

DOWRY DEATH CRIME: A STUDY OF JODHPUR DISTRICT OF RAJASTHAN

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ABSTRACT

Dowry system is not a new phenomenon and exists in India since a long back. In ancient times it was practiced by some high caste people, but now in modern India the dowry system has become a universal phenomenon. Dowry Prohibition Act was brought to restrict the dowry system in India. In present paper the IPC provision related to dowry deaths and present scenario of dowry deaths in Jodhpur district of Rajasthan.

Keywords: Dowry System, Dowry Prohibition Act, Dowry Deaths, IPC Provision.

Introduction

The overview of Indian history reveals that the custom of dowry is present in the Indian society since ancient times. In dowry system at the time of marriage women are given some valuable items. Today, Dowry has been an integral institutionalized part of Hindu marriage system. However, it is very sad that this custom has been vitiated in our times, and the system has become a menace, a social evil in our society.

Today, we rarely see a marriage without dowry being given. The dowry system has become a major social problem in modern India. This system of dowry has mined many families and created many unhappy homes. Of late it has been seen that not only brides but prospective teenaged girls, out of sheer frustration, seeing the worried look on the face of their parents all the time, are driven to commit suicide. Some can't reconcile themselves to the unbearable trauma of making an exhibition of themselves and parading before the prospective in laws only to be rejected because the demands of dowry are too high.

Dowry Death

Bride burning cases increased day by day in 1980s so it also brings attention of Law Commission of India. Law Commission of India realized the need of a separate procedure. On 10th August 1983 Law Commission submitted its 91th Report on 'Dowry Deaths and Law Reforms'. It was felt that the already existing law related to 'bride burning' are not much effective to collect sufficient evidence needed for proving guilt in 'bride burning' cases. Law Commission hence opined to institute a new provision in order to facilitate a presumption in dowry deaths. To restrict the rapidly increasing 'bride burnings' and dowry murders new section 304B in penal law and section 113B in law of evidence were added. The other important objective behind inserting these two sections was also to overcome the difficulties in collecting evidence in dowry death cases by adding presumptions.

Although, IPC has not given any definition for the term dowry in the Act but in Section 304B it is mentioned that the term 'dowry' will have the same meaning as it is given in the Section 2(1) of Dowry Prohibition Act, 1961. According to this section the term 'dowry' is defined as any kind of property or valuable security which is given or which either of the party agrees to give directly or indirectly to another.

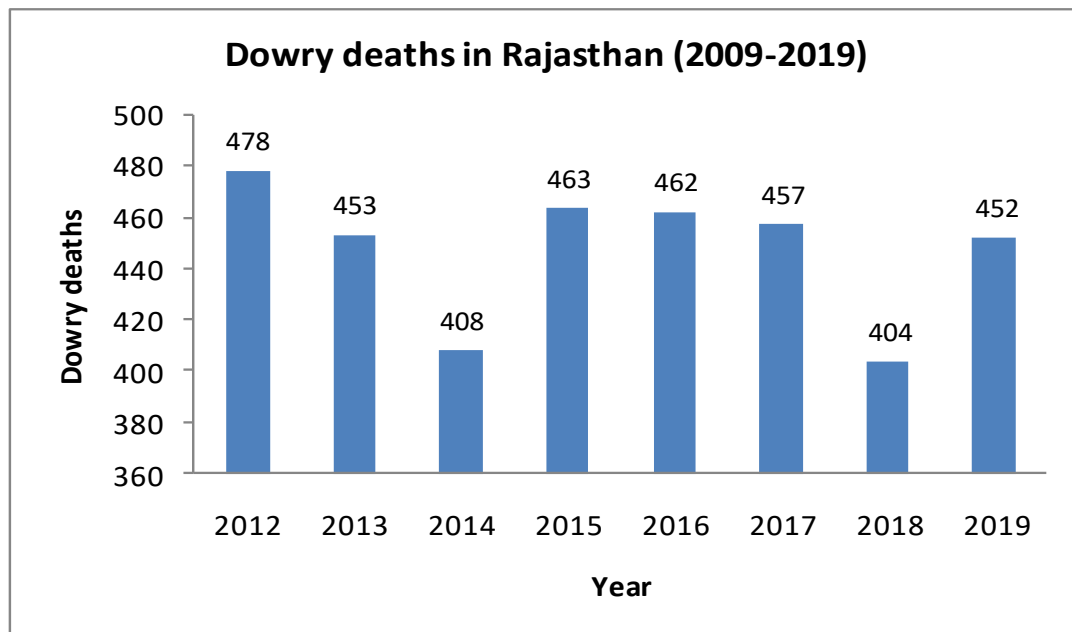
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The essential of Section 304B is that the death must be occurred under some unnatural or abnormal circumstances. Very often the Apex Court has remarked that it means that the occurrence of death was in an unusual course and suspicious circumstances were present. Even if a woman has committed suicide within 7 years of her marriage, it could not be considered as a death occurred in normal circumstances. The legislative intent behind the insertion of this provision was undoubtedly the protection of women from husband and in-laws against dowry related violence and murder.

Dowry Deaths in Rajasthan

The dowry deaths in Rajasthan is shows in following table and figure:

Year	Dowry deaths
2012	478
2013	453
2014	408
2015	463
2016	462
2017	457
2018	404
2019	452

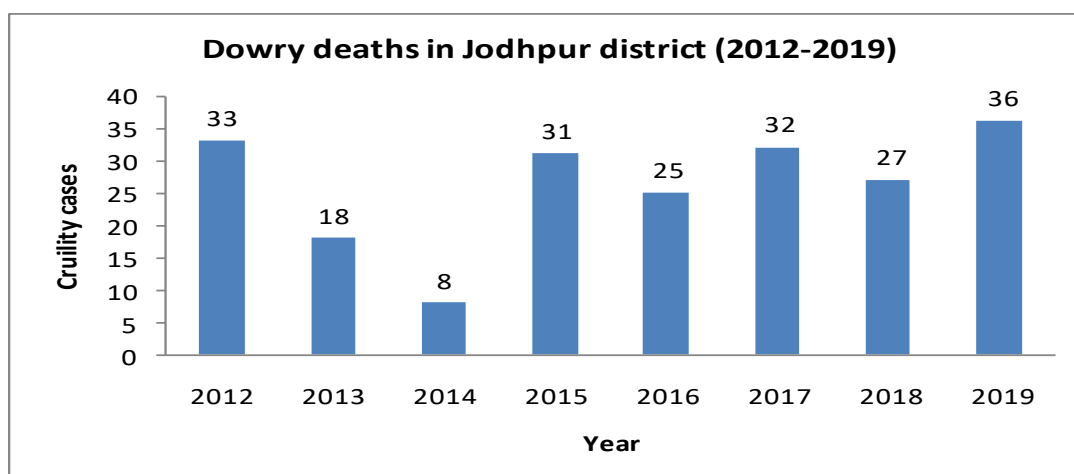


The above table shows that dowry death cases registered in Rajasthan shows a fluctuating trend but there is no significant increase or decrease in dowry death cases registered in Rajasthan.

Dowry Deaths in Jodhpur District

The dowry deaths cases in Jodhpur district are shows in following table and figure :

Year	Dowry deaths
2012	33
2013	18
2014	8
2015	31
2016	25
2017	32
2018	27
2019	36



The above table and graph show that dowry death cases first sharply decreased from 2012 to 2014 then dowry death cases show fluctuating trend and in 2019, 36 dowry death cases were registered in Jodhpur district of 452 cases registered in Rajasthan.

Comparison of Dowry deaths in Rajasthan & Jodhpur District

The comparative data of dowry deaths in Rajasthan and Jodhpur district are given in following table:

Year	Dowry Deaths Rajasthan	Dowry Deaths Jodhpur District	%age
2012	478	33	6.90
2013	453	18	3.97
2014	408	8	1.96
2015	463	31	6.70
2016	462	25	5.41
2017	457	32	7.00
2018	404	27	6.68
2019	452	36	7.96

It is clear from above table that the percentage of dowry deaths in Jodhpur to total dowry deaths registered in Rajasthan is fluctuating from 2012 to 2019. From year 2012 dowry death reduced sharply and then it again shows increasing trend. But in last three years the percentage of dowry deaths in Jodhpur to dowry deaths in Rajasthan does not show drastic changes.

Conclusion

Although dowry custom present in Indian society since ancient times but in present era the dowry system become curse to modern society and since 1980s the dowry death cases are increased sharply in India. To restrict menance of dowry provisions were made in section 304B of Indian Penal Code. Since 2012 number of dowry deaths cases in Rajasthan and Jodhpur district does not showed drastic changes and the percentage of dowry death cases in Jodhpur district to total cases registered in Jodhpur district also does not show no drastic changes.

References

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