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# **WOMEN CENTRIC LAWS AND CONSEQUENCES FACED BY MALE**

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## **Introduction**

<sup>1</sup> Women-centric laws are made to profit women who are considered as an oppressed section of the society. But there's a requirement to ascertain these laws from a special perspective. These laws are affecting the rights of the males who are being harassed by a false charge against them. The role of the judiciary is to supply justice to each individual and there are often no discrimination between men and ladies when it involves justice. albeit one innocent is tried or loses his life, it's an enormous stigma on the women-centric laws. A few years ago one news was particularly being talked about by people where a young man committed suicide. This incident happened every week after he was proved innocent responsible of violence . When he was arrested there have been not enough proofs but to urge a women justice and to determine that the women-centric laws are for the protection of the females and to prove that men are those who are perpetrators in such crimes, he was arrested. Later on, he was proved innocent. But after returning to his normal routine, things weren't an equivalent for him. He lost his job, people around him were still treating him sort of a criminal and making sarcastic remarks against him. He was unable in touch this and gave abreast of his life

## **Statement Of Research Problem**

The simple question is whether the laws made to protect women possess the right to kill an innocent person if not implemented properly. Does society treat the male in the same way as they used to do before he was trapped in a false case.

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<sup>1</sup>[pleaders.in/women-centric-laws](http://pleaders.in/women-centric-laws)

## **Hypothesis**

1. As Women's are treated as weaker section of the society the laws are made for their protection.
2. Today, many laws which were made to benefit the females are many times used by them to their advantage in a wrong way by interfering with the right of the males.

## **Research Methodology**

The methodology adopted for the study is completely doctoral, involving content analysis. Relevant books, articles, empirical studies, reports, etc have been studied to get the true picture of the problem of women centric laws and consequences faced by male and to outline the remedial measures for it.

## **Review Of Literature**

I have taking into consideration the different articles; on the recent issues of misuse of laws made for protection of women's have read the Domestic violence Act, 2005 The Dowry Death Prohibition Act, 1961 whether the laws available for protection of women's are implementing properly or not as discussed in research paper.

## **<sup>2</sup>Laws Favours Womens (Women Centric Laws)**

The laws are made to guard every individual. But from the past, women were exposed to atrocities committed by men. They were considered as a weak and oppressed section of the society so various laws were framed after independence to guard the ladies like Hindu Marriage Act 1955, Hindu Marriage and Adoption Act 1956, Special Marriage Act 1954, Dowry Protection Act 1961, violence Act 2005, Prevention of kid Marriage Act 2006, and certain other provisions of IPC concerning violence made up of time to time to guard them.

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<sup>2</sup>Fineman M.A., Preface, in *The Public Nature of Private Violence: The Discovery of Domestic Abuse* ,

## **Domestic Violence**

The laws which are mostly misused are Section 498-A and Section 376 of Indian legal code . Section 498-A of IPC deals with the subjugation of girls to cruelty by her husband or her in-laws. the primary point that the IPC nowhere mentions about, is that the cruelty towards men which is additionally an opportunity . it's not necessary that only women are often subjected to cruelty but a number of them are capable of subjecting men to cruelty too. IPC mentions cruelty by men and not by an individual which may cover within its ambit both men and ladies . When the lady or her relative's file complaint within the police headquarters , an action is taken against the husband immediately. The husband, along side his relations , are often put behind the bars for 3 years and fine. It is a non-bailable, cognizable (the policeman can arrest without warrant) and non-compoundable (a complaint can't be compounded just by withdrawing the case but has got to be quashed by the High Court) offence. Also, the general public view in such cases is that the husband is that the one who is guilty and mostly the choices in such cases are in favour of the ladies . The tears of females are visible to everyone but nobody sees the tears of men. There are numerous false cases of violence being lodged and innocent people are being put behind the bars. The family of the husband too is arrested in most of the cases and has got to face humiliation within the society and also ill-treatment of the authorities.

## **Dowry Death**

Section 304-B of IPC may be a provision made to guard the ladies from cruelty by her husband and in-laws for dowry. it's presumed that if a lady dies within seven years of her marriage and her husband or in-laws were demanding dowry, then they were liable for her overtime . This provision protects women but what about men. there's no such rule that if a husband dies within seven years of marriage the wife are often held liable. The law should be such which protects the rights of every and everybody within the society and not only the females. Also, a correct enquiry should be there about the rationale for the death of the ladies and indirectly putting the blame on the husband and therefore the in-laws because the assailant.

## **Forced Sexual Activity**

Whenever there's discussion regarding forced sexual abuse the primary thing which involves mind is women because the victim and men because the assailant and this is often where the essential problem lies. Section 375 of IPC which was enacted to assist the ladies to urge justice if they're forced into sexual activity is additionally misused by women repeatedly . a person isn't given any protection against such forced sexual activity . Though the ratio of girls is way quite men to suffer such offence, albeit one person is being affected, justice should be done to him by punishing the perpetrator. The US's Center for Disease Control in Atlanta has estimated that around 18.3% of girls and 1.4% of men had suffered rape at some point in their life. the odds are often an understatement thanks to the stigma in reporting against rape cases. The US Department of Justice suggested that of these convicted for rape, 99% are males and 1% are females. except for India we can't get the info as here rape against men can't be committed by legal definition.

According to a survey conducted by the Indian Government in 2007, the reported cases of sexual assault against children, including rape or sodomy varied as- for boys, it was 57.3% and for women , it had been about 42.7%. The Delhi based Centre for Civil Society reported that around 18% of Indian adult men reported that that they had been forced for sex. Among those cases, the feminine perpetrators were 16% and male perpetrators were 2%.

## **Maintenance Of Wife By The Husband**

Section 125 of the Code of Criminal Procedure, 1973 mentions that an individual is meant to take care of his wife, children and his parents who are unable to take care of themselves. albeit the wife earns, that income isn't enough to support her and therefore the husband has got to provide for her needs. Section 37 of the Special Marriage Act provides that the husband has got to maintain his wife from his property after divorce until there's a change in her circumstances like she is remarried or has turned immoral.

Section 18 of the Hindu Adoption and Maintenance Act states that a Hindu wife features a right to be maintained by her husband throughout her lifetime. Section 3 of the Muslim Women( Protection of Rights on Divorce) Act, 1986 states that a divorced Muslim woman is entitled to be maintained by her ex-husband during the amount of iddat.

Section 37 of the Divorce Act, 1869 provides that the husband has got to provide maintenance to his wife throughout her life when a decree of dissolution or decree of legal separation is passed.

These all laws which are mentioned above provide for the upkeep of a wife by her husband but no provisions are there which mention a husband being maintained by his wife. There could also be a situation where the husband also can need maintenance but that criteria isn't provided within the above-discussed provisions. In Family Law, a wife is supported when it involves divorce and maintenance. Section 125 of CrPC provides that if the husband is unable to supply for the upkeep of his wife, a warrant could also be issued against him for recovery. Even when it involves the custody of a toddler , preferably it's the wife who receives it for a minimum of the kid who is below 5 years aged . In adoption cases too, one male isn't allowed to adopt a daughter . These all laws have loopholes which affect the males drastically.

## **Right To Equality Within The Constitution**

The Constitution under Article 15(1) prohibits any discrimination supported sex and under an equivalent , Article 15(3) provides that the state can make special provisions for ladies . Although this special provision was made to guard women as they're seen as being at an obstacle against men but it's in some situations harming the rights of men. there's no wrong in making such laws apart from the scenario where women are using these laws for his or her advantage during a negative manner and harassing their male counterparts.

## **Males Are At A Disadvantageous Position**

There are various laws which put males during a disadvantageous position. they're repeatedly trapped in false cases. the varied legislations made to guard the rights of the ladies are employed by them to harass men and sometimes to satisfy their ego. For them, the authorities are very strict and need to face various atrocities at the hands of the police authorities. Also, most of the crimes against women are cognizable and non-bailable which becomes harder for innocent males. There are various legislations which protect the rights of females but none which support the explanation for men within the society. Most of the cases of divorce go under the violence Act and cruelty under Section 498-A of IPC. repeatedly these cases are just filed to urge money from their partners. And one such false allegation is capable of ruining his career and his reputation within the society. Cases of females marrying multiple times just to urge the property and maintenance from their rich husbands have also been found. There are laws made to guard women from harassment at the workplace but there are not any laws intrinsically which could help males. what's considered is that only women are the victims of harassment and eve-teasing and men can only be perpetrators but not victims which isn't the truth though.

## **Women-Centric Laws And The Way Society Perceives**

### **Them**

Women empowerment has always been favoured by most of the people in our society. during this era , women have an whip hand in women-centric laws. From the time when women were disregarded and thought of weak to the present time when the ladies are respected and every one the ladies aren't that weak, things have changed in society. But the attitude of the society remains an equivalent that if some cases concerning women-centric laws are filed they themselves declare the lads to be perpetrators rather than trying to know the entire scenario. If a woman is raped most are concerned about the girl, her future and provides her sympathy. there's no wrong during this . Of course, if people live together a minimum of they need to try to to this much. But what a few man who was charged with the offence of rape

and is proven innocent. Does society treat him within the same way as they want to do before he was trapped during a false case the solution is not any. albeit they're proved innocent, they're looked down by the people within the society who had already by themselves declared them because the perpetrator who deserves to not accept his head held high. And this example has worsened with the rise within the use of social media platforms which may easily be wont to tarnish someone's reputation.

This is the way society perceives the ladies-centric laws that the women are always the victim and therefore the men are always the perpetrator without understanding truth cause.

## Case Laws And Its Judgments

**DR N.G. DASTANE V S DASTANE**

In this case, the Supreme Court held that although it's supposed that the one who is stronger commits physical cruelty towards the opposite i.e. a husband toward his wife. But women, also as men both, are capable of causing mental cruelty towards their partners.

**RAJESH SHARMA & OTHERS V STATE OF BIHAR**

In this case, the court laid down certain directions to stop the misuse of Section 498-A of IPC. The court gave directions to line up a Family Welfare Committee in each district by District Legal Services Authority and to seem into the cases of violence reported under Section 498-A of IPC for a month before making any arrest. The Committee would comprise para legal volunteers, social workers, retired persons who should tend military training for doing the task.

## **Remedies Suggested**

The legislations which are women-centric in nature and are inflexible should be examined properly to get rid of any loopholes if present in them. There is a requirement to guard women so no harm is there in making women-centric laws but the purpose to be kept in mind is that if any legislation is formed to assist the ladies victims it shouldn't destroy an innocent male's life. The legislation should be made keeping the rights of both males and females in mind. The dowry laws are strictly implemented against the groom's family but still, there are cases associated with an equivalent. The rationale for its existence is that only the people that take dowry are punished and not the bride's family who is giving dowry which is additionally a criminal offense under the Dowry Prohibition Act. Mostly, the people that give dowry are those who invite dowry. So it's necessary that the laws are properly implemented.

## **Conclusion**

Hence Women-centric laws are made to guard women from abuses in society. It had been the necessity once they were implemented and still the necessity exists. But along side it, it's also necessary to ascertain that nobody who is innocent is getting harmed by such laws in any way whatsoever. Also, a tedious job within the hand of the judges to ascertain that the approach of the society that the ladies are those who are always the victims in women-centric laws shouldn't affect them once they are delivering their judgment.