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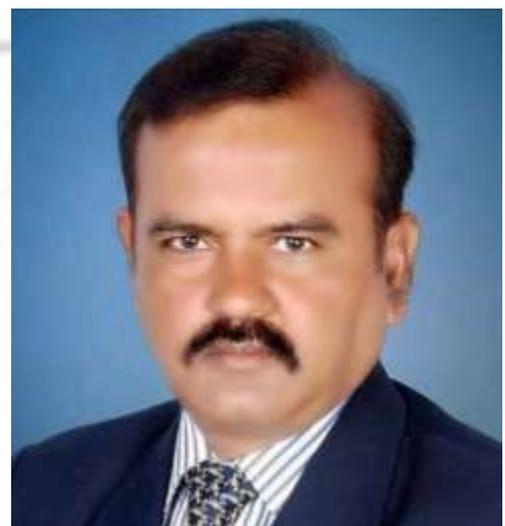


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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **THE SOCIO-LEGAL DIMENSIONS OF HONOUR KILLINGS IN INDIA: CULTURAL NORMS VS. CONSTITUTIONAL RIGHTS**

AUTHORED BY - RUDRANSH SHARMA<sup>1</sup>

## **Abstract**

This paper explores the socio-legal dimensions of “honour killings” in India, focusing on the persistent conflict between entrenched cultural norms and constitutional guarantees of personal liberty and equality. “Honour killings” acts of violence typically perpetrated by family or community members to protect perceived family or caste honour stem from patriarchal control, caste-based restrictions, and resistance to individual autonomy in matrimonial choices. Despite legal protections enshrined in “Articles 14, 15, 19, and 21 of the Indian Constitution”, such crimes remain prevalent, particularly in states like “Haryana”, “Rajasthan”, “Uttar Pradesh”, and “Punjab”, where informal justice systems like *khap panchayats* wield considerable influence. The paper evaluates key judicial interventions, including “*Lata Singh v. State of U.P.*” and “*Shakti Vahini v. Union of India*”, which emphasize the supremacy of constitutional morality over regressive societal norms. It also highlights the absence of specific legal provisions addressing “honour killings”, challenges in investigation and prosecution, and the complicity of local authorities. Comparative analysis with international frameworks such as those in the “United Kingdom and United Nations” recommendations provides valuable policy insights. The study concludes with recommendations for comprehensive reform, including a dedicated law criminalizing honour crimes, strict accountability for extrajudicial bodies, effective witness protection, and public sensitization campaigns. Upholding constitutional rights requires coordinated efforts from the judiciary, legislature, law enforcement, civil society, and media to dismantle the cultural legitimization of honour-based violence.

**Keywords:** Honour killings, constitutional morality, caste system, khap panchayats, gender violence, personal liberty, socio-legal reform.

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## 1. Introduction

“Honour killing” means to the act of murder committed by family or community members who believe that an individual has brought shame or dishonor upon them through acts perceived as morally or socially unacceptable. These may include marrying beyond one’s caste or religion, eloping, refusing a marriage arranged by parents, or be in a relationship seems to be inappropriate by traditional norms. Unlike other homicides, the motive behind “Honour killings” is not personal enmity or gain, but the perceived need to restore familial or community honour by eradicating the “dishonourable” element, often a woman or a young couple in love<sup>2</sup>.

In India, “Honour killings” are deeply rooted in patriarchal structures and are often justified by customary laws, caste-based hierarchies, and the influence of community led institutions like “*khap Panchayat*”<sup>3</sup>. These killings predominantly occur in northern states such as “Haryana”, “Uttar Pradesh”, “Punjab”, and “Rajasthan”, where caste endogamy and clan based restrictions remain powerful forces dictating social conduct<sup>4</sup>. Despite India's constitutional guarantees of equality, liberty, and freedom of choice, these violent crimes continue under the guise of tradition, with perpetrators often shielded by community complicity and administrative inertia. The clash between deeply embedded cultural norms and constitutional morality poses a significant confront to the Indian legal system. While “*the Constitution of India under Article 21 guarantees the right to life and personal liberty, including the freedom to choose one’s partner*”<sup>5</sup>, these rights are frequently undermined by socio-cultural pressures and violence. “*The Supreme Court has repeatedly emphasized the importance of constitutional morality over societal morality, stressing that individual freedom cannot be curtailed by regressive community practices*”<sup>6</sup>.

The central concern of this paper lies in examining the tension between these two opposing forces traditional honour based norms and the liberal democratic values enshrined in the Constitution. “Honour killings” are not merely a violation of criminal law but represent a deeper socio-legal conflict involving identity, autonomy, and justice. This paper explores the

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<sup>2</sup> National Crime Records Bureau, *Crime in India 2022*, Ministry of Home Affairs, Govt. of India, <https://ncrb.gov.in/en/crime-india>

<sup>3</sup>Law Commission of India, *Report No. 242: Prevention of Interference with the Freedom of Matrimonial Alliances (in the Name of Honour and Tradition)*, Aug. 2012, <https://lawcommissionofindia.nic.in/reports/report242.pdf>.

<sup>4</sup>Flavia Agnes, *Interrogating Women’s Rights: Honour Crimes, Domestic Violence, and the Law in India*, 50(3) *Econ. & Pol. Wkly.* 33 (2015).

<sup>5</sup> “*Shafin Jahan v. Asokan K.M.*, (2018) 16 SCC 408”.

<sup>6</sup> *Navtej Singh Johar v. Union of India*, (2018) 10 SCC 1.

historical and sociological roots of “Honour killings” in India, evaluates the existing legal framework, and critically assesses whether current laws and judicial interventions are sufficient to safeguard individual rights in the face of entrenched cultural resistance.

## 2. The Sociological Roots of Honour killings in India

“Honour killings” in India are not isolated acts of violence but manifestations of deep-seated sociological constructs that revolve around power, patriarchy, caste, and community control. These acts serve a “disciplinary function” within certain social groups, wherein violence is used to enforce adherence to rigid norms concerning gender and caste conduct.

### 2.1 Patriarchal Social Structures and Control over Female Sexuality

At the core of “Honour killings” lies the patriarchal imperative to control female autonomy especially sexual autonomy. In many parts of rural and semi-urban India, women are viewed as carriers of family and community honour. Their behavior, particularly in relation to marriage and relationships, is tightly monitored. Any perceived deviation, such as choosing one’s own partner or marrying outside the approved caste or religion, is seen not only as rebellion but as contamination of lineage and tradition<sup>7</sup>. In such communities, a woman's body becomes a site of honour politics, and male family members assume the role of moral guardians.<sup>8</sup> The underlying motive is less about the specific action and more about reasserting control and social order through punitive means.

### 2.2 Role of Caste, Religion, and Community Honour

India’s caste system, although constitutionally outlawed, continues to exercise formidable influence over social relationships, particularly in matrimonial alliances. Endogamy remains the norm in many castes, and any breach especially by other caste or other religious marriage is often met with harsh social sanctions or violence<sup>9</sup>. The stigma of a daughter marrying into a lower caste or different religion is perceived as an irreversible stain on familial purity. In cases involving Muslims, the violence tends to be even more severe, indicating an intersection of casteism, religious bigotry, and gender-based violence<sup>10</sup>. The murder of the young Dalit man

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<sup>7</sup> Madhu Kishwar, *When Daughters Are Killed to Uphold Family Honour*, 18(3) **Manushi** 1, 3 (2001).

<sup>8</sup> Uma Chakravarti, *Gendering Caste: Through a Feminist Lens* 87–89 (2003).

<sup>9</sup> Law Commission of India, *Report No. 242: Prevention of Interference with the Freedom of Matrimonial Alliances in the Name of Honour and Tradition* (Aug. 2012), <https://lawcommissionofindia.nic.in/reports/report242.pdf>.

<sup>10</sup> Smita Narula, *Broken People: Caste Violence Against India's Untouchables*, Human Rights Watch (1999).

Shankar in Tamil Nadu in 2016, following his marriage to an upper-caste woman, illustrates the caste-driven nature of such crimes<sup>11</sup>.

### 2.3 Influence of Khap Panchayats and Informal Justice Systems

Khap panchayats traditional, caste-based village councils primarily operating in northern Indian states play a vital role in perpetuating honour based violence. These bodies often issue extrajudicial decrees against couples violating social taboos related to marriage<sup>12</sup>. Although lacking legal authority, their social power is enormous. The directives of khap panchayats are often obeyed by families fearing social ostracization. In many instances, families claim that they were “forced” by the panchayat to commit the killing to uphold community dignity.<sup>13</sup> This extra-legal interference in matters of individual autonomy reflects a parallel system of justice that thrives on tradition rather than law.

### 2.4 Case Examples from Haryana, Rajasthan, Uttar Pradesh, etc.

States like “Haryana”, “Rajasthan”, and “Uttar Pradesh” have recorded a disproportionate number of “Honour killings” in the past two decades. In 2010, the Manoj-Babli case from Haryana gained national attention when the couple was murdered for marrying within the same gotra a union deemed incestuous by the local khap<sup>14</sup>. Despite facing threats and having approached the police for protection, their murder highlighted the failure of the state to protect individual rights against community backlash. In Rajasthan, a 2018 case involved a father beheading his daughter for having a relationship outside their caste; he then surrendered to the police, expressing pride in his act<sup>15</sup>.

## 3. Constitutional and Legal Framework

The Indian Constitution guarantees a set of fundamental rights designed to protect individual liberty, dignity, and equality values that stand in direct contrast to the collective, coercive rationale underlying “Honour killings”. “*The Constitution enshrines the right to equality before the law and equal protection of the laws under Article 14*”<sup>16</sup>. “*Article 15(1) prohibits*

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<sup>11</sup> Sowmiya Ashok, *A Brutal Honour Killing in Tamil Nadu: The Murder of Shankar*, **The Hindu**, Mar. 15, 2016.

<sup>12</sup> Flavia Agnes, *Khaps, Honour, and the Law*, 49(10) **Econ. & Pol. Wkly.** 11 (2014).

<sup>13</sup> Ritu Menon, *Recovering Honour: Gendered Violence, Patriarchy, and the State*, 40(40) **Econ. & Pol. Wkly.** 39 (2005).

<sup>14</sup> Manoj-Babli Honour Killing Case, CrI. Appeal No. 55/2010, Sessions Court, Karnal.

<sup>15</sup> Rahul Noronha, *Father Beheads Daughter for 'Love Affair' in Rajasthan*, **India Today**, July 4, 2018.

<sup>16</sup> India Const. art. 14.

*discrimination on grounds of religion, race, caste, sex, or place of birth*<sup>17</sup>. “Article 19(1)(a) secures freedom of expression, while Article 21 guarantees the right to life and personal liberty, which courts have interpreted to include the right to choose one's partner”<sup>18</sup>. These provisions are intended not just to affirm individual autonomy but to guard against the tyranny of custom and social orthodoxy.

### **3.1 Freedom to Marry: Judicial Recognition and Protection**

The judiciary has been instrumental in reinforcing the “**right to marry**” a person of one's choice. In “*Lata Singh v. State of U.P.*”, the apex Court strongly condemned honour-based violence and clarified that adults have a right to marry against their caste, religion, or community<sup>19</sup>. “*The Court directed state authorities to protect couples from harassment by their families or communities and affirmed that any interference in adult marital choices is illegal and unconstitutional*”.

In “*Shakti Vahini v. Union of India*”, the Supreme Court went a step further by explicitly addressing the threat of “Honour killings”<sup>20</sup>. The Court emphasized the supremacy of constitutional morality over societal morality and issued comprehensive guidelines to prevent honour-based violence, including the creation of safe houses, fast-track courts, and accountability mechanisms for local police. The judgment made it clear that no individual or collective body, including “*khap Panchayat*”s, has any authority to interfere with the matrimonial rights of consenting adults.

### **3.2 Relevant Penal Provisions and Special Laws**

Despite the constitutional guarantees and judicial pronouncements, “Honour killings” are typically prosecuted under general criminal laws. “*Section 103 of the Bharatiya Nyaya Sanhita, 2023 (BNS) prescribes the punishment for murder*”, while Section 61(2) deals with criminal conspiracy<sup>21</sup>. In many honour killing cases, multiple family members act in concert, making Sections 3(5) (common intention) and 61(2) particularly relevant<sup>22</sup>. In cases involving forced or abusive marriages, Section 498A (cruelty by husband or relatives) is also invoked.

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<sup>17</sup> India Const. art. 15, cl. 1.

<sup>18</sup> India Const. art. 21; *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

<sup>19</sup> *Lata Singh v. State of U.P.*, (2006) 5 SCC 475.

<sup>20</sup> *Shakti Vahini v. Union of India*, (2018) 7 SCC 192.

<sup>21</sup> Bharatiya Nyaya Sanhita, §§ 61(2), 103 (2023) (India).

<sup>22</sup> Indian Penal Code §§ 34, 498A.

However, there is no specific provision in the Bharatiya Nyaya Sanhita that defines or criminalizes “honour killing” as a distinct offence. This legal lacuna complicates both investigation and prosecution. Recognizing this gap, “*The Law Commission of India in its 242nd Report proposed a new law to prevent unlawful interference in matrimonial alliances*”<sup>23</sup>. The Commission suggested that any assembly or action intended to prevent a marriage on the basis of caste or community should be made punishable.

In addition to the Bharatiya Nyaya Sanhita, special laws such as the Prohibition of Child Marriage Act, 2006, are occasionally relevant in cases where “Honour killings” stem from familial opposition to elopements involving minors.<sup>24</sup> While this Act aims to protect minors from coerced or illegal marriages, it may also offer some legal basis for challenging patriarchal control masked as family concern.

### **3.3 Constitutional Morality and the Expanding Role of the Judiciary**

The Indian judiciary has increasingly emphasized the doctrine of “constitutional morality” a principle that elevates the values enshrined in the Constitution above prevailing societal norms. This approach is especially evident in recent landmark judgments.

In “*Navtej Singh Johar v. Union of India*”, the Supreme Court read down Section 377 of the IPC, decriminalizing consensual same-sex relations<sup>25</sup>. The Court underscored that constitutional morality must override social morality when the two are in conflict, particularly in matters of identity and autonomy. Similarly, in “*Shafin Jahan v. Asokan K.M.*”, the apex court upheld the right of an adult woman to convert and marry a person of her choice, rejecting the narrative of “love jihad” and parental control<sup>26</sup>. These judgments reinforce the judiciary’s proactive stance in securing personal liberty and setting limits on communal and familial interference.

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<sup>23</sup> Law Commission of India, *Report No. 242: Prevention of Interference with the Freedom of Matrimonial Alliances in the Name of Honour and Tradition* (Aug. 2012), <https://lawcommissionofindia.nic.in/reports/report242.pdf>.

<sup>24</sup> Prohibition of Child Marriage Act, No. 6 of 2007, India Code (2007).

<sup>25</sup> *Navtej Singh Johar v. Union of India*, (2018) 10 SCC 1.

<sup>26</sup> *Shafin Jahan v. Asokan K.M.*, (2018) 16 SCC 408.

Such interventions are not merely symbolic; they represent a commitment to uphold the Constitution in the face of cultural resistance. However, the translation of constitutional promises into social realities remains fraught. While courts have attempted to widen the ambit of individual rights, their impact on local police behavior, administrative practices, and public attitudes is limited. The gap between judicial intent and enforcement mechanisms continues to hinder the effective prevention of “Honour killings”.

#### 4. Honour killings and Legal Challenges in Prosecution

While “Honour killings” are a grave violation of human rights and constitutional freedoms, India’s criminal justice system continues to face multiple challenges in effectively prosecuting such crimes. These difficulties stem from both legislative gaps and procedural inefficiencies, further compounded by societal and institutional biases.

##### 4.1 Absence of Specific Legislation Targeting Honour Crimes

A major hurdle in tackling “Honour killings” is the lack of a dedicated legal provision that categorizes such acts as distinct from other homicides. “Honour killings” are typically fall under provisions of the Bharatiya Nyaya Sanhita, 2023 such as Section 103 (punishment for murder)<sup>27</sup>. However, this framework fails to recognize the collective and premeditated nature of these crimes, which often involve conspiracy, coercion, and community approval. The absence of a specific definition and categorization means that motives rooted in caste, religion, or gender control are often ignored during prosecution<sup>28</sup>.

“The Law Commission of India, in its 242nd Report”, recommended enacting a special law to deal with honour-based crimes and unlawful interference in matrimonial choices<sup>29</sup>. Despite this, no legislation has been passed, leaving a significant void in addressing these offences systematically.

##### 4.2 Procedural Challenges: FIR Registration, Evidence, and Victim Protection

One of the earliest hurdles in honour killing cases is the registration of a First Information Report (FIR). Victims’ families often conceal the crime or refuse to cooperate due to

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<sup>27</sup>Bharatiya Nyaya Sanhita, § 103 (2023) (India).

<sup>28</sup> Flavia Agnes, *Understanding Honour Crimes in India*, 51(3) **Econ. & Pol. Wkly.** 36 (2016).

<sup>29</sup>Law Commission of India, *Report No. 242: Prevention of Interference with the Freedom of Matrimonial Alliances in the Name of Honour and Tradition* (Aug. 2012), <https://lawcommissionofindia.nic.in/reports/report242.pdf>.

community pressure or complicity<sup>30</sup>. In many cases, the perpetrators are close relatives, leading to manipulation or suppression of evidence. The lack of protection for victims and witnesses further undermines the investigation, particularly when survivors recant due to intimidation.

Collection of evidence is another critical challenge. “Honour killings” are frequently disguised as accidents or suicides<sup>31</sup>. Forensic delays, poor documentation, and the reluctance of local police to investigate these as honour-based crimes contribute to low conviction rates. Even when police officers are not directly complicit, their failure to act swiftly can enable further violence or destruction of evidence.

### 4.3 Police Bias and Societal Pressure

The role of law enforcement in such cases is often influenced by societal norms. In regions where “khap Panchayat”<sup>32</sup> and caste councils wield power, the police may be unwilling or unable to act impartially<sup>32</sup>. Officers themselves may harbor caste or gender biases, perceiving other caste or other religious marriages as deviant. In the *Manoj-Babli* case (2010), for example, the couple sought police protection, which was either denied or inadequately provided, ultimately leading to their murder<sup>33</sup>. The police’s failure to protect the couple not only signaled institutional apathy but also emboldened the perpetrators.

This case later became a landmark in the prosecution of “Honour killings”, as the Sessions Court in Karnal sentenced five of the accused to death the first such verdict in India for an honour killing<sup>34</sup>. Yet such outcomes are rare and often result only under intense media and judicial scrutiny.

### 4.4 Judicial Responses: Shakti Vahini and Sujit Kumar Singh Cases

In “*Shakti Vahini v. Union of India*”, the apex Court took cognizance of the growing menace of “Honour killings” and issued comprehensive guidelines for state authorities<sup>35</sup>. These included the creation of safe houses for vulnerable couples, establishing special cells in each district to receive complaints, and holding district magistrates accountable for ensuring

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<sup>30</sup> A.R. Desai, *Violation of Democratic Rights in India* 45–46 (1991).

<sup>31</sup> Ritu Menon, *Recovering Honour: Gendered Violence, Patriarchy, and the State*, 40(40) *Econ. & Pol. Wkly.* 39 (2005).

<sup>32</sup> Madhu Kishwar, *When Daughters Are Killed to Uphold Family Honour*, 18(3) *Manushi* 1 (2001).

<sup>33</sup> *Manoj-Babli Honour Killing Case*, CrI. Appeal No. 55/2010, Sessions Court, Karnal.

<sup>34</sup> *Id.*

<sup>35</sup> *Shakti Vahini v. Union of India*, (2018) 7 SCC 192.

protection. The Court emphasized the primacy of constitutional morality over social conventions and warned that failure to comply with these directives would attract disciplinary action.

In “*Sujit Kumar Singh v. State of U.P.*”, the Apex Court reiterated that adult individuals have the right to marry whomever they choose and that any action against such marriage, including threats or violence by family or community members, amounts to a criminal offence<sup>36</sup>. The judgment also highlighted the importance of timely police intervention and sensitivity training for law enforcement officers to prevent such crimes.

While these judicial interventions have been commendable, implementation remains inconsistent. State governments have often been slow to operationalize safe houses, and police authorities frequently neglect to follow the guidelines<sup>37</sup>. Thus, the judiciary’s progressive stance is undermined by a lack of political will and administrative inertia.

## 5. Comparative Jurisprudence: International Perspectives

The challenge of honour-based violence is not unique to India; it is a transnational issue with deep sociocultural roots, particularly in patriarchal societies. Various countries have enacted legal frameworks to address such crimes, offering valuable insights that India can adapt to strengthen its response.

### 5.1 The United Kingdom: Legal Recognition and Holistic Approach

In contrast, the United Kingdom has taken a multi-dimensional approach by not only prosecuting honour-based violence but also incorporating preventive frameworks. “The Crown Prosecution Service” (CPS) recognizes “honour-based abuse” as a distinct category of crime, which includes forced marriage, female genital mutilation, and domestic violence<sup>38</sup>. UK authorities emphasize victim protection, special investigative units, and community outreach to address cultural taboos and underreporting.

### 5.2 UN Frameworks and India’s Position

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<sup>36</sup> *Sujit Kumar Singh v. State of U.P.*, 2020 SCC OnLine All 2251.

<sup>37</sup> Human Rights Watch, *India: No Progress on Honour Killing Prevention Despite SC Orders* (2020), <https://www.hrw.org/india-honour-crimes>.

<sup>38</sup> Crown Prosecution Service (CPS), *Violence Against Women and Girls Strategy* (2021), <https://www.cps.gov.uk/legal-guidance/honour-based-abuse-and-forced-marriage>.

Internationally, the United Nations has unequivocally condemned “Honour killings”, viewing them as violations of basic human rights, including the right to life, non-discrimination, and freedom from torture<sup>39</sup>. The UN General Assembly and UN Women have urged member states to enact specific legislation, protect survivors, and prosecute offenders<sup>40</sup>. India, being a signatory to several international covenants, has a legal and moral obligation to align its domestic laws with these standards.

### 5.3 Lessons for India

India can draw from these jurisdictions by criminalizing “Honour killings” as a separate offence, ensuring that community or familial forgiveness does not mitigate punishment, and institutionalizing victim support mechanisms. A robust law, backed by political will and community engagement, can bridge the gap between constitutional guarantees and social realities.

## 6. Reform Proposals and Policy Recommendations

Despite constitutional protections and judicial interventions, “Honour killings” persist in India due to structural and cultural inertia. Bridging the gap between law and lived reality requires comprehensive legal and policy reforms that are both preventive and punitive in nature.

### 1. Need for a Separate Law on “Honour killings”

The existing legal framework primarily prosecutes “Honour killings” under general homicide provisions of the “Bharatiya Nyaya Sanhita, 2023”<sup>41</sup>. However, this fails to account for the collective, conspiratorial, and often premeditated nature of such crimes. A specific statute similar to the “*Law Commission of India’s 242nd Report recommendation should define and criminalize “honour crimes,” encompassing not just murder but also threats, coercion, and forced isolation based on perceived familial or community honour*”<sup>42</sup>.

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<sup>39</sup> U.N. Women, *Ending Gender-Based Violence and Harmful Practices* (2020), <https://www.unwomen.org/en/what-we-do/ending-violence-against-women>.

<sup>40</sup> U.N. Women, *Ending Gender-Based Violence and Harmful Practices* (2020), <https://www.unwomen.org/en/what-we-do/ending-violence-against-women>.

<sup>41</sup> Bharatiya Nyaya Sanhita, 2023 § 103.

<sup>42</sup> Law Commission of India, *Report No. 242: Prevention of Interference with the Freedom of Matrimonial Alliances in the Name of Honour and Tradition* (Aug. 2012), <https://lawcommissionofindia.nic.in/reports/report242.pdf>.

This proposed law must also include mandatory reporting obligations for authorities, enhanced penalties for public officials who fail to act, and a bar against compromise or settlement in such cases, irrespective of family consent<sup>43</sup>.

## **2. Witness Protection and Victim Rehabilitation**

Survivors of honour-related violence often face ostracism, threats, and further harm. A functional witness protection programme, modeled on the *Witness Protection Scheme, 2018*, must be operationalized across all states with dedicated budgets, safe houses, and psychological counselling<sup>44</sup>. Additionally, victim rehabilitation should include financial aid, relocation assistance, and access to legal aid and education.

## **3. Accountability of “khap Panchayat”s and Community Leaders**

Extra-judicial bodies like “khap Panchayat”s play a significant role in perpetuating honour crimes. While “*the Supreme Court in Shakti Vahini v. Union of India held such assemblies illegal when they act against consenting adults*”<sup>45</sup>, enforcement remains weak. State governments must enact laws that criminalize decisions or declarations by community councils that incite or sanction violence.

Further, police officers should be directed to take suo motu cognizance of such meetings and prevent them from being convened, as per the guidelines laid out in the *Shakti Vahini* case<sup>46</sup>. Accountability mechanisms, including departmental inquiries and legal penalties, must apply to public officials who abet or ignore such unlawful gatherings.

## **4. Role of Education, Civil Society, and Media**

Legal measures alone cannot combat deep-seated socio-cultural attitudes. Educational curricula must include gender sensitization, constitutional values, and respect for personal autonomy. Civil society organizations should be supported in conducting community dialogues, legal literacy drives, and empowerment programs in vulnerable regions.

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<sup>43</sup> Flavia Agnes, *Criminalising Honour: Towards an Inclusive Law*, 51(4) *Econ. & Pol. Wkly.* 12 (2016).

<sup>44</sup> Ministry of Home Affairs, *Witness Protection Scheme, 2018*, Notification No. 25023/41/2018-Legal (Dec. 5, 2018).

<sup>45</sup> *Shakti Vahini v. Union of India*, (2018) 7 SCC 192.

<sup>46</sup> *Id.*

The media, too, holds transformative potential. Ethical and responsible reporting of “Honour killings” can de-normalize such violence and mobilize public support for reform. Partnerships between media houses and legal bodies can amplify progressive narratives and expose complicity or negligence by authorities.

## **7. Conclusion**

This paper has examined the socio-legal dimensions of “Honour killings” in India, highlighting the persistent tension between entrenched cultural norms and the constitutional guarantees of individual rights and freedoms. “Honour killings” continue to represent a grave challenge to India’s constitutional morality, wherein collective notions of family or community honour often override personal autonomy, especially in matters of marriage and choice.

The sociological roots of these crimes reveal deeply patriarchal structures, reinforced by caste, religion, and informal justice mechanisms such as “khap Panchayat”’s. Despite constitutional safeguards under Articles 14, 15, 19, and 21, and progressive judicial pronouncements affirming the right to marry by choice, the absence of specific legislation, police biases, and societal pressures hinder effective prosecution. Comparative analysis with international jurisdictions shows that legislative clarity, victim protection, and proactive state intervention are critical to addressing honour crimes comprehensively.

Reform proposals emphasize the need for a dedicated law criminalizing “Honour killings”, strengthened witness protection, accountability of community leaders, and awareness programs aimed at transforming societal attitudes. Such measures are essential to dismantle the culture of impunity that enables these violations.

Upholding the rule of law and constitutional freedoms demands concerted efforts from lawmakers, judiciary, civil society, and the media. Only by placing individual dignity and rights above regressive social customs can India hope to eradicate “Honour killings” and build a society that respects personal liberty and justice for all.