



Legal Protection and Institutional Challenges in Addressing Crime Against Women in Urban India

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ABSTRACT

Crime against women continues to be a major issue with regard to the law and institutions in urban India even with the availability of a wide range of constitutional and legislative safeguards to women. This research seeks to understand the protection afforded to women by law and the issues within institutions that have an impact on the prevention, reporting, investigation, and prosecution of crimes committed against women in urban areas. The study employs a socio-legal research approach that involves both doctrinal analysis of the constitutional provisions, legislation, judicial precedents, and institutional reports, together with empirical analysis of official crime data and institutional records. The findings reveal that India has built up a fairly rich legal regime for the protection of women, though there are some gaps between the formal legal protection and its actual application. Issues within institutions such as police indifference, delay in investigation and judgment, limited access to help and support, lack of coordination, and cybercrime continue to be a problem for women accessing justice. The study concludes that the protection of women requires legislation, as well as gender-sensitive policing, investigation, legal aid, victim support services, institutional accountability, and coordination between institutions involved in justice delivery.

Keywords: Crime against women, legal protection, institutional challenges, urban India, women's rights, access to justice, gender-based violence, police responsiveness.

1. INTRODUCTION

Crimes against women continue to be a significant legal, social, and institutional issue in India. While there have been provisions in the constitution and legislative acts for equality and protection, women are still subjected to various kinds of crimes, such as sexual offenses, domestic violence, stalking, harassment, trafficking, and gender-based crimes. This shows that in addition to legislation, the protection of women needs to have effective implementation and institutional measures.

The Indian Constitution is the core foundation for the protection of the rights of women. According to Article 14 of the Constitution of India, there is a right to equality before the law and equal protection of laws. Article 15 of the Constitution bans discrimination on grounds of sex. Article 15(3) of the Constitution gives power to the state to make special provisions for women and children (Government of India, 2024).

Statutory provisions have been further strengthened by laws regulating specific acts of violence against women. Under the Protection of Women from Domestic Violence Act, 2005,



women are protected against physical, sexual, verbal, emotional, and economic abuse that takes place in domestic settings, and includes various forms of remedy like protection order, residence order, monetary relief, custody order, and compensation (Government of India, 2005). Likewise, the Bharatiya Nyaya Sanhita, 2023, which is in force since 1 July 2024, has a special chapter relating to offences committed against women and children, such as rape, sexual harassment, stalking, voyeurism, dowry death, and cruelty by the husband or his relatives (Government of India, 2023).

Nevertheless, the mere presence of such comprehensive legislation does not necessarily mean protection. Indeed, the effectiveness of women's legal rights depends greatly on the performance of various institutions dealing with the matters of reporting, investigations, prosecutions, adjudication, legal aid, and victim rehabilitation. The Ministry of Home Affairs has continually emphasized that police and public order fall under State subject and that the law enforcement agencies at the level of States and Union Territories are mainly responsible for the prevention, detection, investigation, and prosecution of crime (Ministry of Home Affairs, 2026).

There are certain peculiarities in urban India in this context. Urbanization, density of population, migration, mobility, social changes, and widespread usage of technology have made the environment complicated where crimes against women can take place in real as well as virtual space. The urban woman might face problems in reporting crime, seeking help from police, getting legal help, institutional help, and long judicial process. Underreporting, stigmatization, fear of reprisal, ignorance, and institutional hindrances might further hamper women's access to justice.

This problem does not only lie in the adequacy of laws but also in the discrepancy between law and its implementation. For an effective implementation of the laws, there is a need for a coordination amongst the police force, the judiciary, the prosecution services, legal aid services, health-care services, the shelter and counseling facilities, and many other institutions. When such institutions do not have sufficient resources, gender sensitization, coordination, and accountability systems, then the aims of the legislation cannot be met.

The current research, "Legal Protection and Institutional Gaps in Dealing With Crime Against Women in Urban India" analyzes the linkage between the existing legal system and the institutional implementation of these laws. It highlights the adequacy of legal provisions made in the constitution and statutes, the problems that arise with regard to institutions dealing with crimes against women, and the efficiency of such mechanisms in providing protection and access to justice.

Research Objectives

1. To explore the legal perspective of safeguarding women from criminal activities in urban India.
2. To determine the institutional obstacles involved in the prevention, reporting, and solving of crimes committed against women.
3. To evaluate the existing methods and propose ways to enhance the security of women.

2. LITERATURE REVIEW



However, from the literature on crimes against women in India, it is quite evident that the problem goes far beyond just the presence of laws and has to do with issues related to accessibility, accountability of the police force, security in public spaces, and efficacy of the criminal justice process. Empirical literature offers significant insights into this aspect.

Jassal (2020) evaluates the effect of all-women police stations in India using a unique data set derived from police records and the staggered introduction of such police stations in Haryana. This paper finds that the formation of all-women police stations does not always result in higher incidence of reported crimes and may, in fact, lower the number of cases recorded in regular police stations in certain situations. It is noted in the paper that institution-specific differences may result in increased travel expenses for victims and could lead to counseling and mediation over criminal proceedings. This paper is especially important since it shows that institutionally-designed schemes specific to women may yield unexpected results without proper accountability mechanisms.

Sukhtankar, Kruks-Wisner, and Mangla (2022) provide experimental evidence regarding police responsiveness using a randomized evaluation of the Women's Help Desks in 180 police stations covering an estimated 23.4 million people in India. In their study, they find that Women's Help Desks positively influence police recording of gender violence cases, especially when there is a female presence in the help desk. Nonetheless, the introduction of the intervention does not necessarily translate into increased reports by women or increased arrests. Therefore, this paper demonstrates the difference between responsiveness in terms of institutional recording and criminal justice effectiveness.

Building on this line of inquiry, Jassal (2024) explores the impact of gender of the victim on the process of justice in India. Employing a newly constructed data set comprising around half a million crime reports associated with the court data, the authors trace the journey of the case from police station to the courts. They find that women's complaints are more likely to face delays or rejection at both the police station stage and court stage, among other issues. Moreover, they document disparities in the conviction and acquittal rates. The results are significant to the current study as they show that institutional obstacles can emerge at different stages of the process instead of just being limited to the initial complaint stage.

The concern regarding the safety of women in urban public spaces is discussed in a randomised controlled trial done by Amaral et al. (2025) in the city of Hyderabad where the impact of patrolling police on sexual harassment is measured. The authors observed instances of harassment in 350 public-space hotspots and measure different levels of police visibility. The research results reveal that while there is no effect of police presence in terms of reducing street harassment in general, they were able to cut down instances of more severe types of harassment, such as physical touching and intimidating behaviour, by about 27%.

"Bharucha & Khatri (2018) study investigates the perceptions of sexual harassment on the streets by women in urban areas in India, specifically Mumbai. The methodology used in the study includes a structured questionnaire which includes approximately 300 working women and qualitative interviews. The study focuses on the perceptions of women's insecurity in public places and shows that women's perceptions of safety are affected by the social and



cultural setting in the city. The study contributes to the topic through its shift of focus from statistics of crimes to women's experiences of harassment and insecurity".

The next dimension of the research deals with the participation of women in the police force in order to tackle gender-based violence. In their paper Paramasivan et al. (2026) analyze the link between the participation of women in the police force and the institutional response towards gender-based crime. Through focus group discussions and a qualitative system dynamics model the study indicates that increased participation of women in the police force can lead to better crime reporting and trust of victims. However, there is the chance that informal settlements can lead to underreporting or inadequate accountability.

In addition, the emerging literature highlights the need for institutional reform to focus on the internal processes of police agencies as opposed to building more specialized institutions. According to Jassal et al., 2024 and the research conducted in respect of Women's Help Desks, institutional legitimacy helps the police to respond effectively where female police officers are able to utilize institutional resources to build their professional legitimacy and help in cases of women. Nevertheless, the success of the effort is limited due to patriarchal attitudes concerning reporting and prosecution.

Research Gap

While the available literature is rich in providing evidences on specific aspects of women's safety and access to justice, there is no coherence among these pieces of research in the context of a socio-legal approach towards women's security and access to justice. A few studies have concentrated on police reforms, some studies have focused on all women police station, some on public spaces harassment and judicial decision-making.

The current study makes a valuable attempt to address this issue by exploring the legal protection and institutional challenge together. The study links the available legal protections available to women with the institutional functioning of the police, judiciary, legal aid and victim support institutions. Therefore, the study goes beyond simply examining the rates of crimes committed against women.

3. RESEARCH METHODOLOGY

The present study adopts a socio-legal research methodology to examine the legal protection available to women and the institutional challenges involved in addressing crimes against women in urban India. The methodology combines doctrinal and empirical approaches to provide a comprehensive understanding of both the legal framework and its practical implementation.

The doctrinal component examines primary legal sources, including the Constitution of India, the Bharatiya Nyaya Sanhita, 2023, the Protection of Women from Domestic Violence Act, 2005, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and other relevant legislation. Judicial decisions, government reports, policy documents, and institutional reports are also examined to understand the development and interpretation of women's legal protections.

The empirical part addresses the experiences and perceptions about the implementation of legal and institutional measures. The primary data are gathered through a questionnaire



distributed to respondents from urban settings. The questionnaire captures information on knowledge about legal rights, experience with reporting mechanisms, availability of institutional help, police response, judicial procedures, and difficulties in accessing justice.

The sample of respondents in the study is chosen using purposive sampling, which means that the sample is chosen based on the relevance of the participants to the aims of the research. Data collected are arranged, coded and analyzed using appropriate descriptive statistics like frequency, percentage, mean and standard deviation. Comparative analysis may be applied to determine differences between respondents' perceptions about legal and institutional measures.

Secondary data is drawn from legislations, judgments, government publications, reports of National Crime Records Bureau, reports of Ministry of Home Affairs, publications of National Commission for Women, literature review in the form of books and peer-reviewed scholarly journals, among others. The above data sources have been critically analyzed with respect to the research objective.

The current study has been conducted on the basis of descriptive and analytical research design. Descriptive research design is used to analyze the present situation with respect to law and institutions, whereas analytical research design is used to analyze the gaps, limitations and challenges in implementation with respect to access to protection and justice of women.

In addition to that, the research is conducted under proper ethical considerations. Empirical participation is purely optional; anonymity of participants is preserved; the data gathered from them is used solely for educational purposes. Thus, the approach helps the study to evaluate not only the effectiveness of legislation, but also the performance of institutions executing the legislation.

4. DATA ANALYSIS

This process of analysis of the data is carried out directly in compliance with the three main research objectives. Since this research is being conducted using the socio-legal research approach, the analysis involves the doctrinal and empirical analysis of the data. Doctrinal analysis entails the doctrinal analysis of the legal framework while empirical analysis involves the empirical analysis of crime statistics. The data used in the analysis comes from the publications of the National Crime Records Bureau (NCRB), Ministry of Home Affairs and National Commission for Women (NCW). The NCRB presents data separately on disposal by police and courts of crimes against women in metropolitan cities (National Crime Records Bureau [NCRB], 2023).

Analysis of the Legal Protection Available to Women

The first goal of this study is to identify the legal regime protecting women from crime in urban India. It can be identified from the analysis of law that women are protected under the Constitutional laws, Criminal laws and protective laws.

The Bharatiya Nyaya Sanhita, 2023 (BNS) which was made effective from 1 July 2024, includes a distinct Chapter V which deals with offences against women and children. It includes sexual offenses, assaults against women, crimes against women, marriage offenses,



dowry death, cruelty, stalking, voyeurism and other similar offenses (Government of India, 2023).

Table 1: Major Legal Safeguards Available to Women

Legal Dimension	Relevant Protection	Assessment
Constitutional equality	Articles 14 and 15	Strong constitutional protection
Sexual offences	BNS, 2023	Comprehensive criminal protection
Sexual harassment	BNS, 2023 and POSH Act, 2013	Specific legal remedies
Domestic violence	Protection of Women from Domestic Violence Act, 2005	Civil and protective remedies
Cruelty by husband/relatives	BNS, 2023	Criminal protection
Stalking and voyeurism	BNS, 2023	Specific criminalisation
Police reporting	Bharatiya Nagarik Suraksha Sanhita, 2023	Procedural protection
Victim-oriented reporting	BNSS, 2023	Additional safeguards for women

Specifically, the BNS acknowledges stalking and voyeurism and has a special legislative provision against offences committed against women. Moreover, section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023 lays down that any information about a cognizable offence can be submitted either orally or electronically, but in case of certain offences against women, such information has to be registered by a woman police officer or woman officer. This shows that the contemporary criminal procedure law tries to make the process more accessible.

Analysis of Crime Against Women

This second phase includes the magnitude and kind of crime committed against women. The statistics revealed from the National Crime Records Bureau (NCRB) in its Crime in India 2023 shows that there were 4,48,211 cases of crime against women recorded in India in 2023. These types of crimes indicate that crimes against women do not just involve violent behavior on the streets but also in the home and relationships (NCRB, 2023).

Table 2: Major Categories of Crime Against Women in India, 2023

Crime Category	Registered Cases	Percentage of Total
Cruelty by husband or relatives	1,33,676	29.82%
Kidnapping and abduction of women	88,605	19.77%
Assault on women with intent to outrage modesty	83,891	18.72%
Rape	29,670	6.62%
Other crimes against women	1,12,369	25.07%
Total	4,48,211	100.00%



Source: National Crime Records Bureau, *Crime in India 2023*. Percentages are calculated from the reported total of 4,48,211 cases.

According to the data, cruelty by husband and relations is the most common reported crime, which makes up almost 29.82% of all the reported crimes against women. Kidnapping and abduction make up almost 19.77%, while assault with intent to outrage modesty comes third with almost 18.72%.

Rape cases make up almost 6.62% of all reported crimes against women. The distribution proves that it is impossible to solve the issue of violence against women simply by enforcing police presence in public places, as many of the reported incidents occur in personal relationships.

Hence, the data prove the necessity of an institutional framework broader than just the enforcement of the police force.

Institutional Challenges: Evidence from NCW Complaints

This research objective focuses explicitly on the institutional obstacles faced in preventing, reporting, and dealing with crimes against women.

In the period April 2023 – March 2024, the NCW received large numbers of complaints pertaining to domestic violence, harassment, police indifference, sexual assault, cybercrime, and many other violations of the rights of women (National Commission for Women [NCW], 2024).

Table 3: Selected Complaints Received by NCW, 2023–2024

Nature of Complaint	Number of Complaints	Percentage*
Protection of women against domestic violence	6,487	32.05%
Harassment of married women/Dowry harassment	4,815	23.79%
Right to exercise choice in marriage/Honour crimes	3,976	19.64%
Outraging modesty/Molestation	2,217	10.96%
Rape/Attempt to rape	1,521	7.52%
Police apathy against women	1,616	7.98%
Cybercrime against women	657	3.25%

*Percentages are calculated against the combined total of the selected categories (20,249 complaints), not against all NCW complaints.

Source: National Commission for Women, Annual Report 2023–2024

The NCW data offer concrete information on institutional problems and protection issues. Complaints on the grounds of domestic violence form the largest category among the chosen categories (32.05%), while harassment of married women/dowry harassment follows (23.79%). It is important to note that 1,616 complaints have been made regarding police apathy, showing that institution response itself poses an important problem.

The presence of 657 complaints on the grounds of cyber crime against women clearly shows the evolving nature of women's vulnerability and the need for institutions to acquire skills in technology and cyber investigation.



It is noteworthy that the NCW complaint system operates in conjunction with State Police Authorities, State Commissions for Women, National Legal Services Authority, State Legal Services Authorities, and District Legal Services Authorities. This means that protection should not be based on a single institution but on multiple institutions (NCW, 2024).

Institutional Effectiveness in Metropolitan Cities

Further analysis of the urban area of the study is carried out based on NCRB's metropolitan-city data. There are specific sets of data related to the police disposal and court disposal of crimes against women in metropolitan cities in 2023. These sets of data are specifically extracted from the NCRB's "Crime in India 2023" database (NCRB, 2023).

Table 4: Institutional Indicators for Urban Crime Against Women

Institutional Stage	Indicator Analysed	Relevance to Study
Police	Cases reported/registered	Accessibility of reporting
Police	Cases investigated	Investigative capacity
Police	Cases chargesheeted	Quality/completion of investigation
Police	Cases pending investigation	Institutional delay
Courts	Cases tried	Judicial processing
Courts	Cases convicted	Effectiveness of prosecution
Courts	Cases acquitted	Adjudicatory outcome
Courts	Cases pending trial	Judicial delay

The availability of distinct datasets in NCRB concerning police disposal and court disposal enables an analysis of the justice process in a continuum rather than viewing the registration of crime as the ultimate determinant of institutional success.

A large number of registered crimes alone does not in any way represent institutional failure. Equally, a low number of registered crimes does not necessarily mean that an urban location is safer since there are factors that influence registration. NCRB warns that figures for crime should not be mechanically compared since they are determined by States and Union territories.

Analysis of Police Reporting and Accessibility

The institution framework is examined further based on the procedural safeguards offered under the BNSS, 2023. Section 173 allows information regarding cognizable offenses to be given orally or through electronic means. In regard to certain offenses committed against women, the information must be made known to a woman police officer or woman officer.

Table 4.5: Institutional Reporting Mechanism

Indicator	Legal/Institutional Position	Analytical Assessment
Oral reporting	Permitted	Improves accessibility
Electronic reporting	Permitted	Supports digital accessibility
Recording by woman officer	Required for specified offences against women	Gender-sensitive mechanism



Investigation	Institutional responsibility	Requires adequate police capacity
Prosecution	State criminal justice mechanism	Dependent on quality of investigation
Judicial determination	Courts	Determines final outcome

It is clear from the analysis that the legal process has made provisions for gender-sensitivity as far as complaint reporting is concerned. However, the NCW's track record of 1,616 complaints regarding police apathy shows that merely having a legal provision does not ensure its proper implementation.

Effectiveness of Existing Mechanisms

The third research objective evaluates the efficacy of existing legal and institutional frameworks. The results show that there are three different levels of effectiveness.

Table 6: Overall Assessment of the Protection Mechanism

Dimension	Finding	Assessment
Legal framework	Extensive constitutional and statutory safeguards	Relatively strong
Reporting mechanisms	Oral/electronic reporting and gender-sensitive recording	Strengthening
Police responsiveness	NCW records 1,616 complaints of police apathy	Institutional concern
Domestic violence protection	6,487 NCW complaints in 2023–24	High demand for protection
Judicial mechanism	Dedicated court-disposal data maintained by NCRB	Functioning but requires assessment of pendency/disposal
Victim support	Multi-institutional support framework exists	Requires effective coordination
Cybercrime response	657 NCW complaints	Emerging institutional challenge

The evidence seems to indicate that there is indeed a strong basis of protection of women within the laws of India. But the institutional statistics indicate that there continue to be difficulties in the process of making the provisions of law into practical solutions to the problems faced by the women.

5. CONCLUSION AND FUTURE SCOPE

This research shows that India has put in place an extensive legal framework that provides protection to women from crimes through the use of constitutional law, criminal laws, and specialized laws. However, the findings have revealed that the extent to which the protection of women is achieved is dependent upon the manner in which these laws are enforced by the police, legal aid organizations, courts, and agencies supporting the victims. The institutional



obstacles such as negligence of the police, delays, poor coordination, lack of awareness, and justice access problems still exist in urban India.

Future research can conduct larger empirical analysis on the same issue within other metropolitan cities in order to make comparison on the institutional performance and women's experiences. Future research could even go further by studying issues such as cyber-crimes, digital harassment, underreporting, slow response from police and judiciary, and efficiency of victim support systems. Future longitudinal research can also study the impact of recent changes.

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