

'Do not entertain frivolous dowry cases'

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THE DELHI High Court continues its crackdown against the abuse of Section 498 (A) of the Indian Penal Code pertaining to punishment for dowry harassment.

In the fourth significant ruling on the misuse of the provision within a month, the court on Tuesday directed trial courts to closely scrutinise allegations before framing charges under the anti-dowry law to curb the incidence of married women charging their in-laws with dowry harassment on frivolous grounds.

"While framing charges the trial court must take into account the entirety of the case, all the documents which are brought to its notice, including the correspondence between the couple, and thereafter decide whether there was a case made out or the court was being used as a tool," said Justice Shiv Narayan Dhingra.

Quashing proceedings under Section 498 (A) in a lower court against one Sangeeta Kalra in a frivolous case filed by her sister-in-law Renu (name changed), the judge said, "Where the lower court frames charges with a closed mind without proper enquiry

and charges, in fact, amount to gross misuse of criminal justice system, it becomes the duty of the High Court to intervene so that there is no miscarriage of justice and people's faith in judicial system remains intact."

Renu was married to Ranjan (name changed) on March 11, 1999. They lived together for 10 days before she left his home. In a complaint filed with the police three months later, Renu's father made vague allegations against her in-laws, including Sangeeta, without specifying any demand for dowry or incident of cruelty.

Perusing a letter written by Renu to

Ranjan before leaving, the court said, "It seems the complainant left the matrimonial home only due to failure of physical relationship and resultant dissatisfaction and later on thought of implicating every member of the family in an anti-dowry and cruelty case. Even in the last letter she showered praise on her husband for love and affection but changed colour later."

The judge concluded that the trial court had framed charges against Sangeeta without there being an iota of evidence of any cruelty.

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ACTING TOUGH

- **Feb. 22, 2007:** HC expresses concern over rising incidents of married women charging in-laws with dowry harassment on frivolous grounds
- **Feb. 27, 2007:** Pulling up an NRI businesswomen for abusing Domestic Violence Act, court hoped Act does not go the way of anti-dowry law
- **March 4, 2007:** HC rules women or their parents going ahead with marriage despite dowry demands will be seen as accomplices to the crime and will face prosecution

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