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## Gender-based 'Honour' Killings in Northern India: A Feminist Perspective

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**Abstract:** - Every year more than a thousand women are being murdered in the name of 'Honour/Respect'. The Constitution of India has guaranteed the right of every citizen to life and to live with dignity. Social and cultural pressures cannot infringe on the right to live with dignity in society. But as killing in the name of family honor is illegal, the law has provided provisions to deal with these unfair practices. The purpose of this paper is to explain the underlying reasons for the incidents of 'honour' killings, and to find out why many cases of 'honour' killings go unreported, due to which criminals are usually able to escape punishment.

This research aims to investigate the crime of honor killing by detailing its close association with cultural norms for women's sexuality. This research seeks to address the current dilemmas of balancing multiculturalism and diversity in North India on the one hand and counteract the highly violent cultural reactions, which are a clear violation of Indian laws.

**Key Words:-** 'Honour' Killing, Crimes in the name of Honour, Khap Panchyat (Jirga), Legal Status & Framework

### Introduction

Violence against women (VAW) remains a serious problem in the world. Among the many forms of violence against women, 'honour' killing tops that list. It is the worst form of VAW which means that the victim has violated socially acceptable behaviour, has broken the code of 'honour', and shamed the family, and therefore his/her crime deserves physical social punishment. Sometimes when a particular society is based on a particular ideology, some people standing in its way cannot be expected to understand that particular ideology. It occurs when, in certain circumstances, from the use of unacceptable dress codes to interracial

marriages, there is an incident of humiliation in the family, clan, or community. They experience different types of violence such as physical, sexual, psychological, and emotional violence. Although violence against women is not a new phenomenon, it was first explicitly acknowledged by the international community in the Declaration on the Elimination of Violence against Women, adopted by the (UN) General Assembly in 1993. This declaration defines the term violence against women as:

*"Any act of gender-based violence that results in physical, sexual or psychological harm or victimization to women, including threats, coercion or arbitrary deprivation of liberty by such acts, whether in public or private life."*<sup>1</sup> (**United Nations General Assembly, 1993**).

## **Honour Killing: Definition and Implications**

The word 'honour' is derived from the root word 'honour' which refers to merit or honour, however, neither of these meanings denotes nor endorses the right to kill for the protection of honour. Therefore, the term 'honour killing' is oxymoronic. 'Honour killing' may be defined as the murder or forced suicide of a person by a member of a family or clan, or by a hired killer, on any suspicion or indication that that person has compromised his qualities and thus has compromised the honor of the family. **(Or in other words, on the suspicion or insistence that someone is involved in an immoral act and thus, brings disrepute to his family)**

Human Rights Watch defines 'honour killing' as

*"acts of retaliation, usually death, by male members of the family towards the family, which may be due to a variety of reasons such as refusal to enter into an arrangement." to marry, to be a victim of sexual harassment, to commit adultery, etc."*<sup>2</sup>

Victims of honor killing can be both male and female criminals. In some parts of India, especially in North India, the practice of honor killing is a stigma in the civilized community. The division in the name of religion is not only a matter of concern, but people are so obsessed with caste and sub-caste issues that under the guise of inequality between inter-religion, inter-caste, then different sub-castes, gotra culture, honor Anyone who can shoot in killing can do it. All the states of the Republic of India are governed by the rule of law. No criminal is allowed to victimize anyone otherwise it is recourse to the law which makes the person responsible for breaking the law.

The responsibility of protecting the dignity of girls and women in Indian society rests with men who do so by controlling the behavior of their daughters, wives, and mothers. The respect of society and family is linked to the sexual preferences and public appearances of women who bear the burden of maintaining 'respect' by adhering to social boundaries and determining the role of a 'virtuous woman'.

Today this practice has taken its roots in various cultures of the world, mainly in North African, Middle-Eastern, and South Asian countries. But this does not mean that such crimes are not registered in other parts of the world. The report of UN Special Report for the year 2002 indicated that related cultural practices in the

family that are violent towards women, Jordan, Lebanon, Morocco, Pakistan, United Arab Republic, Turkey, Yemen, and Others are not limited to the Persian Gulf countries, but they are also found in western countries such as France, Germany, and the UK mostly within expatriate communities.<sup>3</sup> The UN Secretary-General, Kofi Annan, in his address to the General Assembly's special session "**Women 2000: Gender Equality, Development, and Peace for the Twenty-First Century**" on 5 June 2000, stated that honor killings, or 'shame killings', were carried out for a variety of reasons. They range from alleged "illicit" relationships to killing women to express their desire to marry men of their choice or to choose a life partner.<sup>4</sup> Therefore; no concrete definition can be given to this term. However, taking into account the general intentions of the perpetrators, honor killing can be defined as 'the killing of a member of a family, due to the belief that the victim has defied the principles of the family or a community or Has violated religion or is generally refusing to enter into an arranged marriage, engaging in a relationship rejected by one's family, having sex outside of marriage, being a victim of rape, dressing in a manner deemed inappropriate, For reasons such as in non-heterosexual relationships or renunciation of any trust.'

### **Crimes in the name of Honor**

The important question is who decides what Honour is? Who sets these standards for Honour? Why is honour always associated with women? In India, some organizations like Khap Panchayats influence and fund such honor killings by taking advantage of the prevailing laws and judicial decisions. Hence it becomes worth noting that India is a democratic nation governed by the rule of law and no one is above the law. No person can be given a license to play with the lives of others on the pretext of preserving cultural or social values.

Honor killing is the murder of a relative, especially of a female relative, as retaliation for the perceived insult to the family, as directed or sanctioned by some cultures and religions. So the sum of all the above statements can be that honor killing is an act of murder by family members, as the perpetrators act under the belief that the girl/boy has brought shame, humiliation, humiliation, humiliation to the family. Has insulted or violated the principles, morals, ethics, and beliefs of a community, society, or religion with a respectable philosophy in the background of the principles, and values.

Killings for this specific purpose of maintaining one's honor originated in ancient desert tribes where a woman was considered a storehouse for her family's honor. In these communities, honour, or ghairat, was closely associated with one's position in society, or respect, which is determined by a person's wealth and possessions. Guru Gobind Singh, a central figure among Sikhs in Indian history, called on the Sikh community to reject 'honour' killers, that despite their prohibition, whoever takes food from the murderers of daughters will certainly be will die; Honor killing remains a serious issue in contemporary Northern India.

According to the National Crime Bureau, between 2014-16, 288 cases of honor killings were registered in India.<sup>5</sup> It needs to be remembered that this number could be much lower than the actual number of cases that occurred, mainly due to under-reporting. Also, as discussed above, the numbers reflect only those cases

where the victim has died, whereas many honor crimes have a much more comprehensive scope than murders.

The role of Khap- Panchayats and Jirga in instigating such crimes has often been questioned by scholars. We agree with such scholarly questions, but we will limit our discussion only on these roles relating to its representation in the judgments of the Hon'ble Supreme Court. In our opinion, such an analytical position has some fundamental drawbacks. First, it puts forward a very limited interpretation of the concept of 'gender'. Gender has indeed come a long way through the various waves of the feminist movement and evolved from the Parsonian theory of having only a biological meaning, during the first wave of feminism to the ethnographic notion of 'having gender'. Or the so-called fourth wave.

### **Khap Panchyat/Jirga**

The word 'Khap' refers to the area of a village inhabited by a clan. The literal meaning of 'Panchayat' is an assembly of five prudent and respected elders, chosen and accepted by the village community. Thus, "Khap Panchayat" refers to an institution that governs a particular area where it is dominated. Name of the clan or gotra, which controls either the region or the geographical area. Khap panchayats developed in different geographical areas and were shaped by several socio-economic factors. Of these, apart from the issue of the clan, the two most important were caste and land ownership. These institutions began to play a political role only after the colonial period. They are fielding candidates and giving electoral support to various leaders and parties. In addition, they have also become notorious for some of their decisions in recent times such as breaking marriages and punishing those who violate the so-called tradition. Khap Panchayats implement decisions and decisions through various means such as social boycotts, fines, and violence. His role in an informal system of justice outweighs his other roles. The examples of bizarre decrees by Khap Panchayats are summarized as follows:

1. A Khap Panchayat in Hisar village ordered a ban on the mobile phones of youth in 2013 and also ordered girls not to wear jeans and T-shirts and not to have mobile phones.<sup>6</sup>
2. In the Jind district, girls' dance in social functions was banned by a panchayat saying it was a "crime against women".<sup>7</sup>
3. In 2004, the Tewatia clan in Haryana issued a decree stating that families with less than two sons could not approach the village council to settle a property dispute<sup>8</sup>. Which meant that families with daughters did not deserve equal consideration?
4. By 20-year-old Chetan in Bhawanipur village, Moradabad, Uttar Pradesh in 2004. An influential Yadav escaped with the family's daughter Pinky. The boy was of barber caste. The Teotia Khap ordered that Siya Dulari, Chetan's mother, be raped in turn by members of the Yadav family, as her son had insulted the Yadavas family and later was burnt alive.<sup>9</sup> The police knew but did nothing about it. Only a few arrests were made after the intervention of the activists but later all were released on bail.

The case '**Madhavrao vs Raghavendrarao**' included a two-judge bench of the Desh Brahmin couple and independent India's first Chief Justices Harilal Kania and PB Gajendragadkar, who became CJI in the 1960s<sup>10</sup>. The gist of the matter was whether 'sagotra' marriage or marriage within the same gotra was valid under Hindu customs. The court, after several court decisions on evidence to substantiate a practice, concluded that the marriage between a husband and wife belonging to the same gotra was valid.

Honor offense also violates Articles 14, 21, and 39 (f) of the Constitution of India. This is against India's various international commitments. This is against the spirit of international laws that India is bound to abide by. It is a shame that even today there is no legal definition of honor crime in India. However, such a large number of penal provisions have proved to be incapable of tackling this social evil.

If the conditions of a valid marriage under section 5 of the Hindu Marriage Act, 1955 are fulfilled, there is no bar on the marriage. Thus a person who is about to fulfill the conditions of a valid marriage governed under the Hindu Marriage Act may enter into a matrimonial alliance with any person of his choice. This is the correct legal position in India.

The issue relating to the role of Khap Panchayats, **Shakti Vahini v Union of India and others**<sup>11</sup> which is pending before the court in which the court observed that the State is bound by Article 21 of the Constitution to protect the fundamental rights of its citizens, and one of its the underlying factor is the freedom of choice in marriage.. This was reiterated in **Arumugam Servai v. State of Tamil Nadu (2011)**<sup>2</sup> In **Bhagwan Dass v. State (NCT) of Delhi (2011)**<sup>13</sup> court held that 'All persons who are planning to perpetrate `honour' killings should know that the gallows await them. In the **Manoj-Babli Honour Killing Case verdict**<sup>14</sup>, District Judge Vani Gopal Sharma stated, "This court has gone through sleepless nights and tried to put itself in the shoes of the offenders and think as to what might have prompted them to take such a step. Khap Panchayats have functioned contrary to the Constitution ridiculed it and have become a law unto themselves." There is an ugly nexus between Khap leaders, the police, and local politicians" that also need to be exposed.

Such a comprehensive legislative approach includes not only the criminalization and effective prosecution of all forms of violence against women, punishment of culprits but also the prevention of violence, and the support and protection of survivors. There should be a clear provision in the Indian Penal Code, 1860 to deal with honor killings. The ruthless methods adopted by these Khaps to get justice are excruciating at a time when human rights are non-transferable rights. Such despicable incidents will only give blow the international image of India. The growing terror of illegal decrees of unshakable Khap Panchayats shows the failure of our existing legal system.

## 5. Legal Status & Framework

After repeated historical invasions, India today has a diversity that only a few countries in the world can match. But sometimes this diversity of India has raised many questions in the way of administration and statutory laws. In today's time, family members do not blink an eye before killing their precious lives in the name of honour; the valuable life he has given so much love raises many questions and is a soul-steering exercise to discover whether we are truly living a free life and in which we can exercise our free choices in our personal space. The dominance of domestic decision-makers in the name of dignity and respect is eating away at the personal decision-making space that has been provided by the Constitution to every adult in this country. So in these contemporary times, the big issue and challenge is the safety of women inside the home. The picture is not so sad that the whole country is affected by this type of virus, but wherever it is happening, it is the primary responsibility of even a small part of the nation to cooperate in rooting out such gruesome acts. , before it manifests as a bigger version of Havoc. As there are already legislative frameworks protecting sexual violence and domestic violence against women, the researcher would like to limit his attention to the aspect of honor killing; this is a humble attempt to sensitize this very sensitive issue. The tradition of honor killing, which is already prevalent in some parts of India, is a stigma in the civilized community. There may not be a specific law addressing the specific concern of honor killings, but a network of various provisions is meeting the need to tackle this aspect. Before elaborating on the concerns of the legal framework, there are certain realities to be examined.

Murder is a defined criminal offense under Section 300 of the Indian Penal Code, 1960, for which provision has been made in Section 302 of the Indian Penal Code, 1960, although there is no defined opposition in law to the act of honor killing. Killing can sometimes be done for monetary gain or some pre-planned gain, whereas honor killing is just a proposal to restore the honor of the family. Murder can be done by any stranger but honor killing is done by a close relative of the victim

### Indian Constitution

The provisions from the constitution which protect Honour killing are:

1. Article 14 (the Right to Equality),
2. Article 15 (1) and (3) (Prohibition of Discrimination on grounds of religion, race, caste, sex, or place of birth),
3. Article 17 (Abolition of Untouchability),
4. Article 19 (1) (the Freedom to Speech and Expression) and
5. Article 21 (the Right to Life and Personal Liberty).

The primary point of killing is based on religion or caste; it cannot be justified based on divisiveness. This action is completely incompatible with the Constitution. The Directive Principles of State Policy (DPSP), while not required, are used to assess the country's ability to rule effectively. As a result, Article 39 (a) mandates the state to provide all people with appropriate means of subsistence. In most circumstances, however, honour killing negates the woman's life, and Articles 39 (e) and (f) requires the state to ensure that infancy and youth are safeguarded from exploitation and rising or growing material desertion. In contrast to this conventional practice of honour killing, many young people, teens, and married couples are threatened with death and placed in dangerous situations. As a result, the state must safeguard such vulnerable individuals and their lives from this heinous behaviour.

### **The India Penal Code, 1860 and Code of Criminal Procedure, 1973**

The act of the victim was so soul-stirring that he lost self-control and acted purely on what he witnessed, which was an act of dishonoring the family. Apart from this Sections 300, 302 murders and their punishment, Section 304, 307 attempts to commit murder Section 120A & 120 B Criminal conspiracies, Common Intention section 34 & 35 are also explored to assess the act of murder from killing. Murder (section 302 of the Indian Penal Code) and Culpable Homicide are the sole categories under which these killings are registered (Section 304 of IPC). The judicial system in northern states is run by Khap Panchayats, who provide orders for the execution of death sentences against their family members, making it difficult for law enforcement to find genuine criminals. As a consequence of the law's failure to identify the perpetrators and gather evidence, no FIRs have been filed by the police. If an FIR is filed and the cases are pursued, the conviction rate is essentially zero. The legal formality prescribed in the criminal procedural code for registering the FIR seems like no choice of exercise for the governance of Khap Panchayats.

### **Indian Evidence Act, 1872**

Special mention may be made of section 13 of the Act which, in aid of understanding the aspect of honor killing, it states - the facts relevant to the question of right or practice. The following facts are relevant when determining the existence of any right or practice: (a) any transaction by which the right or practice in question was created, claimed, modified, recognized, claimed or denied, or which was inconsistent with its existence; (b) the specific instance in which the right or practice was claimed was recognized, or was exercised, or in which its exercise was disputed, as well as any transaction by which the right or practice in question was created, claimed, modified, recognized, claimed or denied, or which was inconsistent with. The purpose of this act is to ensure that the victims of the decisions of the Khap Panchayats get justice.

### **The Indian majority Act, 1857**

According to section 3 of this Act, every person domiciled in India reaches the age of majority when he or she reaches the age of 18 years, unless his or her law stipulates otherwise. In the case of a guardian assigned to such a child, however, the age of majority will be 21 rather than 18. When it comes to honor killing, this

Act becomes relevant in the cases of forcibly separated married couples of Khap Panchayats who are otherwise eligible for such marriage age or other factors.

### **Hindu Marriage Act, 1955**

The fundamental criteria for a legal marriage are laid out in Section 5 of the Hindu Marriage Act, 1955. Both civil and criminal laws safeguard marital relationships by penalizing their transgressions by providing appropriate remedies in civil law and prescribing harsh punishments in criminal law. The Act nowhere put fitters on the choice of marriage partner, indicating inter-caste marriages amongst Hindus are permitted.

### **Special Marriage Act, 1956**

This Act takes care of the special form of marriages without bothering about the caste, class, or religion of the Indian Citizens. The inter-caste marriages can be facilitated with recognition and registration by this Act.

### **The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**

The Act's primary goal was to make it easier for Dalits to integrate into mainstream Indian culture. Assaulting, dishonoring, and outraging the modesty of an SC/ST woman, sexual exploitation of an SC/ST woman, and forcing an SC/ST to leave his or her family or village are all examples of atrocities covered by this Act. This Act was enacted with the understanding that it has a connection to honour murders since there have been several cases of honour killings when caste and religion are at the root of the crime.

### **The Protection of Women from Domestic Violence Act, 2005**

The endowments of the Protection of Women from Domestic Violence Act, 2005 provide for more effective protection of women's rights guaranteed under the Indian Constitution.

### **Protection of Human Rights (Amendment) Act, 2006**

This Act ensures that everyone's human rights are protected, as well as the establishment of commissions and courts to achieve such goals. Despite such regulations, honour killings continue to be common, resulting in grave violations of human rights. The legal structures and the judgments of the Judiciary are still falling short to comprehend the menace of honour killing. Governments are being accused of their criminal carelessness in dealing with these crimes. There is no legal definition of the crime, no legal acknowledgment of diverse components of the crime, no protection for self-choice couples, no preventative measures, no responsibility, and no penalty. Because most of these deaths are classified as either murder or culpable homicide, the vast majority of them go undetected. As a result, there are no accurate data on such homicides in India. In the government's records, there is no organised data for these types of instances.

The case of **Shafin Jahan v Asokan K. M.**<sup>15</sup> which is popularly known as "Hadiya Case" proved to be a significant judgment for women's right to marry the person of her choice, on 8 March 2018 Justice D Y Chandrachud upholding Hadiyas marriage to Shafin Jahan delivered its verdict in favour of Hadiya. The Apex Court by exercising the freedom to choose religion and life partner of her choice as her basic right granted set her marriage as valid and thus the parental pressure was removed under the name of honour of the family.



In the case of **Armugam Servai vs. State of Tamil Nadu**<sup>16</sup>, the bench comprising Markenday Katju, Gyan Sudha Misra JJ, held that upon reaching the age of majority every individual becomes independent and gets the right to marry a person of their choice. This freedom of choice is not bound by caste, creed, or religion; a person can marry someone from a different caste or with someone who the parents do not approve of. In such cases, parents have the free mind to cut off the relations, but they cannot harass or threaten the young couples. The court also advised the government administrative department to keep an eye on the situation "that if a major person undergoes inter-caste marriage with another, the couple must not be harassed by anyone or subjected to threats or acts of violence. However, if anyone threatens or harasses, or commits violence, a criminal proceeding shall be instituted against such person."

**State of U.P. v. Krishna Master and Another**<sup>17</sup> a case where six members of a family were killed by three persons, who were later awarded life sentence for honour killing by the division bench of Supreme Court. The perpetrators were sentenced to life in prison for the crime of honour killing by the Supreme Court, which was presided over by Justice Harjit Singh Bedi and J M Panchal JJ. The Supreme Court declined to sentence the appellants Master Krishna, Ram Sewak, and Kishori to death since the crime occurred over two decades ago, and it chastised the High Court for acquitting them by dismissing the testimony of a child and other witnesses

### **Conclusion & Recommendation**

Everyone has the right to a dignified and just existence. Consequently, aggressive legislation is the only way to counter such dishonest actions. No belief or culture can justify the heinous act of honor killing. Freedom to believe does not mean the right to kill. Many crimes and criminals have been declared punished by the judiciary, yet some criminals have escaped due to legal loopholes. Even if the current set of laws and legal standards are followed successfully, we can still go a long way towards preserving some valuable lives. Many laws are insufficient to eliminate the menace of honor killings. Let us use the plethora of laws to enforce them with utmost care. Since laws can only aid in the punishment of criminals, crime can be eradicated only when there is an improvement in the mindset or mindset of the people. Following are some recommendations to prevent gender-based honor killings:

1. **Media:** Media can play an effective role in spreading awareness about the rights available to the honor killing victims and the unconstitutionality of the decisions of the Khap Panchayats.
2. **Education:** Education can play the most effective role to eradicate this social issue and change the misconceptions and wrong predictions of human mentality.
3. **Legitimate Laws:** As far as honor killing is concerned, criminal laws should be made clear and strict, which should play an effective role in preventing such heinous crimes.
4. **Women in Khap Panchayat:** Women's problems can be solved only by having the participation of women in Khap Panchayat. The problems and grievances of the women members can be seen and understood by the Khap only by the presence of the women members.

5. **Caste System:** Removal of caste based discrimination can be done only by acceptance of inter-caste marriages.
6. **Mentality:** The thinking of the society that inter-caste marriage is a curse in the name of the family, this mentality should be changed. Such people should be made aware of the evils of the path they have led and the way they are sacrificing their loved ones.
7. **Female Feticide:** It is very important to improve the declining sex ratio. This is the main reason behind the occurrence of honor based crime sin in a male dominated society.

## References:

1. Declaration on the Elimination of Violence against Women: resolution/ adopted by the General Assembly. UN General Assembly (48<sup>th</sup> Sess.: 1933-1994)
2. Human Rights Watch, n.d. Violence against Women and 'Honour Crimes'. .
3. Ms. Radhika Coomaraswamy. Report of the Special Rapporteur on violence against women, its causes and consequences, submitted in accordance with Commission on Human Rights resolution 2001/49: Cultural practices in the family that are violent towards women. UN Commission on Human Rights. Report no: E/CN.4/2002/83, 31 January 2002 [Online] Available from: <http://www.refworld.org/docid/3d6ce3cc0.html> [Accessed July 2017]
4. Secretary-General, In Address To "Women 2000" Special Session, Says Future Of Planet Depends Upon Women. United Nations Press Release. SG/SM/7430, WOM/1203, 5 June 2000 [Online] Available from: <https://www.un.org/press/en/2000/20000605.sgsm7430.doc.html> [Accessed June 2017].
5. Shakti Vahini vs Union of India and Ors [2018] Supreme Court of India Writ Petition (Civil) No. 231 of 2010, 7 SCC 192.
6. Bhaskar Mukherjee, Khap bans jeans and T-shirts for girls in Hisar, Jan 8, 2013 at <http://timesofindia.indiatimes.com/india/Khap-bans-jeans-and-T-shirts-for-girls-in-Hisar/articleshow/17933563.cms>
7. Jaideep Sarin, from chowmein to skirts, Haryana's strange diktats, Deccan Herald, Mar 23, 2013 at <http://www.deccanherald.com/content/320961/from-chowmein-skirts-haryanas-strange.html>
8. Nilanjana S. Roy, A Challenge To Doing Gender Justice By Violence, New York Times, May 17, 2011 at <http://www.nytimes.com/2011/05/18/world/asia/18iht-letter18.html?pagewanted=all&r=0>
9. Tarun Sehrawat, A Taliban Of Our Very Own, Tehelka Magazine, Vol 6, Issue 32, Dated August 15, 2009
10. Madhavrao Raghavendra And Ors. vs Raghavendrarao And Ors. AIR 1946 Bom 377
11. Shakti Vahini vs Union of India and Ors [2018] Supreme Court of India Writ Petition (Civil) No. 231 of 2010, 7 SCC 192
12. Arumugam Servai v. State of Tamil Nadu AIR 2011 SC 1859
13. Bhagwan Dass v. State (NCT) of Delhi AIR 2011 SC 1863

14. Murder Reference No.2 of 2010 Criminal Appeal No.479-DB of 2010 and Criminal revision No.2173 of 2010 In the High Court of Punjab & Haryana, Chandigarh at <http://nlrd.org/wp-content/uploads/2012/01/Manoj-and- Babli.pdf>
15. Shafin Jahan v Asokan K. M. & Ors (Hadiya Marriage Case) Criminal Appeal No 3666 of 2018 {arising out of SLP (Crl.) No 5777 of 2017}
16. Arumugam Servai v. State of Tamil Nadu AIR 2011 SC 1859
17. State of U.P. v. Krishna Master and another 1988 AIR 2154, 1988 SCR Supl. (2) 391

