

# MISUSE OF WOMEN-CENTRIC LAWS AFFECTING THE SOCIAL FABRIC IN INDIA

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## **ABSTRACT**

The mankind has seen a shift in the position of women from being the warrior in the past to managing the ministry of the finances of the world's most populated country. The other fact also cannot be denied that women have also been subjected to cruelty and discriminations within the four corners of their houses as well as at their workplaces. Various laws are introduced for their security and empowerment, protecting them from cruelty, violence, child marriage, rape, sexual harassment and many more such violence. The legislature has always showed its generosity and promptness in uplifting, empowering and protecting the women against any crimes. However, such laws have seen being misutilized by certain women against men. Law is silent when any false case of harassment, cruelty or demand of dowry is pressed against a man and his family. Taking advantage of the loopholes of the legislative provisions, certain women use law as the easiest and most powerful weapon against men to make them feel demeaned or to harass them. The strange part about Indian Legislature, that it is still silent on the issue even after gaining knowledge on the fact that men are equally becoming the victims of harassment, domestic violence, abuse and matrimonial cruelty, as suggested by the Law Commission Report. The problems faced by a man and his family when false criminal allegations are levelled against them are discussed in this article. It is high time the outlook of the society towards men being the abuser, need to be changed. Men are also subjected to harassment at workplaces. When any such incident of a male victim is reported, the organisation or our Legal system is helpless as no laws favouring the men are available. The researcher here aims to highlight the problem faced by the husband and his relatives when a false case is registered against them by the daughter-in-law or by any women, also intends to discuss how cruelty against men is destroying the institution of marriage and the family system in India along with spreading a negative message out to the society.

**Key words:** Harassment, Laws, Men, Misuse, Violence, Women-centric

## INTRODUCTION

Today women are enjoying a privileged status in the society. Seats are reserved for them in the public transports, reservation in jobs, special treatment to them at places are few of the examples that could be quoted in support of the previous statement made which sounds quite discriminatory in the era where women often scream out the issue of gender equality. History supports the fact that women have always been given high standing and esteemed position and status in the society. Scriptures of ancient cultures like Egypt stores evident of women were often given prominent roles in society and were often depicted as powerful figure. For example, during ancient Egypt, the Goddess Isis was honoured and respected as the mother goddess and patroness of miracles, fertility and motherhood. According to Hindu mythologies, Goddess Durga, Parvati, Kali and Saraswati are worshipped and are represented as the epitome of fierce warriors, protectors and nurturers. As the time evolved, violence against women gradually started. Such discriminatory clauses were created with a view to have a very positive outcome in the society. No doubt women are prone to several vulnerabilities. They were and are still subjected to several threats and dangers to their life and dignity in the society. In protection of them, the government took initiatives to enact laws for the empowerment of women in the society and same shall not act as a discrimination against men, as the provision in the Constitution of India states. Such laws indeed are a blessing for few aggrieved women who in real faced the violence and abuse by their male counter parts and in laws. These laws are enacted in favour of the women for protecting them against inequalities, violence and crimes, if not completely but have shown significant changes in empowerment of women. Well, while the country has a long way to go, in a way of securing the position of women against any crimes and violence, somewhere a legal gap has been created which somehow is creating an imbalance in the society. Today, the society is witnessing misuse of women-centric laws ruthlessly.

But at times it was also observed that those laws, regulation and rules that were introduced for women's' benefits under the concept of "women and children welfare", are badly being misused by the women themselves for their very own selfish reasons. The very famous case that ruled the feeds over internet was Amber Heard and Jhonny Deep's defamation proceedings, would be the best cited example of misuse of women-centric laws by women against men. Here, husband files defamation suit against his wife for initiating a malicious domestic violence prosecution to tarnish his reputation. The fact that women could also be the abuser and misusing the law which is sincerely enacted for their protection, cannot be ignored. Several laws have been enacted in India for the betterment of the women such as laws against protection against domestic violence, anti-dowry laws, laws against female feticide and several other laws to secure the position of women and give them equal status in the society. Recently, the Indian court ruled that all women are entitled for safe and lawful abortion under Abortion Laws of the land irrespective of their marital status, however, it is their fundamental right to make reproductive choices without being under any external influences. While the laws are becoming more women protecting to address the imperilled situation of women, a new trend of legal terrorism is fast spreading in the society laying out a threat to several innocent men against the misuse of those women-centric laws.

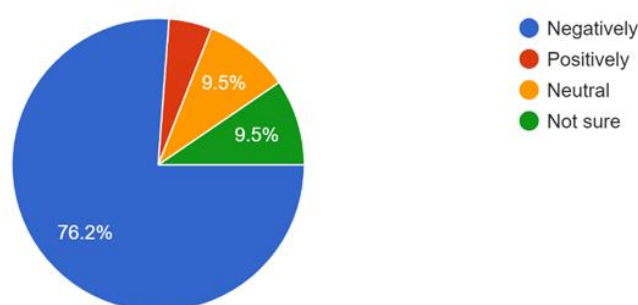
The country presenting facing the problem of innocent men and their family being falsely prosecuted under the Acts favouring women, and as the legislature possess near to no provisions for protection of men and his family against such misuses, the cases of such misuses are surging in numbers.

A pilot study was conducted in a view of writing a research article, data taken from the study says, near about 76.2% of the total responded voted that there is a large-scale misuse of women-centric laws, those laws which were introduced for the upliftment of the women and is disturbing the balanced equilibrium of the society(fig-I).

FIG-I

14. How does misuse of women-centric laws impact the society in India?

21 responses



## LITERATURE REVIEW

The authors, *N. Senthil; Jayanthi Vajiram & V. Nirmala* in their paper titled, “*The Misuse of Law by Women in India- Constitutionality of Gender Bias*” (2023) states, the misuse of women-centric laws by women in India impacts the social fabric by perpetuating gender bias and unethical practices, particularly in cases of domestic violence and dowry-related issues. Though Indian legislatures are more women-centric, this is providing women to use these laws to make inappropriate and false allegations against their husbands. The case of dowry related issues and domestic violence are only possible in case of both men and women are into a valid existing marriage or marriage like relationship. *Dr. Neelam Tyagi* in her paper titled, “*Gender Violence, Gender justice and Gender-based Laws: An Analysis of Pattern and Policies in India and Indonesia*” (2020), concluded stating the misuse of women-centric laws in India impacts the social fabric by hindering the intended protection and justice for women facing gender-based violence, thus perpetuating societal challenges. Due to the misuse of women-centric laws, the real victims are suffering as the immediate arrests in case of dowry related offences or domestic violence are ruled out and allowed in exceptional cases only by the Supreme Court in *Arnesh Kumar Vs. State of Bihar*. Law & Social Transformation- with Special Reference to Indian Women & its Impact on Rule of Law authored by *Dr. Vijaysingh G. Sodha* published in *GAP INTERDISCIPLINARITIES (ISSN- 2581-5628)* (2022), The misuse of women-centric laws in India has impacted the social fabric by hindering the real intended behind protecting and providing justice for women facing gender-based violence, thus perpetuating societal challenges.

The social challenge here is the men are being the victims of misuse of these laws by women against them by framing them into false allegations of women related offences. However, this also have become an issue for actual victims of violence & abuse. *Gender Sensitization with Special Reference to Indian Law (2015)*, article by Sanjeev Kumar Viney Dhiman published in *International Journal of Innovative Research and Development*, gives an insight of the misuse of women-centric law in India has adversely impacted the social fabric creating inequality and instances of cruelty on opposite genders, highlighting the need for balanced enforcement of law and gender sensitization.

## METHODOLOGY ADOPTED

**Research methods:** The researcher has adopted both quantitative and qualitative method in order to complete this research article. **Data collection method** opted is both case study and questionnaire technique to make a thorough study on the discussed area and to reach out for the end result to conclude this study. A set of questions was carefully drafted and was circulated among the selected sample size to obtain the view of the people.

**Sampling Technique:** The researcher opted for Stratified Random Sampling where the subjects are categorised according to their gender, age, area of work and place of residence (urban).

**Sample Size:** The estimated sample size was set in between 25-30 respondents due to time constrain and limited access factors. For case study method, cases from 1970- 2020 are selectively taken into consideration.

**Limitations:** The area of research has confined the researcher to very limited resources as the victims or their family members hesitate to openly talk about the suffering they went through or are still suffering because of the misuse of few women-centric laws. Also, another factor that limited the study as another set of people in society still believes that men cannot be harassed and women cannot misuse the laws made for protection of them. Case study method has been used to collect data in order to make qualitative studies on the concerned topic.

## HYPOTHESES

1. Indian laws are mostly women-centric or women favouring.
2. Women misusing certain women-centric laws against men for their selfish motive.
3. Men can also be harassed by women.

## WHAT WAS THE NEED FOR INTRODUCTION OF WOMEN-CENTRIC LAWS?

Violence against women is an age-old evil practice which is in prevalence even today. As women are distinctly different from their male counter-parts on various aspects, introduction of gender-based laws was highly required. Laws are the outcome of several societal changes and necessity. When the nerve freaking Delhi gang rape incident took place, there was huge hue and cry against the concerned penal provisions in immediately the legislature came forward with an amendment in criminal laws known as “Criminal Law (Amendment) Act, 2013”. Several offences such as sexual harassment, sexual violence, stalking, trafficking, voyeurism were inserted in the Indian Penal Code for protection of women.

When women became the victims of domestic violence by their husbands or in-laws/ relatives for dowry or any other such reasons, the India Penal Code was modified by the Parliament & Section- 498-A was inserted to establish “matrimonial cruelty”. Two other separate Acts were also enacted for the protection of women against any kind of violence namely, The Dowry Prohibition Act, 1961 & The Protection of Women against Domestic Violence Act, 2005, for the empowerment of the women.

**The Dowry Prohibition Act, 1961:** The system of giving and taking of dowry could be predated from the British colonization period in India. Back in that era, the fundamental objectives behind bride’s parents giving out dowry is to make it act as a form of protective shield for their daughter against any ill-treatment by her husband or in-laws’ family. Later, this practice was turned to be a reason for sufferings for women within a marriage. Society made it a custom of demanding, giving & taking dowry while completely erasing the purpose for which this was initially in practice. The modern meaning of “dowry” is completely reversed from what it was intended to be. “Dowry” as defined under Section-2 this Act states any property or any valuable assets given or promised to be given directly or indirectly by either of the party to the marriage, but this provision is an exception to Muslim Personal Law. Newlywed brides whose parents aren’t able to match the expectations of the groom & his family, has to suffer all forms of cruelty at her in-law’s house. The Dowry Prohibition Act, 1961 regulates any demands of any form of dowry in any direct or indirect way from the parents or the relative or the guardian of the bride by the groom or any member from groom’s family is punishable under law as the provisions of the Act. The objective of the Act is to stop the evil practice of demanding and giving of dowry for marriage in Indian society while promoting marital and family harmony.

**Section 498-A, Indian Penal Code:** The vital intention behind Section-498A, IPC is to safeguard the women from cruelty by her husband and her in-laws or relatives. Further, the section also includes any such behaviour shown to the woman by her husband & family or his relatives, where she is compelled to commit suicide, or death of a married women is caused by torture due to demand of dowry. This section makes the husband, his family & relatives punishable under its scope for any act of harassment and coercion to wife or her family & relatives to perform an unlawful demand of property or any valuable items.

**The Protection of Women against Domestic Violence Act, 2005** (herein shall be stated as “DV Act”): The government incorporated another law in favour of women against any form of violence taking place in a domestic sphere as the existing laws were not competent enough to safeguard women from all forms of domestic violence. The main objective behind enactment of DV Act is to identify every act of domestic violence and make it punishable under law. The act was also concentrated on providing protection to the victims of any such acts leading to ill treatment, man-handling women or any such acts defined under this law. The DV Act is also enacted with a view to serve timely justice with a cost-effective and convenient manner to the aggrieved person. The Act widens the meaning of domestic violence in its context and provides an established procedure for filing complaint under this Act. It would not be correct to say, the Act has completely achieved its purpose. Cases of domestic violence are still increasing in numbers even after enactment of DV Act.

## HOW THE WOMEN-CENTRIC LAWS ARE BEING MISUSED?

Every law has its pros and cons. The women-centric laws are those which are designed for the empowerment of the women, and those are being largely misused by filing of false cases under such Sections and as a consequence of such conducts, it is leaving a questionable impression on delivery of justice in the society. There are few cases to be discussed to get a clear picture of how women-centric laws are being misused by women against men.

**Kanaraj vs. State of Punjab (2000 CriLJ 2993)**, where the court pointed on a fact that the relatives of the husbands cannot be involved in the case unless the accusations are proved beyond any reasonable doubt. The relatives of the husbands shall not be included into the case where husband is at fault. The liberal nature of Section-498A provides a woman the liberty to drag as many as husband's relatives to be charged under it, the Honourable Judge also cited, in order to get justice for dowry deaths, the family of the deceased tend to involve as many members of the family as they can, such practice affect the prosecution and eventually weaken the case against the culprit.

In **Saritha v R. Ramachandran (I (2003) DMC 37 [DB])**, the court observed that educated and aware women, who intent to seek divorce, initiates mailcious complaint against their husband and in-laws under 498-A of IPC, which is absolutely the misuse of such provisions made for the benefit of women. The court also mentioned

In these cases, **Bhupinder Kaur and others vs. State of Punjab [(2003 CriLJ 3394]** and **State Vs. Srikanth (2002 CriLJ 3605)**, the courts observed the relatives of the husband were dragged in the case even when they were not related to any of the allegations made against the husband regarding cruelty and dowry. Similarly, **Sushil Kumar Sharma v. Union of India and others (JT 2005(6) 266)**, the court stated that, "By the misuse of the provision (Section -498A), a new legal terrorism is unleashed. The provision is intended to be used as a shield and not an assassin's weapon.". The hon'ble court expressed their views that this provision is to be used as an aid and protection for those in need of it and abstain its used for any revengeful and manipulative motive. Petition purported to have been filled under Article-32 of the Indian Constitution, praying to declare Sec- 498A as unconstitutional and ultra vires in the alternative to formulate guidelines so that innocent families shall not be victimised by unscrupulous people making false accusations. It is further prayed, whenever, any court comes to the conclusion that the charges and allegations made under Sec-498A are unfound, stringent actions should be taken against person making such allegations which according to the petitioner will discourage people to come to courts with unclear and mischievous intentions.

**Malathi Ravi Vs. B.V. Ravi, AIR 2014 SC 2881**, in this case, the couple were married for 1.5 years when the wife, who was residing with her parents for her higher studies, filed a petition for dissolution of their marriage. The husband with a hope of reconciliation went to meet his wife, son and wife's parents but was ill treated by his in-laws which caused him mental agony. Moreover, the wife lodged a FIR under Section 498A IPC. The Hon'ble High Court after reviewing the whole matter, decree of divorce granted on the ground of mental cruelty to husband by wife.

In **Anita Rani Vs. Suresh Kumar, 0270/2015**, the parties to the case were married as per the Hindu rituals and customs. The wife was in constant practice to provoke husband to leave separately from their matrimonial house which leads to constant argument between them.

The husband on several occasions signed and withdrawn her salary where she kept silent but later took action against him and subsequently lodged a criminal case against her husband and in laws under Section-498A, 406 IPC. The landmark judgements were given in case of **Arnesh Kumar vs. State of Bihar, (2014) 8 SCC 273, and Rajesh Sharma vs. State of UP, (Cri. Appeal No- 1265 of 2017)** the court in view of raising misuse of Section-498A by women, laid down few guidelines to avoid misuse of the section-498A overriding the rule to make an immediate arrest on receiving any complaint under this Section.

**Arvind Kumar & Another vs State of U.P. And Another, CRIMINAL MISC. WRIT PETITION No. - 13342 of 2020**, the appellant was charged under the false rape case against a woman. The couple shared a romantic relationship until the woman lodged a false FIR against the applicant and started blackmailing him. The Appellant Court on investigation found the man was falsely accused of rape charges and the pretended prosecutrix was a fraud lady.

#### DISCRIMINATION TO THE MEN

Cruelty against men and his family is a very common scenario in a modern society. The institution of marriage has undergone several dramatic changes. Marriage under Hindu laws is considered as a sacrament and an alignment which is inseparable and indissoluble for ages to come, but is fading away its holiness and pure elements. In India, provisions of DV Act, Section-304-B & Section- 498A of IPC, are purely women-centric. Cruelty under Indian laws is acknowledged as one of the grounds for divorce. Cruelty against women is in existence since the time patriarchal society started to gradually emerge. It was post-independence the condition of the women and the concept of women empowerment was fuelled up with enactment of various women-centric laws. From above discussed cases, it is quite evident that women are not only the victims of cruelty, domestic violence and harassment. As the time evolved, women deliberately started taking advantages of women-centric laws to harass their counter-part and family. Today's youth is well educated, especially with more emphasis on "girl's education" women are made more aware of their rights but on several circumstances, women are seen misutilising those rights to gain power over men.

Well, there the question comes why aren't men rebutting when they become a victim of misuse of women-centric laws? In order to find answer to it, questionnaire was circulated to understand the basic of men suffering in silent. The following points were extracted from the data collected:

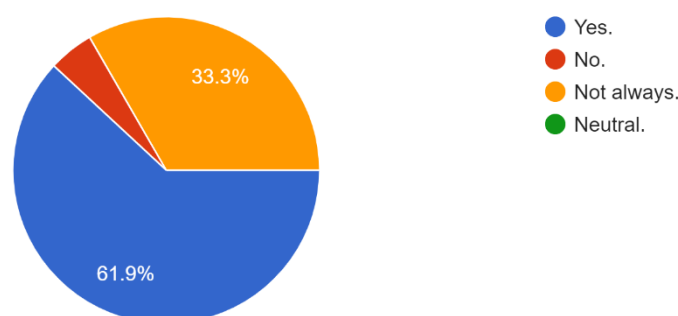
1. **Nature of women-centric laws:** The society indeed has witnessed women suffering and fighting for their rights, for which national and international forums emphasized on making necessary laws, policies & schemes for empowerment of status of women in the society. In this process, women are vested with excess power in their hands as a result of which they started to misuse these laws against men to harass them. As the Indian laws are more women-centric, thus placed women at an advantageous position than men. However, this encouraged women in some or the other to misuse those laws at discharge of their convenience. There are several instances witnessed where women are seen torturing, abusing, insulting, harassing and trying to defame men at personal and professional circle. Laws like Section 498-A of Indian Penal Code, Dowry Prohibition Act, 1961, Domestic Violence Act, 2005, The protection of women against harassment at workplace, 2013 etc are non bailable, compoundable and non -cognizable.

The provisions of Section-498A states to make immediate arrest on receiving complaint under it which was subsequently shadowed by a landmark judgement in case of **Arnesh Kumar vs. State of Bihar**. False filling of malicious charges against men by women has left a very adverse effect on the society as well, leading the male victims to suffer physically, mentally, socially and economically. A field study conducted stated approximately 62% of the responses feels the women are taking advantages of the laws made for their betterment and empowerment (fig- II) whereas almost about 61% approx. have witnessed or have been a victim of false filling of cruelty charges by women against her husband or in-laws(fig-III). Any law can be misused or abused by individuals for their personal gain, regardless of gender

Fig-II

7. Do you think certain women-centric laws are being misused by women for selfish motive?

21 responses



2. **Social stigma:** Indian society believes “men cannot be in pain” creating a societal pressure for men to behave according to the standard set. So, when any man is subjected to any kind of cruelty or harassments by a woman, he fears to openly talk about it. If a man voice out against the atrocities he faces because of misuse of women-centric laws, he is badly criticised by society. So, the fear of not meeting the societal expectations and not being accepted, makes him reluctant to rebut back on women even when they are repeatedly harassed. However, the Indian laws are silent on protection of men against any kind of violence and harassment by women.
  3. **No protective laws to encounter misuse of women-centric laws:** There are laws in place to protect both men and women from various forms of discrimination. However, it is true that certain laws, such as those related to domestic violence or sexual harassment, are viewed as women-centric because women are more likely to be victims of these crimes. It is important to recognize that laws are typically created to address societal issues that are more prevalent for a certain group of people. For example, laws related to workplace discrimination against women were created because women historically faced significant barriers to equal employment opportunities.
- A handful of well-educated and socially uplifted women are seen to have opted law as the best way possible to harass men. Few wives, press criminal charges against their husbands, his family and relatives under Section-498-A and get them arrested under this provision for their acquisitive attitude.

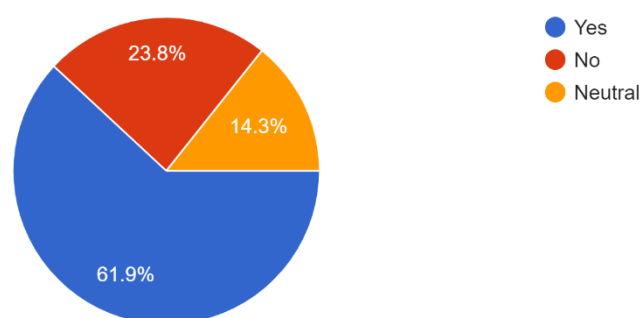


Further, an analysis was made based upon the results of the survey in Fig-IV, that stated maximum respondents did acknowledged that fact that most of the daughters-in-laws, when there is any matrimonial disputes they threatens their old in-laws and husband of Sec-498A, and also at several occasion, such women do make false accusations of domestic violence and matrimonial cruelty against their in-laws family members.

Fig-III

12. Have you heard or witnessed any such incident of false accusation made by any woman on ground of cruelty or torture against her in- laws?

21 responses



This led to husband and family suffer from immense mental agony. In the last few years, it was observed that there is a rampant increase of false first-hand report filing and allegations under Section-498A and other such relevant provisions against a husband. Additionally, it is also observed that police authorities have shown insensitiveness and carelessness in such matters, at times old parents are confined and questioned without conducting any prior verifications to test the genuineness of the registered complaint. This situation has raised numerous questions on several forums regarding the protection of the husband and elderly person in the family because of the statutory provisions of Section 498A states that an immediate arrest must be made. The “Maintenance and Welfare of Parents and Senior Citizens Act, 2007”, Section-504 IPC and several others laws are in existence for protection of elderly people but these laws sporadically get shadowed by women-centric laws.

Our Indian society is stagnant in between a traditional joint family set-up and a western influenced nuclear family arrangement as a consequence of which the Indian society is not yet ready to accept the fact that men can also be harassed and be subjected to cruelty by women. Today’s women are at a very advantageous position. Special laws for women and children were introduced in the Indian Constitution in its 93<sup>rd</sup> amendment in the year 2005, which directs the state to make laws for the empowerment of the women and children eliminating all discriminations for a dignified life in the society. There are seats reserved for the women in Jobs and at public transports. Women were given special reservations and benefits by the Government. It is the women who are given first priority in billing or ticket counters as well. There are barely any instances which could be noted that shows women are at disadvantageous position, moreover, there exist discrimination against men.

Even in its current year budget plans (2023-24), the Indian Government introduced schemes that gives special attention to women empowerment and upliftment to provide them an equal footing with that of men in the society. Violence, cruelty and discrimination against women are still a resilient challenge before the state around the world. However, on the contrary to this in contemporary world is also witnessing men being victims of violence, discrimination and sexual assault. Men are always presented as strongest and fearless, so the idea of men being abused by women is generally not accepted in mostly patriarchal society.

The laws which are mostly misused by women to frame men are “The Domestic Violence Act”, “The Dowry Prevention Law”, “Section- 498A IPC”, “Section- 357 IPC” and “The Protection of Women against Sexual Harassment at Work”. The legislation is silent on making in any amendments to these laws even on several reporting of false filling of dowry cases by wives against husbands, in-laws or his relatives. The very purpose on which such laws were enacted was to protect the dignity of a woman are badly being tarnished by the women themselves for their selfish sake. Moreover, other laws related to the offences of sexual harassment, sexual assault, voyeurism, stalking and the offence of rape are completely women-centric which is making them more powerful and an opportunity of otherwise use these laws. In the process of empowering the women, male community of the society is nearly denied of their right of protection against wrongful prosecution.

The Indian Constitution ensures every individual shall be treated equally before law; also, in addition to that every citizen shall not be discriminated on ground of religion, race, caste, sex or place of birth. But if closely analysed the provisions of dowry laws, rape laws and the harassment laws, are women favouring, resting the power in their hands.

#### WHY DO WE NEED TO AMEND WOMEN-CENTRIC LAWS?

The modern contemporary views allow no discrimination between a woman and a man in judging what is cruelty and who can construe cruelty. The society has evolved from being women oriented to a male dominating to now a gender-neutral society.

Mental harassment against men is not a new milieu of modern society. Several incidents of cruelty and violence against innocent men and his family has been reported in 1970s and 80s. The case of **N.Sreepada Chandra vs. Vasantha, AIR 1970 Mysore 232**, one of the landmarks where the court illustrated mental cruelty against husband by wife is real and in existence in silence. Further, in judgement the court also pointed, wife openly speaking about husband's death by any accident so she may get his insurance and employment fund amount also amount to mental agony. In another case of 1970, **Dastane vs. Dastane, AIR 1975 SC 1534: (1975) 2 SCC 326**, it was observed that wife was in a constant practice to threaten her husband and his family to prosecute them into false criminal prosecution of “abet to attempt suicide”. In this case, Supreme Court opined that such activity of wife also could be concluded as cruelty.

The purpose of making laws and provisions is to establish a society where no individual is deprived of their rights without any discrimination. At times, with changing dimensions of the society, certain laws have shown their ineffectiveness in protecting and securing position of its citizens particularly speaking about men. Few Indian laws have amounted to be the topic of discussion and further interpretation.

1. **Gender biased dowry laws:** The content of dowry prohibitions laws is such that if a wife dies an unnatural death within seven years of her marriage, a criminal case could be filed against the husband and her in-laws under Section 304-B IPC which is a non-bailable offence. If any signs of slightest cruelty or torture are found while investigation, it shall be presumed that husband or his family or relatives might have caused the death of the bride. Whereas when a husband dies an unnatural death within seven years of marriage, there are no explicit laws or Acts regarding the death of a man for domestic cruelty caused by a woman. If the wife is found to have involvement in unnatural death of her husband shall be booked under general laws of murder.
2. **Laws on sexual harassment and rape:** The Indian laws on this aspect are also women favouring. The Vishaka case highlighted the problem of inappropriate and unwelcoming behaviour at workplace, a new Act, “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” which is again an arbitrary in nature. The concept of harassment is basically associated with the position of an individual. The person holding the higher authority is always in the position to harass its subordinates, irrespective of any sex or race. Similarly, when men demanded for their protection against sexually harassment by women, their voices are left unheard. The judiciary through several interpretations is preserving men rights against sexual harassment. Data collected through random stratified probable respondents, also agrees with the fact that men are equally subjected to harassment that as of women in both professional and personal peripheral. (Fig-V)
3. **Laws on domestic violence:** The Hon’ble Supreme Court of India in the case reportedly termed the practice of modern women giving false domestic violence case against their husband, as a new form of “Legal Terrorism”. Society also has witness cruelty and violence against men and elderly persons, but to one’s utter surprise the lawmakers are inactive in enactment of any laws in their favour. On times several judgements have pointed out the loophole in Section-498A IPC, but subsequently no development has been made on this context.

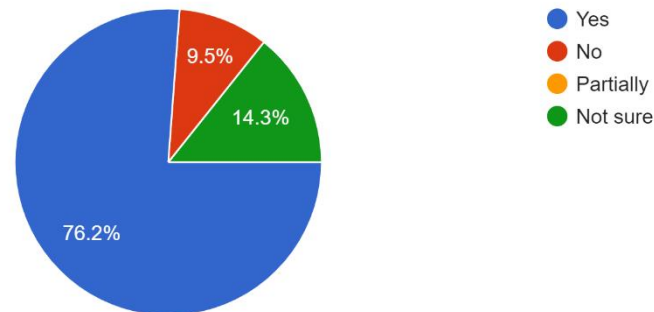
#### IMPACT OF WOMEN- CENTRIC LAWS ON SOCIETY

Women-centric laws in India are extremely strict in nature. These laws have put men at a very disadvantageous position. Most of the offences committed against women are cognizable and non-bailable in India. Many a times, these laws are used as most suitable medium to extract money from men. This has created a sense of insecurities among men and their families. The families who are falsely framed under such laws undergo several humiliations and bad name. Society starts to see them as an offender, even before the court gives it verdict. In this process people lose their jobs as well. When a woman is raped, the entire nation stands in supports of her which is immensely appreciated as it shows a sense of concerned and unity. But when a man is falsely accused of rape and eventually gets acquitted for not found guilty, the society will still consider him as rapist. The statistical study conducted states majority of the respondents do agree with the notion that women are capable of harassing men. (Fig-V).

Fig- IV

10. Can men be subjected to harassment by women?

21 responses

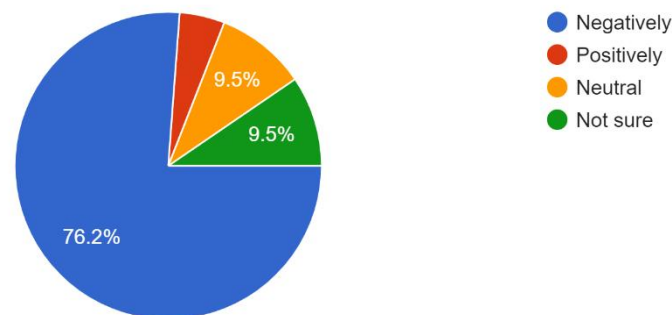


This has negatively affected the society, giving out an absolutely wrong message. The objective of these laws are to give protection and redressal to aggrieved women. But with flux of time women started misutilising the laws and a new terror is created in the society. A common view of the people was collected during the research where it was, further, observed that this practice of misuse of women-centric laws has negatively impacted the society. (Fig-V)

FIG-V

14. How does misuse of women-centric laws impact the society in India?

21 responses



## DISCUSSIONS

The sole aim of the research study is to find and analyse the situation of misuse of women-centric laws in India. Men are always considered to be powerful and women as powerless, and to make them empowered, laws are made in their favour. The theory of Punishment does not sit well for every curbing all societal issues. People view women as the victims and the men to be the perpetrator failing to understand the true scenario. This view has unknowing encouraged few women to misuse the laws as per their selfish intentions. A survey was conducted to test the hypothesis 3 to clarify if men are being harassed by the misuse of women-centric laws.

However, there are no clear evidence of men being victims of domestic abuse, harassment and other forms of violence. Though there are no particular laws available for men to protect them against such activities. It becomes difficult for them to report of violence. Moreover, the society also do not recognize abuse, both physically & mentally, harassment at work as well at home by their partners. In realm of these, men are silently suffering.

## **FINDINGS**

This has set a very detrimental message in the society. The social security of the men is in conflict. In a view to build a harmless and violence- free society for women, the law somehow, knowingly or unknowingly has made them extremely powerful by vesting the laws with them. Research shows women do use laws to threaten, abuse, assault and harass men. The crime against men specifically by women has increased in past few years. And no stringent laws have been enacted to legally protect and promise for social security to men and the women take privilege of this loophole in Indian legal structure to harass men and their families. The month of March celebrates women's day globally, everyone hails for equality for women in all sphere, be it about equal work opportunity, be it their rights or be it about equal pay. Well, here the question to be asked whether the women seriously not given equal rights and is not been awarded with the equal opportunities with that of men in regards to pay, societal status and for work? The answer to it is still vague as today's women is at commanding position, it is hard to say "women are still suffering". Taking an absolute advantage of the women centric laws, mostly the urban women are highly misutilizing in their favor. The hype of feminist moment and spreader awareness about their legal rights the women today are more informed. Present day women are far more secured and stabilized when compared with their past sisters who used to endure the pain in silence. It is heart wrenching to see women take advantage of the laws made for their empowerment.

## **SUGGESTIONS:**

As a consequence, men suffer from severe mental anguish.

1. Amendments of certain women-centric laws shall be taken into considerations looking into the current scenario of rising misuse of these laws.
2. Indian Penal Codes are required to strictly implement penal provisions for women who is found falsely accusing men for their mala-fide intentions.
3. The Police Department should also establish a special branch in every district to deal with such sensitive situations, provide counseling if needed. There should be free counselling for men and their families who face enormous harassment as a result of false allegations made by the wife and her family members.
4. Gender neutral laws shall also be introduced for the protection of men against misuse of women-centric laws.
5. Indian legal system considers any dispute between a husband & wife to be extremely sensitive for which the proceeding of personal laws is held in a closed room. But when there any allegation made by a woman, its either the media people or the women herself intentionally pick up the issue before media to frame men. There shall be strict rules against unfettered upload of contents on social media.

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## REFERENCES:

### BOOKS:

1. Arora A.S, Law Relating to Cruelty to Husband, Third edition, Lawman's, Kamal Publication.
2. Dr.Farreell Warren, The Myth of Male Power, USA, Tribune Media Service, 21st Anniversary edition.
3. Saksham: Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses, University, Grand Commission.
4. Singh Verma Mahipal, Cruelty by wife, Chaudhury Law book Company, 2011 Edition.

### JOURNALS:

5. Bajaj Vandana, Grey areas of Domestic Violence Laws in India, SCC Online, 2016, Op Ed 14.
6. Chatterjee Soumi &Dr. Dwivedi Pankaj, Misuse of anti- dowry laws- a dark side of marriage, SCC Online.
7. Dua Jasleen & R. Kahlon Neena, A critical analysis of the misuse of an Anti-Dowry Law, Asian Review of Social Science, The Research Publication, ISSN: 2249-6319, Vol 8 No. 2, 2019, pp 53-57.
8. Harleen, Kaur, Meenakshi, Rani. (2023). Men's Rights in India-Gender Biased Laws. International journal of science and research, doi: 10.21275/sr22114163536.
9. J. Magley Vicki &L. Berdahl Jennifer, The Sexual Harassment of Men: Exploring the concept with theory and data. Cambridge University Press, 2016.
10. K. Gupta Ankita, Crime of Rape and Laws: Need of Gender-Neutral Approach, SCC Online, 1.1 VSLR (2019) 59.
11. N., Senthil., Jayanthi, Vajiram., V, Nirmala.. (2023). The misuse of law by Women in India - Constitutionality of Gender Bias. doi: 10.48550/arxiv.2307.14651.
12. Madhu, Kishwar. (2000). Laws against domestic violence: underused or abused?.
13. Sanjeev, Kumar., Viney, Dhiman. (2015). Gender Sensitization with Special Reference to Indian Law. International journal of innovative research and development.
14. Singh, R., & Singh, S. (2022). X versus the Principal Secretary, Health and Family Welfare Department, Govt. of NCT of Delhi & Anr. Supremo Amicus, 31, 217.

### LAW COMMISSION REPORTS:

15. 243rd Law Commission Report.
16. National Centre on Elder Abuse. The National Elder Abuse Incidence Study. Washington, DC: American Public Human Services Association; 1998.
17. Law commission Reports, March 2000, Review of Rape laws.

**ACTS AND SECTIONS:**

18. Criminal (Amendment) Act, 2013.
19. Sec- 498-A of the Indian Penal Code.
20. The Protection of Women from Domestic Violence Act, 2005.
21. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
22. The Dowry Prohibition Act, 1961.