



A STUDY TO DISCUSS CRIME AGAINST WOMEN

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ABSTRACT

Violence against women is a major source of ridicule in India. It has a significant impact on women's rights and restricts their ability to participate fully in a friendly course of events. Despite the fact that the Indian Constitution has provided sex justice from a broad viewpoint, there are still many risks of cruelty to the existence of women. Criminal behavior is a perplexing facet of human society. There can be no society without the problem of crime. The way it is presented isn't novel. Indeed, criminal activity has often tracked alongside societal development. The problem of crime, however, has become increasingly pronounced in modern life. Historically and now, the condition of women in India is one of respect and devotion. Crimes involving women's property include deceptive misappropriation, criminal breach of trust, blackmail, burglary, and murder. Crimes similar to sex include insulting the methods of women, utilizing criminal power attack, kidnapping, and so on. Women are compelled, under pressure, to sell themselves and their bodies for commercial use, while certain dishonest activities that affect the public are forgotten.

Keywords: - Crime, Women, Criminal, Public, Dowry.

I. INTRODUCTION

Violence against women is a major source of ridicule in India. It has a significant impact on women's rights and restricts their ability to participate fully in a friendly course of events. Despite the fact that the Indian Constitution has provided sex justice from a broad viewpoint, there are still many risks of cruelty to the existence of women. The Crime Committed against Lady occurs when she is still developing in her mother's womb. As a result, it becomes a problem when she tries to pursue her own interests throughout her sincere teenage years and a source of domestic aggression after she is married. As a victim of attack, she may be in danger, and it is especially terrible when she commits herself or kills someone else. Sexually motivated violence is seldom inferred due to its evident immateriality. It's becoming a global phenomenon that's putting women in all kinds of terrible situations. Their lack of awareness, dependence on others, adherence to outdated customs and abusive treatment have set them behind economically, socially, culturally, and politically.



Crime against women persists in India's political and administrative mind-set, despite the country's clearance of sensible measures to combating the issue. As a result, the Indian Penal Code (IPC) from 1862 has been revised many times to meet the needs of the country's penal system. Assault, abduction, and snatching, as well as murder for dowry, now carry harsher punishments. Some new criminal categories have been included, such as homicide or attempted murder as a result of dowry, molestation, sexual harassment, physical or mental abuse, and trafficking in young women. In addition to offences listed in the Indian Penal Code (IPC), Special Local Laws (SLL) pertaining to women are often considered based on the need of the moment. Since then, several updates have been made to the Special Local Laws, such as the Dowry Prohibition Act 1961, the Corrupt Trafficking Counteraction Act, the Revolting Portrayal of Women Act, and so on. For women's safety and basic rights, the Indian government has also introduced many new Acts, such as the Abusive Behaviour in the Home Act of 2005 and the Sexual Harassment Act of 2013.

The National Crime Records Bureau (NCRB) report, which details each and every crime committed in India each day, is similarly shocking to the general population. Based on data from 2001, the rate of crime against women in India increased from 2017 and 2016 (57.9 and 55.2, respectively) to 2018 (58.8 per lakh women population). However, astonishingly, the 2019 Report reveals a significant increase when compared to the previous years it recorded the crime rate of 62.4 in 2019. Crimes committed against women have been on the rise recently, and this is a major cause for concern.

II. CRIME

Criminal behaviour is a perplexing facet of human society. There can be no society without the problem of crime. The way it is presented isn't novel. Indeed, criminal activity has often tracked alongside societal development. The problem of crime, however, has become increasingly pronounced in modern life. As a result, there's been a rise in focus on police work. The study of society, which includes both its admirable and its lamentable aspects, is what sociologists focus on. In a constructive light, we investigate the societal need for meaning. On the flip side, we examine the causes of social dysfunction in the "negative face." There will always be those in every population who refuse to conform to societal norms. As a result, the dark side of humanity also serves as a source of motivation for sociological research. That is to say, we refer to bad actions that violate social norms as unfriendly to social activity. A man may engage in two types of antisocial behaviour: committing an offense against an individual or committing an offense against the state. A common offense is a crime committed against a single person. Again, the term "crime" is reserved for acts committed against the government.



The definition of crime has always depended on the opinions of the general public. Since law is a reflection of society at large, understanding the nature and substance of crime requires first and foremost familiarity with the nature and substance of law. The two questions are so inextricably linked that it is nearly impossible to understand one without the other. The sum of all regulations established by a politically dominant (or sovereign) individual for the benefit of his political subjects is known as law. A law is a socially sanctioned set of rules that all members of a community are expected to follow. It might be the command of a sovereign, the command of the political superiors over the political inferiors, the command of a legally constituted and enacted law making body, or the command of a legitimately created law making body.

As a result, the law suggests that people in society generally observe certain levels of directness. The general populace approves of these norms. Any attempt to act in a way that goes against the norms established by society is met with resistance. Accordingly, any reporting that deviates from the approved norm is sometimes referred to be criminal. In this sense, disobedience to the law might be considered a criminal offense. Crimes, in the eyes of the general public, are actions that people "consider deserving of genuine judgment." An offense against the law and the morals of society is defined as a crime. People in civilized societies often condemn criminal behaviours including homicide, robbery, theft, assault, and dishonesty. For an action to be considered criminal, it must go against both the letter of the law and the implicit norms of society. But as we all know, ethics is a different idea, since it keeps shifting with the adaptation to the requirements of the society of the situations. Moral standards vary from one country to another, and even from one region to another within the same nation. This is evident from the fact that identical behaviour is not universally considered illegal. Such as adultery, polygamy, and so on. Contrary to the laws of certain countries on the mainland, adultery is a punishable offense under India's Reformatory Code. The Hindu Marriage Act of 1955 prohibits polygamy within the Hindu faith but neither the Christian nor the Muslim faiths have a similar statute. Their own legal codes serve as a symbol of them.

III. CRIME AGAINST WOMEN

Verifiably and socially, women have been treated with respect and devotion in India. The Indian Constitution grants equality to women while also allowing the State to obtain sections of positive segregation for women in order to eliminate the whole range of political, educational, and economic hardships experienced by them. Article 15 prohibits discrimination based on position, religion, sex, colour, and place of birth, while Article 16 ensures equal commercial opportunities. Crimes against women can take many different forms, such as crimes involving sex for financial gain, such as prostitution, maintaining massage parlour charm, unjust imprisonment, trafficking, dowry coercion murder, crimes involving women's property, such as deceptive misappropriation, criminal breach of trust, blackmail, burglary, and murder, and crimes similar to sex, such as



insulting women's methods and using criminal power, Attacks, abduction, snatching, unlawful restraint, assaults, trafficking, adultery, murder, and other heinous crimes against women and the public. Women are forced to give themselves and their bodies for commercial purposes when they are impulsive, despite the fact that certain corrupt activities that are damaging to the public have not been recalled for the crimes. No matter what term is given to this way of living, it is damaging and unsuitable for the general population as a whole. In a criminal case, there are three parties involved: the offender, the police, and the criminal courts. Numerous ideas dealing with the impending crimes against women have been made.

On a semantic or psychological level, the word refers to any harm sustained directly or impliedly punishing women physically or psychologically. "Crime against Women" refers to crimes that are specifically planned against women and in which only women suffer harm. Explaining the concept of "Violence against women" is also crucial. Any kind of physical hostility or misbehavior is referred to as violence or mishandle. When domestic violence is accepted, it transforms into abusive conduct and involves family members including children, partners, guardians, or employees. The use of force at home may take several forms, such as striking, kicking, biting, pushing, restraint, and hurling things. Even though women may have been victims of general crimes like murder, robbery, infidelity, and so on, only crimes that are specifically directed at women are referred to as "Crimes against Women." The immediate or indirect bodily or emotional remorselessness against women is the semantic meaning of "crime against women." "Crime against women" refers to crimes that are "coordinated explicitly against women" and in which "only women are casualties."

IV. CLASSIFICATION OF CRIME AGAINST WOMEN

1. Sexual crimes

The opposite gender attracts every species on the planet; it's not only limited to human beings. But the idea of marriage was created in response to the legality that society granted human sex. The purpose of marriage is to legalize sex between people of different genders who share solid bodies. Other types of illegal sexual relations exist in India, including assault, acts against the environment, illicit relations, adultery, etc. Now I'll discuss all of the unlawful sexual interactions that constitute crimes against women in India.

2. Matrimonial Offences

Sections 493 to 498 of the IPC include the provisions for the marriage-related offense, which may be interpreted as follows.

✓ Mock marriage



Any guy who, via deception, leads a woman who isn't legally his wife to believe she is and to live with him or engage in sexual activity nearby is guilty of the crime of forging a marriage certificate. It is guilty and subject to a fine and a 10-year prison sentence.

✓ **Bigamy**

Anyone who marries while their spouse is still alive, even though the marriage is null since it took place while the woman was still alive, will be punished with up to seven years in prison and a fine.

✓ **Dishonest or fraudulent marriage**

Anyone who attempts to be married dishonestly or under false pretences and discovers they aren't legally wed may be punished with up to seven years in prison and a fine.

✓ **Adultery**

Adultery is defined as routine sexual activity with the spouse of another man without the husband's consent or coercion, which does not amount to rape. It is punishable by up to five years in prison, a fine, or both.

✓ **Hiding of HIV+ve**

position at the moment of marriage by either side This crime does not stem from a marital offense; rather, it falls under the category of crimes that endanger public health, where any carelessness or malicious conduct that increases the risk of the transmission of a disease that endangers human life is punished.

3. Offences Relating To Dowry

✓ **Dowry**

In India, dowry continues to be a major rationale for gender inequality and humiliation against women. When dowry expectations are not satisfied, it quickly escalates into real ramifications for the young woman of the hour. The Dowry Prohibition Act of 1961 is the Government of India's main effort to recognize dowry as a societal ill and to stop its practice. The statute was modified by the 1984 Dowry Prohibition Alteration statute, which was then updated by the 1986 Dowry Prohibition Bill. Women's organizations have acquired a significant role in this interplay of advancement. The 1961 Act defines dowry and criminalizes the practice of dowry-compromising. In any event, it is absurd to see that even in highly educated communities, the dowry items are willingly shown at the marriage as a flimsy topic of interest. In India, the abuse of dowries is growing.



4. Offences Relating To Miscarriage

The clinical end of pregnancy act of 1971 and the pre-conception and pre-natal indicative methods act of 1994 are two examples of uncommon laws that have provisions for crimes in this class. The joint investigation of the many provisions identifying with the offense of premature delivery is as follows:

✓ **Voluntarily causing miscarriage**

In addition to such failed labor having been performed in accordance with common decency to preserve the existence of the women, anybody who knowingly causes a pregnant woman to lose or a woman who causes herself to lose shall be punished with up to three years in prison, a fine, or both.

✓ **Causing miscarriage without women consent**

Without the consent of the woman, anybody who submits an illegal work without her permission will be punished with detention for life or ten years in prison and a fine.

✓ **Death caused by act done with intent to cause miscarriage**

Whoever does any actions that result in the death of pregnant women with the intent to make their labor fail may be punished with up to 10 years in prison and a fine.

5. Offences Relating to Trafficking

The UN defines trafficking as "the illicit and clandestine movements of persons across national borders, mainly from developing countries and some countries with an economy in transition, with the ultimate goal of forcing women and girl children into sexually or economically oppressive and exploited situations for the profit of recruiters, traffickers and crime syndicates, as well as other legal activity related to trafficking such as forced domestic labor, false marriage, clandestine employment, and other forms of trafficking that are not directly illegal but nevertheless contribute to the exploitation

✓ **Kidnapping from lawful guardianship**

Anyone who removes a minor under the age of 16 (if a male) or under the age of 18 (if a female) from the legitimate gatekeeper of a minor under the age of weak psyche without the watchman's consent is said to have taken the minor or individual from legal guardianship.



✓ **Kidnapping, abduction or inducing women to compel her to marry**

Whoever kidnaps or abducts any women with the intent to force her into an unconscionable marriage, or with the knowledge that it is likely that she will be lured or forced into illicit sexual activity, or with the knowledge that it is generally likely that she will be tempted or forced into illicit sexual activity.

✓ **Procuration of minor girl**

Initiating a minor girl under the age of 18 to leave a location or to perform any act with the intent that she might be forced to have illicit sexual relations with another person or knowing that, in all likelihood, she will be, is punishable by up to 10 years in prison and a fine

V. CONCLUSION

Women have suffered from socioeconomic and cultural injustices for so long that there is a broad ignorance about and indifference to crime against them. Even while crimes against women are usually accepted as crimes, such as murder, dacoity, and robbery, they are often justified and even encouraged by women.

Women grow up in environments that gradually but persistently help them develop an inferiority complex; they get used to institutional justification of their low status and excuse some of the atrocities committed against them. Gender crimes are, in essence, the outcome of an individual's general attitude, which can be attributed to three things: a lack of awareness of the severity of the issue, a general acceptance of men's superiority over women, and women's denial of violence as a result of cultural conditioning and social attitudes. For example, a person's hypersexuality by itself may not lead to crime unless there is something more, like the presence of a submissive and lonely lady who appears to be seducing him; at that point, it's like a match applied to gun power. A combination of factors work in the causation of these crimes, mutually stimulating and supplementing each other. In a similar way, an unfavorable environment wouldn't be directly responsible for the cause of crime, but it may result from a mental disorder or a lack of organization in personality features that make a person sensitive to it. There are many interrelated social, economic, cultural, biological, and legal factors that contribute to the growth in crime against women.

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