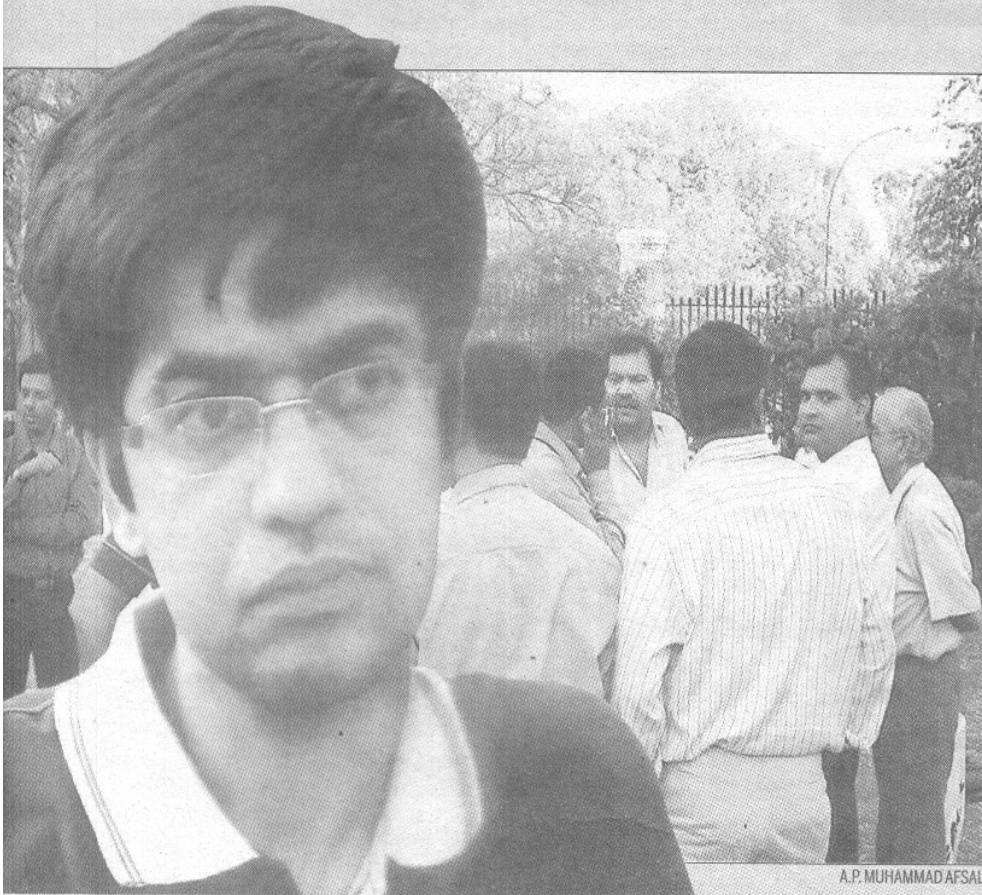


# HARASSED HUSBANDS HUDDLE

Accused in dowry cases, they form a support group. Their plea: The law is unfair to them.



**A.P. MUHAMMAD AFSAL**  
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**FOR MUNEESH Bhatia, a US-based software professional, marriage was the next 'logical step' to be taken in life after a successful career. So when he tied the knot with the daughter of a retired Air Force wing commander living in Noida, on November 13, 2001, he was sure life couldn't be better. But he was wrong, terribly wrong. Less than three years later, on October 15, 2004, the couple got divorced.**

That was just the beginning. In December 2004, Bhatia's ex-wife filed a dowry harassment case against him in Noida. This, when the marriage and divorce had taken place in the US. "A Supreme Court ruling says 498A, the anti-dowry law, is applicable only when the couple is married. But the case against me was registered two months after our divorce. And that too in India, where I never stayed after marriage," says Bhatia. **PAGE 2**

A.P. MUHAMMAD AFSAL

# FEAR OF ACT 498

PHOTOS: A.P. MUHAMMAD AFSAL

**FROM PAGE 1** "In April 2005, we reached an agreement. She said she'll withdraw the case if I don't object to her getting a Green Card. I didn't stand in her way, but she went back on her word. I spent thousands of dollars in US courts, fighting to get the case against me in India closed," he recalls. The case changed Bhatia's life. His mother died and his brother was arrested. "My in-laws are well-connected. My family has to bribe the police to evade arrest. The funniest part is, the dowry amount that I allegedly demanded was less than my one month's salary then," he says.

Today, Bhatia's ex-wife is happy with her new husband and baby in US. But he is still waiting for his case to close.

## Flash Forward

**SATURDAY, APRIL 8, 2007** A group of men have gathered outside the Patiala House Court. These are software engineers, business executives and marketing executives among them. But success in their chosen fields is not the common factor that binds them. At the end of the day, they are all harassed men: Harassed by IPC Section 498A, the anti-dowry law.

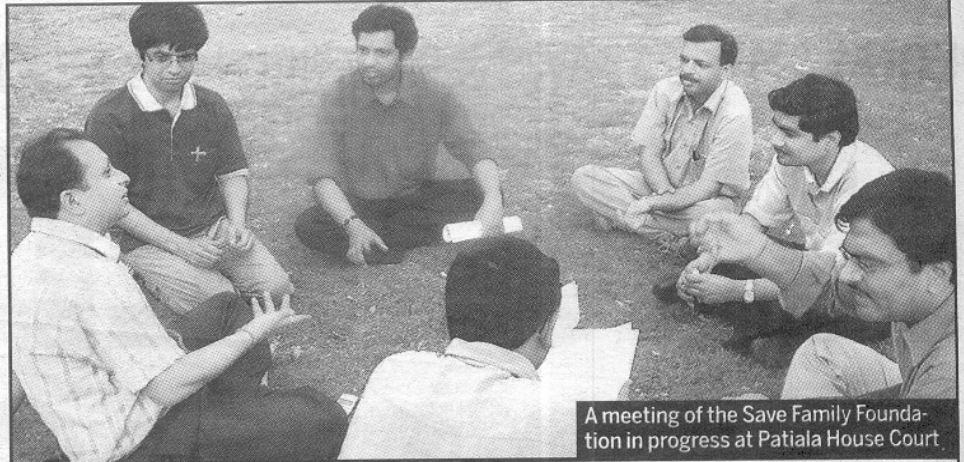
Yes, if there's no dearth of women harassed FOR dowry, there are many men harassed BY the anti-dowry law too. Every week, six-seven 'new victims' join their group.

## To save families

The Save Family Foundation, as the group is called, was founded in November 2003. Though informal meetings began in 2004, the Patiala House Court meetings became a regular affair in July 2005. The foundation claims to have 5,500 members. Delhi alone has 350 members. Of these, 16-20 men regularly attend the Saturday meetings. The foundation seeks publicity through handwritten pamphlets pasted on walls near Mandi House. They also have five websites: SaveIndiaFamily.org; 498a.org; MyNation.net; SaveFamily.org and ProtectIndianFamily.org.

## Men on a mission

"We fight the misuse of 498A. We are for the mothers, sisters, brothers, fathers, brothers-in-law and sisters-in-law of innocent people falsely implicated by 498A," says Swarup Sarkar, coordinator of the foundation. "The law was implemented to save women being harassed by husbands and in-laws. But now, many women use it to harass others," he says. And it's not just wives who trouble these men. "Whenever there's a tiff, NGO counsellors support the women and ask us to disown our parents. The media also adds to the confusion by hyping the



A meeting of the Save Family Foundation in progress at Patiala House Court

## VICTIM SPEAK



### RAJ KOUSHAL Telecom Engineer

I got married in February 2000. She wanted me to leave my parents' home. I couldn't do that as I am their only son. Things didn't work out. We separated. Two years ago, she filed an FIR against me. All the other IPC sections attached to 498A have been withdrawn. To get an anticipatory bail, I had to pay her Rs 7 lakh. The case is still going on in Supreme Court and I have no idea when it will end. She wants Rs 20 lakh now.



### V.K. Kapoor Retired government servant

My son was earning US \$10,000 in 1999 when he married a girl from Chandigarh. After a few days, they left for US. A year later, she returned alone. Both the families intervened and sorted out their differences. They again lived together for three years. She gave birth to a daughter. When we reached the US a day before her delivery, she made a hue and cry over our visit. She was epileptic and her parents hadn't told us about it. In July 2004, she filed an FIR against us. She is demanding Rs 25 lakh and a flat in Chandigarh. My son, who is working in Bangalore now, has filed a divorce suit.

## LEGAL SPEAK

"This is a misused law that helps greedy in-laws. More than 95 per cent accused in such cases get acquitted. I have never seen an accused getting convicted under this section. In most cases, there's an out-of-court settlement. Many times, the Supreme Court and various high courts have said that

NRI marriage issue," say the members.

## Money not an issue

Unlike other NGOs, the foundation does not have full-time members. "We spend our own money. We don't ask for money from outside," says Gurdarshan Singh, a businessman who is also the foundation's secretary.

"Men are arrested on the basis of their wives' statement. We want 498A to be a bailable offence. Before starting criminal proceedings, there should be a preliminary investigation

this section be made bailable and non-cognisable. As of now, no witnesses or documentary evidences are required to pursue the case under this section. The law is very lenient towards women. Anticipatory bail is only available in sessions courts or high courts. And to get that, the husband has to shell out the amount demanded by his in-laws. This law is misused only by women in Metros."

— ADVOCATE MAHESH TIWARI

done by the investigating officer. The acquittal rate is 98 per cent in cases related to this law. But, no action is taken against a false complaint," says Sarkar. In case the 'accused' is a government servant, he loses his job. "Whenever someone calls us for help, we know what he is going through," says Wasif Ali, the foundation's treasurer. "Whether or not you have accepted dowry is immaterial. A verbal statement is enough to ruin our lives. They can put our entire family behind bars on the basis of a mere police complaint," says Ali.