

render the matrimonial life a disaster and there is every possibility then the Court itself will be watered down.

The Protection of Women from Domestic Violence Act step in the right direction it cannot be gainsaid that women are at the

receiving end at the Domestic Level in the household matters. The Acts aims to alienate the flight and hardship. Such Women it is hoped that it provide the much needed protection to the unfortunate women who happened to fall under the clutches of unscrupulous relatives at the matrimonial house.

### REASONS FOR CRUELTY BY WOMEN

By

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Criminology is a growing field in India. Research on female criminality has long been neglected. This subject-matter is of great importance and high social relevance. Crime in general is on the increase and in several instances women are the victims. Women are perpetrated towards crime as they cannot escape from the impact and influence of socio-economic conditions. Women are also human members of the same society. There is a significant differences in female psychology and attitudes as those of men, which creates different patterns of social behaviour and influence women as the reaction to their experiences and injustices caused to them.

In ancient times the great auther *Manu* and king *Ashoka* said that women should be kept under the care and supervision of men. But women should be treated in a respectable manner. They should be given a special and respectable position in society. But gradually their position is deteriorating due to various reasons.

The woman was excluded from succession to property is one of the root causes which gave the impression that Indian Women are backward, suppressed and treated almost as chattels.

There is an impression and it is distressing to note that a large number of crimes committed by females go undetected or unreported and the fact is that criminal

mentality in women is lesser than comparing to men. Generally offences committed by women do not usually involve physical strength and so are not easily detectable.

A general review of criminological theories is done with special stress or emphasis on female criminality. The factors which are co-related with female criminality like sex, age, marital status, religion *etc.*, are the factors of female criminal mentality. Women's mentality is naturally more sensitive, thoughtful and loving. In research by experts it was proved that women are smart than men. When their self respect is broken by some bad elements or damage occurs to their self respect, most of the women cannot be in a position to tolerate it and react in a cruel way. The status of a woman in previous history and during the time of Vedas and Manu where the women occupied a place of importance and the gradual degeneration in her status, which lead to the increase in female crimes. Various provisions are provided by the Constitution to safeguard their rights and for their enlftment.

While studying female crimes, Ahuja 1970 concluded that stressful family situation, marital mal-adjustment, conflict prone relationship with husband and other members of the family compel women to commit heinous crimes like murder.

Commencing on the various factors and surroundings there are of primary significance in the causation of crime by women, paramours (1984) observed that women, like men, are also motivated by the same fears, inhibitions, jealousies which warp the human mind. Poverty, marital mal-adjustment, illiteracy, broken families, emotional tensions, imbalances in sex matters, social disorganization commonly lead women crime.

*Sonu* in 1993 stressed that in the case of female criminals, the etiology of crime is mainly due to immaturity to perform marital roles and inability to shoulder divergent role expectations which consequently lead them to be mal-treated by their husbands and in-laws. This situation which ultimately creates serious problems of adjustment motivates them towards various types of criminal behaviour.

Greedy, his illicit affairs with other women, low income group and excessive expenditure, a forced marriage *etc.* are the major area of conflicts faced by women murders.

*Swaran* in her analysis of 'homicides by females' concludes that domestic factors including the deprivation of love and care of their parents, or husbands and in-laws or a combination of both, victim's provocation contribute substantially to homicides by females.

In their study Devasia and Devasia found that family plays an important factor in female homicide while disruption in marital relationship often leads to killing of the husband by a married woman and *vice versa*.

Sometimes the women commit the crimes because they are under heavy strains due to mal-adjustments with the husband's fairly. They make attempt on their own lives or they may do other criminal acts in the heat of anger and aguish.

In the background of status, prestige and image of women, if a crime is committed by women, the social reaction towards it is that of anger and indignation.

It is not possible to understand offences against and by the women, without understanding the status of women in the past and the role the past plays in contemporary beliefs and behaviours

The crime may also be the result of a sheer frustration. In such cases the sympathetic attitude of the law rather than stringent penalty will be more applicable.

1. *Ediga Anamma v. State of A.P.* deserves to be noted here. The accused a married lady was living in illicit relations with a man. The man developed his sexual intimacy with another lady, *Annusuya*. The accused under the fury of sex jealousy murdered her rival *Annusuya* and her baby *Nirmala* and disfigured the face of the deceased and buried the body of the baby beneath river sand. She was sentenced by the trial Court with death for murder and life imprisonment for secreting the evidence of the crime under *Section 201*. The High Court confirmed the guilt and the sentence. Justice *Krishna Iyer* of the Supreme Court while maintaining the conviction allowed the appeal and awarded life imprisonment. One of the grounds on which the Court amended life imprisonment was surrounding circumstances of the accused that she was the mother of a child. She was flogged out of her husband's house by the father-in-law. She was living with her parents. She was a sex-started with a single lady. The paramour was a freelance romancer. She planned to liquidate her competitor with the reckless passion of a zealous mistress.

Sometimes women are kidnapped and abducted by the criminal gang and ultimately these women are converted as criminals due to forced circumstances. They may operate in a terrifying and ruthless manner as hard core criminals with murderous thrust due to revengeful attitude against those who have harmed her or her family.

One of the factors of immoral mentality is their economic conditions. Even to day

most of the women does not have financial freedom. She needs financial freedom in order to fulfil different kinds of responsibilities towards the family. It is obstructed by somebody it will be more difficult to look after her children and herself. Sometimes she has to face embarrassing situations because of lack of monetary freedom. The circumstances that lead her to deteriorate her moral thinking in these situations. To face this problem sometimes they frown to immoral attitudes. The problem of destitution was also prevalent among some of these offenders. These destitute women were widows or deserted women who had no means of support for themselves and for their children. To increase their financial position they start excise offences, women were involved in selling illicitly distilled liquor or selling of ganjai illicitly.

Sometimes their deteriorative conditions lead them to involve in immoral activities. In so many countries female children are taken in lenient view. They were left or thrown away by their parents leaving them for their destitution. They are either die or to become criminals if they are brought up by the criminals who are running brothels they will become prostitutes. One of the reasons that led a women to involve in this profession is that who are raped, described as their husbands' widows at the early age are not supported by anybody even by the family members. When children are left by the parents due to economic reasons or by any other reasons and they are brought up by habitual offenders in their own way they become criminals.

## 2. *Woman hires killers to get brother killed.*

*The rumours that in States of Punjab and Haryana, women are deserted by their husbands and there is large scale female foeticide due to lack of empowerment of women.*

What many do not see is that women in these places have started hiring killers to get

rid of men who spurn their advances. There are also situations where sisters give contracts to goons to get their brothers killed.

It is a real story in Tribune.

In Sonapat, February 11, The police arrested *Sangeeta*, for giving "supari" of Rs.2 lakhs for killing her brother *Puneet*, on Saturday. She was produced in a Court and remanded in judicial custody for 14 days.

ASI *Baljit Singh*, who arrested *Sangeeta* after information about her arrival in the town, said she was serving in the Health Department and was posted at Civil Hospital Gurgaon.

After receiving threat to his life, Sector-15 resident *Puneet* complained to the police which arrested *Pappu, Manoj and Kanwar pal alias Billu* on February 3. Their interrogation revealed that *Sangeeta* had given a "supari" of Rs.2 lakhs to Sri *Bhagwan* to eliminate *Puneet*.

It was the right period in which women enjoyed their freedom and rights according to their conditions. To develop the conditions of women Government enacted many Acts after 1990 in between 1980 and 1990 women has been given a lenient position in almost all the grounds. After enactment of Acts like 498-A, Domestic Violence Act etc., women take their position in a superior way, and trying to take advantage of these Acts. Some women taking revenge against men and in-laws keeping their post position in view.

## 3. *Poor innocent people tortured in false dowry death case.*

In India, a large number of poor innocent ignorant and mentally ill people are often being imprisoned in false charges by women and are tortured in jails for years.

Here is an example from rural Orissa, an Indian State where two poor innocent people suffered in jail.

Woman is alive and yet her poor husband and her old father-in-law were imprisoned

under the false charges of causing her death. The police even filed the charge-sheet without checking whether the murder even happened or not.

Threats of false cases and extortion by wife and her relatives are nothing new in India. Thousands of people commit suicide every year due to such threats and the treacherous women and their relatives go scot free.

But, the time for such culprits may soon be over as the campaign to punish such criminals get momentum.

*Whole family of a husband attempted suicide at Ahwar City in Rajasthan. On Saturday evening, 3rd February 2007, the whole family living at Dayanand Nagar at Ahwar City in Rajasthan consumed poisonous food due to threats false case and jailing by Ashok's in-laws. Ashok, who was Engineer in a private company, his father Giriraj both died in the hospital and Ashok's mother is undergoing treatment at Hospital.*

According to police, *Ashok* married to *Mahua* based *Mithilesh* last year only. Right from the starting of marriage *Ashok's* in-laws used to harass him by threatening to implicate him and his entire family in the false cases related to dowry demand. On Saturday 3rd February, *Mithilesh's* father *Radbeshyam*, her uncle *Hariprasad* and her brother *Jitendra* came to threaten *Ashok's* family for sending them to jail and took his wife *Mithilesh* with them. The neighbours and people from colony were spectators to the dispute. *Ashok's* family was in anxiety due to threats of false cases, possible imprisonment and fear of lose of face for the family. With neighbour's information, police admitted the family in the general hospital where *Ashok* and his father *Giriraj* died.

#### 4. Shocking Tale of Sexual Abuse of Boys in India !!

Mumbai Mirror reports, three boys were paraded nude by their female teacher in a school in India. If a boy or a girl is stripped

by a male or a female teacher, it must be considered as sexual abuse.

But, the disgusting Indian Society still feels girls and women have a "birth right" to strip and parade small boys. Small boys who are sexually abused by women grow upto be violent in future. It is a fact that women who hate men and masculinity subject young boys to severe trauma and sexual abuse in US, abuse of boys by female teachers is a serious offence. Many women get jailed for 7 years or more for abusing boys.

In *Wipro* based IT giant case, he gave his side of the story at a Press Conference organised by NGOs *Asha Kiran* and *save India family foundation*.

He alleged that on one such occasion, *Tripti* had left him and gone back to her parents house from where *she* filed a dowry complaint against him, after which his parents were arrested and sent to jail for three days 'for no fault of theirs'. The facts of the case are like under *Tripti* used to transfer documents to her name saying that it was funded by her father. She forces me to buy her a car in her name. In 2004 they begotten a boy child *Pulkat*, in February 2004. A year latter they had a big quarrel after which she called all the neighbours and alleged that he and his parents were trying to kill her. *Tripti* also reportedly locked *Negam* and his parents out of their house and burnt some official documents concerning them. This is the way in which abused the law.

Every *Tom*, *Dick* and *Harry* start suing at will and go scot free (being caught), Indian Judicial System will get converted into a local fish market.

There is no law in India which can protect an abused husband, his father, his mother and his sisters (married/unmarried). How can a country deny justice to people based on their gender or their relationship to a man ? *Gaurav's* parents spent 3 days in Kanpur Jail when his wife filed an allegedly false case

of "Dowry Harassment" against them in April, 2006. He was in US at that time. Now, says, *Wipro* has broken her marriage.

More and more men are coming out speaking about physical, verbal, emotional and economic abuse unleashed up on them by ever demanding wives. *Gaurav* filed for divorce in January 2006.

#### 6. Extortion by Crime Against Women (CAW) Cells.

In New Delhi, on September 2003 the CBI has opposed the *bail plea of a woman Delhi Police Official* allegedly caught accepting a bribe of Rs.3,000/- saying the accused may tamper with the evidence.

"If the accused is released on bail, there is every likelihood that the accused may tamper with the evidence and influence the witnesses more so, considering the fact that she herself was a Police Officer," said the probe agency in its reply to the bail petition of Assistant Sub-Inspector *Pushpa*.

*Rattan*, posted in the Crime Against Women (CAW) Cell at Krishna Nagar in East Delhi.

In the reply, filed before Additional Sessions Judge *Veena Birbal* of Karkardooma Courts here, the agency said that the transcription of recorded version, revealing ASI's complicity in the offence, was yet to be prepared.

As per the CBI, *Rattan* had demanded Rs.5,000/- from one *Ravi Kumar*, resident of Nathupura, Delhi, for not implicating him in a dowry harassment case.

#### Criticism :

In India if a woman die from any other reason media make it big issue. Why media is silent about his murder. Who was forced to end his life, as his wife came to meet him night before. Why law is not arresting his

wife for forcing him to commit suicide. Every year 22,000 men are driven to suicide by their wives and in-laws. These criminal women go scot free.

The nexus between in-laws, police, lawyers is powerful enough to drive an innocent man to suicide. The suicide rate of men has increased 4% in just one year.

In the "Nation" State of India, the "Legal System" is dysfunctional. The rich, the influential, the police and the criminals can implicate any innocent (at will) causing misery and death. At the same time, criminals indulging in murder and rape are rarely convicted in Indian Legal System.

There is little accountability in this whole system.

The irony is that "Indian Hypocrites" have got used to it and for them it is just natural way of life and they do not even find worth questioning it.

If this continues, in just a matter of time people will take law into their hands.

Women take an important role in a family so also in society. Indian women have occupied a special and respectable position in society, they are treated in a respectable way since ancient times, this was recognized by all over the world. There is a good opinion towards Indian women by other countries. The culture followed by Indian women is in such a way that all other women in foreign attracted by it. It leads to some self respect in women. If a woman is effected by some ill illusion, its impact will be on her children mostly, they may follow their mother's footsteps. Hence it leads to creation of more criminals in society. It is not a single person's problem but it is a social problem which cannot be sweep out by one or two persons. There should come to revolution throughout the country. To erase this problem to some extent women should be educated; Women should be treated in respectable



manner. There is a need for special position for women in society announcements and other planning should be made by the Government for the upliftment of women. Special recommendations and reservations should be made according to their proportion with men in every field. Women should be treated equally with men as far as possible. It may not be possible to create this type of society instantly, it may take years together but until then it is the duty of each citizen of India to put efforts for this object. When all these precautions are taken we can expect reduction in number of crimes by women to certain extent.

Government of India is taking steps towards women criminals in order to reform them rather than punish them. The theory adopted was not punitive but rehabilitative and women offender is sent to 40 correctional institutions rather than to prison.

Finally *the criminal is not born but the circumstances and social surroundings make a person criminal*. What are the reasons which make a man criminal ? A child is innocent and adorable but as she grows, she adopts different traits in his life and sometimes delinquency and criminality become part of his life and during adult life also she behaves in the same fashion. The knowledge of criminology is also necessary for certain professionals and also for those who want to provide social services. Thus for the Magistrates, the police, the Prison Officials, the probation and parole authorities, it is necessary to have the adequate knowledge of crime and the criminal behaviour for dealing with the criminals in a human manner so that the criminals may not only be punished but adequately reformed. Many criminal, have great humane instinct and can do great sacrifices for the cause of humanity.

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## AN ARTICLE ON THE RIGHT TO INFORMATION ACT, 2005

By

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In any form of Government, there are always two sections – The Rulers and the Ruled. Out of the various forms of Government like monarchical, presidential, dictatorial and democratic, the democratic form of Government is the best as it gives importance to people's welfare and progress. In this form of Government, the citizens are given a large number of rights among which the right of information is very important as the citizens can demand for any information from the public authorities. When this right is exercised the Government can maintain transparency in administration and the public authorities are more responsible. The citizens are more alert and are involved in the matters of the nation and the nation and the corruption can be weeded out.

In a democracy the people choose the representatives both at the Central and State level, *i.e.* the Parliament and the State Legislative Assemblies. But sometimes the people cannot approach their leaders. Even during the British regime, they could not approach the Government authorities. After the independence too, the citizens could not solve their problems nor could ask for any information they needed. In order to make the information available to the citizens the Law Commission of India in its 179th report stressed the need for a law to ensure the access to information which resulted in drafting of the "Freedom of Information" Bill 2000, which was ultimately enacted as the freedom of information Act 2002. Later on the recommendation of the "Right to Information Act 2005". It