5 Years	36	59.0%
Total	**61**	**100%**

4.2 Causes of Undertrial Victimization

4.2.1 Judges’ role for delay of disposal of cases

Table 3 presents the percentage distribution of responses from 61 respondents regarding the judge’s role in delays within the civil and criminal justice system. The study utilizes a 5-point Likert scale ranging from Strongly Disagree (1) to Strongly Agree (5). Significant outcomes indicate high agreement regarding administrative issues. For the statement "Judges are frequently transferred," a combined 93.5% agreed or strongly agreed, resulting in a high Mean of 4.41 (SD=0.81). Similarly, respondents believe judges fail to pressure legal counsel, with the statement "Judges do not compel lawyers to dispose a case in a reasonable time" garnering 57.4% agreement and a Mean of 3.97.

Conversely, regarding competency, the statement "Judges are not well trained" received the lowest support, with a Mean of 2.66 (SD=1.03), where 41.0% disagreed and 9.8% strongly disagreed. Opinions on punctuality were mixed (Mean=3.08), with significant portions appearing in both the disagreement (31.1%) and neutral (27.9%) categories. The study indicates that most people support the view that frequent transfers of judges and the failure to compel lawyers to dispose of cases in a reasonable time are the responsible factors for the delayed disposal of cases. The table provides a clear overview highlighting the level of agreement or disagreement among participants regarding judicial responsibilities.

Table 3: Judges’ role for delay of disposal of cases (Source: Authors)

Judges' role for undertrial victimization	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean	Standard Deviation
Judges are frequently transferred.	1.60%	1.60%	3.30%	41.00%	52.50%	4.41	0.81
Judges are not punctual in their duty.	3.30%	31.10%	27.90%	29.50%	8.20%	3.08	1.05
Judges do not take appropriate action against non-attending witness	0%	18.00%	8.20%	47.50%	26.20%	3.82	1.02
Judges do not follow the principle of continuous hearing at the evidence stage of suit.	0%	14.80%	11.50%	44.30%	29.50%	3.89	1.01
Judges do not compel lawyers to dispose a case in a reasonable time	0%	13.10%	3.30%	57.40%	26.20%	3.97	0.9
Judges are not well trained	9.80%	41.00%	27.90%	16.40%	4.90%	2.66	1.03

4.2.2 Role of procedural Defects in delay

Table 4 contains six statements related to the role of procedural defects in the victimization of undertrials. Respondents rated statements regarding legal procedures and management. The most significant consensus was found regarding case management efficiency; the statement "Case management should be done in the civil and criminal courts within least time" achieved a high Mean of 4.31 (SD=0.70), with over 90% of respondents agreeing or strongly agreeing.

Similarly, there is strong sentiment regarding frivolous lawsuits. For the statement "There is no proper control over false and useless litigation," the majority (57.4%) agreed and 36.1% strongly agreed, yielding a Mean of 4.28 (SD=0.66). Regarding the unrestricted right of amendment of pleading, 39.3% agreed, though a significant portion (37.7%) remained neutral (Mean=3.67).

Table 4: Role of procedural Defects in delay (Source: Authors)

Role of procedural Defects for undertrial victimization	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean	Standard Deviation
Unrestricted right of amendment of pleading to the parties for civil cases.	3.30%	1.60%	37.70%	39.30%	18.00%	3.67	0.91
There is no proper control over false and useless litigation	0%	1.60%	4.90%	57.40%	36.10%	4.28	0.66
Lack of effective monitoring in the judicial system.	0%	8.20%	34.40%	47.50%	9.80%	3.59	0.8
Case management should be done in the civil and criminal courts within least time	0%	1.60%	6.60%	50.70%	41.10%	4.31	0.7
For case management, our procedural law needed to be updated.	0%	1.60%	21.30%	57.40%	19.70%	3.95	0.71
Administration of Civil and criminal Justice should be separated	1.70%	2.80%	67.20%	25.60%	2.70%	3.25	0.62

The statement regarding the separation of Civil and Criminal Justice administration showed the highest uncertainty, with 67.2% of respondents selecting "Neutral," resulting in a moderate Mean of 3.25 (SD=0.62). However, regarding legal updates, the majority (57.4%) agreed that procedural law needs to be updated for better case management (Mean=3.95). From this result, we saw that the majority of people agree that the role of procedural defects is responsible for undertrial victimization.

4.2.3 Role of insufficient budget in delay

Table 5: Role of insufficient budget in delay (Source: Authors)

Role of insufficient budget in delaying the Justice system	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean	Standard Deviation
Courts have inadequate number of judges	0%	1.60%	0%	27.90%	70.50%	4.67	0.6
Lack of modern court records and case management facilities	0%	11.50%	11.50%	57.40%	19.70%	3.86	0.89
Courts may be unable to hire enough staff or use enough resources to handle cases efficiently	0%	4.90%	8.20%	44.30%	42.60%	4.25	0.85
Courts need proper utilization of information technology to speed up litigation.	0%	0%	3.30%	67.20%	29.50%	4.26	0.52
Land registration system is outdated.	0%	4.90%	45.90%	39.30%	9.80%	3.54	0.76

Table 5 contains five statements related to the role of insufficient budget in delaying the justice system. The data reveals an overwhelming consensus on personnel shortages. The statement "Courts have inadequate number of judges" received the highest endorsement in this section, with 70.5% strongly agreeing and 27.9% agreeing, resulting in a very high Mean of 4.67 (SD=0.60).

Respondents also strongly supported technological modernization. The statement "Courts need proper utilization of information technology to speed up litigation" had a Mean of 4.26 (SD=0.52), with no respondents disagreeing. Similarly, 86.9% agreed or strongly agreed that courts are unable to hire enough staff or use resources efficiently (Mean=4.25).

Regarding infrastructure, 57.4% agreed there is a lack of modern court records and case management facilities (Mean=3.86). The most uncertainty was observed regarding the land registration system, where 45.9% selected "Neutral," though 39.3% still agreed it is outdated (Mean=3.54). From this analysis, we said that the majority of people said that insufficient budget is the cause for the case backlogging problem in our court system.

4.2.4 Role of Lawyers in delay

Table 6: Role of Lawyers in delay (Source: Authors)

Lawyers are responsible for delay in justice	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean	Standard Deviation
Lawyers summon unnecessary witness.	0%	1.60%	1.60%	44.30%	52.50%	4.48	0.64
Lawyers make useless applications for amendment of pleadings.	0%	3.30%	9.80%	54.10%	32.80%	4.16	0.76
Lawyers seek adjournment from court on false grounds.	1.60%	1.60%	9.80%	47.50%	39.30%	4.21	0.84
Lawyers unreasonably prolong oral arguments.	0%	13.10%	44.30%	23.00%	19.70%	3.5	0.97
Sometimes lawyers use delaying tactics for the interest of their clients.	0%	0%	0%	13.10%	86.90%	4.87	0.34

Table 6 presents the percentage distribution of responses regarding lawyers' responsibility for delays in the justice system. This table shows the strongest overall agreement among all factors analyzed. The statement "Sometimes lawyers use delaying tactics for the interest of their clients" achieved an exceptionally high Mean of 4.87 (SD=0.34), with 86.9% of respondents strongly agreeing and zero disagreement.

Respondents also identified specific delaying mechanisms. The statement "Lawyers summon unnecessary witness" had a Mean of 4.48, with 52.5% strongly agreeing. Additionally, the statement regarding lawyers seeking adjournment from court on false grounds showed a Mean of 4.21, with 86.8% combined agreement.

While still leaning towards agreement, the statement "Lawyers unreasonably prolong oral arguments" had the lowest mean in this category (Mean=3.50), with a significant portion (44.3%) remaining neutral. None of the respondents selected "Neutral" or "Disagree" for the final statement regarding delaying tactics, which proved lawyers prolong the cases to protect their personal interests and earn more money.

4.3 Effect of Victimization in Trial Proceedings

The table 7 presents the financial, psychological, and social impacts of trial proceedings on respondents. Regarding financial costs, the majority (76%) spent between 1 lakh and 4.1 lakhs on their

case, while 4.8% spent more than 11 lakhs. This additional cost is burdensome, with 100% of respondents agreeing it negatively impacts their personal and family life. Psychologically, frustration was the most reported effect (36.1%), followed by loss of trust in the justice system (34.9%) and anxiety (28.9%). This indicates that victimization leads to significant psychological problems and erodes faith in the judiciary.

In terms of social stigmatization, 43.2% reported that every family member is viewed negatively by society, while 36.4% felt perceived as criminal or unethical. This suggests that the majority face stigmatization due to undertrial victimization. Furthermore, respondents identified human rights violations: 41.5% cited the violation of the fundamental right to a speedy trial, 31.3% cited equality before the law, and 27.2% cited unfair conviction due to prolonged litigation. Overall, the data highlights that case backlogs cause severe financial loss, psychological distress, social stigma, and perceived human rights violations.

Table 7: Effect of Victimization in Trial Proceedings (Source: Authors)

Variables & Indicators	Frequency	Percent (%)
Money Spent on Case (in Lakh BDT)		
Less than 1 lakh	2	3.2%
1-4.1 lakh	46	76.0%
4.1-7.1 lakh	6	9.2%
7.1-10.1 lakh	4	6.6%
More than 11 lakhs	3	4.8%
Psychological Effects Experienced		
Frustration	60	36.1%
Anxiety	48	28.9%
Loss of trust in the justice system	58	34.9%
Types of Social Stigmatization Faced		
People perceive you as criminal or unethical	48	36.4%
People view you as being weak or unable to protect yourself	27	20.5%
Every member of your family is viewed negatively by society	57	43.2%
Perception of Human Rights Violations		
Violation of right to speedy trial	61	41.5%
Unfairly convicted due to prolonged litigation	40	27.2%
Violation of right to equality before the law	46	31.3%
Negative Impact on Family and Personal Life		
Agree	61	100%
Total	**61**	**100%**

4.4 Preventive Measures for Undertrial Victimization

Table 8: Preventive Measures for Undertrial Victimization (Source: Authors)

Preventive Measures & Specific Steps	Frequency	Percent (%)
General Preventive Measures Supported		
Reducing corruption	60	99.0%
Mandatory Time Limit for Written Statement	59	98.0%
Court system should be digitalized	58	97.0%
Accountability for judges and lawyers	57	96.2%
More judges and justices should be appointed	50	82.0%
Compulsory ADR Mechanisms	43	70.5%
Administration of Civil and Criminal Justice should be separated	26	42.6%
Specific Steps to Reduce Case Length		
A specific time frame should be fixed for settlement	13	21.3%
Judges and lawyers need to be held accountable	11	18.0%
Court should take proper measures to stop false cases	9	14.8%
Courts need sufficient number of judges	8	13.1%
Courts and police corruption should be reduced	7	11.5%
Reduce corruption while maintaining rule of law	6	9.8%
High court monitoring is absolutely necessary	4	6.6%
Courts need efficient judges and they need to be accountable	3	4.9%
Opinion on Law Determining Land Ownership		
Yes, required to determine real owner	26	42.6%
Yes, necessary but government needs steps to control fake documents	21	34.4%
Not necessary because of possibility to deceive with fake documents	14	23.0%
Total	**61**	**100%**

The table 8 outlines preventive measures and specific steps suggested by respondents to reduce undertrial victimization. Reducing court corruption was the most popular general measure (99.0%), followed by mandatory time limits for written statements (98.0%) and digitalizing the court system (97.0%). Accountability for judges and lawyers was also highly supported (96.2%). Regarding specific steps to reduce case length, the most common suggestion was fixing a specific time frame for settlement (21.3%), followed by holding judges and lawyers accountable (18.0%) and taking measures to stop false cases (14.8%).

The table also addresses the necessity of a law determining land ownership to reduce case backlogs. A total of 42.6% agreed the law is required to determine the real owner, while 34.4% agreed it is necessary but emphasized the need for government steps to control fake documents. Conversely, 23.0% felt the law was not necessary due to the possibility of deception with spurious documents. In summary, respondents prioritize reducing corruption, establishing time limits, ensuring accountability, and implementing land ownership laws with safeguards against fraud as key preventive strategies.

4.5 Bivariate associations

4.5.1 Association between gender and social stigmatization

Table 9: Association between gender and social stigmatization (Source: Authors)

Association between gender and social stigmatization for prolong litigation		**Gender**		**Total**
		Male	**Female**	
Social stigmatization	Social Stigmatization: People perceive you as criminal or unethical.	40	8	48
		65.6%	13.1%	78.7%
	Social Stigmatization: People View you as being weak or unable to protect yourself.	23	4	27
		37.7%	6.6%	44.3%
	Social Stigmatization: Every member of your family is viewed negatively by the society	50	7	57
		82.0%	11.5%	93.4%

The cross-tabulation table 9 shows the distribution of responses based on two variables, namely gender and social stigmatization. The rows represent the different types of social stigmatization, and the columns represent the gender of the respondents. This table mainly shows that social stigmatization rate between total 61 male and female respondents. For first statement 48 male respondents answered, 40 or 65.6% perceive that they are viewed as criminal or unethical, while only 8 or 13.1% of female respondents feel the same way. For the second type of stigmatization, which is being viewed as weak or unable to protect oneself, 23 or 37.7% of male respondents feel this way, while only 4 or 6.6% of female respondents feel the same.

In terms of social stigmatization affecting one's family, 50 or 82.0% of male respondents and 7 or 11.5% of female respondents report that every member of their family is viewed negatively by society. Overall, the table shows that males are more likely to report feeling socially stigmatized in these three specific areas compared to females.

4.5.2 Association between duration of the pending cases and the psychological effects

Table 10: Association between duration of the pending cases and the psychological effects (Source: Authors)

Association between pending time of cases and psychological effect		How long is your case in court			Total
		2 years	2-5 years	More than 5 years	
Psychological Effect	Frustration	1	23	36	60
		1.6%	37.7%	59.0%	98.4%
	Anxiety	1	21	26	48
		1.6%	34.4%	42.6%	78.7%
	Loss in trust in Justice System	1	22	35	58
		1.6%	36.1%	57.4%	95.1%

This table 10 shows the relationship between the length of time a case has been pending in court and the psychological effects that it has on the litigants. The rows represent the different psychological effects, while the columns represent the length of time the case has been pending, categorized into three ranges: 2 years, 2-5 years, and more than 5 years. The percentages in each row represent the proportion of respondents who reported experiencing a particular psychological effect. Form this table we see that, who reported experiencing frustration, 1 respondent (1.6%) reported having a case pending for 2 years, 23 respondents (37.7%) reported having a case pending for 2-5
years, and 36 respondents (59.0%) reported having a case pending for more than 5 years.

The table shows that as the length of time a case has been pending increases, so does the proportion of respondents. Who reported experiencing frustration, anxiety,
and a loss of trust in the justice system. The percentage of respondents who are frustrated is 59%, and the percentage of respondents who have lost trust in the justice system is 57.4% as a result of case delays. It is noted that their case has been pending in court for more than five years, but till now they have not gotten any solution.

Overall, the table shows that longer wait times are associated with greater frustration, anxiety, and loss of trust in the justice system. This information could be useful in highlighting the need for improving the efficiency and effectiveness of the court system to reduce the negative impact on litigants.

4.6 Hypotheses Testing

Table 11: Preventive Measures for Undertrial Victimization (Source: Authors)

Hypothesis Variables	Chi-square (χ2)	df	Cramer's V	Approx. Sig.	Result
1. Respondent Status & Psychological Pressure	7.482	2	0.35	0.024	*Significant*
2. Education Level & Social Stigmatization	2.894	4	0.218	0.576	*Not Significant*

This table 11 represents the analyses of the relationships between key variables using Chi-Square tests for independence. Hypothesis Test 1 examined the relationship between the status of the respondent in court (plaintiff and defendant) and feeling psychological pressure. The Null Hypothesis (H_0) posited no relation between these variables. The Chi-Square test was statistically significant [$\chi 2$ (2, N=61) =7.482, p=0.024]. As the p-value (0.024) is less than 0.05, there is sufficient ground to reject the null hypothesis and accept the alternative hypothesis (H_a). Cramer's V is .350, indicating a moderate effect relationship between the variables. This suggests a significant relationship exists between whether a person is a plaintiff or defendant and the psychological pressure they experience. Hypothesis Test 2 examined the relationship between education level and social stigmatization. The Chi-Square test yielded a value of $\chi 2$ (4, N=61) =2.894 with a p-value of 0.576. In this instance, the p-value (0.576) is greater than 0.05. Statistically, this indicates there is no significant relationship between education level and social stigmatization based on this sample, and the null hypothesis cannot be rejected.

5. Conclusion and Recommendations

Most of the respondent of this study were male and middle-aged, married and live in rural are. Majority have more than five-year court use experience, they all of status is plaintiff of defendants. This study also found that majority of the respondents' cases were pending in more than five years. In the study found some root causes like lack of resources, such as judges and courtrooms, economic interest of lawyer, unlimited corruption in court, to inefficient case management and procedural delays are responsible for victimization in trial proceedings. The effects of these delays can lead to a range of negative consequences for the parties involved, including emotional distress, financial burden, and loss of faith in the justice system. Some potential solutions to the problem include improving court infrastructure, such as increasing the number of judges and courtrooms, implementing case management strategies, and streamlining court procedures. In addition, greater public awareness of the issue of delay in the trial process may help to increase pressure on policymakers to act. Addressing the causes and effects of delay in the disposal of cases is very important to prevent undertrial victimization in judicial system. By taking proactive steps to address this issue, we can help to promote greater transparency, efficiency, and accountability in the justice system, and ultimately create a more just society for everyone.

This study develops some recommendations to control victimization in the trial procedure for people seeking justice. Increasing the number of judges and court staff can help to reduce the backlog of cases and speed up the trial process. The use of technology can help to streamline the trial process and reduce

delays. Better case management and scheduling can help to ensure that cases are heard in a timely manner. This can involve prioritizing cases based on urgency, setting realistic timelines for each stage of the trial process, and ensuring that cases are heard on a regular basis. Increasing public awareness about legal rights and procedures can help to reduce delays and improve the efficiency of the justice system. Alternative dispute resolution mechanisms, such as mediation and arbitration, can help to resolve cases outside of the court system. Increasing funding for the justice system can help to improve infrastructure, increase the number of judges and court staff, and introduce technology and other improvements to the trial process.

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Author Contribution

M.O.F. has written the primary draft of this manuscript and revised it, M.B.F. has written the primary draft of this manuscript and revised it, and M.A.K.M. has supervised in preparing this manuscript.

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Data Availability

The data will be available from the corresponding author upon request.

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