
AN OVERVIEW OF CRIME AGAINST WOMEN IN INDIA

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ABSTRACT

Crime against women is a burning issue that affects not only the victim or their families but the society as a whole. Despite the various positive action taken by the court, the government or the authority the crime against women continue to exist and continue to create higher risk and become a great challenge for all. It is believed that crime against women is not a new phenomenon but it has existed for a long time back since the ancient period. It is an eminent fact that over the years India has witnessed a decrease in various crimes but the crime against women is growing at a rising rate. Hence it becomes essential to analyse the nature, roots, reasons and different forms of crime against women for the purpose of discovering solutions to the problem.

The study focus on analysing the different types of crime against women in India and the various reasons which led to its commission. The study also laid down different provisions which were specifically enacted to control and prevent various crimes against them.

Keywords: Crime, women, Law, India.

INTRODUCTION

Women is said to be the vulnerable sections of the society which is often define on the basis of their gender. The society has form a stereotype since time immemorial whereby men are stronger than women and that women must rely on the protection of men for their security and survival. This type of stereotype has portrayed the image of a women being weak and vulnerable in many ways. The status of women in society changes with time but however one fact which continue to exist i.e. from ancient period till this modern day was that women continue to be the victim of many crimes solely because of their vulnerability. There are different forms of crimes against women include; rape, acid attack, murder, kidnapping, cruelty, domestic violence, dowry death, sexual harassment or offences etc. These types of crimes poses a greater threat and have a strong negative impact on the physical, mental, sociological and economical state of a women.

Despite the various positive action taken by government crime against women continue to exist and create higher risk and danger to the society as a whole. According to NCRB report a total of 3,71,503 cases of crime against women were registered in 2020. However in 2019 the total was 4,05,326 cases was registered. It shows a decline of 8.3% in 2020 comparing to 2019. The majority of cases registered regarding crime against women under IPC was crime relating to ‘cruelty by husband or his relatives’ with 30.0%, followed by ‘Assault on women with intent to outrage her modesty’ with 23.0%, ‘Kidnapping & Abduction of Women’ with 16.8% and ‘Rape’ with 7.5%. The crime rate registered per lakh women population is 56.5 in 2020 in comparison with 62.3 in 2019.¹

STATUS OF WOMEN

The status of women in India society has witnessed a major changes over the years. Even though women enjoyed a higher position in today’s generations, however they are still much far from equality with men. Women continued to be the victim of exploitation and humiliation in modern Indian Society.² The status of women in India can be understood from various periods which are as follows:

¹ NCRB (2020) Crime in India: Statistics volume 1, National Crime Record Bureau, Ministry of Home Affairs, Government of India, New Delhi.

² SUJATA MAINWAL, CHANGING STATUS OF WOMEN IN MODERN INDIA: A SOCIOLOGICAL STUDY, 4, IJEMR. 288, 288 (2014)

1. Ancient Period: In ancient period the women holds an equal position with men and exercise an equal amount of freedom similar to their male counterparts. Women enjoy the liberty of participating in various spheres of life. They have an equal opportunity to be properly educated and to acquire efficient skills in art, music and even warfare. Women enjoy high status in vedic period. In Upnishad, the wife is considered to be a true companion of husband and they were treated as queens in their husband's house in Rigveda. They were free to choose the partner of their choice and the system of polygamy and dowry was only practice by the people belonging to the ruling class. In a nutshell women in the ancient period enjoyed a glorious position on account of freedom and equality.³

2. Medieval Period: The position which the women holds in the medieval period is more negative in character. Their status appear to be worse and degrading in nature whereby they were made to suffered various hardships and their freedom was restricted in many ways. Various evil practices started taking places which exist in the form of sati, child marriage, female infanticide etc. Women were deprived of participating in community affair as well as education. The Dowry system, Devdasi system and the system of polygamy were also practiced.⁴ All these evil social practices brought about various negative impact on the women life's restricting their freedom and equality and paving a way in building a male dominated society.

3. British Period: The British period let to the emergence of the concept of equality, liberty, secularism, however it was limited to the ruling class. There are two major movement which took place during the British period comprises of the Nationalist movement and the social reforms movement. The Nationalist movement has generated confidence among the women to raise their voice against the various evil social system. The social movement appear during the 19th century with the aim towards raising the question of equal status of women.⁵ The social movement was concern with reforming and abolishing the problem of evil social practices which includes sati, child mariiage, prohibition of remarriage, denial of education to women, devdasi system, pardah system etc.⁶

³ DR. S.C. TRIPATHI, WOMEN AND CRIMINAL LAW 1 (2d ed. 2014)

⁴ Supra note 3, at 2.

⁵ Ibid.

⁶ Supra note 2, at 288.

4. Modern Period: Revolutionary changes has taken place in the status of Indian women after Independence.⁷ The constitution framers were aware of the sociological problems faced by the women, they realised importance of equality for the purpose of development of the nation. Thus, protecting women from exploitation and social justice became one of the object of the state. All these ideals were enshrined in the preamble of the constitution. Indian women are beneficiaries of the rights mention in the constitution of India in the same manner as men.⁸ The various cultural and structural changes has reduce the exploitation of women to a great extent and provide equality of opportunities to women in various fields. Now, there is no arena which remained unconquered by Indian women. Female activist also united over issues as female infanticide, gender bias, women's health, women's safety and women's literacy.⁹ However, despite the progress, the war on inequality, discrimination, violence and un-empowerment continues. The road to achievement and satisfaction is long and women have to continue their fight.¹⁰

TYPES OF CRIME AGAINST WOMEN

1. Sexual Offences

Rape (Section 375): Rape is one of the most growing crime in India. According to NCRB report, every 60 minutes two women are raped in India. This is the pathetic situation in our country. Almost every day the news of rape being committed against women was reported in the news channel or social media. The definition of Rape under Section 375¹¹ was being amended by the Criminal Law (Amendment Act 2013). The main aim of this amendment is to reduce the growing rape cases by imposing more severe punishment.

There are different kinds of rape it includes; a) Custodial rape: which means rape committed by police officer within the limits of the police station to which he is appointed; or in the premises of any station house; or under his custody; or the custody of his subordinate. It also include rape by member of any management or staff of jail or remand homes, or other place of custody established by law.¹² b) Rape by husband: Sexual intercourse by husband to wife under 15 years of age will be consider as rape by husband if such sexual intercourse is

⁷ Ibid

⁸ Dr. MAMTA RAO, LAW RELATING TO WOMEN AND CHILDREN, 28 (2ed. 2018)

⁹ Supra note 2, at 288.

¹⁰ Supra note 8, at 30.

¹¹ The Indian Penal Code, 1860. §376. No. 21, Acts of Parliament, 1860 (India)

¹² *Id.*, s. 376

without her consent. c) Gang rape: It means rape by persons of a group against one women. d) Rape on a girl under 12 years of age: This kind of rape include the raping of a girl who is a minor i.e., below 12 years of age.. e) Rape under 16 years of age: It means rape on a minor belonging below 16 years of age. It is also another serious crime as any crime involving against minor is serious and more severe punishment comes along with it.

Outraging The Modesty Of Women (Section 354): Section 354¹³ of IPC provided for assault against woman with intention to outrage her modesty. This section was provided with the intention to protect the modesty of woman from any types of improper or obscene behaviour which may in one way or the other intended to assault or outrage the women's modesty. Thus, any such person who assault the women with the bad intention of outraging her modesty shall be liable under the court of law as per section 354 of IPC.¹⁴ Modesty under this section is related with the different acts to a female human beings owning to her sexuality. For example, disrobing a women, pulling a women, removing her saree, requesting sexual intercourse are some of the common examples of outraging the women's modesty.

Insulting The Modesty Of Women (Section 509): Section 509¹⁵ of IPC provides for sexual harassment against women which may not be in physical form but through the use of words, gestures or act which are intended to insult the modesty of a woman. This section intended to prevent any such kinds of acts which intend to outrage the modesty of the women through words, sounds or gestures or any such act which intrude the women's privacy. If a person with the intention of insulting the modesty of the woman exposes his body private part to the woman or uses indecent words or exposing indecent drawings commits the offence under this section.¹⁶

Women Trafficking (Section 370, 370A, 372 and 373): Trafficking impacted the victim socially, emotionally and economically. It greatly affects the health of the victim as there is a higher risk of being affected with HIV/AIDS which later affect their reproductive health in the long run. Section 370, 370A, 372 and 373 of IPC¹⁷ was provided for the purpose of penalising trafficking and prostitution. However the 2013 Amendment has make some changes with regard to section to Section 370 and new section 370A was being added. The

¹³ *Id.*, s. 354

¹⁴ PROF. S.N MISRA, INDIAN PENAL CODE, 692 (22nd ed. 2020)

¹⁵ *Id.*, s. 509

¹⁶ Supra note 14, at 959.

¹⁷ *Id.*, s. 370, 370A, 372 and 373.

new provisions stated that whoever recruits, transports, harbours or transfers a person for the purpose of sexual exploitation, prostitution, forced labour, organ removal by using threats, force, or by abduction, fraud, abuse of power or inducement including the giving or receiving of payments for benefits commits the offence of trafficking. The new provision also increases the punishment from 7 years to 10 years imprisonment.

2. Marriage Offences

Dowry Death (Section 304B): There are many cases of murder against women for the reason of non-payment of unlawful dowry. It is also known as dowry death. It was often caused by the husband or his family for not meeting to the unlawful demand of dowry against his wife. The term dowry death was provided in IPC under Section 304 B.¹⁸ According to the NCRB data it shows that the crime of dowry death has decrease over the years. In 2018, 2019 and 2020 the total dowry death case registered in India during these years was 7167, 7141 and 6966 respectively. Further the number of cases registered under the Dowry Prohibition Act, 1961 during these years are 12826, 13307 and 10366 respectively.

Cruelty By Husband Or His Relative (Section 498A): Women has always been a victim of torture either by husbands or his relatives and it affects her both physically and mentally. Section 498-A of IPC was introduced with the intention of ending torture against women which may be likely to cause danger to her life and affects her well-being. It also focus on protecting women who is being tortured by her husbands or relative of the husband. Relatives includes the family of the husband. The meaning of word relative would depend upon the nature of the statute. It principally includes a person related by blood, marriage or adoption.¹⁹

3. Emerging Offences

There are different types of new offences against women which have been inserted by the Criminal Law (Amendment) Act, 2013 because of the growth of the different forms of crime that threatens and endangers the life of a woman. Some of the new crimes against women are as follows:

Acid Attack (Section 326A): The crime of throwing acid attack against women is another form of serious crime which likely to cause permanent damage to the physical appearance of

¹⁸ *Id.*, s. 304B

¹⁹ Prateektakkar, *Crime against Women*, LEGAL SERVICE INDIA (May. 18, 2022, 6:50), <https://www.legalserviceindia.com/legal/article-3393-crimes-against-women.html>

a person. It is serious in nature as it not only leads to physical deformity but also it tends to have a long lasting impact in the life of the victim both physically as well as mentally. The reason is because the victim is left with the scar marks and it kept haunting her and reminding her of the incidence each and every minute of her life. The Criminal Law Amendment Act, 2013 incorporated Section 326A and Section 326B of the Indian Penal Code, 1860 for the purpose of preventing, protecting the victim from the crime of acid attack

Voyeurism (Section 354C): In this digitalized world new crimes like voyeurism started growing up whereby people can easily make use of the technology for capturing and spreading image of a woman engaging in private act. For this reason Section 354 C was inserted by the Criminal Law (Amendment) Act, 2013 which deals with the offence of voyeurism. Voyeurism means being happy or deriving pleasure simply by seeing a scene.²⁰ Section 354 C²¹ explain voyeurism into two parts (a) any man who watches or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being watch by the offender. (b) when the perpetrator disseminates or spread such image. The first conviction shall be punishable with imprisonment not less than one year which may extend to three years and with fine. On second subsequent conviction, with imprisonment not less than three years which may extent to seven tears and with fine.

Stalking (Section 354D): Section 354 D deals with the offence of stalking. The term stalking basically means the act of constantly following or attempting to contact in order to form personal interaction despite the disinterest of the woman, thereby causing threat or worry to the person being followed. The term stalking under section 354 D²² consist of two kinds of acts which is made punishable. Firstly, where a man follows a woman or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman. Secondly, where a man monitors the use by a woman of the internet, email or any other form of electronic communication.

Section 354D (2)²³ provides that whoever commits the offence of stalking shall be punished on first conviction with imprisonment for a term which may extend to three years and with fine. For second conviction, imprisonment may extend up to five years and with fine.

²⁰ Supra note 19, at 697.

²¹ *Id.*, s. 354 C.

²² *Id.*, s. 354 D.

²³ *Id.*, s. 354 D (2).

Sexual Harassment (Section 354): Section 354A was inserted in IPC by the Criminal Law (Amendment) Act, 2013 which deals with the offence and punishment of sexual harassment. Section 354A originated with the judgement of the Supreme court concerning the issue of sexual harassment of women at workplace. The Sexual Harassment of Woman at Workplace (Prevention , Prohibition and Redressal) Act was enacted in 2013 for the purpose of protecting woman against various sexual harassment at workplace. It also aim for preventing and providing redressal to complaint with regards to the matter of sexual harassment.

Disrobing A Women (Section 354B): Section 354B²⁴ of IPC penalises the offence of assaulting and using criminal force against woman with the intention of disrobing her. It further states that any person who assault or try to used criminal force or abet such acts against a women with the intention of disrobing or compelling her to be naked shall be liable to punishment with imprisonment which shall not be less than three years but which may extend to seven years and with fine.

4. Other Offences

Kidnapping And Abduction (Section 360): The term kidnapping means taking hostage of any person without their consent by transferring such concern person to different place for illegal intention. Such abduction must be illegal in nature for it to be punishable by law. Section 359²⁵ of IPC categorised kidnapping into two types i.e. Kidnapping from India and Kidnapping from lawful guardianship. The term ‘Lawful guardian’ means any persons who are lawfully entrusted to keep such minor under their care and custody. However there is an exception to this Law which means that it will not be consider as kidnapping by any person who acted in good faith or believes himself to be the Father, or believe himself to be entitled to the custody of such concern child unless such act is committed for an immoral or unlawful purpose.

Importation Of Girls (Section 366B): Section 366-B²⁶ states that importation of girl below 21 years from foreign country must be from places outside India including Jammu and Kashmir with the intent that they know or likely to know that they will be forced or seduced to illicit intercourse with another person. This section makes it punishable to import girls into

²⁴ *Id.*, s. 354 B

²⁵ *Id.*, s. 359.

²⁶ *Id.*, s. 366-B.

India from foreign country below the age of 21 years for the purpose of forcing or inducing them to illicit intercourse or prostitution. It aims at preventing and punishing such offence.

CONSTITUTIONAL AND LEGAL PROVISIONS FOR WOMEN

Constitutional provisions:

One of the main aimed of the constitution of India is to prevent various types of discrimination on the basis of gender. As a result various laws which have been implemented under the constitution of India, focuses on gender neutrality and overall development and protection of citizen without discrimination of any kind. The various constitutional privileges provided in favour of women are as follows:

- (i). (Article 14) equality before law for women
- (ii). (Article 15 (i)) prohibits the state from discriminating any citizen on grounds of religion, race, caste, sex, place of birth or any of them
- (iii). (Article 15 (3)) to make any special provision in favour of women and children
- (iv). (Article 16) equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State
- (v). (Article 19) freedom of speech and expression.
- (vi). (Article 39(a)) to direct state policy towards securing for men and women equally the right to an adequate means of livelihood and (Article 39(d)) equal pay for equal work for both men and women.
- (vii). (Article 39 A) Ensuring that opportunities for free legal aid and securing justice are not denied to any citizen by reason of economic or other disabilities
- (viii). (Article 42) securing just and humane conditions of work and for maternity relief.
- (ix). (Article 46) Promoting with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation.
- (x). (Article 47) Raising the level of nutrition and the standard of living of its people

(xi). (Article 51(A) (e)) Promoting harmony and spirit of common brotherhood amongst all the people of India and renouncing practices derogatory to the dignity of women.

(xii). (Article 243 D(3)) Reservation of not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat for women. And the same reservation for election in every Municipality (Article 243 T (3))

(xiii). (Article 243 D (4)) Reservation of not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level for women.

(xiv). (Article 243 T (4)) Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide

Legal provisions:

A. Crime against women under India Penal Code (IPC): The Indian penal Code provide provisions for different crime against women. It provide punishment against the perpetrator or offender of different crimes relating to women for the purpose of preventing and penalizing the offender of such crime. The following provisions which deals with crime against women under IPC are as follows:

1. Acid Attack (Sec 326A and 326B);
2. Rape and custodial rape (Sec. 375, 376, 376A, 376 AB, 376B, 376C, 376D, 376 DA, and 376E of IPC);
3. Attempt to commit Rape (Sec 376/511 IPC);
4. Kidnapping & Abduction of Women for different purposes (Section 363, 364, 364A, 365, 366 to 369 and 373 of IPC);
5. Murder for Dowry, Dowry Deaths or their attempts (Section 302, 304B and 307 of IPC);
6. Outraging the modesty of women (Sec. 354 IPC);
7. Sexual Harassment (Sec.354A IPC);
8. Assault on women with intent to disrobe a woman (Sec 354 B);

9. Voyeurism (Sec. 354D IPC);
10. Stalking (Sec 354D);
11. Importation of Girl from Foreign Country (Sec. 366 B IPC);
12. Cruelty by husband or his relatives (Sec. 498A IPC);
13. Insult to the Modesty of women (Sec. 509 IPC);
14. Women Trafficking (Sec 370, 370A, 372 and 373).

B. Crime against women under special and Local Laws: There are different special laws which are enacted for the purpose of preventing crime against women. It deals with certain specific crime against women. The special and local Laws aim to wiping out the wrongful acts and practices which exploits the women in India. The special provisions for protecting women and preventing specific crime against women are as follows:

- (i) Employees State Insurance Act, 1948
- (ii) Plantation Labour Act, 1951
- (iii) Family Courts Act, 1954
- (iv) Special Marriage Act, 1954
- (v) Hindu Marriage Act, 1955
- (vi) Hindu Succession Act, 1956 with amendment in 2005
- (vii) Immoral Traffic (Prevention) Act, 1956
- (viii) Maternity Benefit Act, 1961 (Amended in 1995)
- (ix) Dowry Prohibition Act, 1961
- (x) Medical Termination of Pregnancy Act, 1971
- (xi) Contract Labour (Regulation and Abolition) Act, 1976
- (xii) Equal Remuneration Act, 1976
- (xiii) Prohibition of Child Marriage Act, 2006

- (xiv) Criminal Law (Amendment) Act, 1983
- (xv) Factories (Amendment) Act, 1986
- (xvi) Indecent Representation of Women (Prohibition) Act, 1986
- (xvii) Commission of Sati (Prevention) Act, 1987
- (xviii) Protection of Women from Domestic Violence Act, 2005

CAUSES OF CRIME

Women suffered violence from womb to elderly stages of life in many form, they are even prevented from birth. Culturally, there is a norm which accepts fate to be born as a woman is the result of your bad deeds in the previous life. So, it is culturally accepted in the forms of a women's fate.²⁷ However there are many reasons which led to the growth of crime against women it can be discussed as follows:

1. Low mentality: One of the reasons for the increasing crime rate against women is the low mentality of the persons. The women's life were being control in such a way that she is judge for the way she dress, talk, walk , sit etc. Men think that the women should not dress in that way, or that they should not live in that way and that they should not study so much as it may hurt their future husband ego. All these low mentality play a very important role in one way or the other which leads to different crime against women. Most of the time when women is being rape she is blame for her dress or her way of life etc. when the real reason lies in the fact that it is because of the mentality of the rapist and not the victim dress or her way of life .

2. Patriarchal society: The Indian society is a patriarchal society, it gives power to the men to gain control over the household making him the head of the family whereby he is responsible for taking decisions in his family. It gives men the authority to dominate over his wife and family. Most of the time many women do not work and depends on their husband for their livelihood which indirectly gives an opportunity for men to dominate the women. Since in a patriarchal society the daughters has to go to their husband's home and submit herself under the care and protection of her husband's family. The wife are considered to be a burden because of the reason that she is to be protected, maintained and taken care of by her husband family. This is one of the reasons which encourage female feticide.

²⁷ KHATRI RB & PANDEY BK, CAUSES OF VIOLENCE AGAINST WOMEN: A QUALITATIVE STUDY AT BARDIYA DISTRICT, 12, JHPspect, 10, 11 (2013).

3. Low status of women: Another reason for the cause of crime against women is because of the low status which a woman holds in the society. "Illiteracy and economic dependence over male were main factors of the growing violence. Lack of participation in decision making, early marriage, traditional beliefs, values, norms which were deeply rooted to violence against women. Adolescents were seen more prone to victims of violence against women."²⁸

4. Gender Based Violence: Gender based violence is another reason of an increasing crime against women. Gender disparity, discriminatory gender norms and gender stereotypes is one of the deep rooted causes of crime against women that put the women at risk of several forms of violence.²⁹ It includes gender based killings, rape and sexual violence; forced marriage; sexual harassment in workplace, schools, and in public places; female genital mutilation and other harmful practices; trafficking and online violence against women; economic violence which includes dowry demand.³⁰

5. Dowry: The dowry system is another cause of crime against women. The women were being killed by her husband relatives because of the non-payment of exorbitant or unlawful demand. Because of the various crimes which arises from the practices of dowry systems the state then enacted a new law which punished and prevent the demand of dowry. The dowry prohibition Act, 1961 was enacted for the purpose of preventing crime against women.

6. Uncertainty in Law: Many times people blame the law that crime exist because of the lack of severity of punishment. For instance, the Criminal Law (Amendment) Act, 2018 has amended many provisions on rape laws mention in IPC for the purpose of increasing the severity of punishment and reducing crime cases. However, despite such changes in enhancing the quantity of punishments, the crime of rape continue to exist. Therefore it can be said that one of the reasons of crime against women is not the lack of severity in law but it is the lack of certainty in the law. The law failed to protect women and punish the culprits.

7. Virtual world: With the world becoming more and more computerised in nature the growth of cyber- crime against women has become an ordinary issue. Various new crime against women arises in the form of pornography, stalking, capturing video and image of

²⁸ Supra note 27, at 12.

²⁹ DR. SURJEET SINGH & DR. GAUTAM VIR, CRIME AGAINST WOMEN: AN INDIAN SCENARIO, XII, J. GLOB VALUES, 159, 164 (2021)

³⁰ Sakshi Gupta, *An Analysis Of Crime Against Women In India*, LEGAL DESIRE IJL, (May 12 2022, 5:36) <https://legaldesire.com/an-analysis-of-crime-against-women-in-india/>

private area of the women without their permission, whereby it was being circulated illegally across the internet for profits and personal interest. All these emerging crimes has threatened the life, privacy and mental state of the victim which can cause a serious effect in the victim's day to day life.

8. Influence of Social Media: In today's generation where mostly every actions of the people are influence by social media. Many crime arises as a result of watching different movies or videos, it influence people indirectly to commit a crime. Many sexual crime were committed by juveniles against women. These juveniles may not get a proper sex education and they tend to follow or copy whatever they see in movies or videos in the real life without even knowing the consequences of their actions which in turn ruin not only the victim's life but their own life as well.

9. Lack of faith in Judiciary: The duty of the Judiciary is to provide justice to the people but many times people seems to lose their faith and trust in the judicial process because the proceedings was very slow and leads to delaying of justice. These slow workings of the judiciary has indirectly encourages the criminals to commit crime fearlessly. Criminals who are wealthy can easily free themselves from prisons by corrupting the judges and hire good lawyers who will be able to defend their case. In this manner the criminals were not afraid of the law and continue to commit crime and be free from conviction.

10. Poverty: The main reason for poverty is unemployment. With increase in population it is getting harder for people to find jobs. With no jobs and no means to earn a square meal a day people resort to alternate solutions which are not always legal.³¹ Because of poverty many people were willing to do anything even to the extent of commission of crime for the purpose of gaining money. Poor people are usually the ones who were being exploited by the richer class i.e., they were being asked to commit various crimes for money. Poverty is the true evil for the society as it gives rise to not one but a large number of problems.³²

11. Lack of Education: Many times crimes against women are often committed by the illiterate people. This does not mean that literate people does not commit crime. It means that because of lack of education there is low job opportunities and illiterate people may resort to illegal means for the purpose of gaining money.

³¹ Rajni Negi, *Cause Of Crime*, LAW TIMES JOURNAL (May 15, 2022, 4:46), <https://lawtimesjournal.in/causes-of-crime/#:~:text=It%20is%20an%20act%20or,appropriate%20laws%20has%20been%20made>.

³² Ibid.

12. Alcohol and drugs: The consumption of alcohol or drugs by husband has a huge impact on the mental state of the wife. Sometimes such consumptions brought about an argument in the family through which the husband may resort to violence or crime at the heat of the moment. The reason is because these consumption make people lose their rational sense they become delusional, they were unable to understand their actions and as a result many crimes arises in the society in the form of rape, kidnapping, murder, domestic violence etc.

Thus, crime against women are not to be considered merely from physical point of view but from sociological aspect too. Women have been subjected to various socio economic and cultural deprivation for such a long period of time, that there is general indifference and lack of awareness of crimes against them.³³

SUGGESTIONS FOR PREVENTION

There is an urgent need for a new and different measures that will help in dealing with the problems of the rising crime rate against women. Therefore, the study suggested the following means that will help in reducing crime against women which includes:

a. Enhancing certainty in law: According to Cambridge dictionary certainty means, “The state of being completely confident or having no doubt about something”. Many times crimes are committed because there is lack of certainty in law. How much severity the law may become but if there is lack of certainty in it the law itself lack its value and does not bear any meaning. Unreliability of law poses great threat to the society and led to increase in the commission of crime. Thus, the need of the hour is enhance the certainty in law for the purpose of creating a law enforcement which is efficient and accountable at all levels in order to help preventing and reducing crime against women.

b. Ensuring speedy justice: Most of the times the victim have to wait for years and years to get justice. The Judiciary system in India being a slow process create a huge impact on the victim. The criminals often takes advantage of these slow process as it helps them in delaying their punishment whereas the victim is left to patiently wait for justice to be serve. As, a result ensuring speedy justice in the form of fast track court should be the top priority for women.

³³ Supra note 29, at 164.

c. Increasing employment: Most of the crimes are committed because of poverty. Unemployment leads to poverty and eventually makes the person to do things even to the extent of commission of a crime for the purpose of gaining money for survival. Thus, ensuring an increase in employment opportunities will help reduce crime at a higher rate.

d. Restriction on consumption of Alcohol: Alcohol is one of the many reasons of growing crime against women. Making law that restrict consumption of alcohol altogether might not be possible but ensuring a strict prohibition and special checks from time to time during festivity seasons or public gatherings like in trains, buses, stadiums, cinemas etc. Special restriction near schools, colleges and even in tourist places should be imposed. The age of consumption of alcohol should be raised to 25 years.

e. Improving access to education: Lack of education leads to poverty and poverty leads to commission of many crimes. Improving access to education is another important measures that will help in reducing crime. With education people may be able to get themselves employed and be free from poverty and most importantly free from being a forced criminal.

f. Restrictions on media: Access to certain sensitive contents like pornography websites and sex video or inappropriate movie should be banned and blocked. This kind of restrictions should be implemented by the government.

g. Spreading awareness among women: Many women especially in the rural areas were unaware of their rights and they fail to get justice for the wrong being done to them. As a result, spreading awareness about the rights which they can avail in case of any illegal act being done to them is the need of the hour.

h. Police working: The police must respond to the complaint made by the women in a serious manner. They should make an effort in investigating the same for the purpose of gathering evidence to help the victim and they should encourage the women to report the crime.

CONCLUSION

To conclude, it is seen that crime against women is a continuous crime which will continue to exist in the future. However, there is some hope that the crime can be reduced in future if proper plan are made for preventing crime against women. By empowering women the gender biasness may be reduced and helps the women to be at par with men and also prevent

themselves for being the victim of many crimes. It is important to acknowledge the seriousness of the impact of crime against women. Women like any other human beings are entitled to lead a life which is free from danger, threat, hurt etc. They are to be cared for and protected from all these various crimes which endangers their life and to enable them to live with dignity and respect. It is the duty of the government to see that the women are well protected, by exercising various preventive measures and keeping a check on their safety from time to time.

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