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MOB LYNCHING AND CRIMINAL LIABILITY IN INDIA: A CRITICAL STUDY

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ABSTRACT

Mob lynching represents a grave challenge to the rule of law, constitutional governance, and the legitimacy of the criminal justice system in India. It involves collective violence in which a community takes the power to look into, decide, and punish a person without following the proper legal process, frequently based on suspicion, prejudice, caste, communal animosity, false information, or identity-related factors. With a focus on the Bharatiya Nyaya Sanhita, 2023 (BNS), this paper critically investigates the subject of mob lynching and the development of criminal responsibility in India. It outlines the shortcomings of the previous Indian Penal Code, 1860, which did not acknowledge the unique characteristics of mob lynching as a distinct offense and instead addressed lynching thru provisions relating to murder, culpable homicide, unlawful assembly, rioting, common intention, and common object. The study also looks at the judicial and constitutional response, especially the historic ruling in *Tehseen S. Poonawalla v. Union of India*, where the Supreme Court called mob lynching an affront to constitutional democracy and recommended remedial, punitive, and preventive measures. The BNS's Section 103(2), which clearly acknowledges identity-based group murder committed by five or more people and stipulates harsh penalties including life in jail or death, is also examined in this essay. It assesses the importance of this clause as well as its drawbacks, especially its limited application to fatal situations and its absence of thorough procedures for official accountability, victim recompense, prevention, and witness protection. The study argues that effective control of mob lynching requires not merely stringent punishment but also preventive policing, speedy investigation and trial, public legal awareness, community engagement, and institutional accountability.

Keywords: Mob Lynching, Criminal Liability, Rule of Law, Collective Violence, Due Process.

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INTRODUCTION

The rule of law constitutes the foundation of every democratic society, ensuring that the administration of justice remains the exclusive function of legally constituted institutions. In a constitutional democracy such as India, the State alone possesses the legitimate authority to investigate offences, prosecute offenders, and impose punishment in accordance with established legal procedures. Mob lynching, however, represents a direct challenge to this foundational principle. It is a manifestation of collective violence in which a group of individuals assumes the role of judge, jury, and executioner, often acting on suspicion, prejudice, misinformation, or communal hostility. Such acts not only violate the rights of the victim but also strike at the very heart of constitutional governance, due process, and the criminal justice system.

The term mob lynching is based on the name of Charles Lynch (1736–96), a justice of the peace and planter from Virginia who presided over an unofficial court established to punish loyalists during the American Revolution. In these violent crimes, the mob conducts the trial and administers the punishment and sentence to the victim in accordance with laws created by the crowd and motivated by tradition, religion, and custom. These trials don't occur in some situations then the mob begins administering penalties according to certain assumptions and preconceptions. In this instance, the mob may be driven by radical ideologies and statements or by religious motivations. The purpose of lynching is to administer retribution for the good of society at large. Mob-lynching is not a new phenomenon but it is a curse continuing in our society from early times.

In recent years, India has witnessed an alarming rise in incidents of mob lynching. Several causes have led to the manifestation of the aforementioned events including charges of slaughtering cows, abduction of minors, robbery, cross-faith marriages, animosities based on caste, and intolerance of religion together with the exchange of information through social media. The rapid spread of false information through different means of communication has increased the chances of the occurrence and spread of collective violence thereby spreading false information and hateful messages faster than ever before. Mob lynching has turned into a problem that has ceased to be merely a problem of law and order but a serious threat to social peace, dignity, and principles enshrined in the Constitution such as equality, fraternity, and justice.

The issue of mob lynching creates a new category of case that victimizes the system of criminal legislation. Unlike a single act committed by one person, mob lynching involves a lot of people, which complicates the process of finding the guilty one and pinpointing the responsibility for the act. There are always questions concerning the common intention and the common object of the act and constructive liability of participants in the illegal process. Due to that fact, proving a person guilty in cases of collective violence is very complicated, which results in many cases being not investigated, prosecuted or convicted.

MEANING OF MOB LYNCHING

The phrase "mob lynching" is a combination of the words "mob," which means "group of people" trying to cause disturbance or violence in society, and "lynching," which means "extrajudicial killing" by the group. This type of violence occurs when a mob executes a believed criminal under the guise of administering justice without a trial, frequently torturing and mutilating the victim. Mob lynching is a form of extra-judicial collective violence in which a group of individuals assumes the role of law enforcement and inflicts punishment upon a person without following the due process of law. Although the term has gained significant legal and academic attention in recent years, there is no universally accepted statutory definition of "mob lynching" either under Indian law or international law. Consequently, legal scholars, dictionaries, and judicial institutions have attempted to explain the concept by emphasizing its essential characteristics, namely collective violence, vigilantism, denial of due process, and unlawful punishment.

According to Arnold S. Trebach, lynching refers to "the unlawful killing or punishment of a person by a mob acting under the pretext of administering justice without legal authority."² This definition highlights that a mob assumes the functions of the State by imposing punishment outside the framework of the criminal justice system. Similarly, Christopher Waldrep defines lynching as "collective violence in which a group of people seize, punish, or kill an individual outside the established judicial process, claiming to enforce justice"³. He emphasizes that lynching is essentially an act of vigilantism where private individuals unlawfully exercise judicial authority. Michael J. Pfeifer further explains that lynching is "violence committed by a crowd that assumes the authority to punish alleged offenders without recourse to courts or

² Arnold S. Trebach, *The Devil's Butcher Shop: The New Mexico Prison Uprising*, University of New Mexico Press, 1992

³ Christopher Waldrep, *The Many Faces of Judge Lynch* (Palgrave Macmillan, 2002)

lawful procedures."⁴ His definition underlines the denial of procedural fairness and the substitution of mob judgment for the rule of law.

Authoritative legal dictionaries also provide important conceptual guidance. The Oxford English Dictionary defines lynching as "the killing of a person by a mob without legal authority, especially by hanging, for an alleged offence." Likewise, Merriam-Webster Dictionary describes it as "to put to death by mob action without legal approval or permission." These dictionary definitions primarily focus on unlawful killing by a crowd but also imply that such violence is motivated by a perceived need to punish an alleged offender without judicial intervention. Black's Law Dictionary, one of the most authoritative legal dictionaries, defines lynching as "the unlawful execution or punishment of a person by private individuals acting without legal authority." Unlike general dictionaries, Black's Law Dictionary recognizes that lynching may involve not only killing but also other forms of unlawful punishment carried out by private persons outside the authority of law.

In light of these perspectives, mob lynching may be understood as an extra-judicial act of collective violence in which a group of persons unlawfully inflicts physical harm or death upon an individual on the basis of suspicion, prejudice, misinformation, or identity-related considerations, while usurping the functions of the criminal justice system and disregarding the constitutional principles of due process, equality, and the rule of law.

THE INDIAN LAW AND LYNCHING

Mob lynching is one of the most significant problems of the Indian criminal justice system in the 21st century. It is a type of collective violence, where some group of people unlawfully takes over the powers of the State and punishes a person who is alleged of committing a crime without giving the advantage of investigation, trial or due process. Such actions pose a serious threat to constitutional democracy and break the rule of law and the basic rights guaranteed by Articles 14 and 21 of the Constitution of India as well as diminish the level of trust of people in the justice system. Even though similar cases have been happening in the history of India, the legal development of this issue has occurred steadily through the judicial process and the process of enacting laws and changes in the criminal law system.

⁴ Michael J. Pfeifer, *The Roots of Rough Justice* (University of Illinois Press, 2011).

The Indian legal system had previously failed to recognize mob lynching as a specific criminal act, prior to independence. During colonial times, collective violence was usually punished based on various laws found in the Indian Penal Code (IPC) of 1860⁵, pertaining to acts of murder, culpable homicide, rioting, and unlawful assembly. The IPC dictated that both individuals and unlawful assemblies could be guilty of crimes concerned with violence, where sections 141 to 149 dealt with unlawful assembly, and sections 299 and 300 dealt with culpable homicide and murder respectively. Even though these legal guidelines made it possible to punish mobsters as per law, mob lynching was still not distinguished from other types of homicide and thus failed to identify the unique aspects involved with mob lynching such as targeting of one individual based on its ethnicity, practice of vigilantism, collective punishment, and denial of justice.

After independence, India had to experience numerous episodes of collective violence stemming from caste clashes, ethnic riots, witch hunts, land disputes, accusations of theft, and also from local vigilantism. These incidents have been addressed according to the already existing provisions of the IPC and the Criminal Procedure Code of 1973. The legal framework made use of established principles of the common intention and common object by using Sections 34 and 149 of the IPC. The judicial practice has established liability for collective criminals when crimes against the law are committed by the unlawful assembly while performing the purpose of its activities. Even though the legal framework opened the possibility to prosecute participants of collective violence, it did not take into account the characteristics of crimes of mob lynching that are featured by sociological theory.

The nature of mob violence underwent a significant transformation during the first two decades of the twenty-first century. The rapid advancement of technology, increased accessibility of the internet, and extensive use of social media platforms including WhatsApp, Facebook, and YouTube enables the rapid spreading of rumors, fake news, and inciting content. Escalation of unfounded allegations concerning child abductions, slaughtering cows, transporting cattle, trafficking organs, conversion to different religions, and stealing, have often led to spontaneous acts of mob violence in different regions of the country. Innocent people, who have been victims of mob attacks, are targeted based on unreliable data without any counteraction from

⁵ Act no 45 of 1860

the criminal justice system, which highlights the inadequacy of current legislation and raises a relevant demand for establishing a new law against lynching.

The judicial response to mob lynching assumed constitutional significance through the landmark judgment of the Supreme Court in *Tehseen S. Poonawalla v. Union of India*⁶ in this case the Supreme Court unequivocally condemned mob lynching as "horrendous acts of mobocracy" and observed that such acts cannot be permitted to become the "new normal" in a constitutional democracy. The Court emphasized that no individual or group of persons has the authority to take the law into its own hands and that the State bears a constitutional obligation to protect every person's right to life, equality, and dignity.

In the light of Articles 142 of the Constitution, the Supreme Court enjoyed the power to issue comprehensive orders on preventive, punitive and remedial measures to curb mob lynching till such time Parliament made a law to that effect. The preventive measures include making an officer of the rank of Senior Superintendent of Police the Nodal officer of each district, forming special task forces for identifying and keeping a watch on persons likely to be involved in such crimes and armed interventions to track movements of the assailants. The Court also held that the police shall immediately register FIRs, conduct speedy investigation and take necessary departmental action as well against negligent police offices. The suggestion made by the Court is that Parliament should look into the issue of mob lynching separately and enact a specific law to punish it as a crime since it requires special treatment by legislation.

In the wake of Supreme Court judgement, numerous state administrations initiated various legislative actions aimed at preventing mob lynching. One of the initial state laws that dealt with mob violence specifically was the Manipur Protection from Mob Violence Act, 2018, which included a legal definition of mob violence, police obligations, penalties for offenders, and provisions for victim's rehabilitation and compensation. Other states such as Rajasthan also introduced their legislations like Rajasthan Prevention from Lynching Act, 2019, which criminalized lynching, and designed enhanced penalties, prevention mechanisms, and provisions for government employee accountability. The state of West Bengal came up with West Bengal (Prevention of Lynching) Act of 2019, which provided a comprehensive legal framework of deterrence and prosecution against mob lynching through a number of reforms.

⁶ (2018) 9 SCC 501

Although these state laws were quite significant, it is important to note that they would apply only in the particular territories of their jurisdiction and would not promote uniformity on national level.

Bharatiya Nyaya Sanhita, 2023⁷ (BNS) marks an important achievement in the history of anti-lynching laws in India, since it has replaced the Indian Penal Code, 1860. For the first time, there is a specific mention in Indian criminal statutes of mob lynching as a crime since doing so in Section 103(2) of the BNS. The provision provides for the imposition of death penalty or imprisonment for life and fine when murder is committed by groups of five or more persons because of their race, caste, community, religion, gender, place of birth, language or personal belief among other reasons. The fact that the new law legitimizes mob lynching as a distinct form of group criminality makes it different from the Indian Penal Code. It also shows that Parliament has realized the need to have a strong punishment for hate crimes at par with other punishments for ordinary criminal acts.

Regardless of this significant reform, the Bharatiya Nyaya Sanhita has received a great deal of academic and legal attention. Section 103(2) is restricted to instances where mob violence has resulted in murder and does not explicitly include acts such as attempted lynching, grievous injury, sexual assault, destruction of property or any such form of mob attack that does not end in death. This law also poses a number of complicated issues, including how to determine participation of individuals, common motives, common objectives, their admissibility in court, among others, when it comes to policing actions. Unlike anti-lynching laws at the state level, however, the BNS does not adequately regulate such issues as preventive policing, rehabilitation of victims, protection of witnesses, compensation mechanisms, and responsibilities of officials to prevent mob violence.

REASONS RESPONSIBLE FOR MOB LYNCHING

There are certain reasons and responsibilities for Mob Lynching some of these are:

1. **Lack of Trust in the Legal System**

The prevalence of mob lynching has been significantly exacerbated by a widespread mistrust in the legal system. While many people believe that the legal system is inefficient, corrupt or unresponsive, this perspective is especially widespread in rural

⁷ Act no 45 of 2023

and less developed areas. People are understandably frustrated by their belief that there is no mechanism for effective retribution of criminals and that the only remedy is violent retribution. This is precisely the reason why there have been so many occurrences of public violence against individuals suspected of being criminals in country.

2. Communal and Religious Tensions

In societies where there are religious or communal divides, mob lynching is a common act of expressing fears or hatred towards alleged outsiders or others. Mob lynching in India is frequently born out of religious hatred. Reports of interfaith marriages, religious conversions or cow slaughter can easily lead to mob lynching. Blasphemy accusations also often lead to mob lynching in countries, where mobs physically assault the accused despite the fact that there is no evidence. Conflict between communities or religions can lead people to believe rumors and be less motivated to seek proof or take the matter to court.

3. Social Inequality and Economic Disparities

Social and economic inequality also plays an important role in mob lynching. Mobs are likely to attack marginalized groups of people such as the poor, members of lower castes, and ethnic minorities in many developing countries. Due to this, mob violence can gain legitimacy among certain groups who have suffered from systemic discrimination. In high-poverty areas, marginalized people tend to be victimized by mob lynching, according to the perspective that they are easy targets who can be accused of something or blamed by society.

4. Role of Social Media and Rumours

It is impossible to undervalue the part social media plays in inciting violence and disseminating misleading information. Rumours can spread quickly in the digital age on sites like Facebook, Twitter, and WhatsApp. A mob attack might be sparked by a single unfounded rumour, such as the claim of snatching a child or slaughtering a cow. Social media increases mistrust and anxiety by disseminating unverified information, which fuels irrational mob behaviour. For instance, in India, mob lynching has been connected to WhatsApp rumours that went viral and led to multiple public attacks, particularly in rural areas where people are more likely to believe false information.

5. Failure of Law Enforcement

Mob lynching frequently occurs as a result of law enforcement's inability to respond quickly or fairly. People may believe they have no alternative but to seek justice on their own when the police are unable to apprehend and prosecute violent crime offenders. There are no deterrents for mob violence in some places because of the police presence being lacking and the corruption in law enforcement²². The size or power of the mob sometimes makes law enforcement too scared to step in, or they may even be complicit in the violence, which gives the crowd even more confidence to act without consequence.

6. Political Exploitation and Manipulation

Political organisations who want to take advantage of social differences for their own benefit occasionally manipulate or even start mob lynching. Political groups or leaders may encourage mob violence to bolster their authority, scare off opponents, or divert attention from other problems. Mob lynching is a tactic used by political leaders to keep control or further their own goals in nations with weak political systems or where the rule of law is shaky, which feeds the cycle of violence.

JUDICIAL RESPONSE TO MOB LYNCHING IN INDIA

The Indian judiciary has played a transformative role in addressing the growing menace of mob lynching, particularly in the absence of a comprehensive parliamentary legislation specifically dealing with the offence. While the Indian Penal Code, 1860 (now replaced by the Bharatiya Nyaya Sanhita, 2023) criminalized offences such as murder, culpable homicide, rioting, unlawful assembly, and criminal conspiracy, it did not recognize mob lynching as a separate offence. Consequently, The Supreme Court of India, assumed a proactive role in developing constitutional principles and procedural safeguards to prevent collective violence and protect the fundamental rights of citizens. Through a series of landmark judgments, the judiciary has consistently held that mob lynching constitutes a direct assault on the rule of law, constitutional governance, and the right to life guaranteed under Article 21 of the Constitution.

In 2015 Krishnamurthy case⁸, Supreme Court held that "the law is the highest rule in a civilized society." The Court noted that "no person is allowed to take the law into his own hands in

⁸ Krishnamoorthy v. Sivakumar, (2015) 3 SCC 467

regard to his shallow judgmental spirit. Just as one has the right to fight for his legal rights, another has the right to be presumed innocent until proven guilty after a fair trial”.⁹

The most significant judicial pronouncement on the subject is the decision of the Supreme Court in *Tehseen S. Poonawalla v. Union of India* (2018)¹⁰. The writ petition was filed under Article 32 of the Constitution against the increasing incidents of mob violence, particularly those committed in the name of cow protection and other identity-based allegations. The petition highlighted that innocent individual were being assaulted and killed by self-appointed vigilante groups claiming to enforce law without any legal authority. The Supreme Court treated the issue not merely as one of criminal law but as a serious constitutional concern affecting the rights to equality, dignity, and personal liberty.

In its landmark judgment, a three-Judge Bench comprising Chief Justice Dipak Misra, Justice A.M. Khanwilkar, and Justice D.Y. Chandrachud unequivocally condemned mob lynching and described it as "horrendous acts of mobocracy." For such acts, the Court observed, "not to be the new normal" in a society governed by law. It emphasized that no individual or group of individuals has the authority to serve as law enforcement officers or to substitute for the criminal justice system. It reiterated that only institutions under law have the power to investigate, prosecute, and punish crime and not in private citizens acting collectively.

The Supreme Court also ruled that mob lynching violates the guarantees contained in Articles 14, 19, and 21 of the Constitution of India. Article 14 guarantees equality before the law and equal protection of the laws, requiring the State to ensure equal protection to every person, irrespective of his religion, caste, language, or social class. Article 21 guarantees that no one shall be deprived of life or freedom other than as required by law. The Court held that mob violence violates procedural fairness since the victims are punished without investigation, trial, or judicial determination of guilt. It is effectively negating constitutional due process. While no specific anti-lynching legislation exists in India, the Supreme Court used its constitutional powers under Articles 141 and 142 to issue guidelines to combat the rioting until Parliament has passed suitable legislation. The directions were divided into three sections:

- The Preventive Measures, the Court directed every State Government to appoint a senior police officer not below the rank of Superintendent of Police as a Nodal Officer

⁹ (2015) 3 SCC 467.

¹⁰ AIR 2018 SC 3354

in each district to prevent incidents of mob violence. These officers were entrusted with the responsibility of identifying areas prone to mob violence, collecting intelligence regarding the activities of vigilante groups, coordinating with district administrations, and taking preventive action wherever necessary. The Court also directed the constitution of special task forces to monitor hate speech, inflammatory messages, and activities capable of inciting collective violence. District administrations were instructed to conduct regular meetings with local communities to promote communal harmony and create public awareness regarding the legal consequences of mob violence.

- The Remedial Measures, the Court focused upon ensuring prompt criminal justice administration after an incident of mob lynching. The Court directed that First Information Reports (FIRs) should be registered immediately upon receiving information about mob violence and that investigations should be conducted expeditiously by competent police officers. It recommended that trials be conducted by designated fast-track courts to avoid unnecessary delays in the administration of justice. The Court further emphasized that victims and their families must receive adequate compensation under victim compensation schemes framed under Section 357A of the Code of Criminal Procedure, 1973. Witness protection measures were also recommended to ensure that witnesses could testify freely without fear of intimidation or retaliation by members of violent mobs.
- The Punitive Measures the Supreme Court aimed at ensuring institutional accountability. The Court directed that disciplinary proceedings should be initiated against police officers and public officials who deliberately failed to prevent incidents of mob violence or neglected to discharge their statutory duties. It observed that administrative inaction or deliberate negligence by law enforcement authorities indirectly encourages vigilantism and undermines public confidence in the justice delivery system. Consequently, public officials could not escape responsibility merely because they had not directly participated in the offence.

Shakti Vahini v. Union of India¹¹ this case is primarily concerning "honour killings" and Khap Panchayats, this judgment laid the procedural groundwork for Tehseen Poonawalla case. The Supreme Court ruled that any attempt by an assembly to punish individuals for exercising their

¹¹ AIR 2018 SC 1601

constitutional right to choose a partner is illegal. The preventive and remedial structures formulated here such as assigning accountability directly to district administrations were later directly imported into the mob lynching framework.

In the case of *Shahzad Khan & ors. V. State of UP*, the Supreme Court while dealing with the incident of mob lynching focused on such act of violence based on religion, caste or any other similar cases. The court also directed the authorities to ensure safety of individual from hate crime and lynching. In this judgement the court also said that there should be no tolerance for any act which disturbs the law and order of the society.¹²

In *Arumugam Servai v. State of Tamil Nadu*¹³, the Supreme Court strongly condemned the functioning of caste-based bodies and groups that encouraged violence against individuals. The Court observed that any attempt by private assemblies to administer punishment outside the legal system constitutes a serious threat to the rule of law and deserves strict criminal action. Although the case did not directly concern mob lynching, it reinforced the principle that collective vigilantism cannot be tolerated in a constitutional democracy.

In *National Federation of Indian Women (NFIW) v. Union of India*¹⁴, the Supreme Court disposed of a PIL seeking nationwide enforcement of the 2018 Tehseen Poonawalla guidelines against mob lynching. Acknowledging that the *Bharatiya Nyaya Sanhita* (BNS) now penalizes mob lynching as a distinct statutory offense, the Court ruled it cannot "micromanage" state-level compliance from Delhi. While reaffirming that the Poonawalla guidelines remain strictly binding, the bench directed aggrieved individuals to approach their jurisdictional High Courts or trial courts for redressal. Furthermore, the Court rejected setting a uniform national compensation amount, mandating a case-by-case determination.

CONCLUSION

Mob lynching stands as one of the most severe affronts to the constitutional foundations of India, directly challenging the state's exclusive and legitimate authority to administer justice. Driven by deep-seated communal tensions, systemic social inequalities, and the rapid, unchecked dissemination of rumors through social media platforms, this form of extra-judicial

¹² 2020 SC 453

¹³ AIR 2011 SC 1461

¹⁴ Writ Petition (Civil) No. 719 of 2023

collective violence fundamentally undermines the fundamental rights to life, equality, and dignity guaranteed under Articles 14 and 21 of the Constitution.

As the colonial-era Indian Penal Code applied to these hate-motivated crimes, the Indian criminal justice system struggled to prosecute these crimes effectively for decades. The judiciary, as the guardian of the constitutional values, quickly intervened and filled the void. In the Tehseen S. Poonawalla case, the Supreme Court condemned these acts of mobocracy and prescribed concrete remedies and punishments for the state machinery. The transition from court oversight to statutory codification is unprecedented in Indian criminal law. In Section 103(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS), the legislature has formally recognized the identity-based collective murder as an aggravated offence. With the harsh penalty of life imprisonment or death for lynchings based on race, caste, community, or belief, the law now has the weight to punish. Legislation alone cannot erase a crime so deeply entrenched in politics. Mob violence is due to a lack of trust in the legal system, political manipulation, and slow intervention of law enforcement. While the BNS has its punitive power, it also does not encompass the new system of preventive policing, witness protection, and victim compensation mechanisms that were part of earlier Supreme Court decisions and state laws. As the Supreme Court recently issued directions for effective enforcement, swift investigation, accountability, and preventive measures are essential to deter mob violence and protect citizens.

SUGGESTIONS

1. Enact a Comprehensive Central Anti-Lynching Law

The Parliament is urged to make a special anti-lynching law, wherein the concept of mob lynching is precisely defined, the punishment for such acts are severe and rigorous, where provision is also made for the redressal of the victim to prevent recurrence, and also where public officers are to be held accountable for their non-feasance. While Section 103(2) of the Bharatiya Nyaya Sanhita, 2023, does provide provisions related to particular kinds of mob killings and is expected to punish all attempts leading to such crimes including inchoate offences, it fails to prevent them or provide a redressal for the victim.

2. Strengthen Preventive Policing and Intelligence Mechanisms

Every district should establish a specialized anti-lynching task force headed by a senior police officer to identify vulnerable areas, monitor communal tensions, and respond

swiftly to intelligence regarding potential mob violence. Regular patrolling and community policing should be enhanced in sensitive regions.

3. Promote Public Legal Awareness and Constitutional Values

In states where these, along with rule of law, and other constitutional provisions for protection of fundamental rights as also the implications of unlawful assembly, are needed for one and all to understand – in schools and colleges, government organizations, social organisations and the press, have to disseminate this. Educated masses will also not turn violent against suspicious and thereby we will have lesser cases of vigilantism and an increased reporting to the law enforcement agencies.

4. Strengthen Witness Protection and Victim Compensation Mechanisms

Victims of mob lynching and their families should be provided with immediate medical care, rehabilitation and adequate compensation. Witness protection programs should also be established to protect witnesses from intimidation and encourage truthful testimony during trial.

5. Promote Community Engagement and Interfaith Dialogue

Local administrators should set up community peace committees with the participation of people from different religious, caste and social groups to address local tensions and prevent the spread of rumors. Dialog among community leaders on a regular basis can build trust and reduce the chances of collective violence.

6. Ensure Speedy Investigation and Fast-Track Trials

Cases of mob lynching should be investigated by trained officers and tried in designated fast-track courts for timely justice. Delays in investigation and prosecution undermine public confidence and reduce the deterrent effect of criminal law.

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- Shahzad Khan & ors. V. State of UP (2020)
- National Federation of Indian Women (NFIW) v. Union of India (2023)