

S498a reads as

1*[CHAPTER XXA OF CRUELTY BY HUSBAND OR RELATIVES OF HUSBAND
498A.

Husband or relative of husband of a woman subjecting her to cruelty.

498A. Husband or relative of husband of a woman subjecting her to cruelty.--
Whoever, being the husband or the relative of the husband of a woman, subjects such
woman to cruelty shall be punished with imprisonment for a term which may extend
to three years and shall also be liable to fine.

1. Chapter XXA inserted by Act 46 of 1983, s. 2.212

Explanation.-For the purposes of this section, "cruelty" means-

- (a) Any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or
- (b) Harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.]

This bill seeks to amend the chapter as

1*[CHAPTER XXA OF CRUELTY TO A PERSON

S498a Cruelty: - Whoever subjects a person to cruelty shall be punished with imprisonment for a term, which may extend to three years and shall also be liable to fine.

Explanation: - For the purpose of this section, “cruelty” means

Cruelty means the intentional infliction of severe pain or suffering whether physical or mental, upon a person by deliberate act; except that cruelty shall not include pain or suffering arising, only from inherent in or incidental to, lawful sanction.

STATEMENT OF OBJECTS AND REASONS

Cruelty is a well-known crime, committed in various spheres of society, in the world. United Nations have formed Association for Prevention of Torture (www.apt.ch). Association for prevention of torture has also drafted model law for prevention of cruelty. Cruelty has been defined in International Covenant on Civil and Political Rights, 1966. Cruelty is recognized as crime in many countries. Cruelty in India is recognized under S498a as a crime committed against women, committed only by man in relationship of husband and his relatives. However cruelty is a social crime, committed in relationship of power as between a parent and child, an elder and child, an employer and worker or even among general acquaintances and also between husband and wife and more. The bill seeks to extend the protection to all sections of society, instead of confining victims only to women and perpetrators only to husband and his relatives, and provide social justice to all.