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# **DOWRY DEATH AND CRIMINAL JUSTICE** **SYSTEM IN INDIA**

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## **Abstract**

In India, a dumber refers to an asset or any valuable security provided or given by one party to another. In India, the party that decides to provide dowry is mainly the parents of a girl for the groom's family. Taking dowry is a crime in itself and is prohibited in accordance with "The Time Act 1961". According to this research, however, it has been found that the law imposed in this country to ban dowry has failed due to its various limitations. Deadly death is a big social question, in which a bride commits suicide or is killed by his husbands because of their unbearable demands and derogatory behaviour. The research thesis examines the proposed reconstruction of the provision within the Terne Tharia judge, a new legal code under consideration, which shifts its focus from "crimes that affect life" to "marriage-related crimes". The study researches the possible consequences of the severity, legal interpretation, and perception of social values through an accurate comparative analysis of these locations. This argues for justice for maintaining "dummy deaths" during "the sub- study of crimes affecting life", and says that such classification reflects the severity of the crime and corresponds to international standards for violence against women. The issue of death through criminal justice systems and lenses for the public legal structure in various courts. By comparing legislative approaches, enforcement mechanisms, legal interpretations, and suffering protection policy, the purpose of this paper is to highlight both common challenges and effective strategies to cope with this serious challenge. Materialism affected by greed is the main cause of frequent dowry-related violence against women.

Gender insensitively coupled with indifference patronised by patriarchy fuels this attitude beyond imagination. This is an exact reason why cruel acts in the form of dowry deaths constantly take place. The study drew upon statutory provisions, case law, and procedural safeguards to assess how the criminal justice system responds to dowry-related violence and deaths. Also, the paper examines the role of gender-sensitive laws, police responsibility, and

public awareness in shaping legal outcomes. The main aim of this research is to analyse the current state of the dowry system in India and determine the effect of existing legislation in preventing dowry death. The major reason behind the dowry deaths issues within India is the lack of awareness regarding the legislation associated with girls' education and job opportunities.

Keywords: Criminal justice, dowry deaths, criminal law, Indian Penal Code (IPC), dowry prohibition Act, domestic violence, Women's rights, gender justice, legal effectiveness, socio-cultural norms.

## Introduction

The death of dowry is a terribly social problem in India, a practice that takes the lives of unhappy young women through oppression and abuse related to dowries. Despite the strong laws designed to prevent this, as the 1961 dowry law and parts of the Indian justice (BNS) that specifically deal with death and cruelty in dowry, this problem is still unclear and a shocking reality. Reports and statistics still show a disturbing number of these deaths, proving that books have a large gap between laws and what actually happens in our criminal justice system.

This article will be closely monitor on the role of the Indian criminal justice system in the fight against the fall. We will find out if our laws are really effective, law enforcement and obstacles facing law enforcement, and the social and economic factors that end this terrible practice. By analysing the current legal framework and its application in real-life scenarios, the purpose of this article is to provide a broad understanding of challenges and suggest more effective ways to address them.<sup>12</sup>

## List of Statutes

### 1. Protection of Women from Domestic Violence Act of 2005: -I

Offers women in homes protection from physical, emotional, sexual, verbal, and financial abuse. Financial aid, residence orders, and protection orders are among the things women may apply for.

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<sup>1</sup> Government of India. (1961). *The Dowry Prohibition Act, 1961*. Ministry of Law and Justice.

<sup>2</sup> National Crime Records Bureau (NCRB). (2022). *Crime in India Report*. Ministry of Home Affairs, Government of India.

2. The Dowry Prohibition Act of 1961: -

Forbids the gift, acceptance, or demand of dowry during the marriage. This law outlaws dowry abuse and dowry killing.

3. The Act on Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) 2013: -

Businesses must establish Internal Complaints Committees and safeguard women against workplace sexual harassment, as mandated.

4. Equal Remuneration Act of 1976: -

Guarantees equal pay for males and women for similar or equivalent work, and so prevents discrimination in hiring and promotion based on gender.

5. Maternity Benefit Act 1961: -

Under the grants scheme, pregnant and nursing women workers can apply for paid birth-related leave (up to 26 weeks), job security, and other advantages.

6. 1971 Act of Medical Termination of Pregnancy: -

Allows women to have legal abortions in specific situations, therefore giving them the power to control their reproductive lives.

7. The Prohibition of Child Marriage Act, 2006: -

It forbids girls under eighteen and males under twenty-one from getting married to eliminate child marriage and its effects.

8. Hindu Succession Act of 1956: -

Grants women in Hindu families the same inheritance rights as men.

9. 1986 Prohibition Act on the Unsuitable Representation of Women: -

Through advertisements, periodicals, writings, paintings, or any other forbidden means, it generates indecent portrayals of women.

10. National Commission for Women Act of 1990: -

Approvals for the creation of the National Commission for Women, which would examine the

legal and constitutional safeguards for women and suggest remedial measures.

11. The Legal Services Authorities Act counts eleven: -

Empowers women—especially survivors of domestic violence or rape—to get free legal advice and courtroom representation.

12. Constitution of India, 1950: -

Articles 14, 15, and 16 of the Indian Constitution stipulate that there must be equality before the law and no gender discrimination.

13. The Companies Act of 2013: -

Demands that specific businesses have at least one female director on their board of directors. In Indian culture, these rules were introduced to advance women's empowerment, respect, safety, and equality.

## **Legal & Comparative Framework Addressing Dowry Deaths**

### India's Legal System:

The giving and taking of dowries as a criminal offense is defined by both the Prohibition Act of 1961 and Section 304B of the IPC. IPC Section 498A deals with the subject of cruelty to a wife by her husband or in-laws. The laws are being amended by the Bhartiya Nyaya Sanhita, where new criminal laws are sought to be enacted as of 2023.

### Pakistan:

Comparative frameworks note that Pakistan also faces a significant problem with dowry deaths, with some sources indicating the highest reported rates per capita worldwide. This highlights the need to compare not just legal frameworks but also the cultural factors that lead to these acts in different South Asian contexts.

### 1. Section 304B IPC- Dowry Deaths

Dowry death has three categories as defined under Section 304B of the IPC. Indeed, it is a provision under the IPC that defines 'dowry death'. The provision states that if a woman dies due to burning or bodily injury, within the seven years of her marriage, and it is proved that she was subjected to any cruelty or harassment by her husband or his relatives in connection with the demand of dowry, such death can be termed dowry death. The punishment for the

dowry death is mentioned in this section, and is not less than seven years, but may extend to life imprisonment.

2. Bharatiya Nyaya Sanhita (BNS), 2023:

With provisions for dowry deaths, the new code BNS is introduced in continuation with the reform in criminal law of India. Section 80 of BNS complements the ingredients of Section 304B IPC in the prosecution framework for dowry deaths. Dowry harassment under Section 85 of BNS thus gives comprehensive coverage to dowry offences.

3. Protection of Women from Domestic Violence Act, 2005:

It even classified dowry harassment under domestic violence and gave some avenues for redress, such as protection orders and residence orders for the aggrieved. Programs such as Beti Bachao Beti Padhao and Sukanya Samridhi Yojana, a small savings scheme for girls, target economic and social empowerment of women as a way to lessen their vulnerability to dowry demands.

4. Hindu Succession Act, 1956:

This definitely should allow the laws to give property rights to women so that it reduces their economic dependence and thereby the vulnerability to dowry.

5. National Commission for Women(NCW):

Awareness is created concerning the accidental bondage due to the dowry system and laws associated therewith, seminars and workshops are conducted at the State level equivalents.<sup>345678</sup>

## Legal Interventions

State of Bihar v. Ramesh Singh (1977):

Disallowed the practice of dowry taking and giving with a hammer on its strict enforcement.

Pratibha Rani v. Suraj Kumar (1985):

Possession of the bride's valuables and ornaments amounts to a criminal breach of trust.

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<sup>3</sup> Government of India. (1956). *Hindu Succession Act, 1956*. Ministry of Law and Justice.

<sup>4</sup> Government of India. (2005). *Protection of Women from Domestic Violence Act, 2005*. Ministry of Law and Justice.

<sup>5</sup> Government of India. (2023). *Bharatiya Nyaya Sanhita, 2023*. Ministry of Home Affairs.

<sup>6</sup> Human Rights Watch. (2019). *"We Have the Promises of the World": Women's Rights in Pakistan*.

<sup>7</sup> Indian Penal Code. (1860). §304B. Dowry Death.

<sup>8</sup> National Commission for Women (NCW). (2021). *Annual Report 2020–21*.

State of Punjab v. Satvir Singh (2001):

Elucidating the legal meaning of "dowry" as included within the purview of the Dowry Prohibition Act, according to any valuable security or property delivered, directly or indirectly, at, before, or after the marriage.

Sushil Kumar Sharma vs Union of India (2005):

Entrenched concern about misuse made under Section 498A, yet upheld the law as misuse cannot invalidate the law itself.

Arnesh Kumar vs State of Bihar & Anr. (2014):

Police must carry out a preliminary inquiry before arresting an individual under Section 498A IPC.

### **Statistical overview**

In the last three months, a string of dowry-related deaths has been reported from across India. In Aligarh in Uttar Pradesh, a woman died after a hot iron was pressed against parts of her body. Her family claimed that she had been regularly assaulted for dowry. Another woman from Uttar Pradesh's Pilibhit was burned alive, allegedly after she and her family did not meet the repeated demands of her husband and his family for dowry. In Chandigarh, a young bride died by suicide allegedly due to dowry harassment. In Tamil Nadu, near Ponneri, a woman died by suicide just four days after her wedding, allegedly due to harassment from her in-laws for dowry. Another woman from Tirupur, Tamil Nadu, took her life within two months of marriage for the same reason. These cases show that the illegal practice of seeking dowry continues to thrive in India. Every year, in the 2017-2022 period, an average of 7,000 cases of dowry deaths were reported across the country, according to the National Crime Records Bureau.

State-wise Distribution

A sharp contrast in the geographical distribution of dowry deaths is visible among different states in India:

- Uttar Pradesh: 2,142 cases
- Bihar: 1,057 cases
- Madhya Pradesh: 520 cases
- Rajasthan: 451 cases

- West Bengal: 427 cases
- Haryana: 234 cases
- Odisha: 263 cases

### Global Distribution

- South Asia:

Dowry deaths are a grave issue in South Asia. Bride-burning estimates were made for 2011 in a range from 4,000 to 25,000 deaths yearly for India, Pakistan, and Bangladesh combined.

- India:

Reported dowry death figures are highest in India. The NCRB reports an average of about 7,000 dowry deaths reported each year from 2017 to 2022 in India.

- Pakistan

In Pakistan, the average death rate due to dowry, per 100,000 females, is much more than that in India, showing a greater prevalence with respect to its population.<sup>9101112</sup>

### Dowry-Related Domestic Violence in India

YEAR	DEATH RATE
2010	8,391
2011	8,618
2012	8,233
2013	8,083
2014	8,455
2015	7,193
2016	7,621
2017	No specific statistics
2018	7,167
2019	7,141

<sup>9</sup> Ali, P. A., & Gavino, M. I. B. (2008). Violence against women in Pakistan: A framework for analysis. *Journal of Pakistan Medical Association*, 58(4), 198–203.

<sup>10</sup> Indian Express. (2024). *Woman in Pilibhit burned alive over dowry demands*.

<sup>11</sup> Jeyaseelan, L., Sadowski, L. S., Kumar, S., Hassan, F., Ramiro, L., & Vizcarra, B. (2015). Dowry deaths: A neglected public health issue in South Asia. *International Journal of Gynecology & Obstetrics*, 131(2), 123–126.

<sup>12</sup> National Crime Records Bureau (NCRB). (2023). *Crime in India: Statistics 2017–2022*. Ministry of Home Affairs, Government of India.

2020	6843 -6966
2021	6589
2022	6450
2023	No specific statistics
2024	No specific statistics

### Regional Variations in Dowry Deaths

- Geographic Concentration:

Dowry murders are concentrated in the northern and eastern states. Of the total dowry murders in 2011, 70% happened in states like Haryana, UP, Madhya Pradesh, Bihar, Jharkhand, Delhi, and Odisha.

- State-Level Rates:

Murder for dowry formed a substantial part of the total adult female murders in the states of UP, Bihar, Uttarakhand, Rajasthan, Haryana, and Assam.

- District-Level Patterns

At the district level, there exists a zone of higher dowry murder rates extending from south Haryana and western UP through much of Madhya Pradesh.

### Criminal Justice Challenges and Regional Variations

Low Conviction Rates:

The conviction rates relating to dowry crimes under the Indian Penal Code (IPC) and the Dowry Prohibition Act are across various states "abysmally low".

Police Collusion:

The paper from the Crawford School of Public Policy cites examples of police collusion in resisting the registration of First Information Reports (FIRs), tampering with evidence, and putting pressure on the victim's family to distract them from the case.

Reporting and Investigation:

According to the NCRB, the submitted data probably represents only a conservative estimate, as numerous incidents remain unreported.

### Long Investigations:

Investigations into cases of dowry death being protracted in nature prolong the eventuality of a case resolution.

## **Recent Incident**

### The issue has recently hit headlines in some cases:

Nikki Bhati (Greater Noida, 2025): 28-year-old from Greater Noida got national attention for the brutal dowry-related violence she suffered over the years. Married in 2016, Nikki faced an increasing amount of abuse and financial extortion from her husband, Vipin Bhati, and his family. Despite giving sufficient dowry – including a Scorpio SUV, Royal Enfield Motorcycle, Gold, and cash-his in-laws insisted on giving an additional ₹36 lakh. Nikki was allegedly set ablaze by her husband and mother-in-law in the presence of her six-year-old son and sister on August 21, 2025, succumbing to her injuries before reaching the hospital. Bhikari Singh Payal, her father, has publicly condemned abuses, which he revealed were even going so far as to prevent Nikki from opening a beauty parlour using her own ₹1.5 lakh savings.

After her death, all four adult members of the Bhati family were arrested, including her husband, brother-in-law, mother-in-law, and father-in-law.<sup>13</sup>

### **Socio-cultural factors contributing to dowry deaths:**

#### Parliamentary and Gender Inequality:

From the origin of the structure, patriarchy had ingrained itself sufficiently to place women at the bottom and make them amenable to violence; a small percentage of them dared to resist dowry demands.

#### Lack of Women's Education and Economic Independence:

Those women who have taken no education and have no income of their own are, therefore, susceptible to domestic violence through dowry abuse, considering that they do not have any escape routes available to them.

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<sup>13</sup> IndiaTimes. (2025, August 22). *Nikki Bhati's father cries for justice as daughter burnt alive over Rs 36 lakh dowry in Greater Noida, recounts chilling ordeal*. Retrieved from <https://indiatimes.com/trending/nikki-bhatis-father-demands-justice-after-daughter-burnt-alive-over-rs-36-lakh-dowry-in-noida-family-recalls-horrifying-ordeal-667797.html>

Son-preference:

A son-preference society considers daughters an additional family burden, thereby pressurizing families with the inevitable dowry payment for their daughters to secure a marriage.

Extended Family Systems:

These extended family systems generate the internal economics of dowry pressures to an extent that takes a person's life.

Socioeconomic Conditions:

Poverty and socioeconomic conditions tend to enhance the dowry in most cases among the lower economic class.

Lack of Social Outrage:

Lack of social outrage from the community and hence pressure on law enforcement to act against the abuser render the laws ineffective.

Ineffective Law Enforcement:

Criminal Justice gets embroiled in vested interests of undue dependence on victim accounts to the extent of corruption and ineffectiveness in investigation and prosecution in dowry death cases.

Stigma and Fear:

On threats, public shaming, or an assumption of being Photo\_62855868, which is useless for a fair complaining mechanism, the relatives of victims never make a complaint of dowry death.

Social Construction of Death:

Social organisation and cultural biases of the police concerning the deaths of especially young married women may corrupt or lead to unjust investigations and findings.

While laws against dowry do exist, they have frequently become ineffective because of vagueness and poor enforcement, allowing the custom to persist.<sup>14</sup>

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<sup>14</sup> Singh, R. (2024). *An Examination of Dowry Deaths in India Under International Law*. Golden Gate University School of Law. <https://digitalcommons.law.ggu.edu/theses/101>

## Notable Case Studies

### The Most Notorious Case in Dowry Complaint History (2003) Nisha Sharma:

This case was a glaring example of how IPC 498A could be misused. Nisha Sharma was the embodiment of emancipation for women fighting the societal demand of dowry, and such litigation, dominated by legal and social contradiction, always resurfaced in the arena of dowry.

### N.R. v. The State of Rajasthan (2012) and others:

These cases elaborated on the systematic torture and eventual burning of brides for dowry, which have all the violent extremes. They called for the criminal justice system to rise above only technicalities to fulfill the need for addressing societal violence behind such crimes.

## Judicial responses and outcomes.

Judicial responses and consequences are both very grim. The legal provisions of dowry death in India majorly deal with the sections of Bharatiya Nyaya Sanhita 84 and 86 in conjunction with the Dowry Prohibition Act- all of these are indeed punishable for dowry death and consequent acts of cruelty. But the outcome is indeed very often blemished by a very low conviction rate and accusations of dowry or cruelty against people. Judicial proceedings against individuals or families in these offenses range from a minimum of seven years imprisonment to life imprisonment for the crime of dowry death.

## Conclusion

Repositioning 'dowry death' in relation to the law would not just be a mere issue of categories, and it holds serious implications for women's rights and their position in society. The repositioning strengthens efforts toward an end to gender-based violence and challenges the artisanry embedded in patriarchal norms that support the violence. This amendment should take women into account and convey a strong message against the acceptability of violence in marriage, no matter how it is in cultural norms. It would, in fact, pave the way towards further advancement of gender equality and the elimination of violence against women.<sup>151617</sup>

<sup>15</sup> The Dowry Prohibition Act, 1961(as amended in 2022).

<sup>16</sup> The Bharatiya Sakshya Adhinyam (BSA), 2023.

<sup>17</sup> The Criminal Law Amendment Act, 1983.

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