



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2023

Editor-in-Chief – Prof. (Dr.) Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

DECRIMINALIZATION OF THE ATTEMPT TO SUICIDE IN INDIA: A CATALYST FOR CHANGE

Abstract

Suicide is an act of voluntarily ending the life of an individual which can happen for various reasons. But there is a need to help these individuals by providing medical health care. However, in India these individuals are considered to have committed a crime and are prosecuted and given punishment for attempt to commit suicide. Under section 309 of IPC, an individual can be tried and be given punishment for imprisonment or fine or both which is more than 160 years old and till persists in the criminal law of India. However, the legislation as took a step forward to decriminalize the attempt to suicide in India by introducing section 115 of the Medical Healthcare act 2017, which suggests the individuals are not be tried under section 309 of the code in cases of serious stress. The act is full of ambiguity and the act in itself doesn't completely decriminalize the attempt to suicide rather it provides a relaxation to the individuals. The recent passing of the three criminal law bills also in a way remove this provision of punishing individuals for attempting suicide. In the present-day scenario where the suicide rates are increasing for various reasons there is need to rethink on the criminalization of the attempt to suicide keeping in view the individuals mental health and its implication on society. This paper will analyse the provision which criminalises the attempt to suicide in India also keeping in view the contemporary developments related to the provision.

Keywords: Suicide, Decriminalization, Mental health, Indian Penal Code , Mental Healthcare act, attempted suicide.

INTRODUCTION

Suicide is an act of voluntarily ending the life of a person. The act of suicide can affect the lives of members of the family and the effect is also seen in the society. A person may be successful or may fail in committing suicide. However, in India a person is deemed to have committed a crime by attempting to commit suicide. If a person dies then there will be no prosecution whereas if the person survives after his/her attempt they have to undergo criminal prosecution and can be punished with imprisonment which may extend to an year or with fine or with both. This creates a serious issue imposing more stress on the individual.

In our country, over 100,000 people commit suicide each year. Suicide can be caused by various factors, including issues like job or career, loneliness, abuse, violence, family issues, mental illness, alcoholism, loss of money, and chronic pain. Police-recorded suicide cases provide NCRB with data on suicides. a total of 1,64,033 suicides reported nationwide in 2021, the country's suicide rate increased by 6.2% over 2020 and by 7.2% over 2020.¹ It shows that the suicide rates in India are increasing. The present law under section 309 of IPC, gives punishment for the people attempting to commit suicide. The idea behind the inclusion of this provision and the continuance of the provision even after 160years is often debated.

Suicide has been regarded historically, through a complex and evolving point of view that has been influenced by cultural, religious, and philosophical ideas. Some ancient societies saw suicide as an honourable deed, especially when it was done to uphold one's honour or to avoid dishonour. For example, the Stoics of ancient Greece and Rome argued that one may rationally choose suicide as a means of avoiding pain or preserving one's freedom. However, as major religions like Christianity, Islam, and Judaism rose to prominence, suicide became more and more condemned and was viewed as a breach of natural law and the will of God. Main argument presented to satisfy this statement is that, God is the creator of human and only he can take an individual's life. However, suicide is considered a form of murder in Christianity. On the other hand, it is a crime even worse than homicide according to the Quran. This ethical position survived for centuries, affecting legal frameworks and public perceptions of suicide. Accordingly, the penal code drafted by the colonial rulers included the provision for punishing individuals attempting to commit to suicide which persisted till date. The law was introduced to have a deterrent effect on the society but there is no such effect on the society rather the suicide rates are increasing day-by-day. So, a debate arose among the legal scholars so as to remove this provision from the code, but all the effort was in vain.

However, in 2017 the Medical Healthcare act was passed which sought to decriminalize the attempt to suicide. In the section 115 of the act, it stated that every person committing a suicide is presumed to be under severe stress and that person will not be tried and punished under section 309 of IPC. Regardless, it is to be understood that attempt to commit suicide still remains as a crime under the penal code. The effectiveness of the section115 of MHCA should be looked into clearly. The provision still persists in the penal code and can be used to abuse the individuals. The mental health of individuals under these circumstances is at stake. The fact that there are still serious problems in this section, though, is even more concerning because they could jeopardise India's suicide prevention

¹ National Crimes Record Bureau (NCRB), <https://ncrb.gov.in/en/accidental-deaths-suicides-in-india> , (last visited Oct. 10, 2023).

efforts and prevent all victims of tragic event like attempted suicide from receiving treatment akin to that of criminals.

Research Problem

The suicide rates in India have not reduced rather an increasing trend can be seen in the recent years. Suicides are a result of various factors which may also include mental distress. In this situation a person being punished for the attempt to commit suicide further increases the mental stress. The attempt of the legal scholars to include section 309 in the Penal Code to act as a deterrent is a failure. Many nations across the world have taken steps to decriminalize attempt to suicide and give priority to individuals health. Even though the introduction of Medical Health care act 2017, is a progress in Indian context, which gives exemption for people in severe distress from prosecution under section 309 of IPC. However, it doesn't have completely reduced the distress faced by these people. The police and the legal process still prosecute people under section 309. Thus, there is a need to look into the consideration of decriminalizing attempt to suicide which persisted from more than 160 years.

Existing legal situation:

i. Section 309 of the Indian Penal Code: Attempt to commit suicide

“Whoever attempts to commit suicide and does any act towards the commission of such offence, shall be punished with simple imprisonment for a term which may extend to one year ¹ [or with fine, or with both.]”². With this section included in the penal code a person can be given punishment for attempting to commit suicide. The punishment can extend up to one year or with fine or with both. The offence is cognizable, bailable and non-compoundable offence. It can be tried by any magistrate after a complaint is raised by the police officers.

ii. Section 115 of Medical Healthcare Act 2017: Presumption to severe stress in case of attempt to commit suicide

“(1) Notwithstanding anything contained in section 309 of the Indian Penal Code (45 of 1860) any person who attempts to commit suicide shall be presumed, unless proved otherwise, to have severe stress and shall not be tried and punished under the said Code.

(2) The appropriate Government shall have a duty to provide care, treatment and rehabilitation to a person, having severe stress and who attempted to commit suicide, to reduce the risk of recurrence of attempt to commit suicide.”³

² Indian Penal Code, 1860, § 309, No. 45 of 1860 (India).

³ The Medical Healthcare Act, 2017, § 115, No. 10, Acts of Parliament, 2017.

This act was introduced in 2017 and enacted in 2018. This provision in the act is an exemption for the individuals being tried under section 309 of IPC. Under section 115 of MHCA, a person is presumed to be under severe stress who attempts to commit suicide until unless proved otherwise. To prosecute a person under section 309 of IPC it is required to show that the person was not under severe stress while attempting to commit suicide.

iii. **Article 21 of the Indian Constitution** states that

“No person shall be deprived of his life or personal liberty except according to a procedure established by law”⁴. This article ensures to secure two rights i.e., Right to Life and Right to Personal Liberty. This is a fundamental right included in the part III of the Constitution of India. This right is provided to both citizens and non-citizens of the nation. In situations of suicide some have argued that ‘right to die’ should also be dealt under ‘right to life’ as under article 21. However, the courts have not included ‘right to die’ as part of ‘right to life’, passive euthanasia being an exception.

Scope and Objective:

The objectives of this paper are :

- To critically analyse the section 309 of Indian Penal Code.
- To analyse whether the introduction of section 115 of Medical Healthcare Act really acts same as decriminalising the section 309 of IPC.
- To compare the legal status of attempt to suicide laws of other nations with India.
- To understand the constitutionality of section 309 of Indian Penal code.

The scope of this research paper is limited to India and to the laws on suicide in India. The research paper would encompass a critical analysis of existing legal framework, along with comparative analysis of similar laws in other countries. This paper will also delve into aspects such as the impact of the present laws, impact on public health, stigma associated, and the role of healthcare system.

Research Questions

1. What is the need to decriminalize the attempt to commit suicide under section 309 of the Indian Penal code?
2. What is the impact of decriminalization of attempted suicide by the Medical Healthcare act and what is the way forward?

Hypothesis

⁴ INDIA CONST. art. 21.

The existing provision i.e., section 309 of Indian Penal Code is not effective in deterring people from attempting to commit suicide and does not meet the purpose. The effectiveness of the clause requires some reconsideration.

Research Methodology

Doctrinal research methodology is used in this research paper. Both primary and secondary data are used in this research paper. The primary sources include judicial decisions and pronouncements, law commission reports, enacted legislations. Whereas the secondary sources of information contain law review articles, scholarly legal writings, journals, books, bare acts and news.

1. THE NEED FOR DE-CRIMINALIZATION OF ATTEMPT TO SUICIDE

The meaning of suicide has not been provided under the penal code whereas in general sense it refers to the deliberate act of a person to end life. The section 309 tries to punish individuals for committing a crime i.e., attempt to commit suicide. A person is not tried under any law if he dies after the attempt, but if unfortunately, the person remains alive then he is tried under the law for committing a crime as similar to others crimes. When an individual is put to trial for committing such an offence as suicide the mental health is at stake. Suicide is connected to the mental health of a person. The law without providing sufficient mental health care punishes a person for committing an attempt to suicide. This leads to mental stress and a stigma is associated with the offence which further leads to increase in suicide attempt among individuals.

Section 309 of IPC is a colonial law which needs to be reconsidered in the present situations. The law was introduced to create a deterrent effect in the society towards committing suicide. But as per the data by the NCRB, the suicide rates have increased in the recent years and there is no deterrent effect of the law. The data suggests that a total of 1,64,033 suicides reported nationwide in 2021, the country's suicide rate increased by 6.2% over 2020 and by 7.2% over 2020.⁵ Further when comparing to the previous years it is still raising.

2.1. Understanding the reasons for the need of decriminalization of attempt to suicide:

The criminalization of attempt suicide was intended to act as deterrent on the society but the section or the provision doesn't have any deterrent effect on the people of the society. the criminalization has created stigma and shame associated with the offence. many people feel ashamed and stigma is connected with those individuals who tried to commit suicide. Suicide is mainly taken up by a person because of sufferings. Thus, the criminalization of attempt to suicide leads to double punishment to a person. The punishment given by the law becomes burdensome and increases mental stress to the

⁵ Ministry of Health and Family Welfare, Government of India, National Crime Records Bureau. <http://ncrb.gov.in/> [Last visited on oct 15 2023]

individuals. The decriminalization of the offence would lead to reduction in stigma, shame and also increase mental health care support to the individuals. The global order suggests that decriminalization of the offence has led to improvement in the mental health conditions of individuals.

2.2. Legal status of attempted suicide in international scenario:

The proclamation by St. Augustine (354–430 CE) that suicide is a sin served as the basis for much of the legal prohibition against suicide. Legal positions that support the criminalization of suicide attempts have historically been greatly influenced by religious institutions. Europe's attitudes towards suicide and attempted suicide began to shift gradually after the French Revolution and other sociocultural upheavals. In the 19th and 20th centuries, the majority of developed nations removed the criminalization of attempted suicide; however, certain nations, such as India, still hold this regulation.

According to the data by WHO, only in at least 23 countries, the attempt to suicide is punishable under the law, this includes India. Recent nations to decriminalize such laws are Guyana, Pakistan and Singapore.⁶ The majority of countries that still consider attempted suicide to be a crime are located in two regions: North Africa and South Asia.⁷ In nations where attempted suicide is no longer illegal, abetment to suicide, deliberate self-harm and suicide pacts are still illegal. The main aim in decriminalizing attempted suicide in these nations is primarily to overthrow the outdated laws and to give importance to individual health and their effects in the society.

2.3. Legal status of attempt to suicide in India:

The debate regarding the decriminalization of attempt to suicide is present before the legal scholars, legislators and judiciary for a long period of time. There have been various law commission reports suggesting the repeal of the anarchic law and there have cases dealt by the judiciary upholding the validity of section 309 of IPC. In this regard we will try to understand the legal status of section 309 of IPC.

In 1971 in the **42nd law commission report**, recommended the deletion of the offence of attempt to commit suicide from the penal code. In response, the government introduced the Indian Penal Code (Amendment) Bill, 1972, which would remove section 309. However, the bill lapsed because it was still pending in the sixth Lok Sabha at the time of its dissolution in 1979.

⁶ World Health Organization, <https://iris.who.int/bitstream/handle/10665/372848/9789240078796-eng.pdf?sequence=1>, (last visited on oct 15 2023)

⁷ Ranjan, R. et al. (2014) (*de-*) *criminalization of attempted suicide in India: A Review*, Industrial Psychiatry Journal. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4261212/> (last Accessed: 15 October 2023).

Later in In the Division Bench of the Delhi High Court's *State v. Sanjay Kumar Bhatial case*⁸, Sachar J. expressed support for the repeal of this section, calling it "an anachronism unworthy of a humane society like ours" and recommended its repeal. This was the first case in which this section was discussed. He reasoned that rather than being placed in a jail where they would be among criminals, someone who attempts suicide needs medical and psychological attention. He noted that criminalising attempted suicide only served to repress the signs of the stresses of the contemporary world, and such a policy could only end in catastrophe.

Later in the *State of Maharashtra v. Maruti Sripati Dubal*⁹ case established the unconstitutionality of section 309 of the IPC. The petitioner argued that the proceedings under section 309 violated articles 19 and 21 of the constitution and attempted to have them set aside. It was contended that the right to terminate one's life, as protected by article 21, also encompassed the right to life, on the grounds that the state could not force someone to live if it could not provide them with the means of subsistence. The court determined that fundamental rights have both positive and negative meanings. For example, exercising one's right to free speech also entails exercising one's right to remain silent, and exercising one's right to freedom of movement would entail exercising one's right to remain in one's current location. The court reasoned that the positive right guaranteed by Article 21, namely the right to life, would also carry a negative implication, namely the right not to live, since all fundamental rights must be read together.

However, the High Court's decision in Maruti Sripati Dubal's case¹⁰ to include the right to die within the right to life was only applicable in specific circumstances, meaning that in the absence of sufficient justification, the act would be regarded as an offence that is punishable by law.

In the *Chenna Jagdeshwar v. State of Andhra Pradesh* case¹¹, the Andhra Pradesh High Court ruled that it would be difficult to draw the conclusion that the right to die is included in the constitutionally guaranteed right to life. The court ruled that no action could be taken against people who threaten to commit suicide or go on hunger strikes because they believe they have the right to end their lives if section 309 is deemed to be ultra vires. The court further noted that not all cases under section 309 result in punishment and that the section merely establishes the upper bounds rather than requiring the court to punish attempted suicide. The court's ruling in this case demonstrated a practical assessment of the challenge in repealing section 309.

⁸ State v. Sanjay Kumar Bhatia, (1986) 10 DRJ 31 (1985).

⁹ State of Maharashtra v. Maruti Sripati Dubal (1986) 88 BOMLR 589.

¹⁰ *Id.*

¹¹ Chenna Jagdeshwar v. State of Andhra Pradesh (1988) Cr LJ 549

Supreme Court in the case of *P. Rathinam v. Union of India*¹², the court referred to suicide as a "psychiatric problem rather than an act of criminal instinct." The court ruled that section 309 was a "cruel and irrational provision," that the right to life includes the right not to live a forced life, and that a person does not deserve to be prosecuted simply because he has failed in his attempt. The court concluded that an individual cannot be forced to exercise their right to life to their disadvantage, dislike, or detriment after consulting relevant medical and moral literature. The court ruled that an attempt at suicide has no detrimental effects and that an act of suicide cannot be considered to be against public policy, religion, or morality. Therefore, the court in this case upheld the Bombay HC's judgement of Maruti Shripati Dubal and struck down section 309 for being ultra vires the constitution.

Finally in *Gian Kaur v. State of Punjab case*¹³, The court ruled that although article 21 guarantees the right to life, the idea of the right to life is incompatible with suicide because it is an unnatural way to end one's own life. The court determined that there was insufficient analogy between the nature of the other rights such as the freedom of speech to support the conclusion that the "right to life" encompasses the "right to die." in essence, it argued as was decided in the Rathinam case. The right to life, which includes the right to live with dignity, the court explained, would imply the existence of such a right until the end of natural life and could not be construed to mean the right to die an unnatural death that shortens one's natural life expectancy. As a result, the Supreme Court resolved the contentious issue of whether or not Section 309 of the IPC is constitutional in this particular case. The court upheld the validity of section 309 of IPC under this case.

Later the Law Commission of India, in its 210th Report, had recommended that Section 309 (attempt to Commit suicide) of IPC needs to be repealed from the statute book. Keeping in view the responses from the States/UTs, it has been decided to delete Section 309 of IPC from the Penal code.¹⁴

3. WAY FORWARD TOWARDS DE-CRIMINALIZATION OF ATTEMPT TO SUICIDE

It is commendable that the government has taken a step towards decriminalization of attempt to suicide. The legislature has passed the Medical Healthcare Act on 7th April 2017, enacted from 29th May 2018. This act enabled to decriminalization of attempt to suicide up to an extent. The section 155 introduced through the act enabled for the decriminalization of section 309 of IPC.

¹² P. Rathinam v. Union of India (1994) 3 SCC 394.

¹³ Gian Kaur v. The State of Punjab, (1996) 2 SCC 648.

¹⁴ Humanization and Decriminalization of Attempt to Suicide (Report No. 210) [2008] INLC 7

The Medical Healthcare Act, 2017 gives the definition of mental illness as follows: "in accordance with nationally and internationally accepted medical standards as may be notified by the Central Government."¹⁵

3.1. **Section 115 of Medical Healthcare act, 2017** states that "Notwithstanding anything contained in section 309 of the Indian Penal Code (45 of 1860) any person who attempts to commit suicide shall be presumed, unless proved otherwise, to have severe stress and shall not be tried and punished under the said Code"¹⁶. This section has introduced an exemption to the section 309 of IPC. After the inclusion of this provision, if a person attempts suicide is presumed to commit such an act because of severe stress and the person shall not be tried or punished under section 309 of IPC. Also, duty is imposed on the government to provide care, treatment and rehabilitation to that person committing suicide. The act assumes that the individuals to be suffering from mental trauma regardless of the actual cause of their acts. The individual is presumed to be under some undue-influence. The legislation by this enactment reduced the powers of section 309 of the Indian Penal code, according to which a person is punished for attempting to commit suicide, which is harsh for a person who is already experiencing trauma.

However, this provision also has limitations , which are:

- i. **Ambiguity in terms used:** the section 115 of the act provides that every person is presumed to be under "sever stress" and will not prosecuted under section 309 of IPC. However, there is definition provided to the term "severe stress" in the act. In the absence of the definition, it is the decision of the court to decide what will constitute as 'severe stress' based on the facts and circumstances to each case. It becomes a problematic task before the court. The term may have different meaning based on the case and it is subjective. Thus, it becomes a hurdle in dealing such cases.
- ii. **Presumption of "severe stress" is flawed:** the provision of the act presumes that every person attempting to commit suicide is under "severe stress", which may not be the case. A person will not be prosecuted under section 309 of IPC unless proved otherwise. There may be various reasons for a person to attempt to commit suicide other than insanity, irrationality, despair or mental stress. Some individuals take their lives for religious reasons like Sallekhana (in Jainism) or for other reasons such as protests or hunger-strikes, where the individuals may not be under severe stress to commit suicide. Thus, in circumstances the person would be prosecuted under the section 309 of IPC.

¹⁵ Mental Health Care Act, 2017, §3(1), No. 10, Acts of Parliament, 2017.

¹⁶ Mental Health Care Act, 2017, § 115, No. 10, Acts of Parliament, 2017.

- iii. **The provision subjects the individual committing suicide to rigorous trial:** Section 115 was created specifically to protect someone in distress from being tried and punished for trying to commit suicide. However, the presumption of stress saving the victim from prosecution operates only if it isn't proved otherwise. The accused will face charges under section 309 of the IPC if it can be showed that they were not under a lot of stress. In accordance with the court's ruling in *Pratibha Sharma v. State of Himachal Pradesh*¹⁷, the police must present evidence to refute any claims that the person making the attempt was under extreme stress before filing a section 309 FIR against them. As a result, it's possible that the individual will have to testify in court and answer questions, which would force him to go over all the details of his or her attempted suicide and put more strain on an already vulnerable state of mind.

Though the intention of introducing this provision is to reduce the power of section 309 of IPC, the enactment has various limitations. There is still presence of prosecution of individuals under section 309 of IPC. The job of decriminalization is not yet complete, there is still a way for the legislature to completely remove the section 309 criminalising attempt to commit suicide. The restriction under section 115 of Medical Healthcare act are not enough they only created a directive under the act, while the offence is still alive in the Penal code. Hence, even after the enactment of the act, there are still instances where section 309 is misused. Like on May 20,2020, it was reported that an inmate at the Bhondsi jail in Gurgaon had been charged under Section 309 IPC after he allegedly attempted suicide with a pair of scissors.¹⁸

3.2.THE NEW BILLS 2023 TO REPLACE THE INDIAN PENAL CODE, CRIMINAL PROCEDURE CODE AND THE INDIAN EVIDENCE ACT:

The Indian government has introduced three new bills, the Bharatiya Nyaya Sanhitha Bill, 2023, The Bharatiya Nagarik Suraksha Sanhita Bill 2023, and the Bharatiya Nagarik Suraksha Sanhita Bill 2023, which will replace the Indian Penal Code 1860, the Criminal Procedure Code 1898,and the Indian Evidence Act 1872 respectively. These new bills are supposed to replace the existing laws for better dealing with the issues and to deliver justice.

The Bharatiya Nyaya Sanhitha Bill, 2023, is supposed to decriminalize the attempt to suicide as an offence. But it is also noted that the bill doesn't completely decriminalize offence of attempt to suicide. The bill in **section 224** states: "Whoever attempts to commit suicide with the intent to compel

¹⁷ Pratibha Sharma vs. State of Himachal Pradesh and Ors. (2019 - HPHC) MANU/HP/2052/2019

¹⁸ Khadija Khan, *The 'new IPC' removes the punishment for attempting suicide — or does it? Here's what the proposed Nyaya Sanhita says*, the Indian Express, (last accessed on Oct.17, 2023), <https://indianexpress.com/article/explained/explained-law/new-ipc-removes-punishment-attempting-suicide-8889717/>

or restrain any public servant from discharging his official duty shall be punished with simple imprisonment for a term which may extend to one year or with fine or with both or with community service.”¹⁹

This basically adds a twist to the clause: if a suicide attempt is made in an attempt to prevent a public servant from acting, it is still illegal. A protester attempting self-immolation to prevent police from detaining other demonstrators could serve as an example. In addition, community service is a form of punishment permitted by Section 224 of the proposed BNS, whereas Section 309 of the IPC prohibits it. Thus, the new bill any not completely decriminalize the offence of attempting to commit suicide but restricts application to few circumstances.

Other sections in bill like section 105 and section 106 deals with abetment of suicide as similar to provisions under the penal code.

4. SUGGESTIONS & CONCLUSION

The research paper has delved into the issue of criminalization of attempt to commit suicide under section 309 of the Indian Penal Code. The section has been used to punish the individuals attempting to commit suicide. The debate as to removal of the section has been before the legislators and the scholars for a long time. As a part of the debate the constitutionality of section 309 of IPC has been raised. In the end in *Gian Kaur v. State of Punjab*, the court upheld the validity of section 309 of IPC. However, the 210th Law commission report suggested for the removal of the provision. As per the recommendation the government without removing the provision in the Indian Penal Code, introduced an enactment, the Medical Healthcare Act, 2017, In which section 115 of the act reduced the power of section 309 of IPC. But still there are cases being filed under section 309 of IPC and individuals are being prosecuted. The section is an anarchic one and should be completely removed. The new bill, *Bharatiya Nyaya Sanhitha* introduced in 2023 which may replace the Indian Penal Code, under which section 224 punishes individuals for attempting suicide with an intent to compel or restrain duties of any public servant, which also shows that the legislature is not ready to completely repeal the provision. The provision is being repealed and decriminalised in various nations across the world and India remains among the few to punish individuals for attempting to commit suicide. There is need for the government to relook into this matter and to completely decriminalize section 309 of the Indian Penal Code.

5. REFERENCES:

¹⁹ THE BHARATIYA NYAYA SANHITA, 2023, § 224, Bill No. 121 of 2023, available at: https://prsindia.org/files/bills_acts/bills_parliament/2023/Bharatiya_Nyaya_Sanhita,_2023.pdf

1. AISIKA BASU (2022) *Decriminalisation of suicide in India: need of the hour, The Amikus Qriae*. Available at: <https://theamikusqriae.com/decriminalisation-of-suicide-in-india-need-of-the-hour/> (Accessed: 20 October 2023).
2. Anish Kamal, *Decriminalization of Suicide Attempt and India's Groundless Affection towards Section 309 of the Indian Penal Code*, Manupatra articles, available at: <https://articles.manupatra.com/article-details/Decriminalization-of-Suicide-Attempt-and-Indias-Groundless-Affection-towards-Section-309-of-the-Indian-Penal-Code>
3. Chingsubam Bangkim and Leah Utyasheva, *Criminalisation of Attempted Suicide in India Hinders Effective Suicide Prevention Response*, International Journal of Law Management & Humanities,(2018) Vol 2 issue1, available at: <https://www.ijlmh.com/wp-content/uploads/2019/03/Criminalisation-of-Attempted-Suicide-in-India-Hinders-Effective-Suicide-Prevention-Response.pdf>,
4. International Association for Suicide Prevention, *the Decriminalisation of Suicidal Behaviour*, <https://www.iasp.info/decriminalisation/>
5. James Tucker, *The geometry of suicide law*, International Journal of Law, Crime and Justice, 43 (2015) 342-365, available at: <https://daneshyari.com/article/preview/1097919.pdf>
6. Kattimani, S., Sarkar, S., Mukherjee, A., & Mathan, K. (2015). *What do suicide attempters think about legal status of suicide in India?* Indian journal of psychiatry, 57(1), 103–104. <https://doi.org/10.4103/0019-5545.148543>
7. Khadija Khan, *The 'new IPC' removes the punishment for attempting suicide — or does it? Here's what the proposed Nyaya Sanhita says*, the Indian Express, (last accessed on Oct.17, 2023), <https://indianexpress.com/article/explained/explained-law/new-ipc-removes-punishment-attempting-suicide-8889717/>
8. Kritika Singh, A.V. (2016) *Mental healthcare bill seeks to decriminalize suicide bids*, Mint. Available at: <https://www.livemint.com/Politics/YLvjqK00orkxKgjT0MEBqJ/Mental-health-care-bill-seeks-to-decriminalize-suicide-bids.html> (Accessed: 20 October 2023).
9. Law Commission of India, Government of India, *Humanization and Decriminalization of Attempt to Suicide* (Report No. 210) [2008] INLC 7, available at: <http://www.liiofindia.org/in/other/lawreform/INLC/2008/7.html>
10. Piyush Senapati, *Criminalising a tragedy: A critical analysis of section 309 of the IPC and its current status*, Indian Journal of Integrated Research in Law, Available at: <https://ijirl.com/wp-content/uploads/2022/07/CRIMINALISING-A-TRAGEDY-A-CRITICAL-ANALYSIS-OF-SECTION-309-OF-THE-IPC-AND-ITS-CURRENT-STATUS.pdf> (Accessed: 18 October 2023).

11. Ranjan, R., Kumar, S., Pattanayak, R. D., Dhawan, A., & Sagar, R. (2014). *(De-) criminalization of attempted suicide in India: A review*, *Industrial psychiatry journal*, 23(1), 4–9. Available at: <https://doi.org/10.4103/0972-6748.144936>
12. Tanya Nicole Fernandes, Soumitra Pathare (2023) *How India continues to punish those who attempt suicide*, *Down To Earth*, Available at: <https://www.downtoearth.org.in/blog/health/how-india-continues-to-punish-those-who-attempt-suicide-88823> (Accessed: 20 October 2023).
13. World Health Organisation, WHO policy brief on the health aspects of decriminalization of suicide and suicide attempts, available at: <https://iris.who.int/bitstream/handle/10665/372848/9789240078796-eng.pdf?sequence=1>