

## CRIMES AGAINST WOMEN: WHERE ARE THE SOLUTIONS?

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Crime is an action which can affect human behavior vigorously. Even if it is a criminal or a victim, the affect can be seen on both of them.

When we discuss about Criminal behavior it might include Criminal psychology, social control over a criminal, his coercive behavior, regulation, etc.

Criminal behavior study is about understanding the criminal or the offender in relation with who they actually are, why they commit an offence, their thinking process, predicting their future criminal attempts.

It is being felt that the rationale behind the causation of Criminal Behavior can be in following forms:

1. It is possible that the Criminal Mind can be an origin from the family i.e. genes.
2. Secondly it can be his surroundings i.e. from where he belongs or the place he has been brought up at.
3. Thirdly, it might be their low social status because of which they faced problems in becoming the part of the society.
4. Fourthly, the reason might be their financial problem due to which they struggle to survive every day.

The Criminal behavioral study focuses to better understand the offender and answer queries like why the offences are commenced so as to deduce criminals, to know the criminal mind, what is the offender's future actions so as to avoid crimes.

It is believed that human is the fundamental thing of analysis. It is further believed that Crimes can be a result from uncommon, malfunction or improper mind process within any individual's personality.

Thus, we can say that the criminal behavior is regulated by his surroundings and the people who he meets day to day. The impact of his behavior is also dependant on his psychological background and his drug regulation.

### **Crimes against women**

When we talk about the crimes against women, it is said that the rule of Gender Equality is adored in the Constitution of India. With a view to keep up and execute the Constitutional Mandate, the State has established distinctive laws and taken measures proposed to ensure equal rights, check social discrimination and diverse kinds of violence and barbarities. In spite of the way that women may be setbacks of any of the general infringement, for instance, 'Murder', 'Robbery', 'Duping', and so on yet the wrongdoings which are coordinated towards women especially i.e. Gender specific Crimes are depicted as 'Crimes against Women'. Distinctive new enactments have been brought and revisions have been made in existing laws with a view to manage this infringement adequately. These are classified under two Categories:

- (I) Crime heads under the Indian Penal Code (IPC).
- (II) Crime heads under the Special & Local Laws (SLL).

#### **(I)Crime Heads under the Indian Penal Code (IPC)**

1. Rape (Sec. 376 INDIAN PENAL CODE)
2. Attempt to commit Rape(Sec 376/511 INDIAN PENAL CODE)
3. Kidnapping & Abduction of Women (Section 363, 364, 364A, 365, 366 to 369 INDIAN PENAL CODE)
  - Kidnapping & Abduction under section 363 INDIAN PENAL CODE
  - Kidnapping & Abduction in Order to Murder
  - Kidnapping & Abduction for Ransom

- Kidnapping & Abduction of Women to Compel Her for Marriage
  - Kidnapping & Abduction for Other Purposes
4. Dowry Deaths (Section 304B INDIAN PENAL CODE )
5. Assault on Woman with Intent to Outrage Her Modesty (Sec. 354 INDIAN PENAL CODE)
- Sexual Harassment (Sec.354A INDIAN PENAL CODE)
  - Assault on Woman with Intent to Outrage her Modesty (Sec. 354C INDIAN PENAL CODE)
  - Voyeurism (Sec. 354D INDIAN PENAL CODE)
  - Others
6. Insult to the Modesty of women (Sec. 509 INDIAN PENAL CODE)
- at Office Premises
  - at Places Related to Work
  - in Public Transport
  - in Other Places
7. Cruelty by husband or his relatives (Sec. 498 A INDIAN PENAL CODE )
8. Importation of Girl from Foreign Country (up to 21 years of age) (Sec. 366 B INDIAN PENAL CODE)
9. Abetment of Suicide of Women (Sec. 306 INDIAN PENAL CODE)

## **(II)Crime Heads under the Special & Local Laws (SLL)**

Special Acts established for protection and safety of women have been clubbed under SLL. These sex particular laws in which criminal cases recorded by police all through the nation are –

1. The Dowry Prohibition Act, 1961
2. The Indecent Representation of Women (Prohibition) Act, 1986
3. The Commission of Sati Prevention Act, 1987
4. The Protection of women from domestic Violence Act, 2005
5. The Immoral Traffic (Prevention) Act, 1956 etc.

### **Other Kinds of Violence against Women:**

**Son preference:**

Son preferences influence women in numerous nations, especially in Asia. Its results can be anything from fetal or female child murder to disregard of the girl child over her brother in terms of such essential needs as nutrition, basic health care and education.

In China and India, a couple of females end their pregnancies while expecting young ladies however pass on their pregnancies to term while expecting children.

As demonstrated by reports from India, innate testing for sex decision has transformed into an impacting business, especially in the country's northern areas.

**Female genital mutilation:**

As noted by the World Health Organization, 85 million to 115 million young girls and women in the population have witnessed some type of female genital mutilation and suffer from its adverse effect.

Constantly an expected 2 million young female experience this strategy. Most live in Africa and Asia.

**Customary practices:**

In various countries, Women capitulate to traditional practices that disregard their human rights. The creativity of the issue has much to do with the way that most of these physically and rationally risky customs are significantly settled in the tradition and culture of society.

**Other crimes against women:**

**Custodial Criminality against Women:**

Violence against women by the very people who ought to guarantee them - people from the law execution and criminal equity structures - is no matter how you look at it.

Females are physically or verbally misused; they moreover persevere through sexual and physical torment. As demonstrated by Amnesty International, a colossal number of females held in mind are routinely struck in police confinement around the globe. The report of the Special Reporter underlines the need for States to indict those blamed for mishandling ladies while in detainment and to consider them responsible for their activities.

**Criminality against women in situations of armed conflict:**

Sexual-Assault(Rape) has been for the most part used as a weapon of war at whatever point prepared conflicts develop between different gatherings. Women and young girls are a significant part of the time setbacks of rape by contenders from all sides of a conflict. Such acts are generally done to harm the respect of the victims."Such assault is the symbolic assault of the community", the destruction of the major components of the general public and culture - a complete embarrassment of the male foe". It concentrated on the need to hold the guilty parties of such bad behaviors totally capable.

**Occurrence of crimes**

A total of 3,27,394 Cases of Crimes against Women (both under various portions of IPC and SLL) were represented in the country amid the year 2015 when stood out from 3,37,922 in the year 2014, along these lines showing a lessening of 3.1% amid the year 2015. These infringement have perpetually extended from 2011 - 2014 with 2,28,650 cases in 2011, which furthermore extended to 2,44,270 cases 2012 and 3,09,546 cases in 2013, to 3,37,922 cases in 2014. It declined to 3,27,394 out of 2015. Uttar Pradesh with 16.8% share of nation's female population has announced about 10.9% of aggregate Crimes Committed against Women at all India level, by enrolling 35,527 cases and West Bengal representing almost 7.4% of the nation's female population, has represented 10.1% of aggregate instances of violations against women in the nation by enlisting 33,218 cases during the year 2015.

### **Challenging the Traditional Attitude**

The significance of gender and sexuality and the balance of power amongst women and men at all levels of society must be looked into. Dealing criminality against women requires testing the way that gender roles and power relations are explained in the society. In numerous nations women have a low status. They are considered as inferior and there is a solid conviction that men are better than them and even own them.

Changing individuals' state of mind and mindset towards women will take quite a while - no less than an age, numerous accept, and maybe more. All things considered, bringing issues to light of the issue of brutality against women, and instructing young men and men to see women as profitable things throughout everyday life, in the improvement of a general public and in the achievement of peace are similarly as vital as finding a way to secure women' human rights.

Breaking this cycle of abuse will require concerted collaboration and action between governmental and non-governmental actors, including educators, health-care authorities, legislators, the judiciary and the mass media.

### **Effect of Crime against Women**

There are two realities which dependably remain behind the curtain, yet it keeps the ability to influence the work of numerous individuals, conflicting with these violations. These individuals may incorporate a judge, NGO individual, specialist, therapist and so on.

Firstly, 50% women report sexual misuse in their childhood. Additionally, besides, nobody makes a move and just drives the issue a long way from anybody's consistent field of vision. Besides, unmistakably we have to challenge these substances however first we have to see that the impact isn't just physical (i.e. a broken hymen or a few scratches all finished), yet the impact is on the very being of the person, on the mind. Besides, this is significantly more basic case to be managed, as it can decimate a presence, if not managed.

## **Types of Crimes against Women**

### **Immoral trafficking**

Trafficking is the process of assembling, mobilizing, procuring or hiring a person for sexual exploitation for commercial purpose. It can be considered as a crime of crimes. This Crime could happen with male or female of any age. It is considered as an organized crime.

The term “trafficking” has been defined with the provision for punishing any person who is guilty of the offence of trafficking in persons for the purpose of prostitution or sexual exploitation.

Trafficking can be commenced as a part of conspiracy and provocation.

### **Rape**

Rape is one of the grievous offences. This sexual assault involves sexual intercourse and sexual penetration without person’s consent. It ruins the mental state of a woman. The term rape is sometimes used interchangeably with the term sexual assault.

Rape is defined in most jurisdictions as [sexual intercourse](#), or other forms of [sexual penetration](#), committed by a perpetrator against a victim without their [consent](#). The definition of rape is inconsistent between governmental health organizations, law enforcement, health providers, and legal professions.

### **Spousal Rape**

Also known as marital Rape is one of the crucial weapon. This happens when one's spouse without the consent of the other spouse does the intercourse with him/her. It can be considered as a form of sexual abuse and domestic violence. Section 375 IPC is an exception to the spousal rape. This rape is betrayal as the woman is being cheated by the one whom she trusts and love. Spousal rape is considered to be an abusive relationship’s part. It is likely to happen repeatedly if it gets a start.

### **Acid attack**

Acid attack is one of the most grievous offenses that is increasing day by day in India. It is not covered under any specific provision in Indian laws. The consequence of an acid attack affects a woman both physically and mentally. It causes grievous pain and sufferings to the woman and such a loss that is irrecoverable.

### **Indecent Assault**

Indecent assault is an assault which is of sexual character. Any person who has indecent contact with another or takes indecent liberties with a person without his or her consent is guilty of indecent assault. It is a sex crime.<sup>1</sup> This type of assault is a crime to hurt either a woman or a child and that too in a sexual or indecent way. It can be called as forced sex and not rape. It is punishable under section 354 Indian Penal Code, 1860.

### **Voyeurism**

A voyeur is generally defined as a person who indulges in sexual gratification from the covert observation of others as they undress or engage in sexual activities.

A Voyeur is defined as “a person, who observes something without participating; one who gains pleasure by secretly observing another’s sexual acts.

Voyeurism has widened in recent times with the advent of internet and social media sites. Indian Penal Code (IPC) now recognizes stalking, sexual harassment and voyeurism (watching a woman engaging in a private act, where she would have expected not to be observed) as crimes. It is clearly stated that who have been watched, or recorded, without their consent and under circumstances where the victim could reasonably expect privacy, and where the victim’s genitals, buttocks or breast have been exposed.

### **Cyber Crimes against Women**



It is a worldwide process. With the advancement of technology, the cyber crime rate and victimizing of women is increasing with every passing day and it is considered as a serious threat to the securities of individuals as a whole. It includes hacking, publishing material of obscene, cyber stalking, harassing through email. This is well tackled under various provisions in Chapter XI of the IT Act such as Sec. 65, Sec.66, Sec. 67, Sec. 70, Sec. 72, Sec. 74, etc. Though it does not specifically mention any crime against women but still as a whole could be said to include the same.

### **Dowry and dowry death**

Harm caused to the bride for dowry is what comes under the crimes against women related to dowry.

Dowry death is when a woman is caused any kind of burn or bodily injury resulting in death of that woman and before her death she suffered from cruelty and harassment by her husband or the husband's relatives.

It has now emerged as a social evil and is leading to enormous number of deaths.

The essentials for the same are as follows:

- 1) Death of woman is either by burns or by bodily injury or otherwise than under normal circumstances
- 2) It should be within seven years of marriage
- 3) It should also be shown that soon before her death she was subjected to cruelty or harassment by husband
- 4) Such harassment or cruelty should pertain to demand for dowry

### **Domestic violence**

Domestic violence is a domestic abuse which is not just confined to race, age or social class but it is universal. It is cruel truth of ruling the partner's private life. It can be commenced in many forms including sexual abuse, emotional abuse, physical violence etc. For example, confining of wife within four walls of the house is also a part of domestic violence.

It is a right of every woman to live in a free environment without any kind of violence.

It may include:

- 1) Physical abuse- example kicking, pushing, punching, slapping, beating etc
- 2) Verbal or Non verbal abuse- example blaming the victim without any fault, threatening, saying words which might cause mental stress to the victim etc

### **Conclusion**

Just enactment and law requirement organizations can't keep the episode of wrongdoing against women. There is need of social arousing and change in the mentality of masses, so that due regard and equivalent status is given to ladies.

It's a time when the Women should be given her due. This awaking can be brought by education campaign among youth making them aware of existing social indecencies and the way to kill same. Broad communications can assume a dynamic part here as in the present days it has achieved each edge of the country.