



UNDERSTANDING THE COMPLEX MOTIVATIONS BEHIND HONOUR KILLINGS: A CRITICAL ANALYSIS

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Abstract: This research investigates the complex motivations driving honour killings, a tragic form of gender-based violence. Through empirical evidence and theoretical frameworks, it uncovers the roles of family honour, patriarchal control, gender inequality, societal pressures, religion, and power dynamics. Understanding these factors is crucial for informing policy interventions and community initiatives aimed at combating such violence and promoting gender equality.

Indexterms: Honour killings, Gender-based violence, Patriarchy, Cultural norms, Family honour, Gender inequality, Societal pressures, Religion, Power dynamics, Policy interventions.

INTRODUCTION

Honour killings are tragically prevalent in societies where patriarchal norms dictate the control of women in the name of social order. These killings stem from a range of reasons, including a woman's defiance of arranged marriages or her choice to marry autonomously, as well as involvement in perceived dishonorable acts. Shockingly, even female family members may condone these killings, viewing the family as the exclusive domain of males. Mothers, too, may support such actions to preserve family reputation. This paper delves into the multifaceted reasons behind honour killings, shedding light on this disturbing phenomenon.

Here are some fundamental reasons that have been identified:

1. Custom and Usages

Since ancient times Customs and usages are prevailing in Indian societies, families and communities. All societies, possessing having beliefs over moral and ethical norms, all communities, families and religion consists their own norms ethics and moral rules and regulations, (values). Traditions and norms hold significance within each community, faith, and household, carrying a sense of obligation. These are very significantly playing roles in the life of every religion, communities and family male or female members, there must be obliged by people otherwise it will be treated as dishonor of family, communities and religion. Custom means a uniform behaviour with a belief that it is compulsory to follow such mode of conduct. In another way to say, conducts which people feel obligatory to practice. A custom which is a code of conduct arises by the practices initiated by the people in the society¹.

It is unfortunate that even after sixty-five years of Independence; the situation of customary practices not changed even though number of laws passed by parliament. Indian peoples are still tied up by with the rusted chain of religions customs and usages. Several customary evil practices are prevailing in the society, community and family, which are still, followed today also, e.g. child marriages, suicide, dowry death and honour killing etc.

As per Hindu marriage Act, 1955, "The expression Custom and usages signify any rule which, having been continuously and uniformly observed for a long time, has obtained the force of law among Hindus in any local area, tribe, community, group or family;

Provided that the rule is certain and not unreasonable or opposed to the public policy; Further that in the case of a rule applicable only to a family it has been discontinued by the family,² *Siromani v. I. Hem Kumar*³ in this case court held that Custom is a rule which in a particular family of in a particular district has from long usage obtained the force of law.

According to sociologists Customs may be defined as "A habitual course of conducts generally observed in community". In Sanskrit, equivalent of custom is 'sadachar' which means "the approved usage or usages of the virtuous man" Custom can be defined as a regulation that, due to extensive historical practice, carries the weight of law within a specific community or region.

¹ Dr. U.P.D. Kesari, "Modern Hindu Law", Publication, Central Law Publications, Allahabad-2, Sixth Edition-2007 P, 20

² Under Section 3 (a) of the Hindu Marriage Act, 1955

³ AIR 1968, S C ,1299

For a custom to be considered valid, it must be established, definite, rational, and consistently adhered to by members of society, community, and family over time.

Researcher found that severe incident of honour killing took place due to non-following customs and usages of the societies, community and family members and it is considered as dishonour of the family and community, in order to retain their honour, they used to kill their own family members.

Normally as per customary practices the youths are not allowed to choose their life partners for marriages. Habitually the head or elder members of family i.e. Father, mother, grandfather, grandmother, uncle aunt or elder brother choose the bride and bridegroom, for marriage. Since olden days we observed this practice continued in the number of religions. No one dared to disturb this practice because it will be treated as against the morality. All societies, community follows customary way of marriages, i.e. arrange marriages. They are strictly prohibited for inter-caste marriages, inter-religious marriages in the community.

It is observed that, if anyone tries to do marriage by the inter-caste, inter-religion, choosing their own life partner against the wishes of parents, or having extra-marital relations, before marriage, and fall in love they will be considered as against the norms of society, religion and dishonour of the community and family, so that in order to preserve the family honour they commit murder.

2. Male Dominated Societies

However, Patriarchy system, customary and traditional patterns of life has inferior position of women to insignificance; women suffer this discrimination mutually. Women are subject to exploitation both in the house and outside the house (society). Gender based discrimination haunts a woman at all the of her life stages. The birth of daughter is considered as bad luck. Growing a girl child is considered as a burden for the family. At the tender age of she is under influence of father, after the marriage she is under the influence of her husband, and at the old age she will be under influence her son. In spite of the enactment of number of laws, the position of woman has not changed. The home has become the least safe place for women, whereas it has become the safest place to men to commit violence against women. Even though the Constitution of India affords, the Constitution guarantees fundamental right to equality status of women⁴. Women are still tied up by the rusted chains of religious customs and traditions⁵.

It is observed that, legal and cultural traditions all over the world have historically granted men the permission to beat their wives or even kill them in certain circumstances. Manu also directed that; a wife should be considered of no more importance than a chattel. Over this 21st century, society shamelessly accepts the violence by name in the name of custom and traditions. Madhu Kishwar v. State of Bihar⁶ in this case Justice K. Ramaswamy clearly stated that “an Indian woman has suffered and suffering discrimination in silence self-sacrifice and self-denial are their nobility and when then they have been subjected to all inequalities and discrimination.”

Though men and women are treated as two wheels of life but unfortunately our society gives more importance to men than women. Most of times women always considered as inferior to men because our traditional practices in our society is fully male dominated society. She is discriminated in her family, irrespective of their class, ethnic or caste, religious group male has powerful in nature. She considered as property of male as just like a property use and throw. However, patriarchy and traditional patterns of life have regarded women to a position of insignificance. They subjected to exploitation both in the house and out of house i.e. in the society.

Since birth to tomb, she lived under the supervision of male people. A growing female child considered as burden of family, and at the tender age she will be under the father's custody, after marriage she is slaves of her husband and during old age she will be under the custody of her own son. A woman has always been object of gross and severe violence at the hands of man and customary evil practices. According to Manu, where women are honored, God dwells there⁷. But for centuries women all over the world have not only been denied justice- social, economic, political but taking it as a weaker sex they have been abused and exploited in various ways.

Researcher is of the view that, some those male dominations in different activities against the women like, sexual harassment, female foeticide, violence, killing in the name of honour etc. Woman is not safe in her house; she is harassed at the hands of husband and their relatives in the name of customary and dowry customary practices, and outside the house, in society women sexually harassed at work places.⁸ Thus male domination is one of the major reasons of honour killing and several women lose their lives.

In the case of Arushi Talwar⁹ the family members (mostly father) kill the youngsters (mostly female) on the suspicion of having illicit relations or on exercising right to choose their life partners, be finding men or committing immoral behaviour, as according to the offenders it would cause dishonour to the family, in order to protect the family honour they killed daughter

3. Lack of Education

It is said that, education is a third eye of human being. It is considered to be one of the tools to live better in the society¹⁰.

⁴ Article 14 of Indian Constitution

⁵ Dr. R. Ravathi, “Law Relating to Domestic Violence” Publication, Asia Law House, Hyderabad, new edition, 2004, P. 04

⁶ AIR 1996 SC 1864

⁷ Ibid

⁸ Vishakha v. State of Rajasthan, AIR, 1997 SC 3014

⁹ In Delhi Arushi Talwar, case the police suspect that Aurshi may have been killed by her parents for sleeping with the servant., Honour killing case, 22/6/2010 the times of India news paper

¹⁰ Research Journal VidhiBharati annual journal published by Bharati Vidyapeeth's New Law College, Pune, Issue, Edition, 2013-2014 Year 02, P. 48

Illiteracy is another major reason for giving scope to increases honour killing in our society and many women are killed. Illiterate women face several problems in her life like rape, forced marriages dowry problem, they could not understand in an orthodox way behave keeping blind faith over the customary practices and many women are killed due to suspicion and rumor. Due to illiteracy, they could not identify their own power so that they are suffering violence which is committed at the hands of male. Due to lack of education women are unable to accept the reformed culture and refuse to adopt the legislative personal laws¹¹.

It is observed that, illiterate person is always against the love marriage and inter caste marriages, if someone dare to perform such type of marriage, the young couple is brutally killed in the name of honour killing. Their mind set is that the marriages must be performed within the religion, caste, community through arranged marriages only otherwise they will take revenge by imposing death penalty (Khap Panchayat) which is against the law.

4. Low Status of Women

Sociologists have offered varied perspectives on women, with Indian history depicting them as a divine force. However, within India's diverse society, women occupy different positions, leading to a lack of uniformity in their status. Civilization has generally evaluated the standing of women, which remains low in Indian society primarily due to the patriarchal system. Both men and a significant portion of women contribute to maintaining this low status. This contributes to issues like honor killings.

According to the former UN special Rapporteur on violence against women in Indian society honour of women generally seen as residing in the bodies of women. Once lost the honour it will be considered as dishonour and there is not any way it can be regained other society members bring the pressure to take violent action which will restore their position in society and honour is restored through killing.

The Rizwanur Rahman case in Kolkata exemplifies honor killing incidents influenced more by economic factors than family reputation. Here, the groom was murdered due to the significant social and economic disparities between him and the bride, rather than solely due to family lineage¹².

In this case Shrvanthi was twenty-four years old, belonging to forward caste 'Arya Vysya in Hinduism and fall in love and Shrvanth wanted to marry with man who belonged to Kapu Caste her parent denied her choice and refused to marry, they hanged themselves and found a suicide note that, they have taken this extreme step due to fears of society. This step taken by victims because of low status of Kapu caste man¹³.

In this case women were hiding her backward-class caste and marry with higher caste man. In the first meeting she introduced as Pooja Mishra, when it became known that she belonged to a backwards-class her husband felt dishonour of family very angry and in order to preserve his family status and honour killed pooja¹⁴.

5. Caste Systems

Caste system has been common basic feature of Indian society. Several society people have witnessed victims of number of customary evil practices, one of is a Caste system. It is divided into several different types such as, high caste and low caste groups, depending upon community. Hindu caste consisting number of sub-castes, they are rigid in nature to follow their own customary practices; in case of violation of it they face music of consequences i.e. customary killings

It is observed that, in India caste system is a special type of social satisfaction found mostly both in ancient and modern period. The English word is derived from; the Spanish word 'caste' which means breed, race, complex of hereditary qualities¹⁵. Caste is the most dominant single aspect of Indian society. Caste were groups with a well-developed life of their own, the membership whereof, unlike that of voluntarily associations and of classes, was determined not by selection but by birth¹⁶. Indian history witnesses that the family members killed in the name of honour daughters, sister, and wife for protection of honour. In olden days society was a victim of several evils practices, the caste system is one of the reasons to kill victims.

According to Dr. V. A. Smith "Caste is a group of families internally united by peculiar rules for observance of ceremonial purity, especially in the matter of diet and marriage"

As per statement of E.A.H Blunt "It is an endogamous or collection of endogamous groups, bearing a common name, membership of which is hereditary; imposing on its members certain restrictions in the matter of social intercourse; either following a common traditional occupation or claiming a common origin and generally regarded as forming a single homogeneous community".

It is observed that, in rural region any turn aside from the caste system is intolerable. When an upper caste girl elopes with lower caste boy crossing limit of upper Hindu caste dictates of purity and dishonour. In a society carried with prejudices against lower caste and struggle with communal conflicts, a young couple who dares to cross the community limit of caste system is going to be

¹¹ The Special Marriage Act, 1954, The Hindu Marriage Act, 1955

¹² Indian Bar Review, Vol. XXXIX, (13), July-Sept.2012, P.148.

¹³ "Couple end lives over honour", Deccan Chronicle, Newspaper on dated,29/07/2013

¹⁴ "Man kills wife belonging to backward class", Times of India, Newspaper 23/04/2012

¹⁵ Dr. S. R. Myneni, "Sociology For Law Students" Publication, Allahabad Law Agency, Faridabad (Haryana), Second Edition-2006,P, 380

¹⁶ G S Ghurye "Caste and Race in India" publication Bombay popular prakashan, fifth edition-1969
P.02

severely punished. At times, the price for choosing a life partner would be a gruesome murder or public humiliation of the couple. It is considered dishonour for the family of higher caste.

***G. Krishan s/o Govindan v. Union of India*¹⁷, in this case Chief Justice Katuja, observed that-**

Indeed, even today, individuals from the so-called upper castes and even some O.B.Cs. frequently display contempt and disrespect towards members of the Scheduled Castes and Scheduled Tribes. Such behavior cannot be tolerated in today's democratic and egalitarian society. Equality is a fundamental principle of our modern era. No community should endure being treated as inferior, and they have every right to oppose such mistreatment. Sadly, even now, in various regions of our country, Scheduled Castes and Scheduled Tribes face opposition, humiliation, and violence. For instance, in several parts of western Uttar Pradesh (such as Meerut, Moradabad, Muzaffarnagar, etc.), if a Scheduled Caste individual falls in love with or wishes to marry a non-Scheduled Caste person, it often results in both parties being murdered by members of the non-Scheduled Caste community or the girl's family. This reprehensible practice, termed honor killing, is anything but honorable; it is disgraceful and must be eradicated by the authorities.

In another popular case Arumugam Servial V. State of Tamil Nadu¹⁸, Justice Markande Katijua and Justice Gayan Sudha has passed as an order on the honour killing being reported across India. The Bench stated that,

“The caste system is detrimental to our nation and must be eradicated promptly. Inter-caste marriages play a vital role in dismantling this system, yet disturbing reports of violence and threats against couples who opt for such marriages are surfacing. Such acts are unlawful and those responsible must face severe consequences.

In a democratic country, once individuals reach adulthood, they have the right to marry whomever they choose. While parents may disagree with inter-caste or inter-religious marriages, their disapproval should not extend to threats, violence, or harassment against their children.

Therefore, authorities nationwide must ensure that couples involved in inter-caste or inter-religious marriages are protected from any form of harassment or violence. Any individual found guilty of such actions should be prosecuted to the fullest extent of the law.

To enforce this, it is imperative that administrative and police officials take decisive action. Failure to prevent incidents or promptly apprehend culprits will result in accountability measures, including suspension and legal proceedings against responsible officials.”

Number of honour killing incidents took place due to mixed caste-couples. In Guntur East Godawari district (A.P.) P. Deepti twenty-five years old belonging to highest cast “Kamma” who worked in IT HCL firm she married with her boyfriend who was belonging from lower caste “Kapu.” Her parents known everything about affairs they wanted arrange marriage within the own same caste. Unfortunately, it did not happen as that her father killed.¹⁹

In Mumbai, Bandra (Maharashtra state) Sushma belonging to Brahmin community married with her boyfriend Prabhu who was from lower caste man. Family members of Sushma killed Prabhu under impression to preserve the honour of family or community. Now Sushma lived with her in-law's house²⁰.

In another case as per statement of S.P. Manavjeet Singh Dhillon in Bihar district Nawawda in the village Mehrama Naveen Kumar was twenty-five years old had married with a girl from another Dalit caste, two years back against her parents' wishes in order to preserve honour of family and community he killed by in-laws' family members by stabbing in stomach with sharp instruments and hanged with rope²¹.

The victim was made planned to run away, but her father got knowledge about that he tried to convince and tried to stop her, but refuse to change her mind and expressed her strong desire to marry him. In order to preserve family honour father killed his daughter and confessed before police²².

A twenty-year boy belonging to Dalit who fell in love and proposed in open school in full public view of upper caste fifteen years old girl, her brother felts it has a dishonour of his family. In order to protect the honour of his family, community with the help of friends he killed the boy²³.

6. Inter-Caste Marriages

Inter caste marriage means; marriages took place between person of different castes, community, and religion though once not uncommon, called as inter caste marriage. Manu prohibited inter-caste marriages; He classified it to in two categories of inter-caste marriages, Anuloma Marriages and Partiloma Marriages,

¹⁷ G. Krishan s/o Govindan v. Union of India, W.P. No. 1224 of 1994 (reported in 2005 Cri L J 3811) High Cout of Madras,

¹⁸ AIR 2011 SC 18590

¹⁹ “Indian Engineer Dies in Honour Killing” The Teligraph Newspaper edition New Delhi dated, 25/03/2014

²⁰ “High Price for defying caste, family” The Indian Express Newspaper, dated 20/09/2006

²¹ “Dalit man Murdered allegedly by in-laws, a honour killing suspected” News form IBN Live, on dated,24/09/2013

²² “Dishonour killing: father kills daughter in Indore, NDTV, News on dated,29/04/2012

²³ “Boy killed for loving upper- caste girl” Time of India, Edition-New Delhi, on dated, 04/04/2010

Anuloma Marriages means Inter-caste marriage performed between a boy of a higher caste and a girl of a lower caste, called as Anuloma marriage, and Partiloma Marriages means inter-caste marriage performed between a boy of lower caste and girl from higher caste, called as Partiloma Marriages. The Government of India enacted Hindu Marriages validity Act, 1949 and Hindu Marriage Act 1955, Inter-caste marriages and inter-religion marriages are valid²⁴. Even though society people are not ready to adopt this law and they considered as performing inter-caste, inter-religion marriages are dishonour of family, community and society and they are not ready to leave the customary practices. They strictly prohibited such types of marriages in society.

It is observed that, People sometimes murdered in the state of Punjab, Haryana, Rajasthan and Bihar for marrying without their family acceptance, in some cases marrying outside their caste or religion.²⁵ In North state, Haryana couple of incidents still occur every year. If inter-caste marriages took place, it means violation there is a customary rules and norms of the society, community and innocent young couple's faces consequences and pay their life. Recently cases a girl Imrana from Bhojpur who was set on fire inside her house²⁶.

In the case of Geeta Sabharwal v. State of Haryana²⁷ case the court observed that any boy or girl major who under goes that inter-Caste or inter religious marriages with man and woman community or society peoples objected and threaten or harasses or to commit violence against couple; court also directed to the state to take appropriate action against such menace. Similarly in Ashok Kumar v. State of Punjab and Haryana²⁸ court observed that performing love marriage was not permitted by the customary practices in Indian society.

In the case of Lata Singh v. State of Uttar Pradesh and others²⁹ the court observed that "there is no dispute that the petitioner is a major and was at all relevant times a major. Hence, she is free to marry to anyone she likes or live with anyone she like. As per Indian Constitution every citizen has right to choose life partner those for marriage who are mature persons³⁰. There is no bar to an inter caste marriage under the Hindu personal law³¹

In this case a girl by name Manjit belonging to Gadaria caste (a backward class) fall in love affairs with Jaswinder Singh who belongs from a Mazhaib (a scheduled caste) The family members of Manjit was against the inter caste relations, she wanted to perform marriage against the wishes of family members so that they run away to Ludhiana, this act was not digested by the family members of Manjit and her parents took her forcibly to their village and in order to save the family honour and forcefully poisoned her.³²

In Pune district, Yerwada village, Nitin Kadam' sister married with Alok Kamble before one and half month. Marriage took place against the wishes of Kadams family. They were not happy with this inter-caste marriage, due to dishonour of their family it led to dispute between Kadam and Kamble family, Kadam attacked with sharp weapon resulting death of AlokKamble³³.

This case is of victim Smruthi was twenty-eight years old belonging to 'Lingayat' community serving an Assistant Professor in Kanada the Government College at Kuderu district Chamarajanagar. Sudeep Kumar twenty-eight years old, a 'Dalit' and serving as an Assistant Director in Physical education Department at Tumkur University. They wanted to perform wedding functions after obtaining the consent from their families. But her brother felts dishonour of their family, so that, in order to preserving the honour, he killed his sister³⁴.

Sujit Kumar v. State of U.P.³⁵ in this case High Court held that, 'any person who is major and wants to get marriage to a person of another caste or community, held that parents could not legally stop him or her for getting married. Harassment, ill treatment or killing of such persons for bringing dishonour to family should be prevented.'

7. Marriages within the Gotra

If we look at the tents of personal laws, we find the laws of succession is guided by the principles of genetically inheritance or by consanguinity (sapinda system). Hindu law also prohibits marriage with in the same Gotra³⁶. According to Hindu Law the marriage between persons related butspinda relationship is not valid and strictly prohibited³⁷. Therefore, inter-caste or inter-community marriage can be considered as a transgression to in the right of religion of the person.

²⁴ Under Section 5 of The Hindu Marriage Act, 1955

²⁵ Robert Fisk, the truth about "Honour killing". The Independent Sept., 2010, P.18., Indian Bar Review, Vol. XXXIX, (13), July-Sept.2012, P.148.

²⁶ Lalit Kumar, 16 yrs., old burnt in Gahziabad Honour Killing, Times of India edition Luknow, 25th March 2009, P.04.

²⁷ GeetaSabharwal v, State of Haryana, Criminal miscellaneous No, M- 27548 of 2008 Date of decision, Oct, 22,2008In the High court of Panjab and Haryana, Chandigarh

²⁸ Ashok Kumar v. State of Punjab and Haryana (2009 DMC 120)

²⁹ AIR 2006 SC, 2522

³⁰ Article 21 of Indian Constitution

³¹ Hindu Marriage Act, 1955

³² "Honour killing parents confesses to daughter's murder" Hindisthan Times Newspaper dated,30/09/2013.

³³ "Man attacked over inter-caste Marriage", Indian Express edition Pune, on dated,05/01/2013

³⁴ "Honour Killing assistant professor? The Hindu Newspaper, on dated,14/03/2012

³⁵ AIR 2002,

³⁶ Gotra means consanguinity relationship or blood relationship, or spin da relationship

³⁷ Under Section 5 (v) of Hindu Marriage, Act, 1955

According to Fateh Singh³⁸, performing marriage in same gotras wrong, it should not be encouraged in our society, whatever the court say the KhapPanchyat will continue to give their decision³⁹.

The source of Gotrago back a long away, like the Christian belief that all human beings are descended from Adam (first man), the gotas are predicted on all Hindus having descended from certain sages like Bhardwaj, Vashist, Vishwamitra and so on. It is belief that, persons from same gotra are siblings and should not marry. It has no rational basis. Yet marriage between persons from the same gotra seems to evoke a great deal of moral indignation, fury and rage enough to warrant brutal killings⁴⁰. Most of ancient system of Hindu laws prohibited marriages within the same Gotra; they also prohibited inter-caste and inter-religious marriages⁴¹.

In land mark judgment in March, 2010, Karnal District Court ordered the execution of five preceptors in an honour killing case while giving a life sentence to the Khap head who ordered to Kill Manoj Banwali Babli two persons of the same clan, who eloped and married in June, 2007. Despite being given police protection on court orders, they were kidnapped, their mutilated bodies were found a week later from an irrigation channel.⁴²

In another incident Nidhi Bharak 20 years old and Dharmendra Barak 23 years old belonging to the families of same Gotra, they eloped with intended that to get married in Delhi Nidhi's family promised convinced her that they would not cause any harmed she believed over them and return back as they returned of Nidhi's father took her to his house and killed them and dumped the dead body in front of his house⁴³.

8. Rape Victims

Since centuries woman all over the world have not only been denied justice.⁴⁴ Rape means forcible seizure. It signifies the ravishment of a woman without her consent, by force or fear or fraud or knowledge of a woman by force against her will⁴⁵.

The ravishment of a woman, without her consent, by force, fear or fraud, or as the carnal knowledge of a woman by force against her will be called as raputs⁴⁶. Procecuror v. Akaseyu⁴⁷, in this case, International Criminal Tribunal has defined word rape means "a physical invasion of a sexual nature committed on a person under circumstances that are coercive"

The Law commission has recommended as, rape shall be substituted with the offence of 'sexual assault 'by including all kinds of penetration in vagina, anus or urethra of another, whether by part of human body or by an object⁴⁸. Tukaram v. State of Maharashtra State.⁴⁹ The Law Commission has also recommended that the victim needs sympathy, reassurance and sense of safety.

Rape is ultimate violation of the self-humiliating event in a woman's life that breeds a chronic fear of the existence and a deep sense of the powerless. It is said that a victim of rape undergoes two searing traumas; the physical rape, and the subsequent trial; which is not less shattering. Several cases of rape and abduction are registered against the boy, at that time couple faces the threat of being killed and such killing is termed as 'honour killing'

The Hon'ble Supreme Court observed in Phul Singh v. State of Haryana, case that. Rape is violation with violence on the private person of a woman⁵⁰. Rafiq v. state of U.P. In this case Supreme Court found that rape for woman is deathless shame and must be dealt with as a gravest against human dignity.⁵¹

In many parts of the Indian country women who have been raped considered to have brought dishonour of family in order to restore the honour under the heading of customary killing they use to killing of their own female member. Rape victim also been killed for the dishonour of the family or community⁵².

In Uttar Pradesh seventeen years girl eloped with a boy from another community and she found out to be pregnant, then family members get shocked ashamed and dishonour of family, in order to preserve the honour of the family, her father decided to kill⁵³.

³⁸ A Member of the Jat Community in Bharatpur

³⁹ The times of India, 01/04/2010

⁴⁰ Indian Bar Review, Vol.XL (01)2013, P.5o

⁴¹ Dr. ParasDiwan "Family Law, (Hindu, Muslim, Christians, Parsis and Jews) Publication Allahabad Law agency, Faridabad (Haryana) ninth edition,2009, P.46

⁴² Vibha Sharma, who gave khaps the Right to kill: P C, (newspaper) The Tribune, 27th March, 2010.

⁴³ "Parents murder daughter, lover for honour in Haryana" The Hindu, Newspaper dated 20/09/2013

⁴⁴ See, The Preamble of Indian Constitution.

⁴⁵ K. D. Gaur "Criminal Law cases and materials, publication Butterworth's India New Delhi, edition,1999, p. 498,499

⁴⁶ The world rapture means "a state of experience of being carried away by overwhelming emotion ""an express or manifestation of ecstasy or passion' (Webster's seventh new collegiate dictionary, 1969 at p. 709.

⁴⁷ Inter National Criminal Tribunal for Rwanda, Procecuror v. Akaseyu case no. ICTR-96-4-T, September

⁴⁸ 72nd Law Commission Report on the Review of Rape Law March, 2000.

⁴⁹ AIR 1979 SC 185

⁵⁰ Phul Singh v. State of Haryana, 1980 Cr. L.J.8, Malik and Raval "Law and Social Transformation", Allahabad Law Agency Law Publishers, Delhi, First edition, 2007, P.83

⁵¹ (1980)4 SCC 262

⁵² www.bbc.co.uk/ethics/honourcrimes/crimes of honour_1.shtml (visited on 5th March 2019, 2:00. PM)

⁵³ "UP father rapes,kills daughter for honour, Pune mirror ,Newspaper, on dated,07/11/2013

9. Pre-Marital Pregnancies

Pre-marriage pregnancy means a girl keeps immoral relations without performing marriage out of that she became a pregnant of someone. It is an immoral activity and considered as dishonour of family.

As per Hindu Marriage Act, 1955, pre-marriage pregnancy means at the time of marriage a girl pregnant by some person other than bridegroom, called as pre-marriage pregnancy. It shows that past unchaste⁵⁴. Past illicit relationship of a girl with someone, it will be treated as dishonour of family or community. Such act is strictly prohibited by our custom and traditional practices no one could digest and in order to save the honour of the family they use to kill the victim. Pre-marital pregnancy activities are threatening to the honour of the family or community.

Raj Rahul Garad, Additional Session Judge of Chandigarh announced life imprisonment to father and son on account of killing of an unmarried girl, she found pregnant of some one

In Nasik district of Maharashtra, Eknath Kumbharkar, a father of forty years, allegedly killed his twenty-year-old daughter after discovering she was pregnant, purportedly to protect the family's honor and reputation⁵⁵.

10. Seeking Divorce

Divorce involves terminating the marital union by ending the relationship between spouses. According to Maun, a wife cannot be separated from her husband through sale or abandonment since the marital bond should remain unbroken under any circumstances. Manu strongly disapproved of divorce under any condition, advocating for lifelong fidelity between spouses as the highest duty. He emphasized that the duty of a wife persists even after her husband's death. Seeking divorce by a wife was deemed dishonorable to the family.

It is observed that, several women who have sought divorce through the courts have been injured, killed or never been heard of again. Seeking divorce gives a strong signal of public defiance which calls for punitive action against such women to restore male honour within the traditional honour scheme⁵⁶.

11. Homosexuality

Homosexuality or sexual inversion attraction of one person to another of the same sex, leading to physical contact and sexual pleasure, Male homosexuality or sodomy is wider spread phenomenon and is not infrequent where group of men are isolated for long period from all women. Female homosexuality is often called Lesbianism⁵⁷. Mostly women are killed in the name of honour killing, but in homosexuality men as well as women who are involved in immoral activity society people considered as dishonour of family and community in order to preserve the honour of the family or community, they killed victims in the name of honour killing.

12. Refusing Arranged Marriage

It is observed that, number of cases of honour killing took place due to a girl refuses to arranged marriage and express her willing to do marriage as per her choice who like, in such cases family members use to kill for sake of preserving their family honour.

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