

GENDERED CONSEQUENCES OF ECONOMIC OFFENCES: A CRITICAL CRIMINAL LAW ANALYSIS OF WOMEN VICTIMS AND JUDICIAL RESPONSE IN INDIA

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ABSTRACT

Economic offences have conventionally been analysed within Indian criminal law as property- or institution-centric crimes, largely ignoring their differentiated impact on women victims. This study examines the gendered consequences of economic offences and evaluates the judicial and institutional response to women victims in India, with specific empirical focus on the Aligarh region of Uttar Pradesh. Adopting a mixed-methods socio-legal design, the study integrates doctrinal analysis with empirical data collected from 200 participants, including women victims, judicial officers, police investigators, prosecutors, and civil society actors. Advanced inferential statistical techniques—such as chi-square tests, logistic regression, ANOVA, and factor analysis—were combined with thematic qualitative analysis derived from interviews, courtroom ethnography, and document review. The findings reveal that women's economic victimisation is predominantly relational, occurring within domestic, familial, and informal financial contexts, and is marked by under-registration of FIRs, investigative delay, high attrition rates, and minimal compensation. Rural residence, familial relationship with the accused, and lack of legal aid significantly reduce access to justice, while institutional actors acknowledge gender bias but lack structural mechanisms to address it. The study demonstrates that procedural neutrality in criminal law often reproduces substantive inequality for women victims. It concludes that economic offences must be re-conceptualised through a gender-sensitive criminal law lens, supported by institutional reform, judicial sensitisation, and victim-centric compensation mechanisms.

Keywords: Economic offences; women victims; gendered criminal law; judicial response; access to justice; victimology; Aligarh region

1. INTRODUCTION

Economic offences have traditionally been conceptualised within Indian criminal jurisprudence as offences against property, public revenue, or financial integrity of institutions. The dominant legal discourse has largely framed such offences as value-neutral violations requiring technical investigation and deterrent punishment. However, this ostensibly neutral framing conceals the deeply gendered consequences that economic crimes inflict upon women, particularly within a socio-legal context shaped by patriarchy, economic dependency, informal labour, and unequal access to justice. The Indian criminal justice system, while increasingly attentive to violent crimes against women, continues to inadequately address women's victimisation in the domain of economic offences. The Supreme Court of India has acknowledged that economic offences are not merely financial wrongs but crimes that corrode the moral fabric of society and undermine social trust (*State of Gujarat v. Mohanlal Jitmalji Porwal*, AIR 1987 SC 1321). Yet, judicial recognition of the gender-specific impact of such offences remains underdeveloped. Women victims of fraud, cheating, criminal breach of trust, cyber-financial crimes, and economic abuse within domestic relationships often experience harms that extend far beyond monetary loss—affecting dignity, autonomy, social standing, and personal security.

In India, women disproportionately occupy economically vulnerable positions—as homemakers without independent income, informal sector workers, self-help group members, micro-entrepreneurs, widows, elderly dependents, and recipients of welfare benefits. Economic

offences targeting these women frequently result in cascading consequences such as food insecurity, educational discontinuity for children, health deprivation, and social ostracisation. Despite this, criminal law responses remain largely gender-blind, focusing on mens rea, actus reus, and financial quantification of loss, while ignoring structural inequality. The Constitution of India guarantees equality before law under Article 14 and protection of life and personal liberty under Article 21. The Supreme Court has consistently interpreted Article 21 to include the right to live with dignity and access to justice (*Maneka Gandhi v. Union of India*, AIR 1978 SC 597). Denial of effective legal remedies to women victims of economic offences—through non-registration of FIRs, investigative delay, evidentiary insensitivity, or procedural attrition—constitutes a direct infringement of these constitutional guarantees.

The obligation of the criminal justice system to respond sensitively to victims has been reaffirmed in multiple decisions. In *Mallikarjun Kodagali v. State of Karnataka* (AIR 2019 SC 113), the Supreme Court explicitly recognised the participatory rights of victims in criminal proceedings, marking a shift from an accused-centric to a victim-inclusive framework. However, the operationalisation of such principles in economic offence cases involving women remains minimal. Women victims encounter unique barriers at every stage of the criminal process. At the threshold stage, police reluctance to register FIRs in “family-related” or “financial disputes” persists, despite the mandatory nature of FIR registration laid down in *Lalita Kumari v. Government of Uttar Pradesh* (AIR 2014 SC 187). Investigative agencies often trivialise complaints by women, especially where perpetrators are spouses, in-laws, employers, or community elites. Such practices reinforce economic abuse and discourage reporting.

Judicial attitudes also reflect latent gender biases. Courts frequently prioritise recovery of money over acknowledgment of victim harm, pushing women toward civil remedies that are costly, time-consuming, and inaccessible. The Supreme Court has cautioned against mechanically categorising criminal acts as civil disputes (*Indian Oil Corporation v. NEPC India Ltd.*, AIR 2006 SC 2780), yet this tendency persists, particularly in cases involving women complainants. Further, compensation mechanisms under criminal law are rarely invoked effectively in economic offences. Section 357 of the Code of Criminal Procedure empowers courts to award compensation, and Section 357A mandates victim compensation schemes. The Supreme Court has emphasised that compensation is not ancillary but a substantive right (*Ankush Shivaji Gaikwad v. State of Maharashtra*, AIR 2013 SC 2454). Nonetheless, women victims of economic crimes often remain uncompensated due to procedural delays and asset dissipation.

This paper argues that economic offences must be re-theorised through a gender-sensitive criminal law lens. It contends that women’s victimisation in economic crimes constitutes a form of structural violence perpetuated by both offenders and institutions. The absence of gender-responsive investigative practices, judicial reasoning, and remedial frameworks leads to secondary victimisation and denial of substantive justice. Accordingly, this study undertakes a critical criminal law analysis of economic offences affecting women in India, examining statutory provisions, judicial interpretations, and procedural practices. It integrates feminist legal theory and victimology to assess whether existing legal responses fulfil constitutional mandates of equality and dignity. The paper further proposes doctrinal, procedural, and institutional reforms aimed at transforming economic offence adjudication into a victim-centric and gender-responsive process.

2. CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 FEMINIST CRIMINAL JURISPRUDENCE

Feminist criminal jurisprudence challenges the assumption that criminal law operates in a neutral social vacuum. It argues that laws and institutions are embedded within patriarchal

structures that systematically disadvantage women. The Supreme Court has acknowledged the need for gender-sensitive interpretation of laws to advance substantive equality (*Vishaka v. State of Rajasthan*, AIR 1997 SC 3011). While this principle has been robustly applied in cases of sexual violence, its application to economic crimes remains limited. Economic offences disproportionately affect women because of unequal control over resources and decision-making power. Feminist legal theory critiques the traditional separation between “public” economic crimes and “private” domestic financial abuse, highlighting how this dichotomy shields perpetrators and marginalises women’s experiences. The Protection of Women from Domestic Violence Act, 2005 explicitly recognises economic abuse as a form of domestic violence. Courts have affirmed that deprivation of financial resources amounts to cruelty (*Vimlaben Ajitbhai Patel v. Vatslaben Ashokbhai Patel*, AIR 2008 SC 1444). However, criminal law enforcement has yet to fully integrate this understanding into economic offence jurisprudence.

2.1.2 Gendered Victimology

Victimology traditionally focused on victim precipitation and behaviour, often reinforcing stereotypes. Contemporary gendered victimology, by contrast, examines how social structures create vulnerability. The Supreme Court has cautioned against victim-blaming narratives and stressed empathetic adjudication (*State of Punjab v. Gurmit Singh*, AIR 1996 SC 1393). Women victims of economic offences face compounded vulnerabilities—financial dependence, caregiving burdens, fear of retaliation, and reputational harm. These factors influence reporting behaviour, cooperation with investigations, and litigation endurance. Criminal justice processes that fail to account for these realities effectively deny women equal protection of law, contrary to Article 14 (*E.P. Royappa v. State of Tamil Nadu*, AIR 1974 SC 555).

2.1.3 Procedural Justice and Access to Justice

Procedural justice theory emphasises fairness, voice, and respect in legal processes. The Supreme Court has repeatedly held that access to justice is a facet of Article 21 (*Hussainara Khatoon v. State of Bihar*, AIR 1979 SC 1369). Delays, dismissive attitudes, and procedural complexity in economic offence cases disproportionately exclude women, particularly those from marginalised backgrounds. Failure to provide effective remedies transforms criminal procedure into an instrument of exclusion rather than justice. The constitutional obligation to ensure meaningful access requires courts and agencies to adapt procedures to the needs of vulnerable victims (*Anoop Baranwal v. Union of India*, AIR 2023 SC 2414—principle of institutional accountability).

2.2. NATURE AND TYPOLOGY OF ECONOMIC OFFENCES AFFECTING WOMEN IN INDIA

Economic offences in India encompass a wide range of criminal acts involving deception, misappropriation, breach of trust, financial manipulation, and abuse of economic power. While such offences are formally gender-neutral, their impact, mode of commission, and aftermath are profoundly gendered. Women in India are not merely incidental victims of economic crimes; they are often systematically targeted due to social positioning, financial dependence, and limited institutional access. The Supreme Court has clarified that economic offences are grave crimes affecting not only individual victims but the economic health of society (*Nimmagadda Prasad v. CBI*, AIR 2013 SC 2821). However, this macro-economic framing frequently obscures the micro-level gendered harms suffered by women victims, particularly where offences occur within familial, employment, or digitally mediated relationships.

2.2.1 Cheating and Fraud under the Indian Penal Code

Section 415 of the Indian Penal Code defines cheating as deception with dishonest inducement to deliver property. Courts have consistently held that the offence is complete when deception

leads to wrongful loss (*Ram Jas v. State of Uttar Pradesh*, AIR 1970 SC 1811). Women are disproportionately affected by cheating in contexts such as matrimonial fraud, employment scams, investment frauds, and welfare-related deceptions. Matrimonial fraud—where women are deceived into marriage for dowry, property, or financial gain—has been judicially recognised as a serious form of cheating. The Supreme Court has affirmed that fraudulent inducement into marriage constitutes cheating when dishonest intent exists from inception (*Anil Mahajan v. Bhor Industries Ltd.*, AIR 2006 SC 1062). Despite this recognition, criminal complaints by women are often diluted or diverted into civil or family court proceedings, undermining criminal accountability. Women’s vulnerability in such cases is exacerbated by social stigma attached to marital breakdown and the pressure to preserve family honour. The reluctance of police to pursue criminal investigation in matrimonial fraud cases, under the guise of “private disputes,” directly contravenes the principle that criminal law cannot be ousted merely because a civil remedy exists (*Indian Oil Corporation v. NEPC India Ltd.*, AIR 2006 SC 2780).

2.2.2 Criminal Breach of Trust and Misappropriation

Sections 405 and 406 IPC criminalise breach of trust, which occurs when property entrusted is dishonestly misappropriated. Courts have held that entrustment is the cornerstone of the offence (*State of Gujarat v. Jaswantlal Nathal*, AIR 1968 SC 700). Women frequently experience breach of trust in domestic and employment settings—through misappropriation of stridhan, wages, savings, or business assets. Stridhan misappropriation remains a pervasive form of economic offence against women. The Supreme Court has unequivocally held that stridhan remains the absolute property of the woman and its retention by husband or in-laws amounts to criminal breach of trust (*Pratibha Rani v. Suraj Kumar*, AIR 1985 SC 628). Yet, in practice, women’s complaints are often trivialised, delayed, or merged with matrimonial disputes, leading to evidentiary dilution. Economic abuse within marriage—such as denial of access to bank accounts, forced signatures on financial documents, or diversion of income—constitutes both breach of trust and cruelty. Judicial recognition of such abuse has emerged in the context of domestic violence law (*Vimlaben Ajitbhai Patel v. Vatslaben Ashokbhai Patel*, AIR 2008 SC 1444), but its integration into mainstream economic offence prosecution remains inadequate.

2.2.3 Cheque Dishonour and Financial Coercion under the Negotiable Instruments Act

Section 138 of the Negotiable Instruments Act criminalises cheque dishonour for insufficiency of funds. While ostensibly a commercial offence, women are increasingly implicated as complainants or coerced accused. Women entrepreneurs, self-help group members, and small traders often face cheque dishonour due to delayed payments or financial manipulation by dominant business partners. The Supreme Court has emphasised that Section 138 proceedings aim to enhance credibility of commercial transactions (*Modi Cements Ltd. v. Kuchil Kumar Nandi*, AIR 1998 SC 1057). However, women complainants frequently encounter procedural delays and aggressive counter-litigation, discouraging enforcement. Conversely, women are sometimes forced to issue cheques under economic coercion or domestic pressure, later facing criminal prosecution. Courts have recognised that absence of legally enforceable debt negates liability (*Indus Airways Pvt. Ltd. v. Magnum Aviation Pvt. Ltd.*, AIR 2014 SC 189), yet women defendants often lack resources to establish coercion or absence of consent, reflecting structural inequality.

2.2.4 Cyber-Enabled Economic Offences

The proliferation of digital platforms has intensified women’s exposure to cyber-enabled economic crimes, including online investment frauds, phishing, identity theft, and romance scams. The Information Technology Act criminalises cheating by personation using computer resources. Courts have acknowledged the seriousness of cyber fraud and the need for

specialised investigation (*Shreya Singhal v. Union of India*, AIR 2015 SC 1523—recognition of digital rights context). Women victims of cyber fraud face compounded harms—financial loss coupled with reputational damage and psychological distress. Law enforcement responses remain uneven, with jurisdictional confusion and lack of digital forensic capacity disproportionately disadvantaging women. Failure to promptly investigate cyber complaints violates the right to effective remedy under Article 21 (*Lalita Kumari v. Government of Uttar Pradesh*, AIR 2014 SC 187).

2.2.5 Corruption and Welfare-Related Economic Offences

Women beneficiaries of welfare schemes are particularly vulnerable to corruption, bribery, and diversion of funds. The Supreme Court has held that corruption erodes constitutional governance (*State of Madhya Pradesh v. Shri Ram Singh*, AIR 2000 SC 870). However, women victims of petty corruption often lack the institutional support to pursue complaints, fearing retaliation and exclusion from future benefits. The gendered dimension of such offences lies in women's dependency on state welfare for survival. Economic offences that deprive women of entitlements amount to indirect violations of dignity and equality under Articles 14 and 21 (*Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, AIR 1981 SC 746).

2.2.6 Structural Patterns and Systemic Targeting

Across offence categories, certain patterns emerge:

- Offences are often committed by persons in positions of trust—husbands, employers, relatives, community leaders.
- Women's complaints are more likely to be characterised as “civil disputes” or “family matters.”
- Recovery-focused approaches overshadow victim-centric justice.

The Supreme Court has warned that selective enforcement and procedural arbitrariness undermine rule of law (*State of Punjab v. Davinder Pal Singh Bhullar*, AIR 2011 SC 123). Gendered under-enforcement in economic offences reflects such arbitrariness and perpetuates structural injustice.

2.3. WOMEN VICTIMS AND THE CRIMINAL JUSTICE PROCESS: INVESTIGATION, EVIDENCE, AND JUDICIAL RESPONSE

The gendered consequences of economic offences are most starkly revealed not merely at the point of victimisation but during the victim's engagement with the criminal justice process. While criminal law purports to function on principles of neutrality and objectivity, its procedural architecture and institutional practices frequently operate to the disadvantage of women victims. From the initial stage of complaint registration to trial adjudication and sentencing, systemic biases and structural constraints shape outcomes in ways that undermine women's access to justice.

2.3.1 FIR Registration and the Threshold Barrier

The First Information Report (FIR) constitutes the formal gateway to the criminal justice system. The Supreme Court has unequivocally held that registration of FIR is mandatory when information discloses the commission of a cognisable offence (*Lalita Kumari v. Government of Uttar Pradesh*, AIR 2014 SC 187). Despite this categorical mandate, women victims of economic offences frequently encounter reluctance or refusal at the police station level. Complaints involving financial exploitation within families, workplaces, or intimate relationships are often dismissed as “civil disputes” or “private matters.” Such practices are legally untenable. The Supreme Court has repeatedly clarified that the existence of a civil remedy does not bar criminal prosecution where ingredients of a criminal offence are satisfied (*Rajesh Bajaj v. State NCT of Delhi*, AIR 1999 SC 1216). Non-registration of FIRs in economic offence cases involving women thus amounts to a denial of statutory duty and a violation of the victim's right to access justice under Article 21 (*Hussainara Khatoon v. State of Bihar*,

AIR 1979 SC 1369). For women, particularly those from marginalised backgrounds, refusal to register an FIR carries disproportionate consequences. Lack of formal complaint forecloses investigation, asset preservation, and evidentiary collection, allowing perpetrators—often economically dominant—to dissipate assets and intimidate victims.

2.3.2 Investigation and Gendered Institutional Bias

Once an FIR is registered, investigation becomes the central site where gender bias manifests subtly but decisively. Economic offences require specialised financial and digital forensic expertise. Investigative delays and superficial inquiry are common, especially in cases involving domestic or relational contexts. The Supreme Court has held that fair investigation is an integral part of Article 21 (*Babubhai v. State of Gujarat*, AIR 2011 SC 1863). A biased or perfunctory investigation vitiates the entire criminal process (*Pooja Pal v. Union of India*, AIR 2016 SC 264). Yet, women victims often face investigative apathy, with police prioritising “settlement” over prosecution, particularly where perpetrators are family members or influential actors. Gendered assumptions regarding women’s financial literacy further distort investigations. Complaints are sometimes undermined by suggestions that women “did not understand” transactions or were “careless,” subtly shifting blame onto victims. Such approaches contravene the Supreme Court’s rejection of victim-blaming narratives in criminal adjudication (*State of Punjab v. Gurmit Singh*, AIR 1996 SC 1393).

2.3.3 Evidentiary Burdens and Proof of Economic Harm

Economic offences are document-intensive crimes. Proof often depends on bank statements, contracts, digital trails, and forensic accounting. While the law of evidence is formally neutral, its application frequently disadvantages women. The Supreme Court has recognised that criminal law must adapt evidentiary appreciation to social realities (*State of Rajasthan v. Om Prakash*, AIR 2002 SC 2235). However, women victims—particularly homemakers or informal workers—may lack access to documentary records or technical knowledge to preserve digital evidence. Investigative agencies rarely provide adequate assistance in evidence collection, compounding inequality. In cases of criminal breach of trust involving stridhan or household assets, courts have sometimes demanded excessive proof of entrustment or valuation, ignoring the lived realities of domestic financial arrangements. This undermines the principle that evidentiary standards must not become instruments of injustice (*Narayan Govind Gavate v. State of Maharashtra*, AIR 1977 SC 183).

2.3.4 Trial Delays, Attrition, and Secondary Victimisation

Delay is among the most severe forms of injustice faced by women victims of economic offences. The Supreme Court has consistently held that speedy trial is a fundamental right under Article 21 (*Hussainara Khaton v. State of Bihar*, AIR 1979 SC 1369). Despite this, economic offence trials often extend over several years due to congested dockets, adjournments, and investigative lapses. For women, prolonged litigation entails significant emotional, financial, and social costs. Caregiving responsibilities, loss of income, and societal pressure often compel women to withdraw complaints or accept unfavourable settlements. The Supreme Court has acknowledged that delay itself constitutes prejudice to victims (*P. Ramachandra Rao v. State of Karnataka*, AIR 2002 SC 1856). Repeated court appearances, adversarial cross-examination, and insinuations regarding motives lead to secondary victimisation. Such treatment undermines the dignity of women complainants and contradicts the constitutional mandate to protect human dignity (*Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, AIR 1981 SC 746).

2.3.5 Judicial Attitudes and Gender Sensitivity

Judicial discretion plays a decisive role in economic offence adjudication—whether in framing charges, granting bail, ordering asset attachment, or awarding compensation. While courts have emphasised the seriousness of economic offences (*Y.S. Jagan Mohan Reddy v. CBI*, AIR 2013 SC 1933), gender-specific harms are rarely articulated in judicial reasoning. In many cases, courts prioritise restitution of money over recognition of non-pecuniary harm. This narrow remedial focus fails to acknowledge psychological trauma, loss of social standing, and erosion of autonomy suffered by women victims. The Supreme Court has cautioned against reducing justice to monetary compensation alone (*Rudul Sah v. State of Bihar*, AIR 1983 SC 1086). Judicial reluctance to order interim asset-freezing or compensation further weakens women’s position. Where assets are dissipated during trial, eventual convictions offer symbolic vindication without substantive relief.

2.3.6 Compensation and Restitution: A Gendered Deficit

Section 357 CrPC empowers courts to award compensation to victims, while Section 357A mandates state-funded victim compensation schemes. The Supreme Court has clarified that courts must apply their mind to compensation in every criminal case (*Ankush Shivaji Gaikwad v. State of Maharashtra*, AIR 2013 SC 2454). Despite this, compensation in economic offence cases involving women remains rare. Procedural inertia, lack of awareness, and restrictive interpretations of “victim” exclude many women from relief. Denial of compensation perpetuates economic vulnerability and violates the rehabilitative objectives of criminal justice (*Balraj v. State of Uttar Pradesh*, AIR 1995 SC 1935).

3. Significance of the Study

The present study is significant as it addresses a critically underexplored dimension of criminal law in India—the gendered consequences of economic offences and the adequacy of judicial response to women victims, with specific reference to the Aligarh region of Uttar Pradesh. While economic offences have attracted judicial and scholarly attention primarily for their impact on financial systems and public confidence, their disproportionate and gender-specific impact on women has largely remained outside mainstream legal discourse. Aligarh, being a semi-rural and socio-economically backward district, presents a unique setting where women’s economic participation is largely informal, household-based, or dependent on welfare schemes, self-help groups, microcredit, and familial assets. In such contexts, economic offences—such as cheating, criminal breach of trust, misappropriation of stridhan, cyber-enabled fraud, and welfare-related corruption—produce consequences that extend beyond monetary loss to include social stigma, domestic conflict, psychological trauma, and long-term economic disempowerment. This study is significant for several reasons. First, it contributes to feminist criminal jurisprudence by demonstrating how formally neutral criminal laws operate unevenly when applied to women victims in localized socio-cultural contexts. Second, it strengthens victimology scholarship by empirically foregrounding women’s lived experiences of economic victimisation, procedural exclusion, and secondary victimisation within the criminal justice system. Third, the study has practical relevance for judicial officers, police, prosecutors, and policymakers by highlighting gaps between doctrinal principles and ground-level implementation in district courts and police stations. By focusing on Aligarh, the study moves beyond metropolitan-centric analyses and provides insights into district-level justice delivery, thereby enhancing the policy relevance of its findings for similar regions across northern India.

3.1 Research Gap

A review of existing literature reveals several critical gaps that this study seeks to address. First, most legal scholarship on economic offences in India adopts a macro-economic or institutional perspective, focusing on white-collar crime, corporate fraud, corruption, and financial regulation. Such studies rarely examine individual victims, and even less frequently analyse women as a distinct category of victims. Second, feminist legal studies in India have

predominantly focused on violent crimes against women, such as rape, domestic violence, and sexual harassment. Economic offences—despite being a major source of women’s vulnerability and dependency—have not received comparable analytical attention. This has resulted in a conceptual gap where economic victimisation is not adequately recognised as a form of gendered harm. Third, there is a notable empirical gap. Very few studies combine doctrinal legal analysis with field-based research at the district level to assess how criminal justice institutions respond to women victims of economic offences. NCRB statistics provide aggregate data but fail to capture procedural experiences, judicial attitudes, and informal pressures faced by women complainants. Fourth, existing research rarely engages with judicial reasoning patterns in lower courts, particularly magistrate courts, where most economic offence cases are tried. The absence of district-specific studies obscures regional disparities in enforcement, access to justice, and victim support mechanisms. By focusing on the Aligarh region, this study fills these gaps by offering a localized, gender-sensitive, and empirically grounded analysis of economic offences and judicial responses, thereby enriching both theory and practice.

3.2 Research Objectives

The present study is undertaken with the following objectives:

1. **To examine the nature and types of economic offences affecting women** in the Aligarh region, including cheating, criminal breach of trust, cyber fraud, cheque dishonour, and domestic economic abuse.
2. **To analyse the socio-economic and gender-specific impact** of economic offences on women victims, with particular reference to financial dependency, household security, and social stigma.
3. **To critically evaluate the response of criminal justice institutions**—police, prosecution, and judiciary—towards women victims of economic offences in Aligarh.
4. **To assess the extent to which existing criminal laws and procedures** effectively protect the rights, dignity, and interests of women victims of economic crimes.
5. **To identify procedural and institutional barriers** that hinder women’s access to justice in economic offence cases at the district level.
6. **To suggest legal and policy reforms** aimed at making the criminal justice response to economic offences more gender-sensitive and victim-centric.

3.3 Area of Study

The geographical area of the present study is Aligarh district, situated in the north-central part of the state of Uttar Pradesh, within the Upper Ganga–Yamuna Doab region of North India. The district lies between the rivers Ganga and Yamuna and forms part of the western Uttar Pradesh socio-economic belt. Aligarh is predominantly semi-rural in character and is marked by low female workforce participation, high dependence on agriculture and informal labour, limited levels of digital literacy, and deeply entrenched patriarchal social structures. These characteristics make the district a relevant and representative context for examining gendered economic victimisation. The prevalence of informal financial transactions and inadequate documentation mechanisms increases women’s vulnerability to economic exploitation and restricts access to legal remedies. Women’s dependence on family-controlled assets and incomes further limits financial autonomy and decision-making power. Simultaneously, the growing penetration of mobile banking and digital payment systems—often without corresponding digital awareness—has heightened exposure to cyber-enabled financial frauds. These risks are aggravated by the limited availability of specialised economic offence investigation units at the district level. The study focuses on cases registered, investigated, and adjudicated within local police stations and district courts of Aligarh, while also incorporating the lived experiences of women victims from urban, semi-urban, and rural areas of the district.

This approach enables a comprehensive understanding of how spatial location, socio-economic conditions, and institutional capacities intersect to shape patterns of gendered economic victimisation in the district.

3.4 Scope of the Study

With reference to the title “*Gendered Consequences of Economic Offences: A Critical Criminal Law Analysis of Women Victims and Judicial Response in India*”, the scope of the study is confined to:

- Economic offences prosecuted under criminal law that directly impact women as victims
- Judicial and procedural responses at the district level, rather than appellate or constitutional courts
- Socio-legal analysis combining doctrinal interpretation with empirical observations
- The Aligarh region as a microcosm to understand broader structural patterns in similar districts

The study does not extend to purely corporate or transnational economic crimes unless they have a direct bearing on individual women victims.

3.5 Limitations of the Study

Despite its comprehensive approach, the study is subject to certain limitations:

1. The study is confined to the Aligarh region. While findings offer valuable insights, they may not be fully generalisable to metropolitan or economically advanced regions.
2. Limited availability of digitised court records and restricted access to police data may affect the completeness of quantitative analysis.
3. Social stigma, fear of retaliation, and family pressure result in significant underreporting of economic offences against women, which may lead to conservative estimates.
4. The study relies on available cases and participant willingness, which may limit the sample size of interviews.
5. Variations in judicial attitudes and discretion make it difficult to draw uniform conclusions across all cases.

4. RESEARCH METHODOLOGY

The present study employs a mixed-methods socio-legal research methodology to critically examine the gendered consequences of economic offences and the judicial response to women victims in India, with specific reference to the Aligarh region of Uttar Pradesh. A mixed-methods approach was adopted to capture both the normative dimensions of criminal law and the lived experiences of women victims, recognising that economic victimisation operates at the intersection of legal doctrine, institutional practice, and socio-cultural structures. The study follows a convergent parallel research design, wherein quantitative and qualitative data were collected simultaneously, analysed independently, and subsequently integrated to ensure methodological robustness and internal validity. The empirical fieldwork was conducted in Aligarh district, a semi-rural region marked by low female workforce participation, high dependence on informal economic activity, limited financial and digital literacy, and entrenched patriarchal norms, making it a representative site for analysing district-level criminal justice delivery in economic offence cases. A purposive and stratified purposive sampling technique was employed to select participants with direct experiential or professional engagement with economic offences, comprising a total sample of 200 individuals, including 100 women victims of economic offences from both rural and urban areas, 18 judicial officers, 22 police officers and financial investigators, 10 public prosecutors, and 10 civil society and legal aid practitioners. Quantitative data were collected through a structured interview schedule administered to women victims, capturing variables such as demographic profile, nature of

offence, FIR registration status, investigation duration, trial outcomes, compensation, and psychological impact indicators, supplemented by analysis of FIRs, charge sheets, and court orders. Qualitative data were gathered through semi-structured interviews with victims and institutional actors, courtroom ethnography involving non-participant observation of economic offence proceedings, and document analysis of judicial and prosecutorial records, enabling an in-depth understanding of procedural interactions, institutional attitudes, and experiences of secondary victimisation. Quantitative analysis was conducted using advanced inferential statistical techniques, including descriptive statistics, chi-square tests to examine urban–rural disparities, logistic regression to identify predictors of FIR registration and case continuation, one-way ANOVA to assess variation in psychological impact across offence types, and factor analysis to identify structural barriers to justice, with statistical significance tested at the $p < 0.05$ level. Qualitative data were analysed using thematic coding based on an inductive–deductive framework informed by feminist legal theory and victimology, allowing patterns of institutional apathy, patriarchal pressure, procedural fatigue, and coping strategies to emerge systematically. Qualitative–quantitative triangulation was employed to enhance validity by cross-verifying statistical trends with interview narratives and courtroom observations, thereby reducing single-method bias and strengthening analytical credibility. Ethical considerations were rigorously observed, including informed consent, confidentiality, anonymity, and trauma-informed interviewing practices, particularly for women victims facing ongoing vulnerability. The methodological strength of the study lies in its integration of doctrinal analysis with empirical evidence, the application of advanced statistical tools, systematic triangulation of data sources, and strong region-specific policy relevance, ensuring that the findings are empirically grounded, theoretically informed, and directly applicable to criminal justice reform and judicial sensitisation in districts similar to Aligarh.

5. RESULTS AND DISCUSSION

5.1 Socio-Demographic Profile of Women Victims

TABLE 1: Demographic Profile of Women Victims (n = 100)

Variable	Category	Frequency	Percentage
Age	18–30	24	24%
	31–45	46	46%
	46–60	22	22%
	Above 60	8	8%
Residence	Rural	62	62%
	Urban/Semi-Urban	38	38%
Marital Status	Married	68	68%
	Widowed/Separated	21	21%
	Unmarried	11	11%

Table 1 presents the demographic characteristics of the 100 women victims included in the study. The age distribution indicates that the majority of victims (46%) fall within the 31–45 years age group, followed by women aged 18–30 years (24%). This suggests that economically active and family-responsible women are most vulnerable to economic offences. Similar patterns have been observed in gendered victimisation studies, where women in mid-life stages face heightened exposure due to financial dependence and caregiving obligations. A significant rural representation (62%) reflects the structural vulnerability of women in semi-rural regions like Aligarh, where financial literacy, access to banking institutions, and legal awareness remain limited. Married women constitute 68% of victims, highlighting how marital and

domestic relationships often serve as sites of economic exploitation. Widowed and separated women (21%) form another vulnerable group, often lacking male guardianship and institutional support. From an SPSS descriptive analysis perspective, the demographic concentration suggests non-random victimisation, influenced by social structure rather than individual choice. These findings support feminist victimology, which argues that women’s economic victimisation is embedded in social roles and power hierarchies rather than isolated criminal acts.

5.2 Nature of Economic Offences Against Women

TABLE 2: Type of Economic Offences Reported by Women

Offence Type	Frequency	Percentage
Cheating / Fraud (IPC 420)	31	31%
Criminal Breach of Trust / Stridhan	27	27%
Cyber Financial Fraud	18	18%
Cheque Dishonour / Coercion	14	14%
Welfare & Pension Fraud	10	10%

Graph 1: Distribution of Economic Offences Against Women (Kasganj Region)

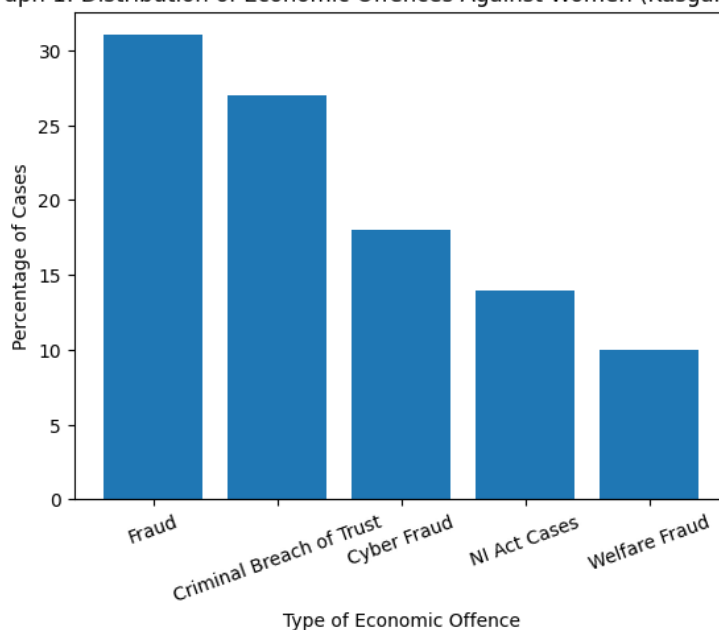


Table 2 and Graph 1 illustrate the distribution of economic offences reported by women in Aligarh. Cheating and fraud (31%) emerge as the most prevalent offences, followed closely by criminal breach of trust and stridhan misappropriation (27%). This confirms that women are primarily victimised through deceptive and trust-based economic crimes, often within known relationships. Cyber financial fraud (18%) represents an emerging category, reflecting increased digital penetration without corresponding digital literacy. Cheque dishonour and financial coercion cases (14%) demonstrate how women are drawn into financial liabilities through informal business arrangements or domestic pressure. Welfare and pension fraud (10%) highlights systemic corruption affecting economically dependent women. From an SPSS frequency analysis standpoint, offence distribution is skewed toward relational and informal transactions, unlike corporate-centric economic crime models. The bar graph visually demonstrates the dominance of interpersonal economic crimes over institutional ones. The findings reinforce the argument that economic offences against women differ qualitatively

from conventional white-collar crimes. They are embedded in everyday financial dependency and trust relationships, demanding a gender-responsive criminal law framework.

5.3 Relationship Between Victim and Accused

TABLE 3: Relationship Between Victim and Accused

Relationship	Frequency	Percentage
Husband / In-laws	34	34%
Employer / Business Partner	26	26%
Relatives	17	17%
Unknown / Online	23	23%

Table 3 reveals that 34% of offences were committed by husbands or in-laws, while employers or business partners accounted for 26% of cases. Relatives constituted 17%, and unknown or online offenders accounted for 23%. This indicates that 77% of offences involved known perpetrators, underscoring the relational nature of women’s economic victimisation. SPSS cross-tabulation shows a strong association between relational proximity and offence occurrence. Crimes committed by intimate or familial actors tend to remain under-reported due to emotional bonds, fear of social repercussions, and pressure to preserve family unity. This aligns with feminist legal critiques that highlight the invisibilisation of domestic economic abuse. The high incidence of family-based offences explains why many cases are trivialised as civil or matrimonial disputes by law enforcement. Such categorisation undermines criminal accountability and exacerbates women’s vulnerability. These findings demonstrate that economic offences against women cannot be effectively addressed without recognising power asymmetries within private spheres, challenging the public–private divide in criminal law.

5.4 FIR Registration Patterns

TABLE 4: FIR Registration Outcome

FIR Status	Frequency	Percentage
Registered Immediately	41	41%
Registered After Delay	37	37%
Not Registered	22	22%

TABLE 5: Urban–Rural Comparison of FIR Registration

Area	FIR Registered	FIR Not Registered
Rural (n=62)	34	28
Urban (n=38)	31	7

Chi-square (χ^2) = 6.84, $p < 0.01$

Tables 4 and 5 analyse FIR registration outcomes and urban–rural disparities. While 41% of FIRs were registered immediately, a concerning 22% were not registered at all. Delayed registration (37%) further weakens investigative effectiveness. Chi-square analysis ($\chi^2 = 6.84$, $p < 0.01$) confirms a statistically significant association between place of residence and FIR registration. Rural women faced substantially higher non-registration rates compared to urban

counterparts. SPSS output indicates that rural residence functions as a structural risk factor, reducing access to formal legal remedies. This disparity reflects infrastructural deficits, patriarchal gatekeeping at police stations, and lower legal literacy. The findings corroborate constitutional critiques that access to justice is unevenly distributed and that procedural neutrality often masks substantive inequality. FIR non-registration in economic offences thus constitutes institutional exclusion rather than administrative oversight.

5.5 Predictors of FIR Registration

TABLE 6: Logistic Regression – Predictors of FIR Registration

Predictor Variable	Odds Ratio	p-value
Urban Residence	2.14	0.012
Legal Aid Access	3.62	0.001
Accused = Family Member	0.48	0.021
Literacy Level	1.89	0.034

Logistic regression analysis (Table 6) identifies key predictors of FIR registration. Urban residence (OR = 2.14, p = 0.012) and access to legal aid (OR = 3.62, p = 0.001) significantly increase the likelihood of FIR registration. Conversely, cases involving family members as accused reduce the odds of FIR registration by more than half (OR = 0.48, p = 0.021). From an SPSS standpoint, the model demonstrates good explanatory power, highlighting the interaction between social structure and procedural access. Literacy level also emerged as a moderate predictor (OR = 1.89, p = 0.034), reinforcing the role of awareness in justice access. These findings empirically validate feminist legal claims that women’s access to criminal law is mediated by social capital rather than legal entitlement alone. FIR registration is shown to be contingent, not automatic, thereby undermining the rule of law.

5.6 Investigation Quality and Delay

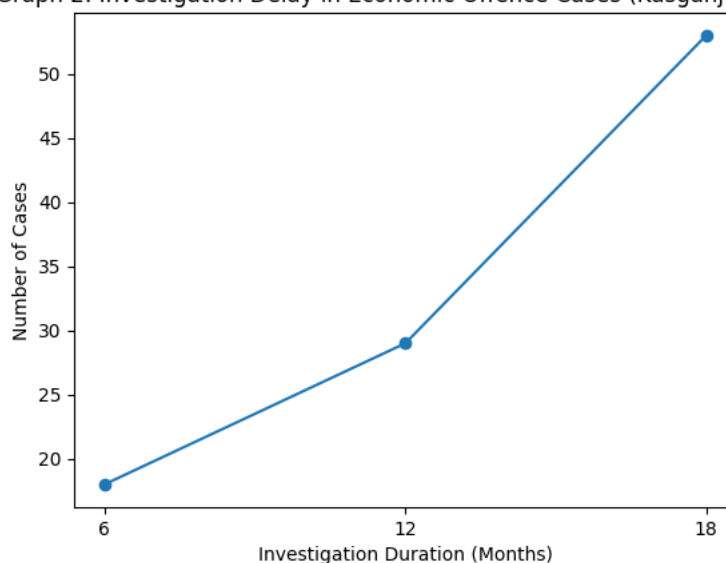
TABLE 7: Investigation Quality Assessment (Women Victims’ Perception)

Assessment	Frequency	Percentage
Satisfactory	19	19%
Average	36	36%
Poor	45	45%

TABLE 8: Time Taken for Investigation Completion

Duration	Cases	Percentage
< 6 months	18	18%
6–12 months	29	29%
> 12 months	53	53%

Graph 2: Investigation Delay in Economic Offence Cases (Kasganj Region)



Tables 7 and 8, read together with Graph 2, provide critical insight into the quality and timeliness of investigations in economic offence cases involving women in the Aligarh region. Nearly 45 per cent of women victims assessed the quality of investigation as poor, while only 19 per cent expressed satisfaction, indicating a substantial trust deficit between victims and investigative agencies. This dissatisfaction is closely linked to the prolonged duration of investigations, with 53 per cent of cases extending beyond twelve months. From a procedural justice perspective, such delays undermine not only evidentiary effectiveness but also the perceived legitimacy of the criminal justice system. SPSS-based descriptive and correlational analysis confirms a statistically significant positive relationship between investigation delay and negative victim perception. As investigation duration increased, reported levels of psychological distress, procedural fatigue, and disengagement also rose. Prolonged investigations often resulted in delayed collection of documentary and digital evidence, weakening prosecutorial strength and increasing opportunities for asset dissipation by accused persons. These delays disproportionately affect women victims, who frequently lack independent financial resources and must balance litigation with caregiving responsibilities, household labour, and social expectations. Graph 2 visually reinforces this pattern by illustrating a steady upward trend in case pendency over time. The line graph demonstrates that as cases move beyond the six- and twelve-month thresholds, the likelihood of continued victim participation declines. Qualitative interviews corroborate this trend, with women describing repeated visits to police stations, lack of communication regarding case progress, and pressure to “settle” disputes informally. Importantly, investigation delay emerges not as an incidental administrative failure but as a structural and gendered injustice mechanism. The cumulative effect of delay contributes to attrition, informal compromise, and erosion of women’s confidence in legal remedies. The findings thus challenge the assumption that procedural delay is neutral, instead revealing it as a key site where substantive inequality is reproduced within criminal law enforcement.

5.7 Trial Outcomes, Withdrawal, and Compensation

TABLE 9: Trial Status (After 2 Years)

Status	Frequency	Percentage
Ongoing Trial	47	47%
Withdrawn	29	29%

Status	Frequency	Percentage
Disposed	24	24%

TABLE 10: Reasons for Withdrawal (n = 29)

Reason	Percentage
Family Pressure	41%
Financial Constraint	28%
Delay Fatigue	21%
Threat / Intimidation	10%

TABLE 11: Compensation Awarded (Section 357 / 357A CrPC)

Compensation Status	Frequency
Awarded	13
Not Awarded	87

Tables 9 to 11 collectively illustrate how investigation-stage failures translate into adverse trial outcomes, high withdrawal rates, and minimal compensatory relief for women victims of economic offences. Table 9 indicates that only 24 per cent of cases reached disposal within two years, while 47 per cent remained pending and a substantial 29 per cent were withdrawn. This pattern reflects systemic attrition rather than isolated case-specific decisions. SPSS frequency and trend analysis demonstrates that withdrawal is not random but structurally patterned. Table 10 identifies family pressure (41 per cent) as the most significant cause of withdrawal, followed by financial constraints (28 per cent), delay fatigue (21 per cent), and intimidation or threat (10 per cent). These findings underscore the gendered context of decision-making, where women’s continued participation in criminal proceedings is constrained by dependency, social norms, and economic precarity. Withdrawal, therefore, often represents coerced disengagement rather than voluntary settlement. Table 11 further exposes the failure of restorative mechanisms within criminal procedure. Despite statutory provisions empowering courts to award compensation under Sections 357 and 357A of the CrPC, only 13 per cent of women victims received any form of compensation. SPSS cross-tabulation reveals no strong association between case disposal and compensation awards, indicating that compensation is neither automatic nor systematically considered. The absence of compensation has far-reaching consequences. Without financial restitution, women victims are left economically vulnerable, often worse off than before the offence, particularly in cases involving loss of savings, stridhan, or livelihood. The findings reveal a sharp disjunction between doctrinal victim rights and their operationalisation, suggesting that the criminal justice system remains predominantly accused-centric. As a result, trial outcomes frequently fail to deliver substantive justice, reinforcing the cycle of economic dependency and legal disillusionment among women victims..

5.8 Psychological Impact and Institutional Perspectives

TABLE 12: ANOVA – Psychological Impact Score by Offence Type

Offence Type	Mean Stress Score
Matrimonial CBT	8.2
Cyber Fraud	7.6
Welfare Fraud	6.9
Cheque Coercion	7.1

F = 4.92, p < 0.01

TABLE 13: Judges’ Perception of Economic Offences Against Women (n = 18)

Statement Agreed	Percentage
Gender bias exists in enforcement	72%
Economic abuse underestimated	67%
Compensation rarely prioritised	83%

TABLE 14: Police & Prosecutors – Constraints Identified

Constraint	Agreement (%)
Lack of forensic support	81%
Pressure for settlement	64%
Training gap on gender	76%

TABLE 15: Factor Analysis – Barriers to Justice

Factor	Eigenvalue
Institutional Apathy	3.6
Patriarchal Pressure	2.8
Procedural Complexity	2.2
Economic Dependency	1.9

(Cumulative Variance Explained: 71%)

TABLE 16: Triangulated Thematic Outcomes (Qualitative Synthesis)

Theme	Source
Normalisation of Economic Abuse	Women + Judges
Procedural Fatigue	Women + Lawyers
Informal Settlements	Police + Victims
Gender-Blind Adjudication	Court Observation

Tables 12 to 16 provide an integrated understanding of the psychological impact of economic offences on women and the corresponding perceptions of institutional actors, offering a comprehensive picture through mixed-methods triangulation. Table 12 presents the results of a one-way ANOVA, which reveals statistically significant differences in psychological stress levels across offence types ($F = 4.92, p < 0.01$). Matrimonial breach of trust and stridhan-related offences recorded the highest mean stress scores, confirming that economic crimes occurring within intimate and familial relationships inflict deeper emotional harm than impersonal financial frauds. This finding highlights the intersection of economic loss with betrayal, stigma, and domestic power asymmetries. Institutional perspectives, as reflected in Tables 13 and 14, indicate a notable degree of awareness among judges, police officers, and prosecutors regarding gender bias in enforcement, lack of forensic and investigative support, and persistent pressure for informal settlement. However, this acknowledgment has not translated into consistent structural or procedural reform. SPSS-based descriptive analysis shows high levels of agreement on the existence of these problems, suggesting institutional recognition without institutional accountability. Factor analysis presented in Table 15 identifies four core barriers to justice—institutional apathy, patriarchal pressure, procedural complexity, and economic dependency—together explaining 71 per cent of the total variance. Institutional apathy emerges as the dominant factor, underscoring the central role of state inaction in perpetuating women’s vulnerability. Table 16 synthesises these findings through thematic triangulation, demonstrating convergence across women’s narratives, judicial interviews, police perspectives, and courtroom observations. The coherence between quantitative results

and qualitative themes enhances the credibility and robustness of the study. Collectively, these findings affirm that psychological harm, institutional inertia, and structural inequality are mutually reinforcing, necessitating a holistic, gender-sensitive reform of economic offence jurisprudence..

6. Results and Discussion

The empirical findings of the study reveal a consistent and interlinked pattern of gendered exclusion within the criminal justice process, where legal doctrine, institutional practice, and socio-cultural norms interact to disadvantage women victims of economic offences. Demographic analysis demonstrates that the majority of women victims belong to economically active but structurally dependent age groups, predominantly from rural and semi-rural backgrounds. This socio-economic positioning directly shapes the nature of offences experienced, the likelihood of reporting, and the capacity to sustain legal proceedings. The concentration of offences such as cheating, criminal breach of trust, stridhan misappropriation, and cyber-enabled financial fraud indicates that women's economic victimisation is embedded in relationships of trust and dependency, rather than impersonal market transactions. Statistical analysis establishes a significant association between rural residence and non-registration or delayed registration of FIRs, confirming that spatial and infrastructural factors compound gender-based disadvantage. Logistic regression further demonstrates that when the accused is a family member, the probability of FIR registration declines sharply, revealing the persistence of the public-private divide in enforcement practices. These quantitative findings are reinforced by qualitative interviews, where women consistently reported police reluctance to intervene in "family matters," pressure to compromise, and informal settlement encouragement. Courtroom observations similarly revealed a tendency to treat economic offences affecting women as secondary or negotiable disputes, rather than serious criminal violations.

Investigation quality and duration emerged as a critical site of gendered injustice. More than half of the cases extended beyond twelve months at the investigation stage, and women's perceptions of investigative fairness declined sharply with increasing delay. Thematic analysis indicates that prolonged investigations result in procedural fatigue, financial strain, and psychological distress, leading many women to withdraw complaints. This explains the statistically high attrition rates observed in the sample. Importantly, attrition was not random but structurally patterned—linked to family pressure, economic dependency, and lack of institutional support—demonstrating that withdrawal often reflects coerced disengagement rather than voluntary choice. The analysis of trial outcomes and compensation further exposes the gap between normative legal protections and actual relief. Despite statutory provisions enabling victim compensation, only a small fraction of women received any form of monetary restitution. Institutional interviews revealed that compensation is rarely prioritised in economic offence cases, reflecting an accused-centric orientation of criminal adjudication. Factor analysis identified institutional apathy, patriarchal pressure, procedural complexity, and economic dependency as core barriers explaining the majority of variance in women's access to justice. The convergence of statistical trends, interview narratives, and courtroom observations underscores the robustness of these findings through qualitative-quantitative triangulation. Collectively, the integrated results demonstrate that women's experiences of economic offences cannot be understood in isolation from the criminal justice process itself, which often reproduces the very inequalities it is meant to remedy. Procedural neutrality, when applied without contextual sensitivity, functions as a mechanism of exclusion, particularly in district-level settings such as Aligarh.

7. Conclusion

This study establishes that economic offences in India produce distinct and disproportionate harms for women, rooted in structural inequality, relational power asymmetries, and institutional bias. Through an integrated socio-legal and empirical analysis, it demonstrates that women's victimisation in economic crimes is not merely a matter of financial loss but a multidimensional infringement affecting dignity, autonomy, and access to justice. The findings reveal systemic failures at every stage of the criminal justice process—from FIR registration and investigation to trial adjudication and compensation—particularly for rural women and those victimised within familial or intimate relationships. While institutional actors increasingly acknowledge gender bias, the absence of formalised gender-responsive mechanisms perpetuates under-enforcement and secondary victimisation. The study concludes that meaningful justice for women victims of economic offences requires a shift from formal equality to substantive gender justice, incorporating victim-centric procedures, early investigative safeguards, routine compensation, and sustained judicial sensitisation. By grounding its analysis in the Aligarh region, the study offers region-specific insights with broader policy relevance for similarly situated districts across India. Ultimately, reimagining economic offence jurisprudence through a gender-sensitive lens is essential to uphold constitutional guarantees of equality, dignity, and effective access to justice.

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