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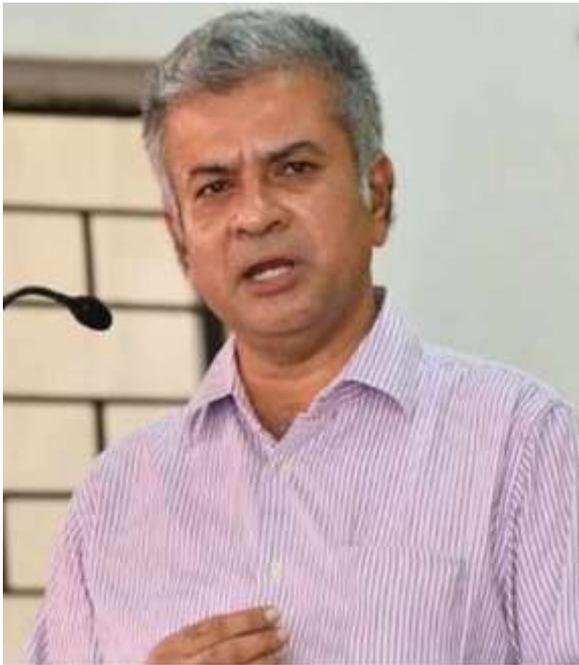
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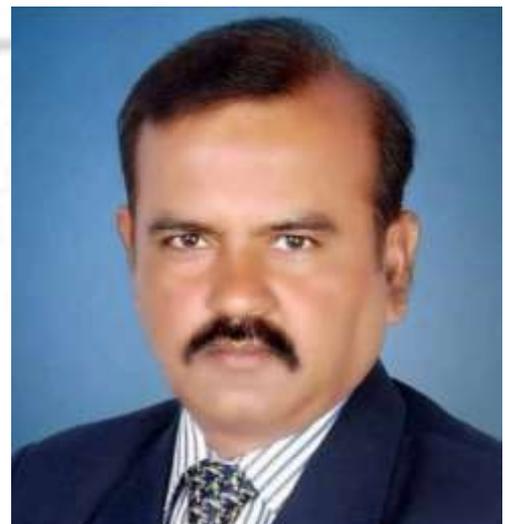
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ABOUT US



WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated 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

SEXUAL OFFENCES AGAINST WOMEN UNDER BHARTIYA NYAYA SANHITA, 2023: AN ANALYSIS

AUTHORED BY - PRERNA KASHYAP¹

Abstract

For the first time, Bhartiya Nyaya Sanhita, 2023 is establishing a new Chapter V (Offences against Women and Children under BNS) with severe penalties for offenders in contrast to the Indian Penal Code. The purpose of this research study is to examine the Bhartiya Nyaya Sanhita's guiding principles regarding the new sections on sexual offenses against women and children, as well as how well they work to ensure that the victims receive justice. In addition to Women's Protection Voyeurism, stalking, and deceptive marriage promises in our country, sexual offenses against women and children are a major worry. The number of harassment rape cases in our nation is steadily increasing. This study examines how BNS is essential for dealing with new sexual offenses under the Bharatiya Nyaya Sanhita, 2023 which places a high priority on transgressions against women How to shield children and women from sexual assault and offenses.

Keywords: *BNS, Indian Criminal Justice System, IPC, Sexual Offences.*

Introduction

The Indian Penal Code (IPC) of 1860 was succeeded by the Bhartiya Nyaya Sanhita (BNS)² on December 25, 2023, in order to simplify the rules pertaining to offenses and punishments, which is the main law on criminal offenses. The criminal justice system has seen major changes brought forth by the BNS. One of the penalties for minor infractions is community service for the first time. Priority has been given to crimes against women and children, murder, and offenses against the state. Additionally, the penalties and sanctions for a number of offenses have been appropriately increased. The government also thought about making current laws applicable to the modern world and giving the average person prompts justice. Additionally, new offenses have been created, such as gender neutrality. In order to safeguard women and

¹ Research Scholar, Netaji Subhas University, Jamshedpur.

² Bhartiya Nyaya Sanhita ,2023 (45 of 2023) Child offence Act Of BNS 2023, Chapter V of Offences Against Women And Children Under BNS 2023

children from sexual and sexually abusive offenses, BNS has already established a new chapter V. The 20 chapters of Bhartiya Nyaya Sanhita, 2023 that make up the BNS deal with to sexual offenses against women and children. In our society, sexual offenses against women and children are a major worry. In our nation, the number of harassment of rape incidents is rising daily. This study examines how the Bharatiya Nyaya Sanhita (BNS) is essential in addressing sexual offenses and enacting new legislation which concentrates heavily on transgressions against women how to shield children and women from sexual exploitation and offenses. New portions have been added under a BNS. By combining several offenses and cutting the number of sections from 511 to 358, the bill has now consolidated the criminal justice system.

Offences against Women

First of all, violence against women is arguably the most heinous human transgression, as is well known. There is a long history of crimes against women. Inequality and discrimination against women are deeply embedded in our nation's social and cultural structures, which also give girls and women an unfair share of possibilities and social attention. In India, crimes against women are a major issue for a variety of reasons. The various reasons are:-

- Limitations due to families' pursuit of higher education, which arises from an outdated method of thinking.
- Inequitable caring for kids and child-related behaviors in our community or society.
- Lack of educational possibilities for girls is a result of the gender-based educational system.
- Responsibility in their marriages and families was dominated by men.
- Partially in terms of gender at the workplace.
- Family pressure in raising voice against rape cases and sexual harassment³.
- Sexiest supportive environments and violence⁴ are customary in society.
- Girls from the middle class and working-class backgrounds have the greatest impact at work.
- It is considered as an offense when a girl gets married young, whether or not she gives her consent.
- Female genital mutilation is a condition that causes severe physical discomfort and ultimately leads to death.

³ It is an illegal act which is against person.

⁴ Violence is the use of physical force to cause harm to people.

- Girls and women are killed in the name of their families for a variety of reasons, including having a sexual relationship before marriage. Similar to the most well-known case in Delhi right now, the Murder of **Shraddha Walkar Aaftaab Poonawala Case**.
- In Indian marriages, such as the most recent instance, the dower system custom is still accepted. Women in Kerala were exploited in the **Vismaya Case** in order to have an unwanted sexual relationship. Threats, verbal abuse, intimidation, or requests for sexual favors. In recent case, **Kolkata rape case in RG Kar Hospital**, even **women is not safe at their workplace**.

Sexual Offences against Women

➤ **RAPE**

The provision related to offence of rape is given under section 63 of Bharatiya Nyaya Sanhita, 2023.

Punishment for rape

The provision related to punishment of rape is given under section 64 of Bharatiya Nyaya Sanhita, 2023. Anyone who commits the crime of rape shall be punished with rigorous imprisonment for a term of at least 10 years, which may extend to life imprisonment. In this context, life imprisonment refers to imprisonment for the offender's entire natural life. The offender may also be liable to pay a fine.

Enhanced punishment in specific conditions:

If the offender falls under any of the following categories, the punishment will be stricter:

- The offender is a police officer, public servant, member of the armed forces, or staff member of a jail or hospital.
- The offender is a relative, guardian, or teacher of the victim.
- The offence occurs during communal or sectarian violence.
- The victim is known to be pregnant.
- The victim is incapable of giving consent due to a physical or mental disability.
- The offender is in a position of control or dominance over the victim.
- The crime results in grievous bodily harm, maiming, disfigurement, or endangers the life of the victim.
- The offence is committed repeatedly on the same woman.

In such situations, the offender shall face rigorous imprisonment for a minimum of 10 years, which may extend to life imprisonment for the remainder of the offender's natural life, along with a fine.

Punishment for Rape of Minor

➤ Victim Under 16 Years:

The punishment for raping a minor child is given under section 65 of the Bharatiya Nyaya Sanhita, 2023. The punishment for raping a minor under the age of 16 is rigorous imprisonment for a minimum of 20 years, which may extend to life imprisonment for the offender's entire natural life. A fine shall be imposed to cover the victim's medical expenses and rehabilitation.

➤ Victim under 12 years:

If the victim is below 12 years of age, the punishment is rigorous imprisonment for at least 20 years, potentially extending to life imprisonment or the death penalty. Any fine imposed must be used for the victim's medical treatment and rehabilitation.

➤ Causing death or persistent vegetative state

According to **section 66 of Bharatiya Nyaya Sanhita, 2023**, if a rape victim dies or is left in a persistent vegetative state as a result of the crime, the offender shall face rigorous imprisonment for at least 20 years, which may be extended to life imprisonment for the rest of their natural life or may even result in the death penalty.

➤ Sexual Intercourse Through Deceit

According to **section 69 of Bharatiya Nyaya Sanhita, 2023 states that**, Engaging in sexual relations with a woman by employing deceitful means, such as making false promises of marriage or job offers, is punishable with imprisonment for a term that may extend to 10 years, along with fines. "**Deceitful means**" include making false promises of employment, promotion, or marriage after concealment of one's own identity.

➤ Gang Rape

According to **section 70 of Bharatiya Nyaya Sanhita, 2023**, "Where a woman is raped by one or more persons constituting a group or acting in furtherance of a common intention, each of those persons shall be deemed to have committed the offence of rape and shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which

may extend to life which shall mean imprisonment for the remainder of that person's natural life, and with fine; **Provided** that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim; Provided further that any fine imposed under this sub-section shall be paid to the victim.” **Sub section 2 of section 70 of Bharatiya Nyaya Sanhita, 2023** Where a woman under eighteen years of age is raped by one or more persons constituting a group or acting in furtherance of a common intention, each of those persons shall be deemed to have committed the offence of rape and shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine, or with death.

In the landmark case of **State of Punjab vs. Gurmit Singh**, a minor was alleged to be abducted and gang raped by three men. The hon'ble Supreme Court of India vehemently emphasized the importance of courts not being swayed by orthodox stereotypes regarding rape victims and held that testimony of rape survivor is itself and sterling piece of evidence sufficient for conviction. This land mark judgment strengthened the credibility of oral testimony adduce in trial sufficient to proceed for conviction.

In the landmark judgment of **Nirbhaya case (State vs. Mukesh & Ors.)**, which shook the conscience of the nation and sparked widespread outrage. In December 2012, a young woman, subsequently referred to as Nirbhaya to protect her identity, was brutally gang-raped and assaulted by six individuals aboard a bus in Delhi. The barbarity of the crime galvanized public demand for swift and severe justice. The Supreme Court's verdict in this case reaffirmed the gravity of gang rape and emphasized the imperative for stringent punishment to deter such atrocities.

➤ ***Punishment***

“**70(1) of Bharatiya Nyaya Sanhita, 2023**, states that each of those persons shall be deemed to have committed the offence of gang rape and shall be punished with rigorous imprisonment for a term which shall not be less than 20 years but which may extend to imprisonment for life which shall mean imprisonment for the remainder of that person's natural life and fine. Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim”. The Bharatiya Nyaya Sanhita, 2023 provides similar punishment for gang rape to that of punishment provided under **Indian Penal Code, 1860** further the **Bharatiya Nyaya Sanhita, 2023** failed to provide stringent punishment for gang rape which

lacks deterrent effect of such heinous crime in society.

Assault & Use of Criminal Force against Women

A person commits assault when they make a woman fear that they will use force against her. Making threatening gestures, raising a hand to strike, or verbally threatening physical harm are all forms of assault. The woman need not be physically touched for it to be assault.

- **Mere words do not amount** to an assault but the words which a person uses may give to his gestures or preparation such a meaning as may make those gestures or preparations amount to an assault. To constitute assault, it is not necessary that there should be some actual hurt caused. The threat must be credible and immediate to constitute an offence of assault.

Criminal Force

- Using any force against a woman **without her consent** is criminal force. This includes pushing, shoving, touching inappropriately, or any unwanted physical contact. The force used can be mild or severe - any non-consensual touch qualifies. Intent to cause harm is not required - just the deliberate use of force.

Sexual Assault

- Any sexual act performed without a woman's consent constitutes sexual assault. It includes unwanted touching of private parts, forced kissing, or other sexual contact with a woman.

Outraging the Modesty of Woman

- **Section 74 of Bharatiya Nyaya Sanhita, 2023** deals with the assault or use of criminal force to woman with intent to outrage her modesty. Outraging modesty involves acts that are offensive, indecent, or degrading to a woman's sense of decency and morality.
- It includes acts like inappropriate touching, forcible disrobing, indecent gestures or remarks with the intent to insult modesty.
- It states that whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to fine.

Sexual Harassment

- **Section 75 of Bharatiya Nyaya Sanhita,2023** It is a pervasive and deeply rooted issue that has plagued the societies worldwide.
- Sexual harassment is in grave violation of the fundamental rights of a woman. It means any unwanted conduct of sexual nature
- In India, it has been a matter of serious concern, and the development of laws to combat sexual harassment is a testament to the nation's commitment towards addressing this problem.
- As per Sub section (1) of section 75 of **Bharatiya Nyaya Sanhita,2023** a man committing any of the following acts:
 - ❖ Physical contact and advances involving unwelcome and explicit sexual overtures.
 - ❖ A demand or request for sexual favors.
 - ❖ Showing pornography against the will of a woman.
 - ❖ Making sexually colored remarks, shall be guilty of the offence of sexual harassment.
- As per sub section (2) of section 75 of BNS, any man who commits the offence, shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.
- As per sub section (3) of section 75 of BNS, any man who commits the offence specified in clause (iv) of sub-section (1) shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

In the land mark judgment of *Vishaka and others v State of Rajasthan,AIR 1997 SC 3011*, let to the issuance of a set of guidelines regarding the protection of women from sexual harassment at work place as well as established several guidelines pertaining to complaints regarding sexual harassment, which was later known as **Vishaka guidelines**. This landmark case formed the foundation stone of the **Sexual Harassment of Women at work place (Prevention, Prohibition & Redressal) Act, 2013**, after 16 long years.

Disrobing

Section 76 of the Bharatiya Nyaya Sanhita (BNS),2003 states about the offenses of assault or criminal force with the intent to disrobe woman. Section 76 of BNS states that “whoever

assaults or uses criminal force to any woman or abets such act with the intention of disrobing or compelling her to be naked, shall be punished with imprisonment of either description for a term which shall not be less than three years but which may extend to seven years, and shall also be liable to fine.”

Anyone who abets such an act with the intent to disrobe or compel the woman to be naked can also be punished.

Voyeurism

Section 77 of Bharatiya Nyaya Sanhita (BNS) of 2003 states that “whoever watches or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image.”

Punishment for Voyeurism

1st case-:

Any person or perpetrator disseminates such images shall be punished with imprisonment of either description for a term which shall not be less than one year, but which may extend to three years, and shall also be liable to fine.

2nd case or subsequent act-:

“Any person or perpetrator disseminates such images shall be punished on subsequent conviction with imprisonment of either description for a term which shall not be less than three years, but which may extend to seven years, and shall also be liable to fine.”

- ❖ A “private act” includes an act of watching carried out in a place which, in the circumstances, would reasonably be expected to provide privacy and where the victim’s genitals, posterior or breasts are exposed or covered only in underwear; or the victim is using a lavatory; or the victim is doing a sexual act that is not of a kind ordinarily done in public.
- ❖ Dissemination of photos captured with the consent of the victim to the third person without her consent shall be punishable.

In the landmark judgment of **State of West Bengal vs. Animesh Boxi, 2018** the court held that, Animesh Boxi was held guilty of uploading intimate photos and videos of his former girlfriend on pornography websites and sentenced him to 5 years imprisonment along with a fine.

STALKING

- Stalking is defined under section 78 of Bharatiya Nyaya Sanhita (BNS) of 2003, as a comprehend behavior such as persistent following or attempting to communicate privately with someone, with the aim of causing fear or distress. It involves deliberately and persistently following or contacting another person without their consent, with the intention of causing fears or discomfort.
- As per sub section (1) of the section 78 of Bharatiya Nyaya Sanhita (BNS) of 2003, any man who
 - ❖ **Follows a woman and contacts, or attempts to contact** such woman to foster personal interaction **repeatedly despite** a clear indication of **disinterest by such woman**; or
 - ❖ **Monitors the use by a woman of the internet, email or any other form of electronic communication**, commits the offence of stalking.

Exceptions

- ❖ When it was pursued for the purpose of **preventing or detecting crime** and the person accused of stalking had been entrusted with the responsibility of prevention and detection of crime by the State; or
- ❖ When stalking was pursued under **any law or to comply with any condition** or situation requirement imposed by any authority or individual under any law; or
- ❖ In the circumstances such conduct was **reasonable and justified** and should not be against the statute or law.

Punishment

- ***First Case: -***

If the accused commits such offenses, accused may be punished with the imprisonment for a term up to three years, or with a fine, or with both.

- ***Second Case: -***

If the accused commits subsequent offenses; the accused may be punished with imprisonment for a term up to five years, or with a fine, or with both.

Marriage-Related Offenses against Women

In modern society, dowry⁵ death⁶ is a grave worry. The trend of dowry deaths, which claims that 20 women died every day due to harassment that results in their murder or coercion to commit suicide, is one of the most concerning historical events in India.

When a bride is unhappy with dowry demands soon after marriage, the husband and his family (in-laws) may kill her or commit suicide. This is known as "**dowry death.**" Young women and girls commit suicide in the overwhelming majority of dowry killing instances because they are unable to deal with the sexual assault and harassment they suffer at the hands of dowry-hungry tormentors.

Rights organizations have pointed out that dowry-giving practices and customs aim to maintain gender inequality and contribute to India's persistently high incidence of dowry abuse against women. These days, **Bhartiya Nyaya Sanhita, 2023** plays a significant role by punishing those who lead girl's life to death with severe penalties.

According to **Section 80 of Bhartiya Nyaya Sanhita, 2023** , if a woman dies from burns, physical harm, or an unusual cause within seven years of marriage, and shortly before she passes away, she was the victim of cruelty or harassment by her husband or any of his family members related to with a dowry demand, her death will be referred to as "**dowry death⁷,**" and the husband or relative will be held accountable for her demise.

Punishment under BNS:

According to **section 80 of BNS**, Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life?

Offences against child

Around the world, crimes against children are taken very seriously. Because kids are innocent beings who don't understand cunning or cruelty, since childhood, people have harassed and abused children. When we examine our culture, we find that criminals mostly target minors for

⁵ Dowry means property or money paid by the bride family to groom or his family at the time of marriage.

⁶ Dowry Prohibition Act, 1961

⁷ Dowry Death presumption as to, (Sec.118, BSA)

their exploitation, including begging, robbery, theft, and drug sales. It seemed that our children had recently been purchased, exploited, and murdered as well. Procreation⁸ of Child is an extremely serious offense. Although they are abused by others, children are inherently innocent and pure. Particularly when the offense⁹ develops, it will be embarrassing at a time when society despises it. In order to safeguard children from sexual exploitation, sexual harassment, sexual abuse, and mental abuse, the government put in place a number of laws and policies. In India, the majority of children who come from lower social classes are abused by others for their own gain by engaging them in illegal activities and instilling a criminal mindset in them. Additionally, the number of child rape cases in India continues to rise daily, primarily affecting young children. Given the rising number of criminal acts committed against children, it is assumed that "Children are not safe in India. "**Bhartiya Nyaya Sanhita**¹⁰, 2023 concentrates exclusively on minor offenses by enforcing strong penalties for perpetrators of new criminal legislation.

In order to protect children, additional regulations and punitive provisions are created within its legal framework.

Offences against Children under The Bhartiya Nyaya Sanhita, 2023¹¹

BNS seeks to prevent and punish those who engage children in criminal activity, focusing a strong emphasis on severe and deterrent penalties to safeguard kids' welfare and stop their exploitation for illegal ends. **Section 117(3) of The Bhartiya Nyaya Sanhita, 2023** contains the most stringent provision.

➤ *Child Exploitation*

More than 80% of those who abuse and exploit children are between the ages of 18 and 14. Anytime a kid is hired or used to commit a crime or offence, such as sexual pornography, they are subject to penalty under **Section 98 of the BNS**, which addresses child exploitation.

➤ *Abandoned And Concealment*

Heartless parents in India are primarily responsible for crimes against newborns and unborn

⁸ Procreation means the authority to act on one's behalf.

⁹ Offence means a criminal or an illegal activity prohibited by law.

¹⁰ Bhartiya Nyaya Sanhita, 2023 is legal framework, direction of law to save person from punishment or property from forfeiture.

¹¹ Hiring, employing or engaging to commit an offence (sec.95, BNS), Kidnapping or abduction of, (sec.97, BNS), procurement of, (sec.96, BNS), Selling for purposes of prostitution etc, (sec.98, BNS)

children, including miscarriages, injuries to unborn children, abandonment, and exposure of infants. These serious offenses are covered by **Sections 93 and 94 of the Bhartiya Nyaya Sanhita, 2023.**

➤ **PROCURATION**

The buying and selling of girls, as well as the procurement of minors children, is another significant issue in India, where more than 100 cases are reported every day. **Section 96 of BNS, 2023**, which addresses the illegal aim of child procurement, is the new law that BNS introduced to prohibit such offenses. The majority of lower-class children in India suffer from poverty.

➤ **KIDNAPPING**

According to the **National Crime Record Bureau**, the worrying rise in kidnapping cases in India, primarily those involving human trafficking, has placed a dark shadow over the future of the country. These crimes are illegal and are covered in **Section 137** of the BNS, which addresses kidnapping in two cases: kidnapping from unlawful guardianship and kidnapping a person over the Indian border despite their free consent.

According to **section 87 of BNS** “Whoever kidnaps or abducts any woman with intent that she may be compelled, or knowing it to be likely that she will be compelled, to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse, or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and whoever, by means of criminal intimidation as defined in this Sanhita or of abuse of authority or any other method of compulsion, induces any woman to go from any place with intent that she may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall also be punishable as aforesaid.”

Research problems: -

As everyone is aware, rape on research is an immeasurable problem. **The Nirbhaya Case, the Shakti Mill Gang Rape Case, and the Kolkata Rape Case** are the most well-known cases in India due to its broad scope, Research Problem: Bhartiya Nyaya Sanhita¹², Sexual Offenses

¹² Bhartiya Nyaya Sanhita is legal framework, direction of law to save person from punishment.

against Women and Children. For many years, sexual offenses against women and children have been a major problem in India. The Indian Penal Code, 1862 or *Bhartiya Nyaya Sanhita, 2023* is the main element of law that regulates criminal code of the nation. However, the frequency of sexual violence against women and children is still shockingly high even with laws protecting them from it. A **National Crime Records Bureau**¹³ data states that over 32,000 rape incidents were registered in India in 2019, with women and children accounting for a significant number of the victims. This emphasizes how urgently study is needed to determine the causes of the substantial number of sexual offenses as well as effective preventive and prosecution¹⁴ measures. Now According to what I have seen, one of the biggest issues facing women in our society is the prevalence of sexual offenses, which have a significant impact on women's health today and result in the suffering of innocent people. This leads to societal attempts to prevent women from doing anything they want to do. According to my study, due of the substantial national rape rate, women and adolescents are reluctant to seek justice in society. According to my beliefs, BNS is making significant reforms to the criminal justice system that ensures women receive justice.

Challenges

The criminal justice system in India will undergo major changes with the implementation of the **Bharatiya Nyaya Sanhita (BNS) on July 1, 2024**. The new regulations make it illegal and equivalent to rape for someone to have sex with another person or entice them for sex under disguise of employment. Since such offenses have traditionally been handled as civil matters rather than criminal ones, this raises concerns even if it seeks to offer more protection. BNS is now involved with issues pertaining to women's and children's safety. The most positive development is that, as a result of the Court's decision in **Independent Thought v. UOI, 2017** the ages of marriage and consent has been established. The 15–18year age limit has now been eliminated, and the statute has been changed to make raping a girl under the age of 18 years is illegal regardless of her marital status or relationship to the accused¹⁵. Violence against women and children has a profound effect on society because they cause extreme psychological and physical suffering, disturb family systems, and inspire terror. These offenses put a load on the judicial and medical systems, threaten social stability, and impede economic advancement. In

¹³ National Crime Bureau Record is an investigating agency that collects data and analyzing crime data. The NCRB was established in 1986 and it's headquarter is situated in Delhi.

¹⁴ Prosecution is an act of prosecuting something especially in criminal cases.

¹⁵ To say that somebody has done something wrong or broken the law

order to tackle them, targeted protection, support services, and legal actions are required to guarantee justice and safety. The **Bhartiya Nyaya Sanhita (BNS), 2023** stands out as a ray of light in India's changing legal system, offering improved justice and safety for women and children via extensive and contemporary changes. The goal of India's recent criminal law reforms is to modernize and transform the British-era legal system. The new criminal law's revisions provide an extensive and present strategy for improving women's and children's protection and security in India. The BNS seeks to establish a more efficient and adaptable legal system by filling in the IPC's shortcomings, enacting harsh penalties, and utilizing technology developments. These reforms give women and children more protection and support inside the criminal justice system, demonstrating their commitment to justice and knowledge of their particular risks.

Provisions of BNS sometimes overlap with the jurisdictional concern raised by erstwhile enacted **POCSO Act,2012 and Information Technology Act,2000** leading to potential ambiguity

Conclusions:

The main changes to **Bhartiya Nyaya Sanhita 2023** show a move toward innovation and need-based adaptability. By strictly punishing rape, gang rape, acid attacks, and domestic abuse, among other offenses, the **Bhartiya Nyaya Sanhita, 2023** includes strong provisions to protect women and children from sexual offenses. The BNS restricts child labor and underage marriage, protects children under the POCSO Act, and protects women from sexual harassment and stalking. The **Bhartiya Nyaya Sanhita, 2023** acknowledges arising digital offences against women including sexual offenses. It enhanced victim centric approach focusing on right of survivors of sexual violence and further provides strict timelines for investigation and trial. By introducing the **Triple Talaq Act 2019** and revising the POCSO Amendment Act, BNS is advancing women's rights. By guaranteeing the protection and empowerment of women and children, BNS plays a critical role in defending their rights. BNS demonstrated their joint efforts with civil society and government NGOs. India can establish a more secure, peaceful, and equitable society for women and children by putting these policies into effect. India continues to place a high premium on protecting women and children, and BNS offers us a strong foundation for guaranteeing justice and women's empowerment. BNS is taking the required actions to provide women and children with prompt justice so they can be safe and

secure their lives. Rape is a serious crime that harms victims and undermines public safety and values. Even while India's legal system aims to assist and safeguard victims, there are still many obstacles to overcome. It is essential to strictly execute the law, educate the public, and change social perceptions on sexual violence in order to promote a safer society. A more equitable and safe environment for all women depends on ensuring justice for survivors and holding offenders accountable.

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