



Understanding Crime Against Women in India: Trends, Challenges, and Legal Responses

Dr. Minbi Kaye

Assistant Professor

Department of Political Science

Binni Yanga Government Women's College, Lekhi, Naharlagun, India

Abstract: Crimes against women in India remain a persistent societal issue, fueled by deep-rooted patriarchal norms, socio-economic disparities and weak enforcement of laws. This article is an attempt to examine the alarming trends in gender-based violence, analyzing data from the landmark judicial cases, National Crime Records Bureau (NCRB) and National Commission for Women (NCW). It identifies key challenges such as socio-cultural stigma, delayed justice, and underreporting, while evaluating and analyzing the effectiveness of legal frameworks like the Protection of Women from Domestic Violence Act (2005), Bharatiya Nyaya Sanhita (BNS) 2023 and the Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023. The study also reveals an alarming rise in cybercrimes and domestic violence, with low conviction rates due to systemic procedural lapses. To combat this crisis, this study advocates for faster courts, gender-sensitive policing, and community-based awareness programs. The findings emphasize the urgent need for systemic reforms to ensure women's safety and justice in India.

Keywords - Crimes against women, patriarchy, socio-economic disparities, socio-cultural stigma, delayed justice.

INTRODUCTION

Crime Against Women is defined as any illegal act directed specifically at women or disproportionately affecting women due to their gender. These crimes are often rooted in gender inequality, discrimination, and patriarchal societal structures. In order to uphold justice and safeguard women's rights, governments and legal systems categorize and deal with such offenses. United Nations Declaration on the Elimination of Violence Against Women (DEVAW), adopted by the UN General Assembly in Resolution 48/104 on December 20, 1993 defines violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.' The fulfilment of women's and girls' human rights as well as equality, progress, and peace are still hampered by violence against women. In general, attaining the Sustainable Development Goals (SDGs), which aim to 'leave no one behind,' depends on putting an end to violence against women and girls.

Violence against women remains a pervasive issue in India, largely due to deeply ingrained patriarchal norms and systemic gender discrimination. This cycle of inequality starts from a young age, as girls frequently encounter barriers to education that boys do not face. Gender disparities emerge even earlier, with studies showing that young girls often receive inadequate nutrition deprived of essentials like milk and butter, while boys are prioritized. Additionally, while 80 percent of boys attend primary school, only about half of girls enjoy the same educational access.

Literature Review

Numerous studies have examined various aspects of crime in India, addressing specific offenses as well as broader crime trends, deterrence, and the need for reforms. Key contributions in this field include works by Dreze and Khera (2000), Bhatt and Pant (2011), Nagarajan and Sheriff (2012), Mukherjee, Rustagi, and Krishnaji (2001), Prashad (2013), Kumar (2013), Sharma (2012), D'costa (2013), Chaudhary (2013), Nagindrappa and M.K (2013), Iyer and Satija and Dutta (2015), Malik (2016), and Kaur and Singh (2017), Mamta Mehrotra (2014), N. Prabha Unnithan and Mahesh K. Nalla (2019), Nilanjana Ghosh and Limalemia Jamir (2021) Chakraborty and Afreeen (2021) among others. While these studies primarily focused on crime at the national level, there is a noticeable lack of state-level analysis in the existing literature.

The current study builds upon earlier research but distinguishes itself by examining crime records according to the data of NCRB 2022-2023. Additionally, this paper seeks to identify the underlying factors contributing to crimes against women. As such, it aims to address a significant gap in the literature. Given this research gap, the objectives of this paper are to analyse trends in

major categories of crimes against women in the areas related to Domestic & Family-Related Crimes, Sexual Violence Beyond the Home, Socio-Economic Crimes, Workplace & Digital and other crimes against women and investigating potential factors that could help reduce crimes against women.

1. Categories of Crime Against Women

As women enter adulthood, societal norms continue to perpetuate inequality, fostering an environment where violence against them persists. In marital relationships, many Indian women grow to accept abuse as a normalized part of their existence. Survivors of gender-based violence frequently endure victim-blaming, with society insisting that their safety is their own burden and that they are to blame for the harm inflicted upon them. Deep-rooted cultural values, such as preserving family honour, further pressure women into silently enduring abuse. When a woman decides to report an incident of gender-based violence or crime, access to adequate support is not guaranteed. Law enforcement officers and doctors may opt not to report cases due to fears of damaging their own honour or bringing shame upon themselves. Even when a victim seeks medical assistance, archaic and invasive methods like the notorious 'two-finger test' are often employed, exacerbating the problem and causing psychological harm. Therefore, based on the relevant records, an attempt has been made to categorize the types of crimes inflicted against women in India in the following.

- 1.1. Domestic & Family-Related Crimes:** Within the confines of home, a space that should offer safety, instead, the women face brutal realities, in the form of domestic violence, including physical beatings, emotional torment, and economic control that often goes unreported due to familial pressure. Dowry Harassment and Dowry Deaths remain alarmingly common, with brides burned or driven to suicide over unmet financial demands. In India Marital Rape is still not criminalized, highlighting the legal gaps that perpetuate spousal abuse under the guise of conjugal rights. Honor Killings is when, where women are murdered by relatives for defying regressive norms (e.g., inter-caste relationships), underscore how "family honour" is weaponized.
- 1.2. Sexual Violence Beyond the Home:** In many cases women's bodies become battlegrounds for power and vengeance, in case of Rape and Sexual Assault, whether by the strangers or acquaintances, are underreported due to stigma and victim-blaming among many families. In case of Acid Attacks, it is often fuelled by rejected proposals, and leave survivors with lifelong trauma and physical disfigurement of the victim. The issue of Sexual Harassment includes street catcalling and cyberstalking, normalizes the idea that public spaces are male-dominated. There is surge of Human Trafficking, that exploits marginalized women and girls through forced prostitution and labour, is thriving on systemic apathy.
- 1.3. Socio-Economic Crimes:** Women face discrimination from birth to death. In few cases gender-based violence begins even before birth of a girl child, like female infanticide and sex-selective abortions reflect the devaluation of girls, skewed by dowry fears and son preference. Forced and Child Marriages rob girls of autonomy, education, and health, mainly the problem of teen pregnancies is in surge. The persistent Witch Hunting is predominantly found in tribal areas, and sees women branded as 'witches' to justify land grabs or social ostracization.
- 1.4. Workplace & Digital Abuse:** Even professional and virtual spaces are unsafe; it has become a modern frontier of misogyny. Workplace harassment ranges from wage gaps to sexual coercion and silencing women's career growth. Cybercrimes, like revenge porn and trolling has become a weapon of technology to shame and control women.

According to the recent report of NCRB, in 2022, crimes against women rose by 4 percent, reaching 4,45,256 cases compared to 4,28,278 in 2021. The crime rate per lakh women increased to 66.4 in 2022 from 64.5 in 2021. The cruelty against women inflicted by their husband and relatives surged up to 31.4 percent more, with over 1,40,000 cases recorded under Section 498A IPC. The cases of kidnapping and abduction increased 19.2 percent. Along with the cases of assault with the intent to outrage modesty against women rose to 18.7 percent. There was also an increase of 7.1 percent in rape cases with 31,677 cases reported in 2022 and 6589 cases of dowry deaths were recorded in 2021. The statistics of National Commission for Women (NCW) shows that the commission received 28,811 complaints in 2023, with 55 percent from Uttar Pradesh alone, with the highest number of 65,743 cases. Maharashtra recorded 45,331 cases and Rajasthan recorded 45,058. The cosmopolitan cities like Delhi, Mumbai, and Bengaluru also reported high urban crime rates against women. The NCW data shows 8540 complaints of Right to Dignity, 6,274 complaints regarding Domestic Violence, 4797 Dowry Harassment complaints and 1537 compliant cases of Rape/Attempted Rape.

2. Legal Frameworks:

Despite number of stringent government measures including stricter laws against stalking, rape and voyeurism, crimes against women persist in India. The Authorities have amended the existing laws and introduced new legislation to address these issues more effectively, with the government bringing new initiatives and various NGO-led programs aiming to curb gender-based violence. However, a significant gap remains in ensuring protection for all women, with illiteracy and poverty further hindering efforts to create a safer society. To ensure women's safety, rights, empowerment and their health, various Legal frameworks has been brought in, till date. India has implemented significant legal reforms in 2023 to address crimes against women. The Bhartiya Nyaya Sanhita (BNS), 2023 and the Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 replaced the colonial era Indian Penal Code (IPC) and Criminal Procedure Code (CrPC), respectively. These new reforms prioritize the safety of women, streamline the judicial process, and leverage digital infrastructure for better enforcement of these laws. The following is the comprehensive analysis of the key legal frameworks and their provisions in India.

3. **Bharatiya Nyaya Sanhita (BNS), 2023:** The new Sanhita consolidates and strengthens the laws related to crimes against women with stricter punishments. In order to prioritize the Crimes Against Women, Chapter V (Sections 63–99) of BNS, 2023, groups all offenses against women and children, moving them from the end of the IPC to a prominent position. The following are the enhanced punishments.

Rape	Minimum imprisonment increased from 7 to 10 years (Section 64)
Gang Rape of Minors	Mandates life imprisonment or the death penalty for gang rape of women below 18 (Section 70)
New Offense	Sexual intercourse under false promises (e.g., marriage, employment) is criminalized under Section 69
Acid Attacks	Minimum 10 years to life imprisonment (Section 124)
Gender-Neutral Provisions	Covers male and transgender victims in certain offenses

4. **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023:** This law focuses on procedural reforms to expedite justice with Mandatory Digital FIRs, where, a women can file e-FIRs and the police is required to register complaints within 3 days.

Victim-Centric Procedures	a. Rape victim's statements must be recorded by female magistrates or in the presence of a woman (Section 183). b. Medical reports must be submitted within 7 days, and magistrates must take cognizance within 14 days.
Video Recording	Evidence collection (e.g., search/seizure) must be video graphed to prevent tampering.

5. **Specialized Databases and Digital Initiatives:** The government of India has also established various digital tools to monitor and prevent crimes against women. To track repeat offenders inflicting crime against women, National Database on Sexual Offenders (NDSO) has been initiated. Investigations Tracking System for Sexual Offences (ITSSO) has been installed to ensure rape and POCSO related cases to be investigated within two months. For reporting online harassment and child exploitation Cyber Crime Portal is created. The government measures like Nirbhaya Fund Schemes, supports initiatives like One Stop Centres for medical and legal aid and Women Helpline with 24x7 emergency response through telephonic short-code 181 by linking them to appropriate authorities such as police, legal Service Authorities, One Stop Centres and Hospital and over 1,000 Fast-Track Courts have been dedicated to sexual offence cases, with the current conviction rate of 27.1 percent for rape cases. Cybercrime Units combat online harassment through Cyber Forensic Labs and dedicated cyber cells to address rising digital violence against women. The Nirbhaya Fund Utilization allocate funds effectively to projects like One Stop Centres (OSCs) have assisted 10.8 lakh women with medical, legal, and psychological support.

6. Challenges in addressing Crime Against Women

In order to address the problem of crime against women in India, a multi-pronged approach that combines empowerment initiatives, societal change, legal reforms and systemic enforcement is required. If we analyze this persistent issue of violence against women, the issue of underreporting of the victim because of fear of escalation or retaliation by the perpetrators, especially in cases where police arrest is mandatory but fails to deter the cases of abuse in future, distrust the system and social stigma is high. There is a mistrust in Legal System because of the negative experience with the law enforcement and the presence of dismissive attitudes and bias, where the survivor feared that police would not believe their testament of ordeal so that discouraged them from reporting. Particularly, cultural and socio-economic barriers limit the victims especially in a marginalized community. In many cases, the victims were found financially dependent on abusers and it further silenced them.

Despite the existing legal frameworks, delayed investigations and low conviction rates are high, due to lack of evidence, witness intimidation and prolong justice for dowry-related murders. The persistent blaming of victim, shifts the blame to women that reinforce indefinite shame and guilt. Even the media narrative, often portrays victim negatively. In India, marital rape still remains legal, where, the government are arguing that criminalization would disturb the century old sacred tradition of institution of marriage. This institutionalizes victim blaming by dismissing survivor's ordeal and deters disclosures. The NCRB reports shows that only 6 percent of married Indian Women report sexual violence incurred by their spouses due to fear of social ostracization, where the society questions the victim's behavior instead of perpetrator's guilt. There is emerging concern regarding Cybercrimes, post-COVID-19 period and surge in honour killings reports with 409 honour crime complaints in 2023.

Despite government measures, crimes like marital rape are still not criminalized and dowry deaths still persists. There is an urgent need of strengthening the Legal Framework to criminalize the marital rape and fast track court to ensure swift justice on the case against women. The public awareness and gender sensitization against the regressive patriarchal norms needs to be inculcated in the school curricula to promote gender equality from the grassroots. The economic empowerment of the women to be financially independent is essential. So that, they could be economically empowered.

Further, the hospitals need standardized protocols for victims with improved healthcare protocols and responses, including mental health support to tackle both the physical and mental trauma, in the time of need.

7. Conclusion:

In India, crime against women remains a pervasive and deeply entrenched issue, reflecting the systemic patriarchal norms, gender inequality and institutional failures. Despite the new legislative reforms and public outcry with high-profile cases like the Delhi gang rape of 2012, violence against women continues to climb up, with reported case of 4,45,256 in 2022 alone, which is a 4 percent increase from the prior year. However, these statistics likely underrepresent the true scale of the problem due to underreporting led by fear, social stigma, and distrust in law and enforcement authorities. The deep rooted patriarchal and social attitudes still normalize gender-based violence, the practice of wife beating is still justified and accepted. Evil practice such as dowry, female infanticide and honour killings further perpetuated the subjugation of women. The issue of low conviction rate, inadequate support system from the police authorities, healthcare and legal system, despite the existing government mandates still traumatize the life of the victims. Women being the marginalized and vulnerable class of the society, still reels under poverty due to lack of financial independence and education. It further traps them in abusive situations. The existing education system needs to integrate gender equality education in schools to create awareness programs for community campaigns to challenge patriarchal norms. There is also need to enforce equal inheritance laws to reduce economic vulnerability among the different communities.

Therefore, to combat the issue of crime against women in India, a holistic strategy combining survivor, their economic empowerment, better law enforcement and cultural change is critical. While the initiatives like One Stop Centre's and the Nirbhaya Fund is showing progress, there is still an urgent need of sustained political will and community participation to transform systemic inequities.

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