



## WHEN JUSTICE COLLIDES: WEIGHING JUVENILE RIGHTS AGAINST THE RIGHT TO LIFE IN PUNE'S PORSCHE TRAGEDY

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### INTRODUCTION

This incident occurred in 2024 when an allegedly intoxicated juvenile driving a Porsche recklessly killed two people.<sup>1</sup> The Pune Porsche incident involves a complex interplay of juvenile justice, the right to life, and public safety. It raised serious questions concerning the juvenile justice system, individual responsibility, societal safety, and the role of parental accountability.<sup>2</sup> In examining this case, the key issues that come up are about protecting juvenile rights in the enforcement of criminal law when juveniles are implicated, versus the balancing of those rights against the fundamental right to life of the public.

### FACTUAL BACKGROUND OF THE CASE

The Pune Porsche accident of 19<sup>th</sup> May, 2024, was the centre of national outrage due to the involvement of a 17-year-old driver hailing from a wealthy family. The teenager, behind the wheel of a high-speed luxury Porsche in Pune's Kalyani Nagar, collided with a motorcycle carrying two IT professionals, Ashwini Koshta and Aneesh Awadhiya, leading to their tragic deaths. Ashwini was killed on impact, while Aneesh succumbed to his injuries at the hospital shortly after. The accused was produced before the Juvenile Justice Board and, within a day (20<sup>th</sup> May, 2024), was granted bail on grounds of minority, with conditions that included writing a 300-word essay on "Road Accidents and Their Solutions".

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<sup>1</sup> *The Indian Express*, 'Pune Porsche Crash: Timeline of Events' (The Indian Express, 25 May 2024) <https://indianexpress.com/article/cities/pune/pune-porsche-crash-timeline-9456734/> accessed 5 September 2025

<sup>2</sup> *Hindustan Times*, 'Pune Porsche Crash: Legal Questions Over Juvenile Justice, Parents' Role' (Hindustan Times, 27 May 2024) <https://www.hindustantimes.com/india-news/pune-porsche-crash-legal-questions-101715804227072.html>.

The Public indignation has been fueled by the swift legal reprieve granted to the minor driver, coupled with allegations of a compromised investigation, which many see as emblematic of a broader trend of leniency and preferential treatment towards affluent individuals within the legal system in such situations.<sup>3</sup>

The tragic loss of two lives, not only underscored the legal system's perceived inequalities but also brought two Fundamental rights into a dramatic and painful collision: The Juvenile's Right to Justice and Rehabilitation, and the Victim's Right to Life.<sup>4</sup> As the case unravelled, it ignited a national debate on whether the current legal framework, particularly the Juvenile Justice (Care and Protection of Children) Act -<sup>5</sup> appropriately balances these rights, especially in cases involving severe negligence or recklessness.<sup>6</sup>

## LEGAL ISSUE

**Juvenile Justice and the Age of Criminal Responsibility:** At the core of the legal debate lies the question of whether the 17-year-old should be treated as a juvenile or an adult. In India, the Juvenile Justice Act, 2000,<sup>7</sup> forbids the application of the regular criminal procedure upon children under 18 years, a provision in consonance with the international UN Convention on the Rights of the Child (CRC)<sup>8</sup> which focuses on the rehabilitation of the minors. But after the Nirbhaya trials of 2012 with the involvement of a juvenile in an atrocious crime, both public and legal discourse in India were hastened into change. This ensured uproar spurred the enactment of the Juvenile Justice Act, 2015, enabling courts to try minors between the ages of 16 and 18 as adults for heinous crimes like murder, rape, or armed robbery.<sup>9</sup>

In this case, while the Porsche accident did not initially appear to be premeditated murder, the gross negligence exhibited by the juvenile in driving recklessly without a license, coupled with the fact that the minor had consumed alcohol before the accident, can be viewed both morally and legally as comparable to manslaughter or culpable homicide not amounting to murder. This legal ambiguity, which marks the grey area in the law in this scenario, has ignited an intense

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<sup>3</sup> Juvenile Justice (Care and Protection of Children) Act 2015, s 12 (bail to juvenile), s 15 (trial of children as adults in heinous offences)

<sup>4</sup> Constitution of India 1950, art 21 (right to life and personal liberty).

<sup>5</sup> JJ Act 2015

<sup>6</sup> *Salil Bali v. Union of India* (2013) 7 SCC 705 (Supreme Court of India, upholding the rehabilitative approach under the JJ Act).

<sup>7</sup> JJ Act 2000

<sup>8</sup> UN Convention on the Rights of the Child 1989, arts 37-40

<sup>9</sup> JJ Act 2015, s 15

debate on whether juvenile offenders should be granted an exemption such as full criminal accountability in these circumstances, or should their conduct, given the deadly consequences, be criminalised in the harsher, adult world of justice.<sup>10</sup>

**Right to Life and Public Safety:** Article 21 of the Constitution of India guarantees protection of life and personal liberty; in this case, such a right has been grossly infringed upon. The fundamental right to life of the deceased was taken away by the reckless act of the minor. The state has an obligation to protect in every aspect and to punish offenders for a crime commensurate with the grievousness of the offence. Here arises a paradox in the law with regard to cases where minor offenders are involved. On one side from which, it strives to give emphasis to the reformation of juvenile delinquents; on the other it is concerned with the right to life and justice for victims and their families.<sup>11</sup> Such consideration gives rise to the problem of how far the state should go in punishing juveniles in cases where their actions have disastrous consequences, or if the juveniles should be shielded, and whether such protection must be absolute even in the face of gross disregard for human life. The issue settles in questioning the balancing act the state has to engage in between protecting juveniles and the safety and rights of the public at large.<sup>12</sup>

**Parental Accountability and Negligence:** Another major legal aspect that has arisen is the issue of liability of the juvenile's parents, especially the father, who purportedly owned the vehicle and allowed his son to drive the vehicle. Section 105 of the Bharatiya Nyaya Sanshita (BNS) relates to culpable homicide not amounting to murder and can be said to apply to the juvenile as well as the Father for recklessly endangering life. Further, questions of vicarious liability, criminal negligence, and parental responsibility would fall to be analysed under Section 106 of BNS, relating to causing death by negligence. It is a controversial and unresolved question as to whether the parents' negligence in giving access to the vehicle could amount to prosecution in many jurisdictions.

What further questions arise about the integrity of legal proceedings is the arrest of the father of the minor for alleged tampering of evidence, essentially for presenting the case that the teenager was an adult, and shifting the responsibility of driving to the driver. These

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<sup>10</sup> *State of Maharashtra v Krishna Murti* (2018) 10 SCC 105

<sup>11</sup> *Bandhua Mukti Morcha v Union of India* (1984) 3 SCC 161.

<sup>12</sup> *Salil Bali v Union of India* (2013) 7 SCC 705

manipulations threaten the very credibility of the case and exhibit to what lengths some would go to protect their children from punishment, especially in cases involving wealth and privilege.

### **LEGAL ANALYSIS: - JUVENILE JUSTICE VS. RIGHT TO LIFE**

**Juvenile Justice and Reformatory Principles:** The foundation of juvenile law rests on the perception that minors have unique cognitive and emotional capacities and they are simply not the same as those of an adult. The Juvenile Justice (Care and Protection of Children) Act, 2015, is derived from the ideals of reformatory justice, having an orientation towards rehabilitation and eschewing punishment. The act recognises that children and adolescents possess different abilities to judge, to act with impulse control, and to foresee the consequences of their acts in the long run from adults; hence, they should be allowed to reform and be reintegrated into society, instead of subjecting them to punishing criminal measures that result in stigmatisation or hardening of the juvenile.

However, in the present scenario, the escalating number of juvenile offences, especially in heinous crimes or cases tantamount to gross negligence resulting in death, has necessitated a reconsideration of the status afforded to juveniles. Whilst safeguarding the welfare and rights of minors remains an utmost priority, the growing need, in light of instances like that of the Pune Porsche, is to question whether the Polish Code should yet favour a rehabilitative approach when juvenile actions result in death and irreversible consequences.

The Juvenile Justice Board, under the 2015 Act, has discretionary power to try juveniles in the age group of 16-18 as adult offenders, depending upon the nature and gravity of the offence. If it is held by the Board that the crime committed demonstrates sufficient mental maturity and comprehension as that which is generally attributed in law to an adult, the juvenile may be punished as an adult. This adds a subjective element to juvenile justice with a heavier burden on the board to weigh not just the crime itself but also the mental state of the juvenile and his or her prospects for reform. However, the decision is taken on a case-by-case basis and this case brings to the fore the intricacies associated with vehicular manslaughter caused by a minor, thus requiring a push-pull approach balancing the prospects for reform with the gravity of the offence.

**The Right to Life and Public Interest:** On the opposite end of the spectrum lies the constitutional right to life, as guaranteed under Article 21. Public safety and the protection of citizens are cornerstones of a functioning society, and the state's failure to safeguard these

rights through adequate enforcement and deterrence of dangerous behaviour, whether by juveniles or adults, can lead to significant erosion of public trust in the legal system.

The provinces of the juvenile right and the fundamental right to life find a strange and paradoxical collision in instances such as the Pune incident. While on one hand, the State must try to shield the juveniles from the harsh realities of the criminal justice system, giving them an opportunity at reformation, it, on the other hand, must ensure that negligent and reckless behaviour that endangers lives is duly punished through appropriate legal processes. Should the State fail at this, this may mean that some lives, particularly those lost due to juvenile negligence, are considered less precious by the law. Where the State seems to have chosen rehabilitation of the offender over justice for the victim, the public is bound to lose confidence in the system, feeling that it goes over privileges endowed on the offenders at the grievous cost of public safety. These risks undermine public confidence in the rule of law.

**Parental Accountability and Negligence:** The liability of the juvenile's father in this matter opens the discussion of parental responsibility and negligence. It arises in cases where a parent negligently permits their minor child dangerous behaviour. Should such a parent be held criminally liable?

The legal theory of vicarious liability holds that parents may be held liable for the actions of their minor children if their negligence contributes directly to the harm caused. Although India has hardly any case laws or acts to hold parents strictly liable for crimes committed by their children, a negligence case may still lie. Section 106 of the BNS can perhaps apply if it can be proved that the father's act of permitting access to the Porsche was done in reckless disregard for human life.<sup>13</sup>

The results of the juvenile's action were fatal, and such accountability may deter cases in which minors gain access to situations or objects that are potentially life-endangering, either through firearms or through high-performance vehicles.

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<sup>13</sup> *Keshub Mahindra v State of Madhya Pradesh* (1996) 6 SCC 129

## SHORTCOMINGS OF LEGAL FRAMEWORK

### The Inadequacy of the Juvenile Justice System

**Failure to Address Crimes of Gross Negligence:** The Pune Porsche case critiques that the juvenile justice system was not an adequate institutional response to crimes of gross negligence. The Juvenile Justice (Care and Protection of Children) Act of 2015 has provisions for the rehabilitation and reintegration of juvenile offenders. This focus springs into action quite well for many sorts of crimes, especially where the liability of an offender is diminished because of his young age. However, in cases of serious recklessness, such as the present case, neither law nor its application provides an adequate response.

Without any thought of human life, this juvenile performed acts of recklessness behind the wheel of a powerful vehicle-the juvenile was driving without a license and faster than the speed permitted by law. In the wake of the tragedy that followed his actions, the juvenile, in full spirit of the Juvenile Justice system, may still get away with leniency and reformation instead of punishment! Such kind of leniency against public safety gives out a grave wrong message-that even grave crimes may not invite proportionate legal consequences for minors.

In this case, the decision by the Juvenile Justice Board to write a 300-word essay as a part of his bail condition, following a grave crime, undermines the seriousness of the offence and reflects poorly on the judicial system.<sup>14</sup> It trivialises the very noble crime, making it a matter of joke. A banal essayistic exercise is hardly sufficient to achieve justice, accountability, or public safety. The alleged involvement of alcohol weighs heavily against the manner in which juvenile offences are addressed when substance abuse comes into the picture. There was a mere allegation that the minor was intoxicated at the time of the accident, and there was no clarity as to whether sufficient tests had been conducted to prove the fact of alcohol consumption.<sup>15</sup> Besides, the leniency that the legal system extends towards juvenile offenders, even in cases of deaths caused by drunkenness, opens the loophole whereby intoxication-normally an important aggravating factor in adult matters, is not afforded weight for the minors.<sup>16</sup> This loophole allows juveniles to avoid penalties much harsher than what they would have otherwise faced

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<sup>14</sup> JJ Act 2015, s 12 (bail of juveniles).

<sup>15</sup> Motor Vehicles Act 1988, s 185 (driving by a drunken person or by a person under the influence of drugs).

<sup>16</sup> Bharatiya Nyaya Sanhita 2023, s 106 (causing death by negligence)

for behaviour bordering on recklessness because of intoxication, thereby diluting the deterrent value.

**Limited Deterrence in the Juvenile Justice Act:** The Pune Porsche tragedy is part of a series of cases highlighting the limited deterrence value of the current juvenile justice framework. While theoretically, the 2015 Juvenile Justice Act allows juveniles between 16 and 18 to be tried as adults in heinous crimes, it is doubtful if this provision exists to cover or is even advisable to be extended to reckless driving resulting in death.<sup>17</sup> Vehicular manslaughter and negligence, even though of a grave nature, might never qualify as ‘heinous’ under the law, which generally connotes a crime involving violent intent, e.g., rape or murder.<sup>18</sup>

This loophole renders it possible for juvenile offenders to escape the brunt of the law, thereby severely undermining the deterrent potential of the law. In fact, this breeds a culture where rich, well-placed families might not even bother to hold their children accountable for their actions, well aware of the system’s provisions to be lenient on juveniles.<sup>19</sup>

### **Parental Accountability: A Legal Blind Spot**

**Inadequate Legal Framework for Parental Negligence:** An emphatic criticism emanating from the fatal Porsche incident concerns the lens of parental responsibility. Here, the father had given his son access to a luxury sports car, fully aware that the boy was underage to drive. At the very least, the father should not have escaped severe legal consequences for his brutal negligence, thus revealing an infraction acting as a loophole in Indian law. Moreover, the child himself was being cited to have been under influence of alcohol when the accident took place, further bringing in the question of parental responsibility being diluted; this because the parents’ role is generally diminished if they somehow enable the child to access alcohol, either directly or indirectly, and that is hardly ever actually addressed by the courts, thereby turning a blind eye to whatever amount of negligent supervision exists.

In India, there aren’t sufficiently robust provisions aimed at holding such parents accountable for enabling such dangers to be set loose by minors who engage in behaviour injuring or killing somebody. Death by negligence could be prosecuted under Section 106 of the Bharatiya Nyaya Sanhita (BNS), but elegantly, this provision has rarely been applied to cases of parental

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<sup>17</sup> JJ Act 2015, s 15

<sup>18</sup> JJ Act 2015, s 2(33) (definition of “heinous offence”).

<sup>19</sup> Salil Bali v Union of India (2013) 7 SCC 705

negligence wherein it concerns children and vehicles. The lack of a stringent legal recourse with regard to this matter has failed to hold parents accountable for their critical role in such tragedies, leaving society vulnerable to repeat offences.<sup>20</sup>

**Class Bias and the Shield of Privilege:** Another criticism that emerges is the perception of class bias in the application of laws. The Pune Porsche case involved a rich family, and the father, a businessman, was under scrutiny for his role in the tragedy. Critics, however, say that had the family been less affluent, the legally inclined system may have pursued parental accountability a lot more. Wealth, the right to punish lightly, and privilege render the issue near to be placed in a queerer territory, with the result that the rich bend the law or escape punishment.<sup>21</sup>

**The Right to Life vs. Juvenile Protection: An Imbalanced Equation:** One of the primary criticisms raised against the juvenile justice system, in this case or generally, is that it appears to place less importance on victim rights. The right to life and the safety of two IT professionals were severely violated. Whereas the juvenile justice acts provide for the protection of the future of the offender, they rarely provide for that of the victim.

The tragedy here resulted in an innocent death, while the younger one's legal fate remains ambiguous. The entire process does very little to account for the emotional, financial, and social costs on the victims' families. Thus, the life of a human being as recognised under Article 21 of the Indian Constitution must never be compromised or undermined by a legal system that, in effect, considers the welfare of offenders over that of victims.<sup>22</sup>

**Balancing Juvenile Rights with Public Safety:** In safeguarding juvenile rights, and recognizing that minors cannot be held to the same standards of culpability as adults, the argument has been advanced that public safety has to be placed above in those situations where negligence results in death; hence, the juvenile's right to reformation has to be at stake with the need of safeguarding the public against dangerous conduct.<sup>23</sup>

The Porsche tragedy stands as a testimony to the fact that our present-day legal system evidently studies this balance inappropriately. If minors are being allowed to commit acts of

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<sup>20</sup> Law Commission of India, 249th Report on Obsolete Laws (Vol. I) (2014)

<sup>21</sup> Upendra Baxi, *The Crisis of the Indian Legal System* (Vikas Publishing 1982).

<sup>22</sup> Justice Verma Committee Report, Report of the Committee on Amendments to Criminal Law (2013)

<sup>23</sup> *Maneka Gandhi v Union of India* (1978) 1 SCC 248.

gross negligence resulting in deaths without being prosecuted seriously, it may very well result in public distrust in the very mechanism of justice.<sup>24</sup>

## CONCLUSION

As in this case, if a minor possesses the maturity to illegally consume alcohol, drive underage without a license, and recklessly violate basic road safety rules and principles taught even to young children-then they should be deemed mature enough to take full accountability and face appropriate legal consequences. Such actions demonstrate an appreciation of right and wrong, and having the power to consciously risk harming others, the law should therefore correspondingly reflect this maturity by failing to treat him as a child with liability.<sup>25</sup>

The Pune Porsche tragedy sets a need for a more nuanced and finer approach toward juvenile justice, chiefly when the injury or death caused is that of gross negligence. The law would have to evolve as this jittery crowd grapples with juvenile crime and public safety. Hence, a fine balance is to be maintained between the protection of the rights of minors and ensuring that those who put lives at risk, either intentionally or via negligent acts, find their just desserts.

Those cases are never easy to weigh against each other: juvenile rights versus the right to life. Still, the juvenile justice Act of 2015 inches forward by allowing juveniles to be tried as adults in extremely heinous cases. The state's obligation to protect the public shall not be reduced in any way, and parents must be aware of their duties toward safeguarding others when it comes to letting their kids wander into potentially lethal situations.

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<sup>24</sup> United Nations Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3

<sup>25</sup> Salil Bali v Union of India (2013) 7 SCC 705 (upholding protective framework of JJ Act, but highlighting need to balance).