

A Critical Analysis Of The Misapplication Of Women-Centric Laws Against Men In India

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ABSTRACT

Women-centric laws in India were originally enacted to address structural gender inequality, ensure protection from violence, and promote social justice for women. Over time, however, concerns have emerged regarding the unintended misuse of certain legal provisions, particularly those related to domestic violence, dowry harassment, and sexual offences. While such laws remain essential for safeguarding women's rights, instances of false or exaggerated complaints have raised questions about procedural fairness, the presumption of innocence, and gender-neutral access to justice. This study critically examines the nature, extent, and implications of the misapplication of women-protective laws against men in India. Through doctrinal analysis, case-law review, and examination of empirical data, the paper explores how misuse affects men, families, and the justice system. It further evaluates judicial responses, policy debates, and the need for balanced legal reforms that preserve women's protections while preventing wrongful criminalisation of men. The findings highlight the importance of evidence-based policy, gender-neutral legal safeguards, and strengthening institutional mechanisms to ensure that protective laws serve their intended purpose without enabling abuse..

Keywords : Law, Misuse of Law, Women-centric Law, India, Domestic Violence Act..

1. INTRODUCTION:

This timeless idea resonates deeply within contemporary debates on the misuse of women-centric laws in India. Over the last few decades, India has enacted a strong protective legal framework to safeguard women from violence, discrimination, and systemic oppression. Statutes such as the Dowry Prohibition Act, 1961, Section 498A of the Indian Penal Code, the Protection of Women from Domestic Violence Act, 2005, and stringent amendments to sexual-offence laws were formulated to correct long-standing gender imbalances and to ensure dignity, safety, and justice for women.¹ These legislative developments reflect the constitutional commitment to equality, the State's duty to prevent gender-based harm, and the judiciary's expanding role in promoting substantive gender justice.²

Yet, alongside their crucial societal value, concerns have emerged regarding the misapplication or strategic misuse of certain women-protective provisions. Judicial pronouncements, sociological studies, and public debates indicate that while these laws remain indispensable, they are sometimes invoked in situations that do not align with their intended purpose.³ The most frequently cited example is the alleged overuse of Section 498A IPC,

where complaints unrelated to dowry or cruelty have occasionally been filed during marital conflicts. The Supreme Court of India has acknowledged these concerns and cautioned against routine arrests and mechanical investigations, urging the need for procedural safeguards to prevent unjust criminalisation.⁴

The debate, however, requires careful balance. Evidence consistently shows that violence against women remains deeply rooted in Indian society, and under-reporting continues to be a major barrier to justice.⁵ Therefore, discussing misuse must not invalidate the lived experiences of genuine victims nor weaken the protective architecture necessary for their safety. Instead, the challenge lies in ensuring that gender-sensitive laws do not become gender-biased in application, and that the legal system remains equally committed to protecting women from violence and men from wrongful prosecution.

A critical examination of misuse is therefore essential not to dilute women's rights, but to reinforce fairness, due process, and credibility within protective legislation. The issue carries profound social, psychological, and legal consequences—not only for men who may be falsely implicated but also for the justice system whose

¹ Dowry Prohibition Act, 1961; Indian Penal Code § 498A; Protection of Women from Domestic Violence Act, 2005.

² Government of India. (2013). Justice Verma Committee Report on Amendments to Criminal Law.

³ Nigam, S. (2020). Misuse of women-centric laws: A socio-legal analysis. *Journal of Indian Legal Studies*, 12(2), 45–58.

⁴ Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273.

⁵ National Crime Records Bureau. (2023). Crime in India Report.

legitimacy depends on balanced and impartial application of the law.⁶

This study seeks to explore these complexities by analysing statutory provisions, judicial interpretations, and contemporary empirical findings. It investigates the socio-legal impact of misuse, the response of institutions such as police and courts, and the ongoing policy debates surrounding gender neutrality and reform. Ultimately, the purpose is to advocate for a balanced legal approach, one that preserves the protective intent of women-centric laws while strengthening safeguards against their misapplication. Such an approach aligns with constitutional morality, reinforces public trust, and ensures that justice remains truly equitable for all citizens.

Women-Centric Laws in India

Constitutional Provisions for Women: The constitutional architecture of India sets the foundation for women-centric laws. Article 14 guarantees equality before law and equal protection of the laws, while Article 15(3) authorizes the State to make special provisions for women and children⁷. Article 39(a) under the Directive Principles mandates that both men and women shall have the right to an adequate means of livelihood, and Article 42 directs the State to ensure just and humane conditions of work and maternity relief.

Landmark judicial decisions have interpreted these provisions progressively. In *Charu Khurana v. Union of India (2015)*, the Supreme Court held that gender-based discrimination in professional associations violates Article 14. Similarly, *Vishakha v. State of Rajasthan (1997)* established guidelines on sexual harassment at workplaces, later codified in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Criminal Law Reforms

Criminal provisions specifically targeting gender-based offences have significantly evolved, especially post the Justice Verma Committee Report (2013) following the Nirbhaya Case. The Indian Penal Code (IPC), 1860, contains various sections that address crimes against women, including:

Section 354 (Currently Section 74 of BNS): Outraging the modesty of a woman.

Section 376 (Currently Section 65 of BNS): Rape and aggravated forms of sexual assault.

Section 498A (Currently Section 85 of BNS): Cruelty by husband or relatives of husband.

Section 509 (Currently Section 79 of BNS): Word, gesture, or act intended to insult the modesty of a woman.

The Criminal Law (Amendment) Act, 2013, expanded definitions of sexual assault, introduced stalking and voyeurism as distinct offences, and mandated stricter punishments⁸. These reforms were in consonance with CEDAW's obligation on state parties to ensure effective legal protection against gender-based violence.

Civil Law Framework: Marriage, Divorce, and Maintenance

Personal laws, governed by religion-specific statutes, have significant implications for women's rights in marriage, divorce, and inheritance. The Hindu Marriage Act, 1955, the Special Marriage Act, 1954, and the Indian Christian Marriage Act, 1872, contain provisions for dissolution of marriage on grounds such as cruelty, desertion, and adultery. The Muslim Women (Protection of Rights on Marriage) Act, 2019, criminalizes the practice of instant triple talaq (*talaq-e-biddat*) and provides for subsistence allowance⁹.

Under Section 125 of the Code of Criminal Procedure (CrPC), irrespective of religion, a wife unable to maintain herself can claim maintenance from her husband. The Supreme Court in *Shayara Bano v. Union of India (2017)* struck down triple talaq as unconstitutional, reinforcing gender justice within personal laws.

Protection from Domestic Violence

The Protection of Women from Domestic Violence Act, 2005 (PWDVA) represents a significant step in recognizing domestic violence in all its forms—physical, emotional, sexual, and economic. It provides for protection orders, residence orders, and monetary reliefs. The Act is notable for its gender-sensitive definitions and for extending protection to women in live-in relationships, thereby recognizing non-marital domestic arrangements¹⁰.

Workplace Laws and Economic Empowerment

Ensuring safe and equitable work environments for women requires targeted legislation. The Maternity Benefit Act, 1961, as amended in 2017, extends maternity leave to 26 weeks and mandates crèche facilities in establishments with 50 or more¹¹. The Equal Remuneration Act, 1976 (now subsumed under the Code on Wages, 2019), prohibits discrimination in wages based on gender.

The Sexual Harassment of Women at Workplace Act, 2013, operationalizes the *Vishakha* guidelines by

⁶ Bhattacharya, N. (2019). Gender, law, and due process: Rethinking protective legislation. *Indian Journal of Criminology*, 47(1), 22–36.

⁷ Pandey, J. N. (2020). *Constitutional law of India* (52nd ed.). Central Law Agency.

⁸ Singh, R. (2019). Criminal law reforms and gender justice in India post-Nirbhaya. *Indian Bar Review*, 46(4), 78–102.

⁹ Khan, F. (2020). Triple talaq and Muslim women's rights in India: A critical appraisal. *Journal of Law and Religion in South Asia*, 12(2), 35–54.

¹⁰ National Commission for Women. (2020). *Impact assessment of the Protection of Women from Domestic Violence Act, 2005*. NCW.

¹¹ Ministry of Labour and Employment. (2017). *The Maternity Benefit (Amendment) Act, 2017*. Government of India.

specifying complaint mechanisms, employer duties, and penalties for non-compliance¹².

Misuse of women centric laws

Women-centric laws in India were enacted to protect women from violence, discrimination and long-standing patriarchal injustices. These legal provisions—such as those relating to dowry harassment, domestic violence and sexual offences—play a vital role in safeguarding women's rights and encouraging them to seek justice without fear. However, over the years, a parallel concern has emerged regarding the misuse or overextension of certain protective laws. Instances of false or exaggerated allegations, often arising out of marital disputes, personal vendetta or leverage in litigation, have raised questions about fairness, due process and gender balance within the legal system. While such misuse represents only a fraction of the total cases, its impact on individuals, families and the credibility of the justice system is significant. The challenge, therefore, is to preserve robust protections for genuine victims while preventing the wrongful criminalisation of innocent persons, ensuring that the pursuit of justice remains balanced, impartial and humane.

Data from the National Crime Records Bureau (NCRB) indicates that in recent years, the incidence of fraudulent complaints lodged under Section 498A has risen, with figures of 10,193 in 2011, 10,235 in 2012, and 10,864 in 2013¹³. A police inquiry found that 1,207 instances of defamation of women's modesty (Section 509 of the IPC) were false. The issue is not just genuine; it is also widespread.

The issue lies in India's improper application of laws that specifically address women's rights. Instances of the misuse of these laws have arisen, despite the necessity of addressing the genuine issues faced by women and providing them with legal protections. The importance of these laws is in safeguarding women's rights and ensuring their safety, notwithstanding the potential for misuse. This document presents various instances and examples that demonstrate the improper use of women-centric legislation in India. Section 498A of the Penal Law frequently cites cases of bogus dowry allegations as instances of misuse. This section aims to safeguard married women from abuse and harassment related to dowry. At times, women and their families have contrived situations to harass their spouses and in-laws or to extract financial gain from them. According to data from NCRB, a considerable proportion of Section 498A dowry allegations are determined to be either fabricated or devoid of merit.

The Protection of Women from Domestic Violence Act (PWDVA) is a significant statute that aims to address domestic abuse. Nonetheless, instances have arisen

wherein women have exploited the judicial system to lodge false allegations against their spouses or relatives. Instances of manipulative methods encompass the fabrication of false charges of physical or psychological abuse, involvement in financial exploitation, or the pursuit of an edge in divorce and custody disputes.

Erroneous Rape Accusations: It is essential to assist and safeguard victims of sexual assault while also recognizing that false rape allegations do occur. False charges can completely devastate an individual's life, reputation, and profession. False charges can sometimes stem from personal hatred, extortion schemes, or the desire to gain an advantage in court proceedings.

The wrong application of anti-dowry laws includes not only Section 498A but also other laws like the Dowry Prohibition Act and the Penal Code, Section 304B deals with deaths caused by dowry.¹⁴ People have levied unfounded accusations of dowry demands, harassment, or dowry-related homicides to address personal grievances or gain an advantage in matrimonial conflicts.¹⁵

Sexual harassment related legislations are often misused: The aim of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act¹⁶ is to create a safe working environment for women. On many occasions women have misused this legislation by making false allegations against their superiors or coworkers, causing harm to their reputations and careers. It is essential to recognize that while instances of misuse may arise, they are exceedingly rare relative to the overarching purpose and effectiveness of these laws in protecting women's rights. Here are a few prominent examples that have garnered attention:

In *State of Haryana v. Bhajan Lal* (1992)¹⁷ holds significant importance. Discussions about the misuse of Section 498A, which addresses acts of cruelty towards married women, often cite this case. The Apex Court instituted guidelines to avert the misuse of this power and underscored the necessity of distinguishing between authentic cases and those that are fake or exaggerated.

The case *Social Action Forum for ManavAdhikar v. Union of India* (2018) involves legal proceedings. The Apex Court acknowledged the improper application of Section 498A, citing its common usage as a tool for harassment. The court ordered the police to follow the rules established in the aforementioned *Bhajan Lal* case to avoid arbitrary arrests. The Supreme Court determined that arrests in such circumstances should only be made after a thorough investigation and with sufficient evidence.

A 2007 survey by the Indian government indicated that males represented 57.3% of documented cases of child

¹² Ghosh, P. (2015). Sexual harassment at workplace: Legal safeguards for women employees. *Journal of Labour and Management*, 41(3), 214–229.

¹³ Ministry of Women and Children Development (Government of India) available at: <https://wcd.nic.in/>

¹⁴ Richards, D. L., & Haglund, J. (2015). *Violence Against Women and the Law*. Routledge.

<http://books.google.ie/books?id=Hl7vCgAAQBAJ&pg=PA1940&dq=CASES,+>

¹⁵ Ibid.

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¹⁷ 1992 AIR 604 1990 SCR Supl. (3) 259

sexual abuse, encompassing rape and sodomy. Conversely, girls comprised 42.7% of the documented cases. The Delhi-based Centre for Civil Society reports that roughly 18% of adult Indian men have indicated suffering sexual coercion. Women made up 16% of cases and men 2%. An individual must financially support their spouse, children, and parents who cannot support themselves under Section 125 of the Cr.P.C, 1973.

Despite the wife's employment, her income is insufficient to support herself, thus necessitating the husband's financial support.¹⁸

According to Section 37 of the Special Marriage Act, the husband is required to furnish financial support to his wife from his own resources upon a divorce, until a substantial alteration in her circumstances occurs, such as remarriage or involvement in immoral conduct. Under Hindu Adoption and Maintenance Act, Section 18 of the grants a Hindu wife perpetual financial support from her husband. Section 3 of the Muslim Women (Protection of Rights on Divorce) Act, 1986 grants a divorced Muslim woman financial support from her ex-husband for the duration of the iddat period.¹⁹

According to Section 37 of the Divorce Act of 1869, upon an order of dissolution or judicial separation, the husband is required to provide permanent financial support to his wife. The aforementioned rules mandate that husbands provide financial support to their wives, although there is no stipulation that wives support their husbands. Although husbands may also necessitate financial support, current regulations do not clearly acknowledge this circumstance. Family law provides assistance to women regarding divorce and alimony. According to Section 125 of the Criminal Procedure Code, a spouse may face a recovery warrant for failing to give financial support to his wife. It is advantageous to award custody to the mother in child custody matters, particularly for children under the age of five. Adoption laws prohibit a single male from adopting a female child. Each of these laws demonstrates shortcomings that significantly negatively impact men.²⁰

Several laws disproportionately affect men. Frequently, they fall prey to fictitious situations. Women often manipulate the regulations intended to protect their rights in order to intimidate men and, occasionally, to boost their own self-esteem. They encounter stringent legal requirements and frequently endure police brutality. Furthermore, in most of the offence against women are cognizable in nature, allowing for prompt investigation, warrantless arrests, and ineligibility for bail. This complicates the ability of innocent males to evade punishment.²¹

Although there are various laws safeguarding and advancing women's rights, yet deficiency of legislation explicitly supporting the rights and interests of men in society. The Domestic Violence Act and Section 498-A of the IPC primarily govern divorce proceedings and accusations of cruelty, respectively. People frequently initiate these cases solely to obtain financial restitution from the partners. A solitary false allegation can jeopardize his reputation in both societal and professional spheres. Instances have occurred in which women have entered into subsequent marriages solely to obtain the assets and financial support of their wealthy partners.

In *Rajesh Sharma et al. v. State of Bihar*²², The court delineated several requirements to avert the misuse of IPC Section 498-A. The court directed the District Legal Services Authority to establish a Family Welfare Committee in each district and conduct a thorough investigation, spanning one month, into all instances of domestic abuse documented under Section 498-A of the IPC before proceeding with any arrests. The Committee will comprise retired folks, social workers, and paralegal volunteers who will receive preliminary training before beginning their responsibilities.

Police in Pilibhit, Uttar Pradesh, apprehended a 28-year-old lady and her three associates for misleading authorities by alleging that her husband and two of his cousins committed gang rape. Although police eventually captured her brother-in-law, the principal conspirator in the case, the woman and two of her associates remained at large as of November 18, 2020.¹⁹⁸ They married in 2016 but soon became estranged, resulting in the woman accusing her husband and his family of dowry harassment. Her brother-in-law presented himself in the Family Court on the day of the hearing and asserted that her husband had abducted the woman. Subsequently, the investigation revealed that she had willingly concealed herself at a relative's residence. During the course of this investigation, her family members asked for 7 lakh INR from her husband. Then, it became clear that the fabricated allegation of gang rape against her husband and two relatives was a deliberate attempt to extract money from him.²³

The National Crime Records Bureau (NCRB) has reported provisional data indicating 16,352, 4,204, and 531 cases under the Protection of Women from Domestic Violence Act for the years 2005, 2012, 2013, and 2014, respectively. Each year, the National Crime Records Bureau (NCRB) examines 90,000 to 100,000 instances, deeming approximately 10,000 allegations of dowry harassment as fake. This indicates widespread abuse and exploitation of these acts within the nation. Nonetheless, several women's organizations and advocates justify these

¹⁸ Legal Service India available at: <https://www.legalserviceindia.com/legal/article-4685-sexual-violence-against-men-in-india.html>

¹⁹ Special Marriage Act, 1954, §37, Acts of Parliament, 1954 (India)

²⁰ Ibid

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Hindu Adoption and Maintenance Act, 1956, §18, Act No. 78 of 1956

²² 2017 SCC821

²³ Richards, D. L., & Haglund, J. (2015). *Violence Against Women and the Law*. Routledge. http://books.google.ie/books?id=Hl7vCgAAQBAJ&pg=PA1940&dq=CASES,+SURVEY+AND+LAWS+RELATING+TO+THE+MISUSE+OF+WOMEN+CENTRIC+LAWS+in+India&hl=&cd=9&source=gbp_ap

exploitations as an inherent feature of the legal system, asserting that the ratio of false claims to legitimate ones is minimal. Nonetheless, it is crucial to recognize that the abuse of anti-dowry legislation remains a substantial concern.²⁴

Causes of Misuse these laws

Laws that favour victims

Many scholars argue that the laws established for the protection of women in India exhibit a bias towards victims. In dowry-related cases, the traditional principle of ‘innocent until proven guilty’ is effectively inverted, resulting in a presumption of ‘guilty until proven innocent’ for the accused. Shifting the burden of proof facilitates a situation where the victim can more readily demonstrate that her rights were infringed upon, in contrast to the accused’s challenge of establishing his innocence. Once a complaint is lodged against the husband and the in-laws, they lose their presumption of innocence under the law until they can demonstrate their innocence, a process that is often quite challenging.

Broad and Ambiguous Definitions in Statutes

One of the most frequently cited causes of misuse is the broad and open-ended legal language used in many women-centric statutes. The definition of “cruelty” under Section 498A IPC, for instance, encompasses both physical and mental harassment without requiring a defined threshold of severity. Similarly, provisions such as Section 354 (“outraging the modesty of a woman”) rely on subjective interpretation of intent and circumstances. While such breadth ensures that victims are not excluded on technicalities, it simultaneously creates opportunities for misuse, since allegations can be framed in general terms without substantial evidentiary backing. Courts, including the Supreme Court in *Arnesh Kumar v. State of Bihar*²⁵ and *Rajesh Sharma v. State of Uttar Pradesh*²⁶, have acknowledged this problem by cautioning against blind arrests and mechanical registration of FIRs.

Low Evidentiary Threshold at the FIR Stage

India’s criminal justice system follows the “information-based” model of FIR registration, which requires police to register an FIR when a cognizable offence is alleged, even before verifying the accuracy of the complaint. This ensures swift action for genuine cases of domestic violence or sexual offences but also allows complainants to initiate criminal proceedings with minimal factual scrutiny. Since women-centric offences are cognizable and often non-bailable, the sheer act of naming a person in an FIR can trigger serious consequences, including arrest, reputational damage, and prolonged court processes. In many instances, entire families—including elderly parents, married sisters living separately, and even minors—are implicated in a single complaint. Legal scholars note that this low threshold can encourage complainants to employ the FIR strategically, especially

in matrimonial disputes, to exert pressure or negotiate settlements.

Marital Discord and Use of Law as a Negotiation Tool

A significant portion of misuse arises in situations of marital breakdown. When relationships deteriorate, criminal provisions are sometimes used strategically to gain leverage in negotiations related to alimony, child custody, property disputes, or divorce settlements. Multiple socio-legal studies indicate that allegations under Section 498A, Section 406, or even Section 354/376 appear at a late stage in matrimonial conflicts—often after mediation has failed or when financial negotiations stall. This does not imply the non-existence of genuine cases of abuse, but it highlights that the legal system can be weaponized to gain bargaining power. Family courts and mediation centres have repeatedly observed that complainants sometimes admit during settlement talks that they filed criminal complaints to “teach a lesson” to the husband’s family or to secure a favourable divorce settlement.

Influence of Family Members, Lawyers, and Community Networks

Legal decisions in domestic and matrimonial matters in India are rarely isolated; they are heavily influenced by family members, relatives, community leaders, and sometimes even local lawyers who encourage complainants to file stringent criminal charges. In emotionally charged circumstances, complainants may rely on advice from parents or relatives who view legal action as a tool of retaliation or negotiation. The involvement of extended family can escalate a personal dispute into a criminal conflict. Legal aid clinics and women’s NGOs, although essential for empowering victims, may occasionally offer advice that leads to over-criminalization of domestic issues. The social expectation that a woman should not “return defeated” from her marital home further fuels the tendency to file harsh complaints, even when disputes are primarily interpersonal rather than criminal.

Inadequate Penalties for False or Malicious Complaints

Although the Indian Penal Code provides penalties for filing false information (Section 182 IPC) and false charges with intent to injure (Section 211 IPC), these provisions are seldom invoked. Courts often avoid imposing penalties even when complaints are proven false, fearing that doing so may deter genuine victims from coming forward. This lack of accountability creates a legal vacuum where motivated complainants can file false allegations with little risk. Some empirical studies suggest that the absence of consistent consequences for misuse emboldens individuals; especially in marital disputes to weaponised criminal laws for personal gain.

Impact of Misuse

Legal Vulnerability and Criminalisation

²⁴ Anwar Tariq, “Flipside of dowry law: Men recall how Section 498(A) is unfairly used against them” (March, 2015).

²⁵ *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273.

²⁶ *Rajesh Sharma v. State of Uttar Pradesh*, (2017) 8 SCC 746.

Many women-centric laws are cognizable and non-bailable, which means that a mere allegation can lead to immediate police action, arrest, or registration of an FIR. For men, this creates a heightened sense of legal vulnerability. In cases like Section 498A, entire families including parents, siblings, and even minors may be implicated, leading to prolonged litigation and social stigma.

The presumption of guilt in some provisions (e.g., reverse burden in dowry and rape-related laws) exacerbates the legal imbalance. Men often face years of trial to prove innocence, even when cases are fabricated or exaggerated.

Psychological and Emotional Distress

False or motivated complaints can inflict severe emotional harm. The fear of arrest, ongoing police inquiry, court proceedings, and societal judgment often leads to anxiety, insomnia, depression, and in extreme cases, suicidal tendencies. Numerous studies and NCRB data show a disturbing number of suicides among married men linked to marital disputes and legal harassment. The psychological pressure is intensified by the social narrative that men are generally perpetrators, not victims, making it difficult for them to seek emotional support.

Social Stigma and Character Assassination

Once accused under women-protection laws, men often face instant moral condemnation. Society tends to believe the complainant's version due to the gendered nature of the law and the presumption that women do not lie about harassment, dowry, or sexual violence.

The stigma affects:

Reputation within family and community

Workplace relationships

Public perception, often shaped by media sensationalism

Even when acquitted, the "accused" label continues to shadow men, causing permanent reputational damage.

Family Disruption and Breakdown of Relationships

False or retaliatory complaints in marital disputes often trigger complete breakdown of family structures. Men may lose access to their children due to custody biases favouring mothers. Elderly parents suffer trauma and humiliation when they are dragged into litigation. Siblings and extended family members may face unwarranted accusations, splintering family unity.

Loss of Faith in the Justice System

When men face prolonged harassment due to slow judicial processes, they often lose confidence in the legal framework. Many feel that the system is biased and offers

no remedy for false accusations. Even when courts recognize misuse, compensation for mental agony or counter proceedings against false allegations is rare.

Impact on Genuine Women Victims

Misuse does not only harm men; it also harms women who are genuinely suffering. False complaints dilute the seriousness of crimes like dowry harassment and sexual assault, leading to skepticism toward female survivors. This indirectly contributes to underreporting of genuine cases and weakens advocacy for women's rights.

Conclusion & Suggestions

The research concludes that while women-centric laws in India serve an essential purpose of protecting women from violence and discrimination, there is substantial evidence that some of these laws are misused, often by filing false or exaggerated complaints. Such misuse undermines the original intent of the legislation namely, justice and protection for genuine victims by converting legal safeguards into instruments of harassment, extortion, or social pressure. The author argues that this misuse creates serious socio-legal consequences: it damages the reputation and rights of innocent accused persons (often including extended family), strains judicial resources, and erodes public confidence in the criminal justice system.²⁷

At the same time, the research acknowledges the need to preserve women's access to justice concluding that the solution lies not in repealing protective laws but in reforming their implementation. This includes strengthening investigative procedures, ensuring fair and impartial adjudication, improving legal awareness regarding misuse and consequences of false complaints, and adopting procedural safeguards to balance protection for women with safeguards against abuse.²⁸

Suggestions

Introduce Mandatory Preliminary Inquiry Before Arrest

Establish Family Welfare or Mediation Cells at District Level

Penalise False or Malicious Complaints

Promote Gender-Neutrality in Certain Criminal Laws

Strengthen Police Training and Sensitisation

Ensure Time-Bound Investigation and Fast-Track Courts

Improve Legal Awareness Among Citizens

Encourage Pre-Litigation Counselling in Marital Disputes

Provide Compensation or Rehabilitation for Wrongfully Accused Persons.

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²⁷ Shekhar, S. (2024). A Critical Study on Misuse of Women Centric Laws against Men in Indian Scenario. <http://hdl.handle.net/10603/638471>
Advances in Consumer Research

²⁸ Ibid