

Supreme Court Mandates New NIA Courts by September to Expedite Justice



The Supreme Court of India on Friday, July 18, 2025, issued a stern directive to both the Union and Maharashtra governments, mandating the establishment of new, exclusive special courts for the National Investigation Agency (NIA) by September. Expressing strong disapproval over the significant delays plaguing hundreds of NIA-investigated cases, particularly those related to terrorism and heinous crimes, the apex court deemed the practice of merely designating existing courts as special NIA courts "unacceptable."

A bench comprising Justices Surya Kant and Joymalya Bagchi emphasized that overburdening existing courts with NIA cases, alongside their regular civil and criminal caseloads, was detrimental to the swift dispensation of justice in matters of national importance. "You cannot designate existing courts... If you want to expedite trial in NIA-investigated cases having national ramification, you must establish new courts, appoint senior judicial officers, provide them with staff and adequate infrastructure," the bench asserted.

This ultimatum comes after the Supreme Court rejected an affidavit from the NIA claiming compliance with earlier orders for establishing special courts. The Court found that no effective or visible steps had been taken by the authorities. This is the "last opportunity" for the governments to comply, with the bench warning that failure to do so would compel the courts to consider granting bail to accused individuals on the grounds of inordinate trial delays.

In a previous order, the Justice Kant-led bench had highlighted the immense burden on the existing judicial system: "There are hundreds of trials in different parts of the country under special statutes like UAPA, Indian Explosives Act, MCOCA and other similar statutes in different states. However, trials are not commencing because presiding officers are also occupied with several other criminal and civil cases."

The Court further noted that in the absence of a proper "judicial audit" to assess the actual caseload generated by new laws, trials for heinous offenses were severely hampered. It stressed that "the most effective recourse can be the establishment of dedicated courts to whom trials under special statutes can be entrusted, without giving them any other civil or criminal cases. Ideally, the trial should take place on a day-to-day basis."

The NIA, established in the wake of the 2008 Mumbai terror attacks, is India's central counter-terrorism law enforcement agency responsible for investigating and prosecuting offenses affecting the sovereignty, security, and integrity of India. The Supreme Court's firm stance underscores the critical need for dedicated judicial infrastructure to ensure that cases of national security significance are adjudicated efficiently, thereby strengthening the rule of law and deterring serious crimes. The coming weeks will show how swiftly the Union and Maharashtra governments act to meet this crucial judicial deadline.