
From Witch Hunts to Honor Killings: Addressing the Persistence of Socially Sanctioned Crimes in India's Legal System

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ABSTRACT

The persistence of socially sanctioned crimes in India, such as witch hunts, honor killings, and caste-based violence, underscores a systemic failure to reconcile legal modernity with entrenched socio-cultural traditions. While Bharatiya Nyaya Sanhita (BNS), 2023 (replacing Indian Penal Code (IPC), 1860) and constitutional guarantees provide a formal legal framework against these acts, their continued prevalence reveals the limitations of legal formalism in addressing deep-seated societal norms. This research critically examines the juridical inadequacies and institutional lacunae that allow such crimes to persist despite legal prohibitions. The analysis interrogates the complicity of informal justice mechanisms, including khap panchayats and caste councils, in subverting state law, often enjoying tacit impunity due to political patronage and community legitimization. Furthermore, the research criticizes the enforcement deficit in statutory frameworks, wherein legal provisions are either underutilized or selectively enforced based on socio-political considerations. The reluctance of law enforcement agencies to intervene, coupled with judicial inertia in prosecuting perpetrators, exacerbates the failure of the rule of law. Through a doctrinal and socio-legal approach, the research delved into the existing legal paradigm remains insufficient in dismantling the structural conditions that enable such crimes. It advocates for jurisprudence that moves beyond punitive deterrence toward transformative justice, encompassing legal reforms, institutional accountability, and community-based interventions.

Keywords: Socially Sanctioned Crimes, Witch Hunts, Honor Killings, Caste-Based Violence, Khap Panchayats, Superstition, Prevention of Atrocities

INTRODUCTION

Socially sanctioned crimes in India refer to unlawful acts that, despite being illegal under the formal legal framework, receive tacit approval or are overlooked due to entrenched cultural, religious, or traditional beliefs. These offenses are often perpetuated under the guise of upholding societal norms or preserving communal honor, leading to a complex interplay between

customary practices and statutory law. Notable examples include witch hunts, honor killings, caste-based violence, and diktats issued by khap panchayats.¹

Witch hunts involve the persecution and often brutal punishment of individuals, predominantly women, accused of practicing witchcraft. Rooted in superstitions and a lack of scientific understanding, these hunts are prevalent in rural areas where attributing misfortunes like illness or crop failure to witchcraft is common. Victims are subjected to severe forms of violence, including public humiliation, physical assault, and even murder. According to NCRB, from 2000 to 2016, over 2,500 people were killed in witch hunts, with the majority being women.²

Honor killings are murders committed by family members against relatives who are perceived to have brought dishonor upon family. This perception often arises from actions such as marrying against parental consent, engaging in inter-caste or inter-religious relationships, or defying traditional gender roles. These killings are particularly prevalent in northern states like Punjab, Haryana, Rajasthan, and Uttar Pradesh. The NCRB reported 251 honor killings in 2015, though activists believe this is a significant undercount.³

Caste-based violence encompasses acts of aggression and discrimination against individuals belonging to marginalized castes, particularly Dalits. Despite legal provisions like the SC and ST (Prevention of Atrocities) Act, 1989, such incidents remain widespread. These acts include physical assaults, social boycotts, and economic exploitation, often justified by entrenched notions of caste hierarchy and purity.

Khap panchayats are traditional caste-based assemblies prevalent in northern India. While they lack official legal authority, they wield significant influence in rural communities. These bodies often issue diktats that contravene constitutional rights, such as prohibiting marriages within the same gotra (clan) or endorsing punishments for couples defying traditional norms. Their pronouncements have been linked to instances of honor killings and social ostracism.

The persistence of socially sanctioned crimes in India underscores a profound dissonance between the nation's legal statutes and the prevailing socio-cultural practices. Historically, these crimes have deep roots, with practices like witch hunts and honor killings documented over

¹ Kriti Jha & Harshita Rai, *A Socio-Legal Study on Honour Killing: A Menace to the Indian Society*, 6 INT'L J.L. MGMT. & HUMAN. 32 (2023).

² Vitasta Kaul & Vedaant Lakhera, *At the Gate of 2025, Women Are Still Branded Witches, Forced to Eat Faeces, and Even Killed in India*, Frontline (Dec. 13, 2024, 17:24 IST), <https://frontline.thehindu.com/society/witches-black-magic-women-rural-india-nirantar-trust-survey-ncrb-lynching-social-ostracism/article68981115.ece>.

³*Id.*

centuries. In contemporary times, despite progressive legislation and constitutional safeguards, these offenses continue unabated, reflecting the resilience of patriarchal and feudal mindsets.⁴

Law enforcement agencies frequently encounter formidable challenges in addressing these crimes. The clandestine nature of such offenses, coupled with community complicity, often results in underreporting and a paucity of reliable data. For instance, the NCRB's reported figures on honor killings are widely considered to be underestimations due to the reluctance of witnesses and victims' families to come forward. Moreover, the intertwining of local political dynamics with traditional power structures like khap panchayats can lead to a lack of political will to confront these issues head-on.

Judicial intervention, while pivotal, is frequently hampered by protracted legal proceedings and overburdened judiciary. The landmark 2010's verdict in the Manoj-Babli honor killing case,⁵ where the court meted out capital punishment to the perpetrators & life sentence to khap leader who sanctioned killings, marked a significant precedent. However, such decisive judicial outcomes remain exceptions rather than the norm. The absence of dedicated legislation addressing specific socially sanctioned crimes further complicates the judicial response, necessitating reliance on broader provisions of the BNS, 2023 and other statutes.

The NCRB Report, 2022 underscores persistent and grave nature of witchcraft-related violence in India. The statistical data reveals that approximately 85 individuals were murdered due to witchcraft allegations in 2022 alone, and 1,184 lives were lost to witch-hunting over the past decade (2012–2022). These crimes are concentrated predominantly in states such as Jharkhand (22.6%), Odisha (16.1%), Madhya Pradesh (15.1%), & Chhattisgarh (13.1%). This empirical evidence highlights the failure of existing legal mechanisms to effectively curb such atrocities, necessitating a comprehensive legislative response.⁶

Despite several legislative attempts, there exists no centralized statutory framework criminalizing witch-hunting as a distinct offence. The absence of a specific legal provision within the BNS results in such cases being prosecuted under general provisions of wrongful restraint, wrongful confinement, causing grievous hurt, kidnapping, murder, & sexual offences. However, these provisions fail to capture unique socio-cultural dimensions of witch-hunting, which is deeply rooted in patriarchal, casteist, and superstitious belief systems. The systemic

⁴ Paul Atagamen Aidonjio, Adebayo Adesoji Kolawole & Yusuf Abass Aleshinloye, *Exploring Legal and Cybertech Solutions in Curtailing Issues and Challenges on Femicide*, 16 COGITO: MULTIDISCIPLINARY RES. J. 72 (June 2024).

⁵ Criminal Appeal No. 479-DB of 2010 and Criminal Revision No. 2173 of 2010.

⁶ Press Trust of India, Crimes Provoking Enmity Between Groups on the Rise by 31%, NCRB Reports, *Firstpost* (Dec. 6, 2023, 5:49 PM), <https://www.firstpost.com/india/crimes-provoking-enmity-between-groups-on-the-rise-by-31-ncrb-reports-13473852.html>.

persecution of marginalized communities, particularly women, necessitates a targeted legal approach.

State legislatures have occasionally attempted to address this lacuna. Following the 2022's witchcraft-related murders in Kerala's Pathanamthitta district, the Communist Party of India (Marxist) advocated for state-specific legislation.⁷ However, no substantive legal framework has emerged from this proposal. In contrast, Jharkhand launched "Project Garima" in 2021 to eliminate the branding of women as witches, incorporating rehabilitation measures such as counselling and skill training.⁸ While commendable, such initiatives lack the binding force of criminal sanctions necessary to deter offenders effectively.

The NCRB data also reflects a concerning surge in offences registered under IPC for "*promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to the maintenance of harmony*". In 2022, nine states recorded over 100 such cases each, a stark increase from the two states in 2021. The year 2022 saw a near-triple of cases in Madhya Pradesh (108 from 38 in 2021), while Uttar Pradesh, Maharashtra, Rajasthan, and Gujarat recorded more than double the previous year's figures. The implications of this trend indicate an alarming rise in hate crimes and communal disharmony, demanding urgent legal redressal and stricter enforcement mechanisms.⁹

Several legislative efforts have sought to criminalize witch-hunting at the national level, but none have materialized into enforceable law. "The Women and Girls (Prevention of Stripping, Teasing, Molestation, Branding as Witches and Offering as Devadasis) Bill", introduced in 2003, was withdrawn in the same year. A similar private member's Bill proposed by BJP MP Raghav Lakhanpal in 2016 also failed to gain traction. More recently, in 2022, former MP Sujeet Kumar introduced "Prevention of Prohibition Witch-Branding and Witch-Hunting and Other Harmful Practices Bill" in the Rajya Sabha.¹⁰

HISTORICAL PERSPECTIVE ON SOCIALLY SANCTIONED CRIMES IN INDIA

Witch Hunts: Superstition and Gendered Violence

The practice of witch hunting, particularly prevalent in states such as Jharkhand, Assam, Odisha, and Chhattisgarh, is deeply rooted in tribal and rural belief systems. It is often a manifestation of

⁷ Rishika Singh, 'Human Sacrifice' in Kerala: What Are the Laws on Witchcraft in India's States?, *The Indian Express* (Oct. 13, 2022, 6:57 PM), <https://indianexpress.com/article/explained/what-are-the-laws-on-witchcraft-in-india-8206958/>.

⁸ Shilpy Sinha, *Understanding the Socioeconomic Factors That Contribute to Witch-Hunting in Jharkhand*, ICSRD Rev., (2024), <http://www.icsrd.in/peer-reviewed-research-international-refereedjournal.html>.

⁹Supra note 6.

¹⁰Supra note 6.

entrenched superstition, economic motives, and gendered power structures. Women, especially widows and elderly women, are disproportionately targeted under the pretext of practicing witchcraft (commonly termed *daayan pratha*). The BNS criminalizes murder and grievous bodily harm, yet the absence of a comprehensive national legal framework specifically addressing witch hunts has led to significant gaps in enforcement. Various state-level legislations, such as the Jharkhand Witchcraft Prevention Act, 2001, have attempted to criminalize the branding of women as witches. However, these laws remain under-enforced due to systemic biases, lack of awareness, and the complicity of local law enforcement, which often views these acts as “customary justice” rather than punishable crimes. The judiciary has occasionally intervened, with courts pronouncing strong verdicts against perpetrators, yet the persistence of these crimes indicates a need for more robust legal deterrents and community-based interventions.¹¹

Honor Killings: Caste Hegemony and Extra-Judicial Patriarchy

Honor killings in India are a direct consequence of rigid caste hierarchies, gender oppression, and societal control over personal freedoms, particularly in marriage. Governed by caste-based diktats, honor killings primarily occur when individuals, especially women, enter inter-caste or inter-religious marriages that defy social expectations. The role of *Khap Panchayats*, an informal village council operating outside the purview of statutory law, has been pivotal in legitimizing and enforcing these killings through collective decisions that label such marriages as affronts to community honor. Despite the BNS containing provisions against murder, intimidation, and abetment, these crimes often evade judicial scrutiny due to institutionalized caste biases within law enforcement agencies. The Supreme Court, in landmark cases such as *Shakti Vahini v. Union of India*,¹² has unequivocally denounced honor killings, declaring them as acts of barbarism and instructing the state to take preventive measures. However, the absence of a specific law against honor killings, despite multiple recommendations by the Law Commission, reflects the legislative reluctance to directly challenge entrenched social structures.

Other Culturally Endorsed Crimes: Institutionalized Discrimination and Gendered Violence

Historically, Indian society has witnessed a range of socially sanctioned crimes, often justified through religious, patriarchal, or casteist ideologies. Sati, the now-outlawed practice of widow self-immolation, was emblematic of extreme gender oppression and was only criminalized through the Bengal Sati Regulation, 1829, reinforced by The Commission of Sati (Prevention) Act, 1987. Though legally abolished, sporadic cases of Sati glorification persist, necessitating continued vigilance. Similarly, female infanticide, deeply rooted in socio-economic preferences

¹¹ Arryan Mohanty & Pooja Sharma, *Witch-Hunting in India*, 2 *JUS CORPUS L.J.* 351 (December 2021 - February 2022).

¹² AIR 2018 SUPREME COURT 1601.

for male offspring, has been countered through legislation, such as Pre-Conception & Pre-Natal Diagnostic Techniques Act, 1994, but remains prevalent due to systemic failures in enforcement. Caste-based atrocities, including untouchability, forced labor, and violent retribution against Dalits and Adivasis, continue despite the SC&ST (Prevention of Atrocities) Act, 1989. These crimes are perpetuated through a nexus of socio-political power, judicial inertia, and community complicity. While legal frameworks exist, their efficacy is contingent upon judicial activism, institutional accountability, & fundamental shift in societal perceptions that still accord legitimacy to such inhumane practices.¹³

INSTANCES AS TO REAL-LIFE INCIDENTS

The practice of witch hunting in India, particularly in states such as Jharkhand, Assam, Chhattisgarh, and Odisha, represents a grave intersection of superstition, gender-based violence, & failure of legal enforcement. Women, often from marginalized communities, such as STs and Dalits, are branded as witches (commonly referred to as *daayans* or *daini*) and subjected to extreme forms of violence, including social ostracization, physical assault, sexual violence, and murder.

Assam has witnessed some of the most gruesome witch-hunting cases. In 2018, a mother and daughter in West Karbi Anglong district were lynched after being branded witches. The state passed the “Assam Witch Hunting (Prohibition, Prevention, and Protection) Act, 2015”, making such accusations and violence a non-bailable offense, yet implementation remains inconsistent. Judicial activism has played a limited role in challenging the normalization of such crimes, despite Supreme Court directives emphasizing proactive policing and community sensitization.¹⁴

Honor killings in India are entrenched within the rigid framework of caste hierarchies and patriarchal structures that dictate social order. These crimes, committed under the guise of preserving familial or community honor, are often characterized by extreme brutality, with victims being subjected to abduction, torture, and execution at the hands of their own kin.¹⁵ Despite judicial recognition of honor killings as egregious acts warranting the harshest possible punishments, including the death penalty under the “rarest of rare” doctrine, their enforcement remains inconsistent. Perpetrators, frequently emboldened by societal approval and institutional apathy, operate with impunity, shielding their actions behind cultural and customary justifications. The judicial system, while attempting to address such killings through stringent

¹³*Id.*

¹⁴ Jehirul Islam & AfruzAra Ahmed, *Witch Hunting in Assam: Practices, Causes, Legal Issues and Challenges*, 1 *Unitedworld L.J.* (2017), <https://ssrn.com/abstract=3182937>.

¹⁵ Diwash Saibya, *Beyond Superstition: Addressing the Root Causes of Witch Hunting in India*, 5 *INDIAN J.L. & LEGAL RSCH.* 1 (2023).

verdicts, continues to grapple with deep-seated socio-political barriers that hinder effective prosecution and deterrence.¹⁶

A case that epitomized the gruesome realities of honor killings and their systemic enablers was the 2010's Manoj-Babli case, which exposed the complicity of Khap Panchayats, extra-constitutional caste-based councils, in perpetuating extrajudicial executions. Babli, a woman from the Jat community, and Manoj, belonging to a lower gotra, were brutally murdered in 2007 following their elopement, as their marriage was deemed a violation of traditional caste norms. Acting under the diktat of the Khap Panchayat, Babli's family orchestrated their abduction and subsequent killing, reinforcing the deeply ingrained belief that transgressions of caste purity must be met with lethal retribution. The Punjab and Haryana High Court, in a landmark judgment in 2010, sentenced five of Babli's family members to death, marking one of the rare instances where judicial intervention directly targeted familial perpetrators of honor crimes. Additionally, Khap leaders who had sanctioned the killings were sentenced to life imprisonment, signaling a judicial intent to curb the influence of such extra-legal bodies in dictating matters of personal autonomy and marriage. The Supreme Court, in upholding these verdicts, unequivocally declared that honor killings amount to premeditated murder, dismissing any notion that cultural traditions could serve as a defense to homicide. This case set a precedent by formally recognizing the role of social institutions in enabling these crimes, yet the enforcement of such judicial pronouncements remains hindered by the pervasive dominance of casteist ideologies and political patronage.¹⁷

Another case that laid bare the intersection of caste-based honor killings and political influence was the 2002's murder of Nitish Katara, a young businessman whose relationship with Bharti Yadav, daughter of a politically influential family, was deemed an affront to her family's prestige. The crime was meticulously orchestrated by Vikas and Vishal Yadav, her brothers, who abducted and subsequently executed Katara in a calculated act of retribution. The case was emblematic of the institutional roadblocks that often obstruct justice in honor killings, as the Yadav family's political clout enabled them to manipulate the legal system, delaying proceedings for years. The trial, plagued by witness intimidation and evidence tampering, underscored the systemic failures that often accompany high-profile cases involving powerful perpetrators.¹⁸

However, despite these hurdles, the Delhi High Court eventually sentenced the Yadav brothers to 25 years of rigorous imprisonment, explicitly acknowledging that their motives were rooted in casteist and feudalistic notions of honor. The Supreme Court, in its 2016 ruling, reinforced the

¹⁶ Aditya Kumar, *Witch-Hunting in India: Causes, Justification, and Solution*, 5 INT'L J.L. MGMT. & HUMAN. 290 (2022).

¹⁷ *Supra* note 5.

¹⁸ *Katara Murder Was 'Honour Killing': Court*, Econ. Times (May 30, 2008, 9:51 PM), <https://economictimes.indiatimes.com/katara-murder-was-honour-killing-court/articleshow/3086782.cms?from=mdr>.

principle that “honor” cannot serve as a legal justification for murder, yet the persistence of judicial delays and selective enforcement continues to embolden perpetrators of similar crimes. The case also illuminated the grim reality that honor killings, while recognized as grave offenses in legal discourse, frequently remain mired in procedural lethargy, allowing powerful families to evade or postpone justice.¹⁹

While judicial pronouncements have condemned honor killings as anathema to constitutional values, significant legal and institutional gaps persist in addressing these crimes effectively. The absence of a dedicated law criminalizing honor killings as a distinct offense remains a critical shortcoming. Provisions under the BNS, 2023 do address murder, conspiracy, and abetment, but they fail to capture the unique socio-cultural dimensions that distinguish honor killings from other homicides. The lack of explicit legal recognition leads to inconsistencies in prosecution and sentencing, often allowing perpetrators to exploit legal loopholes. Additionally, systemic police apathy and complicity further impede justice, as law enforcement agencies frequently collude with families to suppress investigations or dismiss honor killings as accidental deaths or suicides. This lack of accountability ensures that many cases go unreported, perpetuating a culture of silence and impunity.

Furthermore, the failure of witness protection mechanisms exacerbates the problem, as survivors and key witnesses are routinely subjected to threats, coercion, or outright elimination before they can testify. The absence of robust safeguards discourages victims from seeking legal recourse, reinforcing a climate of fear that prevents judicial redress. Despite Supreme Court directives advocating stringent measures against honor crimes, the lack of institutional will to implement these directives renders them largely ineffective. The interplay of caste politics, patriarchal enforcement of social norms, and the reluctance of the state apparatus to challenge entrenched power structures ensures that honor killings continue to claim lives, often with little to no legal consequence for the perpetrators. Until legislative reforms explicitly criminalize honor killings and institutional mechanisms are fortified to ensure prompt and effective enforcement, the judicial stance against such crimes will remain largely symbolic, failing to dismantle the systemic structures that sustain them.²⁰

Role of Khap Panchayats and Their Influence

Khap Panchayats, deeply entrenched in the socio-cultural fabric of rural North India, particularly in the states of Haryana, Rajasthan, and Uttar Pradesh, have long functioned as extrajudicial bodies wielding significant influence over local communities. Operating outside the ambit of statutory law, these caste-based village councils impose decrees that frequently contravene

¹⁹*Id.*

²⁰ Alisha Vidya Malto, *Witch Hunting: A Grave Silence in India*, 5 INDIAN J.L. & LEGAL RSCH. 1 (2023).

constitutional principles and statutory mandates.²¹ Ostensibly acting as custodians of tradition and moral order, Khaps have exercised authority over matters concerning social conduct, marriage customs, and caste-based norms, often resorting to coercive means to enforce their dictates. Their pronouncements, which lack legal sanctity, extend to excommunicating individuals, meting out corporal punishments, and even sanctioning so-called ‘honor killings’ in instances where individuals have transgressed rigidly imposed caste and community boundaries. The persistence of such parallel systems of adjudication has not only undermined the rule of law but has also perpetuated systemic discrimination, particularly against women and marginalized communities.²²

Judicial intervention, particularly in *Shakti Vahini v. Union of India*,²³ has sought to curb the unchecked authority exercised by Khap Panchayats. In this seminal ruling, the Supreme Court unambiguously held that these councils possess no legal authority to interfere in autonomy of individuals in matters of marriage and personal choice. Recognizing the grave threat posed by Khaps to constitutional freedoms, the Court mandated a series of preventive and remedial measures aimed at mitigating honor-based violence and ensuring the effective enforcement of legal protections. Among the directives issued were the establishment of special cells at the district level to assist victims of honor-related crimes, the expeditious trial of such offenses through designated fast-track courts, and stringent accountability mechanisms for law enforcement agencies to prevent institutional apathy. However, despite these judicial pronouncements, the implementation of these directives has remained largely ineffectual, as state governments continue to exhibit reluctance in taking decisive action against Khaps. This inertia is primarily attributable to the deep-rooted nexus between political actors and these traditional councils, with electoral considerations often taking precedence over the imperative of upholding constitutional morality and human rights.

The legal untenability of Khap-imposed decrees is evident in their consistent violation of fundamental rights enshrined in Constitution. The edicts of these councils flagrantly contravene Article 21 by endorsing punitive actions, social ostracization, and even physical harm against individuals who defy regressive social norms. Furthermore, these decrees stand in direct contradiction to Article 14, which upholds the principle of equality before the law, and Article 15, which explicitly prohibits discrimination on grounds of caste, sex, or religion. By enforcing caste-based restrictions on marriage, including the prohibition of inter-caste and intra-gotra unions, Khaps perpetuate a deeply discriminatory and patriarchal order that runs counter to the constitutional vision of an egalitarian society. Additionally, the actions of these councils

²¹ Perna Dhingra, *The Treacherous Claws of Superstition: Analysis of Practice of Witch Hunting in India and Its Contemporaries*, 23 SUPREMO AMICUS [274] (2021).

²² Tanisha Sharma, *Witch Hunting and Cultural Sublimation in India - Victimogenesis*, 4 INT’L J.L. MGMT. & HUMAN. 1954 (2021).

²³ *Supra* note 12.

frequently infringe upon statutory protections, such as those enshrined in The Prohibition of Child Marriage Act, 2006, as they often facilitate or legitimize underage marriages under the guise of preserving traditional social structures. The continued operation of Khaps as extralegal authorities not only erodes the foundational principles of justice and individual autonomy but also underscores the pressing need for stringent legislative and executive action to dismantle these parallel adjudicatory mechanisms.²⁴

Judicial Responses/ Perspectives

The higher judiciary in India has played an instrumental role in shaping the legal discourse surrounding socially sanctioned crimes. By setting crucial precedents, these courts have reinforced the constitutional principles of individual autonomy, personal liberty, and the right to life and dignity. Judicial pronouncements have acted as a bulwark against regressive societal norms, affirming that constitutional morality must prevail over social morality. In this regard, the ruling in *Lata Singh v. State of Uttar Pradesh*²⁵ unequivocally upheld the right of adult individuals to marry person of their choice, irrespective of caste, community, or parental consent. The court strongly condemned honor crimes, declaring them unconstitutional and an affront to personal liberty guaranteed under Article 21. This judgment reinforced that the oppressive traditions and prejudices that lead to honor crimes have no place in a democratic society governed by the rule of law. Further cementing this principle, court in *Shakti Vahini v. Union of India*²⁶ directly addressed the pernicious role of Khap Panchayats, which often dictate and enforce patriarchal and caste-based codes of conduct. The Court categorically held that the interference of such extra-constitutional bodies in personal choices concerning marriage was not only illegal but also violative of fundamental rights. The judgment mandated stringent action against such unlawful interferences, directing state governments to take preventive and punitive measures. The judiciary's firm stance against honor killings was also evident in *Bansilal v. State of Haryana*,²⁷ where the court upheld death penalty for accused, emphasizing the need for a strong deterrent to curb such heinous crimes. By awarding capital punishment, the court underscored that honor killings are among the most egregious violations of human rights and must be met with strict legal consequences.

However, despite these progressive judicial interventions, significant limitations persist in effectively curbing honor crimes. A fundamental challenge is the inordinate delay in the execution of judicial pronouncements. Due to procedural complexities, prolonged trials, and multiple avenues for appeal, justice in many cases remains elusive for decades. This protracted

²⁴ Akash Kumar & Kirti Sinha, *India's Approach to Combat Witch Hunts and Witchcrafts in 21st Century*, 5 INDIAN J.L. & LEGAL RSCH. 1 (2023).

²⁵ 2006 AIR SCW 3499,

²⁶ *Supra* note 22.

²⁷ CRM-M-7586-2018.

legal process not only erodes public faith in the judicial system but also emboldens perpetrators who exploit legal loopholes to evade accountability.

CONCLUSION

The persistence of socially sanctioned crimes in India underscores a profound paradox between constitutional guarantees and entrenched socio-cultural realities. Despite the existence of robust legal frameworks, including the BNS and various special legislations, enforcement remains critically hampered by systemic inertia, social complicity, and institutional reluctance. Honor killings, witch hunts, and caste-based atrocities continue to thrive in the interstices of legal ambiguity and cultural justification, exposing the inadequacy of mere statutory provisions in dismantling deep-seated prejudices. The failure to hold non-state actors, such as Khap Panchayats, accountable for extrajudicial diktats reflects an implicit tolerance for parallel justice systems that subvert the rule of law. Furthermore, judicial pronouncements, while significant in setting legal precedents, have not been sufficiently backed by policy-level interventions that translate into on-ground deterrence. The need of the hour is a multifaceted legal response, one that not only strengthens punitive measures but also integrates preventive and rehabilitative mechanisms, ensuring community engagement, legal literacy, and institutional accountability. The judiciary must adopt a proactive interpretative approach, expanding the ambit of constitutional morality to override regressive customary practices. Additionally, law enforcement agencies must be subjected to greater scrutiny through specialized oversight bodies that ensure the impartial implementation of legal mandates. Hence, true justice necessitates not only legal intervention but also a radical socio-legal transformation, where the law is not just a reactive instrument but a proactive force in dismantling the cultural scaffolding that perpetuates these crimes.