



Offence of 'Abetment of Suicide'

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Why in News?

Recently, the Supreme Court has interpreted the crime of 'abetment of suicide,' detailing the criteria for determining guilt in such cases.

What is Abetment of Suicide?

- **About:** Abetment of suicide is an offence under [Section 306 of the Indian Penal Code \(IPC\)](#) ([Section 108 of the Bharatiya Nyaya Sanhita \(BNS\)](#)).
 - The punishment for this crime is **up to 10 years of imprisonment** and a fine.
 - **Section 45 of the Bharatiya Nyaya Sanhita (BNS)** defines abetment as when a person either instigates someone to commit an act, conspires with others to do something (leading to an illegal act or omission), or intentionally aids in its execution.
- **SC's Interpretation:**
 - The offence requires "**direct and alarming encouragement or incitement**" that leaves no option but fatal step.
 - The **court laid down following guidelines** to determine whether a situation involved unbearable harassment or emotional exploitation that drove the deceased to suicide.
 - The **accused created unbearable harassment or torture**, leading the victim to view suicide as the only escape.
 - The **accused exploited the victim's emotional vulnerability**, making them feel worthless or undeserving of life.
 - The **accused threatened harm to the victim's family** or caused financial ruin.
 - The **accused made false allegations** that damaged the victim's reputation, leading to public humiliation and loss of dignity.
- **Related Cases:**
 - ***M Mohan v The State, 2011***: The SC ruled that proving abetment of suicide under Section 306 IPC requires a direct act with intent, leaving the victim no option but suicide.
 - ***Ude Singh v State of Haryana, 2019***: The SC held that proving abetment of suicide depends on case specifics, requiring direct or indirect incitement that leaves the victim no choice but suicide.
- **Government Initiatives for Suicide Prevention:**
 - [Mental Healthcare Act \(MHA\), 2017](#)
 - [KIRAN Helpline](#)
 - [Manodarpan Initiative](#)
 - [National Suicide Prevention Strategy 2022](#)

What is the Statistics Related to Suicide in India?

- The data compiled by the [NCRB](#) is based on police-recorded first information reports ([FIRs](#)).
 - **Surge in Student Suicides:** Student suicides in India have surged by 4% annually, outpacing the **overall suicide rate increase of 2%**, despite a likely "under reporting" of student suicide cases.
 - **Gender Disparity:** In 2022, **male students constituted 53%** of total student suicides.

While male suicides decreased by 6% from 2021, **female student suicides saw a 7% rise.**

- **Decade Trend:** Over the past decade, despite a slight decrease in the **0-24 age** group population, student suicides **rose significantly from 6,654 to 13,044.**
- **State-Wise Distribution: Maharashtra, Tamil Nadu, and Madhya Pradesh** reported the highest numbers of student suicides, collectively accounting for one-third of the national total.

▪ **Legal Norms Related to Suicide:**

- **Section 115 of Mental Healthcare Act, 2017 (MHCA)** states that attempted suicide is to be considered the result of severe stress, and the individual is not to be prosecuted.
- **BNS removes the Section of attempt to commit suicide** from the statute books, it doesn't entirely decriminalize the offence of attempting to die by suicide.
 - **Section 224 of the BNS** states that attempting to commit suicide with the intent to compel any public servant to discharge their official duties shall be punishable by imprisonment for up to one year, a fine, or both.

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