"MISUSE OF SECTION 498A IPC AND THE CASE FOR LEGAL REFORM: BALANCING WOMEN'S PROTECTION AND MEN'S RIGHTS"

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Abstract

Section 498A of the Indian Penal Code was enacted as a protective measure against cruelty toward married women, particularly in the context of dowry harassment. Over time, however, patterns of misuse—driven by personal vendettas and financial coercion—have raised concerns about its unintended consequences. False or exaggerated claims under this provision can lead to immediate arrests, social ostracism, and prolonged legal battles, which inflict irreversible emotional and financial damage on men and their families. Judicial observations in cases like *Sushil Kumar Sharma v. Union of India* (2005)[1] and *Rajesh Sharma v. State of U.P.* (2017)[2] have acknowledged these systemic faults while affirming the law's rationale. Data reflects that convictions under Section 498A remain infrequent—even as filings soar—raising questions about its effectiveness. This paper argues that a balance must be struck between protecting genuine victims and shielding innocent individuals from misuse. It examines the statute and its judicial scrutiny, delves into the human rights implications, and spotlights the mental health consequences linked to misuse. Through comparative insights from international responses to domestic misuse, the paper proposes reforms—such as mediation, preliminary inquiries, stricter penalties for false complaints, and gender-neutral approaches in marital laws. The aim is a reformed legal framework that upholds justice for both sexes, rooted in fairness, empathy, and constitutional principles.

Keywords: (Section 498A IPC, misuse, cruelty law, legal reform, gender justice, false allegations, mental health, mediation, constitutional balance).

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1 Sushil Kumar Sharma v. Union of India, (2005) 6 SCC 281 (India).

2 Rajesh Sharma v. State of U.P., (2017) 8 SCC 746 (India).

1. Introduction

In 1983, Parliament enacted Section 498A[3] of the Indian Penal Code to combat the rising tide of cruelty and dowry harassment inflicted upon married women by their husbands or his relatives. The term "cruelty" was construed broadly to include not only physical and verbal abuse but also harassment aimed at coercing dowry. The intent was unequivocally noble: shield women from domestic torture and address the scourge of dowry-related crimes. Within a legal framework that often delayed justice, Section 498A provided an immediate remedy—non-cognizable, non-bailable, and vigorously enforceable.

Objectives Behind Enactment of Section 498A

The law's primary purpose was to ensure rapid protection for victims in marital households torn by cruelty—especially where domestic grievances were rooted in dowry inducements. It aimed to prevent dowry deaths, fortify women's right to security and dignity, and rectify systemic gender injustice.

Current Debates: Misuse vs. Genuine Use

Despite its noble origins, over time, Section 498A has come under scrutiny. Critics—ranging from legal scholars to men's rights advocates—point to misuse where the law is weaponized to leverage financial settlements or score personal vendettas. Defenders, including women's rights groups, underscore that such misuses are exceptions, not the rule, and warn against diluting a protective shield for women out of fear of rare misuse. Judicial pronouncements have tried to thread this needle, preserving the law's efficacy while urging safeguards.

2. Statutory Framework and Judicial Trends

2.1 Legislative Intent and Provisions

Section 498A criminalizes "cruelty" by husbands or their relatives—covering harassment related to dowry or emotional harm. This provision is non-bailable and cognizable, enabling swift police

[3] Indian Penal Code, § 498A, No. 45, Acts of Parliament, 1860 (India).

intervention. However, the non-fundable nature can be triggered without preliminary inquiry, placing immense pressure on the accused.

2.2 Landmark Cases and Data on Misuse

Section 498A of the Indian Penal Code (IPC) was introduced with the noble aim of protecting married women from cruelty, particularly in the context of dowry-related harassment and domestic abuse. However, the law's rigid framework—being cognizable, non-bailable, and non-compoundable—has often been criticised for being vulnerable to misuse. Judicial interpretation over the years reflects an ongoing struggle to maintain the delicate balance between safeguarding women and preventing the exploitation of the law as a weapon against men and their families.

Sushil Kumar Sharma v. Union of India (2005)

In this landmark judgment, the Supreme Court upheld the constitutional validity of Section 498A IPC, acknowledging the alarming prevalence of dowry-related violence and cruelty against women in India. Justice Arijit Pasayat, delivering the opinion, remarked that the provision was intended to be a shield for women facing genuine harassment and not a tool for settling scores. The Court, however, noted with concern the emerging trend of "legal terrorism," where exaggerated or false complaints were being lodged to extort money, settle personal vendettas, or humiliate the husband's family. The Court categorically stated that while the law is necessary to protect women, it cannot be allowed to operate in a manner that violates the fundamental rights of the innocent.1

Rajesh Sharma v. State of Uttar Pradesh (2017)

In a significant attempt to mitigate misuse, the Supreme Court in *Rajesh Sharma* laid down a series of guidelines, the most notable being the establishment of Family Welfare Committees (FWCs) in each district to examine complaints before arrests were made. The Court further directed that no automatic arrests should be effected merely upon the filing of a complaint under Section 498A IPC. Instead, a preliminary inquiry was to be conducted to assess the genuineness of the allegations.2 This decision marked a progressive step toward balancing the interests of women seeking protection and men fearing false entrapment. However, in *Social Action Forum for Manav*

Adhikar v. Union of India (2018)[4], the Supreme Court partially diluted these directions, stating that while guidelines for preliminary scrutiny were useful, they could not override statutory provisions.

2.3 Data on Misuse and Conviction Trends

Empirical evidence from various studies and official statistics underscores a significant gap between the number of cases registered under Section 498A IPC and the actual convictions secured.

Bengaluru Study (2017–2022)

A detailed report published in *The Times of India* revealed that, in Bengaluru alone, only 24 convictions were secured out of 2,202 cases registered under Section 498A during a five-year period (2017–2022). This represents a conviction rate of just 1%, whereas 72.5% of the accused were granted anticipatory bail**,** demonstrating that the majority of cases lacked prosecutorial strength.3 Such trends not only reflect an overburdened legal system but also raise concerns about the quality of investigations and the misuse of the law for non-genuine grievances.[5]

NCRB Data (2021)

According to the National Crime Records Bureau (NCRB)[6], 428,278 cases of cruelty by husband or relatives were recorded in 2021**,** constituting 31.8% of all crimes against women in India for that year. However, the conviction rate hovered at around 13%**,** with a pendency rate exceeding **90%**, indicating that a significant proportion of these cases remain unresolved for years, leaving both genuine victims and falsely accused individuals in prolonged legal limbo.

[4] *Social Action Forum for Manav Adhikar v. Union of India*, (2018) 10 SCC 443 (India).

[5] *Times News Network, Only 24 Convictions Out of 2,202 Dowry Harassment Cases in Bengaluru (2017–2022), The Times of India (Mar. 2023),* https://timesofindia.indiatimes.com/city/bengaluru/domestic-violence-low-rates-of-conviction-flag-systemic-gaps/articleshow/122788123.cms.

[6] *Nat'l Crime Records Bureau, Crime in India 2021: Statistics (Ministry of Home Affairs 2022),* https://ncrb.gov.in.

Court-Level Analysis

Independent analyses, including law and policy forums, further confirm that the national conviction rate for Section 498A hovers around 12.9%**,** while pendency rates are as high as 92%**.**5 Such statistics have a twofold implication: they discourage genuine victims who see little prospect of timely justice and simultaneously inflict prolonged stigma, financial ruin, and psychological distress on those falsely accused.[7]

Real-World Illustration: The Case of Atul Subhash (2024)

The case of **Atul Subhash**, a 34-year-old Bengaluru-based IT professional, epitomises the human toll of prolonged legal harassment under Section 498A IPC. In December 2024, Subhash died by suicide after leaving behind a 24-page note and an 81-minute video**,** documenting his ordeal of 120 court appearances in two years and relentless demands for financial settlements in exchange for access to his child. He described the system as "a slow poison" that eroded his dignity, livelihood, and will to live. His tragic death ignited nationwide debates and led the Supreme Court to issue a cautionary note reminding that while Section 498A is meant to protect women, it "must not become an instrument of oppression against men."6 FIRs were later registered against his wife and in-laws for abetment to suicide. However, the larger, haunting question remains: How many Atuls endure such silent suffering, never leaving behind a note to tell their story?

3. Human Rights Concerns

3.1 Impact on Men's Liberty and Dignity

The misuse of Section 498A IPC extends far beyond legal technicalities; it profoundly disrupts lives and corrodes human dignity. Men accused under this provision often find themselves and their families—elderly parents, sisters, even distant relatives—hauled to police stations, interrogated, or arrested without preliminary inquiry. Because the law permits registration of a

[7] *Bharat Law AI, Section 498A of the Indian Penal Code: An Analysis of Its Impact, Misuse and the Way Forward (2023),* https://www.bharatlaw.ai/post/section-498a-of-the-indian-penal-code-an-analysis-of-its-impact-misuse-and-the-way-forward.

case based solely on a complaint, allegations—whether genuine or fabricated—can trigger immediate and devastating consequences.

The stigma begins from the very moment of accusation. Careers are derailed as employers hesitate to retain staff under criminal investigation; promotions are suspended; passports are confiscated; and professional reputations are tarnished. For many, this is accompanied by public humiliation and social ostracism**,** where neighbours whisper, friends distance themselves, and relatives withdraw support. Even if eventual acquittal comes, it is often after years of litigation, leaving behind emotional scars and reputational ruins that no judgment can fully restore.

The case of **Atul Subhash**, a 34-year-old IT professional from Bengaluru, tragically illustrates this human cost. After 120 court appearances in two years and mounting demands for financial settlement in a matrimonial dispute, Subhash ended his life in December 2024, leaving behind a 24-page suicide note and an 81-minute video detailing his ordeal. His story is emblematic of the silent suffering endured by many, where liberty is curtailed not only through incarceration but through prolonged psychological captivity—a relentless legal process that drains mental strength, financial stability, and familial peace.

The consequences often manifest as depression, anxiety, chronic insomnia, and suicidal ideation. According to the National Crime Records Bureau (NCRB), male suicides constituted 72.5% of all recorded suicides in 2022, with a significant proportion linked to family disputes and marital litigation. Men, socialised to suppress emotions and avoid seeking help, frequently navigate these crises alone—until it becomes unbearable.[8]

3.2 Violation of Article 21 & Principles of Natural Justice

Article 21 of the Constitution of India[9] provides: "No person shall be deprived of his life or personal liberty except according to procedure established by law." The Supreme Court has repeatedly expanded the scope of this right to include not just the right to mere survival, but the right to live with dignity, mental peace, and freedom from arbitrary or oppressive action. In

[8] Nat'l Crime Records Bureau, *Accidental Deaths & Suicides in India 2022* (Ministry of Home Affairs 2023), https://ncrb.gov.in.
[9] INDIA CONST. art. 21

Maneka Gandhi v. Union of India (1978)[10], the Court ruled that any "procedure established by law" must be fair, just, and reasonable—not arbitrary, fanciful, or oppressive**.**

When false or exaggerated cases are registered under Section 498A IPC, the consequences often breach this constitutional promise. Arrests without thorough inquiry, long-drawn trials with low conviction rates, and social condemnation inflicted without proof amount to a systemic denial of dignity and fair process. Liberty here must be seen not merely as physical freedom but as the right to mental tranquillity, to be free from undue litigation, and to preserve one's reputation—all of which are intrinsic to a meaningful life.

The principle of natural justice—particularly *audi alteram partem* ("let the other side be heard as well")—is frequently compromised. The criminal justice system, meant to protect the innocent until proven guilty, often becomes a theatre of prolonged punishment where the process itself becomes the penalty. Families disintegrate, children are alienated, savings are exhausted in legal defence, and accused men live under a perpetual cloud of suspicion—even if ultimately exonerated.

This invisible imprisonment—of mind, career, and social life—strikes at the very heart of Article 21, rendering the constitutional guarantee hollow for those falsely entangled in Section 498A cases. It also raises questions of equality under **Article 14**, for a law intended as a protective measure risks becoming a discriminatory tool when misused.

4. Gender Justice and Equality

4.1 Balancing Women's Safety and Men's Rights

Gender justice should never be a zero-sum game—it is about ensuring that both women and men receive protection, dignity, and access to fair remedies. Section 498A IPC was introduced to counter deep-rooted evils like dowry harassment and cruelty toward women. Its importance in protecting countless genuine victims cannot be overstated.

[10] *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248 (India).

Yet, over time, the provision has been criticised for becoming a weapon rather than a shield in certain cases, leading to arrests without inquiry, social destruction, and prolonged litigation against men who may later be acquitted. The Supreme Court in *Sushil Kumar Sharma v. Union of India* and *Rajesh Sharma v. State of U.P.* recognised the potential for such misuse, cautioning that while the law must remain a tool of empowerment, its unchecked use could become an instrument of oppression.

This imbalance is particularly acute in urban centres where high-pressure lifestyles, strained marriages, and financial disputes intersect. For example, **Puneet Khurana**, a Pune café owner, recorded a one-hour video before ending his life, citing extortionate maintenance demands and humiliation from his in-laws. Similarly, **Deepak Kumar**, a grocery shopkeeper from Bhagalpur, left behind eight days' worth of diary entries alleging verbal, physical, and legal harassment by his wife. These are not aberrations—they reflect a systemic blind spot where men's mental health and dignity are treated as expendable.

To restore faith in justice, we need a dual approach: retain stringent protections for genuine female victims, while embedding procedural safeguards to prevent wrongful arrests, false complaints, and legal harassment of men.

4.2 Need for Gender-Neutral Provisions

Domestic cruelty is not inherently gendered. Men, too, can be victims of emotional, financial, or physical abuse, but the legal system rarely acknowledges this. Current laws largely exclude men from protective remedies, creating a justice gap that breeds resentment and drives many into silence—or despair.

Countries such as Canada, the United Kingdom, and New Zealand have adopted gender-neutral domestic violence laws, recognising that abuse is an act, not a gender attribute[11]. These frameworks offer equal access to legal remedies for all genders, reduce stigma, and have shown promise in reducing false allegations. In New Zealand, shared parenting provisions and fast-

[11] United Kingdom, Domestic Abuse Act 2021; New Zealand, Care of Children Act 2004

tracked custody hearings help mitigate prolonged legal battles that often escalate psychological harm for both parents.

In India, moving towards gender neutrality would not mean weakening protections for women. Instead, it would mean broadening justice to include men who are genuine victims, creating trust in the legal system, and discouraging misuse by ensuring accountability for false complaints.

A gender-neutral law would send a clear message: cruelty in marriage, irrespective of the perpetrator's gender, will not be tolerated; yet neither will be the weaponisation of law for personal vendetta or financial leverage.

5. Consequences of Misuse

5.1 Mental Health Issues

The misuse of Section 498A IPC is not a minor inconvenience—it is often a psychological catastrophe. Men wrongfully accused find themselves suddenly thrust into a system where allegations carry immediate social weight while truth lags behind in slow legal proceedings. The stigma of being labelled a "criminal husband" or "abuser" often leads to panic attacks, chronic anxiety, depression, and in severe cases, post-traumatic stress disorder (PTSD).

The legal ordeal is rarely confined to the courtroom. There are sleepless nights before hearings, humiliation at workplaces, and constant fear of arrest—often with little regard for the eventual merits of the case. Several studies have reported that men undergoing prolonged litigation in false dowry or cruelty cases exhibit symptoms of clinical depression, loss of appetite, and emotional numbness. Antidepressants, psychiatric therapy, and even hospitalisation become recurring parts of their lives.

Worse still, many men suffer in silence. Cultural expectations discourage men from seeking therapy or even sharing their struggles, leading to bottled-up trauma that festers into breakdowns or, tragically, suicide.

5.2 Family Breakdown and Social Ramifications

False allegations seldom affect just the accused—they ripple across entire families. Elderly parents are dragged into police stations, siblings are questioned, relatives distance themselves to avoid entanglement, and children bear the brunt of broken homes. In many cases, children are used as pawns in custody battles, with access being denied to fathers until they agree to settlements or withdraw their defence.

Financially, the burden is often crippling. Legal fees, maintenance orders disproportionate to actual earnings, and the cost of defending multiple family members drain life savings. Middle-class families sell assets, exhaust provident funds, or slip into debt to fight prolonged litigation. This depletion of resources not only impoverishes households but also leaves lasting scars—retirement plans are abandoned, children's education suffers, and families that were once stable fall into a cycle of survival rather than growth.

Socially, the accused man becomes an outcast. Neighbours whisper, workplaces sideline him, and even after eventual acquittal, the taint of accusation lingers like an invisible sentence. Trust erodes—not just between spouses but across extended families and communities—feeding a culture of suspicion rather than reconciliation.

5.3 Link with Male Suicide Rates

Perhaps the most devastating consequence of misuse is its link with rising male suicide rates in India. According to the **National Crime Records Bureau (NCRB) 2022 report**, men accounted for 72.5% of all suicides recorded in the country, with a significant proportion attributed to family disputes, marital discord, and litigation-induced harassment.

The case of **Atul Subhash,** a 34-year-old IT professional in Bengaluru, became a chilling emblem of this phenomenon. After enduring 120 court appearances in two years, facing relentless financial and custodial negotiations, and being accused under Section 498A IPC, he ended his life in December 2024, leaving a 24-page note describing the legal process as "slow poison." His death sparked nationwide protests, yet it is only one among many invisible tragedies that rarely make headlines.

Each such case represents a failure not only of the legal system but of societal empathy. Men in distress often have no dedicated helplines, few mental health interventions, and minimal legal aid support. By the time they reach a breaking point, the combination of legal pressure, financial depletion, and social alienation creates an inescapable trap.

5.4 An Urgent Call for Reform

The consequences of misuse make one thing clear**:** this is no longer just a legal debate—it is a public health and human rights crisis. Integrating mental health professionals into family courts, mandating pre-litigation mediation, and creating gender-neutral crisis centres could mitigate much of this damage. At the same time, stricter scrutiny before arrests, as recommended by the Supreme Court in *Rajesh Sharma v. State of U.P.*[2], can prevent innocent lives from being irreversibly scarred.

Protecting women and protecting men are not mutually exclusive goals. A system that is perceived as just by all parties will be more respected, less misused, and more effective in serving its original purpose: preserving families where possible, and ensuring justice where harm has truly occurred.

6. Comparative Analysis

Domestic violence is a universal challenge, but the way legal systems respond to it varies significantly across the globe. While India's approach under Section 498A IPC and related laws has historically been gender-specific, many nations have evolved toward gender-neutral frameworks that recognise abuse, coercion, and false allegations as phenomena that can affect anyone—irrespective of gender. This comparative lens offers valuable insights for India as it grapples with the dual challenge of protecting women from genuine cruelty while preventing legal misuse against men.

6.1 Gender-Neutral Domestic Violence Laws

Countries like **Canada, the United Kingdom, and several European nations (including Germany, Sweden, and Norway)** have adopted legal models where domestic violence statutes

apply to all genders equally.[12] These laws focus on the *act* of abuse rather than the identity of the perpetrator. Under such systems, men who are victims of physical, emotional, or economic abuse can seek protective orders, just as women can, without being dismissed or ridiculed.

For example, the **UK's Domestic Abuse Act 2021** explicitly uses gender-neutral language, ensuring that victims—whether male, female, or non-binary—can access restraining orders, housing protections, and immediate police intervention.[13] Similarly, **Canada's federal and provincial frameworks** incorporate both genders under intimate partner violence provisions, enabling balanced legal recourse and discouraging stereotyping of men as perpetual aggressors.

6.2 False Allegation Prevention Mechanisms

What sets these international models apart is not just their inclusivity but their built-in safeguards against misuse. European jurisdictions such as **Germany and Norway** have integrated provisions that penalise demonstrably false or malicious complaints, including fines or, in severe cases, custodial sentences. This deters frivolous litigation while maintaining a victim-centric ethos.

Moreover, in the UK, the Crown Prosecution Service (CPS) employs a pre-charge evidence review mechanism in sensitive cases, reducing the risk of arrest based solely on an uncorroborated statement.[14] This contrasts with India's earlier practice—criticised by the Supreme Court in *Rajesh Sharma v. State of U.P.*—where arrests were often made without preliminary investigation.

6.3 Mediation and Mental Health Integration

A hallmark of progressive systems is the emphasis on pre-litigation mediation and mental health support. In **Canada**, family courts routinely appoint counsellors and mediators in contentious matrimonial disputes.[15] This approach reduces adversarial hostility and often resolves conflicts before they spiral into criminal allegations. In countries like **New Zealand**, shared parenting

[12] Canada, *Criminal Code*, R.S.C. 1985, c. C-46, §§ 264–266.
[13] Domestic Abuse Act 2021, c. 17 (UK)
[14] Crown Prosecution Service (UK), *Guidance on Pre-Charge Decision Making in Domestic Abuse Cases*, https://www.cps.gov.uk
[15] Canada Dep't of Justice, *Family Violence Laws in Canada* (2022)

frameworks ensure that child custody is not weaponised for extortion or control; instead, both parents are encouraged to co-parent unless a proven threat exists.

This model has shown tangible benefits for men and women alike: lower litigation costs, quicker resolution of disputes, and reduced psychological fallout for children caught in custody battles.

6.4 India's Position in the Global Context

India's current regime remains protective of women but under-evolved in terms of gender neutrality and misuse prevention. While genuine dowry and cruelty cases must be acted upon swiftly and firmly, the absence of reversible penalties for false accusations and lack of dedicated male support systems creates a climate of fear and distrust.

Adopting elements of international models—such as mandatory mediation, court-appointed counsellors, gender-neutral wording in domestic violence laws, and statutory penalties for malicious complaints—could align India with global best practices while respecting its socio-cultural realities.

6.5 A Roadmap for Reform

India need not discard Section 498A IPC; instead, it should be recalibrated to achieve balance. Learning from other jurisdictions, reforms could include:

- Pre-charge evidence assessment to prevent arbitrary arrests.
- Mandatory mediation and counselling sessions before escalating to criminal proceedings.
- Legal recognition of male victims in domestic violence frameworks.
- Penalties for demonstrably false allegations, to restore deterrence and fairness.

Such measures would not weaken women's protections; rather, they would enhance the credibility of the law, ensuring that only genuine cases proceed to trial while sparing innocent families the trauma of prolonged, baseless litigation.

7. Recommendations

The misuse of Section 498A IPC has exposed critical gaps in India's legal, procedural, and social approach to domestic cruelty cases. To preserve its original intent—protecting genuine victims—while reducing collateral damage to innocent families, a balanced reform strategy is imperative. Below are key recommendations based on judicial precedents, comparative global practices, and mental health considerations.

1. Stricter Penalties for Proven False Complaints

One of the primary deterrents against misuse must be the certainty of consequences for malicious complainants. Section 182 of the Indian Penal Code (IPC) already prescribes punishment for furnishing false information to a public servant, but it is rarely invoked in the context of Section 498A misuse.[16]

Introducing mandatory penal proceedings for complaints proven false or malicious, along with proportionate penalties (fines, community service, or imprisonment in egregious cases), would restore accountability. The Supreme Court in *Sushil Kumar Sharma v. Union of India*[17] recognised that "frivolous and vexatious complaints do more harm than good," urging legislative refinement to avoid weaponisation of protective laws.

2. Mandatory Pre-Litigation Mediation

Matrimonial disputes often stem from communication breakdowns, financial disagreements, or familial interference rather than outright cruelty. Compulsory pre-litigation mediation—conducted in neutral, non-adversarial settings—can help spouses articulate grievances and explore reconciliation before resorting to criminal litigation.

Countries like **Canada and New Zealand** have successfully implemented family mediation programs, reducing both litigation costs and emotional trauma for children.[18] For India, this step could drastically reduce false or retaliatory complaints filed in the heat of conflict.

[16] Indian Penal Code, 1860, § 182, No. 45, Acts of Parliament, 1860 (India).
[17] *Sushil Kumar Sharma v. Union of India*, (2005) 6 SCC 281 (India).
[18] Canada Dep't of Justice, *Family Mediation Services* (2022), https://justice.gc.ca.

3. Implement Preliminary Inquiry Before Arrest

The Supreme Court in Rajesh Sharma v. State of U.P.[19] laid down that arrests in 498A cases should not be automatic; instead, Family Welfare Committees or police units must conduct a preliminary inquiry to determine the prima facie truth of allegations. This safeguard prevents arbitrary arrests and ensures that custodial measures are used only when absolutely necessary.

Codifying this principle into legislation—rather than leaving it as mere judicial guidance—would create uniformity across states and curb the misuse that often arises from hasty, unverified complaints.

4. Judicial Guidelines & Training

Legal reform cannot succeed without institutional sensitization. Police officers and lower judiciary members, who are the first points of contact in 498A cases, require training to differentiate genuine victims from malicious complainants.

Workshops on gender-neutral investigation, awareness of psychological manipulation in false cases, and consistent application of Supreme Court directives would enhance both efficiency and fairness. Specialized matrimonial cells with trained mediators, counsellors, and officers can reduce the emotional toll on both parties.

5. Gender-Neutral Domestic Violence Laws

Reforming domestic violence laws to protect all victims—irrespective of gender—remains a cornerstone for fairness. Men, too, face verbal, emotional, and financial abuse, yet often lack legal recourse. Gender-neutral laws, as practiced in **Germany, Sweden, and the United Kingdom**, provide equal access to restraining orders, counselling, and justice, while penalising genuine offenders regardless of gender.

[19] *Rajesh Sharma v. State of U.P.*, (2017) 8 SCC 746 (India

Such reforms would also deter misuse: when the law applies equally to both genders, incentives for strategic or retaliatory litigation reduce drastically.

6. Mental Health Integration in Matrimonial Disputes

Litigation-induced trauma is now a documented public health concern. Courts often focus narrowly on legal outcomes, neglecting the psychological wreckage that prolonged cases inflict on spouses, children, and families.

Introducing mandatory counselling sessions, access to mental health professionals in family courts, and referral systems for high-risk litigants (those showing signs of depression or suicidal ideation) can save lives. The tragic death of Atul Subhash, a Bengaluru tech professional who faced relentless 498A litigation, illustrates how absence of timely mental health intervention can turn disputes into fatal despair.

A Holistic Path Forward

Reform is not about diluting women's protections—it is about restoring credibility and fairness to a law that has saved many but scarred others. Stricter penalties for false complaints, early mediation, judicial training, and mental health integration would transform Section 498A from a blunt weapon into a balanced shield, ensuring that the law serves justice rather than fear.

8. Conclusion

Reform is not about diminishing protections for women—it is about enhancing justice for all. Section 498A serves a vital purpose, but unchecked misuse erodes public trust in the law. A reformed system—rooted in fairness, empathy, and proportionality—can transform legal pathways from battlegrounds to bridges of justice. Balancing rights and responsibilities across genders reaffirms Article 21's promise: a dignified life for every human being, beyond stereotypes and suspicion. The time for reform is not a distant hope—it is an urgent, collective responsibility.

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