CHAPTER-6

THE NATURE AND TYPES OF CRIME AND WOMEN: A PHENOMENOLOGICAL VIEW

The previous chapters made an attempt to explore diverse research questions related with existential conditions including socio-economic, demographic and neighborhood conditions of the respondents. The analyses focused on the experiences of the respondents vis-a-vis conditions causing crime involving the women under study convicts or under trial. The further exploration in phenomenological perspective is divided into two parts: First, the empirical; and the second, detailed case studies of some of the key cases including the under trial lodge in jail with criminal cases pending against them in the court of law and the convicts, sentenced by the trial court and the charges against them having been proved beyond doubt.

The phenomenology perspective implies interpretation of any event associated with any individual, in consonance with one's own understanding of that event. In this approach special emphasis is laid on the cognitive consideration and reaction of the subject, during the experience of any occurrence. The aim of phenomenology, argued Husserl, is to study human phenomena without considering questions of their causes, objective reality, or even their appearances. The aim is to study how human phenomena are experienced in consciousness, in cognitive and perceptual acts, as well as how they may be valued or appreciated aesthetically. Thus, the demand of phenomenology is that how one seeks to discover the world, as it is experienced by those involved in it. It is about the nature of human experience and the meaning that people attaché to their experiences.

"Phenomenology is the science of being and to study being is not to turn to another reality rather it is to penetrate deeper and deeper into the
same-the one and only-reality” (Jones, 1969). Thus, the phenomenology of crime signifies the unique meaning of the offense in the movement it is committed. Jack Katz (1988) in phenomenological perspective argues that the central problem in understanding crime is to understand the sensual dynamics at the foreground rather than background of the criminal event. He furthermore raises the questions “Why do some people who possess the background factors statistically correlated with crime turn out to be law-abiding citizens? Why do people who posses none of the background factors associated with crime go on to become hard-core criminals? Why do people who possess background factors correlated with crime commit the predicated crime and then desist for long periods of time? Why do some people who are statistically crime-prone stop for 5 or 10 or 20 years and then commit another crime?”

Thus, no hard and fast rule can be propounded, behind the deviant behavior enacted by any person. Although the background conditions like poverty, lack of education, un-employment, lack of love, affection, care and emotional deprivation besides mental or physical disorder are often considered and hypothesized as the factors liable for the commission of any crime yet it can be observed far and wide that there are myriad of persons, who are facing the same problems, even then they do not commit crime. Therefore if a person is indulged in the commission of any crime, no abovementioned single factor can be measured as the sole cause behind his/her criminal behavior. Phenomenology does not go through the detailed narration of the background conditions of the offender but full concentration is laid towards that occurrence which unveiled the deviant behavior of the offender. Phenomenology explores how the offender experienced that event, what he/she was realizing during the course of that event and how he/she comprehends the whole incidence in his/her own expressions.

In the first part of this chapter an attempt is mind to look into nature and types of crime committed by women.
Table 6.1: Domicile Wise Distribution of the Respondents

<table>
<thead>
<tr>
<th>Domicile</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of H.P</td>
<td>49</td>
<td>81.66</td>
</tr>
<tr>
<td>Other states</td>
<td>03</td>
<td>05.00</td>
</tr>
<tr>
<td>Non- Indians</td>
<td>08</td>
<td>13.33</td>
</tr>
<tr>
<td>Total</td>
<td>60</td>
<td>100.00</td>
</tr>
</tbody>
</table>

In the face to face interaction with women lodged in the jail it was discovered (Table 6.1) that majority of the respondents' (81.66 per cent) laid from Himachal Pradesh whereas only 5 per cent belonged to of other states of India. Their distribution reveals one each from Rajasthan, Punjab and Haryana respectively. The remaining 13.33 per cent are non-Indians as they are from Nepal.

Table 6.2: Age at the time of Arrest

<table>
<thead>
<tr>
<th>Age</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>21-40</td>
<td>21</td>
<td>35.00</td>
</tr>
<tr>
<td>41-60</td>
<td>29</td>
<td>48.33</td>
</tr>
<tr>
<td>60 years above</td>
<td>10</td>
<td>16.67</td>
</tr>
<tr>
<td>Total</td>
<td>60</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Among these women (Table 6.2) were arrested by the police 48.33 per cent were in the between 41 to 60 years age whereas 35 per cent were arrested between the age of 21 to 40 years, which indicate relatively younger age women. In this age group one woman each was arrested for their involvement in theft and prostitution respectively and the others for murder
and smuggling of charas. By and large, the cause behind murder was extramarital relationship whereas the other crimes were committed for earning money. All the Nepali women fall in this age group, one arrested for prostitution and others for smuggling of charas. The only woman arrested for theft in this age group belonged to Bikaner in Rajasthan. This in the age above 60 years, in general, is considered old age in which physical and mental faculty of some persons become feeble. Usually a female attains the status of grandmother and receives the respectable position usually for experiences gained from the experiences of life. There are 16.67 per cent such women, who constitute a good number, were more than 60 years of age at the time of arrest. By and large, these respondents did not commit crime on their own but were arrested as the accomplice of other accused. Only one woman of this age group was arrested under N.D.P.S. Act whereas remaining for murder. The sole reason behind murder was the property dispute whereas greed for money was the cause behind smuggling of charas. Though age-wise distribution women arrested the some offense does not indicate any specific pattern but the only discernible factor is that the number of criminals and criminal activities committed by them are more in the younger and middle age and the number tends to decline after the age of 60 years.

**Table 6.3: Offenses Committed by the Respondents under I.P.C. & N.D.P.S. Act**

<table>
<thead>
<tr>
<th>Offense</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>39</td>
<td>65.00</td>
</tr>
<tr>
<td>NDPS</td>
<td>19</td>
<td>31.66</td>
</tr>
<tr>
<td>Thefts</td>
<td>01</td>
<td>01.67</td>
</tr>
<tr>
<td>Prostitution</td>
<td>01</td>
<td>01.67</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>60</strong></td>
<td><strong>100.00</strong></td>
</tr>
</tbody>
</table>
The information (Table 6.3) about the offences committed by the respondents reveals that among them 65 per cent have committed murder whereas 31.66 per cent committed offences under the provision of Narcotics Drugs and Psychotropic Substances Act and 1.67 per cent respondent from Nepal were arrested for immoral human trafficking. Only one respondent was facing the trial against the charge of theft. All of the respondents have virtually committed cognizable offences of severe character.

Table 6.4: The Period of Sentence Ordered Against the Respondents

<table>
<thead>
<tr>
<th>Sentence</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life Imprisonment</td>
<td>22</td>
<td>56.42</td>
</tr>
<tr>
<td>10 to 14 years</td>
<td>08</td>
<td>20.52</td>
</tr>
<tr>
<td>7-9 years</td>
<td>01</td>
<td>02.56</td>
</tr>
<tr>
<td>5-6 years</td>
<td>04</td>
<td>10.25</td>
</tr>
<tr>
<td>2-4 years</td>
<td>04</td>
<td>10.25</td>
</tr>
<tr>
<td>Total</td>
<td>39</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Among the respondents (Table 6.4) 56.42 per cent are serving life imprisonment. Another 20.52 per cent are undergoing 10 to 14 years term and only one (2.56 per cent) is convicted for 7 to 9 years rigorous imprisonment. Remaining 10.25 per cent each had been sentenced for imprisonment of 5 to 6 years and 2 to 4 years respectively. The data thus discern that majority of the respondents had been sentenced for more than 10 years rigorous imprisonment.

Parole is the period for which the convict's offenders are sent to their homes by the jail authorities. The objective of parole is the rehabilitation and reformation. There are some primary conditions which must be fulfilled by the convicts to be released on parole. First, the local police station in which
her home is situated should recommend her release and provide no objection certificate for parole. The accused on parole should not do anything with the objective of retaliation or reprisal. She should not disturb the peace and tranquility of the area. Further a responsible person of her family or area must furnish security bond for her release, which is likely to be forfeited by the State government if the convicts escapes from her home and do not return to the concerned jail. If any convict released on parole violates any of these conditions, her parole is cancelled and she is brought back to the jail.

Table 6.5: The Number of Days of Parole

<table>
<thead>
<tr>
<th>Number of Days</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>30-35</td>
<td>09</td>
<td>23.68</td>
</tr>
<tr>
<td>35-40</td>
<td>17</td>
<td>44.74</td>
</tr>
<tr>
<td>40-45</td>
<td>12</td>
<td>31.58</td>
</tr>
<tr>
<td>Total</td>
<td>38</td>
<td>100.00</td>
</tr>
</tbody>
</table>

The data (Table 6.5) indicate that the duration of parole usually ranges from 30 to 45 days. The total number of respondents released on parole per year is thirty eight. Out of them 23.68 per cent were released for 30 to 35 days, 44.74 per cent for 35 to 40 days and remaining 31.58 per cent for 40 to 45 days respectively. Only one respondent could not fulfill the terms and conditions of parole, consequently never got the privilege of parole. She was never sent on parole due to the apprehension that she could harm those who had given evidences against her in the trail court. This respondent hold the influential position in her area and the local police did not recommend her release on parole as they were also not ready for taking her responsibility.
The inquiry further revealed that only one respondent abused the provision of parole and did not come back to the jail even after the completion of her duration of parole. When the jail authorities sent police to bring her back to the jail, she fled away from home and was declared as absconder. She could not be arrested by the police authority till the last visit of the researcher in the central jail Kanda, District Shimla, Himachal Pradesh.

The based on empirical data discussion in the first part reveals that 65 per cent respondents are convicts languishing in jails are whereas 35 per cent are facing the charges in the trial court. The age-wise distribution of arrests does not indicate any specific pattern. However, it is visible that most are arrested in the young and middle age. Most of the respondents (82 per cent) are the permanent residents of Himachal Pradesh whereas 5 per cent belong to other states of India and 13 per cent are the citizen of Nepal, consequently, designated as foreigners.

The classification of crime indicate that all the respondents committed cognizable offences like murder, theft, immoral trafficking of human being and smuggling of “charas”, a grievous offence under Narcotics Drugs and Psychotropic Substances Act. Among them 65 per cent committed murder, 32 per cent were involved in smuggling and only few committed theft and indulged in immoral trafficking of human being respectively. These are serving varying period of sentences maximum number is undergoing life imprisonment. Others are in for a term of more than ten years; 7 to 9 years and remaining are convicted for an imprisonment of 2 to 4 years and 5 to 6 years respectively.

Though most go on parole and come back to jail after the expiry of the period, only one respondent absconded from her home after the completion of parole and was not be arrested by the police till the time of present study. Only one respondent was never sent on parole by the jail authority as there
was apprehension that she could harm the witnesses, who evidenced against her in the trial court. The data thus discern that more than half of the respondents are involved in the heinous offence like murder and one third in the smuggling of ‘charas’ for earning money. Thus it may be concluded that women’s involvement in the crimes, which is mostly committed by the women on the land of Himachal Pradesh is such as murder and smuggling of ‘charas’ has increased.

This part of the chapter embraces the phenomenological approach, in the case study of twenty respondents. Majority among these respondents were illiterate and less educated. They could not understand exactly, the objective behind the researcher’s visits in the jail. In the beginning, they erroneously identified the researcher as advocate. However, their misconceptions who cleared by informing them that she come to understand them and their act of crime as a researcher.

Legally, the confessional statements given by any offender voluntarily can be the sole basis of conviction at any stage of the criminal case. Thus, the probability of respondents becoming suspicious about the danger of making a confessional statement as their cases were pending for adjudication before trial court in the case of under trial and in the appellate courts in the case of convicted respondents was a natural reaction. The researcher, therefore, instead of writing the respondent’s responses in front of them, jus grasped all the questions and simply discussed with them. The answers given by the respondents were recorded immediately after departure from the jail.

However, the process of discussion was quit complex as the respondents changed their statements frequently. In the given situations, the researcher first heard them without interruption. Once they became silent, researcher reminded them, about their previous statements, over the same issue. This method helped to find out the truth to some extent behind their
diverse statements. Many meetings were organized with the respondents in a friendly manner. The researcher made her best efforts for encouraging the respondents for describing the whole incidence in compliance with their own approach towards their criminal behavior. In the state of reminiscence, mostly they burst in to tears and it became difficult for making them normal.

CASE NO. 1

Praveen Sabbarwal accused of murder under section 302 IPC sat with the researcher on the stairs. The conversation began with a question: “How many children do you have? She replied, “I have one son and a daughter”. The research conversation went on with pleasantries about her family, education, age, income etc. In the process the accused open up with the researcher and asked the researcher:

Madam Ji, are you the advocate?

The researcher told that she was doing research to find out why do women indulge crime? The true answers can be helpful to bring down crime through the prevention of crime in Himachal Pradesh? The true answers can be helpful to bring down crime through prevention of crime. Since the accused was fond of writing it became handy for her to narrate her story. All the events narrated by her mentioned were also in the dairy with dates.

The major events which happened in the life of Praveen, in accordance with the statements written in the dairy, were about her being fallen in love with a boy namely Rinku who had been her lover but married some other girl. As per diary, it had been the unbearable misery and cause of gloom to the accused throughout life.

She was shocked due to the death of her mother and deception given by her boyfriend. She was in her age of adolescence at that time. The impact
of the said losses and events left was deep quite negative and on her mind. When she met her boyfriend after one year of his marriage she found him satisfied with his wife and life. She therefore decided to lead her life in her own style. She worked at a P.C.O for livelihood and carved rupees fifteen hundred a month. There was a boy working in that shop. Both got attracted towards each other. Although, after having one callous experience of first love, the accused was not in position to indulge in the new love affair again yet her husband won her heart by his honest, careful behavior and innocent love. So after two years they married with each other. After marriage they got two children—one son and one daughter. After the birth of her children the accused became a normal lady and felt her life full of love, care and satisfaction.

Why did Praveen Sabbanwal commit the crime? In her diary, narrated about an incident of murder due to which she was in the jail. She had written “One day I had severe headache. My husband arranged the taxi to take me to the hospital. I was accompanied by my husband and three other persons, who were also acquainted with us and moved towards the hospital, in that taxi together. On the way I had to go to the toilet. In the taxi, all other persons were male so being a female I went to some reasonable distance from the taxi for toilet. When I came back after five minutes, I was shocked to see that one of the persons who was accompanying us, was lying dead there. Within a short span of time, the police came there and arrested all of us. Today four among us are in the kanda jail. I am in the women cell and my husband along with two other accused are in the male ward. My children are growing up now. Once, my father-in-law brought both the children here in the visitor's room but they could not recognize me. It was very painful experience for me. They felt no attraction towards their mother. I refused my father-in-law to bring my children to the jail, in future as the jail is not a proper place for meeting with children. Now I feel that I have lost all pleasure and happiness from my life. My life has become the example of tragedy and unexpected events.”

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However accused felt, “Madam Ji Dekho Pahle to Bhagwan Ne Ma Chhean Li, Baad Me Dono Bachche Aur Ab Pata Nahin Kya- Kya Chhinega”. (Madam Ji look, first the God snatched my mother from me and now my two children. Now I don’t know what the God will seize from me). She continued,

Although my children are alive yet they have no attraction and affection towards me. I think I have lost their love. I feel that I am loosing each and every good thing, from the beginning of my life. The only satisfaction is that I am able to meet and share my grief and happiness with my husband here, once in fifteen days, for one hour, in the visitor’s room.

However, with regard to the crime for which the respondent was in the jail, she denied having committed any offence. She was arrested just because accompanying the deceased and other accused. The matter was further raised as a man cannot die without any cause. The accused told that she did not know whether something happened or occurred or some scuffle took place in my absence. I know only that when I returned after easing myself, the death of that person had already occurred. I therefore was absent from the place of incident, I cannot tell what happened there.

The researcher however learnt from the jail officials and her co-prisoners that she was involved in the sale and purchase of human organs like kidney, eyes of teenagers. As the case is under trial and no judgments have been given by the honorable court, no jail official was ready for giving any statement, about this case and the accused. The words, which were used by the accused during conversation, were not matching with her gestures. Although the accused did not confess that she had killed any person yet her gestures, it was visible from bodily movements and facial expressions that she was not speaking the truth, perhaps guilt due to the feeling for her crime.
It was reported by the co-prisoners and jail officials that Praveen Sabbarwal was the lady of easy virtue. She attracts and being attracted by the male co-prisoners. Even the jail official, who goes with her to the court, on the date of hearing of her case, does not feel safe with her. Even it is said that she tried to attract the males out of prison. So the jail official, who accompany her out of jail to the court or hospital, have always apprehension of interfering by any person, to whom she might give secret signal for escaping.
CASE NO. 2

Usha Gulariya, the subject of present case study was imprisoned for the murder. A former Chairperson of Block Development Council at Jawalamukhi in Kangra District. On being asked the began respondent narrating “Madam Ji, Kaise Bataain Aap Se bade to mere bachche Main”. (Madam Ji, how to tell you, my children are older than you). But then she told she had not committed any crime but she was made murder accused due to the conspiracy hatched by her enemies. At the time of crime they were four in number and three were males.

Among accomplices two were her servants. One of them was looking after her runs my PCO and the other worked her driver. The third was a known person from her own village. The accused belonged to a business family, having retail shop of general commodities, one wholesale shop and three-four trucks for goods transport business and some taxis. Her husband, father-in-law and brother-in-law looked after business. Her both sons were doctors, one with M.B.B.S and the other as B.D.S. However, none of them came to meet her.

While talking about the general things, Usha also started telling about her story how she landed in the jail, “Madam Ji, I was going to the nearest town in my car with my three employees who worked as sales man, P.C.O operator and taxi driver. I was driving the vehicle. In the way suddenly a man came before my car and struck with it. The lower portion of his body was wounded severely. We took him to the nearest hospital where the doctor declared him dead. It was the accident but the police arrested us with the allegation of murder and consequently we landed in the jail, with the blot of murder on our forehead”.

The dead man was not a relative but a friend of Usha’s husband. It was however surprising that how the deceased who was the friend of
accused' husband, was suddenly came in front of car and crushed under the vehicle. The narration worsened relation of your husband with the deceased before this accident? Raised some suspicion. Though the respondent tried to justify by saying that the victim became unconscious and was taken to the hospital where he was any statement to the doctor or to any other person about the accident and was declared brought dead.

The accused therefore termed the incidence as a conspiracy of her enemies. She told that the moment they reached hospital, her political rivals called the police and pressurized them to arrest them. Subsequently, all of them were sentenced for life imprisonment.

The researcher observed that Usha Gulariya was not ready to confess. However on the issue who are responsible for forcing the woman to commit crime the accused shot back, the irresponsible behavior of male and also the circumstances arrested by them can compel any woman to do that which she never dreams of doing. In her personal case what circumstances made her to commit the crime, she again shot back, "I never committed any crime". But now she has accepted being in prison as her destiny passing time and waiting for release. After the completion of sentence she plans to again commence participating in the social and political activities.

When asked whether the society will accept her after the completion of jail sentence. The respondent confidently replied that being the prominent person of her area, the society will accept her without any hesitation.

The unique features of this case which distinguishes it from other cases were the influential position of the respondent. She always sang her own praises and blamed the opposition for entrapping her in the political conspiracy. The charge against her was proved in the court and her involvement along with three accomplices, in the offence of murder was proved beyond doubt and consequently all the accused were sentenced for
life imprisonment. No member of her family ever came to meet with her in the prison and she was never released on parole as no one was there to provide surety for her and even the local police was apprehending that she may threaten and cause injury to the witnesses who evidenced against her. Despite of all these facts against her this respondent was optimistic about her social acceptance and political career after the completion of her sentence.
CASE NO. 3

Can a mother kill her child? This is the question which will always be responded in negative. In the present case of Neelam Thakur, although rarest of the rare alleged to have put an end to the life of her only son. She is presently lodged in the central jail Kanda, Distt Shimla (H.P) for the intentional homicide of her child.

Neelam Thakur, a young woman, aged about twenty three-four years of hailed from village Nand, Tehsil Nalagarh, Distt Solan (H.P). She had studied up to 8th class and was married. Her husband was retired army personnel. She belonged to very poor family and she had two elder brothers and two younger sisters. Her mother was housewife and father was a poor farmer. Her one brother had studied up to 10+1 standard and the other studied only up to 8th class. After it both her brothers left the school and started working with their father. Her two younger sisters were studying in 10+2 and 8th class respectively. She was married in the age of adolescence. The caste of this respondent was Rajput and she was married in the same caste.

Neelam was suffering perhaps from the epileptic attacks since childhood, which had disturbed her life completely. She was treated like an untouchable and her own sisters called her “pagal” (mental). Even mother was not affectionate towards her. However, her father and brothers used to be extra careful about her. During such attacks she lost control over her body movement but feels as she cannot control unique and horrible kind of desire to strangulate any person coming before her. However, she resists this terrible desire, loses energy and falls unconscious.

Researcher: Neelam, how you get wedded?
She at age of sixteen, due to poverty was married to fifty four years old man. Where first wife was alive but did not bear any child. It was basically helplessness due to our poverty and illness as well as two younger sisters to be married off and no good boy was available to marry her.

After seven months of her marriage, she became pregnant. She was provided a lot of care. I was got examined at a private dispensary ultrasound test was done and the Doctor told that the sex of child in womb was male. After hearing it she became very happy and said “God Bhar Gaye” (exact meaning: womb has been filled). A son was born. The first wife of my husband became very happy and used to keep her son with her most of the time and used to give him to her only for feeding milk. However, with the passing of time she became useless for them. Then they planned to throw her out of home. She became very frustrated. In such a state of mind she thought of only alternative that was to kill herself and her son, which she attempted.

She first gave bathed to her son, wore him new clothes and breast fed him. She also took shower and wore new clothes. The son was sleeping. She took her “chunni”, wrapped it around his neck and strangulated him. After killing her son she tied the same “chunni” with the ceiling fan and wrapped it around her neck for hanging herself. As she hanged herself, her screams and cries were heard by neighbours. They immediately released her and informed her husband. He called the police and she along with her husband was arrested. After six days, the police released her husband and the court punished her for killing my child.

Respondent feels violence against women is the cause of women committing crime. She told that it was one sort of violence against her that due to which she was married with a person 38 years elder to her just to have a for child. One the desire was fulfilled then she was tortured mentally, a cruelty against her. Certainly the violence, whether physical or mental can be the reason for women to commit crime.
Among all sixty respondents with whom the researcher met, this respondent namely Neelam Thakur was the only female who exposed her happiness being imprisoned in the jail. She was happy in the jail and told the researcher that she never remained so happy in her father’s home and the home of her husband. She was medically treated in the jail and throughout the visits of the researcher to the jail of Kanda; it was observed that this respondent was recovering from her physical and mental illness gradually.
CASE NO. 4

Bhukhri Devi, the old woman of ninety five years was convicted for five years imprisonment, under section 307 I.P.C, for attempt to murder by the trail court Dharamshala. She was the oldest woman among all the respondents. She was imprisoned with her daughter-in-law named Poonam Devi and son in Dharamshala jail. The researcher conversed with Bhukhri Devi and husband of Poonam Devi simultaneously. She blamed her bad luck.

Bhukhri Devi mostly advised her daughter-in-law to give the explanations of queries put by the researcher. The summary of story narrated by both the inmates suggested that the deceased was the resident of their village and used to visit their house, frequently. One day, the son of Bhukhri Devi and the deceased drank together, the son lost his senses and the deceased was not in position to go to his house on his own. Bhukhri Devi and Poonam Devi helped him to leave at their house. The deceased after reaching home vomited at in front of his family members and passed away after three days. The family members of deceased lodged first information report against Bhukhri Devi, her son and her daughter-in-law, suspecting that the deceased was killed by three respondents intentionally, by mixing poison in wine. The police arrested them and the trail court convicted all of them for five years under section 307 I.P.C for attempting to murder of the deceased.

Throughout the conversation the researcher observed that Bhukhri Devi was avoiding the direct eye contact, a feeling of guilt was clearly visible on her wrinkled face. Poonam Devi showed no signs and symptoms of penance and presented herself as an innocent. Both the respondents always showed signs of being uncomfortable whenever asked about the truth behind the death. On being asked about the incident, Poonam Devi, reacted in an aggressive manner and said, “Agar kuchh galat kiya hai to bhugat
lenge, teen saal bit gye baki do bhi kat jayenge" (if they had done something wrong they would face that, three years had already passed and remaining two would also pass soon). This reaction of Poonam Devi was indicated indirectly towards her indulgence in crime.

When, after a gap of five months asked about the causes and circumstances of crime, Poonam Devi narrated, "On that day of occurrence I had to attend a marriage function in our village. Suddenly a scuffle started there. All the persons who were fighting were familiar with me. I along with my husband and mother-in-law tried to settle the matter amicably. One of the persons had received injuries on his head previously. Someone called the police and as the police came they blamed us for causing injuries to that person and arrested us as only we remained present at the spot". This narration was in contrast with the previous version given by Bhukhri Devi and Poonam Devi, jointly. The deviation in the statements given by Poonam Devi during two visits clearly showed that she was not speaking the truth and was only trying to protect herself showing her innocent. However, being probed her contradictions; she admitted that she was narrating the whole incidence in accordance with the instructions given to her by her advocate. She also admitted having changed their (along with Bukhari Devi) statements in the police station and trail court. It is also alleged that, probably the death was the consequence of extra marital relationship between Poonam Devi and the deceased.

Whatever may be the cause of committing murder of the deceased, the effects were dreadful as three members of a family including Bhukhri Devi in her mid nineties were in jails. They were not satisfied in the jail and were worried about their children as no one was at home to care for the children.

The researcher gave full assurance for fulfilling her desire. The sentence of five years imprisonment could not bring any change in the behavior of Poonam Devi. At last the researcher conveyed them, her best wishes for life and left the prison.
CASE NO. 5

In Dharamshala District jail, Reshmo Devi, aged forty seven, one of the inmates was convicted along with her husband and two sons on the charge of murder of her brother-in-law. The inhabitant of village Bussal, Tehsil Barah, Distt Kangra, illiterate from chaudhari caste she otherwise enjoyed good reputation in her village due to her jolly and co-operative nature. Her husband was a mason and her two sons were doing B.A as private students. All brothers of her husband had partitioned their property and lived separately in their respective nuclear household. Her neighbors also belonged to the same caste and more or less same socio-economic profile. After these queries the researcher bent the direction of conversation towards that offence for which Reshmo Devi was put behind the bars.

On being asked by the researcher “Aap kaise jail me pahunch geye”? (How did you land in the jail?), Reshmo Devi with a smile on face but in pain said, “Kya Karen Galati ho gai, Aaj Sara parivar jail me hai”. (What to do, committed a mistake and the members are family in jail).

Reshmo Devi clearly confessed that she committed crime, as an accomplice along with her husband and two sons, murdered her brother-in-law (Devar). She narrated the circumstances of offence boldly. The deceased had suspicion about the character of his wife. He suspected that his wife was involved in sexual relation with the elder son of Reshmo Devi. Reshmo Devi described the whole incidence in her own words. “One day he (Devar) quarreled with his wife and my son due to the suspicion he believed. The quarrel turned into violent fighting. My husband and my sons also got involved in the scuffle. My “devar” received some fatal injuries in the process. Although we all took him to the hospital yet could not save his life. The police arrested my husband, two sons and me.”
Reshmo Devi did not accept that she ever inflicted any wound on the deceased. But she was arrested by the police just because of being present at the site of crime. The Session Court of Dharamshala sentenced Reshmo Devi, her husband and two sons for life imprisonment on account of charge of murder proved against them. All her family was in the jail and she was allowed once a month to meet with her husband and two sons who were also imprisoned in the male cell of the same jail. When asked about the reality of physical relation between her elder son and her “devarani”, she denied the probability of any such relation.

Reshmo Devi further told that her “devar” (brother-in-law) was of suspicious nature and always looked for the probabilities of infidelity even during the course of ordinary conversation between her wife and any male. Ultimately, she destined the entire matter of God’s will.

During the next visit the researcher pointed out to Reshmo Devi that she had confessed before her about the crime committed by her along with others when asked whether she tell than what she had stated in her statement had something different to Reshmo Devi, fearlessly said “Kya Karen Ho Gaya to Ho Gaya, Bhugat Rahe Hain”. (What to do, what had to happen have already happened. Now only felt to the consequences). Reshmo Devi repeated the entire narration except for a few deviations here and there. However, she admitted that the wife of the deceased was a lady of loose moral character. Thus, from her later statement some strong probability of illicit and immoral physical relationship between her son and her “devarani” emerged. One reason was the gap between the ages of both “chachi-Bhatija” was only about six-seven years whereas between chacha-chachi was much more since “aangan” (common place) of both the families was same and rooms were adjacent, under the given circumstances, the probability of physical promiscuity was strong.
Reshmo Devi also told that on the day of the crime, her elder son was talking to his “chachi”. Her “devar” became aggressive, used filthy and abusive and brought a “darat” (big sickle) and was likely to attack her elder son. The younger son of Reshmo Devi took axe and attacked the deceased in the similar manner. In the earlier narration, Reshmo Devi had told that they took the deceased to the hospital and he died there but now she admitted Reshmo that the deceased died on the spot.

The existence of physical relation between elder son and “devarani” and the suspicions often rise over the intimacy and friendly terms between “Chachi-Bhatija” resented in the murder. What was the reality behind this extra-marital relation could not be found. But it is apparently clear that the cause of the death of the deceased was the bitterness and hatred created due to over intimacy and cross of decency, which must be existed in the behavior of such relationship like “chachi and Bhatija”.

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CASE NO. 6

This case is of Kamla Devi, aged about 51 years, sentenced for life imprisonment on the charges of causing dowry death of her daughter-in-law. Languishing Dharamshala Distt jail Kamla Devi, an illiterate, belonged to the rural area in the jurisdiction of Jawalamukhi police station, Distt Kangra (H.P). She belonged to “Saini” Rajput caste own two buildings and commanded sound she lived in a nuclear family, having husband, one son and a daughter carried out agriculture, growing different vegetables and old the directly in the market. Her son was educated up to 10+2 standard and was married with a girl for the last three years. Her daughter passed matriculation had only examination of It was a small happy family until her daughter-in-law committed suicide in her own mother’s home after fifteen days of leaving the home of Kamla Devi. The parents and elder uncle (“taya”) of her daughter-in-law lodged a lodge complaint against and her family. Consequent upon registration or FIR she was arrested by the police of Jwalamukhi on the charges of dowry death. Subsequently, on the charges being proven in the court of law she was convicted along with her son by the Session Court, Dharamshala. Her husband was not found guilty, hence acquitted.

As the respondent relaxed, the researcher asked about the offence committed by her. As soon as this question was asked by the researcher, Kamla Devi started weeping and deep signs of grief deteriorated her face and tears from her eyes started wetting her cheeks. Again the researcher had to express condolence with Kamla Devi for making her normal. She took some moments for coming out of her grief. Then the researcher told Kamla Devi that she had come in the jail for sharing her grieves. After such sympathetic attitude of the researcher, Kamla Devi recited the circumstances of the unnatural death of her daughter-in-law in her own words.
The researcher started with the offence committed by her which made her weep tears rotted down her eyes and wet her cheeks. With grief on her face Kamla Devi started telling the circumstances of the unnatural death of her daughter-in-law. She said, “After the marriage of my son we were very happy. My daughter-in-law was very beautiful and my son used to love her very much. We never insisted for any dowry from the parents of my daughter-in-law. Whatever they gave we accepted and never made any complaint about it. By God’s grace our economic condition was good enough. Our family was small, happy and well contented. Our relations with the parents of our daughter-in-law were cordial. Our daughter-in-law was first engaged with a boy of neighboring village. But the parents of that boy broke the engagement without expressing any reason. After which the parents of my daughter-in-law put up a proposal for their daughter’s marriage with our son and then insisted upon us to accept their daughter as daughter-in-law. After marriage everything was going on alright. One day my “bahu” (daughter-in-law) requested me to allow her to go to her parent’s house for some days. I gave the permission and my son accompanied her to leave her in her “mayka” i.e. mother’s house and came back. After about fifteen days, while I was working in my fields, a villager from of my daughter-in-law’s village came and informed me about the death of my “bahu”. I was shocked and stunned. With grief stricken could not control myself for some moments. I informed my husband and son about the tragedy. We rushed to the village of our “bahu”. On the reaching we found, the cremation was almost completed. They did not wait for us for viewing the face of my “bahu” last time.

Kamla Devi, after a pause of two or three minutes again started telling, “We objected to them as they should have waited for us before cremation. We also asked about the reason of taking poison by my “bahu” as she was living there for the last fifteen days. Over this objection hot words were exchanged and her parents called the police. One of the uncles of my daughter-in-law was convicted for murder of a person was sentenced passed by the Session Court Dharamshala. The people of area were scared
of him and he enjoyed influential position in the locality. He contacted a local minister of Himachal Pradesh who pressurized the local police to arrest all of us including my husband, son and daughter for dowry death”.

Again Kamla Devi continued further and told that one of the relative’s of her “bahu” was an advocate and enjoyed political links with influential persons. Under their pressure the police did not to hear their pleadings. They all connived and stated in the court of law that they used to demand dowry from “bahu”. The allegations were totally wrong and baseless. She said, “My relation with my “bahu” was like mother and daughter”. She did not see any reason for her to commit suicide.

With regard to the kind of relationship between her son and daughter-in-law, Kamla Devi replied “very cordial and normal” as they never ever quarreled with each other. The researcher whether questioned about the relationship of Kamla Devi’s “bahu” had any relationship with the boy with whom she was engaged previously. She showed ignorance about any such relationship. However, after a pause she told the researcher that there were some from her “bahu’s” village who were talking about the relationship of her “bahu” with a local boy. But she never believed in such gossip as her “bahu” was of very beautiful behavior and nature.

Kamla Devi further told that they were put behind the bars due to a false strongly fabricated case against them by the prosecution under the pressure of influential political persons. Even her objection the hasty cremation of her “bahu”, without giving them the opportunity to have a last look at the face of her “bahu” see her face last time may create strong suspicion against the parents of her daughter-in-law. Had her daughter-in-law been frustrated from her and her son she would have committed suicide in the house of her husband not in the house of her parents. But all reasons and logic were unheard.

Kamla Devi continued to maintain that she had not done any wrong. She was punished for no fault of her.
CASE NO. 7

Preeto Devi hails from rural area of Distt Hamirpur, Himachal Pradesh and is presently lodged in Dharamshala district jail. She is a scheduled caste women with poor family background and never attended a school. Married to with a person of same cast, the family's subsistence rested on manual labour on daily wage basis. Only child of her parents, she was married at the age of seventeen years and had a daughter from the deceased husband who died after four years of marriage. There was no source of fixed income and their earning depended upon the work her husband did. When he did not find work, it was hard for them to even food for eating two times a day. Preeto Devi was house wife. The family did not have sufficient land on which they could depend. Their worst economic conditions strained relationship between husband and wife. After the death of her husband she was charged with the murder of her husband.

At Dharamshala jail, after introducing herself the researcher explained the purpose of her visit to the jail.

Preeto Devi explained, "I am in this jail with the allegation of killing my husband. I did not kill him but he committed suicide. One day a "prona" (guest) from my parent's village came to our house. He stayed with us for some time. We took lunch together and in the evening I accompanied him to the nearby road for sending him by bus. This road is about one and half kilometers far away from our home. When I came back after one hour I saw found that my husband had hanged himself on the tree near the house itself. I rushed towards him and tried to cut the rope with a sickle. During the course of cutting the rope some injuries were caused on his shoulders and arms. I started crying and our neighbors gathered there. Someone called the police. The police came and arrested me for the murder of my husband". Whether any tension existed between them was the question posed by the researcher to Preeto.
She promptly denied any tension or quarrels between them, and told that their relations were normal. However, some-time due to their hard pressed economic conditions. In case there was nothing then what could be the cause of death? The enquiry for Preeto Devi revealed that her husband remained frustrated during the days of unemployment. The continuous probing however revealed that also lived a life of constraining but informed, “Ghar valon ne bheja tha to khush to rahna tha. (That means when her parents had sent her then she was bound to remain happy)”. Her statement provided indication of dissatisfaction in the married life. Since she was wearing red bangles and had put “bindi” on her fore-hand, signs of a married woman, Preeto Devi informed that she had married second time with a person who gave her surety to bail, her out from jail during trial.

The second marriage suggested the possibility of illicit relationship between Preeto Devi and her present husband before their marriage. Due to which her ex-husband committed suicide or was killed by her.

On being asked such a possibility, she denied and asserted that she performed second marriage as her parents were very old and could not give shelter to her. She had one daughter from her deceased husband. No one was there to look after her child. Her present husband helped her in defending the case and become her surety. He was also not married and accepted her as his wife as she was alone. Her advocate who was defending her case played an important role for the performance of this marriage. She had two children one son and a daughter from her present husband.

Preeto Devi throughout maintained “Maine apne pati ko nahin mara, us ne khud kashi ki. Dusri shadi karna meri majburi thi. (I did not kill my husband, he committed suicide. I was bound to perform second marriage)".
The sub jail of Bilaspur (H.P) consists of only one cell for female prisoners. When the researcher visited this jail, only two respondents were there. Kiran was one of the respondents who was under trail and was facing the charge of murder under section 302 I.P.C. Kiran was arrested with her father and one female co-accused, for the murder of her boyfriend. This female accomplice was released on bail but the bail petition of Kiran and her father was not accepted by the court.

Kiran, a permanent inhabitant of village Banni, Tehsil and post office Chachiot, Distt Mandi (H.P.) is lodged in sub jail Bilaspur on the charges of murdering her boyfriend. Along with her father, an Executive Magistrate and a female were also arrested. Her father working as the executive magistrate ranked as “Tehsildar” in Bilaspur. The deceased was a married person having two children also. He belonged Bilaspur and became closer to the family of the accused and the accused when latter’s father joined at Bilaspur. During his frequent visits, Kiran’s step mother developed intimacy with the deceased.

Kiran was doing engineering in electronics and communication from Thapar University Patiala. The deceased, somehow, managed to get the phone number of Kiran and started calling her. He concealed his identity, talked to her giving reference of her father and told that he was in good terms with him. Kiran believed and gradually became closer and friendly with Kiran.

Many a times, he went to Patiala to meet Kiran. Though he was thirty seven years old and Kiran was just twenty years, they decided to marry after the completion of her engineering. They crossed all limits during these meetings and the deceased prepared many obscene M.M.S (multimedia massages), which were sent by him to his friends later. Then the deceased
started demanding money from Kiran and she was compelled to give him money. At last the deceased was killed by someone and Kiran, her father and a lady who was her neighbour during her father’s service at Dharamshala, were arrested and produced before the court with the allegation of causing murder of the deceased.

The researcher interacted with Kiran in the jail explaining her purpose of meeting. Kiran informed that she was in jail due to the death of her boyfriend. Police on suspicious that she along with her father and one aunty had killed him. The later got bail after three-four days but her bail application along with her father’s was not accepted by the court.

The reason police suspected her was regular two-three hours talk with him on his mobile from her residential telephone. On the day of his death, both of them were talking on phone and aunty from Dharamshala was also trying to call me at the same. Her phone number remained busy. The police suspected that she along with her father and that aunty conspired to kill him.

Since this is very common between boyfriend and girlfriend to talk to each other on the phone for long then how is it that the police comes to such a conclusion? The question came up for discussion between the researcher and the accused. To this question Kiran could not reply immediately. Perhaps after preparing herself for the answer, she said, “He was familiar with my family. He used to come to Patiala to meet me. I fell in love with him. He did not tell me that he was married. Both of us had been planning to marry after the completion of my course. When I came to know about his marriage, I tried to break up this relation but he requested me not to do this and told that he was still bachelor”.

She further stated, “One day, I received a call from some unknown person who told me that my boyfriend was married and had two children
also. Though did not believe him, but relayed the recording of conversation between him and my boyfriend on the mobile, recorded at the time of drinking alcohol with my boyfriend. I clearly identified the voice of my boyfriend. In that conversation my boyfriend was telling before that person, who called me that I was deeply fallen in love with him. My boyfriend was saying “Maine Tehsildar ki beti ko pata rakha hai. Vo khub paise vale hai. Kiran mere liye pagal hai. Main us se kafi paise lunga. Use to ye bhi pata nahin ki main shadi-shuda hun”. (I am “in love affair with the daughter of Tehsildar. They have lot of money. Kiran is crazy for me. I will take a lot of money from her. Even she does not know that I am married”). I was shocked after hearing this recording. I decided not to meet or converse with him”.

Kiran, I was just twenty years old and her boyfriend a man of thirty seven married, having a living wife and two children already could not tolerate her exploitation. Though the man continued to call her, she decided not to converse with him on phone and meet him again. She abused and warned him not to call her. Over this he started intimidating her and threatened her that he would expose her through MMS which he had made of her.

(By this question the researcher tried to find out the reality and truth of relationship between Kiran and her boyfriend).

She told “during some personal moments, he had made some M.M.S (multi-media massage). When tried to break-up this relation he extorted and threaten her to send these personal M.M.S to my parents and relative and put the M.M.S on the internet. Being in love I could not resist him and also I could never imagine at that time that M.M.S. could be used against me by that person to whom I loved the most.

He started demanding money from me. I had given him a mobile worth rupees ten thousand earlier and during this period of extortion I gave
him some money also. His demands were increasing rapidly. After some time I could not arrange money for him. Then he called my “papa” and threatened him to expose my character before the society and also intimidated to abduct my brother. My father could hardly tolerate the whole matter. He became worried about the safety of mine and my brother. When he inquired about my boyfriend it was revealed that my boyfriend was a man of bad reputation and character. He was related with some other female also and was exploiting them in the same manner.

She told that her father could not take any legal action as he was also allegedly involved in the matter. Her boyfriend used to call assertively at their home in Bilaspur on the landline phone and on her mobile in Patiala. As they could not fulfill his demand or money he circulated that M.M.S to many persons.

According to the respondent she does not feel guilty for herself but certainly feels guilty for her father and aunty who was their neighbour at Dharamshala but now facing the trial due to her mistakes.
CASE NO. 9

Soma Devi a convict in Bilaspur jail (H.P.), aged forty six, and belonged to village Dhanthar, Police station Sadar, Bilaspur. An uneducated house-wife lived with her husband, an agriculturist, and the couple earned their subsistence through growing vegetables and other crops on their own land. She had four children; two sons aged about twenty two years and twenty years, and two daughters aged about eighteen years and sixteen years respectively. Her elder son, 6th class passed, first engaged in agriculture, then after some time joined a private company. Her younger, educated up to 10+2 standard had also joined a private company for livelihood. Her elder daughter, after passing 10+1 class, had been doing household works and the youngest daughter was studying in 10th class. This family, Brahmin by caste, was living in poor conditions. Soma Devi also used to agricultural works on her fields along with cutting grass looking after her cattle. A bold a women by nature and her behaviour intermixed with others and carried along strong social bond with others in the locality of her living. However, she sentenced to of life imprisonment along with her husband and two “devars” (brother-in-law) and languishing in the jail.

Initially, Soma Devi sat quietly, at looking the researcher, obviously with curiosity. The researcher began with, first general question and then shifted to the causes and conditions of her conviction.

Soma Devi began, “The deceased was our neighbour. His fields were ascent to our land. We used to a source of water for irrigating land which reached our fields only through the land of the deceased. The later being quarrelsome, often obstructed the water flow in order to deprive us. All was due to jealousy. The water was very important for getting good crops. Though “kuhal” (the trench for water) was situated in the land of the deceased but water of this “kuhal” was used by all the villagers turn by turn. Our terms with him were not sound due to his obstructing behaviour. We
tried to advise him many a times but all in vain. A fight took place and in the process he died. Before his death hot words were exchanged between him and us. He abused all of us. In the fight he received fatal injuries and died.

In the context of her role, she told the wife of the deceased caused some injuries on her body. She also participated in the fight. Though, the intention was not to kill him. But to cause his abusive behaviour they just wanted to teach him the lesson for disobedience of the unanimous opinion of the whole village.

Since the fight took place in the presence of villagers, the police caught forty five persons at first instance. Majority of them were released. But Soma Devi along with her husband and two brothers-in-law were finally charged with the murder. There were five women also arrested by the police for causing injuries to the deceased and his wife. However, these females were let off with a fine of rupees fifteen hundred by the court. But she along with her husband and others was convicted for life imprisonment.

The respondent also informed that before fighting the prominent persons of the village were also called to settle the matter amicably. All of them asked him to let the water reach to her land. It was his moral obligation to allow water as that "kuhal" was situated on the private lands of many villagers. No other villager ever tried to obstruct that channel of water. All villagers were with the accused and he was the only person who was not obeying the volition of all villagers. However, the tragedy which was not expected took place. She stated that they were not criminal but due to the adamant behaviour of a bad man, they have landed into the prison.
CASE NO. 10

Amriti Devi, the subject of present case study, aged about seventy-six years was sentenced for life imprisonment and lodged in Bilaspur jail for the murder of her "bahu" (daughter-in-law). An illiterate woman, she belonged to village Dehra Hatwar, Police station Bharari, Distt Bilaspur. She was the house wife having two sons. Her elder son was in army and younger son was working as a farmer at home. Both the sons were married. The main occupation of this family was agriculture, her daughter-in-law were also house wives and worked at home. Amriti Devi and her husband lived with the elder son. Her younger son lived with his family in the same house but his kitchen was separate in consonance with the compromise of the family. The elder son of Amriti Devi used to remain far away from home as he was in army service. The family's economic conditions were average. She belonged to scheduled caste lived in the similar neighbourhood.

The story of her landing in the jail started with a hasty reaction "The police arrested me along with my husband and elder son for the murder of my elder daughter-in-law". But I tell you the truth that we have not killed her. She in fact committed suicide". Narrating the whole incidence she went onto say, "Badi bahu" (elder daughter-in-law) was not happy with her husband who was in the army and used to live far away from home. As her husband could spend only one month and remained far away from her throughout the year only except this one month, my elder "bahu" became frustrated. Even during the time of his arrival in holidays, she quarreled with him over petty matters. Whenever, I along with my husband intervened and advised them not to quarrel, they did not heed to our advice. Whenever, I asked my "bahu", about the reason of not remaining happy with my son, she never disclosed anything. When this event happened for the first time, my elder son had come home on holidays. On that day, both husband and wife had been quarreling with each other since morning. I asked them not to quarrel but they did not listen to me. Subsequently, their quarreling with each other
had become so common that I also did not pay much attention to it. One day suddenly, I heard her cries. I rushed towards her room. Her body was burning with kerosene. She had sprinkled kerosene oil over her body and put herself on fire. We tried to extinguish the fire but could not save her life. She died on the spot. The parents of my daughter-in-law called the police. Majority of the villagers were conversant with the quarrel between my son and “bahu”. The police suspected that we have burnt her. I was present at home along with my husband so the police arrested me also. The court convicted all of us for her murder and we are here for life”.

Amriti Devi complained that the nature of her daughter-in-law was not nice. She was querulous woman. She never liked to remain with them. When her son used to go to his service she also used to live in her parent’s house. Her behavior with the respondent was normal but she did not obey her, the respondent therefore could never feel affection for her. She further said, “which When alive she did not make us happy and after death she spoiled our family”.

On the day she committed suicide no one expected her to take such a thoughtless step which could ruin the life of others. Amriti used to think had her daughter-in-law not taken this inconsiderate step, her family would have happy today. Her husband died in the jail. The soldier son was still behind the bars. The grand children of the respondent have grown-up like orphans. Their father, grandmother and grandfather were in jail for killing their mother. Children are living in the question bothering her.

After the long discussion and narration the researcher asked Amriti Devi some questions about her teenage, socialization process, and her experiences in jail. There was nothing noteworthy in her childhood’s experiences.
CASE NO. 11

In the folk wisdom most crimes committed by and large revolve around for “zar, zoru and zameen” (wealth, woman and land). Sandhya Devi, an inmate of Distt jail Mandi also committed crime due to the same cause. She was belonging to rural area of Mandi, living in nuclear family having two sons only. Her husband had died one year before the alleged crime. A Brahmin by caste, she earned her living from a small tea stall. The shop was located in the outer portion of her own home which it was situated in the village periphery. The shop was a place of visits by men for tea and refreshment. Her elder, having diploma in electricity worked with J.P. Company at Kinnaur (H.P). The younger son living with her was studied in 10th class, student a nearby school. She herself an illiterate woman belonged to poor economic status. Basic conscious of the value of education she continued the education of her children and even after the death of her husband. Sandhya Devi, a widow, having majority of male customers, was also an object for men to flirt. Being bold lady no one dared to abuse her physically. It was under peculiar circumstances and living no income that she was compelled to start tea stall. Apparently, it was the question of self-respect that despite her no such intention that she committed a crime. She was arrested on the charge the alleged murder of a person, who tried to molest and vitiate her chastity.

The researcher met Sandhya Devi in the jail. After exchanging pleasantries, both got into conversation. The circumstances which compelled Sandhya Devi to commit the murder, in her words were:

“I was running a small tea stall at my house. The people used to come to my tea stall for having tea and “samosas”. The man who died was not a man of sound mind. He was about thirty three year old, much younger to me. He was a habitual drunkard and wandered here and there in the village, in intoxicated state. I was a widow the deceased, like other man also
visited my shop frequently. Mostly two-three customers used to remain at my stall during day time. My relations with all my customers were cordial and a mutual respect always existed between us. On the day of incidence I was cutting boiled potatoes for making “samosas” when the deceased came to my stall. He was already drunk. Both my sons were not present at that time. The elder son had come to home on holidays but unfortunately he was away from home for some work and the younger son was in school. No other customer as present, I was alone. The deceased asked from me about my sons. I told him that they were not at home. Being totally absorbed in work I could judge his evil intentions. He came closer and caught my wrist. I objected strongly and told him to get out. He did not leave my wrist. Then I forcibly threw him away. But he tried to embrace me forcefully. He abused and threatened me not to resist. I became nervous, cried and told him that he was going commit a sin as I was of his mother’s age. He did not pay any attention towards my objection. In the given situation either I could submit to his intentions and desires or to take a drastic action to send him away. I opted for the second and instantaneously picked up a heavy stick lying behind the door of the shop. He was trying his best to freeing to my body fiddling with my body including genitals. At last, myself free his head. I gripped the stick with all my strength and hit him heard over. He initially became unconscious. I was shocked. It was the time when my elder son came back. He was also stunned to see what had happened. He checked the pulse of the deceased and uttered this words “Mummy, Ye To Mar Gaya”. (Mummy, he is dead). In the meanwhile, two-three customers came to our shop. After seeing the man dead they called the police. The police came and detained me along with my son for killing that man. I explained the whole incidence before the police but they arrested me after saying that the court would decide”.

Sandhya Devi thus confessed with pride that she had killed the deceased. She also given tried to glorify her success in getting rid off the bad character.
She acclaimed, “Maine jo kuchh kiya, Apni Izzat Bachane ke Liye Kiya” (whatever I did, I did for saving my chastity). My intention was not to kill him. He was too young to me. I wanted to keep him away from me. I never expected that he would be killed this way. My intention was only to save myself. The only matter of grief is that my son is also facing punishment after being imprisoned here without any fault of his. He should be released”.

Sandhya Devi was worried only about the future of her son as he was imprisoned in the jail at the time when he is to make his carrier. She was also worried about her younger son who was studying in 10th class and was still minor having no source of income and the support of any member of his family.
CASE NO. 12

Ganga Devi, aged forty nine the respondent imprisoned lodged in Central Jail of Nahan on the charge of murdering her "jethani" (sister-in-law) over property dispute. She belongs to Gahar village, falling in Chandesh Panchayat, Tehsil Sarkaghat, and Distt Mandi (H.P). Brahmin by caste, a housewife was narrated to agriculture farmer as the sole source of income and three children -two sons and a daughter to look after. The sons- student of plus one and ninth and the daughter of seventh class constituted the dependent. The family was living separately from her “devar” and “jeth” (brothers-in-law). She was an illiterate, rustic village woman, basically came from poor economic background. Since the ancestral agricultural land was not divided between respondent’s father-in-law and his brother, properly the land after their death became the bone of contention between the respondent's husband and his cousins. The agricultural land was the sole source for livelihood to. None of them was serving in any public or private sector.

The researcher had met the respondent two times, first time in Mandi and second time in the Nahan Central Jail. The researcher asked, will you please explain the circumstances responsible for crime? Ganga Devi began her story,

“I have told you earlier that my “jethani” had tried many times to encroach upon our land. We tried to warn her, a number of times to the “banna” (limits). She did not bother at all. We could not tolerate her lust for encroaching upon our land. Hot words were exchanged many times. Our relations became aimed and tense. We stopped all communication with each other. Even the situation became so worse. There was common ways which have been used by the other villagers too to reach their fields since the time of our ancestors. On that day, I along with my “devarani” (sister-in-law) was going to our fields using that way. Our “jethani” objected for not going
through that way. We protested that this way was not the personal property of any person and used by the all villagers since the time of our ancestors. She abused us and warned us not to use that way again. The situation became worst as she tried to use force against us. We repulsed the attack and she was injured. We fled away from that place. Her daughter called the villagers; the police came and arrested me but my "devarani" Saraswati Devi could not be arrested by the police at that time. Later she was also arrested but acquitted by the court. I was sentenced for life imprisonment”.

After being convicted she feels that the situation was like that, in which anything could happen. Had the “jethani” not attacked her nothing would have happened. She recounting the incidence wishfully said, “That my “jethani” attacked and recently I had died, today you would have been conversing with my “jethani” here in this jail. This is the reason for which I do not feel guilty, especially with regard to what that happened earlier.

She in the jail realizes that property remains wherever it is located but the lust for property separates many husbands from their wives and many children from their mothers.
CASE NO. 13

An extra-marital relation of Surinder Kaur intimately resulted in the assassination of her husband, by her in connivance her paramour. During the pendency of her trial, she was first lodged in the jail at Mandi and later after her conviction shifted to the Central Jail of Nahan (H.P). A scheduled caste, she belonged to village Bandh, Tehsil Sarkaghat, Distt Mandi Himachal Pradesh. Her family included two sons and her husband. She was a rustic woman from poor socio-economic family background. Her elder son was studying in the 8th class and the younger son in 6th class. She was a housewife and used to work in her house and small agricultural land which yielded very meager income. Her husband worked as a laborer on daily wages and was the only earning hand of the family. The family was nuclear family; other living separately from his brothers, of the husband had no fixed source of income. During many of the days in a month when the husband did not have work, the family faced lot of difficulty for arranging even food. She was a young, extrovert woman, aged thirty two years had received education to 7th class.

During the pleasantries exchanged by the researcher with Surinder Kaur, the issue was the nature and type of offence proved against the latter came up. She informed the researcher that she was arrested on the charge murdering her on the complaint lodged with police by her “nanand” (sister-in-law) and “devar (brother-in-law).

Revealing her story she started, “My husband worked as a collie. One of his friends hailing from same village was also doing the same work. My husband introduced me with his friend. After which he started coming to our home with my husband frequently. After some time that person became so close to our family that he started to coming to my residence even in the absence of my husband. My husband became suspicious about my relation with that person. He started quarrelling with me but did not say anything to
that person. Some time, I used to work as a manual worker with both, my husband and that person. After these quarrels my husband prohibited me to do any work outside. One day that person came to my house. My husband was not there. We were talking with each other. During this time my husband came but did not say anything before him. When that person went back, my husband quarreled with me. After this quarrel we did not talk to each other. One day my husband went to the adjoining forest for preying peacock. He did not come in the night. I called that person and went with him to the forest for searching my husband. We could not find him. We came back. In the morning, we again went to the forest. There the dead body of my husband was hanging on a big tree. We called my "nanand" and "devar". They came and took the body of the deceased to our home. Meanwhile my "nanand" called the police and the body of my husband was sent for the post-mortem. We were arrested on the spot, as all the villagers present on the site evidenced against us".

She further informed that her "nanand" and "devar" evidenced against them on suspecting her relation with that person. The suspicion arises when people find some man frequently visiting the house of a woman. In the process of two persons meeting with each other, some kind of attachment develops though his there nothing between the two. She also arrested that the suspicion of her husband and his relatives about their relationship was wrong and baseless. The facial expressions and the gestures of the respondent which revealing information through brief statements indicated that she was trying to conceal the real facts from the researcher.
CASE NO. 14

The present case of Satya Devi pertains to the clash of interests over property ultimately landing her in the Central Jail of Nahan, Distt Sirmaur (H.P), sentenced for life imprisonment along with her son and one other woman namely Shanti Devi and her son, for the murder of their neighbor. All these offenders and the deceased were the inhabitants of village Shankar garh, Tehsil Kandaghat, Distt Solan (H.P). Satya Devi aged about forty five years, was a scheduled caste, having two sons and a daughter. Her husband died fourteen years ago. Her both the sons did B.A as private students and the daughter was who educated up to B.A first year and was married off after that. She was a house wife. The major source of income of the family was agriculture along with “mal pashu” (i.e. cattle wealth). After the completion of B.A, her elder son joined the private sector and contributed towards increasing the income of family. Both her sons were bachelors. Her younger son, who was sentenced with her and was imprisoned in the Nahan jail. He was given typing work in the jail. The earning sources of this family were limited and they belonged to poor socio-economic profile.

On the meeting Satya Devi, the researcher inquired from her about her family, village, caste, religion and socio-economic background. After which conversation turned towards the offence that landed the respondent in the jail.

She said, “Karam khote the jo pati guzar gaya, logon ne akeli aurat dekh kar khet dabane shuru kar diye” (Our deeds were not good; my husband passed away, the people started possessing our fields as I was the lady without husband). That was the land of my husband. So I could never tolerate to see any person on that land without my consent”.

She continued, “After his death one of our neighbors started to encroach and grabbed our field measuring 1.5 bighas land. This field was
the joint property of ours and Shanti Devi. Both of us were widows. So, that
person thought that we were helpless ladies and he could grab our property
easily. Both of us tried to make him understanding by calling the elder
members of the village. They came to the site many a times and told him
(deceased) that the disputed property belonged to both of us since the time
of our ancestors. Despite all measures adopted by us to solve the matter
amicably, he did not let the matter to be solved peacefully. The exchanging
of hot words became regular feature of this dispute. On that day he
(deceased) tried to till that field forcibly. My younger son saw him, doing this
and called me and Shanti to the place. Shanti was also the joint owner of
this property. She was accompanied by her son and we reached the spot.
He did not pay any attention towards our presence and continued to cultivate
the field. We had to use force to abstain him. On this he (deceased) attacked
us. We were totally fed up with the daily disputes. We were quite annoyed
with him. In the course of using the physical force he died on the spot. The
police came and arrested me and my younger son along with Shanti and her
son”.

However, she asserted that death of any person causes a lot of grief.
They never meant to kill that person intentionally. It was indeed his own
anger which caused his death. He died but the respondent along with other
convicted the case a lot after his death. They have been in this jail for the
last ten years. The lives of her son and the son of Shanti was ruined. She
repents, really speaking, had I known the consequences of his death I would
have not let my son and Shanti and her son to beat that person.
CASE NO. 15

Kamla alias Dasi, the respondent, sentenced for ten years rigorous imprisonment in the central jail of Nahan, was charged for trading in “Bhang” which is separated from the cannabis (Hemp) plant. The researcher met with Dasi in the central jail of Nahan. Dasi a mature woman of fifty two years. She was the inhabitant of village Thunang, police station Gohar, Distt Mandi (H.P), belonged to scheduled caste and was married in the same caste. She had two children, one son and a daughter. Her son, matriculate was manual labor to livelihood. Her daughter did 10+2, and was married before three years ago. Dasi herself an illiterate woman. Her husband lived elsewhere. She used to live with her children in the care and protection of her father and mother-in-law. No member of this family was working in any public or private sector. Although this family had some small land holding yet it was not enough for earning subsistence. It was the reason because of which the respondent initiated some commercial activities like selling shawls from her own home.

Dasi told, “I was facing the worst economic hardship. My husband left me and started living with another woman. My father-in-law and mother-in-law were living with me and besides them my two children were also dependent on me. The crops produced in the fields were not sufficient for our livelihood. I was illiterate so could not get job anywhere. There was a Sikh family in our neighborhood. This family was in the woolen shawls business. Besides, the family was also involved in smuggling of “Bhang”. “Sardami” was familiar with my poverty so one day she suggested me that could to sell shawls for earning money. I started buying shawls from them. After some time when we became more closer then she disclosed to me about of smuggling Bhang. She enticed me by offering heavy discount on shawls if I brought “Charas” for her. She gave me the addresses of the suppliers. Due to my poverty I accepted her proposal. I brought “Charas” many times for her and she gave me heavy discount on shawls which
became the sound source of earning money for me. One day I was bringing "maal" and caught with it by the police”.

She further told, “The arrest took place when after getting the address of that person I boarded the bus for Ner Chowk Mandi, a person conversed with me and asked about my destination. He told me that he was also going to the Ner Chowk. At Ner Chowk I went to the place from where I had to buy "Charas". During this time that person was not seen anywhere. When I came back that person accompanied the police and during my search the "maal" was caught by the police”.

She further told that when she started this work she was not aware of the consequences. “Sardarni” had told her that she had been earning money from this work for the last many years and never arrested. Dasi also thought that it was the simple work and she being woman would not be arrested. Though after getting in prison, she thought of committing suicide many a times. But changed her mind. She feels that after the completion of her sentence, she would never do this work again. She would rather sell bangles and other cosmetics products to earn livelihood.
CASE NO. 16

This study includes three respondents, belonging to a family, convicted under Narcotics Drugs and Psychotropic Substances Act, Zufi Devi— the main respondent, Laxmi Devi her daughter and Katki Devi daughter-in-law constitute the co-respondents. The three respondents named above were aged eighty years, thirty seven years, and thirty nine years respectively. Zufi Devi was illiterate, Laxmi Devi studied up to B.A. first year and Katki Devi had passed fifth class only. All these three women were housewives, belonged to Rajput caste and also worked in their fields and apple orchards.

The husband of Zufi Devi, who worked as agriculturist and horticulturist, was also convicted with Zufi Devi in the same case. This couple has three children, two daughters and a son. Laxmi Devi was married in the village Narayani, with a person working as the cashier in the Punjab National Bank. The husband of Laxmi Devi was also convicted by the court in the same case. Laxmi Devi has two children, one son and a daughter. After the conviction of the parents of these children, they are living under care and protection of their grand-mother and father. The boy was studying in the ninth class and the daughter was in seventh class. Zufi Devi had gifted a piece of land at village Narayani to her daughter Laxmi Devi, on which she built a house and was living with her family. All these respondents had sound sources of income and belonged to affluent category of the society.

With regard to the alleged crime committed by the respondents, Katki Devi told that she had not committed any crime but her mother-in-law was involved in the selling and buying of “charas”. The substance was recovered from their “Gharat” (water mill, for grinding to flour). The police therefore arrested all her family members, including her mother and father-in-law, except her husband who was not present there. Narrating the incident, she said, “One evening, I was cooking food in my kitchen. One of my neighbors came and told me that a lot of people had gathered at our “Gharat”. Knowing
this, I became nervous and rushed to the “Gharat”. I saw that police personnel had arrested my mother and father-in-law, sister-in-law and her husband. I went and talked to my relatives. The police asked me about my relationship with the arrested persons. As I told them, they also arrested me. I pleaded before that I had never touched even anything like that but all was in vain”.

Since her “nanand” had concealed some quantity of “charas” at Katki’s home, was recovered by police after their arrest. The police also took her sister-in-law’s husband into custody.

She told that with Kullu valley becoming famous as a tourist place, they started demand for “charas” increased. The locals started selling “charas” and earned considerable amount of money. Though income from apple trees increased the charas continued be a source of high income. Since it was not considered bad in Kullu, thus majority of the local persons continue to money from it. With regard to her arrest, Katki told that she landed in prison only because her due to which the relation of her husband worsened with his mother and sister. It was in retaliation that instead of and did not supporting them innocence, before the police, they entangled them.

After exchanging pleasantries the researcher focused on the causes and conditions of the offence, allegedly committed by Laxmi Devi who was convicted for keeping “charas” with her.

She told: one day, a local person of Sultanpur village came to her home and told her that the police had arrested her father and mother. She went to the spot along with her husband. She found that her mother was crying and the police had arrested not only her mother and father but also “bhabhi”. The police told me that it has confiscated fifteen Kg. “charas” from her father’s “Gharat”. The police after asking many questions also arrested them suspecting their involvement. Zufi Devi, expressing innocence told she did not know conceal “charas” in their “Gharat” and she did not commit any wrong.
Both Zufi Devi and Laxmi Devi did not confess about their offence. The researcher tried to probe them further with the statements like, “Look, previously the use of “Bhang” was not considered bad. The locals used it commonly, selling and buying of “Bhang” was not prohibited by law and so on. How there collected fifteen Kg. “Bhang” concealed at the “Gharat”, was so bad. Zufi Devi agreed with the researcher and even the police used to come to the local persons for “Bhang”. Majority of the locals had been earned money as the tourists demanded it since long. Even tourists developed regular links especially for buying and using it. Though she does not remember when she started this work 50-60 years ago, she pointed out that at that time the family did not have apple trees. The only source of income was buying and selling “Bhang”. She told that at this old age she does not participate in this work.

The unique features of this case were firstly, the involvement of all members of one family of Kullu valley, in the smuggling of “charas”. There were five persons, Namely Zufi Devi and her husband, Zufi Devi’s daughter Laxmi Devi and her husband, Zufi Devi’s daughter-in-law, Katki Devi, who were arrested and convicted in this case.

Secondly, the huge quantity of “charas” weighing more than fifteen Kg. the cost of which was calculated more than one crore rupees in the international market of “charas”. This huge quantity exposes that on what scale the respondents were indulged in the selling and buying of “charas”.

Thirdly, interestingly, the main person, who indulged probably in the smuggling of “charas” at very large scale, was the son of Zufi Devi and could not be arrested by the police ever. His sister Laxmi Devi blamed that police never dare to arrest him.

Fourthly, as the main person could not be arrested by the police, one innocent person as told by all the respondents was put behind the bars only
for his estranged relationship with this family. This person is the husband of Laxmi Devi and was working as the cashier in the Bank.

Aforesaid sixteen case studies incorporating detailed description of causes and conditions in the phenomenological perspective. Although the researcher interviewed all the respondents with the same method yet only those respondents are included in the present study who had committed the offense in an unusual manner. Majority among these respondents i.e. sixteen were imprisoned for committing the offence of murder whereas remaining four were convicted under various provisions of Narcotics Drugs And Psychotropic Substances Act. Barring a few exceptions, on account of causes, circumstances and motive of the respondents, cases of homicide may broadly be classified in the category of killing as a result of immoral relationship or its suspicion, slaughter owing to immovable property dispute, and dowry death. Except for this classification, in one case the respondent committed murder in self defense and in another, the respondent with the motive of committing suicide killed her infant son.

The respondent Neelam Thakur, the patient of epilepsy, narrated the whole incidence in phenomenological perspective and confessed her involvement in the crime boldly. She could not face the wrath of adverse circumstances and decided to kill her infant son and after that to commit suicide. She succeeded to kill the child but was saved by the neighbors before suicide. Thus besides poverty, mental and physical disorder can be attributed to hypothesize the deviant behavior of this respondent. Another respondent Sandhya Devi was a widow and running a small tea stall with snacks from her home. On the day of occurrence, one of her customer assaulted her for the satisfaction of sexual lust. She was alone at her shop at that time. In the course of self defense the assaulter was killed by the respondent. Her son came later on the spot and the police arrested both of them for the murder of the assaulter. This respondent admitted boldly that she killed that assaulter and she felt pride for killing that person who stared at her with wicked eyes and tried to molest her chastity.
More than a few respondents involved in killing as a result of immoral relationship of the respondent or her husband. The resentment raised owing to such relation became major cause of crime committed by the respondents. In some cases the respondent killed their deceiving partner for retribution while in another cases the deceiving respondents killed faithful husband with the help of her paramour as the former became obstacle in debauchery. The case of Reshmo Devi exposes the evil consequences of the suspicion shown by the husband about the chastity of his wife. She was convicted with her husband and two young sons for the murder of her brother in law. The deceased doubted that his wife and the elder son of Reshmo Devi had crossed the limits of morality. There were frequent quarrels in the family over this issue and during one scuffle the deceased died and the respondent was arrested with her family. This respondent blamed the misfortune for this offence. Thus, the suspicion about extra marital relations may be considered as root cause behind the offence committed by the respondent. Another case of this category is the detailed version of respondent Preeto Devi who allegedly killed her husband with the help of her paramour. She described that her husband committed suicide when she was away from home for adieu of her guest. This respondent also did not admit her fault and blamed the misfortune and circumstances behind her culpability but in the court she was convicted for causing death of her husband. In the same category, respondent Kiran Devi was arrested along with her father for causing the death of her paramour. This respondent was the student of Engineering and her father was the Tehsildar of Sadar Bilaspur. Kiran Devi also did not confess her involvement in the offence but boldly accepted that her relationship with her paramour was worsened as he was already married and had two children also and concealed this fact from her. This concealment strained their relation and she stopped to communicate with the deceased but he started to extort her and demanded money from her. This case was covered by the media in which it was reported that Kiran Devi and her father were liable for the murder of the deceased. This respondent was under trial and her bail application was rejected by the court. Another respondent Surinder Kaur was sentenced for
life imprisonment along with her paramour for the murder of her husband. She explained that her husband went in the forest for hunting and did not come back late in the night. Then she went to the forest with one of her husband’s friend but they could not found him. In the morning they again went to the forest where they found the dead body of her husband. It was proved in the trial that she along with her paramour killed her husband and hanged the dead body in the jungle for showing suicide. In another case, Bhukhri Devi, the old woman of ninety five years and her daughter in law Poonam Devi convicted for the offence of murder. Both these respondents fabricated the facts of occurrence and described different version of the offence. It is inferred from the facts of this case that the root cause behind the offence was the immoral relationship between the deceased and Poonam Devi. The charge against them was proved in the court and they were convicted for attempt to murder. Although majority of the respondents did not confess and showed ignorance about the unnatural death of the deceased yet extramarital relation and hatred arose in consequence of such relations can be hypothesized as the root cause behind the murder.

The dispute for possession or ownership of the immovable property is also major cause compelling some of the respondents to commit murder. The case of Soma Devi illustrates the conditions in which murder was committed by the respondent over dispute vis-à-vis distribution of water from “kuhal” i.e. channel of water. Soma Devi admitted that she was attacked and injured by the wife of the deceased consequently other villagers beat the deceased. Initially forty five persons were arrested by the police but later Soma Devi along with her husband and two “Devars” i.e. brothers-in-law were convicted for murder. This respondent expressed a lot of grief over the death of that person and explained that they never intended to kill the deceased. All the villagers present on the site tried to advice the deceased but he started fighting with all of them and died in consequence of this fighting. In another case, there was a family dispute over the immovable property owing to which two women involved in violence, consequently, one was killed and the other was detained and punished for the life
imprisonment. The respondent Ganga Devi confessed boldly that her sister in law attacked on her and she repulsed the attack in the course of which her “Jethani” was killed by her. Ganga Devi conveyed that she never intended to kill her but it were the circumstances which compel her to participate in the scuffle. Besides two respondents, Satya Devi and Shanti Devi convicted along with their sons for the murder of neighbor who was trying to cultivate that field forcefully which was the joint property of Satya Devi and Shanti Devi. The respondents admitted their fault but explained that they never intended to kill that person. By and large, in these cases the respondents did not commit the offence with anticipation and pre-planning. As the fighting commenced, they could not control the situation and the offence was committed in the spur of the moment.

For some persons, dowry is the means of satisfying the lust for money. By and large, the culprits compel the victim to bring money or other valuable articles from her parents and whether the parents fulfill or not, the demand for dowry once started, do not come to an end. Physical and mental torture of the victim turns out to be frequent and in many cases ends with the intentional assassination by the culprits or suicide by the victim. Respondent Kamla Devi was convicted along with her son causing death of her daughter in law for dowry. Her daughter in law went to her parental house and there after fifteen days she committed suicide. It was proved in the court that Kamla Devi and her son used to demand dowry from the deceased and she committed suicide in this frustration. Kamla Devi did not admit that she ever demanded anything from her daughter in law and also said that her son loved his wife very much. She showed ignorance about the real cause of the death of her daughter in law and also expressed grief for her death. This respondent did not change her statements and articulated herself as the victim of circumstances. In another case, the respondent Amriti Devi was convicted for causing the death of her daughter-in-law by setting her on fire. The husband and son of this respondent also convicted for the same offence. Amriti Devi also did not admit her fault and explained that the relationship of her son and daughter-in-law were not cordial. Her son was
army personnel and used to remain away from her for performing his duty. This incidence was occurred during his vacation. Amriti Devi admitted that her son and the deceased had been quarreling on that day since morning and her daughter-in-law committed suicide but it was proved in the court that respondent along with her husband and son caused the death of the deceased.

In two cases the respondents are convicted as the accomplices of the main accused and their motive behind the murder could not be ascertained. The respondent Praveen Sabbarwal was convicted with her husband and two other accomplices for murder. The respondent Usha Gulariya the ex-chairman of Block Development Council of Distt Kangra and member of telecom circle in Himachal Pradesh was arrested for the offence of murder with her three employees. Although these respondents did not confess their direct involvement in the crime and represent them as the victim of circumstances yet the charge against them proved in the court and they were sentenced for life imprisonment.

Subsequent to murder, majority of the respondents involved in smuggling of Charas for economic gain and arrested under N.D.P.S.Act. Some respondents involved in smuggling due to poverty whereas remaining although affluent yet adopt it as means to earn more wealth. Three respondents Zufi Devi her daughter Laxmi Devi and daughter in law Katki Devi convicted in the same case under N.D.P.S.Act. Zufi Devi the old woman of eighty years admitted boldly that she had been involved in the smuggling of “charas” since that time when it was not considered as evil deed by the inhabitants of Kullu valley and was not prohibited by law but Laxmi Devi and Katki Devi blamed each other for smuggling and did not admit their own culpability. Lust for earning more money may be hypothesized as the major cause behind the offence committed by these respondents. In another case, the respondent Kamla Devi alias Dasi was sentenced for ten years rigorous imprisonment under N.D.P.S.Act. This respondent confessed that she was involved in the smuggling of “charas” at
the instance of her neighbor who enticed her for earning money through this
short cut method. Her husband had started living with other woman and it
was the responsibility of Dasi to look after her children. Thus poverty can be
hypothesized as the major cause behind this offence committed by the
respondent.

With the phenomenological perspective, effort was made to provide
more than enough opportunity to the respondents for narrating the
occurrence and its experiences in their own words. There were a few
respondents who confessed guilt boldly. By and large, these respondents
committed the offence without intention. Probably it was the force of adverse
circumstances which compelled them to involve in it. Majority of the
respondents did not confess but their gestures, postures and body language
clearly exposed that they were manipulating the facts, in consonance with
the instructions given to them by their advocates or any other person. The
basis of fabrication in the fact was for evading from the apprehension of
sentence as their confessional statement could be used against them in the
court. The diversions in their statements were trapped straightforwardly as
each and every statement given by these respondents in every meeting was
encoded carefully. When the researcher indicated towards those deviations
in their statements these respondents blamed for their misfortune or destiny
for putting them behind the bars but did not confess their involvement in the
offence.

It may be argued here that none of the culprit was habitual and
hardened criminal. Except for a few cases of smuggling of charas all other
inmates committed crime for the first time and imprisoned for the same. In
some cases, poverty or lust for money can be hypothesized as the
contributing factors behind crime. This unrestrained longing for money
compelled these inmates for smuggling of charas or dowry death. Besides
aforesaid factors the hatred owing to alleged existence of immoral relations
or resentment in consequence of frequent disputes over immovable property
might also be hypothesized as contributing factors for committing crime.