



CYBER BULLYING AND HARASSMENT: A NEW SOCIAL MENACE WITH SPECIAL REFERENCE TO WOMEN

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ABSTRACT:

India, a country with so many religions, so many cultures staying together and, calling itself a “mixture of various religions”. One of the major aspects which has dominated India since a long period of time is patriarchy. Men have always considered the women below them and considered them supreme. Earlier even the existence of women was never recognized. Though women form 50% of the population in Indian society, they have been continuously neglected and dominated by the male counterpart. Various sorts of crime are committed against women. One of the most severe crimes which has emerged recently in the space of Cyber world. Cyberbullying and harassment towards women are taking all the new form and is increasing and in picture with the advent of technology. This is a horrific crime where the offender gets scot-free because to decode the individual who is behind such crime is really difficult in cyber world. A person can change his personality and then commit such acts. Such acts have the tendency to outrage the modesty of women and make her the receiver of mockery. This research paper will examine what is cyber bullying and harassing and why such acts take place, reasons for such crimes happening in the society and the efforts by the Judiciary and the Legislature to curb the same which have not proved to be fruitful. It also contains the suggestions and recommendations which can be taken to reduce the increasing social menace of cyber-crime towards women.

KEYWORDS: CYBER-CRIME, WOMEN, SOCIAL MENACE, CYBER BULLYING & HARASSING, CYBER WORLD.

INTRODUCTION:

21st century, an era of technology, where technology is at boom, where usage of internet by individuals whether a child or an adult is at the peak and everything which needed physical presence have now overtaken by technology to allow a person his virtual presence. Till recently when the development of Internet took place, no person had even slightest of idea of it taking over the existence of mankind completely. Everything has now become available on Internet and technology has made us its slaves. Perhaps, the major importance of technology and Internet has been realized when we are hit by this pandemic and have confined ourselves within the four walls of our house. We have kept our lives going by making the use of technology and Internet, adapting very well to these unprecedented times. Take for instance, now people don't go out for purchasing fruits and vegetables but we have applications like big basket, big bazaar where such things can be delivered at your door step without you getting out, likewise we have various shopping sites like Myntra, Amazon, Flipkart, where just by a click you can avail the services at your home and also the returns and refunds are equally easy. Technology has completely made us dependent on it rather today we are over dependent on technology. Advantages, if we look at, of course there are many but everything has its pros and cons and similarly the usage of technology also has its disadvantages. This research paper will examine the over usage of technology and the possible harmful effects of the same. While on one side, technology has been considered as a boon, on the other we have been facing its bane in a rather harmful manner. The most serious problem associated with the Cyberspace and netizens is that of Cyber Bullying and Harassment which includes trolling, stalking, uploading pictures which can outrage the women's modesty in today's society. These 2 forms of crimes rather severe crimes lead an innocent person to commit suicide rather it is an abetment to suicide. Such acts of bullying and harassing have the capacity to outrage the modesty of a person especially women and ultimately lead to help of psychologists. It creates severe mental impact on the women. It has been observed in the society that such crimes of cyber bullying, harassing, stalking are more commonly gender bias crimes i.e., associated more specifically with the women. Women are an easy prey to such cyber-crimes. It creates a social menace in the society. Cyber-crime against women includes cyber stalking, bullying, harassing, trolling, voyeurism, etc. This research paper will discuss in detail the cyber bullying and harassment that is taking place against the women in society, the reasons why such crimes using technology are taking place and the efforts at the end of Judiciary and Parliament to control the same. This paper also discusses the failure to completely curb such cyber-crimes and the way they are on increase.

RESEARCH METHODOLOGY:

The research method used in this research paper for elaborating and explaining the concept of Cyber Bullying and Harassment with special reference to women is Secondary Research method. This research paper has made the use of websites, libraries, public documents, research papers by renowned professors.

RESEARCH PROBLEM:

The problem which this paper addresses is the misuses of technology in today's world. The advancement of technology is for the betterment of society but this technology is being used by many miscreants to harass and bully people especially women. This has become a new trend in society where trolling people and insulting them over internet is very common. This paper will discuss the increasing cybercrimes in society, why do these happen, the mechanisms for their control and the suggestions to curb such cyber bullying in society.

HYPOTHESIS:

By means of this research paper, it will be proved that the cyber bullying is actually happening in the society especially towards the women and that present laws and precedents by the Parliament and the Judiciary respectively are not enough to curb these crimes.

CYBER BULLYING AND HARASSMENT WITH SPECIAL REFERENCE TO WOMEN IN INDIAN SOCIETY:

Women, that part of society which has been present in the society especially Indian society since time immemorial and continues to exist, however, it is only in recent years that their existence and rights are recognized. It is only now that the society, the male dominated society is paving way for women and recognizing that they are also human beings entitled to equal rights as that of their male counterpart. Though women form 50% of the population in Indian society and the world, they have been continuously neglected and dominated by the male counterpart. Mentioning especially about India, it has always been a male dominated society and even today, the thoughts of majority of population is male chauvinist. The main question which arises is WHY? Why Women are always considered secondary to men and why they can't compete with the male counterpart in a healthy manner. Why the males can't work under the guidance of women and why they feel inferior while working under the capable women. Not only this, there are plethora of crimes committed against women ranging from assault to heinous rapes and murders including the most recent ones of cyber bullying and harassing. Thereasons, which I would like to mention are:

- Men can't see women being successful,
- Men can't hear no from a woman and they think women's consent is a hoax,
- Men can't work under a successful woman,
- Some men think that if a woman is wearing certain clothes which are inappropriate as per them, it is an invite to commit unwanted advances towards her and the list goes on.

In 21st century, where technology has become one of the necessary elements for survival of human race, it has shown the negatives it carries along with the benefits. Crimes or untoward experiences against women is not a new thing, but the means and the methods of committing the same have changed over a period of time. So, in 1900's, the mode was physically assaulting and teasing of women which still remains in picture even in 2000's but now one more advanced form of teasing and harassing has been discovered, all thanks to Internet and technology. What was earlier possible to be done only in person can now be done virtually and the major benefit

for the offenders in committing the later part is that they can very well conceal their identity so as to misguide the investigation agencies. More often, such criminals are never found, their identity can never be discovered. This is what the biggest advantage of technology is.

The offenses which take place over internet of harassing and teasing, trolling, impersonation is called Cyber Bullying and Harassment. Such crimes have the capacity of ruining the reputation of the victim and creating an ever-lasting impact on the victim. Cyber bullying is generally, in majority of the case, makes the women its victim.

To define bullying the most acceptable definition of cyberbullying which has been used is **“an aggressive, intentional act or behaviour that is carried out by a group or an individual, using electronic forms of contact, repeatedly and over-time against a victim who cannot easily defend him or herself.”**¹

According to **Bill Belsey, Cyberbullying Expert**,² **“Cyber Bullying involves the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging (IM), defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to harm others.”**

Cyber bullying also includes rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles. This type of bullying happens 24 hours a day, 7 days a week. Messages and images can be posted anonymously and distributed quickly to a very wide audience and can be difficult and sometimes impossible to trace the source or deleting inappropriate or harassing messages, texts, and pictures.

To deduce it, simply Cyber Bullying and Harassment is to harass the victim over Internet without really disclosing who he/she is. Such crimes are in majority cases diverted towards the women, where women and girls are being the victims of such Cyber Bullying. It is spreading some information about a person which has the potential to harm his/her image and the person whose information is shared, becomes the receiver of mockery.

The reason for such bullies can be many but some of the most common are mentioned below: Jealousy, Insecurity, Intimidation, Revenge and one of the most common is when a girl rejects a proposal of a boy, the later resorts to cyber bullying to teach her a lesson.

Some of the cyberbullying examples are:

¹ ‘What is Cyber Bullying or Anti-Bullying Laws in India’, Swati Shalini <https://www.myadvo.in/blog/must-read-what-is-cyber-bullying-or-anti-bullying-laws-in-india/>

² Cyber-bullying: The New Violence Against Women by Women MARIE-CLAIRE KUJA Posted March 15, 2016 <https://www.worldpulse.com/community/users/kujamac12/posts/65258>

- Humiliating/embarrassing content posted online about the victim of online bullying,
- Hacking of account and posting vulgar messages
- Threatening the victim to commit an untoward act of violence
- Stalking³

Cyber Bullying is not only prevalent among the adults but is also present among the school going children where

they also become the victim of cyber bullying. Some of the statistics of cyberbullying reported in a survey are shocking which are mentioned below:

- 1 in 4 kids have been bullied more than once and in total 43% of the kids have fallen prey to cyberbullying,
- India ranks at number 3 in the list of online bullying cases as per the survey conducted by Microsoft in 2012 in 25 countries,
- 70% of the cyberbullying or anti-bullying activities happen over facebook,
- Usage of mobile phones by almost 80% of the teens makes it a common and most popular medium for anti-bullying,
- Girls are more preferred victims of cyberbullying as compared to boys,
- Victims of cyberbullying or anti-bullying are 2 to 9 times more prone to committing suicide.⁴

The results of this survey are shocking but true. Cyber Bullying has been increasing at a very fast pace and it seems a havoc to control the same. Over a period of time, cases of cyber stalking or bullying of women or children **increased by 36% from 542 in 2017 to 739 in 2018**, data released recently by the **National Crime Records Bureau** showed. Meanwhile, the conviction rate for cyberstalking or bullying of women and children fell 15 percentage points, to **25% in 2018 from 40% in 2017**.⁵

The instances of cyber bullying and harassment has created a social menace and havoc in the society especially towards women. They don't even realize that they are becoming the victims of Cyber Bullying and some offense is committed towards them.

³ Ibid

⁴ 'What is Cyber Bullying or Anti-Bullying Laws in India', Swati Shalini <https://www.myadvo.in/blog/must-read-what-is-cyber-bullying-or-anti-bullying-laws-in-india/>

⁵ <https://scroll.in/article/956085/in-one-year-alone-cyberbullying-of-indian-women-and-teenagers-rose-by-36>

Looking to the seriousness of the offence and the gravity of harm it can cause to the victim, it has been realized by various organs of Government that some urgent steps need to be taken so as to curb the social menace and restore peace in the society. The Parliament has made efforts by amending various existing laws so as to include the provisions of Cyber-crime especially cyber bullying and harassment and prescribe the punishment accordingly. Even the Judiciary has tried to create precedents to stop such increasing cases of cyber bullying and harassment.

EFFORTS BY LEGISLATURE:

Cyber bullying is such a situation which needs immediate attention and control. To combat the situation, an effective law having efficient sanction can be passed. To surprise, India till now doesn't have any special Anti-Cyber Bullying Laws. However, efforts have been made by the Parliament by amending certain existing laws as an effort to deal with the Cyber-crime. The two most important legislations which are amended is the Information Technology Act, 2000 and the Indian Penal Code, 1860. Some of the most important sections are produced below:

• **PROVISIONS OF IT ACT, 2000**

354A: Sexual harassment and punishment for sexual harassment⁶ – A man committing any of the following acts –

(i) physical contact and advances involving unwelcome and explicit sexual overtures; or

(ii) a demand or request for sexual favours; or

(iii) showing pornography against the will of a woman; or

(iv) making sexually coloured remarks,

shall be guilty of the offence of sexual harassment.

(2) Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) of sub-section (1) shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(3) 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.]

66B. Punishment for dishonestly receiving stolen computer resource or communication device.⁷–Whoever dishonestly receive or retains any stolen computer resource or communication device knowing or having reason to believe the same to be stolen computer resource or communication device, shall be punished with imprisonment of either description

⁶ Section 354A, Information Technology Act, 2000

⁷ Section 66B, Information Technology Act, 2000

for a term which may extend to three years or with fine which may extend to rupees one lakh or with both.

66C. Punishment for identity theft.⁸–Whoever, fraudulently or dishonestly make use of the electronic signature, password or any other unique identification feature of any other person, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine which may extend to rupees one lakh.

66D. Punishment for cheating by personation by using computer resource.⁹–Whoever, by means of any communication device or computer resource cheats by personation, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine which may extend to one lakh rupees.

What Section 66C and 66D mentions is that if any person impersonates another and uses the identity of that other person to harass or bully a person through a computer resource, the same is made punishable. It severely punishes the act of impersonation.

66E. Punishment for violation of privacy.¹⁰–Whoever, intentionally or knowingly captures, publishes or transmits the image of a private area of any person without his or her consent, under circumstances violating the privacy of that person, shall be punished with imprisonment which may extend to three years or with fine not exceeding two lakh rupees, or with both.

This section further very well demonstrates that if any person tries to capture the image of another's private part, while using a computer resource, the same is made punishable. It mentions that right to privacy has to be respected.

⁸ Section 66C, Information Technology Act, 2000 ⁹ Section 66D, Information Technology Act, 2000 ¹⁰ Section 66E, Information Technology Act, 2000

- **INDIAN PENAL CODE, 1860**

Further even the Indian Penal Code, 1860 talks about certain provisions of cyber-crimes:

Section 354 C Voyeurism¹¹:

Any man who 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** shall be punished on first conviction 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, and be punished on a second or 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.

What this section in clear terms restricts is taking of photographs when a woman is engaged in private act and further uploading the same or making the picture viral is punishable. This is an important section to control cyber bullying of women.

Section 354 D Stalking:¹²

1) Any man who--

(i) 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;

(ii) **monitors the use by a woman of the internet, email or any other form of electronic communication, commits the offence of stalking:**

(2) Whoever commits the offence of stalking shall be punished on first conviction with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and be punished on a second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

The offences under the Cyber world towards the women are many, where cyber stalking is one of them. What this section punishes is that if a man keeps a watch over the woman via internet or other means of communication is punishable. Cyber stalking is also a serious offence which is increasing by leaps and bounds.

¹¹ Section 354C, Indian Penal Code, 1860

¹² Section 354D, Indian Penal Code, 1860

Section 499. Defamation:¹³

Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or **publishes any imputation concerning any person intending to harm**, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases hereinafter expected, to defame that person.

Cyber bullying and harassing are a form of defaming a person over Internet by written words or spoken, such imputation has the capacity to harm the reputation of the person defamed is made punishable by the IPC. Section 500 provides for the punishment for defamation which may extend to two years, or with fine, or with both.

Section 509. Word, gesture or act intended to insult the modesty of a woman:¹⁴

Whoever, **intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object**, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both.

This section punishes such act which has the capacity of outraging the modesty of a women. This can include insulting the women over internet and take the form of Cyber Bullying and harassment.

By means of examining the above provisions of various acts, it is clear the Legislature has made efforts to criminalize the acts of cyber bullying and harassment with special reference to women, however such criminal acts still continue and are unable to stop the offenders. One of the reasons can be the meagre amount of punishment imposed on offenders who commit such crime. Also, lack of implementation of such laws can be another issue. We need to ensure that such laws create a kind of deterrent in another similar offender intending to commit such serious acts of cyber bullying. Unfortunately, the provisions cannot curtail the prevailing situation nor can they create a fear of law in the offenders. The need of the time is a new law dealing exclusively with the Cyber-crimes with increased penalties.

¹³ Section 499 & 500, Indian Penal Code, 1860

¹⁴ Section 509, Indian Penal Code, 1860

EFFORTS BY JUDICIARY:

Not only the Parliament but even the Courts have recognized that Cyber Bullying and harassment has over the period of time increased by leaps and bounds and is getting out of control. The Judiciary has tried to create precedents to curb cyber bullying in society but it still continues without any inch of reduction. The only reason which can be stated for not combating such crime is because the offender is hardly recognized and it is difficult to trace and reveal his identity on cyber space. Various case laws of horrifying incidents on cyber bullying are mentioned below wherein the Courts including the Supreme Court have tried to bring change in the existing situation of cyber-crime:

1. VISHAKA VS. THE STATE OF RAJASTHAN¹⁵.

Cyberbullying was the first time dealt as an issue by the Supreme Court in this landmark case. In this case while dealing with the issue of bullying, guidelines to protect women from sexual harassment were laid down by the Supreme Court. The Court stated that, "Cyberbullying means the bullying which is done through digital devices such as mobiles, computers/laptops or tablets via instant messaging, SMS, online social media platforms or any online groups where people can share and exchange messages. Sending, sharing or posting mean, harmful or false information about someone defines bullying. Cyberbullying is a criminal offense."

2. YOGESH PRABHU V. STATE OF MAHARASHTRA¹⁶

The first conviction in a cyber stalking case against a woman in Maharashtra took place in July 2015 in this case, decided by the Additional Chief Metropolitan Magistrate M.R. Natu. In 2009, the woman initially chatted with Yogesh Prabhu over social media. When he made a marriage proposal to her, she turned it down. Thereafter she stopped responding to his messages as she found his behaviour suspicious. She also removed him from her friends' list. However, Prabhu continued to keep an eye on her profile and her whereabouts, and stalk her through the internet. Some months later, she received mails from an unknown email account, containing obscene images and video clips. She initially ignored them, but when the obscene mails did not stop, she lodged a police complaint, and the Cyber-crime Investigation Cell took over the investigation. Internet Protocol (IP) address of the computer was traced to a Vashi firm where Yogesh Prabhu worked. The magistrate's court convicted Prabhu under S. 509 IPC (words, gestures or acts intended to insult the modesty of a woman) and S. 66E of the Information Technology Act, 2008 (punishment for violation of privacy). This was because the cyber stalking provision - S. 354D of the IPC - was enacted in 2013 and could not be applied retrospectively to a crime committed in 2009.

3. SUHASKATTI VS. STATE OF TAMIL NADU¹⁷

The first ever conviction in India for cyber pornography, was in this case, decided by a Chennai court in 2004. The woman, a divorcee, complained to the police about a man who was sending her obscene, defamatory and annoying messages in a Yahoo message group, after she turned down his proposal for a marriage. The accused opened a fake email account in the name of the woman, and forwarded emails received in that account. The victim also received phone calls by people who believed that she was soliciting for sex work. The police complaint was lodged in February 2004 and within a short span of seven months from the filing of the First Information Report, the Chennai Cyber-crime Cell achieved a conviction. Katti was punished with two years' rigorous imprisonment and Rs. 500 fines under S. 469 IPC (forgery for the purpose of harming reputation), one year's simple imprisonment and Rs. 500 for offence under

S. 509 IPC ((words, gestures or acts intended to insult the modesty of a woman) and two years' rigorous imprisonment and Rs. 4000 fines for offence under S. 67 of IT Act 2000 (punishment for publishing or transmitting obscene material in electronic form).

4. **AVNISH BAJAJ VS. STATE**¹⁸

One of the most well-known incidents of voyeurism was the Delhi Public School MMS incident of 2004 which involved the creation of a pornographic MMS of two students of Delhi Public School in a sexual act, and its illegal distribution as well as bid to auction on the website eBay India (then known as Baze.com). The Chief Executive Officer of the website was thereafter prosecuted under various provisions of the Information Technology Act, as the IPC had not criminalized such acts. The circulation of video clips of rape and gang rape incidents on the internet would attract these provisions. It is important to note that there may be situations where the victim consents to the capturing of such an image, but does not consent to its dissemination to third persons. If the image is disseminated to such persons, the dissemination will be considered an offence under this section. For example, women have reported that they

¹⁷ Order passed on 5 November 2004 in CC No. 4680 of 2004 by the Chief Metropolitan Magistrates Court, Egmore, Chennai (India).

¹⁸ Avnish Bajaj v. State, judgment delivered by Justice S. Muralidhar of Delhi High Court on 29 May 2008 (India).

have sent images of themselves in skimpy clothes or in the nude to their intimate partners through WhatsApp or Instagram, based on the partner's request. In other situations, with the woman's consent, physical intimacy with the partner has been recorded. Subsequently, when the relationship turns bitter, the partner has attempted to take revenge or blackmail the woman by disseminating such images / video clips. Such acts would attract these legal provisions. They could also attract the provision of criminal breach of trust (S. 406 IPC), which involves dishonesty misappropriating or converting to his own use property that had been entrusted in him.

5. **SADDAM HUSSAIN Vs. STATE OF M.P.**¹⁹

In this case, the accused had outraged the modesty of the victim, video recorded the same on his phone and used the same to blackmail her. A criminal complaint was lodged under S. 354D IPC (stalking), S. 507 IPC (criminal intimidation by an anonymous communication) of the IPC and S. 66A of the IT Act. A petition was filed before the Madhya Pradesh High Court for quashing on the basis of a compromise arrived at between the woman and the accused. The High Court refused to quash the proceedings, stating that **the offences were against the society at large and a personal compromise between the parties would not affect the continuation of the prosecution. This case indicates that courts treat cyber stalking and cyber bullying as very serious offences.**

6. **RITU KOHLI CASE**²⁰:

Ritu Kohli Case, on cyber stalking, was indeed an important revelation into the mind of the Indian cyber stalker. A young Indian girl being cyber stalked by a former colleague of her husband, Ritu Kohli's case took the imagination of India by storm. The case which got cracked however predated the passing of the Indian Cyber law and hence it was just registered as a minor offence under the Indian Penal Code. The victim complained to the police against the person, who was using her identity to chat over the internet she further complained that the perpetrator was also giving away her address online and using obscene language. Her contact details were also leaked leading to frequent calls at odd hours. The police had registered the case under Section 509 of the Indian Penal Code for outraging the modesty of Ritu Kohli. But Section 509 of the Indian Penal Code only

refers to word, gesture or act intended to insult modesty of a woman and when same things are done on internet, then there is no mention about

¹⁹ 2016 SCC Online MP 1471 (India)

²⁰ Cyber Stalking and the Impact of its Legislative Provisions in India By Prachi Shah
<https://www.legalindia.com/tag/ritu-kohli-case/>

it in the said section. None of the conditions mentioned in the section covered cyber stalking thus, Ritu Kolhi's case was an alarm to the Government to make laws regarding the aforesaid crime and regarding protection of victims under the same.

7. STATE OF WEST BENGAL Vs. ANIMESH BOXI²¹

This case is said to be the conviction of the first revenge porn case in India, the victim and the defendant were in a relationship during which the defendant got hold of some private photographs, later started blackmailing her with them and posted them online to take revenge for ending their relationship. The offender was charged under S.66E, 66C, 67 and 67A of IT Act and S.354A, 354C, 354 and 509 of IPC.

So, the above cases decided by various Courts reveal the keenness with which the Judiciary wants such crimes to stop, but unfortunately, they still continue. Cyber bullying has the power to distort the modesty of the women and destroy her character. Such serious form of offence shall not be committed towards any women putting the latter's modesty on stake.

Finally in **RUPAN DEOL BAJAJ VS. STATE OF RAJASTHAN**,²² the Supreme Court has explained the meaning of 'modesty' in relation to women. More and more girl students, women etc. go to educational institutions, work places etc. and their protection is of extreme importance to a civilized and cultured society.

However, even today, the women and the girls feel unsafe while moving out for work or educational institution. There is always a fear of someone looking at them, following them or taking their photographs. It is high time that a girl can move freely without any fear. It is the time for a man to understand and respect the women. Cyber Bullying is such an act that it initially seemed like harmless teasing which soon turned vicious and the victim in most of the cases, has to sought counselling to deal with depression. This act has led to many innocent girls to commit suicide and getting trolled to an extent when they don't wish to talk to others and lock themselves in the room. This has caused a severe mental impact on the lives of victim. It is high time for such acts to stop now and an effective law shall be brought in force which has the capacity to control such cyber-crimes and combat this social menace. This is now a havoc which needs immediate attention or else the situation will worsen.

²¹ GR: 1587/17

²² (1977) 6 SCC 241

SUGGESTIONS AND CONCLUSIONS:

This research paper has clearly mentioned the cyber-crimes, what is cyber bullying and harassing and why such acts take place, reasons for such crimes happening in the society and the failed efforts by the Judiciary and the Legislature to curb the same. Even though we have various provisions to curb cyber bullying with sanctions, the instances of cyber-crimes are increasing with the excessive usage of technology. The Judiciary has also tried to curb such crimes by means of setting precedents and imposing punishments, but the same also is of no worth. The efforts by the Legislature and the Judiciary cannot bear enough fruits to combat such cyber bullying and harassment from taking place in the society towards the girls. What is the need of the hour, is for the Legislature to come up with an entire new law to curb the cyber-crime suiting the prevailing socio-economic conditions.

However, being unsure when a new law will be enforced, some suggestions to stop bullying are mentioned below which can be taken at individual level²³:

- Avoid responding or retaliating - Sometimes all the perpetrators are looking for is a reaction as according to them by responding to them you are giving them power over you and if you don't respond or retaliate you are in fact curbing their power.
- Keeping the evidence intact - In the cases of cyberbullying the only positive aspect for the victim is that they can save the evidence of cyberbullying such as messages, posts, comments so as to use them as a piece of evidence.
- Reach out for help - When the situation seems out of control, the victim shall reach out for help of some authorities.
- Maintaining safety of social media accounts - Never share your passwords and account details with anyone. Always keep your phones and accounts password protected and do not let anybody to snoop through your sensitive information.
- Keep your social profile and interaction private - Social media presence has become the part and parcel of everybody's life but while posting and interacting with people on social platforms be always mindful of what you post and keep account on private mode which will not allow anyone other than your friends to see your post.

²³ 'What is Cyber Bullying or Anti-Bullying Laws in India', Swati Shalini <https://www.myadvo.in/blog/must-read-what-is-cyber-bullying-or-anti-bullying-laws-in-india/>

To conclude, I would say that, such instances of cyber bullying and harassing are violating the basic fundamental right of life of the women victim. Article 21 of the Constitution includes within its ambit the right to live with dignity and modesty, however cyber bullying violates the right to live with dignity and takes away the modesty of the women who is the victim. Such acts are not only constitutional barred but also have the capacity of breaking down of a person. Hence, these acts should be seriously condemned. A person has a right to live with full dignity and such acts can't be encouraged to take away the same. It is time for such crimes to end against women.

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