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When the Child Is the Offender: Early Aggression, Criminal Responsibility and Institutional Accountability in the Panchkula School Assault

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ABSTRACT

On 28 October 2026, a six year old girl was hit with a brick inside a government school in Panchkula, Haryana. The boy accused of it is eight. She is in critical condition. The school CCTV had recorded everything and the footage spread fast. Most of the talk after that came down to one point, that the boy is below twelve so nothing can be done. This paper tries to find out if that is actually what the law says. It looks at the Bharatiya Nyaya Sanhita, 2023, the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Protection of Children from Sexual Offences Act, 2012. POCSO does not fit these facts, so it has no role here. The other two Acts do not say a child of eight is free of all liability. They also do not allow him to be punished. What they do is put him into a process of care and protection, and his maturity of understanding gets assessed first. After this, the paper asks why a child so young would act so violently and whether he is likely to do it again. For that, it uses developmental psychology, criminology and data from the National Crime Records Bureau. Then there is the school. A six year old was badly injured inside its premises, and that failure needs legal scrutiny just as much as the act of the child. At the end, the paper suggests a statutory protocol to assess maturity of understanding below twelve years and a way of making schools safe which starts from the child's point of view.

KEYWORDS: Child Aggression; Criminal Responsibility; Juvenile Justice; School Violence; Developmental Psychology; Victim Protection; Panchkula

1. Introduction

Violence between children shocks people more than violence between adults. The reason is simple. It shakes two things we take for granted, that a child is innocent and that a school is safe. On 28 October 2026, a video from a government school in Sector 20, Panchkula, Haryana, seemed to show an eight year old boy of Class 3 pulling a six year old kindergarten girl by her hair. He then struck her head against a desk and hit her again and again with a brick.[1] The girl is reported to have special needs. She was referred to the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, in critical condition,[2] and she is reported to have been discharged on 4 November 2026.[3]

Public reaction followed a familiar pattern. Several commentators invoked the Protection of Children from Sexual Offences Act, 2012 (POCSO) and assumed that, because the accused is below twelve, no consequence can follow. Both assumptions are legally unsound. POCSO addresses sexual offences against children,[4] whereas the boy has been booked for voluntarily causing hurt, voluntarily causing grievous hurt and wrongful confinement under the Bharatiya Nyaya Sanhita, 2023 (BNS).[5] Nor is a child of eight beyond the reach of the law. He has been produced before the Juvenile Justice Board (the Board), sent to an observation home as a place of safety and subjected to a mental assessment, which shows that the law has chosen a protective process and not inaction.[6]

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[1] "Class 3 boy assaults 6-yr-old girl with brick at Haryana school, Siasat (Oct. 31, 2026), available at https://www.siasat.com/class-3-boy-assaults-6-yr-old-girl-with-brick-at-haryana-school-3567631/ (last visited Nov. 5, 2026); Nitin Jain, "6-year-old girl hit with brick by classmate recovering at PGI; principal, 2 teachers suspended", The Tribune (Nov. 3, 2026), available at https://www.tribuneindia.com/news/chandigarh/6-year-old-girl-hit-with-brick-by-classmate-recovering-at-pgi-principal-2-teachers-suspended/ (last visited Nov. 5, 2026).

[2] Press Trust of India, "Haryana 6-yr-old assault: Govt orders probe, 2 teachers suspended", Siasat (Nov. 1, 2026), available at https://www.siasat.com/haryana-6-yr-old-assault-govt-orders-probe-2-teachers-suspended-3568151/ (last visited Nov. 5, 2026); "6-Yr-Old Girl Critically Injured After Assault By Boy At Haryana's Panchkula School", ETV Bharat (Oct. 31, 2026), available at https://www.etvbharat.com/en/state/panchkula-school-incident-8-year-old-accused-of-seriously-injuring-6-year-old-girl-child-enn26103102217 (last visited Nov. 5, 2026).

[3] "Panchkula school assault update: Boy gets bail, Juvenile Justice Board orders removal of assault videos", India.com (Nov. 2026), available at https://www.india.com/news/india/panchkula-school-assault-update-boy-gets-bail-juvenile-justice-board-orders-removal-of-assault-videos-from-social-media-8542349/ (last visited Nov. 5, 2026).

[4] The Protection of Children from Sexual Offences Act, 2012 (Act 32 of 2012), ss. 3 to 9.

[5] "Panchkula school horror: 8-year-old sent to Observation Home for brick attack on KG girl", *The Tribune*, available at https://www.tribuneindia.com/news/chandigarh/panchkula-school-horror-8-year-old-sent-to-observation-home-for-brick-attack-on-kg-girl/ (last visited Nov. 5, 2026); The Bharatiya Nyaya Sanhita, 2023 (Act 45 of 2023), ss. 115(2), 117(2), 127(2).

[6] "Panchkula school horror: Victim recovering, say kin; boy's assessment report sent to board", *The Tribune*, available at https://www.tribuneindia.com/news/chandigarh/panchkula-school-horror-victim-recovering-say-kin-boys-assessment-report-sent-to-board/ (last visited Nov. 5, 2026); "Panchkula school assault: 6-yr-old out of danger as 8-yr-old who attacked her undergoes psych eval", *ThePrint* (Nov. 1, 2026), available at

This incident raises three questions, and this paper tries to answer all of them. First, how does Indian law treat a child between seven and twelve years who causes grave harm to another child? Second, why would a young child act so violently, and how likely is it that he does it again? Developmental psychology and criminology have something to say on both points. Third, who is answerable when a school and the system around it fail to protect a vulnerable six year old? The paper holds that early aggression comes from developmental immaturity meeting a risky environment. It is a warning sign and not a verdict on what the child will become. So the legal response should be judged on three things: does it protect the victim, does it treat the child and does it repair the failure of the institution.[7]

2. Methodology

This paper follows a doctrinal and conceptual method, and uses secondary data to support it. The doctrinal part looks at the BNS, the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act), POCSO and the relevant decisions of the Supreme Court of India. The conceptual part takes help from developmental psychology, criminology and child-rights scholarship. For the data, the paper depends on published statistics of the National Crime Records Bureau (NCRB). These are reported here through the Bureau's own publication and also through data-journalism accounts that reproduce its tables.[8] There are three limitations, and they should be stated clearly. First, the facts of the Panchkula incident come from police statements, first information reports and press reports. Several of them, including the alleged taunt and the alleged exposure to violent games, are allegations made by the victim's family, and nobody has tested them. Second, the boy's mental assessment was given to the Board in a sealed cover,[9] and the JJ Act bars disclosure of any detail that may identify a child in conflict with law.[10] So this paper does not name the children and gives no clinical opinion on the accused. Third, the research is non-empirical and collects no primary data. Its psychological discussion only describes what the literature says about children in general. It must not be read as a diagnosis.

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https://theprint.in/india/panchkula-school-assault-6-yr-old-out-of-danger-as-8-yr-old-who-attacked-her-undergoes-psych-eval/3087429/ (last visited Nov. 5, 2026).

[7] See generally Rolf Loeber & David P. Farrington (eds.), Child Delinquents: Development, Intervention, and Service Needs (Sage Publications, Thousand Oaks, 2001).

[8] National Crime Records Bureau, Crime in India 2022, vol. I, ch. 5 (Ministry of Home Affairs, Government of India, 2023); "Data: More Than 75% of Juveniles Apprehended for Crimes in 16 to 18 Age Group; 99% Are Boys", Factly, available at https://factly.in/data-more-than-75-of-juveniles-apprehended-for-crimes-in-16-to-18-age-group-99-are-boys (last visited Nov. 5, 2026).

[9] Supra note 1.

[10] The Juvenile Justice (Care and Protection of Children) Act, 2015 (Act 2 of 2016), s. 74.

3. The Panchkula Incident: Facts and Procedural Course

The incident is stated to have occurred on 28 October 2026 between 3 pm and 4 pm.[11] The Deputy Commissioner of Police (Crime) has confirmed that the boy is eight years old and the girl six.[12] According to the girl's uncle, the two children did not know each other, their classes had been made to sit together that day, and the boy became enraged after the girl called him 'pagal' because he was troubling her.[13] The uncle also alleged that the boy told her that her father was upstairs and took her to another room.[14] The recording purportedly shows the boy pulling the girl by her hair, striking her head against a desk and, after she fell, kicking her and hitting her with a brick.[15]

The reported institutional facts are equally serious. The first information report against school functionaries alleges that the girl lay injured in a locked first-floor room for about two hours after classes ended, although cameras were monitored from the principal's office.[16] The Haryana government suspended the principal and two teachers, constituted a five-member committee and ordered a safety audit of schools across the State.[17] Table 1 sets out the procedural course.

Table 1. Procedural chronology of the Panchkula case (October to November 2026)

Date	Event	Nature of the record
28 Oct	Alleged assault in a classroom of a government school in Sector 20; FIR registered against the boy under BNS ss. 115(2), 117(2) and 127(2).	Police record; allegation
28 Oct (about two hours)	Girl allegedly left in a locked first-floor room after school hours.	FIR allegation

[11]"Panchkula School Horror: Principal Suspended After Six-Year-Old Girl Was Attacked By Class 3 Student", *Brut India*, available at https://www.brut.media/in/articles/panchkula-school-horror-principal-suspended-after-six-year-old-girl-was-attacked-by-class-3-student (last visited Nov. 5, 2026).

[12]"Six-year-old girl critically injured in alleged assault by boy at Panchkula school", *ThePrint* (Oct. 30, 2026), available at https://theprint.in/india/six-year-old-girl-critically-injured-in-alleged-assault-by-boy-at-panchkula-school/3086646/ (last visited Nov. 5, 2026).

[13]"School Education Dept suspends principal in Pkula girl assault case", *The Tribune*, available at https://www.tribuneindia.com/news/haryana/school-education-dept-suspends-principal-in-pkula-girl-assault-case/ (last visited Nov. 5, 2026).

[14]Supra note 1.

[15]Supra note 1; supra note 2.

[16]Supra note 1.

[17]Suviral Shukla, "'Can't bear to see...': Haryana govt sets up panel to probe attack on 6 year-old in Panchkula govt school", *Careers360* (Nov. 2, 2026), available at https://news.careers360.com/panchkula-govt-school-assault-haryana-govt-education-cant-bear-see-sets-up-panel-probe-attack-6-year-old-girl-suspends-principal (last visited Nov. 5, 2026); supra note 2.

Date	Event	Nature of the record
30 to 31 Oct	Video circulates; girl referred to PGIMER. Boy produced before the Board on 31 Oct and sent to the Observation Home, Ambala; mental assessment at Civil Hospital, Sector 6, and GMCH-32.	Official and press record
31 Oct	Second FIR against the principal, a class in-charge and a watchman, reportedly under JJ Act s. 75 and BNS s. 125(b).	Press report of FIR
1 to 2 Nov	Principal and two teachers suspended; five-member committee; State-wide safety audit; child rights commission seeks report.	Official order
4 Nov	Board grants bail to the boy, orders removal of the videos from social media; girl reportedly discharged.	Board order; press report

Source: compiled by the author from the press and police reports cited in this section.[18]

4. Criminal Responsibility of Children Below Twelve in India

4.1 The Misplaced Frame of POCSO

The first correction concerns POCSO. The Act defines penetrative sexual assault, sexual assault, sexual harassment and pornographic offences against children, and none of the conduct alleged here falls within those definitions.[19] Under that Act too, a child can commit an offence, and for that case section 34 says the child must be dealt with under the juvenile justice law. This shows that even for sexual offences the legislature sees child offenders as a matter for the juvenile system.[20] So the penal provisions that apply in Panchkula are those of the BNS. The alleged neglect of the school falls under the JJ Act.4.2 Age and Criminal Responsibility.

4.2 Age and Criminal Responsibility

The second correction concerns age. Sections 82 and 83 of the Indian Penal Code, 1860 declared that nothing is an offence done by a child under seven years of age, and that nothing is an offence done by a child between seven and twelve who has not attained sufficient maturity of understanding to judge the nature and consequences of his conduct.[21] The BNS retains the same two-tier structure in sections 20 and 21.[22] So a child below seven is held incapable of crime, and this presumption cannot be rebutted. A child between seven and

[18]Supra note 5; supra note 1; "Haryana school assault: Girl out of danger, probe ordered; FIR against school", *The Daily Pioneer* (Nov. 1, 2026), available at https://dailypioneer.com/india/haryana-school-assault-girl-out-of-danger-probe-ordered-fir-against-school (last visited Nov. 5, 2026); supra note 11; "Juvenile Justice Board orders removal of assault videos of 6-year-old from social media, grants bail to 8-year-old boy", *The Tribune* (Nov. 2026), available at https://www.tribuneindia.com/news/haryana/juvenile-justice-board-orders-removal-of-assault-videos-of-6-year-old-from-social-media-grants-bail-to-8-year-old-boy/ (last visited Nov. 5, 2026).

[19]Supra note 4, ss. 3 to 15.

[20] Id.

[21]The Indian Penal Code, 1860 (Act 45 of 1860) (repealed), ss. 82, 83.

[22]Supra note 5, ss. 20, 21.

twelve stands in a different place. The law does not presume him guilty and it does not presume him innocent. The real question is whether he understood what he was doing and what would come of it. This means section 21 is not an immunity that depends on age alone. It is an inquiry into maturity, and the answer depends on the facts of each case. That is also why the police asked for a mental assessment before deciding what to do next.[23] But the statute does not say who must conduct this assessment. It does not say which tools must be used either. This gap is left to local practice, and the consequences of it can be very serious.[24]

Table 2. Age, provision and legal consequence under Indian law

Age of child	Provision	Legal consequence
Below 7	BNS s. 20	No offence in law; welfare response only where the child needs care.
7 to below 12	BNS s. 21; JJ Act ss. 2(13), 18	No offence if the child lacks maturity of understanding; otherwise the Board inquires and may pass reformative orders.
12 to below 16	JJ Act ss. 2(13), 18	Full Board process for petty, serious and heinous offences; no adult trial.
16 to below 18	JJ Act ss. 15, 18	Preliminary assessment in heinous offences; possible trial by the Children's Court.

Source: author's synthesis of the statutory provisions.[25]

4.3 The Juvenile Justice Process

The JJ Act supplies the procedural frame. A child in conflict with law is a person below eighteen who is alleged to have committed an offence, and the relevant age is the age on the date of the offence.[26] The Supreme Court has repeatedly affirmed eighteen as the threshold and the reformative object of the Act.[27] The offences alleged against the boy are petty or serious and not heinous, since the maximum punishment for grievous hurt under section 117(2) of the BNS is seven years.[28] Because the boy is below sixteen, the preliminary assessment that section 15 reserves for children between sixteen and eighteen does not arise.[29] The Board may instead pass any of the orders in section 18, which range from advice or admonition, group counselling and community service to probation and, as a last resort, placement in a special home for up to three years.[30] Bail is the rule under section 12, subject to narrow exceptions, which explains the Board's decision of 4 November 2026 to release the

[23] Supra note 12.
[24] Supra note 5, s. 21.
[25] Supra note 5, ss. 20, 21; supra note 10, ss. 2(13), 15, 18.
[26] Supra note 10, ss. 2(12), 2(13); *Pratap Singh v. State of Jharkhand*, (2005) 3 SCC 551.
[27] *Salil Bali v. Union of India*, (2013) 7 SCC 705; *Subramanian Swamy v. Raju*, (2013) 10 SCC 465.
[28] Supra note 10, ss. 2(33), 2(45), 2(54); *Shilpa Mittal v. State (NCT of Delhi)*, (2020) 2 SCC 787.
[29] Supra note 10, s. 15.
[30] Id., s. 18.

boy.[31] The law therefore neither condones the act nor imposes punishment in the adult sense. It substitutes assessment, supervision and treatment for retribution.

4.4 A Comparative Perspective

Comparison shows that the Indian rule is neither unusually lenient nor unusually strict, but that it is thin on process. England and Wales fixes the minimum age of criminal responsibility at ten and abolished the presumption of *doli incapax* in 1998.[32] In the case arising from the killing of James Bulger by two ten-year-olds, the European Court of Human Rights held that attributing criminal responsibility at that age did not itself breach the Convention, although it found that the adult-style trial denied the boys a fair hearing.[33] Scotland has raised its age to twelve,[34] Germany fixes it at fourteen,[35] and the Committee on the Rights of the Child urges States to adopt a minimum age of not less than fourteen.[36] Figure 1 places India on this spectrum. Indian law sits at the lower end of the range, but it compensates through the maturity inquiry and the non-penal character of the JJ Act, and its real weakness lies in the undefined content of 'maturity of understanding'.

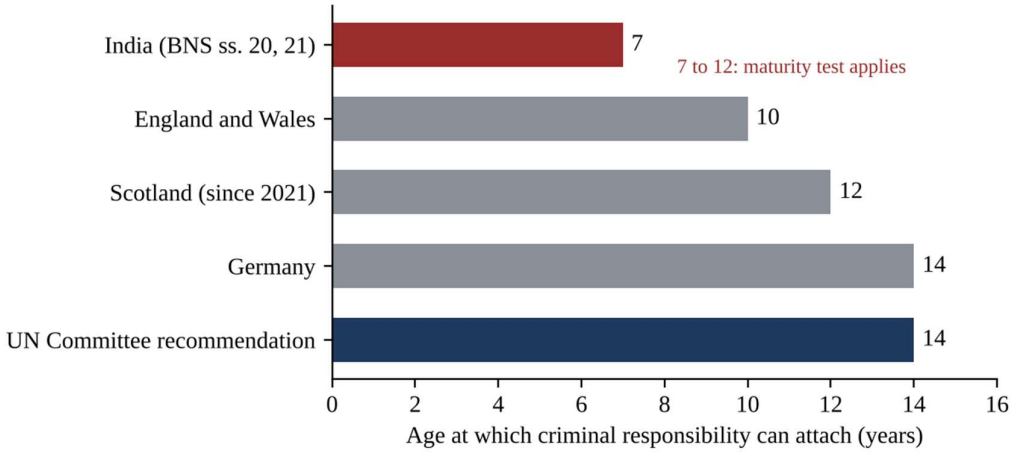


Figure 1. Minimum age at which criminal responsibility can attach, selected jurisdictions

Source: prepared by the author from the instruments cited in this section.[37]

[31] Supra note 10, s. 12; supra note 18.

[32] Children and Young Persons Act 1933, s. 50 (U.K.), as amended by the Children and Young Persons Act 1963, s. 16; Crime and Disorder Act 1998, s. 34 (U.K.).

[33] *T v. United Kingdom*, App. No. 24724/94, (2000) 30 E.H.R.R. 121 (Eur. Ct. H.R., Dec. 16, 1999).

[34] Age of Criminal Responsibility (Scotland) Act 2019, s. 1.

[35] Strafgesetzbuch [StGB] [Penal Code], § 19 (Ger.).

[36] Committee on the Rights of the Child, *General Comment No. 24 (2019) on Children's Rights in the Child Justice System*, U.N. Doc. CRC/C/GC/24 (Sept. 18, 2019), para. 22.

[37] Supra note 5, ss. 20, 21; supra note 32; supra note 34; supra note 35; supra note 36, para. 22.

5. What the Data Show: Children Below Twelve in Crime Statistics

Statistics help to place the Panchkula case in proportion. The NCRB recorded 31,591 cases against juveniles in 2018 and 34,878 in 2024, with a rise of about eleven per cent between 2023 and 2024 (Figure 2).[38] The increase is real but modest over the period, and it is concentrated in older children. In 2020, only 291 of the 35,352 juveniles apprehended, or 0.8 per cent, were below twelve, while 26,954, or 76.2 per cent, were between sixteen and eighteen.[39] Over 2017 to 2022 the cumulative share of those below twelve was about one per cent, or 1,751 of 194,774 apprehended (Figure 3).[40]

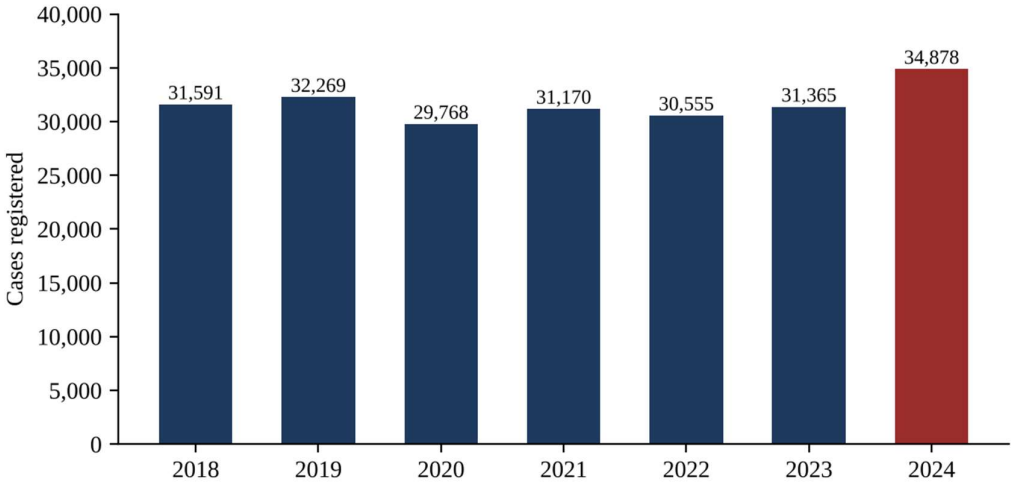


Figure 2. Cases registered against juveniles in India, 2018 to 2024

Source: NCRB figures as reported in the press and data-journalism sources cited above.[41]

[38]"More than 99% of the juveniles apprehended for crimes are boys", *Factly*, available at https://factly.in/more-than-99-of-the-juveniles-apprehended-for-crimes-are-boys (last visited Nov. 5, 2026); "NCRB data 2020: Over 51k cases of rioting, communal incidents up by 96% from 2019", *Bar & Bench*, available at https://www.barandbench.com/news/ncrb-data-2020-over-51k-cases-of-rioting-communal-incidents-up-by-96-from-2019 (last visited Nov. 5, 2026); "Juvenile crime in national capital a major cause of concern", *Citizen Matters*, available at https://citizenmatters.in/ncrb-juvenile-crime-records-delhi-policing-police-policy/ (last visited Nov. 5, 2026); "Nagaland witnesses dip in cases registered against juveniles", *Eastern Mirror*, available at https://www.easternmirrornagaland.com/nagaland-witnesses-dip-in-cases-registered-against-juveniles (last visited Nov. 5, 2026); "NCRB Reports Rise in Juvenile Crime Cases", *GKToday*, available at https://www.gktoday.in/ncrb-reports-rise-in-juvenile-crime-cases/ (last visited Nov. 5, 2026); "Crimes by juveniles up 11% in 2024 vs 2023, highest number of cases in Bihar, says NCRB report", *ThePrint*, available at https://theprint.in/india/crimes-by-juveniles-up-11-in-2024-vs-2023-highest-number-of-cases-in-bihar-says-ncrb-report/2924308/ (last visited Nov. 5, 2026).

[39]HAQ: Centre for Child Rights, *Children in Conflict with the Law: A Primer Based on NCRB's Crime in India Report, 2020* (2021), available at https://www.haqcrc.org/wp-content/uploads/2021/11/cii-2020-children-in-conflict-with-law.pdf (last visited Nov. 5, 2026).

[40]Supra note 8.

[41]Supra note 38.

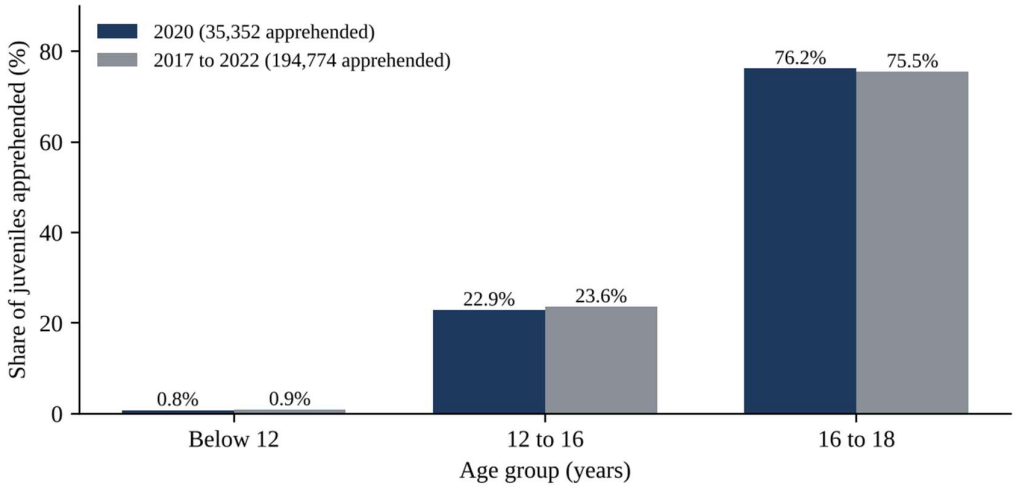


Figure 3. Age profile of juveniles apprehended in India

Source: author's computation from NCRB data as reported.[42]

Two readings follow from this. The first is that serious violence by an eight year old is a statistical outlier. That is part of why it shocks us, and it cannot be a reason to lower the age of responsibility. The real pressure point of the juvenile system lies between sixteen and eighteen years, the group that made up 77.7 per cent of those apprehended in 2024.[43] The second reading is that the NCRB data is a weak tool for this inquiry. It is put together from what the States submit, and the Bureau does not authenticate it. It records age groups for apprehended juveniles, but it does not record age against the nature of the offence.[44] So a child like the accused may never show up as a data point for his age and his offence together.

Victimisation data move in the opposite direction. Crimes against children rose from 162,449 in 2022 to 187,702 in 2024, an increase of about 15.5 per cent (Figure 4).[45] The girl in this case also belongs to a group at markedly higher risk, since a systematic review found that children with disabilities are almost four times as likely to experience violence as their peers.[46] Policy attention must therefore fall as much on protecting the vulnerable child as on managing the offending one.

[42]Supra note 39; supra note 8.

[43] Supra note 38.

[44] Supra note 8.

[45]Supra note 38.

[46]Lisa Jones et al., "Prevalence and Risk of Violence against Children with Disabilities: A Systematic Review and Meta-Analysis of Observational Studies", 380 *The Lancet* 899 (2012).

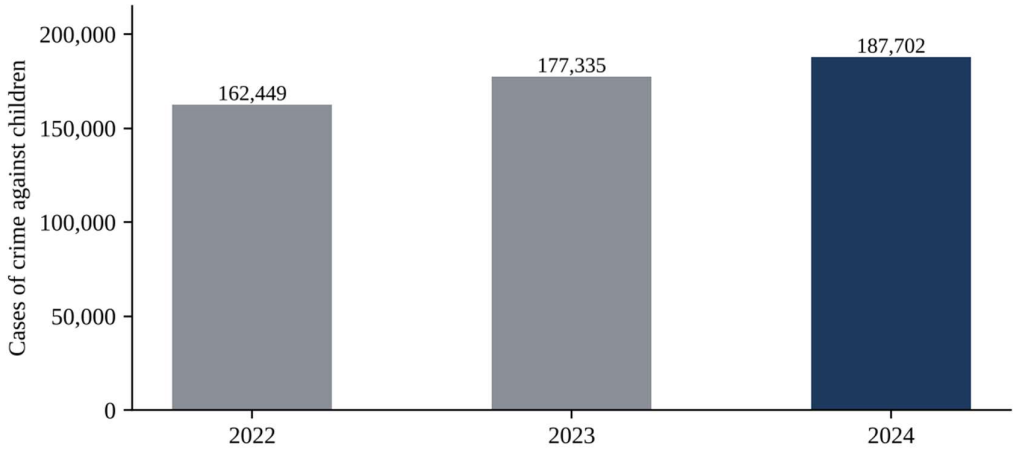


Figure 4. Cases of crime against children in India, 2022 to 2024

Source: NCRB figures as reported.[47]

6. The Psychology of Early Aggression

6.1 Aggression as a Developmental Starting Point

Developmental psychology gives us a starting point that feels opposite to common sense. Physical aggression is not something a child learns from scratch. It is the natural behaviour of infants, and most children learn to hold it back as they grow. Tremblay and colleagues followed children over many years, and their research shows that physical aggression is highest around the second and third years of life. For most children it then falls as language, self control and social understanding develop.[48] So the question in a case like Panchkula is not why a child learned to be violent. The question is why the usual process of holding back failed, and why it failed so badly. A boy of eight has normally gained the ability to deceive and to make simple plans. He also understands that a serious injury may not be undone.[49] But his ability to control strong anger and to think of consequences in the middle of provocation is still not fully formed.[50] This gap in development is the psychological side of the legal inquiry under section 21 of the BNS. It is also the reason the law treats children differently from adults.[51]

[47] Supra note 38.

[48] Richard E. Tremblay, "The Development of Aggressive Behaviour during Childhood: What Have We Learned in the Past Century?", 24 Int'l J. Behav. Dev. 129 (2000); Richard E. Tremblay et al., "Physical Aggression during Early Childhood: Trajectories and Predictors", 114 Pediatrics e43 (2004).

[49] Mark W. Speece & Sandor B. Brent, "Children's Understanding of Death: A Review of Three Components of a Death Concept", 55 Child Dev. 1671 (1984).

[50] Nancy Eisenberg, Tracy L. Spinrad & Natalie D. Eggum, "Emotion-Related Self-Regulation and Its Relation to Children's Maladjustment", 6 Ann. Rev. Clinical Psychol. 495 (2010).

[51] Laurence Steinberg & Elizabeth S. Scott, "Less Guilty by Reason of Adolescence: Developmental Immaturity, Diminished Responsibility, and the Juvenile Death Penalty", 58 Am. Psychologist 1009 (2003).

6.2 Cognitive and Emotional Mechanisms

The social information processing model explains how a provoked child reads a social cue and then answers it. A child is more likely to turn violent if he sees hostile intent in an unclear provocation, if he can think of very few non aggressive responses and if he expects that aggression will work.[52] Aggression is also divided into two kinds. Reactive aggression is an angry response to a threat the child feels. Proactive aggression is a planned act used to get something the child wants.[53] The reported facts show signs of both. The alleged insult fits a reactive trigger. The alleged lure to another room, if it is proved, points to some planning.[54] Why the boy carried on after the girl fell is a different matter. It may be uncontrolled rage, it may be weak empathy or it may be fear. A recording cannot tell us which, and the sealed assessment is the only proper source on this.[55] Callous unemotional traits mean low empathy, shallow feeling and no concern about harm. They are the best studied sign of a separate and more lasting group of children. But they can be found only through a structured clinical evaluation and not from viral footage.[56]

6.3 Learning, Family and School Environment

Bandura's classic experiments demonstrated that young children reproduce aggression they observe, including the specific forms of the model's violence.[57] Patterson's coercion model adds that aggression is reinforced in families where a child's escalating behaviour ends parental demands,[58] and Dodge and colleagues found that early physical harm by caregivers predicts later hostile attribution and aggression.[59] Widom's prospective study found that abused or neglected children faced a greater risk of later arrest for violent crime,[60] and the Adverse Childhood Experiences study found graded associations between childhood adversity and later harm.[61] There is no reason to assume that India is exempt. A national study found that a majority of children reported physical abuse and that school-going children

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[52] Nicki R. Crick & Kenneth A. Dodge, "A Review and Reformulation of Social Information-Processing Mechanisms in Children's Social Adjustment", 115 Psychol. Bull. 74 (1994).

[53] Kenneth A. Dodge & John D. Coie, "Social-Information-Processing Factors in Reactive and Proactive Aggression in Children's Peer Groups", 53 J. Personality & Soc. Psychol. 1146 (1987).

[54] Supra note 6.

[55] Supra note 13; supra note 1.

[56] Paul J. Frick & Stuart F. White, "Research Review: The Importance of Callous-Unemotional Traits for Developmental Models of Aggressive and Antisocial Behavior", 49 J. Child Psychol. & Psychiatry 359 (2008).

[57] Albert Bandura, Dorothea Ross & Sheila A. Ross, "Transmission of Aggression through Imitation of Aggressive Models", 63 *J. Abnormal & Soc. Psychol.* 575 (1961).

[58] Gerald R. Patterson, John B. Reid & Thomas J. Dishion, *Antisocial Boys* (Castalia Publishing, Eugene, 1992).

[59] Kenneth A. Dodge, John E. Bates & Gregory S. Pettit, "Mechanisms in the Cycle of Violence", 250 *Science* 1678 (1990).

[60] Cathy Spatz Widom, "The Cycle of Violence", 244 *Science* 160 (1989).

[61] Vincent J. Felitti et al., "Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults", 14 *Am. J. Preventive Med.* 245 (1998).

reported corporal punishment at high rates,[62] and the World Health Organization estimates that one billion children experience violence each year.[63]

School peers matter as well. UNESCO reports that nearly one in three students worldwide has been bullied by peers within a month,[64] and an Indian school-based study found that bullying is common and carries short-term costs for those who suffer it.[65] The reported taunt, and the reported decision to seat two classes together, show how thin the line is between routine peer friction and serious harm in an under-supervised setting.[66]

6.4 The Allegation about Violent Games

The girl's uncle has alleged that the boy played aggressive online games such as PUBG, and that the boy's father confirmed this.[67] The allegation should be treated as a hypothesis and not a finding. Meta-analyses by Anderson and colleagues report small but reliable associations between violent video game exposure and aggressive cognition and behaviour,[68] and longitudinal work links childhood exposure to media violence with later aggression.[69] Ferguson's meta-analysis, however, found that effects are small or negligible once publication bias and other confounders are considered,[70] and the American Psychological Association has cautioned that attributing violence to gaming is not scientifically sound and that no single factor explains violent behaviour.[71] The safe inference is that violent media may be one risk factor among many. It works through the child's temperament and social surroundings, and a game should not be treated as the cause. One thing is worth noticing here. In 2020, PUBG Mobile was blocked along with 118 other applications, but the reason

[62]Ministry of Women and Child Development, Government of India, *Study on Child Abuse: India 2007* (2007).

[63]Susan Hillis et al., "Global Prevalence of Past-Year Violence Against Children: A Systematic Review and Minimum Estimates", 137 *Pediatrics* e20154079 (2016); World Health Organization, *Global Status Report on Preventing Violence Against Children 2020* (2020).

[64]UNESCO, *Behind the Numbers: Ending School Violence and Bullying* (2019).

[65]Vijaya Y. Kshirsagar, Rajiv Agarwal & Sandeep B. Bavdekar, "Bullying in Schools: Prevalence and Short-Term Impact", 44 *Indian Pediatrics* 25 (2007).

[66]Supra note 13.

[67]Supra note 1.

[68]Craig A. Anderson & Brad J. Bushman, "Effects of Violent Video Games on Aggressive Behavior, Aggressive Cognition, Aggressive Affect, Physiological Arousal, and Prosocial Behavior: A Meta-Analytic Review of the Scientific Literature", 12 *Psychol. Sci.* 353 (2001); Craig A. Anderson et al., "Violent Video Game Effects on Aggression, Empathy, and Prosocial Behavior in Eastern and Western Countries: A Meta-Analytic Review", 136 *Psychol. Bull.* 151 (2010).

[69]L. Rowell Huesmann et al., "Longitudinal Relations between Children's Exposure to TV Violence and Their Later Aggressive and Violent Behavior in Young Adulthood: 1977-1992", 39 *Developmental Psychol.* 201 (2003).

[70]Christopher J. Ferguson, "Do Angry Birds Make for Angry Children? A Meta-Analysis of Video Game Influences on Children's and Adolescents' Aggression, Mental Health, Prosocial Behavior, and Academic Performance", 10 *Persp. Psychol. Sci.* 646 (2015).

[71]American Psychological Association, *APA Resolution on Violent Video Games* (2020).

given was sovereignty and security and not the protection of children.[72] This shows that rules on content for the sake of children's mental health are still weak and underdeveloped.

Table 3. Risk domains and their status on the public record in the Panchkula case

Risk domain	Mechanism in the literature	Status on the public record
Provocation and hostile attribution	Ambiguous slights read as hostile; reactive aggression	Alleged taunt reported; untested
Emotion regulation and empathy	Immature self-control; callous-unemotional traits in a subgroup	Unknown; awaits sealed assessment
Family adversity and discipline	Modelling, coercion, maltreatment	Nothing reported
Media and gaming exposure	Small and contested association	Alleged by the victim's uncle; not established
Peer and school setting	Bullying, weak supervision, mixed seating	Supervision lapses reported

Source: prepared by the author from the literature and press reports cited in this section.[73]

6.5 Will He Do It Again? What the Evidence Permits

Prediction in an individual case is unreliable, and an honest answer must be probabilistic. Childhood-onset aggression is an important risk marker. Moffitt's taxonomy distinguishes a small group of life-course-persistent antisocial individuals whose problems begin in childhood from a larger group whose antisocial behaviour is confined to adolescence,[74] and the research on child delinquents finds an elevated risk of serious and chronic offending among those who offend before twelve.[75] The same research makes one thing clear. Risk goes up because of many hardships piling up and not because of one single act. Most aggressive children learn to hold back their aggression as they grow older,[76] and there are treatments that work, parent management training being the best known.[77] So the honest answer to the public worry is this. There is a chance that it happens again. The chance is higher if the causes behind it are left untreated. It is much lower if the child gets a clinical assessment, help for the family and schooling under supervision. Keeping a young child in an institution for long can do the opposite, because he may mix with other children who show

[72] Press Information Bureau, Ministry of Electronics and Information Technology, Government Blocks 118 Mobile Apps Which Are Prejudicial to Sovereignty and Integrity of India, Defence of India, Security of State and Public Order (Sept. 2, 2020).

[73] Supra note 52; supra note 56; supra note 58; supra note 70; supra note 65; supra note 1.

[74] Terrie E. Moffitt, "Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy", 100 *Psychol. Rev.* 674 (1993).

[75] Supra note 7.

[76] Supra note 48.

[77] Alan E. Kazdin, Parent Management Training: Treatment for Oppositional, Aggressive, and Antisocial Behavior in Children and Adolescents (Oxford University Press, New York, 2005).

deviant behaviour and his risk may then grow.[78] This is the reason behind the principle in the JJ Act that institutionalisation should be the last resort.[79]

7. Institutional Failure and the Rights of the Victim

A purely child-centred analysis would be incomplete. The reported delay in finding the girl and the failure of surveillance point to institutional failure, and the law has begun to respond. The first information report against school functionaries is reported to invoke section 75 of the JJ Act, which penalises assault, abuse or wilful neglect of a child by a person who has charge or control of the child, together with section 125(b) of the BNS.[80]

The constitutional frame is the right to a safe school. In *Avinash Mehrotra*, the Supreme Court recognised that the guarantee of education includes safe schooling and directed compliance with safety norms.[81] The 2021 guidelines of the Ministry of Education on school safety and security place responsibility on school authorities for safe premises and for response to incidents.[82] The Right of Children to Free and Compulsory Education Act, 2009 prohibits physical punishment and mental harassment of children in school,[83] and the Rights of Persons with Disabilities Act, 2016 obliges the State and educational institutions to protect children with disabilities from abuse and to provide inclusive education with the support it requires.[84]

The interests of the victim require equal attention. The girl is entitled to compensation under the victim compensation scheme framed under section 396 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly section 357A of the Code of Criminal Procedure, 1973), and to sustained psychological care.[85] The video also spread widely online, and this brings in section 74 of the JJ Act. That section does not allow anyone to disclose details that can identify a child in conflict with law or a child victim. The Board ordered that the videos be removed, and this order accepts that publicity can hurt a child a second time, and that both children suffer from it.[86]

[78] Thomas J. Dishion, Joan McCord & François Poulin, "When Interventions Harm: Peer Groups and Problem Behavior", 54 Am. Psychologist 755 (1999).
[79] Supra note 10, s. 3.
[80] Supra note 11; supra note 10, s. 75; supra note 18.
[81] *Avinash Mehrotra v. Union of India*, (2009) 6 SCC 398.
[82] Ministry of Education, Government of India, *Guidelines on School Safety and Security* (2021).
[83] The Right of Children to Free and Compulsory Education Act, 2009 (Act 35 of 2009), s. 17.
[84] The Rights of Persons with Disabilities Act, 2016 (Act 49 of 2016), ss. 7, 16.
[85] The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), s. 396.
[86] Supra note 10, s. 74; supra note 18.

8. Towards a Child-Centred Response

First, Parliament or the Central Government should lay down a protocol for assessing maturity of understanding under section 21 of the BNS. It should require a team of a child psychiatrist, a clinical psychologist and a social worker. It should fix the instruments to be used and a time limit. The Supreme Court has said again and again that the juvenile justice system works only when its institutions are properly equipped.[87]

Second, the Board should use its powers of group counselling and supervised release. It should order family based interventions through these powers. The evidence favours parent management training over confinement.[88]

Third, schools should follow supervision standards that can be enforced, especially for the youngest children and for children with disabilities. These should include incident protocols, trained counsellors and live monitoring of cameras. The State wide audit ordered in Haryana should also be made public.[89]

Fourth, the rules on content and the education of parents on age appropriate use of digital media should be taken up as a matter of public health. They should not be a reaction to one case.[90]

Fifth, the NCRB should publish data on offence and age for children below twelve. Then policy can rest on evidence and not on outrage.[91]

Sixth, the media should respect the legal bar on identifying the children. The State should also make sure that the victim gets compensation and rehabilitation.[92]

9. Conclusion

The Panchkula assault has mostly been discussed as a question of immunity. But the law does not leave a child of eight untouched. It looks into his maturity and places him in a protective process. It also allows treatment, and it holds the adults and institutions responsible for his care to account. The psychological research supports this approach. Early aggression is a signal of developmental and environmental risk. Most children who show it do not grow into persistent offenders. The surest way to raise the risk of it happening again is to ignore its causes. The task that remains is to give the law the tools it lacks today. These are a defined standard of maturity, a therapeutic path for young children, school safety that can be enforced and a remedy that puts the victim first. Justice in a case like this will be measured in three

[87] Sampurna Behrua v. Union of India, (2018) 4 SCC 433.
[88] Supra note 10, s. 18; supra note 77; supra note 78.
[89] Supra note 82; supra note 17.
[90] Supra note 71.
[91] Supra note 8.
[92] Supra note 10, s. 74; supra note 85, s. 396."

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ways. Does the injured child recover? Is the accused child helped? And is the school that failed both of them made to change?