

## Apprehend and disposition under dowry deaths in India

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### Abstract

Quality of life and the human rights situation can be assessed by crime rate in the society. According to National Crime Records Bureau the rate of total cognizable crimes (IPC + SLL) was 540.4 in the year 2013 with an increase of 8.5% over 2012. In this paper data analyzed is taken from National Crime Records Bureau, Ministry of Home Affairs, India. In the last section, followed by results discussion is made.

**Keywords:** Quality of Life, Crime Rate, Dowry Deaths, Section 304B

### 1. Introduction

According to the dowry prohibition act, 1961 dowry means any property or valuable security given or agreed to be given either directly or indirectly (a) by one party to a marriage to the other party to the marriage; or (b) by the person of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before [or any time after the marriage][in connection with the marriage of said parties but does not include] dower or mahr in the case of persons to whom Muslim personal Law (Shariat) applies. According to National Crime Records Bureau (NCRB), a crime against women is recorded every 1.7 minutes in India<sup>[1]</sup>. Section 304B covers "Dowry murder" or "Dowry death", according to this section if the death of a woman is caused by burns or bodily injury, or occurs under abnormal circumstances, within seven years of her marriage and it is shown that just prior to death she was subject to cruelty by her husband or his relatives, in connection with demand for dowry, such a death would be called "dowry death" and the husband or relative would be deemed to have caused her death.)<sup>[2]</sup>

A total of 26, 71,540 persons were arrested by the Police under various IPC crimes during 2001 as against 26, 75, 923 persons in 2000, representing an decrease of the number of total arrestees by 0.2 percent during 2001 over 2000<sup>[3]</sup>.

In this paper data regarding persons arrested and their disposal by police and court under dowry deaths during 2012, is drawn from National Crime Records Bureau, Ministry of Home Affairs. The data is analyzed under different categories considered viz. Persons in custody or on bail during the stage of investigation at the beginning of the year, Persons arrested during the year, Persons released or freed by Police or Magistrate before trial for want of evidence or any other reason, Persons in custody or on bail during the stage of investigation at the end of the year, Persons in whose cases charge sheets were laid during the year, Persons under trial at the beginning of the year, Total number of persons under trial during the year, Persons against whom cases were compounded or withdrawn, Persons in custody or on bail during the stage of trial at the end of the year, Persons in

whose cases trials were completed during the year, Persons convicted and Persons acquitted.

### 2. Results

Bihar, Uttar Pradesh, Andhra Pradesh, West Bengal and Maharashtra were observed with highest number of persons in custody or on bail during the stage of investigation at the beginning of the year whereas in Goa only 2 persons and not even a signal person is observed in Arunachal Pradesh, Himachal Pradesh, Mizoram and Nagaland under this category. In Uttar Pradesh, Bihar, Madhya Pradesh, West Bengal, and Andhra Pradesh maximum person were arrested with respective numbers 9884, 3994, 2142, 1345 and 1267. Nagaland, Mizoram, Manipur, and Goa were observed with no person arrested.

Persons released or freed by police or magistrate before trial for want of evidence or any other reason were found at its peak in Uttar Pradesh (3307) with 61,49,21,19 persons respectively in Assam, West Bengal, Bihar and Tripura. Under this head account was found closed in Uttarakhand, Rajasthan, Odisha, Nagaland, Mizoram, Meghalaya Manipur, Madhya Pradesh, Jharkhand, Jammu & Kashmir, Himachal Pradesh, Haryana, Gujarat, Goa, Chhattisgarh, Arunachal Pradesh, and Andhra Pradesh. Persons in custody at or on bail during the stage of the investigation at the end of the year were 3483, 1803, 578,543, and 515 in Bihar, UP, West Bengal, Andhra Pradesh and Maharashtra respectively. None of the persons were reported in Nagaland, Mizoram, Himachal Pradesh, Goa except Chhattisgarh with one person only.

Maximum number of charge sheets laid during the year were 6236 (Uttar Pradesh), 3741 (Bihar), 2146 (Madhya Pradesh) 1391 (Andhra Pradesh) 1345 (West Bengal) with lowest number of persons in Goa (2) Sikkim(4), Himachal Pradesh (4) and Nagaland, Mizoram, Meghalaya, Manipur and Arunachal Pradesh had no persons under the same category.

As far as persons under trial at the beginning of the year were concerned in Uttar Pradesh, Bihar Maharashtra, Madhya Pradesh and West Bengal maximum frequencies represented the figures 21917, 13343, 10730, 6522 and 3592 respectively.

No person was found recorded at the beginning of the year in Sikkim, Nagaland, Mizoram, Manipur and Arunachal Pradesh. If we talk about total number of persons under trial during the year data disclosed that Uttar Pradesh, Bihar, Maharashtra, Madhya Pradesh and West Bengal were at their extremes with number of person 28153, 17084, 11859, 8668 and 4937 respectively. Only 4 persons were found reported in Sikkim whereas in Nagaland Mizoram, Manipur and Arunachal Pradesh no person was found observed. Cases were compounded or withdrawn mostly in Uttar Pradesh, Madhya Pradesh, Rajasthan, Maharashtra and Andhra Pradesh with 107, 51, 32, 16, and 5 persons respectively.

If we put our concentration on persons in custody or on bail during the stage of trial at the end of the year maximum number of person occurred in Uttar Pradesh, Bihar, Maharashtra, Madhya Pradesh and West Bengal with the respective numbers 24143, 15130, 11242, 7007 and 3854 respectively. Only 4 persons were reported in Sikkim with not an account of a signal person in Nagaland, Mizoram, Manipuri and Arunachal Pradesh.

During the year 3903(Uttar Pradesh), 1954(Bihar), 1610(Madhya Pradesh), 1175(Andhra Pradesh) and 1080 (West Bengal) persons were in custody whose cases trials were completed during the year. Sikkim Nagaland, Mizoram, Meghalaya, Manipur, Goa, and Arunachal Pradesh remained untouched. Highest frequencies of persons convicted were 1936, 536, 314, 196, and 173 in Uttar Pradesh, Madhya Pradesh, Bihar, Rajasthan and Jharkhand respectively.

### 3. Discussion

In Bihar, person in custody or on bail during the stage of investigation at the being of the year were around 545% more than Maharashtra and 1625 times more than Goa. During the year, 680% more person were arrested in Uttar Pradesh as compared to Andhra Pradesh and person arrested in Bihar were 4941 times more than Arunachal Pradesh.

In Uttar Pradesh 173 times more person were released or freed by police or magistrate before trial for want of evidence or any other reason when a comparison is made with Tripura. Under the head persons in custody or on bail during the stage of investigation at the end of the year an addition of 576% more persons was observed in Bihar as compared to Maharashtra and this number was computed 3482 times more in Chhattisgarh. Persons in whose case charge sheets were laid during the year were found with an increment of 364% than West Bengal. The total number of person under trial during the year were turned to be 510% more in Uttar Pradesh than West Bengal 510% more persons were reported under trial at the beginning of the year in Uttar Pradesh than West Bengal.

The total number of persons under trial during the year was turned to be 470% more in Uttar Pradesh as compared to West Bengal and person under this category were observed 7073 times more than Sikkim. There was an addition of 2040% persons found against whom cases were compounded or withdrawn.

An increased number of 526% persons were calculated in Uttar Pradesh as compared to West Bengal under the head persons in custody or on bail during the stage of trial at the end of the year. Uttar Pradesh was found 6034 times than Sikkim. Persons in whose cases trials were complicated during the year were pinpointed an increase of 261% more persons in Uttar Pradesh than West Bengal. As compared to Jharkhand

1019% additional persons were convicted in Uttar Pradesh. 96% more persons were acquitted in Uttar Pradesh than West Bengal.

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