

Justice On the Run: Legal Accountability in Hit And Run Cases Under Indian Laws

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Abstract: This article provides a comprehensive analysis of the liability of the unknown offenders in hit and run cases under the Motor Vehicle Act, 1988. The Motor Vehicle Act serves as a pivotal legal framework to regulate road traffic in India and addressing liability in motor vehicle accidents, including hit and run cases. This article delves into the legal provisions under the Motor Vehicles Act, 1988, specifically Sections 161 and 162, which address compensation mechanisms for victims of hit-and-run cases. Furthermore, the article also critically examines the judicial precedents that have shaped the interpretation of liability in hit and run cases. This study aims to contribute to the broader discourse on motor vehicle laws and their reforms in India and advocates for more equitable and effective system to address the challenges posed by the hit and run cases. The research concludes by emphasizing need for more robust policy measures and technological intervention to mitigate hit and run occurrences and ensures timely justice and compensation.

Keywords: *Hit and run cases, Motor Vehicles Act of 1988, Compensation mechanism, Technological intervention.*

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I. INTRODUCTION:

“The increasing number of motor vehicle accidents demands stricter application of laws. The sanctity of life must be upheld over and above all conveniences of the driver.”

-Hon’ble Supreme Court of India in the case of
*Alister Anthony Pareira v. State of Maharashtra*¹

Transportation plays a pivotal role in the infrastructural development of any country by enhancing the connectivity. Due to good and efficient connectivity, there is uniform distribution of good and services which as a result increase the economic growth of the country. With the growing emphasis on improving road transportation and infrastructure, there is increasing demand to own various commercial and personal motor vehicles which leads to rise in roads accidents, traffic on roads, noise pollution, and reckless and negligent driving cases also get arises. This results in the urgent need for the systematic rules and regulations for controlling road accidents and to effectively manage the aspects of road transportation.

Hence, the parliament enacted the Motor vehicle act of 1988 on 1st July 1989 which repealed the MVA of 1939. This act covers the detailed provisions relating to motor vehicles and talks about the minutest details such as eligibility, registration, suspension, etc. The Motor vehicle act is a welfare-oriented law which aimed at the concept “Every injury has a remedy.” It aims at offering relief to harmed peoples on the road who find themselves without a claim to compensation that they should receive. The primary purpose of the act is to create structured framework for road transport to enhance safety and efficiency. The Act represents a balanced approach, providing not only mechanisms for monitoring and regulating motor vehicles but also emphasizing relief and compensation for victims of road accidents. The legislation's welfare-driven approach aims to deliver justice to individuals rendered vulnerable by injuries or fatalities resulting from road accidents.

However, one of the critical challenges in modern transportation is addressing hit-and-run cases. Motor vehicle act 1988 also deals with specific provisions to provide relief to victims of hit and run cases. Hit and run cases cover under Section 161 of MVA which defined them as “Incidents where vehicle specifically motor vehicles involved in an accident leave the scene without

¹ *Alister Anthony Pareira v State of Maharashtra* [2012] 2 SCC 648

providing aid to affected parties”. These incidents pose unique difficulties in ensuring justice, as the absence of the perpetrator often complicates investigations and accountability. This act provides a framework for addressing hit and run cases through penalties, compensation, and punishments. The act also prescribes penalties and punishment for the driver who leave the accident site without informing and providing assistance to the victim. The act also provides for the compensation mechanism to support the victim who met with the accident, ensuring that those who got injured or killed in the hit and run incident and their families, receive financial relief.

However, The Motor Vehicles Act, 1988, does not operate in isolation. Hit-and-run cases often intersect with provisions of the Indian Penal Code (IPC), 1860, which penalizes reckless and negligent driving. The provisions addressing hit and run cases also cover under various sections newly implemented Bhartiya Nyaya Sanhita, 2023, which has replaced the colonial era IPC, introducing updated provisions for addressing such cases. By combining the provisions of the Motor Vehicles Act, IPC, and BNS, Indian laws aim to create a robust framework for addressing the multifaceted challenges of hit-and-run cases, emphasizing justice for victims and deterrence against reckless behaviour.

A. Motor Vehicle Act, 1988²:

Motor vehicle act, 1988 serves as a cornerstone legislation regulating all the essentials of the road vehicles. It encompasses comprehensive framework of various laws and rules related to traffic management, vehicle insurance, motor vehicle registration, licensing, and imposition of penalties. Its main purpose is to enhance road safety and ensure the smooth functioning of road transportation systems in the country. It took effect on 1 July 1989, replacing the earlier Motor Vehicles Act of 1939.

Motor Vehicle Act, 1988 consolidated all the motor vehicle legislations under the single, cohesive framework, but it required frequent amendments to stay updated with the advancement of the road transport technology and the increasing complexity of traffic management over the time. Thus, recognizing the need for modernization, the Government of India introduced the Motor Vehicles

² India Code, ‘THE MOTOR VEHICLES ACT, 1988’

<<https://www.indiacode.nic.in/bitstream/123456789/9460/1/a1988-59.pdf>> accessed 4 November 2024

(Amendment) Bill, 2017 to update and strengthen the existing legal framework of the Motor Vehicles Act, 1988. The Bill, presented by the Ministry of Road Transport and Highways on July 15, 2019, received the President's assent and became law on September 1, 2019. The Motor Vehicle (Amendment) Act, 2019 introduced several significant features and amendments in existing law to improve road safety and traffic management and address existing gaps in the previous legislation.³

The Motor vehicle act, 1988 come under the Law of Torts based on the maxim “*Ubi Jus, Ibi – Remedium*” that is where “*There is a Right, There is a Remedy*” this maxim underscores the welfare-oriented nature of the Act, which is designed to provide relief to individuals who suffer injuries or damages due to road accidents. The main objective of this act is to provide relief and compensations to the innocent victims of the accident. The Motor Vehicles Act, 1988, not only aims to regulate motor vehicles and traffic but also prioritizes the welfare of road users. It provides detailed legislative provisions regarding licensing procedures, registration protocols, motor vehicle control measures, and traffic regulations. Additionally, it also addresses liabilities, offences, and penalties for violations, ensuring a structured approach to road safety and accident management. It also focuses on e-governance measures to streamline administrative procedures and foster greater transparency in road transport management.

B. Motor Vehicle (Amendment) Act, 2019⁴:

On 1 September, 2019 the Motor Vehicle (Amendment) Act, 2019 came into the force marking a significant shift in India's approach to road safety and traffic management. This amendment replaced the Motor Vehicle Act, 1988 addressing the gaps in the previous legislations and introduced various provision to improve road safety and traffic regulation in India. Recognizing the alarming rise in road accidents and the need for a comprehensive legal framework, the amendment incorporated stringent provisions to ensure greater accountability and reduce the frequency of traffic violations.

³ Amit Singh, ‘Road Safety Measures and the Development of Motor Vehicle Law in India – A Descriptive Analysis’ (2023)

<https://www.researchgate.net/publication/375601304_Road_safety_measures_and_the_development_of_Motor_Vehicle_Law_in_India_-_A_Descriptive_Analysis> accessed 4 November 2024

⁴ Motor Vehicle Act 2019

The primary objective of this amendment is to enhance road safety by increasing penalties, adopting a more stringent approach, and establishing a more effective regulatory framework. This includes provisions for higher fines, harsher penalties for repeat offenders, and mandatory compliance with traffic regulations. By imposing these measures, the government aims to foster a culture of safe driving and responsible road behaviour. This act also incorporates various aspects regarding road safety like road traffic regulation, recall of vehicles, improving e – governance facilities, creation of Road Safety Board as well as provisions addressing hit and run cases.

One of the significant additions under the amendment is the incorporation of the **‘Golden Hour Care Plan.’** Golden hour refers to the period of time in which the chances of the survival of the victim after accident is maximum if provided with proper medical care and facilities. Golden hour scheme was incorporated under **Section 162(1)** which mandates the general insurance companies of the country to provide medical assistance to the victim during the critical golden hour period. Additionally, the amendment focuses on creating a holistic framework to manage road safety effectively. This includes the establishment of a **Road Safety Board** tasked with formulating policies, monitoring compliance, and recommending measures to reduce accidents. The Act also incorporates provisions for the recall of defective vehicles, ensuring that manufacturers are held accountable for safety standards. The amendment also introduced enhanced provision for addressing hit and run cases by ensuring timely compensation for the victims and his families of the hit and run accidents⁵. Under the new framework, the compensation amounts also have been significantly increased to provide meaningful financial relief.

C. Hit and Run Laws under Bhartiya Nyaya Sanhita, 2024:

Hit and run provision are included in *Bhartiya Nyaya Sanhita* which replaced the colonial era, Indian penal code, 1860. The BNS marks a transformative shift in India’s legal landscape by replacing the colonial-era IPC, 1860, with provisions tailored to the cultural and societal realities of modern India. The BNS primarily focuses on modernizing the language of provisions from the 160-year-old law established during the British colonial era, making them more aligned with Indian culture and society by eliminating outdated sections. Introduced by the Indian government

⁵ Sushma Kanwar and Poorti Sharma, ‘Critical Analysis of Motor Vehicle (Amendment) Act, 2019 in Reference to Modern India’ (2021) *Indian Journal of Law Management & Humanities*

in **August 2023** and fully implemented in **July 2024**, it emphasizes on reforming the archaic legal frameworks which no longer aligns to meet the contemporary needs.

Section 106 (2) of BNS, 2023, covers the cases of *hit and run*, where, according to Section 106 (2), *“Whoever causes death of any person by rash and negligent driving of vehicle not amounting to culpable homicide and escapes without reporting it to a police officer or a magistrate soon after the incident, shall be punished with imprisonment of either description of a term which may extends to ten years and shall also be liable to fine which may extends to ten lakhs”*.⁶ Therefore, under BNS specific provisions related to hit and run cases are introduced. It mainly focuses on stricter punishment to reduce reckless driving and to ensure accountability. BNS imposes stricter penalties for hit and run cases as compared to IPC to create strong deterrent against fleeing from an accident. The enhanced punishment under Section 106(2) underscores the seriousness of such crimes, signalling the judiciary’s intent to curb the prevalence of reckless driving and evasion of justice.

In addition to harsher penalties, the BNS also aims to streamline legal procedure in hit and run cases to allow faster resolution of the case and to provide quicker compensation to the victims and their families. Delays in investigations and trials have often hampered the delivery of justice under the older legal framework. A critical aspect of the BNS is its emphasis on **victim compensation**. The framework ensures that victims of hit-and-run accidents, or their families in the case of fatalities, are compensated promptly through mechanisms such as **Victim Relief Funds** or **Insurance Mechanisms**. BNS also encourages public awareness and responsibility through the principle of *“Good Samaritan”* under hit and run cases which reflects more humane and community - oriented approach toward responses to the road accidents⁷. By emphasizing stricter punishments, procedural efficiency, victim-centric measures, and public responsibility, the BNS presents a robust legal framework to tackle the multifaceted issue of hit-and-run cases effectively. Its provisions on hit-and-run cases underscore the importance of accountability, deterrence, and compassion, paving the way for a safer and more responsible road transportation ecosystem.

⁶ Bharatiya Nyaya Sanhita 2023, s 106 (2)

⁷ Yeshwant Naik, ‘The Bhartiya Nyaya Sanhita (BNS): A Critical Examination of India’s New Penal Code,’ (University of Muenster, July 2024) < <http://dx.doi.org/10.2139/ssrn.4884622> > accessed 4 November 2024

II. LIABILITY UNDER HIT AND RUN CASES UNDER MOTOR VEHICLE ACT, 1988:

Hit and Run motor accident can be defined as ‘An accident arising out of the use of motor vehicles, the identity whereof cannot be ascertained in spite of reasonable efforts for the purpose’. Hit and run case is a situation when the accused hits the victim with his vehicle and ran away from the accident spot. In India, Hit and Run Cases are governed by the various sections of Indian Penal Code like Section 279, 337, 338, 304A⁸ and of Motor Vehicle (amendment) Act.

Section 279 of IPC⁹ says, “Whoever drives any vehicle, or rides, on any public way in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.” This section addresses rash and negligent driving which is one of the major causes for the hit and run cases. In the case of *Ravi Kapur Vs. State of Rajasthan*,¹⁰ the apex court defined the term rash and negligent driving and held that the rash and negligent driving must be examined in the light of the facts and circumstances of the case.

Section 337 of IPC¹¹ says, “Whoever does any act so rashly or negligently as to endanger human life, or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.” This section deals with the hurt caused by the rash and negligent driving. In the case of *State v. Gulam Meer*,¹² the Madhya Pradesh high court held that liability under Section 337 arises only when rash and negligent driving resulted in hurt. That means the injury caused to the victim should be the proximate cause of the rash and negligent driving.

Section 338 of IPC¹³ says, “Whoever causes grievous hurt to any person by doing any act so rashly or negligently as to endanger human life, or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine which

⁸ Indian Penal Code 1860, s 279, 337, 338 and 304A

⁹ Indian Penal Code, s 279

¹⁰ *Ravi Kapur v State of Rajasthan*, [AIR 2012] SC 2986

¹¹ Indian Penal Code, s 337

¹² *State v Gulam Meer*, [AIR 1956] MADHYA BHARAT 141

¹³ Indian Penal Code, s 338

may extend to one thousand rupees, or with both,” this section deals with the grievous hurt caused by the rash and negligent act. Grievous hurt defined under section 320 of IPC as any serious kind of hurt interferes with the performance of the daily activities of the persons.

Section 304A of IPC,¹⁴ it held that, “Whoever causes death of any person by doing any rash or negligent act not amounting to culpable homicide shall be punished with imprisonment of either description of a term which may extend to two years or with fine or with the both”. In the case of *S.N. Hussein v. State of Andhra Pradesh*,¹⁵ Supreme Court defined rashness as it consists of gross neglect or failure to exercise that reasonable and proper care and precaution to guard against injury caused either to public in general or specifically to any individual.

A. Compensation For Hit and Run Cases Victims Under Motor Vehicle Act, 1988:

The Motor Vehicle Act is a piece of social legislation enacted to protect the rights of road accident victims. The legal provision enshrined under “**Section 161 of Motor Vehicle (amendment) Act, 2019**”¹⁶ talks about the compensation scheme for the victim of hit and run cases. This section establishes the legal framework for providing financial relief to victims of hit and run cases. The main purpose of this provision is to provide quick financial assistance to the victim and his family. **Section 161(2) of Motor Vehicle Act**¹⁷ deals with the compensation for grievous hurt and death caused by hit and run cases. **Section 161(4) of Motor Vehicle Act**¹⁸ mentions the form and manner of the application to be made for compensation.

According to Section 161(1) of Motor Vehicle Act,¹⁹ “Notwithstanding anything contained in any other law for the time being in force or any instrument having the force of law, the Central Government shall provide for paying in accordance with the provisions of this Act and the scheme made under sub-section (3), compensation in respect of the death of, or grievous hurt to, persons resulting from hit and run motor accidents.”

¹⁴ Indian Penal Code, s 304A

¹⁵ *S.N. Hussein v. State of Andhra Pradesh*, [AIR 1972] SC 685

¹⁶ Motor Vehicle Act 2019, s 161

¹⁷ Motor Vehicle Act, s 161 (2)

¹⁸ Motor Vehicle Act, s 161 (4)

¹⁹ Motor Vehicle Act, s 161 (1)

According to Section 161(3) of Motor Vehicle Act,²⁰ “The Central Government may, by notification in the Official Gazette, make a scheme specifying the manner in which the scheme shall be administered by the Central Government or General Insurance Council, the form, manner and the time within which applications for compensation may be made, the officers or authorities to whom such applications may be made, the procedure to be followed by such officers or authorities for considering and passing orders on such applications, and all other matters connected with, or incidental to, the administration of the scheme and the payment of compensation under this section.”

The government in accordance with the provision of the Section 161(3) of the Motor Vehicle (Amendment) Act introduced the “**Compensation to Victims of Hit and Run Motor Accidents Scheme, 2022.**” The Ministry of Road and Transport notified this scheme on 25th February 2022. This scheme superseded the Solatium Scheme, 1989. This scheme provided the process of application for compensation, release of payment to the victim. Under this scheme, Motor Vehicle Accident Fund also get established in accordance with the Section 164B of Motor Vehicle Act which shall be used for providing compensation in the case of hit and run motor accidents and for the treatment of the victims. A trust will be formed, chaired by the officer not below the rank of joint secretary from the Ministry of Road and Transport which will be responsible for the effective management of the funds.²¹

B. Role of technology in determining liability under hit and run cases:

Technology plays an eminent role in navigating the complexities of hit and run cases. It emerged as a ray of hope which transforms how to detect, analyse and respond to these crimes. Advanced technological tools like AI video analytics, license plate recognition, drone technology, GPS, etc. plays a pivotal role in providing clarity and precision that human memory may lacks. Technology helps to determine liability under hit and run cases by providing accurate and reliable evidences. Various key technologies helped in hit and run cases to identify the unknown offenders, some of which are as follow:

²⁰ Motor Vehicle Act, s 161 (5)

²¹ Harish Choudhary, ‘Questioning the Compensation for Hit and Run Motor Accidents: Dismantling the Solatium Fund Scheme’ (2015) 36 *Statute Law Review*

1. Security Cameras:

In hit and run cases, security footages serve as reliable evidences which piece together the chains of events and provide critical details of the accidents like vehicle's model, license plate numbers, etc. they capture the real time footage of incidents that human eyes may miss or misinterpret. These cameras are often equipped with the **License Plate Recognition** which can automatically read and identify the license plate. This will make it easier to track down the offending vehicle involved in the hit and run incidents.

2. Traffic surveillance system:

Traffic surveillance system analyses the real time traffic helps in extracting the crucial detail of the accident in the hit and run incident. They play a vital role as "Silent Witness" in hit and run cases. Traffic cameras monitor roads and intersections and alert authorities about the real time incidents, enabling a quicker response. Cameras positioned at different positions at the crossroads provides different perspectives to the incident helps to reconstruct the incident happened accurately.

3. Vehicle forensics:

Vehicle forensics plays a pivotal role in revealing the reality of hit and run cases. It Helps law enforcements to extract data from the vehicles and to piece together the chain of events. Modern car technology stores a large volume of data which once get unlocked help in resolving the hit and run cases. This data includes vehicle parts, fingerprints captured from the vehicle, etc. These cars are also equipped with **Events Data Recorders** commonly known as "*black boxes*" which records crucial data such as speed, brake application, seatbelt use at the time of the accident. Motor vehicles also use **On-Board Diagnostics** that monitor and report the vehicle's performance and nay faults.²²

4. Drone technology:

Aerial imagery helps in reconstruction of the accident accurately by providing high resolution images and videos of the accident scenes. By integrating these high - resolution images and videos with 3D modelling software, law enforcements can provide the court with highly detailed evidence and supporting claims. They are particularly used for large scale accidents involving multiple cars

²² Zhefeng Wang, 'Analysis of Indirect Evidences in Hit and Run Cases' (2017) *Journal of Forensic Science and Medicine*.

and vehicles. Equipped with advanced AI and live-streaming capabilities, drones analyse accident scenes, vehicle movements, crowd dynamics, and the aftermath of incidents. It serves as a modern - day witness that records events from different angles.

5. 3D modelling and simulation:

This technology allows experts to recreate the incident by having visual representation of the crash and accidents. 3D stimulations depict the sequence of the events happened in the accident in the visualised format that help the jury in the court to understand easily and made decision. It allows investigator to recreate the incident from multiple perspectives. Advanced 3D modelling software can integrate data from security cameras, drones, etc. to build comprehensive reconstruction which provide clear objective look into the complex scenarios of the incidents.

III. CHALLENGES IN DETERMINING LIABILITY OF UNKNOWN OFFENDER UNDER HIT AND RUN CASES:

Hit and run cases present significant and complex challenges within the legal framework as these incidents involves unknown offenders who leave the scene of the accident without stopping or without rendering assistance to the injured party. These incidents not only exacerbate the plight of the victims but also complicate the pursuit of justice. However, it is not easy to identify the unknown offender, it needs reliable evidences for the conviction which is often difficult to obtain. These evidences include witness testimonies, surveillance footages, and physical evidences like car chips, car parts, etc.

In these Hit and Run cases, the jury or judges firstly evaluates what all evidences are needed to convict a hit and run suspect which involves careful examination of all the fragmented or often inconclusive evidences presented before them in the court. Understanding evidences to convict an accused in hit and run cases is very challenging. It's like a quest for truth and justice. Each evidence plays an important role in demonstrating the conviction in hit and run cases. To secure conviction in hit and run cases, these evidences which includes vehicle identification, driver identification, behavioural evidences, forensic evidences, etc. needs to prove beyond all the reasonable doubts, which also adds another layer of difficulty, as the prosecution must establish a clear and unambiguous link between the accused and the offense. In cases where evidence is circumstantial, proving the identity of the offender becomes even more challenging.

In hit and run cases, the principle of Burden of Proof also came into picture as a central legal concept to determine which party is responsible for presenting evidence and to what standard. The burden of proof typically lies with the prosecution, which must demonstrate the accused's guilt beyond a reasonable doubt. Understanding what evidences are required is crucial for both, prosecutor, and defendant. And ultimately it is the quality and coherence of the evidence which decides the fate of the hit and run cases. But it is very challenging to determine the credibility of these evidences in hit and run cases. Gathering conclusive evidences is a complex task in hit and run cases. Addressing these challenges requires combination of improved technology and stronger legal framework.²³ The lack of technological resources is also another significant hurdle in determining liability in hit-and-run cases. Proving the unknown offender's identity and identity of his vehicle beyond all reasonable doubts requires robust collection of evidences, which is challenging to gather.

Law enforcements also faced resource constraints. The accused in hit and run cases also try to evade responsibility make it challenging for the authorities to make them accountable. Victims and witnesses also delayed in reporting the incidents which also leads to the loss of crucial evidences. Additionally, all the evidences collected so far are not always conclusive. Eye witnesses are also not always reliable; they may give inconsistent or vague description of the incident making it further difficult for the investigation agencies or police to determine the liability of the alleged accused. Therefore, there were several challenges in determining the liability of the unknown offenders under hit and run cases which have to be overcome by the investigation officers or judges beyond all reasonable doubts to make a correct decision. To overcome these challenges, a multi-faceted approach is required, combining technological advancements, legal reforms, and public awareness initiatives. From a legal perspective, reforms should focus on streamlining the process of evidence collection and admissibility. This includes mandating the use of advanced forensic tools and establishing standardized procedures for investigating hit-and-run cases. Additionally, stricter penalties for tampering with evidence or evading responsibility can deter offenders.

²³ Andra Delmonico and Canaan Suit, 'What Evidence Is Needed to Prove a Hit and Run Case?' (Super Lawyers, April 2024) <<https://www.superlawyers.com/resources/motor-vehicle-accidents/types-and-causes-of-car-accidents/what-evidence-is-needed-to-prove-a-hit-and-run-car-accident/>> accessed 5 November 2024

IV. LEGAL AND POLICY RECOMMENDATION AND WAY FORWARD:

Motor vehicle act after its amendments addressed the hit and run cases with more specific provisions. For instance, solatium fund was established under Section 161 to provide quick compensation to the victims of hit and run case. Although new provisions and amendments in motor vehicle act aimed to strengthen accountability and support for victims, there remains some gaps and loopholes in the act in its enforcement and victim compensation mechanism. Limited investigation resources, underdeveloped forensic capabilities, inefficient coordination between authorities helped the offender of the hit and run cases to flee easily and to evade the punishment. The following are the certain legal and policy recommendations that can be incorporated in the current legal framework to strengthen accountability and support for victims:

1. The most pressing suggestion remains improving technological and procedural irregularities and to facilitate coordination between authorities to address the loopholes or gaps of the motor vehicle act. Integrating advanced technology and surveillance system such as Automated Number Plate Recognition also enhance the ability of law enforcement to track down the unknown offenders of the hit and run cases.
2. The second most important suggestion pertains to amendments to the existing motor vehicle act, 1988 to increase penalties for hit and run offenders and to introduce strict liability for vehicle owners in hit and run cases unless they can prove that their vehicle was used without their knowledge or consent.
3. Establishing no fault compensation funds for victims of hit and run accidents to ensure timely financial support without the need to prove fault.
4. Developing standardised procedures for police investigation in hit and run cases, including mandatory collection of forensic evidences from the accidents sites and vehicles involved in the accident and use of technology like security cameras and CCTV footages.
5. Lastly, improving public awareness is also essential to foster more conducive and supportive culture where citizens are more likely to assist victims and to educate drivers about the legal consequences of hit and run offenses and to promote safe driving practices and importance of helping accident victims.

The issue of hit and run cases under Indian motor vehicle laws remain a multifaceted challenge that necessitates a balanced approach between legal reforms, technological advancements, and societal awareness. Addressing the complexities of hit and run cases therefore requires multifaceted approaches. Despite significant legislative progress through amendments to the Motor Vehicle Act and the introduction of the Bhartiya Nyaya Sanhita, persistent gaps in enforcement and accountability mechanisms continue to undermine the system's efficacy. Strengthening investigative resources, enhancing inter-agency coordination, and integrating modern technology such as AI-driven surveillance and forensic tools are imperative to address the complexities of these cases. Furthermore, fostering a culture of legal compliance and moral responsibility through public education and awareness campaigns can contribute to reducing such incidents.

By advocating for stricter penalties, a robust compensation framework, and comprehensive technological integration, this study underscores the urgent need for a proactive and inclusive approach to ensure timely justice for victims and deterrence against reckless behaviour. Ultimately, the evolution of India's legal landscape in addressing hit-and-run incidents reflects the broader aspiration for a safer, more accountable road transportation system, emphasizing that justice must not only be served but also seen as accessible and equitable to all. Concluding by the quote,

“The law must set an example to deter reckless drivers from indulging in acts that endanger human lives and evade accountability.”

-Hon'ble Supreme Court of India in
case of *State of Punjab v. Balwinder Singh*²⁴

²⁴ *State of Punjab v Balwinder Singh* [AIR 2012] SC 861