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Violence against Women in Punjab with special reference to District Ludhiana: A Socio-Legal Study

KESHAV SHARMA¹

ABSTRACT

Violence has many forms and the perpetrator can commit violence against the easy or vulnerable victim. The human civilization from dark ages to the today's technological era has always witnessed in one form or the other violence against women not only by the men but by the same gender as well. Although, there are ample laws to prevent the violence against women, it is yet a distant dream to enforce those laws. This paper endeavours to highlight the lacunas in the law and its enforcement in India.

Keywords: women, violence, law, rape, domestic violence

I. INTRODUCTION

The following types of violence against women may also be identified: This includes, for example, state sponsored violence, as well as violence perpetrated by other individuals. Roughly, WHO define Violence against women as any behavior or actions of any kind, may result in or cause any psychological, physical, and sexual harms and torments to a woman, either in private or in the public. Such violence may include the threats or acts of unjust take away of freedom or forced actions that may occur in private or public life. Some of the forms of Violence perpetrated by the people are: It includes rape, domestic violence, sexual harassment, male infanticide, genital mutilation, female infanticide, prenatal sex selection, and many customs senselessness like honor killings, dowry violence, and marriage by abduction or forced marriage. While some deviances may have their support from the government that will include war rape, sexual slavery, and forced abortion but in the modern times of the internet and social media, the issue of cyber bullying and stalking adds to other deviances.

A. Analysis of the Problem

The fact is that the problem of violence against women has been around since prehistoric times and continues to exist now in the new era. However, it seems that the violence and its forms in this era have changed to some extent. At the beginning of the problems: witchcraft

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accusations, widow mistreatment, forced marriage, though they were mostly used in old ages but nowadays they are being practiced less. Nevertheless, they are still prevalent in today's world particularly domestic violence ; they just happen to be the ones that draw the most heated discussions about rape, acid attacks and others.

B. Aim of Research

There are a few major objectives to choose this topic:

1. As this topic carefully includes all the crimes and acts of violence against women.
2. This topic will also help to raise awareness among all the people and attempt to bring most of the wrongs committed against women to light particularly hate crime and violence.

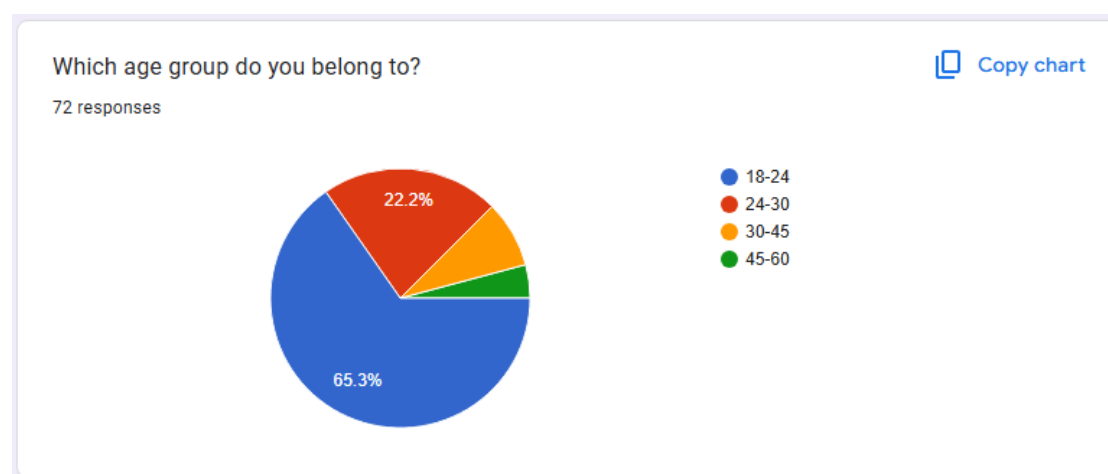
C. Research Questions

1. Whether there is awareness among people of the problem of violence against women?
2. Whether there are adequate laws to protect the rights of women?
3. To cover the atrocities against women what steps shall be taken?

D. Research Methodology

The data collection for this research project was conducted through a structured online survey via Google Forms.

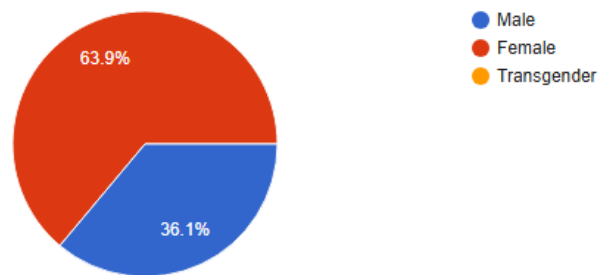
Google forms were sent to respondents, mainly from district Ludhiana, Jalandhar, Kapurthala, Punjab. The respondents were included from the different categories in the list like teachers, students, villagers etc. from different age groups to enhance the quality of research. The research survey was carefully drafted to cover all the areas of the universe of the research. Due to this strategy stratified research was conducted to have quantitative and qualitative data.



What gender do you identify as?

72 responses

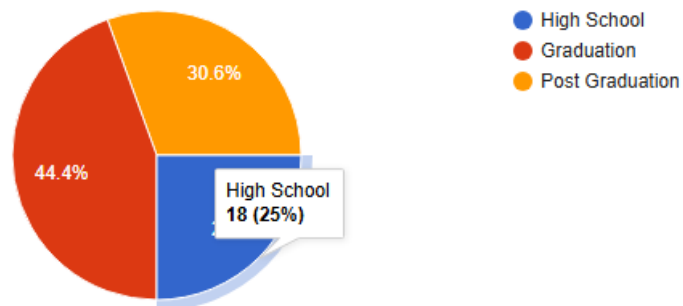
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What is your highest degree of education?


72 responses

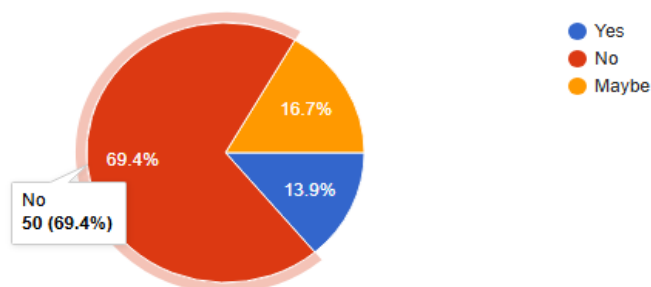
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Do you think women are safe in our society?

72 responses

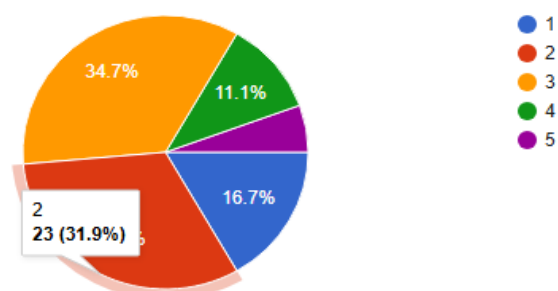
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On the scale of 1 to 5 rate women safety in our society? (1 being the lowest and 5 being the highest)

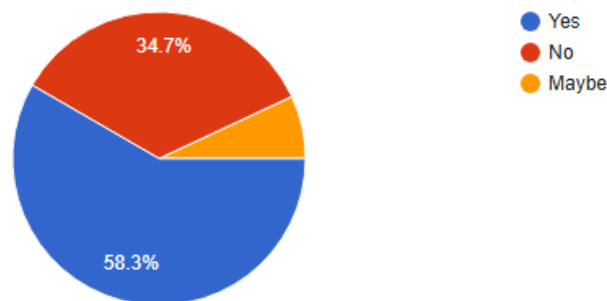
72 responses

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Have you ever faced Harassment or eve teasing on the street or any such public places?

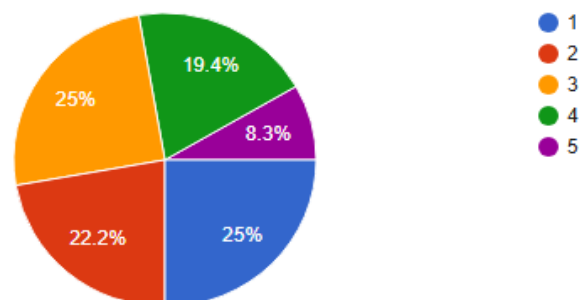
72 responses



100% of the women who filled this form were sexually assaulted. Whereas number of men who were sexually assaulted was surprisingly high too.

According to you, on what frequency did you face Harassment or issues such as eve teasing, Cat Calling, Molestation and so on in any public/private spaces?
Rate on the scale of 1 to 5 (1 being the lowest and 5 being the highest)

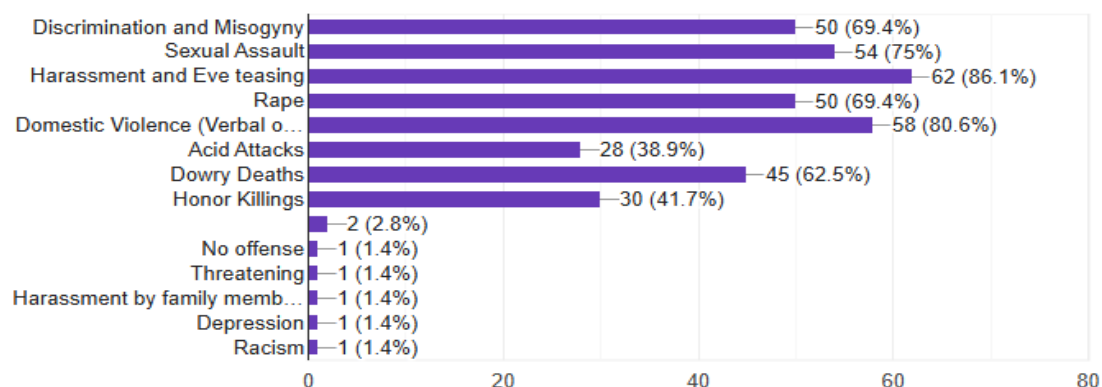
72 responses



According to you, what are the issues that women face commonly?

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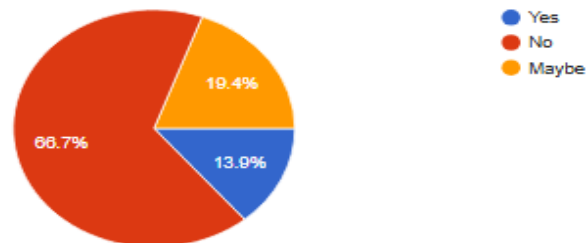
72 responses



Do you think the laws on these offences are adequate?

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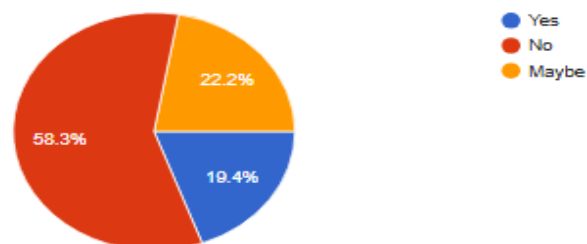
72 responses



As a Society, we have made numerous laws on these issues of Violence against Women; do you think these laws are effective in nature?

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72 responses

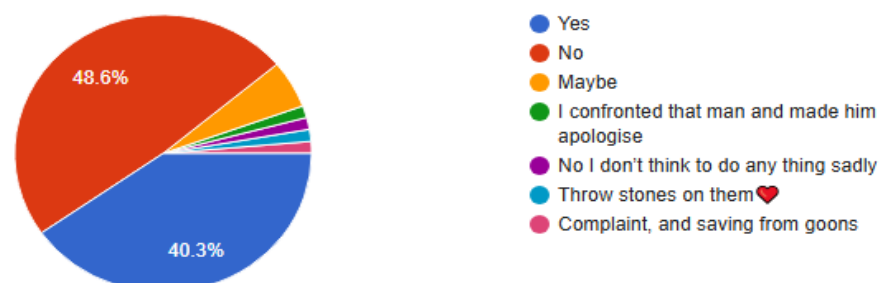


Still a huge number of people feel that the laws made for safety of women are inadequate. Majority of votes for the option 2 are from women.

Have you ever been a witness to any of the above written offences? If yes, then did you take any steps to stop it?

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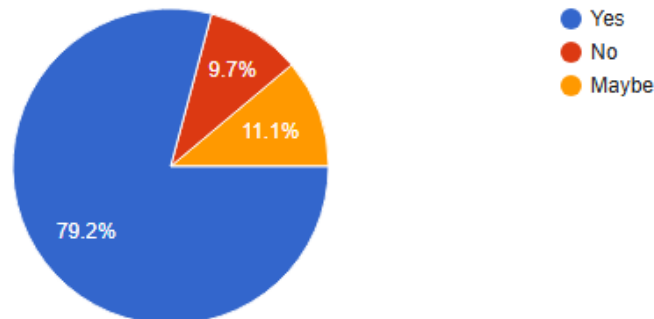
72 responses



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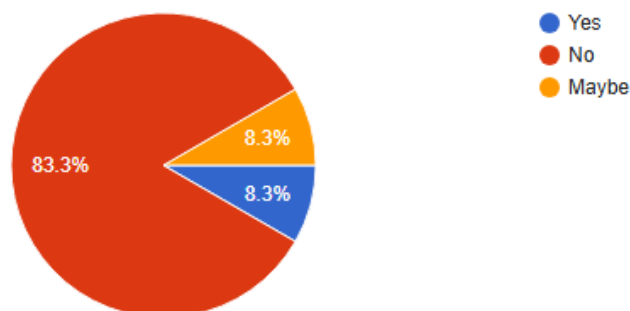
Do you think Marital Rape shall be criminalized?

72 responses


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Do you think Honor Killings are justified?

72 responses



In this study the candidates were also asked about their views on women safety and some of the responses are shared below –

Response 1 - I don't feel we are safe at all in public and can't live freely as a man can.

Response 2 - Women must be taught self-defence techniques. our government should compulsorily teach self-defence to every girl, right from their childhood.

Response 3 - I don't say women are not safe in all the parts of country but there are many that has the highest rates of women molestation and people should treat the victim like a normal person in the society.

Response 4 - women are not at all safe when they are alone at any point of time and my suggestion is to make strict laws to set an example against such cases. There should be a 24*7 helpline number that is totally dedicated for the safety against any harassment.

Response 5 - Ensuring women's safety is crucial. Promoting awareness, education on consent

and fostering a culture that condemns harassment can contribute. Implementing and enforcing strict laws against gender-based violence is essential. Additionally, developing technology for quick response and creating safe spaces can empower women to navigate the world more securely.

Response 6 - It's very unsafe for women to even roam at streets. Nobody knows when, where, how and who will be the next victim of these rapes, acid attacks etc. Even children who are merely just at an age of 5 or so have been victims of these rapes. The conditions now worsen to that extent that baby girls who are just few months old are being raped by their cousins if left alone for few hours thinking they are family members. You can trust nobody now, you don't know how people think about you, whether it's good or bad. You always have to stay on your guards always. The respect that women have in ancient India is lost now; the future bearers and makers of this beautiful Earth are mistreated.

Response 7 - I think no matter where women go, we are never safe, in a public place a woman is just seen as public property to be harassed.

Response 8 - women safety is very inadequate and severely lacking. we need collective action to reform and promote better sex education and emotional intelligence in society.

Response 9 – Safety is not a privilege but a basic human right. Every woman deserves to live without fear—at home, work, on the streets, or online. Implement and enforce strict laws with fast justice for crimes against women.

Response 10 – Empower women, educate men: create a society where safety is a shared responsibility, not just a woman's concern." and "Respect women, protect women, ensure safe spaces for them: a secure society benefits everyone.

Key findings of the survey –

- Need for awareness – majority of the candidates who participated in the survey felt the need for the awareness of the rights, laws, schemes for women. Especially in the rural areas, the women do not have any knowledge regarding the on-going government schemes, helpline numbers, the authorities working for protection of the women.
- Need for a helpline – the participants have raised a need for a 24/7 force dedicated force for protection of women. Currently the police force is working to deal with such cases but there is not a special force for the protection of the women.
- Denial – majority of the men in this study argued that there is no reason to feel unsafe in the society as there is no actual offence that is taking place and have also alleged that the

women are more safe than the men in terms of the safety. This response is a good example for this finding.

- Gender war – when clearly the purpose of the study was to understand the issues faced by women but there were a lot of responses that included arguments such as why is women's safety a concern and not men. Why are we focusing on laws for women, protection of women? Whenever the women safety is talked about some people often see it as men v/s women instead of seeing it as a real issue. Due to this it has become really difficult to raise awareness about something as serious as this.

II. ATROCITIES FACED BY WOMEN

There are many types of violence rampant in the society against women that are worth mentioned. Some of them are as:

RAPE: Rape continues to dominate headlines across the nation and ranks among the top crimes committed against women in India. Legally, rape involves non-consensual sexual intercourse under specific circumstances defined by law. It includes situations where a woman is subjected to sexual activity without her free will, under coercion, threats to her life or that of someone close to her, or under the influence of force—whether physical or psychological. Additionally, consent obtained through deceit or impersonation, or in cases where the victim is incapacitated due to intoxication or mental condition, is not considered valid.

Another critical element involves minors: prior to the Nirbhaya case, the age of consent was set at 16 years, but legal reforms have since raised it to 18. Alarming statistics indicate that approximately 7,200 cases of rape involving minors are reported annually in India, though many instances remain hidden due to societal stigma and victim shaming. Disturbingly, several of these young girls are coerced into prostitution, leaving long-lasting psychological and emotional trauma. According to the 2006 National Crime Records Bureau (NCRB) data, an estimated 70% of rape cases go unreported, largely because victims fear social ostracization and damage to their reputation.

DOMESTIC VIOLENCE: Domestic violence typically occurs within intimate relationships and, in most reported cases, affects women. It can manifest in various forms—physical, emotional, psychological, and economic abuse. The influence of media and societal norms has made individuals of all ages and orientations increasingly aware of such issues, although the problem persists across diverse social contexts.

Legal provisions addressing domestic violence are enshrined in both the Indian Penal Code (IPC) and the Protection of Women from Domestic Violence Act, 2005. This Act supplements

existing laws such as Section 498A of the IPC by expanding the definition of abuse to include emotional and economic harm, not just physical cruelty. It aims to provide a more comprehensive legal framework for protecting women from various forms of domestic abuse.

Historically, the subjugation of women has been a global issue, and gender-based violence remains a reflection of deeply rooted patriarchal values. In several societies, women have been discriminated against for pursuing education, expressing autonomy, or simply asserting their rights. Some have even faced violence for reasons such as being victims of sexual assault, engaging in premarital relationships, or challenging traditional gender roles.

The consequences of domestic abuse are far-reaching. Victims often suffer from both short-term and long-term health complications, including psychological trauma that may lead to anxiety, depression, or post-traumatic stress disorder (PTSD). Children exposed to domestic violence may also experience emotional distress, developmental challenges, and strained family relationships, which can affect their well-being and future social behavior.

There is no single cause of domestic violence; rather, it is the result of multiple contributing factors. These may include substance abuse, unemployment, financial stress, childhood exposure to violence, and ingrained attitudes of male dominance and misogyny. Often, domestic violence is a manifestation of an abuser's attempt to exert power and control over their partner.

ACID ATTACK: Acid attack or vitriol age is an intentional corruption behavior in which the attacker uses acid or other equally corrosive material to make the other person: disfigured, maimed to such a great extent, tortured, or even killed. Peculiarity of this acid attack is that they use chemicals to burn the face of the victim to the extent that it damages the skin tissue and lead to serious illnesses such as bones erosion and in various cases may cause permanent blindness. The most common acids used for this purpose are the nitric acid, sulfuric acid or hydrochloric acid which is a bit less corrosive in nature. Furthermore, these dimensions invariably result in profound economic, psychological and social struggles.

Acid Attack is now the main focus of the revised Section 326A, which has been added as a separate chapter. Hence, this would be the situation where the defendant has to interfere with any body part or disfigure it with acid, making the matter grave for the victim by his intent should also be seen one. Fulton violated the peace and so the loser is supposed to reimburse medical or other expenses of the victim. For this reason, acid is attack the first and the one who experiences the most are the women in India. On an average of 620 women were subjected to this in the year 2017-2018 although only 149 FIRs were registered out of those.

Reasons for these attacks:

- Any conflict in relation to love relationships or refusal to make sexual relation
- Racial motivations
- Sexual related jealousy and lust
- Social, political and religious motivations
- Gang violence and rivalry
- Attacks against minorities
- Any Dispute for Land, cattle or any other property
- As a revenge for Sexual refusal, marriage proposal or Dowry demands.

DOWRY DEATHS: Dowry is a traditional practice wherein the bride's family is expected to provide money, goods, or property to the groom's family at the time of marriage. Over time, this custom has been severely misused, often turning into a means of financial exploitation. Historically, this practice dates back to colonial times and has increasingly led to grave consequences, including harassment and even the murder of women when dowry expectations are not fulfilled. In many cases, demands continue even after marriage, and failure to meet them may result in emotional abuse, threats, or fatal violence.

To address this issue, the Indian legal system has enacted strict provisions. The Indian Penal Code (IPC), particularly Section 304B (Dowry Death) and Section 498A (Cruelty by husband or relatives of the husband), along with provisions in the Code of Criminal Procedure (CrPC) and the Dowry Prohibition Act, 1961, criminalize dowry-related offenses and impose significant penalties on the perpetrators.

FEMALE INFANTICIDE: This is therefore no longer a so-called "Female Foeticide" which is a medical term for sex selection of an unborn fetus and medical termination of the female child. It is also a crime under the Pre-Conception and Pre-Natal Diagnostic Techniques Act (PCPNDT) of 1994 that provides punishment and bans pre-natal sex screening and genocide of females.

HONOR KILLINGS: Honor killing, sometimes referred to as "shame killing," is a brutal form of murder committed by family members who believe that a relative—typically a woman—has brought dishonor or shame to the family. These killings are often carried out in the name of preserving family reputation, cultural values, or religious beliefs, particularly in conservative or patriarchal societies. The perceived "offenses" that lead to such killings can

vary widely and may include marrying outside one's caste or religion, engaging in a premarital or extramarital relationship, refusing an arranged marriage, dressing or behaving in a manner deemed inappropriate, or simply asserting independence.

Although such acts have no justification under the law, they are often premeditated and carried out with the silent or active approval of extended family members or community elders. The underlying motive is to eliminate the source of alleged disgrace and to send a message that deviation from traditional norms will not be tolerated. In many cases, these crimes go unreported or are covered up due to societal pressure, fear, or the complicity of local authorities.

In India, there is no specific legislation that exclusively addresses honor killings, but such acts are punishable under general provisions of the Indian Penal Code (IPC). Sections such as 302 (punishment for murder), 120B (criminal conspiracy), and 107–116 (abetment of offense) are commonly invoked in such cases. Various courts, including the Supreme Court of India, have repeatedly emphasized that honor killings are a flagrant violation of fundamental rights, particularly the right to life and liberty under Article 21 of the Constitution.

Despite legal safeguards, the persistence of honor killings highlights the deep-rooted influence of patriarchy, caste dynamics, and communalism in certain regions. To combat this social evil, there is a growing call for the enactment of a specific law that addresses honor-based violence and ensures stringent punishment, victim protection, and speedy trial mechanisms.

CYBER BULLYING: Cyberbullying is an emerging form of digital abuse in which women are frequently targeted through online platforms. Victims may be coerced into sharing personal information or subjected to offensive and sexually explicit remarks. These often include derogatory comments about a woman's appearance, body, or character, and may take the form of threats, harassment, stalking, or the non-consensual sharing of intimate images (commonly known as "revenge porn"). The anonymity and reach of digital platforms make such abuse particularly damaging, as the content can be rapidly disseminated and difficult to remove.

Such online abuse can have serious psychological consequences, including anxiety, depression, social withdrawal, loss of self-esteem, and in extreme cases, suicidal ideation. The constant nature of digital harassment leaves victims feeling vulnerable and exposed even within the perceived safety of their homes, blurring the line between public and private trauma.

To address this, Indian law provides specific legal remedies under the Information

Technology Act, 2000, and the Indian Penal Code (IPC). Relevant provisions include:

Section 66E of the IT Act, which penalizes the violation of privacy through the capturing, publishing, or transmission of private images without consent;

Section 67, which deals with the publication or transmission of obscene material in electronic form;

Section 507 of the IPC, which addresses criminal intimidation by anonymous communication.

These laws aim to deter online abuse and provide victims with the ability to seek legal redress. However, the enforcement of cyber laws remains challenging due to jurisdictional limitations, lack of digital literacy, and underreporting of cases. Strengthening cyber policing units, sensitizing law enforcement officers, and increasing public awareness are crucial steps in combating this growing threat to women's safety in the digital age.

STALKING: Adding to this, cyber bullying is also a factor that results in violence against women. Stalking refers to various repeated interactions, which is by a person after the girl has told him in general that she doesn't want him. Nevertheless, wildly done misinterpretations, repeated contacts either personally or through internet are serious offences under the laws related to stalking. This law is stipulated under Chapter VI (Section 354D) in IPC.²

III. AREA OF RESEARCH

Although India has enacted numerous laws aimed at addressing and preventing offences against women, the implementation and enforcement of these laws at the grassroots level remains significantly inadequate. Despite the presence of a robust legal framework, including both general and special legislations, the protection these laws intend to offer is often undermined by systemic issues such as lack of awareness, societal stigma, police apathy, and judicial delays.

This section aims to examine the key laws enacted by the Parliament of India that specifically deal with crimes against women. It will highlight the statutory provisions, nature of punishments prescribed, and the intent behind these legislations. These include laws related to rape, domestic violence, dowry harassment, acid attacks, sexual harassment, trafficking, and cybercrimes, among others. The discussion will also shed light on landmark amendments and

² Definition of stalking *available on* <https://victimsofcrime.org/stalking-resource-center/> (Last visited on 12 November 2023)

Definition of cyberbullying *available on* <https://www.familyorbit.com/blog/real-life-cyberbullying-horror-stories/> (Last visited on 13 November 2023)

Definition of female foeticide *available on* <https://www.dressember.org/blog/what-is-female-foeticide> (Last visited on 12 November 2023)

judicial interpretations that have shaped the legal response to violence against women in India.

RAPE: India's legal framework addressing rape has existed for decades, but it underwent significant transformation following the brutal Nirbhaya gang rape case in Delhi in December 2012, which shocked the nation and sparked widespread protests. In response to public outrage and demands for stricter laws, the government enacted the Criminal Law (Amendment) Act, 2013, commonly referred to as the Nirbhaya Act. This legislation brought comprehensive changes to existing criminal laws, particularly those related to sexual offences under the Indian Penal Code (IPC).

The amendments significantly broadened the definition of rape under Section 375 IPC, incorporating non-penile penetration and recognizing various forms of sexual assault as criminal offences. The punishment for rape under Section 376 IPC was also enhanced—extending the maximum sentence to life imprisonment without the possibility of parole and including fines. Furthermore, the amended law introduced Section 376A, which imposes a minimum punishment of 20 years' rigorous imprisonment (extendable to life imprisonment) for cases where the perpetrator's actions result in the victim's death or leave her in a persistent vegetative state.

In addition, the amendment incorporated new provisions to address human trafficking, notably Sections 370 and 370A of the IPC, which criminalize trafficking for the purpose of exploitation. These provisions prescribe a minimum punishment of seven years' imprisonment, which may extend to life imprisonment, along with fines.

However, one significant criticism of the amendment was that marital rape—where a husband forces his wife into sexual intercourse without her consent—was excluded from the definition of rape, and continues to remain a contentious legal and social issue in India.

Overall, the Nirbhaya Act marked a turning point in India's legal response to sexual violence, reflecting both public demand for reform and the need for a more victim-centric justice system. However, challenges remain in terms of implementation, awareness, and access to justice, especially for victims from marginalized communities.

The procedure of recording victims statement was made flexible, and the order of importance is first, whether the victim has been acquainted with the case, followed by the issue of his/her voluntary statement, and then, the victims character. Due to Asifa Gang Rape case where a 7 year old in Kathua was raped, this led to amendment in POSCO. A new bill was passed by the parliament of India in May 22, 2012 regarding the protection of children from Sexual Abuse,

POSCO- Protection of Children from Sexual Offences.³

ACID ATTACK:

Following the Nirbhaya incident in 2012, significant legal reforms were introduced through the Criminal Law (Amendment) Act, 2013, which included specific provisions targeting acid attacks—a form of gender-based violence that had previously been inadequately addressed under Indian criminal law. Before this amendment, acid attacks were typically prosecuted under general provisions related to “grievous hurt” in the Indian Penal Code (IPC), particularly Sections 320 and 326, which did not sufficiently reflect the severity and long-term impact of such crimes.

The 2013 amendment changed this by inserting Sections 326A and 326B into the IPC. Section 326A criminalizes voluntarily causing grievous hurt by use of acid or any corrosive substance, and mandates a minimum sentence of 10 years, extendable to life imprisonment, along with a fine that must be just and reasonable to cover the victim’s medical expenses. Section 326B addresses attempted acid attacks, prescribing a punishment of 5 to 7 years of imprisonment and a fine.

Additionally, Section 357A and 357B of the Criminal Procedure Code (CrPC) were introduced to ensure compensation and medical support to acid attack victims. These provisions place an obligation on the state government to facilitate rehabilitation, provide financial aid, and support the long-term recovery of survivors. The inclusion of these sections recognized acid attacks not only as criminal acts but also as serious violations of human dignity, necessitating both punishment and victim-centric remedies.

These changes have significantly shifted the legal approach to acid attacks, recognizing them as heinous crimes with devastating consequences, and emphasizing the role of the state in supporting victims beyond punitive justice.

CRIMINAL AMENDMENT ACT:

Bill sent firstly by the Lok Sabha on 19 the March of 2013 and passed only 3 days later by the Rajya Sabha on 21. The same outcome was accomplished by the leaders not in a dramatic way but also in the process, they had to make a few changes in terms of the provisions of this Ordinance. Here it is, worth mentioning that the President Assent to this Bill was given on 2nd April 2013 and it has been effective since 3rd April. These amendments are demonstrated in the comparative form with the previous ordinance, which is below:

³ Content on Rape case of Asifa Bano and Nirbhaya available on https://en.wikipedia.org/wiki/Kathua_rape_case,

OFFENCE	CHANGES
Acid Attack	Fine shall be just and reasonable to meet medical expenses for treatment of victim, while in the Ordinance it was fine up to Rupees 10 lac.
Sexual Harassment	Another development is clause (v) that says any other unwelcome physical, non-verbal or verbal conduct of sexual nature has been removed. Punishment for offences that are defined under the clause (i) and (ii) was now reduced from 5 years to 3 years of imprisonment. The offence of Sexual Harassment was no more a Gender neutral offence as now only a woman can file the case in this respect.
Voyeurism	This offence of Voyeurism is not a gender neutral anymore as now only a man may commit this offence over a woman.
Stalking	The crime of stalking is no longer gender-neutral; only men are capable of committing it against women. The term has been reworded and divided into several clauses. The exclusion clause is one of the few sentences and words that have been left out. The penalty for committing this crime has been modified. When a guy commits this offense for the first time, he faces a three-year prison sentence. However, if this keeps happening in the future, you could face a fine and five years in jail for any successive convictions.
Trafficking of Person	"Prostitution" has been removed from the explanation clause

DOMESTIC VIOLENCE:

In an effort to provide a comprehensive legal framework for the protection of women from domestic abuse, the Indian Parliament enacted the Protection of Women from Domestic Violence Act (PWDVA), 2005, which came into force on 26th October 2006. This legislation marked a significant shift from traditional criminal provisions by recognizing domestic violence not just as physical harm, but as a multi-dimensional issue that includes verbal, emotional, sexual, and economic abuse. The Act was designed to serve as a civil law remedy aimed at offering prompt and effective relief to victims through protection orders, residence orders, monetary relief, and custody arrangements.

The definition of domestic violence, as outlined under Chapter III of the Act, is inclusive and

expansive. It defines domestic violence as “any act, omission or commission or conduct of the respondent that harms or has the potential to harm the aggrieved person.” The law thereby acknowledges abuse beyond physical violence—covering mental trauma, economic deprivation, threats, and verbal insults, which were previously difficult to address under the Indian Penal Code alone.

Importantly, the PWDVA applies to women in both marital and non-marital relationships, including those in live-in partnerships, thereby extending protection to a broader group of vulnerable individuals. While the Act is largely civil in nature, it works in tandem with criminal provisions such as Section 498A of the IPC and Section 125 of the Criminal Procedure Code (CrPC). The latter entitles a woman to claim maintenance from her husband or partner for her own support and that of her children or dependants.

Furthermore, the Act covers dowry-related harassment under its broad definition of economic abuse, ensuring that women facing coercion for dowry are entitled to protection and legal recourse.

In *Gian Singh v. State of Punjab*, the Supreme Court emphasized the need for cautious judicial intervention in matters involving domestic disputes, reaffirming that the extraordinary powers of the High Courts under Section 482 of the CrPC should be exercised judiciously and only in compelling circumstances. This decision highlighted the balance courts must maintain between preventing misuse of legal provisions and ensuring justice for genuine victims.

The PWDVA, 2005, stands as a progressive piece of legislation, but challenges remain in its implementation, public awareness, and the training of enforcement authorities, particularly at the grassroots level. For the Act to serve its intended purpose, systemic reforms and continuous sensitization are essential.

DOWRY DEATH

The Supreme Court of India has unequivocally held that both giving and taking of dowry are criminal offences under Indian law. Apart from being punishable under the Dowry Prohibition Act, 1961, such acts may also fall within the ambit of the Protection of Women from Domestic Violence Act, 2005, particularly in cases where dowry-related demands lead to harassment, emotional abuse, or violence.

The Indian Penal Code (IPC) further reinforces legal protection against dowry-related offences through key provisions. Section 304B IPC specifically deals with dowry deaths, classifying them as grave crimes. According to this section, if a woman dies under unnatural circumstances within seven years of her marriage and it is shown that she was subjected to

dowry harassment shortly before her death, the husband or his relatives are presumed responsible. The minimum punishment under this provision is seven years of rigorous imprisonment, which may extend to life imprisonment.

Additionally, Section 498A IPC addresses cruelty inflicted upon a woman by her husband or his relatives, which includes any willful conduct likely to drive a woman to suicide or cause grave injury—whether physical or mental. Harassment for dowry falls directly within the scope of this section and is punishable with imprisonment and fines.

These provisions form part of a broader legal strategy to combat the persistent social evil of dowry, which continues to endanger the lives and dignity of women despite longstanding prohibitions. However, challenges remain in terms of effective enforcement, timely investigation, and addressing the misuse or overreach of certain legal provisions. A balanced approach that protects victims while safeguarding against false accusations is essential for the credibility and success of these laws.

FEMALE FOETICIDE

Female foeticide, the practice of determining the sex of a fetus and terminating the pregnancy if it is female, is a grave social and legal issue in India. The law strictly prohibits sex-selective abortions, recognizing them as a violation of the unborn child's right to life and a contributing factor to the country's declining female sex ratio.

Under the Indian Penal Code (IPC), Sections 312 to 316 address offences related to miscarriage and causing the death of an unborn child. These provisions criminalize both voluntary and involuntary acts that result in miscarriage or fetal death, including those motivated by a preference for male children. If such acts are proven to be deliberate and gender-biased, they are subject to severe legal consequences.

In addition to the IPC, the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act), was enacted specifically to curb sex-selective abortions. This law prohibits the use of diagnostic techniques for the purpose of determining the sex of the fetus and criminalizes both the individuals seeking such tests and the medical professionals or institutions conducting them. The Act imposes stringent penalties, including fines, imprisonment, and cancellation of medical licenses, to deter this practice.

The PCPNDT Act also mandates the registration of all ultrasound clinics and requires strict documentation and reporting procedures to ensure transparency. Despite the law's existence, enforcement challenges and deep-rooted gender biases continue to hinder its effectiveness, highlighting the need for stronger monitoring and social awareness campaigns to eliminate

this discriminatory practice.

HONOR KILLINGS

Currently, there is no standalone legislation in India that specifically criminalizes honor killings. However, such acts are treated as murder under the Indian Penal Code (IPC) and can be prosecuted using existing legal provisions. While many legal scholars and activists have advocated for a dedicated law to address the unique nature and motivation behind honor-based crimes, the Indian judiciary and law enforcement rely on a combination of general penal provisions to ensure accountability.

Key sections of the IPC that apply in cases of honor killings include Section 300, which defines murder, and Section 302, which prescribes the punishment of death or life imprisonment along with a fine for those convicted of murder. When the killing is carried out with planning or with the participation of multiple individuals, Sections 120A and 120B, which deal with criminal conspiracy, may also be invoked. These provisions are used when family members, community elders, or groups such as khap panchayats are involved in plotting or instigating the killing.

Although these provisions allow for legal action, honor killings are often underreported, and societal pressures or local influence can hinder investigation and prosecution. Recognizing these challenges, several legal experts have emphasized the need for a specific statute to define and penalize honor-based violence, ensure protection for victims or at-risk individuals, and establish special procedures for swift justice.

Until such legislation is introduced, Indian courts continue to interpret honor killings as aggravated forms of murder, deserving the harshest penalties under existing criminal law.

CYBER BULLYING AND STALKING

Cyberbullying and stalking are interconnected forms of digital harassment that have seen a sharp rise with the proliferation of internet access and social media platforms. These offences are addressed under both the Information Technology (IT) Act, 2000 and the Indian Penal Code (IPC).

The IT Act, enacted on 9 June 2000, provides the primary legal framework to tackle cybercrimes in India. Key sections relevant to cyberbullying and online harassment include:

- Section 66A (now struck down by the Supreme Court in *Shreya Singhal v. Union of India*, 2015) – previously dealt with offensive messages sent via communication services.

- Section 66C – addresses identity theft.
- Section 66D – pertains to cheating by personation using computer resources.
- Section 66E – punishes the violation of privacy through the capture or transmission of private images without consent.
- Section 67 and 67B – prohibit the publication or transmission of obscene material and sexually explicit content involving children.
- Section 72 – concerns the breach of confidentiality and privacy by service providers.
- In addition, several provisions of the IPC are also invoked in cases of cyberbullying, including:
 - Section 499 (defamation),
 - Section 500 (punishment for defamation),
 - Section 503 (criminal intimidation),
 - Section 509 (insulting the modesty of a woman).

To specifically address stalking, the Criminal Law (Amendment) Act, 2013 introduced Section 354D in the IPC. This section defines stalking, including cyberstalking, as repeatedly following or attempting to contact a woman against her will, either physically or through digital means. The section prescribes imprisonment up to three years for a first offence, which may extend to five years upon subsequent conviction, along with fines.

These legal provisions reflect India's growing acknowledgment of digital threats to personal safety and dignity. However, effective implementation, public awareness, and timely reporting remain crucial to ensure these laws fulfill their intended purpose.⁴

IV. JUDICIAL OUTLOOK

Cases that are related to female violence and that gained a lot of attention. Also, caused Indian Judiciary to think and amend various laws and pass important acts.⁵

Rape:

Ajmer Gang Rape Case: The Ajmer gang rape case is one of the most disturbing instances of mass sexual exploitation reported in India. Emerging in the early 1990s, the case involved

⁴ Content on Dowry deaths and Honor Killings available on [https://harsamay.gov.in/PDF/The_Criminal_Law_\(Amendment\)_ACT_2013.pdf](https://harsamay.gov.in/PDF/The_Criminal_Law_(Amendment)_ACT_2013.pdf)

⁵Content relating to cyber Bullying available on <https://ifflab.org/how-to-prevent-cyber-bullying-anti-cyber-bullying-laws-in-india/> (Last visited on 16 June 2025)

the systematic abuse of numerous young girls, many of whom were school and college students, by a group of influential individuals in Ajmer, Rajasthan. The perpetrators were reportedly associated with the Ajmer Dargah of Moinuddin Chishti, and the scandal came to light when a local newspaper, Navjyoti, published incriminating photographs and revealed the scale of exploitation. The victims were allegedly blackmailed using obscene images and forced into continued abuse over an extended period.

Despite the gravity of the case, the investigation faced significant challenges. Political interference was widely reported, as several of the accused were linked to prominent political figures, including local leaders from the Indian National Congress and members of the Indian Youth Congress. As a result, the initial police response was criticized for being slow and ineffective.

Approximately 30 girls were identified as victims during the investigation, but only 12 filed formal complaints, and eventually only two pursued the case in court. Many survivors withdrew due to social stigma, fear, and pressure, which is a recurring issue in sexual offence cases in India. Eighteen individuals were charged under various sections of the Indian Penal Code, including abduction and gang rape. During the course of the proceedings, one of the accused reportedly died by suicide.

In 2013, the Rajasthan High Court upheld the convictions but reduced the sentences from life imprisonment to the period already served. Reports also indicate that six of the victims later died by suicide, highlighting the long-term psychological trauma and lack of institutional support for survivors. The case sparked widespread outrage and heightened communal tensions, particularly given the religious identities of the accused and the victims.

This incident serves as a grim reminder of the need for strong victim protection, swift judicial processes, and institutional independence in handling crimes of sexual violence, especially when powerful individuals are involved.

Shakti Mills Gang Rape Case: On 22 August 2013, a tragic incident of gang rape took place in Mumbai, involving a 22-year-old photojournalist who was on assignment at the abandoned Shakti Mills compound near Mahalaxmi. She had visited the location with a male colleague around 5:00 PM for a photography assignment when the two were accosted by a group of five men. The assailants overpowered the male companion, tied him up, and then gang-raped the woman. The attackers also took photographs of the victim and threatened to circulate them if she reported the assault. Both victims were eventually released and left near the railway tracks around 7:15 PM.

Following the incident, the survivor contacted her colleagues, who immediately took her to a hospital and informed her family. The Mumbai Crime Branch promptly launched an investigation, and on 19 September 2013, four adults were formally charged. One of the accused, being a minor, was tried separately under the provisions of the Juvenile Justice Act.

The accused were booked under multiple sections of the Indian Penal Code (IPC), including:

- Section 376D – gang rape,
- Section 120B – criminal conspiracy,
- Section 377 – unnatural offences,
- Sections 342 and 343 – wrongful confinement,
- Section 506(2) – criminal intimidation, and
- Section 201 – destruction of evidence.

The Sessions Court in Mumbai directed that trial proceedings commence on 14 October 2013. Due to the brutal nature of the crime and the public outrage that followed, the case was fast-tracked. The court later found the accused guilty, and the adult offenders were sentenced to death under the newly introduced provision for repeat rape offenders in the Criminal Law (Amendment) Act, 2013—making this one of the first cases in India where the death penalty was awarded for a repeat offence of rape.

This case became a pivotal moment in India's legal response to sexual violence, reinforcing the urgency for stricter laws, faster trials, and victim-sensitive justice mechanisms.

Asifa Gang Rape Case: this case dates back to January 2018, in Rasana Village near Kathua District of Jammu and Kashmir when a 8 year old girl was raped by 7 adults, one of whom claimed to be a juvenile but was later confirmed to be the adult. This child was kept in a temple for 7 days and repeatedly raped by many of people she was also intoxicated by them, the main accused found in the case was Sanji Ram that was the Priest of the same temple and the some of the other accused were his relatives and two constables were also arrested as they were trying to erase evidences. On 17 January the body was taken into custody and the post mortem was conducted at the District Hospital of Kathua District and then the case was transferred to the Crime Branch of Jammu and Kashmir. On 10 June 2019, six of the seven defendants were convicted and one acquitted. Three of those convicted were sentenced to life in prison and three to five years. This punishment was awarded under the Ranbir Penal Code.⁶

⁶ Bombay Rape Case available on <https://timesofindia.indiatimes.com/city/mumbai/Shakti-Mills-gang-rape->

Acid Attack:

Laxmi Case: The landmark case of *Laxmi v. Union of India* played a pivotal role in shaping India's legal response to acid attacks. Laxmi, a teenager at the time of the incident, was attacked with acid in 2005 by a man in his forties, whose marriage proposal she had rejected. The attack, carried out with the help of his sister, left Laxmi with severe physical and emotional injuries.

In 2006, Laxmi filed a Public Interest Litigation (PIL) before the Supreme Court of India, seeking stricter regulations on the sale and purchase of acid, as well as adequate compensation and medical treatment for acid attack survivors. Her petition brought national attention to the unregulated availability of acid and the lack of comprehensive legal provisions addressing such violence.

As a result of this case, the Supreme Court issued a series of directives aimed at controlling acid attacks and improving victim support. Some of the key outcomes included:

- A ban on over-the-counter sale of acid without proper identification.
- Mandatory maintenance of a sales register by retailers, including details of the buyer and the purpose of purchase.
- Prohibition of acid sales to individuals below the age of 18.
- Directives to state governments to ensure free medical treatment, including reconstructive surgeries, for acid attack victims.
- Instructions for interim compensation to be provided to survivors under Section 357A of the Criminal Procedure Code (CrPC).

The case also influenced legislative change. The Criminal Law (Amendment) Act, 2013, introduced Sections 326A and 326B into the Indian Penal Code (IPC), specifically addressing acid attacks. These sections prescribed a minimum sentence of 10 years (extendable to life) for acid attacks causing grievous hurt, and up to 7 years for attempted acid attacks, along with fines to cover the medical expenses of the victim.

Laxmi's courage not only led to significant legal reform but also brought visibility to the suffering of countless acid attack survivors in India. Her case remains a milestone in the Indian judiciary's approach to gender-based violence and victim-centric justice.

Preethi Rathi Case: This is yet another landmark judgment by our Judiciary that was given on September 8, 2016 under this case the guilty Ankur Pawar was sentenced to death by the Mumbai Special Court. Ankur Pawar proposed the 23 Year old nurse Preeti Rathi for marriage, and the Acid Attack was committed by him in a fit of rage when Preeti rejected his proposal. After the attack Preeti suffered multiple organ failure and later died.⁷

Domestic Abuse:

D. Velumswamy v. D. Patchaiammal: In the landmark judgment of D. Velusamy v. D. Patchaiammal, [(2010) 10 SCC 469], the Supreme Court of India interpreted the scope of the term “aggrieved person” under Section 2(a) of the Protection of Women from Domestic Violence Act, 2005 (PWDVA). The case is significant for its recognition of certain live-in relationships as falling within the ambit of the Act, thereby allowing women in such relationships to seek protection and maintenance.

The Court held that not all live-in relationships qualify for protection under the Act. To be considered akin to a “relationship in the nature of marriage,” certain specific conditions must be satisfied:

- Both parties must be legally competent to marry, meaning they must be of legal age and unmarried at the time of entering the relationship.
- They must have voluntarily cohabited for a significant period of time in a shared household.
- The relationship must resemble a stable domestic arrangement, not merely casual or transient sexual relationships.

Only when these conditions are met can the woman claim remedies under the PWDVA, including maintenance and protection orders. The Court clarified that the burden of proving the nature of the relationship lies with the person seeking relief.

The judgment also discussed the concept of palimony—a form of financial support or maintenance that a man may be required to provide to a woman with whom he had a long-term cohabiting relationship, similar to a marital arrangement. Although the concept of palimony is more prevalent in Western jurisdictions, the Court acknowledged its relevance in the Indian context within the boundaries of the PWDVA, subject to the fulfilment of qualifying criteria.

⁷ Preeti Rathi case *available on* <https://www.hindustantimes.com/mumbai-news/death-sentence-for-acid-attack-a-landmark-judgement/story-xxuo37G4m4tuOdCPJthXsK.html> (Last visited on 9 April 2025)

This case has had a profound impact on the interpretation of non-marital domestic relationships, ensuring that women in such arrangements are not left without legal recourse in cases of abuse, desertion, or neglect.

Ganesh S/O, Rajendra Kapratwar, vs. the State of Maharashtra: In the Mumbai High Court got an application given by a mother for Maintenance and Medical Expenses under the Hindu Adoptions and Maintenance Act, 1956 and Domestic Violence Act against her Grandsons and Sons has held that:

Grandsons are liable to pay maintenance to grandmother under Section 22(1) of the Hindu Adoptions and Maintenance Act, 1956, if their father is not alive or is not capable of paying maintenance to his mother.⁸

Dowry Deaths:

Shanti v. State of Haryana:

In the case of *Shanti v. State of Haryana*, [1991 SCR (1) 729], the Supreme Court of India addressed the ambiguity surrounding the definition of the term “dowry” under the Dowry Prohibition Act, 1961. The Court observed that the original Act lacked a clear definition of what constitutes dowry, leading to inconsistencies in interpretation and enforcement. To address this, significant amendments were introduced in 1984 and 1985, which provided a more precise definition. According to the amended Act, dowry refers to any property or valuable security given or agreed to be given, directly or indirectly, by one party to a marriage to the other party or to their relatives, in connection with the marriage.

The judgment also reinforced the relevance of Section 304B of the Indian Penal Code (IPC), which was added to address dowry deaths. This section criminalizes the death of a woman caused by burns, bodily injuries, or unnatural circumstances within seven years of marriage, provided there is evidence of dowry-related harassment before her death. The section prescribes a punishment of at least seven years' imprisonment, which may extend to life imprisonment.

Pawan Kumar v. State of Haryana: In *Pawan Kumar v. State of Haryana*, [1998 (3) SCC 309], the Supreme Court further clarified the essential ingredients required for a conviction under Section 304B IPC. The Court held that for an offence to fall within the ambit of dowry death, the following conditions must be satisfied:

⁸ Precedent cases on Domestic Violence available on <https://www.vakilno1.com/legalviews/important-judgments-on-domestic-violence-act-2005.html> (Last visited on 16 April 2025)

- The woman must have died due to burns, bodily injuries, or under unnatural circumstances.
- Her death must have occurred within seven years of her marriage.
- It must be shown that she was subjected to cruelty or harassment by her husband or his relatives in connection with dowry demands shortly before her death.

The Court emphasized that these elements must be proven beyond reasonable doubt, although Section 113B of the Indian Evidence Act allows the presumption of dowry death if these conditions are met. This case has been pivotal in setting judicial standards for interpreting and applying Section 304B IPC, thereby strengthening the legal framework to protect women from dowry-related violence.

Female Foeticide:

Voluntary Health Association vs. State of Punjab: The Supreme court issued specific directions to control female foeticide by effectively implementing the PCPNT Act 1994(Prohibition of Sex Selection). In this case it was decided that the identity of the female child cannot be mortgaged and sex based abortion cannot be legalized.

Voluntary Health Association v. Union of India: This case was held in 2016 that there should be a stringent law against female foeticide and something should be done to decrease the declining sex ratio.

Honor Killings:

Manoj Babli Case: This case was about the killing of both the newlyweds by the Jat Panchayat. These people were killed by the panchayat as they belonged to the same clan, Banwala and marrying between the same community between the Jats was considered incest. That is why when both of them got married the panchyat ordered the killing of both. This was the first case that went of Supreme Court and all the people involved were punished and after this case in 2007 and the five people that directly killed those people were sentenced to death and the Head of the Khap Panchayat that ordered the killing of those people was given life imprisonment and the driver that was involved in the kidnapping of the couple was given 7 years imprisonment.

Cyber Bullying:

There are no official landmark cases that were found for this offence but there are numerous reports to suggest that about 9% of teens are bullied over the Internet.

Stalking:

It was found by a survey that about every 55 minutes a woman falls prey to stalking while most of the cases go unreported there have been many instances the stalking turned violent and lethal. In January 2020, in the city of Karakonam in Kerala a 19 year old girl was murdered by her stalker. On the same day a girl was stabbed to death by her stalker. In Uttar Pradesh in 2016, an incidence occurred where a 15 Year old girl was raped and killed by her stalker in her house's terrace.²

V. CONCLUSION

The phenomenon of violence against women is not a recent development but rather a long-standing issue rooted in the historical, cultural, and socio-political fabric of society. From ancient times through the medieval and colonial periods, and continuing into the modern era, women have endured systematic oppression and abuse. In earlier times, atrocities such as rape, abduction during wars, forced marriages, and exclusion from inheritance or property rights were widespread and often justified through religious and cultural practices. Patriarchal structures consistently portrayed women as the property of men—either fathers, husbands, or sons—stripping them of autonomy, legal identity, and voice.

Classical texts like the Manusmriti, which historically influenced social customs in India, often perpetuated gender hierarchies. These texts projected women as submissive, dependent, and inherently inferior, denying them the status of independent individuals. It was not uncommon for such scriptures to endorse the notion that women must not act independently and must accept male authority unconditionally. Such ideological conditioning laid the foundation for centuries of institutionalized gender inequality.

While the constitutional and legal frameworks of modern India have made great strides in promoting gender justice—through provisions for equality (Article 14), protection against discrimination (Article 15), and the right to life and dignity (Article 21)—the implementation at the grassroots level remains deeply flawed. Despite legislative reforms such as the Protection of Women from Domestic Violence Act, 2005, Criminal Law (Amendment) Act, 2013, Dowry Prohibition Act, 1961, and the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994, the incidence of gender-based violence continues to rise, indicating a stark gap between law and practice.

Women today face an array of challenges: domestic violence, dowry-related harassment, acid

⁹ Important cases on Dowry deaths *available on* <https://www.scconline.com/blog/post/tag/dowry-deaths/> , <https://indiankanoon.org/search/?formInput=cases%20on%20dowry%20death> ,

attacks, workplace harassment, cyberbullying, stalking, honor killings, and more. These are not isolated crimes but rather reflect the systemic failure of society to protect its women and transform outdated patriarchal mindsets. What is even more alarming is the normalization of these abuses in certain communities, where silence, victim-blaming, and social ostracism deter survivors from seeking justice.

In many cases, victims are discouraged from filing complaints due to social stigma, fear of retaliation, distrust in law enforcement, or lack of family support. Even when they do approach the justice system, they face secondary victimization through insensitive handling, procedural delays, and low conviction rates. This only reinforces the perception that justice is out of reach for many women, especially those from marginalized castes, tribes, and economic backgrounds.

Furthermore, education, awareness, and social reform remain critical to eradicating the deep-rooted gender bias that fuels such violence. Gender sensitization at all levels—beginning from schools to law enforcement and judiciary—is essential. Society must shift from mere symbolic empowerment to substantive empowerment, where women are not just recipients of legal protection but active participants in decision-making processes—be it in the family, community, or governance structures.

Another vital aspect is economic empowerment. Access to education, vocational training, employment opportunities, and financial independence can significantly reduce a woman's vulnerability to abuse. Women's representation in leadership roles, both in public and private sectors, also plays a crucial role in dismantling patriarchal norms and establishing gender-inclusive institutions.

In conclusion, while legislative and judicial measures have laid the groundwork for change, a multi-dimensional approach is necessary to tackle violence against women. This includes legal reform, institutional accountability, community engagement, and socio-cultural transformation. Ending violence against women is not solely a legal issue—it is a human rights imperative, a developmental necessity, and a moral responsibility. The true measure of a progressive society lies not in its laws, but in how it protects, respects, and uplifts its most vulnerable citizens—its women.

VI. SUGGESTIONS

To effectively address and reduce violence against women, a multi-pronged and proactive approach is essential. The following measures are proposed as critical components of social and legal reform:

1. Spreading Awareness

A significant number of crimes against women are perpetrated by individuals who grow up in environments where gender-based violence is normalized. Particularly in communities with limited access to education and social reform, outdated patriarchal values continue to shape attitudes. For example, individuals who witness domestic violence within their households—such as boys seeing their mothers being abused by their fathers—often internalize these behaviours as acceptable, perpetuating the cycle of abuse. Therefore, targeted awareness campaigns must be conducted across urban and rural areas, with a focus on changing mindsets, debunking gender stereotypes, and promoting equality.

2. Promoting Gender-Inclusive Education

Education remains one of the most powerful tools for social transformation. It should be made accessible and compulsory regardless of gender, age, caste, or economic background. Educational institutions must go beyond academic instruction and integrate gender sensitivity, moral education, and values of respect, empathy, and equality into the curriculum. Girls must be empowered through knowledge and life skills so they are not dependent on others for their safety, security, or identity. Simultaneously, boys must be educated about gender respect, consent, and the consequences of violence and discrimination.

3. Empowering Women Through Self-Defense Training

Given the persistent threats of physical assault and harassment, self-defense training should be encouraged and incorporated into school, college, and community programs. Women and girls should be taught martial arts or other forms of physical training to protect themselves in threatening situations. While the long-term goal is to create a society where such measures are unnecessary, in the current climate, equipping women with self-defense skills serves as both a practical and psychological tool of empowerment.

4. Ending Victim-Blaming Culture

A pervasive barrier to justice is the social stigma and victim-blaming that survivors of violence often face. In many parts of the world—particularly in developing and patriarchal societies—women are discouraged from reporting crimes like rape, molestation, stalking, or sexual harassment due to fear of societal backlash, character assassination, and family dishonour. This toxic mindset must be eradicated through legal reforms, media responsibility, and community sensitization. The focus must shift from questioning the character or actions of the victim to holding the perpetrators accountable. Laws must be implemented strictly, and investigative and judicial officers must be trained to handle such cases with sensitivity and

neutrality.
