

PRESS RELEASE

Dowry Law are misused by women

New Delhi, December 12, 2006: Indian husbands are anguished and frustrated at the growing misuse of Dowry Laws by their wives, and an exponential growth in such cases threatens to demolish the Institution of Family in India. Thousands of innocent Men and their families are being victimized at the hands of people who are wielding Law as a weapon.

“Since there are no legal repercussions of filing a false case, more and more women use this law to facilitate divorce and to make the most of a failed marriage. They threaten innocent husband and in-laws who for the fear of imprisonment are forced to accept unreasonable, unethical demands. WHO too has cited misuse of dowry laws as a major reason for growing elder abuse in India”, said 498a.org, an International organization fighting Injustice committed by misusers of Dowry Laws.

Section 498a of Indian Penal Code was brought in through CrI. Act No. 46 of 1983 to prevent dowry deaths of women but it’s rampant misuse had compelled even the Supreme Court to take cognizance of the abuse. In July, 2005, while disposing a WP (C) filed by Sushil Kumar Sharma, the Supreme Court had given stringent guidelines so that innocent persons are not victimized by unscrupulous persons making false accusations under Section 498a of IPC. If this was followed by the courts, the abusing powers of police to arrest would have totally stopped.

The Supreme Court had warned, “Merely because the provision is constitutional and intra vires, it does not give a license to unscrupulous persons to wreck personal vendetta or unleash harassment.” The Court had called upon the legislature “to find out ways how the makers of frivolous complaints or allegations can be appropriately dealt with”.

The Court had further observed that “misuse of Section 498a of IPC for ulterior purposes can unleash a form of **Legal Terrorism**. The provision is intended to be used as a shield and not an assassin's weapon. There is no question of investigating agency and Courts dealing with the allegations casually. They cannot follow any straitjacket formula in the matters relating to dowry tortures, deaths and cruelty.” The courts and investigation agencies to act like watchdogs and not bloodhounds according to Supreme Court judgment on 19 July, 2005 (2005(6)SCC281).

The Court said, “the ultimate objective of every legal system is to arrive at truth, punish the guilty and protect the innocent.” Referring to the petitioner's contention that the investigating agencies and the courts invariably proceeded on the assumption that the accused was guilty, the Supreme Court had cautioned the courts and said "there is no scope for any pre-conceived notion or view."

Similarly, Centre for Social Research, India in a study on implications of Section 498a of IPC had observed, "Many of the accused, police, judges and lawyers, categorically said that 'educated and independent minded women' misuse the section".

498a.org explains the future disastrous results of badly formulated and gender biased law of 'The Protection of Women from Domestic Violence Act - 2005'. This law grossly violates the liberty and dignity of an average man and his family members. Unconstrained, such laws are threatening the foundation of Indian family system.

498a.org works in close conjunction with Save Indian Family Foundation to create public awareness and prevent misuse of Dowry Laws. It runs several Help lines in India - Delhi (9810611534), Mumbai (9224335577), Bangalore (080-55334135) and overseas to provide support to falsely implicated husbands and their families.

About 498a.org :

498a.org is a Leading International organization focused on researching the impact of misuse of Section 498a of Indian Penal Code. The organization was founded by a group of concerned Indian citizens positioned globally, comprising of intellectuals from India's elite Institutions. 498a.org aims to undertake research and action directed towards preventing and ending grave abuses of the statute promulgated as Section 498a of IPC. The organization seeks to address barriers to justice and equality perpetrated by misuse of Dowry Laws in India. The ultimate objective of 498a.org is to strengthen the moral fiber and social fabric of India through preserving the Institution of Family.

For more information please contact :

Dr. J. K. Grover
Media Coordinator
Email: public.relations@498a.org

Visit <http://www.498a.org> for detailed information about Organization, Activities and Resources.