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**MOB LYNCHING DRIVEN BY HATE AND ALLEGIANCE TO
RELIGION: LINKING THE HISTORY TO THE FUTURE**

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“Lynching is an absolute evil; it represents the survival of an obsolete civilization, the perpetuation of a struggle of races which has to disappear.”

-Simone de Beauvoir²

Abstract

This present-day form of vigilante justice ranges from beating, pelting stones, and being paraded naked to shooting on the spot as a punishment for preserving and protecting their religious beliefs. The paper emphasizes the nexus between the historical lynching executed in the past in the United States in the name of upholding white supremacy over blacks and the present-day lynching episodes completed in the name of religion to impart ‘instant justice.’ The research paper claims religion is being used as a tool by the vigilantes to justify their acts of violence, which find no place in a civilized society. Through reference to several cases of violence executed in different parts of the country in the name of religion, the paper unfolds the causes and the consequences of mob violence on society, along with a call for enacting stringent laws to put an end to the peril of lynching.

Introduction

Man lynched by ‘cow vigilantes’ on suspicion of transporting beef in Maharashtra and man accused of blasphemy lynched to death by mob are a few headlines that are making rounds in the newspapers and media in contemporary secular India. In recent years, India has witnessed a surge in the incidents of mob lynching where a group of people, with their resolution of imparting justice, become the law, judge, and executioner.

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² Anne Morgan, “Simone de Beauvoir’s Ethics of Freedom and Absolute Evil”, 23(4) *Journal of Feminist Philosophy* (2008).

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In the Indian context, Mob lynching is not a new expression. Instead, the expression has only found its glory in current times with the rise in acts of violence at the hands of an angry mob. Throughout the world, scholars have delved into finding a suitable definition for the atrocities performed by the crowd. Still, with every incident of lynching by the mob, scholars have found it problematic to determine a fitting definition for the acts of violence accompanied by contempt, brutality, festivity, and satisfaction.³

Merriam-Webster defines “Mob” as a significant and disorderly crowd, especially one bent on riotous or destructive action.⁴ Lynching is defined as the act of killing someone without a legal trial, usually by hanging’ by the Cambridge Dictionary.⁵ In other words, lynching is a public killing of a person who has not received any due process.

Many argue that Lynching happens when a crime is out of control and the state’s justice system is at a standstill.⁶ The victim of lynching is denied his fundamental right to be tried relatively by the judicial system. Although lynching is a crime executed by a few individuals, it was often observed, cheered, and assisted by hundreds and thousands of participants, which led the NAACP⁷ to accept the new definition of lynching as “murder sanctioned by the community.”⁸

Human hierarchy has been developed since yore and followed in many societies. In the United States, lynching was used as a tool to keep a check on black people. This concept of hierarchy paved the way for the exercise of brutality over the Africans by the white Americans. Throughout the twentieth century, religious leaders were at the forefront of supporting Jim Crow, segregation, and anti-miscegenation laws.⁹

³Christopher Walderp, “War of Words: The Controversy over the Definition of Lynching, 1899-1940.” 66(1) *The Journal of Southern History* (2000).

⁴<https://www.merriam-webster.com/dictionary/mob>.

⁵<https://dictionary.cambridge.org/dictionary/english/lynching>.

⁶Christopher Krupa “Histories in Red: Ways of Seeing Lynching in Ecuador.” 36(1) *American Ethnologist* 20 (2009).

⁷The National Association for the Advancement of Colored People (NAACP) is a civil rights organization in the United States, formed in 1909 as an interracial endeavour to advance justice for African Americans.

⁸Lynching in America available at <https://daily.jstor.org/lynching-america/>. (last visited on January 10, 2024)

⁹Lewis, Catherine M., and J. Richard Lewis, eds. *Jim Crow America: A Documentary History*. University of Arkansas Press, 2009.

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Through this paper, the researcher has tried to comprehend the nexus between religion and the occurrences of mob lynching, which are presently plaguing society, along with addressing the historical background of lynching as well as the persistence of tendencies used for legitimizing the practice.

Religion is neither practiced nor studied in the void. An individual often learns about religion through the social contexts and the societal conditions prevalent at the time. It cannot be denied that the religious practices in society reflect the actual element of society. Religion either unites or divides and discriminates among individuals, who can also take other aspects under its gambits like race, ethnicity, class, social status, nationality, gender, or sexuality.¹⁰

In the United States, the white vigilantes believed lynching to be the only justified punishment for delivering speedy justice in case the accused was a negro and executed them without resorting to the legal system. The brutality exercised on the Afro-Americans increased manifold after the abolition of slavery. Between 1895 and 1968, America's National crime had almost taken 3500 American lives in the United States.¹¹ The superior white mobs scheduled public spectacle lynchings on Sunday afternoons for the entertainment of the entire town. The public spectacle of lynching, accompanied by religious ceremonies, was used as a method of intimidating the inferior black negroes and keeping them in check. Scholar DG Mathews states the anger, disrespect, viciousness, and celebration of the spectator crowd in the public lynching episodes is just beyond understanding.¹²

In "Practicing What They Preach? Lynching and Religion in the American South, 1890 – 1929," the researchers explored the relationship between organized religion and the incidents of mob lynching in the American South. They answered the question of whether the religious composition of a country has any impact on the incidents of lynching after accounting for the demographic and economic factors. They assert that the countries with higher spiritual multiplicity experience more lynching, which proves the fact that with competing religious groups, the bonds of moral community are weakened, which in reality strengthens the white racial solidarity, resulting in higher rates of lynching. The research work also claims that the

¹⁰Religion, Race, and Racism: A (Very) Brief Introduction available at <https://www.religiousstudies.pitt.edu/resources-social-action/religion-race-and-racism-very-brief-introduction> (last visited on January 23, 2024)

¹¹ Sherilyn A. Ifill, "Creating a Truth and Reconciliation Commission for Lynching" *Law & Ineq.* 21(2) 263 (2003)

¹²Mathews DG. Before the Burning: Southern Mastery. In: *At the Altar of Lynching: Burning Sam Hose in the American South*. Cambridge University Press, England (2017)

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countries with higher rates of racially mixed denominations of churchgoers witnessed cross-racial solidarity, resulting in a reduction of racial violence.¹³

Mob Lynching: An Indian Perspective

Indian culture is built on the combination of numerous diverse ethnicities and social movements. Indian secularism, by harmonizing the rights of individuals and religious communities, has created a not-so-strict line of separation between religion and the state, which aims at sustaining transnational culture.¹⁴ A few scholars argue that with the rise in cases of cow vigilantism and mob violence, the state's secularism is under threat. They say that the country's minorities' lives are in danger due to vigilante justice, which has been rampant since 2014 by the led government. Lynching is an act of systematized manslaughter that has no place in a civilized society working on a robust legal framework. Thus, when a few perpetrators take the law into their own hands to punish an individual, it marks a question of the country's legal system and people's faith in the country's judicial system.

Yogesh Rai argues that lynching is the gravest form of collective violence, which is heinous of all crimes because of its immediate effect on the victim as well as the society. The Mob lynching can be either preplanned or spontaneous; thus, it cannot be judged objectively as it can be an outcome of various factors arising at the spur of the moment.¹⁵ In India, different causes have led to occurrences of mob lynching incidents. Public spectacle lynching isn't a term with which India isn't acquainted. Instead, it has been practiced for ages in the name of witch-hunting. Between 2015 and 2021, the National Crimes Record Bureau (NCRB) recorded 663 murders credited to witch-craft/witch-hunting.¹⁶ Almost 95 lives are lost every year due to witch-hunting, which is the most widespread form of mob violence in the country. In some incidents of lynching, innocent people have been targeted due to rumor, misinformation, or on mere suspicion of either beef eaters, child lifters, or performing acts that are considered sinful or attempting to blasphemy, which are deemed punishable under

¹³“Practicing What They Preach? Lynching and Religion in the American South, 1890-1929” 117(3) *American Journal of Sociology* (2011).

¹⁴Rajeev Bhargava, “The Distinctiveness of Indian Secularism” in T.N. Srinivasan (ed.) *The Future of Secularism* (2006)

¹⁵ Yogesh Raj, “Making sense of lynching in medieval Nepal” in Micheal J. Pfeifer edn. *Global Lynching and Collective Violence: Volume 1: Asia, Africa, and the Middle East* (2017).

¹⁶It is 2023. Branded as witches, women are still being tortured and killed in Bihar available at <https://www.gaonconnection.com/lead-stories/crime-gender-ncrb-witch-craft-bihar-anti-dayan-law-women-52116> (last visited on February 3, 2024)

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one's religion. Along with these grounds, the self-appointed vigilantes have also penalized the criminals who have committed offenses like theft, murder, or rape. The certainty of the accusations and the victim's innocence is immaterial to the vigilantes who advocate for righteousness. Enforcing mob rule and mob justice based on half-measured truths, mass euphoria, and emotional overtones is a dangerous development for any civilized society.¹⁷ Before exploring the episodes of lynching due to escalation in vigilantism, let's comprehend what comprises vigilantism, which is proving to be lethal for the rule of law in India.

Lee Johnston claims that vigilantism has six necessary features. First, vigilantism requires preparation and premeditation on the part of the perpetrators; Second, voluntary participation by private citizens is a must; third, the vigilantes are non-state actors to uphold their social movement; fourth, it functions on the use of force; fifth, it is birthed when the already established norm in the society is under threat, and lastly it aims at controlling crime along with providing protection and security to the partakers and the others.¹⁸

The Dimapur lynching case is one of the most significant cases of lynching on the pretext of vigilante justice, which undoubtedly questions the confidence of society in the judicial mechanism. On March 5th, 2015, a group of more than 6000 angry people gathered around the Dimapur central prison and dragged the rape accused Syed Saifuddin Farid Khan out of the prison, paraded him naked, beat him, and pelted stones at him.¹⁹ The crowd manhandled the rape accused, who later succumbed to his injuries due to being dragged around with rope tied to his waist from a motorcycle. The accused was charged under sections 476, 344, and 363 of the Indian Penal Code. The legal principle of presumption of innocence, which stresses the innocence of the suspect until proven guilty, was shattered by the angry mob by penalizing the accused, violating his fundamental right to life and right to a fair trial, which speaks volumes about the existing legal structure in the country.

The other cause which has led to an increase in mob violence is cow vigilantism. In Hinduism, cows are regarded as sacred and treated as maternal figures.²⁰ The cow-related

¹⁷The Role Of Social Media In Imparting Justice available at <http://bhajanfoundation.org/knowledge/justice-of-the-people-by-the-people-for-the-people/> (last visited on January 10, 2024).

¹⁸Les Johnston. "What Is Vigilantism?" 36(2) *The British Journal of Criminology* (1996).

¹⁹Anna Kurian, "Dimapur Lynching and the Impossibility of Remembering." 50 (51) *EPW* 25-27 (2015).

²⁰Ishan Gupta, "Mob violence and vigilantism in India" 23 *World Affairs: The Journal of International Issues* 152 (2019).

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violence refers to incidents of the crowd attacking in the name of protecting the cow or gau Raksha from the people who are suspected of eating beef. The cow vigilantes, with the excuse of protecting the cows, attack the beef traders or the people who are associated with the slaughtering of cows.

In 2015 in Dadri, around 1500 men gathered around the house of Mohammad Akhlaq, out of which a hundred men were actively involved in entering the victim's home and attacking him and his son Danish on mere suspicion of consuming beef.²¹ The preliminary inquiry by the Uttar Pradesh Veterinary Department confirmed the recovered meat from the victim's house to be of 'goat progeny.' While the victim was dragged out of his two-story home, his head hit each of the fourteen concrete steps of the staircase, which was the worst form of torture one could experience.²² The incident in the series marked the beginning of cow-related violence in the country, portraying the demise of humanity. The other incident along the lines of violence in the name of protecting the holy cow from slaughtering and being consumed is the infamous case of the Alwar mob lynching, which occurred in 2017.

On April 1st, 2017, Pehlu Khan, along with his two sons, was assaulted by a mob of 200 men while crossing the Behrod Bridge on mere suspicion of transporting the cow for slaughtering purposes. The deceased, in his dying declaration, mentioned the names of five assailants and their ties with the Vishwa Hindu Parishad and Bajrang Dal. It was also revealed in the First information report that the cattle were transported for milking, which could be proved by the certificate shown by the victims to the assailants.²³ This is debatably one of the most controversial mob lynching cases in the country because not only the whole facade of lynching was caught on camera showing the perpetrators but also because the police charged the deceased himself for cow smuggling.²⁴

²¹JANHASTAKSHEP. "Mob Lynching in Dadri: A Report." 50(42) *EPW* 83(2015).

²² Akhlaq's lynching :7 years on, only 1 of the 25 witnesses testify as trial reaches evidence stage *available at* <https://www.newsclick.in/Akhlaq-Lynching-7-Years-Only-1-25-Witnesses-Testify-Trial-Reaches-Evidence-Stage> (last visited on January 22, 2024).

²³ Divide and Rule in the name of Cow *available at* <https://cjp.org.in/divide-and-rule-in-the-name-of-the-cow/> (last visited on January 23, 2024).

²⁴No one killed Pehlu khan *available at* <https://cjp.org.in/no-one-killed-pehlu-khan/> (last visited on January 23, 2024).

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The assailants, whom the victim named, were given a clean chit by the police, saying that they were not present on the spot at the time of the attack. The other accused, who were identified with the help of video, were acquitted by the Rajasthan court, citing the lack of evidence against the suspects.

Along with cow vigilantism, there are also snowballing occurrences of religious vigilantism, where fanatics from a prejudiced religious group target an individual whose voice is in contradiction to their spiritual practices and beliefs and perform acts that are considered demeaning to their religion.²⁵

On December 18, 2021, a man was lynched to death by the Sikh devotees in Shri Harmandir Sahib Gurudwara (Golden Temple) in Amritsar over a suspected attempt to disregard the holiest book of Sikh religion, Shri Guru Granth Sahib Ji.²⁶ It can be seen in the CCTV footage that the alleged man hopped into the sanctorum where the holy book of Sikhs was positioned. By the time the man picked up the Sword (kirpan) located next to the sacred book, the members of the Sikh sangat grabbed him and lynched him to death. The victim's body was later placed outside the Gurudwara premises. The victim was lynched for allegedly committing blasphemy against the holy book, which is considered demeaning to their religion and gurus.

The Cambridge Dictionary defines Sacrilege as 'an act of treating something holy or important without respect.'²⁷ Sections 295²⁸ and 295A²⁹ of the IPC involve imprisonment in the case, which requires destruction, damage to, or defiling of a "place of worship" or "any object held sacred."

²⁵Sacrilege attempt is heinous but leaders not calling lynching by its name shrinks space for conversations Punjab needs available at <https://indianexpress.com/article/opinion/editorials/golden-temple-lynch-sacrilege-silent-7680770/> (last visited on January 27, 2024).

²⁶Murder of youth in Golden Temple not the first mob lynching by Sikhs for alleged sacrilege, here are some such cases in the past available at <https://www.opindia.com/2021/12/five-cases-of-mob-lynching-in-punjab-over-alleged-sacrilege-in-six-years/> (last visited on January 27, 2024).

²⁷<https://dictionary.cambridge.org/dictionary/english/sacrilege>

²⁸Injuring or defiling place of worship with intent to insult the religion of any class.

²⁹Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.

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Sacrilege in Sikhism is entirely subjective. The vigilantes have lynched the man for entering the gurudwara premises with shoes on and bare head. In another incident, a middle-aged woman (Kulwinder Kaur) was handed over to the police for drinking alcohol on Gurudwara premises. On her exiting the premises with the police, she was confronted by the vigilante Sikh devotee (Nirmal Jit Singh) for attempting sacrilege, who fired five rounds of bullets murdering Kulwinder Kaur and injuring another devotee.³⁰

Although Nirmal Jit Singh was arrested on the spot, his act of administering ‘instant justice’ for alleged sacrilege was acknowledged by the Shiromani Gurdwara Prabandhak Committee (SGPC), the foremost body of gurdwaras in Punjab, and his parents were bestowed with a *Europa or robe of honor*.³¹ They also assured him of free assistance and legal aid in the murder case. On the day of his presence in the court, he was showered with flowers and garlands by other Sikh devotees.

On June 22nd, 2017, Mohammad Ayub Pandith, Deputy Superintendent of Police, was brutally murdered by the mob gathered outside the Jamia Masjid Mosque in the Nowhatta area of Srinagar in the mere act of clicking pictures near the mosque. He was deployed in civilian clothing as part of the security. Being deployed for some time in the area, the locals recognized him. On stepping out of the mosque, he was questioned by a few people who suspected him of being a mukhtar (police spy) and started crowding around him. Being deployed for security reasons, Mr. Ayub declined to show his ID card, which infuriated the mob. To disperse the crowd, three shots were fired, which fuelled the already angry mob, which began to beat the police officer. The police officer was attacked, stripped naked, and hit with stones, batons, iron rods, sharp weapons, and logs, and his body was recovered in a mutilated state.³² A few eyewitnesses also claimed that a few of the assailants were found nibbling the arms and legs of Ayub’s naked body like dogs.

³⁰Lynching to shooting, ‘instant justice’ is on the rise in Punjab’s sacrilege cases available at <https://theprint.in/india/lynching-to-shooting-instant-justice-is-on-the-rise-in-punjab-sacrilege-cases/1588600/> (last visited on January 27, 2024).

³¹Lynching to shooting, ‘instant justice’ is on the rise in Punjab’s sacrilege cases available at <https://theprint.in/india/lynching-to-shooting-instant-justice-is-on-the-rise-in-punjab-sacrilege-cases/1588600/> (last visited on January 29, 2024).

³²2017 Nowhatta mob lynching available at https://wikimili.com/en/2017_Nowhatta_mob_lynching (last visited on January 28, 2024).

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In the Nowhatta lynching case in Srinagar, a police officer was lynched by a Muslim mob because the crowd thought him to be Kashmiri Pandith because of his surname, as claimed by the other police officer. The incident raises serious questions regarding the future of India when police personnel deployed for the safety of the citizens are themselves not safe from the horror of horde violence. In the present case, it is claimed that the title “Pandith” in the Muslim-populated area led to the lynching of the police officer.

In another incident, two Sadhus named Mahant Kalpavruksha Giri and Sushilgiri Maharaj, along with their driver Naresh Yelgade, were stopped by around 400 tribal locals while they were crossing the small village in the Palghar District of Maharashtra. The crowd accused them of being child lifters and organ traffickers. The mob assaulted the sadhus and their driver with sticks while they can be seen pleading for their lives in the video surfaced on social media.

Like Nowhatta, the Palghar lynching case is also astonishing in many ways, as in the present incident, the offense of lynching was executed in the presence of the police. The particular episode of lynching raises many questions about the functioning of law and order in the country, as well as questions about the role of police in preventing crime. It is to be noted here that when the police reached the spot of offense, the three victims were unscathed, and the perpetrators snatched the victims right under the law protectors’ noses and cold-bloodedly lynched them without any constraint from the police.

Social media has swiftly altered how people communicate in our culture. Social media has a broad audience and is inexpensive for consumers to access. It differs from traditional media in that it permits communication without restrictions with the access of a few clicks. Numerous writers have claimed that social media have contributed to increasing crime by spreading rumors and false information disseminated via Facebook, Twitter, and WhatsApp. The instant messages that were shared on the social media group led to multiple instances of mob lynchings. Social media rumors can potentially encourage locals to target foreigners who don't speak the language. For example, in Palghar, India, there was a mob lynching following rumors of a kidnapping.

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Religions are belief systems that relate humanity to spirituality. They describe the relationship of human beings to what they regard as holy, sacred, spiritual, or divine. Religion entails a set of organized practices shared by the people of the same faith, which may differ from the practices of other religions. Our approach to different religions and groups shapes how we interpret other religions and their belief systems.³³ A person's belief system is subjective and varies from person to person, but none of the religions teach to perform acts of violence. In the existing setting, the religious communities, to further their political propaganda, are channeling people's anger to achieve their personal goals. Such propaganda has garnered hate among people belonging to different religions, castes, and ethnicities. As a result, the hate-related violence has augmented the level of intolerance and prejudice among the masses for their fellow beings practicing their dissimilar principles and philosophies.

India's leading public intellectual, Pratap Bhanu Mehta, has said: *"These kinds of incidents always inhabited the realm of religious intolerance zone. It has entered a Constitutional and political realm and is finding acceptance. This is the first time we are seeing mainstreaming of such philosophy."*³⁴

At present, there is no distinct law or provision in India to penalize mob lynchings or religion-related violence in India. The Indian penal code doesn't specifically recognize the lynchings in India, which leads to perpetrators being charged with murder in case of lynching, resulting in death. In cases where the victims of mob violence survive, the perpetrators are being arrested for lesser offenses. The applicable sections under IPC are S.505 (statements conducing to public mischief) and 153A (fostering enmity). The other sections are 147-Rioting, 148-rioting while being armed with a deadly weapon, 149-unlawful assembly, 302-murder, 307-attempt to murder, 458-house breaking, and 504-engaged in intentionally insulting someone with an ulterior motive to provoke them to disrupt public peace are the various sections under which the perpetrators are charged under the Indian Penal Code, 1860. Under procedural laws, Section 223 of the Code of Criminal Procedure, 1973 allows the partakers of mob violence to be tried jointly. It is to be noted that there is no homogeneity in the penalty of mob violence.

³³Religion and Belief in *Manual for Human rights Education with Young People* (2020).

³⁴Changing face of the mob: New narrative of nationalism has created dangerous public emotion available at <https://www.hindustantimes.com/india-news/changing-face-of-the-mob-new-narrative-of-nationalism-has-created-dangerous-public-emotion/story-pSk9zYbHjGOF7S6ac9uHeK.html> (last visited on January 28, 2024).

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Owing to the worrying escalation in the occurrences of mob lynching in recent decades and the absence of a distinct provision for mob violence, the government finally introduced the provision under new Penal laws in India. In August 2023, Union Home Minister Amit Shah presented three new criminal law bills to replace the century-old Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act. The new penal code, The Bhartiya Nyaya Sanhita, incorporates a distinct provision on mob lynching.

The new laws that aspire to replace the colonial era Indian Penal Code do not explicitly mention the term mob lynching. Instead, special categories have been created under the offense of murder and grievous hurt.³⁵ Thus, murder or grievous hurt on the grounds of race, caste, sex, place of birth, language or personal belief, or any other ground when committed by a group of five or more persons will fall under the special categories of murder and grievous hurt and the punishment for such murder is life imprisonment or death.³⁶

Although the BNS codifies the law on mob lynching yet, it fails to precisely cite the term mob lynching none, stating the violence committed on the grounds of religion. The provision itself creates ambiguity by mentioning “or any other ground” in the provision, which may include religion as one of the grounds, but adding such reference leaves it to judicial interpretation. It also fails to fulfill the recommendations given by the Supreme Court in *Tehseen S. Poonawalla v. Union of India and Ors*, which mentions the state's preventive, punitive, and remedial measures and drafting the law on mob lynching.

Criminalizing the justice meted out by the mob would result in attaining various objectives and upholding the ideologies of a democratic society and the rule of law. Firstly, it would create an atmosphere of meting justice through proper legal channels rather than spontaneous popular justice executed by a few without paying heed to the legal mechanisms. Secondly, the

³⁵Section 101 (2): When a group of five or more persons acting in concert commits murder on the ground of race, caste or community, sex, place of birth, language, personal belief or any other ground each member of such group shall be punished with death or with imprisonment for life or imprisonment for a term which shall not be less than seven years, and shall also be liable to fine.

Section 115(4): When grievous hurt of a person is caused by a group of five or more persons on the ground of his, race, caste, sex, place of birth, language, personal belief or any other ground, each member of such group shall be guilty of the offence of causing grievous hurt, and shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

³⁶ Earlier liable for punishment which may extend to seven years was replaced with imprisonment for life or death as stated under The Bharatiya Nyaya (Second) Sanhita, 2023 (BNS2) introduced on December 12, 2023 after the earlier Bill was withdrawn.

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presumption of innocence, until proven guilty, can find its way back into the minds of the familiar crowd before resorting to violence. Thirdly, the criminalization of mob lynching would act as a deterrent to the crowd turning violent. Fourthly, this may be a preventive step for maintaining law and peace in society. Lastly, the specific law on the topic may help teach the minds of the general public that something that attracts a penalty can't be a just act if performed by them without following a proper legal mechanism.

Many states like Manipur³⁷, Uttar Pradesh and Rajasthan, after the recommendation of the Supreme Court in *Tehseen S. Poonawalla v. Union of India and Ors.*³⁸ have come up with their legislations to curb the rampant menace of lynching. After carefully reading the bills, it has been examined that they pave the way for ambiguity in the case of virtual or inter-state violence. Different provisions under the bills differ significantly concerning the quantum of punishment and liabilities if the officials have been found neglecting their official duties, including negligence by nodal officers, police officers, and the district magistrate.

The amount of compensation and damage to public property is the other significant extent to be taken into the purview while drafting the legislation on the crime of mob lynching, which these bills have failed to deliver. The recommendation by the Supreme Court also demands central legislation rather than state-specific legislation, as it is a crime against the state and society at large, which clearly cannot be curbed with only speedy trials when the number of pending cases in the country is on the rise.

Preserving the rule of law and presumption of innocence in a democratic society are the pillars on which the society stands strong; thus, it is essential to maintain the balance that sustains our legal system. A civilized and morally upfront society like India deserves much healthier than appalling acts like mob lynching and that, too, executed under the guise of religion.

Conclusion

The recent scenario of religious resurgence in the masses is driving and sanctioning the public to take the law into their own hands. The new torch-bearers of righteousness and morality are detrimental to the country, principally functioning on the rule of law.

³⁷ Manipur Protection from Mob Violence Ordinance, 2018 (Ordinance No. 3 of 2018).

³⁸ (2018) 9 SCC 501

Policymakers' silence on the matter reflects the forthcoming state of affairs, which is alarming even in imagination if the contemporary setting persists without proper sanctioning. The rise of religious vigilantes and the notion of uplifting the ideals of their respective religions have only weakened the secular roots of the country. The approach of youth who are unemployed finds any transgress in the already established norm as a basis for amending society by committing higher wrongdoing, which they claim to be substandard, to the religious transgression that they proclaim as the excellent priority. After carefully scrutinizing all the incidents mentioned in the current paper, the researcher concludes:

- (i) There is a rampant surge in the cases of lynching due to cow vigilantism, which is committed against minorities
- (ii) A Hindu is not the only person who commits the crime of lynching; it is committed by people from all religions when there is a threat to their respective religion.
- (iii) The intolerance in admiration of religious beliefs concerning every religion, be it Hinduism, Sikhism, or Islam, has amplified, which is a concern in the present framework.
- (iv) Regularising social media platforms is necessary to curb the dissemination of hatred through rumors and misinformation.

A society eventually turns barbaric and plants the seeds of intolerance and revenge when it accepts the cruelty and atrocity exercised on others. The possibility of the mob being encouraged and applauded by the bystanders and the religious and political leaders creates an atmosphere of delivering instant vigilante justice without any fear of being punished for their brutal acts on the victims, which should worry everyone in a system governed by the rule of law because it is not the only danger that lies ahead.

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