

## Domestic Violence – Suicide, Dowry Death: Stigma on Indian Society

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### **Abstract**

*Domestic violence, suicide and dowry deaths all are different terms but interconnected with each other and it may be said that domestic violence is a root cause of suicide. In our Indian culture, generally due to the patriarchal form of society, our women are controlled by men and bear domestic violence due to many reasons time due to lack of financial support, sometimes for the reason of the child, fear of loss of respect in the society, due to the fear of loss of the partner and some time due to various other causes such as religion, customs, moral and social values, etc. Thus continuing to live in such abusive relations, these domestic violence victims may include anxiety, depression, physical stress symptoms, sleep disturbance, loss of self-esteem and confidence, social isolation, living in fear and due to suicidal thoughts, and making an attempt to end their lives and an extreme form of domestic violence is dowry death. The causes of dowry death are generally, do not fulfilling the demand of dowry where in most cases victims are forced to commit suicide. But it is a harsh reality that our society is unwilling to recognize it and focuses to encounter the most heinous form of violence against women which has made our women hollow inside while we are dreaming of women empowerment, without making efforts to end these evils of domestic violence, suicide and cases of dowry death which are stigma for our Indian society. Though a victim of domestic violence is protected under the various legislations there is a need to take a needful action against the victim of domestic violence with the reference to current above issues on which the researcher has made to focusing through this article.*

### **Keywords**

*Domestic Violence, Suicide, Dowry Death and legislation, Indian society.*

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## **Introduction**

“Where the women are held in reverence, there do the gods reside” is an old Sanskrit adage. The condition of women in our country is not that safe. In the year 2015, the no. of cases registered under the banner of crime against women is 32,7394. At present, women are considered sex objects and widely treated and adhered to by men. Dowry is a social virus it will not affect other creatures until and unless it is defenseless (Teays. W, 1991). Religion, custom, long-held prejudices, and other factors have contributed to the exploitation of Indian women throughout their lives. The male-female power dynamic is mirrored in the violence against women. Society’s patriarchal system is typified by the dominance of men over women. Violence against women begins at conception and continues throughout a woman’s life. Pre-birth selection, infanticide, and a preference for male children are widely accepted practices in this country. They experience complete exclusion from the mainstream of society, in education, decision making, choice of selection, etc. Thoughts of male superiority and female servitude were ingrained in them. As rape, molestation and other forms of abuse escalate against women, it is clear that the state is failing to protect them from harm. A woman’s ability to fly is limited by the tradition of child marriage and the societal control over education, freedom of movement, etc. The fact that women may be subjected to violence once or repeatedly throughout their lives is a critical consideration. India’s constitution explicitly prohibits official discrimination against men and women, but it is happening in every way. It’s a “diamond for a beggar” to have equal rights under the constitution, however. From the beginning of time, women in India have been exploited socially, physically, intellectually, economically, and sexually by men, sometimes in the name of religion, and sometimes because of social pressure. Study on domestic violence has not been done systematically on both large scale and small scale in India and other developed countries (Koenig et al. 2006, Verma & columbine, 2006). Women in every stratum of society are affected by this social evil which is a stigma in our society. As a result of the prevalence of violence against women in Indian families, rather than simply witnessing or hearing about parents abusing one another or being abused themselves, children are forced to take responsibility for their behavior, complicating matters further. Different types of violence against women exist, including female foeticide, infanticide, sex abuse, incest, molestation, sexual harassment, and marital rape, to name just a few of the more common ones. Atrocities committed against women are on the rise in recent days, and this is jeopardizing the country’s aspirations for growth. The issue of domestic violence is one of women’s self-dignity, whether it occurs in the context of a marriage or in the privacy of one’s own home. “Women were able to participate

in a broader social life because of the opportunities provided by paid employment, which introduced them to members of the broader community” (Dutta, 2000: 223). Despite this, the position of the female as the primary caregiver and houseworker is still expected to be fulfilled, and alterations to the patriarchal family power system are sometimes stoutly challenged (Dutta, 2000)

When parents give their daughter a dowry, they hope that she will marry the man they’ve chosen (Gangrade K.D, 1961). Domestic violence can also result in the death of a dowager. According to Provision 304B of the Indian Penal Code, the death of a woman caused by any burns or bodily injury or occurs within seven years of her marriage shall be considered a crime under this section of the Indian Penal code. As a result, inflicting physical harm on another person is an act of domestic violence. Millions of Indian women are harassed or killed because of unmet dowry demands, and many more are pushed to take their own lives. It is often believed to be one of the leading causes of divorce among families in the modern day. Our society is plagued by the practice of dowry. The immovable property was passed down to male children and movables to female children in a patrilineal community (Devi. U, 1991). Violence is a common part of marriage, and it can be resolved within the four walls of the family home, as well. Domestic violence includes the violence and murders that result from dowry demands.

Even though dowry is practiced in many regions of the world, dowry-related violence is most common in South Asia (India, Pakistan), Sri Lanka, and Bangladesh. The concept of dowry was practiced widely in our country, girls were sold as a commodity and huge bargaining were happening in name of it. The trend has shown some change in these days, demanding as per the wish of brides party were practicing. The households, flats, land, cars, etc. asked as dowry and women had faced a lot of struggles due to that. They were ill-treated in the groom’s house and some were brutally murdered. The mental pressure created by this system had wide impacts.

### **Dowry Deaths and Suicide all are consequences of Domestic Violence Domestic Violence**

The stigma of Violence against women in India has become formalized or it can be said ritualized through lore and fables (e.g. Draupadi’s disgrace) as it has various forms: rape, girl child sexual abuse, trafficking against women, selective abortion of female fetuses, suicidal deaths, dowry death and domestic violence, etc. But this social evil of domestic violence has taken a serious form of violence today and cutting across all boundaries of caste, creed and religion.

There is various form of domestic violence prevailed in society such as physical, emotional, and verbal abuse, etc., and it harms women of all ages. According

to the United Nations Declaration states that “domestic violence is physical, sexual and psychological violence occurring in the family including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other practices harmful to women, non-spousal violence and violence related to exploitation”.

There is a widespread prevalence of domestic violence in our society. It affects people of all socioeconomic backgrounds, ethnicities, and religions. Because victims typically choose to remain silent, the prevalence of this crime goes unnoticed by the general public. Adult women in the United States are assaulted by an intimate partner at a rate of between 3 million and 4 million per year. One in four women will be assaulted by a spouse at some point in their lives.

### **Dowry Deaths**

Dowry is an ancient custom and social evil and greed which is increasing day by day. Many communities in which dowry or asking for dowry was relatively less prevalent have succumbed to this evil practice. Today parents of the girls who frequently give dowry beyond their means, borrowing when necessary and the parents who are unable to fulfill these demands found violence, and injuries and have been tortured to the lives of their loved ones. Thus not satisfied with the dowry amount their husband and in-laws humiliate, harass and abuse the women and consequences of this torture the women are driven to suicide by using different ways such as burning, drowning and poisoning.

Dowry death which is defined under section 304 B of IPC is as “where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within a 7year of marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for or in connection with any demand for dowry such death shall be called dowry death and such husband or relative shall be deemed to have caused her death.”

Domestic violence is rooted in our Indian society’s attitude toward women and the lack of respect they receive. Even now, Indian women are still viewed with pity and no one thinks of giving them equal status with males because of their lack of self-determination. Dowry-related violence includes beatings, rapes and acid attacks, as well as wife burning and other acts of violence. In most cases, domestic violence is a result of the dowry demands and the brutality and depths linked with them. Dowry-related offenses include several acts that are similar to domestic abuse. When it came to dowry-related crimes, the 1961 Dowry Prohibition Act was a key piece of legislation. Dowry harassment rules were put in place to stop the practice

of requesting, paying, and receiving dowry. Even though dowry payments are against the law, they are still commonplace in many sections of the country. Protection from dowry harassment was added in 2005 after the introduction of legislation to protect women from domestic abuse.

There is a great deal of hardship and struggle for the women who are involved in dowry-related domestic abuse cases when they are brought before a court to try to prove their innocence. But dowry-related violence is unique from domestic violence because the husband or current partner may not be the sole perpetrator of dowry-related violence or death. Dowry-related violence can be perpetrated by relatives, past spouses, or fiancés. Violence disguised as suicide, or an accident that is either taken or contrived may also be used by them.

A dowry death occurs every four hours today. The term “dowry death” refers to the death of a woman who has been subjected to cruelty or harassment by her husband or any other family members in connection with any demand for dowry, whether the death is the result of burns or other physical injury or occurs under normal circumstances within seven years of marriage. Also, if a bride is late with her dowry or refuses to comply with the groom’s expectations during the marriage ceremony, she would be exposed to cruel punishment.

Because dowry-related violence is a universal phenomenon that crosses all boundaries and is on the rise in India, it should come as no surprise that dowry death is one of our society’s most common concerns (Singh, 2005).

The practice of dowry and the violence that goes along with it is currently illegal in India, however, this legislation is either ignored or not enforced by higher officials. Although dowry was outlawed by law in 1961, it remained unenforced until 1984 and 1986, when it was made an offense punishable by law.

### **Domestic Violence and Suicide**

This can be explained by factors such as patriarchal social and cultural milieu, exposure to violence during childhood, low socio-economic status and unemployment; unmet expectations in the relationship; traditional cultural attitudes and norms about gender roles; acceptable wife beating; sharp gender inequality; preference for male children; and a preference for male children in the population of India.

In suicide cases, it can be said that depression is the main reason, followed by victims of invisible offenses of domestic violence. Though there may be various causes women have to bear domestic violence such as some time due to their children, some time due to the respect of family, customs, traditions and many more and at last when they are found unable to bear all these tortures by their loved ones in the

matrimonial home they conclude to end their life by ding suicide. Today it is very common for evil to prevail due to the patriarchal system of society.

### **Legal Status of Attempted Suicide**

According to Article 21 of the Indian constitution, “No person shall be deprived of his life or personal liberty except according to procedure established by the law”. The right to life and liberty are protected by the constitution, but not the ‘right to die.’ The right to life does not apply to those who attempt to end their own lives.

Section 309 of the Indian Penal Code (IPC) clearly states as follows: “Whoever attempts to commit suicide and does any act towards the commission of such offense, shall be punished with simple imprisonment for a term which may extend to one year or with fine or both.”

Section 309 has sparked several questions. In the first place, it falls under the purview of the offenses listed in the Indian Penal Code Chapter XVI. In addition to crimes against the “human body of the other person,” the other offenses in this category involve attempts to commit suicide. Based on intent, which is inferred from the circumstances, the act of attempted suicide can be inferred. Oftentimes, though, the intent is left unsaid or vague. Furthermore, there aren’t many proponents of criminalizing suicide attempts as crimes against the state.

According to the Delhi High Court, “the continuation of Section 309 (criminalizing suicide) in the Section 306 IPC covers aiding and abetting the commission of suicide, while Section 305 IPC deals with aiding and abetting the suicide of a child. Section 306 IPC does not. These can result in up to ten years in prison and hefty fines. Section 309’s abolition would not change or impact the above sections on the abetment of completed suicide if repealed.

### **The Protection of Abuse From Domestic Violence ACT 2005**

“Domestic Violence”: under section -3 of the Act:

1. Injures the life, limb, health, and well-being of the person being harmed or threatened, whether it is mental, physical, or emotional abuse.
2. Coerces her or any of her family to meet any illegal demand for dowry or any other property, harming or abusing her in the process.

The term “physical abuse” in this section refers to any act or action that could put someone’s life, limb, or health at risk (mental or physical).

In the context of this definition, “sexual abuse” refers to any act that diminishes the dignity of women in any way, shape, or form.

“Verbal or emotional abuse”

3. Insults, ridicule, or humiliation for not having a child or not having a male child.

4. Any individual the aggrieved person is interested in causing pain too.

“Economic Abuse” includes

1. Enforced deprivation of all of a person’s economic and financial resources, including but not limited to economic necessities for the individual or her children.

### **Landmark Case Laws**

- Arjun Jagannath Kushwaha vs. State of Madhya Pradesh

Specifically, the prosecution argued that the husband, in this case, sought 5000 rupees for the motorcycle in exchange for its release. Afterward, he asked for additional money for the motorcycle, which was also paid. During a conversation with her mother-in-law, a woman accused of kidnapping her son said she had just arrived on the main level. As the argument progressed, the accused began physically abusing his wife. After that, the wife became outraged and committed suicide by setting herself on fire.

After hearing arguments from both sides, the court determined that the death, in this case, was caused by the husband’s beatings and abuse, and therefore found the case under Section 306 to be made out, and thus found the accused guilty.

The Supreme Court convicted the defendant under Section 306 of the IPC and found that the trial court’s approach of relying on circumstantial evidence and the preponderance of evidence was correct. While concluding, it also considers the testimony of the prosecution witness and Indian Evidence Act Section 113B.. ‘

- The State of Punjab vs. Iqbal Singh

In this case, the wife and her children set themselves and their home on fire before succumbing to their injuries. Her spouse was a clerk and she was a teacher when they got married a few years ago. The husband’s family frequently harassed and tormented her for the dowry soon after the marriage, which led to a rift between the two of them. Once she’d reported it to the authorities at the police department, she decided not to pursue the matter further because everything had been resolved. An FIR was filed by the mother of the dead after she set herself and her children on fire one day.

According to the jury, the husband can be held accountable for his wife’s suicide under IPC Section 306 if the death of the woman occurred after the couple had been married and the husband may have provoked or instigated her to commit suicide.

## **Conclusion**

A magnificent blessing, marriages are being shattered by in-laws, spouses, and other family members for the sake of a dowry. Today, dowry killings, suicides, and the burning of brides are common occurrences in our society. and scolding's by their husbands for not bringing more money from their parents.

There is also the fact that the practice of giving and receiving dowry has been passed down from generation to generation, making it extremely difficult to modify overnight. And now is the moment to put an end to these unwelcome practices in our culture. As a result, it's time to put an end to this practice and encourage girls to fight the societal pressure to accept it, or else the people will continue to adhere to these rituals, which could lead to an increase in female dowry-related violence in the future.

To put effective legislation in place to safeguard women, society's conscience must be raised so that women are treated on an equal footing with men. The culture must begin to see women as valuable members of society and begin to treat them as such. In addition, the enforcement of laws must be strictly enforced. A woman in today's world must not only defend the rights of women but also bring those responsible to justice. Then, the next generation can look forward to a secure future.

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