

ISSN: 2583-8725

Lex Scripta Journal

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**LEX SCRIPTA MAGAZINE OF
LAW AND POLICY (VOL-4, ISSUE-1)**

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ISSN-2583-8725

Vol - IV, Issue - I

Published by INTEGRITY EDUCATION INDIA

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First Floor, 4598/12-B, 1st Floor,
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Phone: +91 98 11 66 62 16 (Vineet Sharma)

Printed in India @ New Delhi

ISSN: 2583-8725

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Misuse of Anti-Cruelty Laws in India: A Critical Study of Section 85 BNS in the Context of Men's Rights

Author
Gurpreet Kaur



Misuse of Anti-Cruelty Laws in India: A Critical Study of Section 85 BNS in the Context of Men's Rights

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Abstract

"If the law does not adapt to the demands of a changing society, it will either choke the society's growth and impede its advancement, or if society is strong enough, it will overthrow the law that is impeding its development. Therefore, the law must constantly be evolving to keep up with society's rapid changes rather than falling behind". Bhagwati, Justice.

A country's social structure is greatly influenced by marriage. It is the cornerstone of the institution of marriage, which denotes a man and woman's whole bodily, mental, and spiritual union as husband and wife in order to start a family. A wealthy and healthy society is shown by happy homes. However, the definition of stability in the context of marriage has been steadily evolving throughout time due to the rise of industrialised societies and social consciousness among people, particularly among women, regarding their rights to equality and personal liberty. Over the past few millennia, women's standing in India has undergone numerous significant shifts, from a deterioration from ancient to medieval periods to the advancement of equal rights by numerous reformers. In contemporary India, women's rights under the Indian Constitution primarily comprise equality, dignity, and freedom from discrimination; however, women's rights are governed by several laws. The status of women has significantly changed as a result of the freedoms of education, employment, economic independence, and social attitudes. Nowadays, the majority of women who were previously homemakers are advancing alongside men. Police officers and misbehaving women abuse the laws specifically designed for women. Neither the courts nor society pays attention to the cries of abused husbands and their families. According to the practice, spouses suffer for no fault at all when laws about women are abused. Therefore, the laws about women need to be changed. It is unfair to assume that only wives experience domestic abuse. There are no unique rules for men in India or anywhere else in the world. Men are not protected under the Domestic Violence Act of 2005, the Indian Penal Code's Section 498B, or the Code of Criminal Procedure's Section 125A, which provides maintenance to spouses under the Act.

According to the researcher, this study will expose the hidden pain of males who frequently experience domestic violence. It is a clear reality that men are more likely than women to experience domestic abuse since society and the law do not adequately address this specific problem. It will depict the consequences and difficulties faced by a male victim of domestic abuse.

To address this new kind of issue, the researcher in this study has carefully examined the laws that are currently in place, effectively highlighted how husbands are victimised under the guise of domestic violence laws and their horrible repercussions, and attempted to offer both social and legal solutions.

Keywords: *Cruelty, criminal procedure code, Gender, Marriage, Partiality.*

Marriage as a Legal and Social Institution

Cruelty is defined as behaviour that puts the supplicant's life, health, or limb in danger or makes it impossible for the supplicant to continue living with the replier. The tragedy is not limited to people of a specific gender. Additionally, the Honourable Apex Court of India has declared in multiple cases that men are inversely sensitive to trocity in various contexts, including concubinal relationships. According to the ruling in *V. Bhagat vs. D. Bhagat*¹ (1994, AIR, Supreme Court, 710), a woman may also commit cruelty if she falsely accuses her husband and his relatives of mental illness.¹

Methods of Cruelty Against Husbands and Men

Women's violence against men has become a widespread issue. This covers abuse that affects a person's mental and physical well-being, as well as financial, physical, sexual, and emotional abuse. Gender-based violence affects both males and women. In a nation like India, where men have ruled for generations, it is difficult for many to accept that men may experience violence and atrocities on par with women. The number of men who are being physically and psychologically assaulted by women is rising. There is no denying that men subjugate women through intimate partner abuse. However, there is no justification for not having a statute protecting men against the same. Gender equality and moral rights apply to everyone. Article 15 of the Indian Constitution forbids any kind of discrimination based on caste, gender, religion, or race. Article 14 of the Indian Constitution also ensures that every citizen has the right to equality.²

These are the typical ways that a guy used to get tired:

• Domestic violence and Section 498A abuse

The most prevalent and ingrained system of cruelty against men is the abuse of Section 498 A of the Indian Penal Code and the Protection of Women from Domestic Violence Act 2005. In this system, women and their relatives would falsely accuse their husbands and their families of violence, and because there was no gender-neutral legislation, they would suffer not only justly but also face

¹ Paras Diwan and Peeyushi Diwan, *Modern Hindu Law* (Allahabad Law Agency, 21st edn., 2018) 235.

² M.P. Jain, *Indian Constitutional Law* (LexisNexis, 8th edn., 2018) 1245.

criticism from society, which would torment their social lives and mental health. In addition to the law, there are additional factors that can cause such situations to go unreported, such as the societal belief that men are strong and difficult to weep, or the possibility of pain for them and their families if they need legal assistance. Unfortunately, the vittles as outlined in section 498-A and others have been abused by the investigating and enforcing agencies and used to such a degree by the women and their relatives that they have shown to be extremely ineffectual in curbing dowry wrongs. Despite the fact that these vittles were prepared with the best of intentions, the act was unproductive and left a rather awful flavour.

A growing trend among women, further ingrained by their parents and relatives, is to rope in every single relative, including young children, elderly people, close or distant relatives, unmarried or unattached sisters, family-in-law, family, uncles, grandparents, and other relatives of the husband. After a complaint is filed, police and organisations such as the Crime Against Women Cell can easily use it to harass the accused with the threat of arrest, forcing them to flee immediately and hide at the homes of their relatives or musketeers until they are granted anticipatory bail because the offence has been made cognizable and non-bailable.³

According to research done by health specialists at the International Institute for Population Science (IIPS), Mumbai, working women in India who have access to cell phones and earn money prosecute more cases of domestic violence against their husbands. In contrast to the frequent finding that marital violence against women decreased with age, the investigation also found that the frequency of violence against husbands increased in nuclear families. In the past, subjects experienced more emotional abuse from their partners than physical abuse. A survey of 1,000 married men in pastoral Haryana between the ages of 21 and 49 revealed that 10% of men over the age of 18 had experienced domestic abuse.

Major Case Laws: The Apex Court of India noted in the Preeti Gupta v. State of Jharkhand case that, regrettably, a significant number of complaints under Section 498A have not only baffled the courts but also caused a great deal of social unrest that has affected the harmony, peace, and happiness of the community. The Apex Court declared that the courts must handle these concerns with extreme caution and conservatism and must take practical realities into account when handling marriage matters. The complaint's accusations must be carefully and cautiously examined.

- In the case of Shikha Tamrakaar vs. Rohit Kumar Tamrakaar³, it seemed that the woman was fighting with her husband and his parents, failing to provide for them, forcing her husband to live apart from his parents, causing her to later commit self-murder, and abandoning her husband for no apparent reason. The woman continued to forsake her husband despite the husband's attempts to find a solution. She did spread the rumor among her family and the community that her

³ Ratanlal & Dhirajlal, *The Indian Penal Code* (LexisNexis, 34th edn., 2017) 1985.

husband's father had attempted to rape her. It was decided that the woman's similar behavior qualified as cruelty.⁴

The ruling in *Samar Ghosh v. Jaya Ghosh* was relied upon.

Abuse of Adultery by a Woman Against Her Husband

The Latin term "adulterium" is where the word "adultery" originates. According to lawyers, adultery is mostly the deliberate introduction of an outsider into a relationship in order to ruin it. It is also commonly referred to as "adulterous sexual connections." "A person gets into a sexual relationship with a person who isn't his/her partner" is the definition of adulterous sexual connections. The Supreme Court ruled in *Joseph Shine v. Union of India* that section 497 is unconstitutional and that adultery is not a criminal. The Supreme Court's earlier decisions on section 497 that adultery is no longer a crime—have been overturned by this verdict.⁵

The previous three decisions on the subject have been overturned by the finding of a five-judge Supreme Court panel led by Chief Justice Deepak Mishra. ADULTERY was defined in this section as an offense committed by a man against a married man if the former had sex with the latter's woman. According to the law, a man can only bring an adultery lawsuit against a guy that his woman has supposedly had an affair with. Therefore, in essence, a woman cannot be fulfilled on the basis of adultery or file a lawsuit of adultery. This discriminates against both men and women by blurring gender boundaries. It discriminates against males because a woman cannot be fulfilled for sleeping with a married man, but men can be fulfilled for the crime of adultery if they sleep with a married woman. Even while adultery is currently merely a basis for divorce and not a crime, women are using it against their husbands to wear them down by making false accusations and arresting him in order to obtain a divorce and demand a certain amount of alimony. The ladies do this to protect their own reputation and character, as well as to win compassion from the public and genuine people. However, as a result, their husbands are sometimes the victims of atrocities. In the *Bhikam Ram v. Satya Devi* case, it was also decided that making false accusations against a husband is an atrocity.

In *Rakesh Sharma v. Surbhi Sharma*, the lady falsely claimed that her husband had demanded a dowry. She also made grave, untrue, and defamatory accusations about the husband's extracurricular activities. The woman's accusations were all unproven. However, it was also proven that the wife had willingly abandoned her husband, which constituted a mental cruelty to him. Due to comparable factual circumstances, the husband was granted a divorce by the High Court.

⁴ D.D. Basu, *Introduction to the Constitution of India* (LexisNexis, 23rd edn., 2018) 314.

⁵ K.N. Chandrasekharan Pillai, *R.V. Kelkar s Criminal Procedure* (Eastern Book Company, 6th edn., 2018) 455.

Gender Justice, Protective Discrimination and Constitutional Equality

The debate surrounding cruelty within marriage cannot be understood without situating it within the broader constitutional framework of gender justice and equality. Indian constitutional law embodies a dual commitment: on the one hand, equality before the law and equal protection of laws under Article 14; on the other, the recognition that historical and structural inequalities may require special measures under Article 15(3), which permits the State to make special provisions for women and children⁶. The interaction between these two principles lies at the heart of the legal discourse on gender-specific criminal provisions such as Section 498A of the Indian Penal Code. The Indian Constitution does not adopt a rigid model of formal equality. Instead, it embraces a vision of substantive equality that acknowledges social realities. Article 14 prohibits arbitrary state action and unreasonable classification. Traditionally, courts applied a two-pronged test: the classification must be based on an intelligible differentia and must have a rational nexus with the object sought to be achieved. Gender-based classification has been upheld where it serves to protect a disadvantaged class. Article 15(3) further strengthens this framework by explicitly authorising special provisions for women and children. This clause reflects the framers' recognition that formal equality alone may not eliminate deeply entrenched social disadvantages. Protective discrimination in favour of women has therefore been considered constitutionally permissible and, in some cases, necessary to achieve real equality.

Section 498A IPC fits within this constitutional paradigm. Its enactment was justified by the widespread occurrence of dowry-related cruelty against married women. The legislature identified women within marriage as a vulnerable class requiring special protection. Courts have repeatedly upheld the constitutional validity of Section 498A, emphasising that Article 15(3) permits such gender-specific measures⁷. However, constitutional equality jurisprudence has evolved significantly over the decades. The Supreme Court has gradually shifted from a narrow classification-based approach toward a more substantive analysis focused on arbitrariness, dignity, and constitutional morality. Decisions such as *E.P. Royappa v. State of Tamil Nadu* redefined equality as antithetical to arbitrariness. Later judgments emphasised that state action must not perpetuate stereotypes or unjustified distinctions. In recent years, the Court has revisited gender-based criminal provisions. The decision striking down Section 497 IPC (adultery) is particularly instructive. The Court held that the provision was rooted in patriarchal assumptions and violated constitutional equality. The reasoning emphasised autonomy and rejected gender stereotypes embedded in statutory language. Although Section 498A differs fundamentally in purpose, the broader constitutional environment reflects increased scrutiny of gender-based

⁶ K.I. Vibhute, *Criminal Justice* (Eastern Book Company, 2004) 112.

⁷ Aparna Chandra, "Domestic Violence and the Indian State," (2010) 2 *Journal of Indian Law and Society* 45.

distinctions. The central constitutional question, therefore, is not whether protective discrimination is permissible—it clearly is—but whether the specific design of Section 498A, which completely excludes men from recognition as victims of marital cruelty, remains consistent with contemporary equality principles.

Protective discrimination must satisfy the test of proportionality. While Article 15(3) allows special provisions for women, such provisions must serve a legitimate objective and must not create arbitrary exclusion. If a statute addresses a specific social evil disproportionately affecting women, gender-specific drafting may be justified. However, if the statute's definition of harm is broad enough to encompass conduct that could affect either spouse, the exclusion of one gender may warrant examination. Cruelty, as defined under Section 498A, includes conduct likely to cause grave injury or drive a woman to suicide. These forms of harm—physical violence, mental harassment, sustained humiliation—are not inherently gender-specific in conceptual terms. While social patterns may show disproportionate victimisation of women, the legal definition of cruelty describes conduct capable of being inflicted by any spouse. The doctrine of reasonable classification requires that legislative distinctions bear rational nexus to the object of the statute. The object of Section 498A was to combat dowry harassment and domestic cruelty against women. The gender-specific classification therefore had a clear nexus at the time of enactment. The question arises whether evolving social realities affect that nexus⁸.

Constitutional jurisprudence also emphasises dignity as a core value. The Supreme Court has repeatedly held that dignity under Article 21 applies to all individuals. If a married man experiences sustained psychological harassment or false accusations that seriously impair his mental health and reputation, the harm implicates dignity interests. The absence of a specific statutory recognition of such harm within the matrimonial context raises questions of equal protection.

At the same time, constitutional analysis must remain sensitive to structural inequality. Violence against women remains a serious social problem in India. Statistical evidence and socio-legal research continue to document disproportionate victimisation of women within domestic settings. Removing or diluting protective legislation without careful safeguards could undermine progress in addressing gender-based violence. Therefore, the debate is not binary between protection and neutrality. Rather, it concerns whether protective objectives can coexist with inclusive drafting. Some comparative jurisdictions adopt gender-neutral domestic violence statutes while acknowledging that women constitute the majority of victims. Such models demonstrate that gender neutrality does not necessarily negate sensitivity to disproportionate impact. Indian constitutional jurisprudence has also embraced the idea of transformative

⁸ Amita Dhanda, "Gender Justice and Criminal Law Reform," (2004) 39(17) *Economic and Political Weekly* 1632.

constitutionalism. The Constitution is viewed as a living document intended to transform society toward equality and justice. Transformative interpretation may require re-evaluating older statutory frameworks in light of contemporary values. Another relevant constitutional dimension is the principle against stereotyping. The Supreme Court has increasingly condemned laws that rely on stereotypical assumptions about gender roles. While Section 498A was not based on stereotypes but on empirical concerns, the assumption that only women can be victims of marital cruelty may risk over generalisation.

However, it must be acknowledged that criminal law is shaped by legislative policy choices. Courts traditionally defer to legislative judgment in matters of social reform unless a clear constitutional violation is demonstrated. Any reconsideration of gender-specific drafting would therefore require careful balancing of legislative intent, social realities, and equality principles. In evaluating the constitutional sustainability of Section 498A's gender-specific design, three analytical considerations emerge. First, whether the classification continues to have a rational nexus with its protective objective. Second, whether exclusion of men results in denial of equal protection in cases where comparable harm occurs. Third, whether alternative remedies sufficiently mitigate any exclusion. The present dissertation does not assert that Section 498A is unconstitutional. Rather, it critically examines whether constitutional equality jurisprudence invites reconsideration of structural exclusion in light of evolving doctrine. Protective discrimination must remain responsive to social change. A statute justified in one historical context may require recalibration as society transforms. Ultimately, gender justice and constitutional equality are not mutually exclusive principles. True gender justice requires addressing systemic disadvantage while ensuring that legal recognition of harm is not arbitrarily limited. The challenge lies in crafting a legal framework that protects vulnerable groups without creating new forms of imbalance.

Legislative Overview: Cruelty under Indian Personal Laws

The Indian law of cruelties as a matrimonial ground is mainly based on personal laws of the various communities in India. Though they vary in their construction and formation, one of the similarities between the laws is the acknowledgement of cruelty as a valid cause of matrimonial relief in them.

The lack of a specific statutory definition of the same across these enactments has, however contributed to a high level of reliance by the courts in the determination of such statutory provisions, rendering the statutory system both flexible and unpredictable. The Hindu Marriage Act (HMA), The Law of 1955 forms the basis of matrimonial law, among Hindus, Buddhists, Jains and Sikhs. The Act under section 13(1)(i-a) further states that marriage can be dissolved on the ground that one of the spouses has been cruel to the other by the use of a decree of divorce. Remarkably, the provision fails to specify the issue of cruelty, thus giving the courts a broad interpretation of the subject. This law option

indicates the desire to have flexibility in dealing with various marital cases, but at the same time requires judicial elaboration to fill the gap in definition.⁹

In explaining the concept of cruelty arising in *N.G. Dastane v. S. Dastane* (1975), the Supreme Court explained that the act does not have to be so serious as to pose any threat to life and physical health.

The Court ruled that simply having a reasonable apprehension about living with the other party will be harmful or injurious suffices to qualify as cruelty by the spouse. This understanding of cruelty greatly extended the statutory definition of cruelty itself and paved the way to a more sensible interpretation of the marital relationship. Notably, the Court additionally ruled that the case of matrimony is to be determined with references to the preponderance of probabilities, which makes a difference as compared to criminal trials.¹⁰

The other notable statutory change made under the HMA is the identification of cruelty as a

dynamic concept that keeps changing with societal changes. In *Shobha Rani v.*, observed by

the Supreme Court, cruelty can be either physical or mental, and the nature of conduct and the

effects they have on the aggrieved spouse determine the cruelty (*Madhukar Reddi*, 1988). The Court made the point that the cruelty standard is not fixed and thus supported the ease of meaning of the statutory provision. In the Special Marriage Act, 1954 (SMA), which seeks to provide civil marriages regardless of religion, Section 27(1)(d) is where cruelty is a reason to divorce. The use of language in the SMA is similar to the HMA, and therefore, courts have often enforced interpretations under the HMA in the context of the SMA. This has helped in some form of standardisation in the interpretation of cruelty in these laws.¹¹

Indian Divorce Act, 1869, which governs the Christians in India, also considers cruelty to be one of the grounds that are considered to warrant divorce. But in the past, the standard of cruelty in this Act was more difficult, having to provide a demonstration of conduct that would amount to endangering life, limb, and health. This requirement has been softened over time by judicial interpretation to allow its alignment with the overall interpretation that has been adopted under the HMA. Mental cruelty is a finding that has been accepted in many personal laws as a common principle because the courts have been grappling to agree on mental cruelty as a valid ground.

On the same note, cruelty has become a valid ground to divorce under the Parsi Marriage and

Divorce Act, 1936, in Section 32. The conduct that results in grievous hurt or makes cohabitation unsafe are part of cruelty and included in the Act. Cases based

⁹ Chittaranjan Sinha, *Cruelty and Domestic Violence: A Legal Perspective* (2007).

¹⁰ Upendra Baxi, *The Crisis of the Indian Legal System* (1982).

¹¹ Gurjeet Singh, *Law Relating to Domestic Violence* (2007).

on the use of this Act have also added to the wider jurisprudence regarding cruelty especially in the acknowledgement of non-physical harm. The statutory framework is also complemented by the Protection of Women from Domestic Violence Act, 2005 (PWDVA), which, despite not being a law of matrimony, offers a civil redress to the victims of domestic violence. The Act uses a holistic definition of domestic violence by incorporating physical, emotional, verbal and economic maltreatment. The operations within the PWDVA are different as compared to those of divorce, but the evidence and results of such cases tend to determine matrimonial litigation cases, especially on proving cruelty. The interpretation of these statutory provisions by the courts has served as an important mechanism used to unify these provisions and give them broader application. In the case of *V. Bhagat v. D. Bhagat* (1994), The Supreme Court decided that mental cruelty encompasses such behaviour that results in the parties experiencing mental pain and suffering, such that living together is impossible. The Court also noted that accusations of adultery or immoral acts were baseless and could constitute mental cruelty, hence connecting statutory provisions to issues that the Court developed over time.¹²

The case decision in *Samar Ghosh v. Jaya Ghosh* (2007) portrays a great breakthrough in the

statutory interpretation of cruelty. In the process of understanding Section 13(1) (i-a) of the HMA, the Supreme Court gave some exemplary pointers on how mental cruelty is ascertained. The Court explained that cruelty is inferred and that there are no standard guidelines that can be used throughout. The ruling found various examples of mental cruelty and thus sustained abusive conduct, lack of concern, and false allegations, thus offering practice to judges.

One more significant case is *A. Jayachandra v.*, where the Supreme Court lent weight to the fact that cruelty was not to be confused with the normal wear and tear in the marital life (Aneel Kaur, 2005).

The Court had warned that small disputes, small annoyances, and common quarrels should not be raised to the plateau of impoliteness. This differentiation is necessary to eliminate the abuse of statutory provisions and make sure that only serious and substantial conduct can be taken into account.

The problem of false allegations of cruelty has also been discussed in a number of sentences.

The Supreme Court in *K. Srinivas Rao v. D.A. Deepak* (2013) affirmed that any action of filing false complaints and defamatory allegations against a spouse is mental cruelty. The Court noted that this type of behaviour may result in immense emotional distress and damage the reputation of the children who are wrongfully charged with the wrongs of their spouse, thus warranting the award of divorce. Similarly, in *Raj Talreja v. Supreme Court*, it was reasserted that false and irresponsible charges launched to sabotage the relationship of the spouse are

¹² Gautam Bhatia, *The Transformative Constitution* (2019).

cruelty (Kavita Talreja, 2017). The Court, however, further explained that allegations raised during litigation are not always cruelty whilst it is proved false and malicious.

The Law Commission of India has also added to the statutory discussion of cruelty. In its 71st report on Under the Hindu Marriage Act, the commission realised that it was difficult to define cruelty and presumed a loose approach, which would enable the court to adjust itself to different situations. The Commission noted that, when there is no other basis on which to rely to justify a divorce, parties are inclined to bring forward charges of cruelty, which in its 217th Report on Irretrievable Breakdown of Marriage pointed to the possibility of abuse of incentives.¹³

The statutory framework is then a conflation of law-making will and creativity on the part of the court. Although the statutes form the basic framework by acknowledging that cruelty is a

basis of divorce, the courts have taken the term cruelty and assigned meaning to it. Cases

Landmark decisions have been very important in the formation of its meaning and usage by filling the hiatus left by the lack of a statutory definition. On one hand, the given approach permits flexibility; however, it also demands a thorough judicial review to create uniformity and to avoid its abuse.

Remedy against false cases

- (I) The government should take action and devise a plan or strategy to make these individuals, non-governmental organizations, government organizations, and institutions primarily the police, schools, colleges, universities, judiciary, and other officers aware.
- (II) Women's organizations should be accountable for preventing false complaints.
- (III) The government should educate individuals about the negative effects of this act and carry out surveys and research on its usage.
- (IV) Civil authorities conducted the inquiry into these offenses, and cognizance should only be taken following their conclusion that the offense was committed.
- (V) To assist the individual or his family member, family counseling facilities must be established nationwide.

¹³ Flavia Agnes, 'Protecting Women or Punishing Men '(1992) 27 EPW 587.

Conclusion

Due to industrialisation and westernisation, society's values, culture, and norms have drastically changed in recent years. Men used to be viewed as protectors of their families, but in the modern world, both sexes work, raise, and run their homes while earning the same salaries. Men have started to publicly express their grief, suffering, and difficulties, as well as the domestic abuse they experience. In terms of strength, men are no longer superior to women.

Based on the aforementioned studies, it can be said that domestic violence affects males equally in India and around the world. However, several elements, including patriarchal society, men's physical attributes, women's and men's physical strength, etc. Such a practice has received relatively little recognition. When it comes to crimes against men, society is still in its infancy. Women's rights are protected by numerous national and international laws and accords. However, when it comes to crimes against men, the same approach has not been taken. In India, there aren't many laws that protect and acknowledge crimes against men. People continue to believe that women are incapable of committing such acts. It would be incorrect to claim that the system is utterly mute in this matter because there have been instances in which the judiciary has recognised this truth and even penalised the criminal. We can therefore argue that as society is evolving, legislation must likewise adapt.

The legislator must take society's evolving demands into account while crafting laws. Therefore, creating gender-neutral regulations is one of the evolving requirements of society concerning domestic abuse cases. To address the issue, some awareness camps should be set up, and the media can be enlisted to help. Small-scale awareness initiatives in schools and universities, such as seminars, workshops, legal assistance camps, etc., might also be beneficial. More emphasis needs to be placed on the helpline numbers for male victims. Its presence is unknown to a large number of people. Newspapers, social media, news channels, brochures, and other media can all spotlight the numbers. The function of an enforcement authority is also crucial. The accusation of such brutality must be taken seriously by the police. Furthermore, as the judiciary is the pinnacle of justice, its role cannot be disregarded. Justice is therefore for everyone. And this also applies to guys. Therefore, gender-neutral legislation regarding domestic abuse is urgently needed to rebuild trust in the nation's legal system and judiciary. Aside from that, mental health should not be disregarded, as we saw during the COVID-19 pandemic. People began discussing mental health at this point. This ought to be carried out going forward as well. We have seen the results of prior neglect of the subject of mental health. As a result, a lot more people are now being transparent about this issue. When it comes to domestic violence against men, a similar strategy must be used, and all preconceived notions about it must be dispelled. In this manner, an increasing number of guys will be able to discuss the struggles they are facing. Sessions of counselling might be beneficial. Therefore, it is long overdue for laws and statutes to recognise their condition as

a social problem. Effective national and international legislation changes, public awareness initiatives, and the demolition of prejudices and preconceived beliefs can all help identify domestic abuse against males. Furthermore, merely passing legislation is not the answer; the government and judiciary must consider how best to implement it. Therefore, all of these adjustments have the potential to improve society.

Article 15(3) of the Constitution allowed for exceptions, which are now the norm! Because of this, governments conveniently ignore Article 14, Article 15(1), and Article 21 of the Constitution concerning men. As a result, it has become commonplace for governments to enact discriminatory and biased laws against men while allowing women to act aggressively against men. The government needs to acknowledge that men make up a significant portion of the population but are underrepresented in India's judicial system. Men's concerns and difficulties are disregarded when gender-based legislation is being proposed or passed; only the NCW and WCD Ministry, which are focused on women, are consulted. Gender-neutral laws, a constitutional authority, or a platform are desperately needed to address the issues and worries of men. Both institutional recognition of domestic abuse against males and open legislative support will result from the implementation of these straightforward but very needed and reasonable measures. Men will therefore have the guts to denounce abuse anytime it occurs. There will be more complaints, and future studies in this field will have access to more reliable and accurate statistical data.

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Contributors and editorial members receive global recognition through certificates and publication opportunities, while readers gain access to insightful, authoritative, and thought-provoking content across diverse areas of law and policy.

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