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HONOUR ABOVE LIFE: A SOCIO-LEGAL EXPLORATION OF HONOUR KILLINGS IN INDIA

AUTHORED BY - KARTIKAIY

Abstract

Pluralism characterizes India as a multicultural nation. The values, beliefs, religions, and ideologies of Indian culture are rooted in spiritual holy texts such as the Gita, the Mahabharata, the Bible, and the Kuran. Its origins are in the patriarchal culture that has permeated Indian society for centuries, and women are seen as the torchbearers of family honor in patriarchal society. For Indian families, this recognition is of the utmost significance. Despite being the biggest democracy in the world, women in certain regions of India are still denied the ability to choose who they marry, what they wear, or any other aspect of their life that runs afoul of cultural norms and communal interests. In the name of honor, the family members retaliate if they do so, which results in the new offense of honor killing that is, murdering in the name of honor in order to restore the family's honor and respect.

In a cultural or honor killing, a family member is often murdered by another family member because the perpetrators believed that this individual had disgraced the family by doing something else. The word "HONOUR" in honor killing is a misnomer since there is no honor in murdering in the name of the family's honor, someone is silenced from expressing their opinions and exercising their freedom of choice.

Due to the lack of specific legislation for such a heinous act, several cases remain unresolved. Unrecorded and ignored. The purpose of this study is to examine and analyze the socio-legal context of honor killings in India about the laws, constitutional provisions, and other elements that cause these murders and what remedies may be used to combat the evil that is widespread in society.

Keywords: Honour Killing, Custom, Honour, Cultural Killing, Legislation, Khap Panchayat.

Introduction

In India, a pluralistic nation, the caste system is one of the many societal evils that have caused significant problems. It is one of the older and more inflexible institutions in Indian society, where individuals are subject to a set of rules that are different for each caste. A specific caste is bound by these codes of conduct, which they blindly adhere to without questioning their legitimacy. There are Brahmins, Kshatriyas, Vaishyas, and Shudras in the Hindu caste system. These four caste groups are referred to as the "varna system.". The Brahmins are considered to be the highest class, followed by the Kshatriyas, Vaishyas, and the lowest class, the Shudras. I have nothing to do with the study of the Varna system here, but I am going into detail about the caste system because it is one of the main factors that led to the heinous crime known as honor killing. The dominant patriarchal system that currently exists in India should then be discussed and is still a threat to our lovely motherland.

A woman who consistently receives abuse from her husband when she speaks up is stabbed and becomes a victim of the prevalent custom of killing because she defied patriarchal norms by speaking out against her husband, who is viewed as superior to her. Women are victims of these customary killings for a variety of reasons, which this paper attempts to address. In these situations, it is thought that the victim's actions have dishonored the family, and she is killed in the name of honor. Men are also killed by women's families when they discover that they are having an inappropriate relationship with them. Indian law lacks a clause that would directly protect victims, which is why these crimes go unreported. Such murders are not honorable, and the term is simply misleading. The primary goal of this paper is to examine the socio-legal viewpoint on these killings, their legal and constitutional provisions, and the remedies available to combat the underreported current situation.

Review of Literature

Sneha Singh (2017) wrote an article about honor killing, also known as customary killing. In it, she discussed how this social evil started in India and provided several case studies that demonstrated the seriousness of these killings. The necessity of passing a particular law in India, as well as the actions taken by the government and different commissions to address such honor crimes, have all been covered by the author.

Keerthana. "R.". Dr. .S and Shenoi. Pandiaraj (2018) wrote a research paper outlining the different causes of honor killing in India as well as whether or not a codified law addressing

the practice is currently necessary. In their research paper, they clarified the patriarchal society's role in honor killings and outlined its justification.

According to **Dr. Kavita Dhull (2017)**, honor killings are defined as patterns of conduct that cut across communities, cultures, religions, and nations and manifest in a variety of forms of violence directed in the majority of cases against women, including murder (Honour Killing) and forced marriages. Honor killings are considered a crime that threatens the unity and harmony of the community and acts as a temporary barrier preventing women from advancing in their lives. She also discussed the legal and constitutional provisions related to honor killings, as well as the role of caste panchayat in these matters. Over the centuries, a wide range of ethnic and religious groups around the world have documented honor killing and punishment.

Vipin Kumar Singhal explains how gender discrimination occurs in society and how it leads to honor killings. He also suggests that India should have a codified law against honor killings. According to him, caste is a fundamental institution that contributes to social evil. These castes operate according to their established codes of conduct, which forbid anyone from acting in a way that is not helpful to others and result in their exclusion from society.

The basic idea behind honor killings has been laid down by **R.Preethu and Srilatha (2018)**, who also explain the crime's seriousness, its effects, and what can be done to improve society. She explains that honor killing is viewed as a dirty behavior by family members who want to bring purity to the family. It is a murder committed by the family against the family members in order to restore honor to the family and remove the shame and dishonor the family member brought. When a woman betrays the family's honor and wishes, the male member of the family murders her. This is a form of premeditated murder committed by family members against the person who gave the family embarrassment. Most of the time, the accused feels humiliated and provoked by the actions of their neighbors, family members, and society as a whole.

Objectives-

The objectives of this paper are to:

- Examine the socio-legal perspective of honor killings in India
- Identify the factors that contribute to honor killings in India;
- Examine constitutional provisions pertaining to honor killings; and
- Examine legal provisions that offer remedies for ending honor killings.

Meaning of Honor Killing

Honor killings, also known as customary killings, are when a family member or clan council member is killed because the family or clan council feels that the victim has brought shame to the family and put them in a lower social standing. Not just women are the victims of these murders; men are also victims of these crimes. These crimes are based on religious practices, caste beliefs, and customs. Because men are seen as superior to women, honor killings occur when women attempt to cross boundaries, choose to marry someone against their family's wishes, and do many other things. An estimated 5,000 people are killed each year for honor killings, according to the United Nations Population Fund.¹

Merriam Webster dictionary defines Honor Killing as “the traditional practice in some countries of killing a family member who is believed to have brought shame on the family”

Indian Honor Killings: Social Triggers.

The victim's shame to the family or clan council is one of the main general factors that lead to the free killing of people in the name of honor.²

Honor killings in India are deeply embedded in the crossroad of patriarchy, estate scale, and conservative sundries of domestic honor. These killings, frequently committed by close family members, are touched off by conduct perceived to bring "**dishonor**" to a family's social standing within a rigid community structure. The primary social triggers that energy similar violence are multifaceted, drawing upon both artistic and structural inequalities that persist despite legal protections.³

One of the most significant triggers is **inter-caste and inter-community marriages**, which are constantly viewed as transgressions against the dominant social order. Marriages that defy estate endogamy, particularly when a woman from an upper estate marries a man from a lower estate or slated estate, provoke violent counterreaction. This reflects the enduring grip of estate as a social determinant and the collaborative anxiety of communities trying to save estate chastity. Indeed though the Special Marriage Act, 1954 fairly permits similar unions, societal

¹ Raghu N Singh & J. Douglas Dailey, Encyclopedia Britannica, *honor killing* (2016)

² R.Preethi & Dr.A Srilatha “*HONOUR KILLING IN INDIA*”, IJPAM, Vol. 120 No. 5 2018, 1527-1537

³ Law Comm'n of India, *Preventing Interference with the Freedom of Matrimonial Alliances (in the Name of Honour and Tradition): A Suggested Legal Framework*, Report No. 242 (2012).

acceptance remains low, especially in pastoral and semi-urban areas⁴.

Another major detector is **womanish autonomy** in choosing a mate or asserting independence. In traditional patriarchal societies, a woman's fornication and choices are frequently controlled by the family, and any divagation from these morals similar as love marriages or elopements is perceived as a poke to the family's honor. In this environment, women are treated not as individualities with agency, but as carriers of domestic character. As noted by the Supreme Court in *Shakti Vahini v. Union of India* (2018), "the honour of the family is n't more important than the life of the existent."

Khap Panchayats, or informal estate- grounded community councils, play a notable part in immortalizing honor- grounded violence. These bodies, primarily active in countries like Haryana, Uttar Pradesh, and Rajasthan, frequently issue fiats against same- gotra or inter-caste marriages, labeling them as incestuous or immoral. Their influence reinforces social traditionalism and acts as a catalyst for collaborative violence in the name of community honor.

Other social triggers include **rumors or reservations of lawless connections**, turndown of arranged marriages, conversion to another religion, and indeed victims being seen in public with a member of the contrary coitus. frequently, these acts need not be proven; bare dubitation or gossip is enough to provoke fatal consequences⁵.

The common thread among these triggers is the underpinning belief that individual rights, particularly those of women and marginalized communities, are inferior to patriarchal and estate- grounded social morals. Until this deeply hardwired social exertion is addressed through legal reform, education, and community engagement, honor killings will remain a brutal incarnation of systemic inequality in India.⁶

⁴ T.V. Sekher & Neelambar Hatti, *Marriage, Family, and Honour: Honour Killings in India*, 47 *Econ. & Pol. Wkly.* 143 (2012)

⁵ Madhu Mehra, *Criminal Law Reform and Gender Justice in India*, 21 *Colum. J. Gender & L.* 118 (2011).

⁶ Human Rights Watch, "Honor" Crimes and "Honor" Killings, available at <https://www.hrw.org/legacy/campaigns/women/killings/>

“Case Study: Manoj-Babli Murder Case”⁷

This case concerns the 2007 honor killing of a newlywed Jat couple. Manoj and Babli, both members of the Jat community, resided in Karora village in Haryana and were members of the Banwala Gotra. In Karora village in Kaithal district, Haryana, the clan council, or Khap Panchayat, issued an order for their execution and declared that they had both married against social conventions, nullifying the Jat community's marriage laws. This Khap Panchayat decision was based on the presumption that since they are regarded as siblings, people cannot get married in their Gotra. Since Manoj and Babli were members of the same Banwala Gotra, the clan council ruled that they were siblings and could not get married because doing so would render their union void. Nevertheless, Manoj and Babli went forward with their marriage, which led to their kidnapping and murder by Babli's family.⁸

Kidnapped and Murdered: Babli's family halted the bus at Raipur Jatan village as the couples were traveling to Delhi. Mandeep Sing, the driver, took the pair hostage in a Scorpio. The Bhutan police station in Karnal District received a complaint from a road contractor who saw the incident. Following the kidnapping, couples were assaulted, and Babli's brother made her eat pesticide. Other members of Babli's family shoved Manoj to the ground.

Manoj-babli was placed in a bag, and Babli's relatives disposed of them in the Hisar District's Barwala Link canal. Nine days later, on June 23, authorities discovered Manoj-Babli's body. After Manoj's shirt and Babu's anklet were preserved, their remains were cremated on June 24. Their family identified them on July 1. Following this, the police apprehended all of the defendants and took the Scorpio in which Manoj-Babli had been abducted.

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Ex-Home Minister P. Chidambaram stated at the time that in response to the Manoj-Babli case, the central government will suggest a change to the Indian Penal Code that would make honor

⁷ The Hindu, *Death sentence commuted in Manoj-Babli case*, March 12, 2011

⁸ *Smt. Chandrapati v. State of Haryana*, (2011) 5 SCC 447 (India).

killing a "distinct offense."

In addition, the Supreme Court ruled in the **Bhagwan Das Honor Killing case**⁹ that, since it is one of the rarest of rare crimes, those convicted of honor killings need to be executed. A bench of Justices Markandey Katju and Gyan Sudha stated in this case that honor killings are among the rarest crimes and should be punished. The time has come to expose such practices and those who engage in them should be informed of the criminal penalties that would result from their actions.

Legal arena of honor killing in India¹⁰

Constitutional Provisions¹¹

The Indian Constitution, which safeguards people's interests and lays out specific rights and obligations to guarantee its citizens a life of dignity, is the ultimate law of the land.

Since **Article 14**¹² of the Indian Constitution states that all people should be treated equally regardless of their gender or social standing, honor killings are blatantly against this principle. The constitution guarantees everyone the right to equality before the law and equal protection under the law, which means that everyone is equal in the eyes of the law. As previously mentioned, honor killings target women, which leads to gender inequity since women are not held to the same standards as males in society.

According to "**Article 15(1)**"¹³ of the Indian Constitution, the state is prohibited from discriminating against its inhabitants based only on their religion, race, sex, caste, place of birth, or any combination of these. In the case of honor killing, it is evident that women are viewed as inferior to men in society, get unfair treatment, and are expected to uphold the honor of their families while adhering to social norms and limitations.

The Indian Constitution guarantees the right to freedom, life, and personal liberty. Honor killing immediately transgresses a person's right to freedom and violates the constitution. Every individual has the right to live freely and select their life partners. Additionally, no one has the

⁹ Bhagwan Das v. State (NCT) of Delhi, SC (2011) Special Leave Petition (CRL.) NO.1208 OF 2011

¹⁰ Keerthana.R.Shenoi & Dr .S. Pandiaraj, *HONOUR KILLING IN INDIA – A SOCIO LEGAL STUDY*, IJPAM, Vol. 120 No. 5 2018, 4917-4929

¹¹ Dr. Pandey.J.N., *Constitutional Law of India*. Allahabad: Central Law Agency, 2018

¹² Article 14 Indian Constitution, *The Constitution of India* by Dr. J.N.Pandey

¹³ Article 14 Indian Constitution, *The Constitution of India* by Dr. J.N.Pandey

right to have their life dictated to them by others.

The right to life and personal liberty which allows an individual to live according to his needs and to be the ultimate authority over himself is the most significant fundamental right guaranteed by the constitution. This right stipulates that a person should be granted a dignified life, however when honor killing occurs, the person's dignity is taken away and subjected to violation of Rights to life and personal liberty.

The state should guarantee that its citizens have sufficient means of subsistence, according to directive principles of state policy that provide for equal justice and free legal aid. While "**Article 39(e) and (f)**" stipulates that the state shall guarantee that there is no exploitation against children and youth and that they are protected against growing and material abandonment, honor killing deprives women of their lives. Many young married couples and young people are slaughtered without compassion in honor killings, which are a common practice. Following the DPSP is essential to advancing good governance in the nation, eliminating this type of horrible crime from society, and safeguarding the defenseless masses who are at risk of such crimes.

Nationwide Legislations

Special Marriage Act, 1954

According to this act, Indian citizens and Indian residents living abroad are eligible for a particular type of marriage. Marriage is performed under the Special Marriage Act regardless of the caste, religion, or faith of the parties involved. This legislation is violated by the practice of honor killing, which mostly involves couples being deprived of intercaste weddings and, if they disobey the orders, being stabbed and killed¹⁴.

Domestic Violence Act, 2005

According to the ruling in the Vishwanath and Palakonda case, a woman is emotionally abused under the Domestic Violence Act of 2005 if she is prevented from marrying the man of her choosing.¹⁵

¹⁴ R.Preethi & Dr.A Srilatha "HONOUR KILLING IN INDIA", IJPAM, Vol. 120 No. 5 2018, 1527-1537

¹⁵ Jyothi Vishwanath and Srinivas.C Palakonda, *Patriarchal Ideology of Honour and Honour Crimes in India*, International Journal of Criminal Justice Sciences, Vol. 6 Issue 1,2, 2011

Protection of Human Rights (Amendment) Act, 2006

The protection of each person's human rights is mandated by this Act. To secure and preserve each person's human rights, commissions and courts must be established.

Honor killings represent blatant human rights violations, and despite these laws, this heinous crime still occurs in society.¹⁶

Indian Majority Act, 1859

According to Section 3 of the Indian Majority Act, a citizen may marry anybody they choose after reaching the age of the majority, or 18 years old. There is no legal restriction on intercaste or intercommunity marriage; a major has the freedom to wed anyone, regardless of their caste, religion, or community. As a result, any act of honor killing is illegal under this Act and should be condemned.¹⁷

Guidelines Issued by the Supreme Court on Honor Killing¹⁸

The Supreme Court issued the accompanying guidelines to control honor killings in the case of **Shakti Vahini v. Association of India and others**¹⁹, which was decided on March 27, 2018. The court also outlined numerous rules aimed at preventing khap panchayat obstruction and stated that one's own designated town courts cannot prevent a marriage between two consenting adults.

- The Supreme Court has asked state governments to identify areas, towns, or subdivisions where honor killings, gatherings of Khap Panchayats, or acts of respect have occurred during the last five years.
- Officials accountable for the police headquarters of the distinguished zones should be additional mindful if any case of inter caste or inter religion marriage inside their locale goes to their notification and ought to illuminate to his quick unrivaled official and furthermore cozy the jurisdictional Deputy Superintendent of Police and Superintendent of Police.
- After receiving such information, the Deputy Superintendent of Police or a senior police

¹⁶ Puneet Kaur Grewal, *Honour Killings and Law in India*, IOSR Journal of Humanities and Social Science, Vol.5, Issue 6, 2012.

¹⁷ Puneet Kaur Grewal, *Honour Killings and Law in India*, IOSR Journal of Humanities and Social Science, Vol.5, Issue 6, 2012.

¹⁸ Richa Taneja "Khap Panchayat Verdict: A Look At Supreme Court Guidelines To Prevent Honour Killing", NDTV(March 27, 2018 March 27, 2018)= <https://www.ndtv.com/india-news/khap-panchayat-verdict-a-look-at-supreme-court-guidelines-to-prevent-honour-killing-1829395>

¹⁹ Shakti Vahini v. Union of India and others(2018), 7SCC 192

officer should promptly work with the Khap Panchayat members to inform them that it is illegal to hold such a meeting and to advise them not to do so.

- Despite these precautions, if the gathering is led by the Deputy Superintendent of Police, who remains there and advocates for the get-together, no action can be taken that could cause harm to the couple or their family members. Anyone participating in the event, aside from the organizers, would likely face criminal charges if this didn't work out.
- In order for the law-enforcing apparatus to rely on reasonable activity, the Deputy Superintendent of Police should also ensure that a video recording of the discussion and assistance of the participants from the gathering meeting is made.
- The Deputy Superintendent of Police will submit a proposal to the District Magistrate or Sub-Divisional Magistrate of the District/Competent Authority of the concerned district for granting requests to make preventive measures under the CrPC and summon prohibitory requests under Section 144 CrPC, as well as for causing the members of the gathering to be captured under Section 151 CrPC, if, after consulting with the Khap Panchayat, he determines that the social event cannot be prevented and is likely to cause harm to the couple or members of their family.
- To achieve the goals of social justice and the rule of law, the Home Department must take the initiative and collaborate with the state governments to strengthen the law authorization organizations by including all stakeholders.
- With the significant coordination of the large number of partners, there should be an institutional machinery. The various state governments and the central government should try to raise awareness among law enforcement agencies to direct social activities and pay attention to curbing such violence.
- The jurisdictional police authority should promptly file a formal complaint under the appropriate provisions of the Indian Penal Code, including Sections 141, 143, and 503 read with 506 of IPC, in the unlikely event that the State Police notify the local police that the Khap Panchayat has taken place and it has issued any directive to take action against a couple or group of people who are not married.
- The Superintendent of Police or Deputy Superintendent of Police should be notified after a formal complaint is filed. They are responsible for ensuring that a thorough investigation into the misconduct is completed.
- Additionally, quick action should be made to provide the spouse or family with security and, if necessary, to evacuate them to a safe place in the same neighborhood or another

location while keeping in mind their well-being and risk assessment.

- The protest on the hazards posed to such a couple or family with the highest affectability must be organized by the district magistrate or superintendent of police. Depending on their risk assessment on a case-by-case basis, the couple may be granted convenience on the payment of apparent charges in the sheltered house for a period of one month after marriage, with payments made on a month-to-month basis but not exceeding a year overall.
- The District Magistrate/Superintendent of Police should assign an Additional Superintendent of Police official the underlying request regarding the grievance received from the couple. In order to determine the legitimacy, character, and seriousness of risk recognition, he will lead a primer request. Within a few weeks of being satisfied regarding the veracity of such threats, he should submit a report to the Superintendent of Police.
- After receiving an endless stream of such reports, the district superintendent should work with the Deputy Superintendent of Police in charge of the relevant subdivision to file a formal complaint against the individuals threatening the couples and, if necessary, invoke Section 151 of the CrPC.
- Any failure by the police or local officials to follow the aforementioned headings should be viewed as an act of deliberate negligence and a violation for which a departmental action would be taken in accordance with the administration's regulations. The authority of the main event will initiate the departmental action and see it through to its reasonable conclusion, ideally not more than six months.
- According to the Court's ruling in *Arumugam Servai* (above), states are coordinating to take disciplinary action against the relevant authorities in the event that it is found that they failed to prevent the incident despite knowing about it beforehand or that, in cases where the incident had already occurred, they failed to promptly apprehend and organize criminal proceedings against the responsible parties²⁰.
- To receive complaints about harassment and risk to couples in between-position marriages, the state governments should establish dedicated units in each district, which would include the superintendent of police, the district social welfare officer, and the district adi-davidar welfare officer.
- These special cells should set up a 24-hour helpline to receive and recruit such

²⁰ CEDAW Committee, *General Recommendation No. 19 on Violence Against Women*, U.N. Doc. A/47/38 (1992).

objections and to provide the couple with basic assistance, advice, and insurance.

- The assigned court or Fast Track court designated for that purpose will keep a close eye on any criminal proceedings involving murder or violence against the spouse. The preliminary process must proceed on an ongoing basis in order to be completed, ideally, within six months of the offense being taken into consideration.

Socio-Legal Impact of Honor Killings in India

Patriarchy Reinforcement: Honor killings are an expression of long-standing patriarchal standards that associate a woman's behavior with her family's honor. Women who pick their own partners, particularly when they do so against the wishes of their families, are perceived as losing control, which leads to violent retaliation in an attempt to "restore" that power.²¹

Caste and Community Control: When people marry outside of their caste or religion, these murders frequently take place. Such couplings are viewed by families or communities as dangers to caste purity and social order. As a result, honor killings are used to uphold caste lines and impede societal advancement.

Suppression of Individual Rights: Honor killing victims are targeted for exercising rights that are granted by the constitution, including Article 19 (freedom of choice) and Article 21 (right to life and personal liberty). Their individual freedom is seen as inferior to family or societal values.

Absence of Specific Law: The Indian Penal Code (IPC) punishes murder, but it does not have any legislation that specifically tackles the circumstances and motivations behind honor killings. This frequently results in prosecution challenges and weakened charges like "culpable homicide" or "abetment."²²

Weak Enforcement and Social Complicity: The same social norms that lead to honor killings frequently have an impact on law enforcement organizations, especially in rural regions. Particularly when community leaders are involved, police may disregard complaints, postpone investigations, or take a side with the offenders.

²¹ Flavia Agnes, *Preserving the Family: Hindu Code Bill and the Indian Constitution*, 46 Econ. & Pol. Wkly. 37 (2011).

²² Tarunabh Khaitan, *Beyond Reasonableness: A Rigorous Standard of Review for Article 15 Infringement*, 50 J. Indian L. Inst. 35 (2008).

Judicial Condemnation but Limited Impact: Honor killings have been strongly condemned by courts, including the Supreme Court. In the 2018 case of *Shakti Vahini v. Union of India*, the Court established rules for prevention, protection, and punishment. However, its actual impact is still restricted because of a lack of accountability and monitoring.

Legal and Social Reform: Both societal and legal reforms are necessary to address honor killings. Sensitization campaigns, fast-track trials, witness protection, and a specific statute²³ are all necessary. To alter attitudes, social reforms like awareness-raising, education, and empowerment—especially for women—are equally important.

Suggestion or Remedies

- To properly and firmly address the problem of honor killing, a distinct law must be created.
- There is currently no precise definition of honor killing, so it is necessary to provide one that is both unambiguous and explicit.
- The most effective way to fight this evil is through education. In order to combat such horrible crimes, people should be educated and made aware of the treatments that are available.
- Caste-related extra importance should be reduced as much as possible.
- Khap Panchayat need to be outlawed and absolutely forbidden.
- To provide victims with protection, dedicated cells and helpline lines had to be established.
- Women ought to be empowered.
- It is necessary to continue awareness initiatives to educate people about the negative impact honor killings have on society and how to prevent these crimes.

Conclusion

Honor killing is a widespread evil that is in some ways controlled by the caste system, which has the covert approval of society to uphold the caste system and the education established by custom. There is no specific legislation to address honor-related crimes in a nation like this, where they are neither new nor on the rise. Brinda Adige, a women's rights activist, believes

²³ Nandini Sundar, *Custom and Democracy in India: Politics of Indigenous Rights and Legal Pluralism*, 35 L. & Soc. Inquiry 295 (2010).

that the IPC should have a distinct legislation against honor crimes²⁴. "No one examines the circumstances leading up to the murder; lawyers and police officers view honor killing as simply another murder case. Honor killings are frequently planned and involve a great deal of brutality, particularly when it comes to crimes against SC and ST people. Lawyers base their defense on the assertion that there was "a crime of passion" or that the attack was "emotional." In a similar vein, judges consider the case to be one of murder rather than honor killing. In India, it has become a severe crime, and we are unable to eradicate it from our society simply because we lack clear, strict laws regarding it. It is very necessary to safeguard the rights of young people who want to voice their opinions but whose opinions are being suppressed by social norms.

They are under pressure to adhere to social norms, the caste system, and the patriarchal structure. This horrible crime targets women's sexual autonomy and disproportionately affects women. They don't have the right to be free from restrictions and chains. Although we have codified laws in this new India, it is concerning to observe that customs are displacing fundamental rights, which are targeting and violating people's core human rights. In numerous instances of honor killings, the judiciary has handled prudently, but some defendants have taken advantage of the fact that there is no specific law to address this crime to avoid being found guilty.

Since the problem is founded in societal attitudes, the best weapon is a liberal mindset rather than a narrow one confined to the patriarchal and caste systems. The law can only penalize those who commit crimes; it cannot solve the issue on its own.²⁵ Instead of doing this merciless deed just because someone has not followed the rules of the family, they should, to the greatest extent possible, terminate the social interaction with the spouse if there are issues in the family as a result of the marriage custom that family members reject²⁶. God has given us life as a magnificent gift. Therefore, it shouldn't be taken from a person.

²⁴ United Nations Population Fund (UNFPA), *State of World Population 2000: Lives Together, Worlds Apart: Men and Women in a Time of Change* (2000), https://www.unfpa.org/sites/default/files/pub-pdf/swp2000_eng.pdf.

²⁵ Madhu Kishwar, *Interrogating Gender Violence: Ideas and Interventions*, 40 *Econ. & Pol. Wkly.* 45 (2005).

²⁶ A.R. Gledhill, *Honour Killings in India: A Modern-Day Tragedy*, 3 *Int'l J. Hum. Rts. Prac.* 106 (2012)