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Indian Husbands From U.S. Fall Victim To Dowry-Immigration Fraud In India

Some Indian men living in the West have been falsely accused of demanding an illegal dowry by their brides or in-laws, who extort them for money and sponsorship to the United States

By Lisa Tsering, Pacific News Service

SAN FRANCISCO - Jan 31, 2005 - "Everything happened so quickly," says Pradeep, a tall, trim real estate agent based in the eastern San Francisco Bay Area, recalling his first nervous meeting with Madhu, his bride-to-be, at a four-star hotel in New Delhi on Christmas 2002.

He didn't feel entirely comfortable with her, at first, he says. "She just sat there, biting her nails." But Pradeep was impressed by something she said. "I asked, 'What are you looking for in a husband?' and she said, 'He should be nice and caring.' Usually, they ask how much money you make!"

Pradeep and Madhu were married three weeks later, and she came to live with him in California in May 2003. In some ways, their story is typical -- an Indian man who settles in the United States, earns some money, and goes back to India to choose a bride.

But what happened next illustrates a dark side of the non-resident Indian (NRI) marriage story. Pradeep, 31, a naturalized U.S. citizen, says he became the victim of extortion, embezzlement and immigration fraud.

Pradeep and Madhu returned to India in January 2004 at her insistence so that she could see her family. According to documents Pradeep filed with U.S. immigration authorities, once they arrived at her family's house, he was drugged, held at gunpoint, and held captive for weeks in an attempt to extort \$60,000 and help in obtaining visas to the U.S. for the rest of the family.

Only after his family in the U.S. contacted the FBI's office in New Delhi, the Diplomatic Security Services, and the New Delhi police, was he able to escape.

Ajay, a 27-year-old H1-B high tech worker in New Jersey, told India-West in a phone interview that he met his bride on Shaadi.com, a leading matrimonial Web site. After two years of marriage in the United States, she said she wanted to return to India to be with her parents.

Back in India, she accused him of demanding a dowry and filed a complaint against him under Section 498A of the Indian Penal Code. Commonly called "498A," the section defines the offense of "matrimonial cruelty" and makes demanding dowry a crime.

The law has been a lifesaver for women who have faced harassment or torture at the hands of their husband or his family. Offenders face up to three years' imprisonment and a fine.

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But 498A has become a nightmare for many husbands as well.

In some cases where the accused husband has left India, judges have refused bail unless his family deposits a sum of money in his name as a precondition to the grant of bail; some men say their parents have been taken into custody as well. Ajay says he has had to pay a total of \$10,000 in legal expenses to keep his own parents in India out of jail.

The number of false dowry claims against men is still overshadowed by the number of dowry deaths and other dowry-related crimes against women in India. A BBC report last year stated that Indian government statistics showed that nearly 7,000 women were killed in 2001 by their husbands and in-laws over inadequate dowry payments.

But the abuse of anti-dowry laws has become serious enough that the United States Department of State has published a travel warning about "Dowry/Visa Demands" for travelers to India. The warning states in part: "A number of U.S. citizen men who have come to India to marry Indian nationals have been arrested and charged with crimes related to dowry extraction ... The courts sometimes order the U.S. citizen to pay large sums of money to his spouse in exchange for the dismissal of charges. The courts normally confiscate the American's passport, and he must remain in India until the case has been settled."

The State Department cannot say how many false complaints are filed each year. However, "The fact that we issued a warning should be an indication of how widespread the problem is," says John Peters, the department's citizen services specialist for India.

Still, as in any case where an American citizen is accused of breaking local laws overseas, there is not much that the State Department can do, says Angela Aggeler, a State Department spokesperson.

Just as the U.S. State Department's ability to get involved is limited, so too is that of the Indian Embassy here in the U.S. Akhilesh Mishra, deputy consul general for the Consulate General of India in San Francisco, told India-West: "The Consulate has no specific role or comment on the issue, which has to be addressed through usual legal means."

Many Indian men who immigrate to the United States would never think to be concerned over whether a "slim, fair" bride advertised in the Times of India or on a marriage Web site might try to extort money or visas out of him.

Deepak is a 28-year-old computational engineer in the East Bay who has spent his life savings battling 498A legal woes.

"I see these guys at the airport on their way to India, and I think, 'They look like poultry going to be slaughtered,'" he says with a melancholy laugh.

Tsering is a staff reporter for India West, a San Leandro, Calif.-based news weekly. The names of the men who were allegedly victimized have been changed for their protection.

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