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MOB LYNCHING: A CRIMINAL INJUSTICE TOWARD HUMANITY

Dimpal¹

I. ABSTRACT

In India, mob lynching has become one of the most unsettling examples of mass violence in a democracy, exposing significant rifts in the country's moral, legal, and social structures. This study examines mob lynching in India as a serious danger to human rights and constitutional democracy. Using a doctrinal and case study methodology, the study examines legal frameworks, court rulings, and events like the lynchings in Jharkhand, Palghar, and Bhiwani. The results show that cow vigilantism, communal polarisation, institutional inaction, and digital disinformation – particularly via WhatsApp – are the main causes of lynching incidents. According to statistics, there has been a notable increase in mob lynchings since 2015, with a focus on marginalised groups like Muslims, Dalits, and Adivasis. The study emphasises the urgent need for a specific anti-lynching law and the shortcomings of the current legal framework, even in light of the Bharatiya Nyaya Sanhita, 2023. In order to promote social harmony and uphold constitutional values, the paper ends with recommendations that include strict statutory penalties, mandatory victim compensation, digital regulation, law enforcement awareness-raising, and civic education.

II. KEYWORDS

Mob Lynching; Extrajudicial Violence; WhatsApp; Cow Vigilantism; Child Lifters; Communal Violence; Bharatiya Nyaya Sanhita; Human Rights.

III. INTRODUCTION

As per English language, a "mob" is an unruly or chaotic group of people. Lynching, which refers to imposing the death penalty without a trial, is a term that has American and Latin roots. This is known as mob lynching, which occurs when an unruly mob murders an alleged criminal or harms him in some other way. Lynching involves a deliberate and collective act of extrajudicial killing. It is commonly used to refer to

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sudden public executions carried out by mobs to instill fear in a community or penalize someone accused of wrongdoing. Similar to charivari, skimmington, riding the rail, and tarring and feathering, lynching is a severe form of informal social control executed in public for maximum intimidation. This act should be viewed as terrorism and subject to criminal penalties. Mob violence, including lynchings, can occur in any society.

The Indian Penal Laws does not explicitly mentions the term 'Mob Lynching' but punishment for the same is prescribed under the Head 'Punishment for Murder'. Section 103(2) of BNS, 2023 is the provision from which the inference of the term Mob Lynching, being punishable as offense can be taken. The provision states as follows:

*"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 similar ground each member of such group shall be punished with death or with imprisonment for life and shall also be liable to fine."*²

In recent times, instances of mob lynchings have risen notably in India. Lynching refers to a killing by a crowd acting without legal authority. In India, factors such as caste, religion, region, political beliefs, witchcraft, and intolerance primarily fuel mob lynchings (as may be noted through Section 103(2) of BNS, 2023). Major incidents of mob lynching have unfolded during events like the 1857 uprising, the partition of 1947, and various communal and religious riots. Though there is an overarching national legislation addressing mob lynching provided by the new criminal law, victims are still afforded protections under human rights legislation and the Constitution.

In India, mob lynchings have been common in recent years, especially in Rajasthan, western Uttar Pradesh, Madhya Pradesh, Bihar, and other places. Mob lynching is a pervasive and questionable problem. The motivations behind mob lynchings have been rebranded as pure, unadulterated hatred. The accusations made have rarely been

² Bharatiya Nyaya Sanhita 2023, s 103(2).

proven true. Even though there are a lot of lynchings in India, the issue still exists because the nation has not yet strictly enforced the laws against such hatred.³

The phenomenon known as "WhatsApp lynching" has emerged in India, driven by violence and killings related to rumors about child kidnappings and organ trafficking propagated through the WhatsApp platform. These acts are classified as "organized hate crimes."

An independent report indicates a 10% rise in mob lynchings attributed to cow vigilantism. In India, the threat of mob lynching looms large, with the majority living in fear of the minority and vice versa, perpetuating a destructive cycle of terror leading to lynchings.

Mob lynching occurs when a group employs unlawful means to enforce their version of justice. In a short timeframe, mob lynchings have surged dramatically in India. Many innocent individuals have endured brutal mistreatment, and some have even lost their lives without just cause. Various factors such as extremism, caste discrimination, robbery, extortion, sexual violence, vigilante actions, anti-national sentiments, witch hunts, class conflicts, and political motives contribute to mob lynching. Since this kind of violence turns a group into the law, the judge, and the executioner, it seriously calls into question the legitimacy of the rule of law.

While it's clear that lynchings involve a mob, the methods and types of violence presented are somewhat alike, even as the underlying causes, contexts, and conditions differ. These acts occur when individuals are fueled by hatred and anger, leading them to enforce their own version of justice. This violence, driven by people's hostility towards a specific community, religion, region, caste, or gender, is categorized as a hate crime.

In India, mob lynching has happened for a long time. During the 1857 uprising, groups of people attacked and killed British citizens. After the 1947 partition, mobs attacked families and individuals in villages, and even burned down homes belonging to non-

³ (2024) XV(1) CPJLJ

Muslims.⁴ Furthermore, instances of mob violence have been witnessed during communal riots, particularly in events such as the Baksa riots (2015), those in Gujarat (2002), Muzaffarnagar (2013), the riots against Sikhs (1984), the Kandamahal riots against Christians (2009), and the Bombay riots against Muslims (1992).

A. RESEARCH STATEMENT

According to this study, mob lynching in India, especially from 2013 to 2023, is an organised kind of extrajudicial violence that stems from caste prejudice, communal hatred, and online disinformation. As such, it is necessary to pass a comprehensive national anti-lynching law and implement social reforms and stricter enforcement in order to safeguard human dignity and constitutional values.

B. METHODOLOGY

This study examines mob lynching in India between 2013 and 2024 using a doctrinal legal research methodology in conjunction with case study analysis. Government policy documents, Supreme Court and High Court rulings, and criminal law statutes (IPC, BNS) are examples of primary sources. Academic journals, human rights reports, NCRB data, and media documentation are examples of secondary sources. Representative incidents from three categories—communal/religious, WhatsApp-based, and caste-motivated lynchings—were the focus of the case selection process. The selection of cases was based on their geographic distribution, legal significance, and thorough documentation. The study uses gap analysis to pinpoint enforcement issues and comparative legal analysis to look at how the provisions of the Bharatiya Nyaya Sanhita evolved from the Indian Penal Code.

C. LIMITATIONS

A number of methodological limitations are acknowledged in this study. The study mostly uses incidents that have been reported and documented, which might not fully represent the scope of mob lynching because of underreporting, especially in rural

⁴ John Brown, 'Indian Rebellion of 1857: Two Years of Massacre and Reprisal' *Warfare History Network* (February 2005) <https://warfarehistorynetwork.com/article/indian-rebellion-of-1857-two-years-of-massacre-and-reprisal/> accessed 14 March 2025.

areas or when marginalised communities are involved. While the 2013–2024 timeframe offers a modern viewpoint, it might not adequately take historical trends into consideration.

The doctrinal approach might not accurately represent victim experiences and has a limited ability to capture implementation realities at the ground level. Concerns about safety and ethics, limits the access to primary victim testimonies. It's possible that the study's reliance on English-language sources left out pertinent vernacular documentation that might have shed light on regional differences.

Uneven coverage across Indian states is one of the geographic limitations; areas with active civil society monitoring have more documentation. Because misinformation mechanisms change more quickly than academic documentation can keep up with, the rapidly changing nature of digital platforms poses analytical challenges. Lastly, the study recognises the inherent difficulty of remaining impartial when looking at emotionally charged instances of caste-based and communal violence.

D. OBJECTIVES OF THE STUDY

1. To conceptualize mob lynching as a socio-legal issue rooted in systemic discrimination, historical injustices, and communal tensions.
2. To investigate the underlying socio-political, religious, and digital triggers—including misinformation, caste bias, cow vigilantism, and religious intolerance—that fuel mob violence.
3. To critically examine existing legal and judicial responses to mob lynching, including the evolution from the Indian Penal Code to the Bharatiya Nyaya Sanhita, 2023.
4. To analyze landmark judicial directives and legislative efforts across Indian states, particularly focusing on the Tehseen Poonawalla guidelines and state-specific anti-lynching laws.
5. To assess the role of law enforcement agencies and social media platforms in either exacerbating or curbing mob violence through their actions or inactions.

6. To propose legal, policy, and societal reforms that aim to deter lynching, enhance legal accountability, empower victims, and cultivate civic awareness grounded in constitutional morality.

IV. INCIDENTS OF MOB LYNCHING

The recent rise in mob lynching cases in India shows a very cruel side of human nature. When a group of people attacks someone, they might hurt or even kill that person if they think the person has done something wrong against the community. Here are some important cases of mob lynching that happened in India:

A. COMMUNAL/RELIGIOUS:

1. 2017 Jharkhand mob lynching⁵

A violent mob lynched to death a group of four Muslim livestock sellers who were going through the village of Sobhapur on May 18, 2017. The gang had left Haldipokhar, East Singhbhum, the previous evening towards Rajnagar, Seraikela-Kharsawan district, in order to purchase livestock. In Nagadih, a tribal community in East Singhbhum, three men were pulled from a home that evening on May 18 and killed by a crowd. Also assaulted and gravely hurt was an elderly woman. A mob attacked Munna Ansari, a 39-year-old Muslim who lives in Kanke in the Ranchi district and who was travelling from Kolkata to Ranchi on May 21, 2017. Ansari took the wrong bus to Adityapur when he was scheduled to change buses in Purulia. A few hours later, he was surrounded by individuals near Beldih Basti who questioned him about his whereabouts and identity. Ansari was so brutally beaten by the mob that they hardly allowed him to speak before taking him to the hospital. On May 22, he was subsequently released from the hospital.

2. 2023 Bhiwani killings⁶

⁵ Ziya Us Salam, 'No One Killed Tabrez Ansari' *Indian Express* (2 September 2019) <https://indianexpress.com/article/opinion/columns/no-one-killed-tabrez-ansari-lynching-jharkhand-police-5993644/> accessed 13 April 2025.

⁶ 'Bhiwani Killings: Monu Manesar Sent to 15-Day Judicial Custody' *Hindustan Times* (14 September 2023) <https://www.hindustantimes.com/cities/others/bhiwani-killings-monu-manesar-sent-to-15-day-judicial-custody-101694693437823.html> archived 30 September 2023, accessed 13 April 2025.

On February 16, 2023, the charred remains of Nasir, who was 25 years old, and Junaid, who was 35 years old, were discovered inside a burned-out vehicle near Loharu in Bhiwani district of Haryana. Both men resided in Ghatmika village, located in Bharatpur district. This incident is part of the 2023 Bhiwani killings, also referred to as the Killings of Nasir and Junaid. Police say that cow vigilantes from the Bajrang Dal in Haryana are accused of kidnapping them and then killing them.

3. 2024 Muslim lynchings⁷

On June 7, a Hindu right-wing mob in the central Indian state of Chhattisgarh lynched two Muslim men on suspicion of smuggling cattle. A few days later, a third victim passed away from his wounds. A Muslim man was beaten to death by a mob in Uttar Pradesh, the most populous state in India, on June 18. A video of people cornering and violently attacking him with sticks went viral on social media. Another incident occurred in late June in Gujarat, Prime Minister Modi's home state, where a mob is said to have beaten a 23-year-old Muslim man to death during a cricket match. In the same incident, two more people were hurt.

B. WHATS-APP LYNCHING (RUMOUR BASED):

1. 2020 Palghar mob lynching⁸

Two Hindu Sadhus and their driver were lynched by a vigilante mob on April 16, 2020 at Gadchinchale Village, Palghar District, Maharashtra, India. WhatsApp stories of robbers being active in the neighbourhood during the nationwide coronavirus lockdown fueled the incident. The three travellers were slain because the vigilante villagers thought they were robbers. Four police officers and a senior police officer were hurt when police officers who intervened were also attacked. The Maharashtra police have detained 115 villagers as of May 4 on suspicion of murder, and an investigation is proceeding. Following the tragedy, rumours were circulated to fuel

⁷ Hanan Zaffar, 'Muslim Lynchings in India Persist under Modi's Third Term' *FairPlanet* (4 September 2024) <https://www.fairplanet.org/editors-pick/muslim-lynchings-in-india-persist-under-modis-third-term/> accessed 9 July 2025.

⁸ 'Palghar Lynching Case: Special Court to Hear Bail Pleas of Accused on November 3' *New Indian Express* (22 October 2020) <https://www.newindianexpress.com/nation/2020/Oct/22/palghar-lynching-case-special-court-to-hear-bail-pleas-of-accused-on-november-3-2213671.html> accessed 12 August 2025.

religious animosity. Anil Deshmukh, the home minister for Maharashtra, published a comprehensive list of those detained on April 22 and claimed that none of them were Muslims. According to the administration, the attackers and the victims belonged to the same religion.

2. Child Lifting cases⁹

According to data on missing children from the National Crime Records Bureau (NCRB) for 2016 (the most recent record), there are more missing children (63,407) than the WCD ministry's child tracking website estimates. In India, a child goes missing on average every ten minutes, according to the ministry's website for tracking missing children. At this rate, approximately 54,750 children would have gone missing in India during the previous 12 months. Only about half of the missing children would have been found, based on the police record.

C. CASTE-BASED:

1. 2021 Singhu border lynching¹⁰

The lynching that killed Lakhbir Singh, a Dalit Sikh from the Tarn Taran area of Punjab, India, on October 15, 2021, near the Singhu border close to Delhi, is known as the 2021 Singhu border lynching. During the attack, the victim's hand and a leg were first cut off, and then his body was tied to a barricade near where farmers were protesting. A Nihang Sikh group said they killed him because they believed he had broken their religious rules. On the same day he confessed to being involved in the murder, a Nihang person turned himself in to the police. The Amritsar police arrested the second person involved, who is also part of the Nihang group. This person said he gave himself up to the police after being caught. Meanwhile, the Samyukta Kisan Morcha (SKM) said they weren't involved in the alleged lynching and promised to help the police with their investigation. The victim's family received money from the

⁹ 'A Child Goes Missing Every 10 Minutes: Social Media Does Its Bit to Fan Child-Lifting Fears' *Hindustan Times* (31 July 2018) <https://www.hindustantimes.com/india-news/a-child-goes-missing-every-10-minutes-social-media-does-its-bit-to-fan-child-lifting-fears/story-68zLRdqhowQ7MgXswMwYeO.html> accessed 12 February 2025.

¹⁰ 'Victim's Family Demands High-Level Probe in the Singhu Border Lynching' *The Hindu* (16 October 2021) <https://www.thehindu.com/news/national/victims-family-demands-high-level-probe-in-the-singhu-border-lynching/article37020205.ece> accessed 30 June 2025.

Bhim Army, which also asked for a fair investigation by the CBI. Fifteen Dalit groups have called for strict punishment against those responsible for Lakhbir Singh's murder at the Singhu border. The victim's family has now complained to the "National Commission for Scheduled Castes" about the lack of help from the Punjab government.¹¹

V. LAW AND ORDER ON MOB LYNCHING (THEN VS. NOW)

A. EARLIER STANCE: The Indian Penal Code, 1860

Despite the Supreme Court of India's statement that "horrendous acts of mobocracy cannot be tolerated and should not become the new norm,"¹² there has been minimal action from States and governments in India to implement laws against mob lynching. The Union Government argues that since the **Indian Penal Code, 1860** does not define mob lynching as a crime, it cannot create laws specifically targeting this issue, and various anti-mob lynching bills passed by the States remain unenforced. In 2019, the Union Home Ministry said that cases of mob lynching could be dealt with under Sections 300 and 302 of the Indian Penal Code, which cover murder, because there was no specific law for lynching in the code. Manipur was the first state to make a law against mob lynching in 2018, based on the Supreme Court's guidelines.

Rajasthan and West Bengal also made their own laws against mob lynching, following Manipur's example. The West Bengal Assembly passed the West Bengal (Prevention of Lynching) Bill 2019. This law says that people who cause bodily harm should get life imprisonment, and those who commit murder could face the death penalty or long-term imprisonment. The law also provides job opportunities for the victim's family and compensation of up to Rs. 5 Lac. It also asks the state government to appoint "nodal officers" to "keep an eye on and organize efforts to prevent lynching." The Rajasthan Protection against Lynching Bill, 2019, passed by the Vidhan Sabha, says that anyone found guilty of causing death in a mob lynching should get life

¹¹ '2021 Singhu Border Lynching' Wikipedia

https://en.wikipedia.org/wiki/2021_Singhu_border_lynching accessed 23 April 2025.

¹² Ananthakrishnan G, 'Mobocracy can't be the new normal, get a law to punish lynching: SC to Govt' (The Indian Express, 18 July 2018) <https://indianexpress.com/article/india/cji-condemns-lynchings-across-country-asks-parliament-to-make-new-law/> accessed 4 August 2025.

imprisonment and a fine between Rs. 1 Lac and Rs. 5 Lac. Those who cause serious injury face a 10-year prison sentence and a fine between Rs. 25,000 and Rs. 3 Lac, while those causing minor injuries may get a 7-year sentence and a fine of Rs. 1 Lac.

B. Punishment for Lynching

Mob lynching represents a grave challenge to the rule of law in India, often driven by communal, casteist, and other prejudicial motives. While historically treated under general criminal laws, recent legal reforms signify an evolving jurisprudence that acknowledges the specific societal dangers posed by mob violence. The enactment of the **Bharatiya Nyaya Sanhita, 2023** (BNS), **Bharatiya Nagarik Suraksha Sanhita, 2023** (BNSS), and **Bharatiya Sakshya Adhiniyam, 2023** (BSA) marks a foundational shift in Indian criminal law, with explicit recognition and penalization of mob lynching under **Section 103(2)** of the BNS.

C. Historical Legal Vacuum and Early Responses

The absence of statutory recognition for lynching as a distinct offense under the erstwhile *Indian Penal Code, 1860* (IPC) led to ad hoc application of general provisions, such as:

1. Section 223 in The Code Of Criminal Procedure, 1973

People accused of the same crime during the same transaction may be charged and tried as a group under Section 223's Subsection (a). Whereas, sub-section (b) also applies to anyone accused of aiding or abetting the commission of such a crime.

2. Section 302 of Indian Penal Code

According to this IPC provision, a person who is found guilty of murder will be sentenced to death or life imprisonment and would also be responsible for a fine.

3. Section 304 of Indian Penal Code

This section of the IPC deals with punishment for culpable homicide not amounting to murder which may be:

- Life imprisonment for life

- Imprisonment for a term which may extend for a period upto ten years and shall also be liable to fine if the act is done with the intention to kill or cause injury which is likely to cause death.
- Imprisonment for a term which may extend for a period upto ten years, or with fine, or with both, if the act is done with the knowledge which is likely to cause death or injury which is likely to cause death, but without any intention.

4. Section 307 of the Indian Penal Code

This section of IPC prescribes punishment for any person found guilty of attempt to murder. Such a person shall be sentenced to imprisonment which may extend upto 10 years and shall also be liable for fine.

5. Section 323 of The Indian Penal Code

This section of IPC prescribes punishment for a person found guilty of causing voluntary hurt. A person voluntarily causing hurt to someone else shall be sentenced to an imprisonment which may extend upto a period of 1 year or fine which may extend to one thousand Rupees or both.

6. Section 34 of The Indian Penal Code

According to this section of IPC, when a criminal act is committed by several persons or a group, with a common intention, then every individual of the group will be held liable for that act, as if it was performed by him alone.

7. Section 120B of The Indian Penal Code

Punishment for Criminal Conspiracy- According to this section, if the parties involved in the conspiracy conspired to commit a crime punishable by death, life imprisonment, or rigorous imprisonment for a term of two years or more, they will be punished in the same way as if they had helped the crime be committed, unless the Code specifically provides for a different punishment. However, if the conspirators planned to conduct an infraction with a punishment that was not previously specified, they would be subject to a sentence of up to six months imprisonment, a fine, or both.

8. Section 143 of The Indian Penal Code

According to this section a member of an unlawful assembly (as defined under **Section 141 of IPC**) shall be punished with imprisonment of either description for a term which may extend upto six months, or with fine, or with both.

9. Section 147 of The Indian Penal Code

According to this Section any person guilty of rioting is liable to get punished with imprisonment which may extend upto a period of two years, or with fine, or with both.

Despite a 2018 directive from the Supreme Court in *Tehseen Poonawalla v. Union of India*¹³, urging the formulation of anti-lynching legislation, the Union Government resisted, citing the IPC's lack of a lynching-specific provision. As an interim measure, the Ministry of Home Affairs advised that mob lynching incidents be prosecuted as murder cases under Sections 300 and 302 IPC.

Nevertheless, several states moved independently. Manipur enacted a law in 2018 in compliance with SC guidelines, followed by Rajasthan and West Bengal, which introduced stringent anti-lynching laws with provisions for victim compensation, job security for kin, and appointment of nodal officers for oversight.

D. PRESENT STANCE: Legal Framework under Bharatiya Nyaya Sanhita, 2023

Recognizing the need for legal modernization, the Indian legislature introduced a new set of criminal laws: the **Bharatiya Nyaya Sanhita, 2023 (BNS)**, replacing the IPC; the **Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)**, replacing the CrPC; and the **Bharatiya Sakshya Adhiniyam, 2023 (BSA)**, replacing the Indian Evidence Act.

Significantly, the BNS criminalizes mob lynching explicitly under **Section 103(2)**, which states as follows:

“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 similar ground, each member of such group shall be punished with death or with imprisonment for life

¹³ Tehseen S Poonawalla v Union of India AIR 2018 SC 3354 (India).

or imprisonment for a term which shall not be less than seven years, and shall also be liable to fine.”¹⁴

So, if five or more people team up to commit murder because of someone's race, caste, community, gender, where they were born, the language they speak, their beliefs, or something similar, then every person involved in that group will face punishment like death, life in prison, or a fine.

The key parts of this crime are:

- A group of five or more people working together.
- Committing murder.
- Doing so based on race, caste, community, sex, place of birth, language, personal beliefs, or a similar reason.
- Each person in the group can be sentenced to death, life in prison, or a fine.¹⁵

This provision marks a crucial shift by acknowledging the specific socio-political motivations behind mob lynching, thereby enabling targeted legal action. The statute lays down essential constituents for the offence: a concerted act by five or more persons resulting in murder based on discriminatory grounds.

E. Other Relevant Provisions in BNS and BNSS:

1. Section 117(4) of Bharatiya Nagarik Suraksha Sanhita, 2023

This provision addresses grievous hurt caused by a group of five or more people acting in concert, based on factors like race, caste, or religion. Each member of the group is considered guilty of causing grievous hurt and faces punishment.

2. Section 246 of Bharatiya Nagarik Suraksha Sanhita, 2023

People accused of the same crime during the same transaction may be charged and tried as a group under **Section 246(a)**. Whereas sub-section (b) also applies to anyone

¹⁴ *supra*

¹⁵ ‘Mob Lynching under Bharatiya Nyaya Sanhita 2023’ *Drishti Judiciary*
<https://www.drishtijudiciary.com/to-the-point/bharatiya-nyaya-sanhita-&-indian-penal-code/mob-lynching-under-bharatiya-nyaya-sanhita-2023> accessed 23 April 2025.

accused of aiding or abetting the commission of such a crime. The section may be produced as follows:

“The following persons may be charged and tried together, namely:-(a) persons accused of the same offence committed in the course of the same transaction;(b) persons accused of an offence and persons accused of abetment of, or attempt to commit, such offence;”

3. Section 103(1) of the Bharatiya Nyaya Sanhita (BNS) (2023)

According to this BNS provision, a person who is found guilty of murder will be sentenced to death or life imprisonment and would also be responsible for a fine.

4. Section 105 of Bharatiya Nyaya Sanhita (2023)

This section of the BNS deals with punishment for culpable homicide not amounting to murder which may be:

- Life imprisonment for life
- Imprisonment for a term which may extend for a period upto ten years and shall also be liable to fine if the act is done with the intention to kill or cause injury which is likely to cause death.
- Imprisonment for a term which may extend for a period upto ten years, or with fine, or with both, if the act is done with the knowledge which is likely to cause death or injury which is likely to cause death, but without any intention.

5. Section 109 of BNS

This section of BNS prescribes punishment for any person found guilty of attempt to murder. Such a person shall be sentenced to death, imprisonment for life which shall mean the remainder of that person's natural life.

6. Section 115(2) of BNS

This section of BNS prescribes punishment for a person found guilty of causing voluntary hurt. A person voluntarily causing hurt to someone else shall be sentenced to an imprisonment which may extend upto a period of 1 year or fine which may extend to ten thousand Rupees or both.

7. Section 3(5) of BNS

According to this section of BNS, when a criminal act is committed by several persons or a group, with a common intention, then every individual of the group will be held liable for that act, as if it was performed by him alone.

8. Section 61(2) of BNS

Punishment for Criminal Conspiracy- According to this section, if the parties involved in the conspiracy conspired to commit a crime punishable by death, life imprisonment, or rigorous imprisonment for a term of two years or more, they will be punished in the same way as if they had helped the crime be committed, unless the Sanhita specifically provides for a different punishment. However, if the conspirators planned to conduct an infraction with a punishment that was not previously specified, they would be subject to a sentence of up to six months imprisonment, a fine, or both.

9. Section 189(2) of BNS

According to this section a member of an unlawful assembly (as defined under **Section 189(1) of BNS**) shall be punished with imprisonment of either description for a term which may extend upto six months, or with fine, or with both.

10. Section 191 of BNS

According to this Section any person guilty of rioting is liable to get punished in the following manner:

- *"Whenever force or violence is used by an unlawful assembly, or by any member thereof, in prosecution of the common object of such assembly, every member of such assembly is guilty of the offence of rioting.*
- *Whoever is guilty of rioting shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.*
- *Whoever is guilty of rioting, being armed with a deadly weapon or with anything which, used as a weapon of offence, is likely to cause death, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both."*

F. Loophole in the Provision

1. The provision does not specifically use the word 'religion' and therefore does not clearly address mob lynching that happens because of religious reasons.
2. Considering other parts of the law that deal with hate crimes, such as inciting violence and creating hostility between different social and cultural groups, where actions based on religion are already considered illegal, this omission becomes even more important.
3. People who, on the basis of religion, race, place of birth, residence, language, caste, or community, or any other reason, promote disharmony or feelings of hatred, enmity, or ill-will among different religious, racial, language, regional, caste, or community groups, are punished under the sections that prevent incitement of violence and fostering enmity.
4. The division bench of the Jharkhand High Court, consisting of Justice Ananda Sen and Justice Subhash Chand, noticed a major issue in Section 103(2) when it said, "any other ground" instead of "any other similar ground."¹⁶

The court said this mistake could greatly affect how the law is understood and applied. The court ordered the publisher to fix this error immediately.

G. Comparative Analysis of the Old and New Laws

Aspect	Earlier Law (IPC, 1860 & CrPC, 1973)	New Law (Bharatiya Nyaya Sanhita, 2023 & BNSS)
Recognition of Mob Lynching	No specific recognition; prosecuted under general provisions	Explicit recognition of mob lynching under Section 103(2) BNS

¹⁶ Court on its own Motion v Union of India, W.P.(PIL) No 3865 of 2024 (Jharkhand HC).

Relevant Provisions	Sections 302, 304, 307, 323, 34, 120B, 143, 147 IPC; Section 223 CrPC	Sections 103(1), 103(2), 105, 109, 115(2), 3(5), 61(2), 189(2), 191 BNS; Sections 117(4), 246 BNSS
Punishment for Murder	Section 302 – Death penalty or life imprisonment	Section 103(1) – Death penalty or life imprisonment + fine
Culpable Homicide	Section 304 – Life imprisonment or up to 10 years with fine	Section 105 – Life imprisonment or up to 10 years with fine
Attempt to Murder	Section 307 – Imprisonment up to 10 years + fine	Section 109 – Death penalty or life imprisonment (natural life)
Voluntary Hurt	Section 323 – Imprisonment up to 1 year or fine ₹1,000 or both	Section 115(2) – Imprisonment up to 1 year or fine ₹10,000 or both
Unlawful Assembly	Section 143 – Imprisonment up to 6 months or fine or both	Section 189(2) – Imprisonment up to 6 months or fine or both
Rioting	Section 147 – Imprisonment up to 2 years or fine or both	Section 191 – Imprisonment up to 2 years; up to 5 years if armed
Criminal Conspiracy	Section 120B – Punishment varies with nature of offence	Section 61(2) – Similar punishment for criminal conspiracy
Specific Anti-Lynching Provision	No explicit anti-lynching law; treated as murder/rioting	Yes, Section 103(2) BNS criminalizes mob lynching explicitly

Grounds Considered	General grounds (murder, conspiracy, rioting) - no socio-political basis	Covers race, caste, community, sex, place of birth, language, personal belief, or similar grounds
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H. Implementation Challenges of the New Provisions provided under BNS, 2023

Although the Bharatiya Nyaya Sanhita (BNS), 2023, marks a progressive step by explicitly criminalizing mob lynching under Section 103(2), its effective implementation faces numerous challenges. The Jharkhand High Court has identified draughting inconsistencies and other flaws in the provision that could impair judicial interpretation, including the omission of "religion" as an explicit basis for lynching despite its prevalence in such crimes.¹⁷ Since it is difficult to prove that five or more people acted "in concert" with discriminatory intent, particularly in situations involving spontaneous mobs, proving collective intent is still a major challenge. The deterrent effect of the law is undermined on the ground by inadequate law enforcement responses, such as delays in filing FIRs, dilution of charges, and failure to stop mob formation.

Further impeding fair investigation and prosecution are community support for offenders and political patronage of vigilante groups. Deterrence is weakened even in cases where charges are filed because of court overcrowding and delays that hinder prompt decision-making. Although there are compensation plans in place, they are not consistently implemented, leaving survivors with little support. Victims and witnesses frequently experience violence, social exclusion, or intimidation. Because the state lacks effective digital monitoring and evidence collection mechanisms to curb misinformation, the rise in "WhatsApp lynchings" sparked by rumours highlights another implementation challenge. Furthermore, reporting of lynching incidents is discouraged by a lack of public awareness, fear of retaliation, and mistrust of

¹⁷ *ibid*

authorities, especially among marginalised communities like Muslims, Adivasis, and Dalits.

Last but not least, inconsistent enforcement among states — some have passed separate anti-lynching laws, while others only use the BNS — leads to legal ambiguities and reduces the overall consistency of protection. This systemic gap was also brought to light in the case of *National Federation of Indian Women v. Union of India & Ors.*¹⁸, where the Supreme Court directed states to submit comprehensive reports within six weeks after expressing concern that the majority of states had not even filed affidavits outlining the actions taken to address mob lynching incidents on April 16, 2024. This judicial observation highlights the ongoing implementation deficit, whereby legislative provisions are in place on paper but are not effectively enforced in reality because of a lack of political will and bureaucratic inaction.

As a result, even though the BNS is a significant codification of anti-lynching laws, issues with institutional inefficiency, political meddling, evidentiary barriers, and insufficient victim protection still make it difficult to implement effectively.

I. Conclusion

Although India lacks a singular, consolidated statute exclusively devoted to mob lynching, the enactment of the **Bharatiya Nyaya Sanhita, 2023** and related laws provides a robust legal framework to prosecute such offenses. These laws reflect a marked shift in legal philosophy, explicitly recognizing the collective, premeditated nature of lynching. By incorporating stringent punitive provisions targeting both the direct perpetrators and their abettors, the legislation underscores the Indian legal system's renewed commitment to protecting individual rights and maintaining public order in a constitutional democracy.

¹⁸ National Federation of Indian Women v Union of India & Ors, Writ Petition (Civil) No 719 of 2023, order dated 16 April 2024 (India).

VI. REASONS FOR LYNCHING

Lynchings in India have been categorised as occurring mostly for the following reasons:

A. Caste and Religious motivated

In India, there is a long history of violence based on caste and religion. A lot of the recent increase in mob lynchings is because of intolerance and hatred towards other religions and castes, often justified by traditions, practices, and false claims. In 2002, five Dalits from Haryana were killed because they were suspected of killing a cow. More recently, riots in Kokrajhar and Muzzafarnagar show that caste and religion are still key reasons behind mob violence. In one of the first cases where a Hindu mob killed a Muslim over cow-related issues, Mohammad Akhlaq and his son Danish were murdered in September 2015 by a group of Hindus in Bidara village, Uttar Pradesh, after they were accused of stealing, killing, and keeping a cow and calf for eating.¹⁹ The incident, which earned notoriety as the Dadri Lynching, embarrassed the nation.

B. Religious Biases majorly pertaining to Cow Vigilantism

Silence from political parties since 2012, April 2017 had eight notable instances of dairy animal vigilantism, which is a notable high. In August 2018, the number of instances increased once more. Here is a snapshot of the number of episodes and passings by month. Bovine vigilantism was reported in 19 States, with Uttar Pradesh registering the highest number of incidents that ended in violence.

On June 7, 2024 a Hindu right-wing mob in the central Indian state of Chhattisgarh lynched two Muslim men on suspicion of smuggling cattle. A few days later, a third victim passed away from his wounds. A Muslim man was beaten to death by a mob in Uttar Pradesh, the most populous state in India, on June 18, 2024.²⁰

The information provided below only pertains to incidents of cow vigilantism; because beef is considered to be a sacred animal in Hinduism, people have been

¹⁹ 'The Dadri Lynching: How Events Unfolded' *The Hindu* (4 December 2021, updated 4 December 2021) <https://www.thehindu.com/specials/in-depth/The-Dadri-lynching-how-events-unfolded/article60291071.ece> archived 4 December 2021, accessed 23 August 2025.

²⁰ *supra*

slaughtered for eating it. The figures below list religious targets, with Muslims being the ones who have been lynched the most because they are 'cow-eaters' and are allegedly offending Hindus.

C. The Inefficiency of Police Administration

The increasing number of lynching incidents has been largely caused by the incompetence and, frequently, collusion of police administrations. Police frequently do not move quickly enough to stop mobs from gathering, and in a number of instances, officers have been charged with being tardy or ignoring the situation. For instance, in the *2020 Palghar lynching*²¹, villagers ruthlessly murdered two sadhus and their driver, and police allegedly failed to keep the crowd under control in spite of earlier alerts about social media rumours about the community. Court rulings like *Mohd. Haroon v. Union of India (2014)*²² have reaffirmed the obligation of state authorities, including law enforcement and intelligence services, to foresee and stop such communal escalations.

D. Lack of Speedy Justice

The judicial system's delays in India have given mobs more confidence to seek justice on their own. Conviction rates in lynching cases are still pitifully low, and criminal trials frequently last for years. Communities consequently lose trust in the formal justice system because they believe it is unable to provide prompt redress. Since offenders are aware that prosecutions, even if they are started, are likely to end in acquittals or postponed judgements, this void allows vigilante justice to flourish. This phenomenon, where citizens replace the slow-moving legal system with collective mob action, has been dubbed a "*crisis of rule of law*" by scholars. The public's confidence in democratic institutions is damaged and constitutional guarantees of due process are compromised by the normalisation of such violence.

²¹ *supra*

²² *Mohd Haroon v Union of India (2014) 5 SCC 252 (India)*.

E. Digital Misinformation

Misinformation has emerged as a potent mob lynching catalyst in the digital age. Numerous people in India have lost their lives as a result of the phenomenon known as "WhatsApp lynchings." Violent mob reactions have frequently been triggered by viral messages alerting people to child abduction, organ trafficking, or cow smuggling. Such rumours led to the 2020 *Palghar lynching*, as the villagers thought the victims were robbers. According to scholarly research, on social media sites like Facebook and WhatsApp, fake news spreads more quickly than accurate information, intensifying anxiety and panic in real time. Within minutes, this digital ecosystem turns suspicion into widespread anger by transforming false information into "moral panic triggers." This issue is made worse by the lack of strict digital regulations and the government's incapacity to keep an eye on encrypted communications.

F. Political Instrumentalization of Lynching

Lynching is often used for political purposes and is not always spontaneous. In order to strengthen their majoritarian vote banks, political players have occasionally minimised, disregarded, or even subtly justified lynching incidents. Vigilante groups gain confidence as a result of the political protection given to offenders. The *Bhiwani murders* in 2023²³ serve as an example of how people connected to political or religious groups maintain their power in spite of being charged with grave crimes. According to academics like Ajay Gudavarthy, lynching reinforces the social superiority of one community over another by acting as a "performative spectacle of majoritarian dominance."²⁴ Mobs demonstrate their power by publicly punishing suspected criminals, which speaks to the political narratives of cultural nationalism and collective identity. Thus, lynching serves as a political instrument for ideological consolidation in addition to being a form of violence.

²³ *supra*

²⁴ Ajay Gudavarthy, 'Understanding Lynchings: With Silent Consent for Mob Violence, Society is Outsourcing Its Guilt' *Scroll.in* (17 July 2019, 08:00) <https://scroll.in/article/928313/understanding-lynchings-with-silent-consent-for-mob-violence-society-is-outsourcing-its-guilt> archived 17 July 2019, accessed 23 August 2025.

A more thorough sociological examination shows that lynching is caused by systemic and structural problems rather than sporadic communal outbursts. Scapegoating minorities is made easier by elements like caste oppression, unemployment, agrarian hardship, and communal polarisation. Lynching thus turns into a tool used by hegemonic groups to maintain power and uphold established hierarchies. The violence is not arbitrary; rather, it is frequently symbolic and intended to convey a message to the larger community. This reinforces fear and submission among marginalised populations by making lynching a public spectacle as well as a punitive act. According to Harsh Mander, lynching is "violence without loathing," with those who commit it frequently acting with pride rather than regret and justifying their actions by citing a need to uphold cultural or religious principles. He says- "Lynching should not be seen simply as a law and order problem. It is what I call 'command-hate crime'. It attacks people because of hatred due to their religious and caste identity.²⁵ Therefore, lynching must be understood as a social project rooted in **structural inequality and identity politics**, not just as sporadic criminality.

VII. SOME LANDMARK JUDGEMENTS

A. Mohd. Haroon and others v. Union of India and another

In the case of Mohd. Haroon and others v. Union of India and another it was clearly stated that the State Administration, along with both State and Central intelligence agencies, is responsible for preventing communal violence from happening again in any part of the State. If an officer responsible for maintaining law and order is found to be careless or negligent, they should be held legally responsible. This is supported by the precedent set in Archbishop Raphael Cheenath S.V.D. v. State of Orissa and another.²⁶ In that case, the Court emphasized that the State Government must investigate the reasons behind communal conflicts and work to strengthen social harmony. It also said that improving police resources in the district would help

²⁵ Harsh Mander, 'Lynching Not Law and Order Problem But Command-Hate Crime: Harsh Mander' *The New Indian Express* (8 September 2018, 21:01)

<https://www.newindianexpress.com/nation/2018/Sep/08/lynching-not-law-and-order-problem-but-command-hate-crime-harsh-mander-1869357.html> archived 8 September 2018, accessed 23 August 2025.

²⁶ Archbishop Raphael Cheenath SVD v State of Orissa (2016) 9 SCC 682 (India).

prevent future instances of communal violence. The Court also highlighted the need for ongoing peace-building efforts. Many later court orders that focus on quick, transparent, and responsible actions during mob violence are based on this precedent. It supports the legal expectation of active institutional protection and is often used in High Court cases where there are claims of police negligence.²⁷

B. Tehseen S Poonawala and others v. Union of India

*Tehseen S Poonawala and others v. Union of India*²⁸ is the most significant legal action taken to deal with mob lynching and communal violence. In this case, the Court created a detailed set of legally binding guidelines, which are divided into punitive, remedial, and preventive measures. The Court's orders included the formation of fast-track courts to finish lynching trials within six months, automatic registration of FIRs under Section 153A of the Indian Penal Code in hate crime cases, setting up victim compensation schemes within a month, and appointing a Nodal Officer of at least Superintendent of Police rank in every district to monitor and prevent mob violence. The Court also recognized the increasing danger of lynching to constitutional democracy and encouraged Parliament to consider creating a specific legal offense against lynching.²⁹

Even though this ruling was progressive, there have been difficulties in putting it into practice. The Supreme Court noted in 2025 that it was "unfeasible" to issue national guidelines for compensation and consistent oversight of mob lynching cases, highlighting the need for remedies to be customised for each unique situation. However, in order to guarantee compliance, the Court reaffirmed the Poonawalla guidelines' binding nature and urged harmed parties to contact the relevant High Courts. The Court previously demanded in 2023 that state governments, including those of Delhi, Uttar Pradesh, and Haryana, attest to their adherence to the

²⁷ Brinda Kundu, 'Implementation of Apex Court's Direction on Communal Violence and Mob Lynching' *LawyersClubIndia* (9 June 2021) <https://www.lawyersclubindia.com/articles/implementation-of-apex-court-s-direction-on-communal-violence-and-mob-lynching-14058.asp> archived 9 June 2021, accessed 23 August 2025.

²⁸ *supra*

²⁹ Khushi Rastogi, *Laws for Mob Lynching in India* *LawInsider* (27 November 2020) <https://lawinsider.in/trending/laws-for-mob-lynching-in-India> archived 27 November 2020, accessed 23 August 2025.

designation of district-level Nodal Officers. Such officers had been appointed in 28 states and Union Territories by November 21, 2023, according to affidavits, showing some progress in putting the ruling into practice.

The importance of the *Poonawalla* guidelines has also been highlighted in High Court rulings:

1. The Allahabad High Court halted the investigation in the Shahedeen Qureshi lynching case (Dec 2024, Moradabad) because FIRs were filed under general murder instead of the more appropriate Section 103(2) BNS (hate-motivated mob violence). In addition to ordering the UP government to submit a compliance affidavit in line with Tehseen Poonawalla guidelines, the Court pushed for a SIT-led investigation and compensation.³⁰
2. On July 15, 2025, the Court ruled in a different Public Interest Litigation filed by Jamiat Ulema-i-Hind that victims should contact the appropriate authorities or state agencies instead of having each lynching grouped under a single PIL. Nevertheless, the Court upheld Poonawalla's legally binding status.³¹
3. In *Krishnamoorthy v. Sivakumar and others*³² of 2015 Supreme Court stated that the Court asserted, "the law stands as the strongest authority in a civilized society. The dignity of law cannot be tarnished merely because an individual or group feels empowered by the principles enshrined in law to enforce it on their own and gradually assumes the role of enforcers, punishing offenders based on their own judgments and in whatever manner they choose." The Court remarked, "no one has the right to take the law into their own hands based merely on their capricious sense of judgment. Just as an individual is entitled to defend their legal rights, the other party deserves to be considered innocent until proven guilty following a fair trial."

³⁰ Utkarsh Anand, "'Unfeasible': SC on National Directives on Mob Lynching' *Hindustan Times* (12 February 2025) <https://www.hindustantimes.com/india-news/unfeasible-sc-on-national-directives-on-mob-lynching-101739300851597.html> accessed 2 March 2025.

³¹ Citizens for Justice and Peace, 'Supreme Court in 2023: Several Steps Forward, Miles to Go in the Fight Against Hate' *CJP* (3 February 2024) <https://cjp.org.in/supreme-court-in-2023-several-steps-forward-miles-to-go-in-the-fight-against-hate/> accessed 14 April 2025.

³² *Krishnamoorthy v Sivakumar* (2015) 3 SCC 467 (India).

VIII. GUIDELINES TO CURB LYNCHING VIOLENCE

In the *Poonawalla case* ³³, the Supreme Court issued extensive guidelines encompassing preventive, corrective, and punitive measures, expressing concern "with regard to numerous incidents of lynching and mob violence." The new criminal law framework under BNS and BNSS must now be read in conjunction with these guidelines, which have been updated by later court rulings.

A. Preventive Measures

1. **Institutional Framework:** To prevent lynching and mob violence, each district must designate a Nodal Officer with at least a Superintendent of Police rank. Although the degree of implementation varies greatly amongst jurisdictions, as of November 2023, 28 states and Union Territories had complied with this directive.
2. **Intelligence and Early Warning Systems:** To obtain information about possible incidents, track down victims and offenders, and keep an eye out for hate speech and false information, specialised task forces must be formed. Police officers are required by Section 173 of the BNSS (which replaced Section 148 CrPC) to disperse groups of people who exhibit signs of violence or vigilantism.
3. **Digital Monitoring and Content Regulation:** Under Section 196 of the BNS, police are required to file formal complaints (FIRs) against anyone disseminating content that could incite mob violence. Social media companies ought to be required to put in place real-time content flagging systems and give law enforcement accelerated response times for harmful viral content.
4. **Community Engagement:** In areas where there has been a history of mob violence, nodal officers are required to regularly engage the community, paying particular attention to communities that are at risk. The Home Department must inform the public about the constitutional duties and legal ramifications of mob violence through radio, television, and digital media.

³³ *supra*

5. **Implementation Gap Analysis:** The lack of standardised procedures across states, poor intelligence agency coordination, and inadequate training of nodal officers are some of the current issues. As advised, only 12 states have formed specialised anti-lynching task forces, indicating serious enforcement deficiencies.

B. Remedial Measures

The Immediate Response Protocol requires that FIRs be filed under the relevant BNS provisions as soon as mob violence occurs, especially Section 103(2) for identity-based mob lynching. The Shahdeen Qureshi case, which was heard by the Allahabad High Court in December 2024, highlights the significance of properly framing charges under particular anti-lynching provisions as opposed to general murder charges.

1. **Victim Protection and Compensation:** Within 30 days of the incident, state governments are required to put victim compensation plans into place. Section 408 of the BNSS, which replaced Section 357A CrPC, mandates that interim compensation be given while the trial is ongoing. Other states can learn from West Bengal's compensation scheme, which offers victim families jobs and up to Rs. 5 lakh in compensation.
2. **Fast-Track Justice Delivery:** Committed fast-track courts are required to guarantee that trials are finished in six months. Effective prosecution under Section 103(2) BNS requires the creation of special prosecutors with knowledge of hate crimes and digital evidence.
Witness Protection: Strong protection measures under the Witness Protection Scheme, 2018 must be put in place in light of the intimidation that witnesses in lynching cases endure. This covers legal aid, identity protection, and relocation support.
3. **Present Status of Implementation:** There is still uneven state compliance with corrective actions. Fast-track courts for mob violence cases have been established in Maharashtra, but states like Uttar Pradesh and Bihar exhibit notable delays in filing FIRs and insufficient payment of victim compensation.

C. Punitive Measures

1. **Accountability Framework:** Departmental action and possible criminal liability for negligence are imposed on police officers and district administrators who disregard anti-lynching directives. This includes insufficient investigation, a delayed response, or the inability to stop predictable mob violence.
2. **Enhanced Sentencing:** In contrast to earlier general murder provisions, Section 103(2) BNS offers the death penalty or life in prison with a minimum seven-year sentence, which is a major deterrent upgrade. To create precedential value, courts must guarantee exemplary punishment.
3. **Monitoring and Verification of Compliance:** The Supreme Court's 2025 ruling that consistent national compensation standards are "unfeasible" gives High Courts more authority to keep an eye on state-level compliance. It is crucial that nodal officer performance and state compliance with regulations be regularly reviewed by the courts.
4. **Civil Society Integration:** Human rights groups and NGOs ought to be formally included in oversight systems so they can independently supervise victim assistance programs and police response. This fills the current void where civil society participation is still sporadic and unorganised.

IX. CONCLUSION

A basic attack on India's constitutional democracy, mob lynching exposes structural shortcomings in social cohesion, law enforcement, and governance. Beyond individual criminality, this phenomenon takes the form of organised violence that erodes the rule of law and upholds systemic injustices against underprivileged groups.

A. Evaluation of the Legal Framework

By specifically making identity-based mob violence illegal, Section 103(2) of the Bharatiya Nyaya Sanhita, 2023, represents a turning point in Indian criminal law. Early application, however, identifies important flaws: prosecutorial ambiguities are

created by the provision's exclusion of "religion" as an explicit ground, even though religious motivations have been a factor in significant lynching incidents. Legal clarity is further compromised by the Jharkhand High Court's discovery of draughting inconsistencies.

B. Stakeholder-Specific Action Framework

1. **Legislative Priorities:** In order to clearly include "religion" as a protected ground and create consistent penalty guidelines across states, Parliament must immediately amend Section 103(2) BNS. To control content moderation and platform accountability for inflammatory content, a comprehensive Digital Safety Act must be passed.
2. **Judicial Reforms:** In order to guarantee uniform victim compensation and expedited trial procedures, the Supreme Court ought to form a National Monitoring Committee for mob lynching cases. State compliance with Tehseen Poonawalla guidelines must be reviewed by High Courts on a quarterly basis; noncompliance will result in mandamus proceedings.
3. **Executive Implementation:** Within ninety days, state governments must put anti-lynching infrastructure into operation, including victim support centres, specialised investigation units, and the hiring of trained nodal officers. An Inter-State Intelligence Coordination Mechanism should be established by the Union Government to track patterns of mob violence across international borders.
4. **Technology Platform Accountability:** Social media firms need to put in place AI-driven content detection tools that can recognise possible lynching triggers in local languages. Platforms should be required by law to keep thorough audit trails for post-event investigation and to notify law enforcement in real time of any inflammatory content that goes viral.
5. **Civil Society Integration:** District Peace Committees should be established with official state legal recognition by human rights groups, bar associations,

and local leaders. These committees would support victims' rights, act as community mediators, and act as early warning systems.

C. Measurable Outcomes and Timeline

1. Short-term targets (6 months):

- 100% compliance with nodal officer appointments across all districts
- Establishment of fast-track courts in states with highest lynching incidents
- Implementation of standardized FIR registration protocols under Section 103(2) BNS

2. Medium-term goals (2 years):

- 80% reduction in mob lynching incidents through enhanced prevention
- Average trial completion time reduced to 8 months
- Universal victim compensation disbursement within 30 days

3. Long-term objectives (5 years):

- Integration of anti-lynching education in school curricula
- Establishment of national database for hate crime monitoring
- Achievement of zero tolerance for mob violence through deterrent sentencing

Global Best Practices: Through comprehensive strategies that combine media regulation, community policing, and legal reform, nations like South Africa and Brazil have effectively decreased mob violence. India ought to follow Brazil's digital content monitoring systems for inflammatory content and South Africa's Community Safety Forums model.

Important Implementation Difficulties: Inadequate police training on new BNS provisions, lack of inter-agency coordination, and political patronage of vigilante groups are among the on-going challenges identified by the study. The urgent need for judicial monitoring mechanisms is demonstrated by the Supreme Court's April 2024 observation in *National Federation of Indian Women v. Union of India* that the majority of states did not submit compliance affidavits.

An Appeal for Action: India's mob lynching calls for swift, coordinated action that cuts across political boundaries. Upholding human dignity and constitutional values is the duty of all parties involved, from Parliament to social media users. India's democratic fabric is directly threatened by the normalisation of mob violence, which must be opposed by the entire populace.

India's approach must change from reactive criminalisation to proactive prevention, from disjointed state responses to a single national strategy, and from tolerating vigilantism to zero-tolerance enforcement in order to move forward. India can only regain its dedication to justice, equality, and the rule of law by implementing such extensive reform.

This paper concludes with an urgent appeal: Mob lynching is a moral crisis that calls on India's collective conscience, not just a problem with law and order. The choice before the nation is clear- uphold constitutional democracy or witness its erosion through normalized mobocracy. The time for decisive action is now.

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