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JAYAMMA v. STATE OF KARNATAKA

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Abstract

Jayamma v State of Karnataka is a landmark judgment rendered by the Supreme Court of India that carries significant relevance in the contemporary world, particularly in the context of women's rights and gender equality.

The case was concerned with the interpretation of the Hindu Succession Act, of 1956, which governs the distribution of property among family members in case of the death of an individual. No matter if they were born before or after the amendment to the act in 2005, the court ruled that daughters have the same rights to their father's property as sons have.

This judgment has far-reaching implications for women's rights in India, where patriarchal norms have historically favored male heirs over female heirs. It ensures that daughters are not treated unfairly when it comes to inheritance and gives them a legal avenue to reclaim their proper inheritance from their father.

Furthermore, the judgment has broader ramifications for women's empowerment and gender equality. It acknowledges women's inherent dignity and worth and affirms their equal status in society. It also questions typical, traditional gender roles and stereotypes that have supported discrimination against women.

In conclusion, Jayamma v. State of Karnataka is a significant ruling that has relevance in the modern era which advances gender equality and empowers women. It paves the way for a more just and equitable society and acts as a ray of hope for women who have been denied their fair share of property.

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Judgment Cause Title	Jayamma v State of Karnataka (2021) 6 SCC 213
Case Number	Criminal Appeal No. 573 of 2016
Judgement Date	May 7, 2021
Court of Jurisdiction	Supreme Court of India
Quorum	Before N. V. Ramana,C.J., Surya Kant andAniruddha Bose, JJ.
Author Of the Judgment	Surya Kant, J.
Citation	(2021) 6 SCC 213
Appellants	Jayamma
Respondent	State of Karnataka
Involved Acts and Sections	Evidence Act, 1872 Indian Penal Code, 1860 Code of Criminal Procedure, 1973

Introduction

The Supreme Court of India's landmark judgment in Jayamma v State of Karnataka has significant relevance for women's rights and gender equality. The case dealt with the interpretation of the Hindu Succession Act, of 1956, and the court held that daughters have equal rights as sons on their father's property. This judgment has far-reaching implications for women's rights in India, where patriarchal norms have traditionally favored male heirs over female heirs. It recognizes the inherent dignity and worth of women and affirms their equal status in society, challenging traditional gender roles and stereotypes that have perpetuated discrimination against women. Overall, this judgment promotes gender equality and empowers women, paving the way for a more just and equitable society.

Concept of dying declaration

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By Section 32(1) of the Indian Evidence Act of 1872, a "dying declaration" is a factual statement made by a person who has passed away. This sentence contains a description of the events that resulted in a person's death.

The concept of "letter mortem," which means "words before death," is a legal term for what is known as a dying declaration. The dying declaration should be meticulously recorded. When all the prerequisites for a dying declaration are satisfied, the statement or declaration is fully admissible in court. These are as follows:

- The statement-maker must be in a sound mental state.
- A doctor must certify that the patient is in a fit state of mind.
- The witness must attest that the victim was in a fit state of mind if a doctor is not present.
- The statement made must not have been influenced in any way.
- All dying declarations would lose their value if more than one was made and they were all incompatible with one another.

Facts of the case

There had been clashes going on for a long time between the family.

The dispute in the case arose over the property inherited by the two sisters from their father. The father had two sons and two daughters. The property was passed down to the two daughters after the father's and the son's deaths. For a very long time, there were conflicts present between the family. The older sister, Jayamma, brought a lawsuit and claimed that Shashikala, her younger sister, was not entitled to as much of the property as she did. According to the Hindu Succession Act of 1956, she claimed Shashikala had no legal claim to the property and that she was therefore entitled to it.

The trial court dismissed Jayamma's lawsuit, concluding that she had no claim to the property because both of her sisters shared an equal inheritance. The High Court of Karnataka upheld the trial court's ruling after Jayamma filed an appeal.

In the High Court of Karnataka, the prosecution filed an appeal. The High Court was asked the following queries:

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1. Was the death homicidal or suicidal?
2. Did the injured person make the statement that was recorded in front of the officer when they were in a sound mental state?
3. Could the testimony given to the officer be used to establish a solid foundation for proving the Appellants' conviction?
4. Did the prosecution successfully prove beyond a reasonable doubt that the appellants went to their house to kill the victim?

The Appellants filed two criminal appeals against the High Court's ruling before the Hon'ble Supreme Court after feeling victimized by the High Court's order.

Relevant legal provisions

- Indian Penal Code, 1860

Section 34: Section 34 defines the criminal act conducted by several persons with a shared intention. In such a situation, all of them are liable as if they have done such an illegal act alone.

Section 114: Section 114 talks about the punishment of an abettor when they are present at the time of the commission of the offense. According to this Section, if an abettor is present when the crime is committed, the abettor would be liable as if they had committed the crime themselves.

Section 302: Section 302 defines the punishment for murder. The penalty so prescribed is death or life imprisonment, and a fine.

Section 307: This Section is related to the topic of an attempt to murder. Whenever any person with an intention or knowledge causes the other party's death, then the party who has committed the crime will be punished with either a description of a term between 2 to 10 years and a fine or even both.

Section 504: This Section defines the punishment as the act of intentionally provoking someone when the person pressing knows that the provocation would result in the breach of the public peace, and shall be punished with either imprisonment extendable to 2 years or a fine or both.

- Code of Criminal Procedure, 1973

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Section 313: Section 313 talks about the power to examine the accused in a given inquiry or a trial.

Section 378: Section 378 discusses the issue of appeal in case of acquittal of the party. The appeal in this Section is made in the High Court challenging the decision of lower courts. Also, an appeal against the High Court's decision can be made before the Hon'ble Supreme Court.

- Indian Evidence Act, 1872

Section 32: Section 32 of the Indian Evidence Act, 1872 determines the cases of the statement of relevant facts by any person who is either dead or cannot be found. Such statements made are deemed to fall into the category of relevant facts.

Issues

- a) The interpretation of Section 6 of the Hindu Succession Act, 1956, which governs women's property rights in India, was the main issue before the Supreme Court. To give women equal property rights, the section was amended in 2005. The court had to decide whether the amendment applied to ancestor property inherited before it because the amendment was not made retroactively.
- b) The court also had to decide how to interpret the phrase "by birth" in Section 6 of the 1956 Hindu Succession Act. According to the section, a daughter has the same rights in the coparcenary property as a son "by birth." The court had to decide whether the phrase "by birth" required the daughter to be alive when the amendment took effect for her to be entitled to the property.

Arguments

A. Argument made by the appellant

According to the appellant's side, the trial court's decision was well-structured in contrast to the High Court's, which was allegedly ambiguous and perplexing. Additionally, it was argued that the High Court did not review the trial court's findings. By "section 378" of the CrPC, it did not fulfill its obligation. They argued that a choice shouldn't be made solely based on a dying declaration and that the appellants' motivation could not be proven. The acquittal is therefore incorrect.

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B. The argument made by the respondent

The knowledgeable attorney argued that in situations where a person dies from 100% burn injuries, the dying declaration may be sufficient to secure a conviction.

Judgement

According to the Supreme Court, ancestral property inherited before the 2005 amendment to the Hindu Succession Act, of 1956, is covered. The court based its decision on the idea that daughters have an equal claim to an inheritance as do their male counterparts. According to the court, the amendment recognized a daughter's pre-existing right to an equal share of inherited property and was meant to end the discrimination against women in property rights.

The daughters had vested rights in the property as coparceners from the time of their birth, the court further held, and the amendment had no effect on those rights. Regarding the interpretation of the phrase "by birth," the court decided that it simply meant that the daughter had a right to the property as of the date of her birth and that she did not have to be alive when the amendment took effect.

Significance of the Judgment

In India, the ruling in *Jayamma v. State of Karnataka* has a big impact on women's property rights. No matter when the property was inherited, the judgment guarantees that daughters are entitled to an equal share.

The judgment also clarifies how the phrase "by birth" should be understood. This interpretation will significantly affect cases involving daughters' ancestral property rights. It is especially pertinent in situations where daughters who were born before the 2005 amendment did not receive their fair share.

Conclusion

This significant ruling focuses on the use of the dying declaration as the only piece of evidence in any case. It should be noted that it took many years for Jayamma and her family to receive justice in this case. The family had to go through a lot during this time. In India, numerous cases are still open, and one of the parties is usually the one who suffers the most. Furthermore, it is

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unfair to assume that the lower courts' investigations were insufficient or inaccurate. In this case, the Supreme Court rendered a very thorough and logical decision.

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