

Abstract Details

Title: Honour Killing In India

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Abstract: Honour killing amounts to homicide and murder because the acts are done with the intention of murdering the victims as they have purportedly brought dishonor upon the family. The perpetrators can be punished as per Section 302 of the IPC. Every person has a right to live. The capital punishment is possible only when granted by law. In cases where the khap panchayats have compellingly separated married couples who are of eligible age to get married, these have violated the provisions under the Indian Constitution. The provisions of CEDAW can be used to argue that the tradition and practice of punishing individuals for ill-informed ideas of dishonoring the family, is essentially institutionalized discrimination against individuals and creates a legally binding obligation for India, as a State party to the convention, to take all measures to end all forms of the practice of honour killing and ensure that all discrimination against women in matters relating to marriage and family relations are eliminated, providing them with the equal right to enter into marriage and to freely choose a spouse and to enter into marriage with their free and full consent as enumerated in Article 16 of the Indian Constitution. The Law Commission has recommended that honour killings be made a non-bailable offence and advocated a seven-year jail term for caste panchayat members found guilty of persecuting legally married couples in the name of honour.

Keywords: Honour, Right, Crime.