



The Indian Journal for Research in Law and Management

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

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LAXMI V. UNION OF INDIA AND OTHERS: A CASE COMMENTARY

~ *Paridhi Passi*

INTRODUCTION

Acid attacks aren't just crimes—they're weapons. Weapons to control, punish, and humiliate anyone who dares to say no. Survivors don't just get burned—they lose everything. Dreams, careers, money, dignity—they all get ripped away. Most victims in India are women, attacked for rejecting proposals or just refusing to follow society's rigid norms.

The law failed them. Acid was sold openly, survivors had nothing but weak laws that couldn't touch the real destruction. The State did nothing. Violence became normal. Survivors had to fight not just attackers, but a system that shrugged while their lives got destroyed.

Laxmi v. Union of India ripped this mess wide open.¹ One girl's fight shook the system, exposed weak laws, exposed society's apathy, and forced the Supreme Court to wake up. It proved something massive: surviving isn't enough, justice without prevention is meaningless, and rights are worthless if the State lets harm happen. Laxmi's courage turned her horror into a nationwide shout—law, society, institutions all had to finally step up before more lives got destroyed.

BACKGROUND OF THE CASE

Laxmi was just fifteen when acid tore her life apart in 2005, all because she said no. The flames didn't just burn her—they tried to erase everything about her, her face, her voice, her right to live without fear. Surgeries after surgeries, pain every single day, and a society that stared, whispered, and abandoned her made one thing painfully obvious: acid attacks are not accidents—they are weapons made to crush confidence, dignity, and the very sense that you

¹ *Laxmi v. Union of India*, (2014) 4 SCC 427.

belong anywhere. Surviving doesn't mean healing—it's a fight every single day to get back a life the world tried to steal from her.

The attacker was convicted, but Laxmi didn't pause. She went straight to the Supreme Court under Article 32 and turned her nightmare into a scream the whole country couldn't ignore.² Acid was being sold like nothing, the law ignored the destruction, and survivors were left to fend for themselves. This wasn't just one attack or one victim—it was a broken system, a national disgrace, a call-out to every institution pretending to protect life and dignity. Laxmi forced the State to see the truth: surviving without justice is nothing, rights without action are lies, and the world cannot just look away.

ISSUES BEFORE THE COURT

One of the first things the Court had to look at was how easily acid could be purchased at the time. It was available over the counter, without any need to show identification or explain its purpose. Sellers were not required to maintain proper records either. In practical terms, this meant that a highly dangerous substance was circulating with very little monitoring. The petitioner argued that this kind of regulatory gap made misuse far more likely and reflected a broader failure of the State to exercise reasonable control over hazardous materials. This led to a larger constitutional question — if the State does not regulate something that can clearly cause irreversible harm, can it still claim to be adequately protecting the right to life?

The Court also had to examine whether the existing criminal provisions were enough. Acid attacks were usually prosecuted under Section 326 of the Indian Penal Code, which deals with grievous hurt, or Section 307, which concerns attempt to murder.³ But neither provision was designed specifically for acid violence. In many cases, proving an intention to murder under Section 307 was difficult because the attacker's aim was often to disfigure rather than kill. At the same time, Section 326 did not fully reflect the permanent and life-changing consequences of acid attacks. This created an uneasy situation where the law technically applied, but did not fully recognise the distinct nature of the offence.

Another huge problem was compensation and rehabilitation. Survivors of acid attacks don't just get hurt—they're trapped in endless surgeries, constant pain, and a world that ignores them. The cost of surviving can crush families that already have nothing. Back then, there was no real national policy—help depended on where you lived, and most of the time,

² INDIA CONST. art. 32.

³ Indian Penal Code, 1860, §§ 307, 326.

survivors were left to figure it out alone. The Court had to face the ugly truth: this random, unfair system wasn't protecting anyone. Article 21 isn't just about staying alive; it's about dignity, about having a chance to rebuild your life—and that was missing completely.⁴

INADEQUACY OF THE EXISTING LEGAL FRAMEWORK

Before 2013, the law ignored acid attacks. No statute named the crime. No system recognized the destruction, the terror, the lifelong scars. General provisions existed, but they failed to protect, failed to punish, failed to see survivors as human beings. Courts stumbled. Sentences varied. Survivors were left alone to bear horrors no one was prepared to acknowledge.

This wasn't oversight. It was indifference, pure and simple. Silence from the law said: we do not care, we do not see, you are not enough. Acid attacks are not accidents. They are intentional assaults on bodies, faces, dignity, identity, life itself. The law's inaction was a second attack, as cruel as the first.

The Law Commission had warned.⁵ Parliament stalled. Survivors waited. The State hesitated. Justice fell to the judiciary. Courts had to act where the State refused, to force recognition, protection, and accountability. Courage had no choice but to rise where power slept.

JUDGMENT AND DIRECTIONS

The Supreme Court named the truth: acid attacks are assaults on life and dignity under Article 21.⁶ Survival alone is meaningless when life is stripped of safety, self-respect, and control over one's body. Permanent disfigurement is not injury—it is a deliberate, cruel attempt to erase a person's existence, worsened by the system's indifference.

The Court acted. No sales to minors. Identification required. Purpose for purchase justified. Sellers must record and report.⁷ Non-compliance punished. These were commands, not suggestions. The law would not stand idle while cruelty ran unchecked.

The Court demanded compensation. Immediate treatment. Hospitals could not turn survivors away.⁸ The State's duty became active, unavoidable, undeniable. Justice was no longer optional. Survival without dignity is not life, and the Court made that impossible to ignore.

⁴ INDIA CONST. art. 21.

⁵ Law Comm'n of India, *226th Report on The Inclusion of Acid Attacks as Specific Offences in the Indian Penal Code* (2009).

⁶ *Laxmi*, (2014) 4 S.C.C. 427, ¶¶ 8–11.

⁷ *Id.* ¶¶ 12–18.

⁸ *Id.* ¶¶ 19–22.

LEGISLATIVE DEVELOPMENTS

Parliament could no longer pretend. Sections 326A and 326B were added.⁹ Section 326A named acid attacks for what they are: deliberate, brutal, life-ruining crimes, punishable with ten years to life plus fines for medical care. Section 326B went after attempts—because even trying to throw acid is terror, and the law will not ignore it.

This was a wake-up call decades late. Survivors had carried ruined lives while the law slept. Laxmi forced the State to confront its negligence, acknowledge cruelty it tolerated, and finally act with seriousness. This was never about one individual—it demanded systemic accountability and recognition of injustice.

CASE ANALYSIS

Laxmi v. Union of India refused to let the system hide behind complacency. Acid attacks were not ordinary crimes—they were attacks on dignity, identity, and life itself. Surviving without dignity is not survival—it is prolonged punishment, compounded by State inaction.

The case exposed limits. Courts can compel, mandate, direct—but they cannot enforce every failure, chase every loophole, or deliver every delayed compensation. Weak monitoring, apathy, and delay show that rights without relentless pressure are meaningless.

Politically, the message is unflinching: courts can act, but real change demands a State willing to take responsibility. Without courage, landmark judgments remain hollow. Survivors fight alone. Systems fail again. Accountability is optional.

CONCLUSION

Laxmi v. Union of India shook the system awake. Acid sales tightened. Acid attacks recognized as life-ruining, brutal crimes. The State was forced to act—not just react. Article 21 is not about survival—it is about dignity, safety, and protection before harm strikes.

Yet the struggle continues. Acid is still sold. Rules broken. Enforcement patchy. Laxmi proved that one voice can shake a system, legal reform can ignite social pressure, and silence from the State is complicity. This case is a mirror to society's failures, a warning, and a roar: indifference is violence, and the State cannot remain silent while lives are destroyed.

⁹ Criminal Law (Amendment) Act, No. 13 of 2013, §§ 5–6 (India) (inserting Indian Penal Code §§ 326A–326B).