

LEGAL FRAMEWORK FOR GENDER EQUALITY IN MATRIMONIAL OFFENCES AGAINST MEN IN INDIA

QUADRO JURÍDICO PARA A IGUALDADE DE GÊNERO EM CRIMES MATRIMONIAIS CONTRA HOMENS NA ÍNDIA

Article received on: 24/6/2025

Article accepted on: 30/9/2025

Musharefa Ansari*

*School of Law, LFBA, Lovely Professional University, Kapurthala, Punjab, India

Orcid: <https://orcid.org/0009-0002-3247-3999>

aquariusdec.01@gmail.com

Ramesh Kumar**

**Assistant Professor of Law, & Research Coordinator of School, R&D, School of Law, LFBA, Lovely Professional University, Kapurthala, Punjab, India

Orcid: <https://orcid.org/0000-0003-2771-7274>

jmsdrrameshkumar@gmail.com

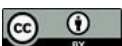
The authors declare that there is no conflict of interest

Abstract

Matrimonial laws in India are primarily focused on women protection as the Domestic Violence Act, 2005 or sections 85-86 of the Bhartiya Nyaya Sanhita, 2023. These laws were initially made to empower and secure the women against cruelty and abuse but are silent about abuse of husbands by their wives or her family in a marriage. With changing times, the dimension of matrimonial offences has changed the abovesaid legal provisions have been used arbitrarily leaving negligible protection to men bound in the holy matrimony. This research is a blend of analytical and empirical study, the analytical part of the paper critically examines and analyze case laws, judicial precedents, government reports and international reports and legal commentaries to understand the reasons behind gender inequality in matrimonial offences against men whereas the empirical part of the paper focuses on psychological abuse of in married men using schedule as the primary tool for the data collection. A sample size of 20 married men across all age groups were randomly selected for the purpose of this study. The results show that 20% men in the study had at some point of time faced fake and false FIR or domestic violence cases by their spouse or the in-laws and 45% men had a positive experience of their married life; 45% men had a negative experience of marriage and 10% men had a neutral approach towards marital life. It is concluded that there is a need to recognize marital abuse in men as a criminal offence by the law along with imposing penal sanctions for lodging fake FIR and domestic

Resumo

As leis matrimoniais na Índia concentram-se principalmente na proteção das mulheres, como a Lei de Violência Doméstica de 2005 ou as seções 85-86 do Bhartiya Nyaya Sanhita de 2023. Essas leis foram inicialmente elaboradas para empoderar e proteger as mulheres contra crueldade e abuso, mas silenciam sobre o abuso de maridos por suas esposas ou familiares durante o casamento. Com a mudança dos tempos, a dimensão dos crimes matrimoniais mudou, e as disposições legais mencionadas têm sido usadas arbitrariamente, deixando a proteção aos homens unidos pelo sagrado matrimônio insignificante. Esta pesquisa é uma mistura de estudo analítico e empírico. A parte analítica do artigo examina e analisa criticamente jurisprudências, precedentes judiciais, relatórios governamentais e internacionais, além de comentários jurídicos para compreender as razões por trás da desigualdade de gênero em crimes matrimoniais contra homens, enquanto a parte empírica do artigo se concentra no abuso psicológico de homens casados, utilizando a agenda como principal ferramenta para a coleta de dados. Uma amostra de 20 homens casados de todas as faixas etárias foi selecionada aleatoriamente para este estudo. Os resultados mostram que 20% dos homens no estudo já enfrentaram, em algum momento, FIR falsos ou casos de violência doméstica cometidos por suas esposas ou sogros, e 45% dos homens tiveram uma experiência positiva com a vida conjugal; 45% dos homens tiveram uma experiência negativa com o



violence. Judicial reforms such as amendments in the existing law, initiating fast-track courts for the trial of marital abuse cases and promotion of alternate dispute resolution should be promoted as an effective redressal mechanism by the state in association with public campaigns must be made.

Keywords: Arbitrary. Matrimonial Offences. Domestic Violence. Men Right. Gender Justice. Law.

casamento e 10% dos homens tiveram uma abordagem neutra em relação à vida conjugal. Conclui-se que há necessidade de reconhecer o abuso conjugal contra homens como crime previsto em lei, juntamente com a imposição de sanções penais para a apresentação de FIR falsos e violência doméstica. Reformas judiciais, como emendas à legislação vigente, a criação de tribunais rápidos para o julgamento de casos de abuso conjugal e a promoção de meios alternativos de resolução de disputas, devem ser promovidas como um mecanismo eficaz de reparação pelo Estado, em associação com campanhas públicas.

Palavras-chave: Arbitragem. Ofensas Matrimoniais. Violência Doméstica. Direitos dos Homens. Justiça de Gênero. Direito.

1 INTRODUCTION

India being a land cultures and traditions considers marriage as a holy union of two people along with their families. With the diversified population, marriage has different dimensions in various faiths. In Hindus, marriage is considered to be a sacrament a union for seven lives. However, Muslims consider it to be of a contractual nature because all the ingredients of a valid contract that is to say, consent, consideration and a soundness of mind with legal age to enter into the marriage are met. In a land of such high thoughts on hope are also social evils such as dowry and domestic violence which prevail and therefore the Constitution has several enactments which empower oppressed victims, basically the “women” from men and their matrimonial family. The reason behind enacting such legislations was to empower the suppressed wives tormented by the matrimonial family and her husband in greed of dowry and abuse of marriage. They primarily speak about protection to women or wives but is silent about protection to the men or husbands bound in matrimony. With changing times, matrimonial offences have increased, with not only just wives being victimized by the husband and the matrimonial family but also vice versa. This is a result of the enactment being and arbitrary use of the legal provisions by wives and her maternal family, Now, men are also victimised by women in matrimony creating a disbalance in gender equality violating Article 14 of the Constitution of India. Furthermore, it erodes the UN SDG targets for creating a balance between the genders in the society for an enhanced delivery of justice. This paper

examines the current legal framework and talks about the scope for improvement in the legal policies to aid gender neutral laws with reference to matrimonial offences.

2 LITERATURE REVIEW

This is used the published studies, newspapers, NCRB data, research papers and other supporting government data from India. Mentioned below is the list of books, journals, reports and online resources used for doctrinal analysis of this: - Bhattacharya (2023) criticizes the dowry prohibition laws, specifically the Domestic Violence Act, 2005 for its pro women approach. It lays those protective laws against domestic violence are provided only for women completely leaving out men from its parlance and proposes a gender-neutral perspective for the same without removing protective laws for women by creating a balance between both the genders taking models from Australia, the UK and Canada. Menon (2022) lays a structural framework acknowledging the misuse of gender specific protective matrimonial laws along with maintaining central focusing upon women's rights. It presents a linking understanding in a theoretical framework between gender, law and social structure. Sinha (2021) analyses matrimonial laws across Hindu, Muslim, Christian and Parsi communities whereby recognizing male victimisation. The author suggests amendments in the existing laws proposing gender neutrality. Patel (2020) uses a direct approach whereby advocating for men's rights. It focuses upon victimisation of men in matrimonial offences and the misuse of protective laws designed for women against dowry and domestic violence. The books compiles case studies and statistics of misuse of aforesaid laws and thus highlights the psychological, economic and social aftermaths on men accused wrongfully implication by women suggesting procedural safeguards for the same. Sharma (2019) speaks about legal remedies available to men laid in both civil and criminal laws in matrimonial disputes highlighting lacunae in the existing laws such as malicious prosecution, defamation and false accusations are discussed in detail. Mishra and Sharma (2025) advocates for a gender-neutral laws in matrimonial offences by suggesting a blueprint for the same. They state amendments in the existing then laws – IPC, and the Domestic Violence Act, 2005, to make it more comprehensible and in accordance with all genders. Singh, Raghav, and Raghav (2025) speak about domestic violence and its impact on the society primarily focusing upon women but indirectly addresses exclusion of men from its parlance. It touches the

unbalance of the existing laws and lays that a contrasting intention of the law is visible which is different from the legislative intention and present need of the changing times. Kaur (2024) addresses domestic violence in matrimonial offences against women along with recognizing male victimisation and lays a women centric approach upholding that women's rights should not be curtailed while reforming the current laws. Awasthi (2022) holds a comparative analysis of the matrimonial laws of Indian laws with the UK, Canada and New Zealand as the latter lay a gender-neutral perspective addressing challenges and pros of adopting a similar model in Indian society. Choudhury (2021) is based on a documentary of interviews with men accused under sec. 498-A of the IPC and focuses upon their aftermath, psychological damage, social stigma, loss of dignity and employment and thus suggests a balanced law for curbing the same. Ghosh (2020) criticizes the Domestic Violence Act, 2005, for its one-sided approach towards women and recommends amendments to make it feasible with the society. Kumar (2023) revolves around the interpretations of judicial decisions in matrimonial offences including the case of *Rajesh Sharma v. State of U.P.* whereby procedural safeguards were laid down by the Apex Court to curb the misuse of sec. 498A. Sharma (2024) suggests reforms in the Domestic Violence Act, 2005, without hindering women of their protective rights. It speaks of strengthening both genders without targeting either or making either of them vulnerable to the crime. Verma (2022) lays those matrimonial disputes should be resolved by alternate dispute resolution such as mediation, conciliation and negotiation rather than criminal proceedings. National Crime Records Bureau (2023) gives statistics on fake FIRs, convictions, acquittals and overall case registrations in matrimonial offences leaving room for procedural reforms. Ministry of Law & Justice (2022), Law Commission of India (2018) and Save Indian Family Foundation (2021) states legislative amendments in the current laws and policy amendments to make it more cohesive with the society. UN Women (2020) speaks of the international standards for drafting a powerful gender-neutral law which shall be beneficial in the reformation of Indian matrimonial laws and shall be more in sync with global human rights standards. Commonwealth Human Rights Initiative (2019) provide an understanding of Commonwealth jurisdictions and trends of gender-neutral criminal laws whereby proposing reformation policies with reference to Indian laws.

3 RESEARCH METHODOLOGY

The current study is mixed research comprising of doctrinal and empirical data. The doctrinal part of the study contains secondary data from newspapers, NCRB data, research papers and articles etc. and the empirical data contains data collected from survey through semi-structured interview method. The subject of the study is married male consisting of a sample size of 20 respondents selected randomly.

4 STATEMENT OF PROBLEM

This paper is inspired from the reported domestic abuse cases in males has gradually been increasing to the extent that recently highlighted cases are extremely severe where few male victims have committed suicide due to domestic violence from their spouse or in-laws.

5 PURPOSE OF STUDY

The purpose of this study is to find reasons for marital abuse in men. Marital abuse in men is often under reported and unrecognized but it exists hence this paper is a way of giving it recognition and placing the problem on the table.

6 SIGNIFICANCE OF STUDY

This study aims to point out the lacunae in protective marital laws for women which have been rapidly misused by women against men in either extorting money or arbitrarily faking FIR. Such an act is not incriminated and thus requires immediate attention to maintain the balance of the society.

7 RESEARCH GAP

The protective laws made for women against domestic violence in cases of protection against marital abuse have been massively abused by women against men such as lodging fake or false FIRs against the husband and extorting money to get divorced.

Marital abuse by women against men in a marriage is no new news but it is under reported. Reason being, the law does not recognize such a marital abuse by women against men.

8 RESEARCH OBJECTIVES

To analyse the marital abuse by women against men in India.

Hypothesis

The existing legal framework governing matrimonial offences in India is predominantly gender-specific and does not provide adequate legal protection to men, thereby creating a gap in achieving substantive gender equality before the law.

9 RESEARCH QUESTION

How are men protected legally in matrimonial offences?

10 MATRIMONIAL LAWS IN INDIA

Protection of Women from Domestic Violence Act, 2005 (PWDVA). The Act primarily strengthens the women due to a lot of domestic violence and dowry related cases in India. India which started of marriage to be a sacrament turned up in to greed for money and ended up with marriage being just a business deal. As a result, an Act has to be legislated to safeguard wives from marital abuse. This legislation is mum about safety of husbands from the domestic violence caused by wives and her family not recognizing men to be a victim of matrimonial offence. Provisions against cruelty- Earlier recognized as Section 498-A of the Indian Penal Code, 1860 which is now section 85-86 of the Bhartiya Nyaya Sanhita, 2023 criminalizes cruelty by husband and his family caused to the wife for abuse and includes demand for dowry but yet again is silent when it comes to abuse of husbands. Marital remedies-Marital remedies in India include provisions for divorce and maintenance for wives from husbands under the Cr.Pc., 1973 or BNSS, 2023 This law favours only women and there is no vice versa provision in the favour of men.

11 ONE SIDED PERCEPTION IN MATRIMONIAL OFFENCES

It is a preconceived mindset of the Indian society where men are prima facie considered as violent towards women in matrimonial offences. This tendency of tagging men as the perpetrators lays burden of proof of innocence on men to prove that they can also be victimised by women. Some of the instances are: - Fake FIR and abuse of law. Psychological and emotional abuses.

12 SILENCE OF LAW IN RECOGNIZING MALE AS VICTIMS OF MATRIMONIAL OFFENCES

One of the major reasons for marginalisation of male abuse is lack of confidence to face the society. This is due to male psychology and the social mindset due to patriarchal system where men are considered as the protector of women. This has resulted in lack of reporting of such cases ending up in creating a gap leading to systemic disbalance and inequality.

13 GENDER NEUTRAL LAWS IN ACCORDANCE WITH SDGs

In order to achieve a gender-neutral legal framework in matrimonial offences, the Indian legislation needs to align with the SDG targets laid down by the UN. SDG 5- Gender equality: lays an equal legal framework for both men and women and aims to eradicate any laws oppressing or discriminating the rights of either gender. Aiming to frame gender neutral laws would help curb this deficiency of legal provisions in matrimonial offences. SDG 16- Justice and strong institutions- SDG 16 speaks about ease of access to everyone devoid of gender and a powerful legal system. Post recognition of matrimonial offences against husbands this would enable efficient justice delivery.

14 DATA ANALYSIS

The survey was done on twenty married males. It is a mixed study which included men from all age groups and the sample was selected randomly using schedules to collect data by the researcher in order to get a specificity of prominence of marital abuse.

1. Rate between 1-5: [Where 1 is min. meaning no disputes - 5 is max.]
 - A. The frequency of disputes between you and your spouse.

Graphic 1

Analysis of Question 1.A

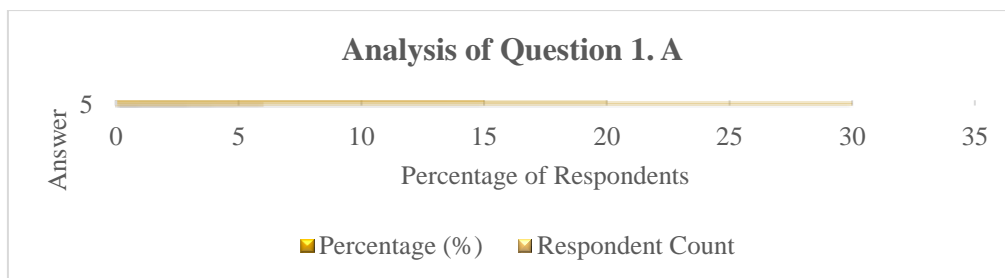


Table 1

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	6	30.0
2	1	5.0
3	6	30.0
4	4	20.0
5	3	15.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 6 people answered option no. 1 weighing 30% of the population, 1 person answered option no. 2 i.e., 5% of the population, 6 people chose option no. 3 weighing 30% population, whereas 4 people selected option no. 4 amounting to 20% of the population, followed by 3 people selecting option no. 5 weighing 15% of the population as their answers.

- B. Frequency of compromise.

Graphic 2

Analysis of Question 1.B

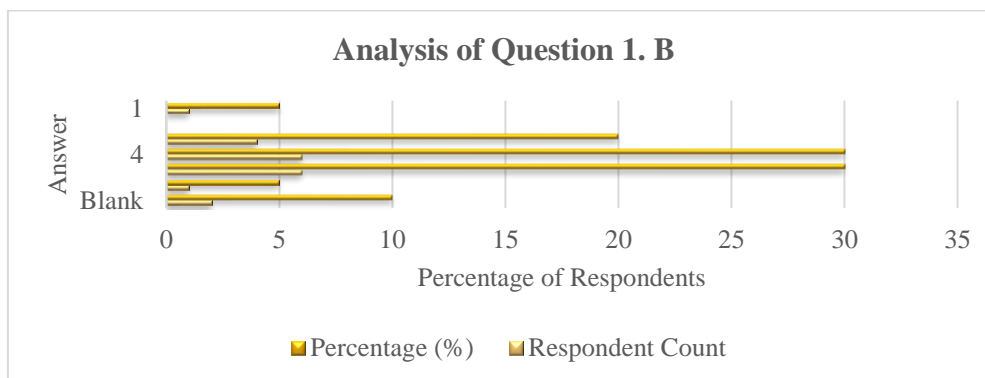


Table 2

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	1	5.0
2	0	0.0
3	4	20.0
4	6	30.0
5	6	30.0
2.5	1	5.0
Blank	2	10.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 1 person answered option no. 1 weighing 5% of the population, 0 person answered option no. 2 i.e., 0% of the population, 4 people chose option no. 3 weighing 20% population, whereas 6 people selected option no. 4 amounting to 30% of the population, followed by 6 people selecting option no. 5 weighing 30% of the population as their answers. Additionally, 1 person chose 2.5 as the rating which amounts to 5% of the population and 2 people chose to leave blank or mark 0 as their rating amounting to 10% of the population percentage.

C. How do you feel after a fight?

Graphic 3

Analysis of Question 1.C

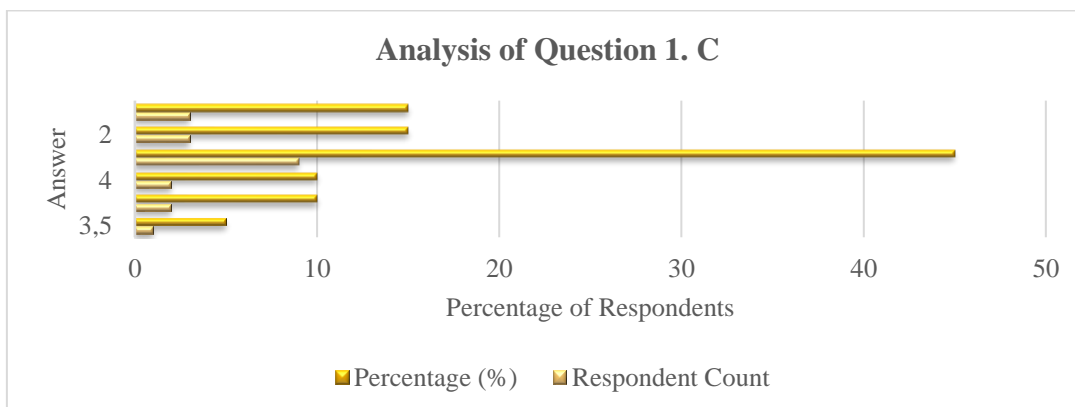


Table 3

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	3	15.0
2	3	15.0
3	9	45.0
4	2	10.0
5	2	10.0
3.5	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 3 people answered option no. 1 weighing 15% of the population, 3 people answered option no. 2 i.e., 15% of the population, 9 people chose option no. 3 weighing 45% population, whereas 2 people selected option no. 4 amounting to 10% of the population, followed by 2 people selecting option no. 5 weighing 10% of the population as their answers. Additionally, 1 person chose 3.5 as the rating weighing 5% of the population percentage.

Accessibility to patch-up. [where 1 is very easy and 5 is very difficult]

Table 4

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	4	20.0
2	2	10.0
3	5	25.0
4	5	25.0
5	2	10.0
3.5	1	5.0
0	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 4 people answered option no. 1 weighing 20% of the population, 2 people answered option no. 2 i.e., 10% of the population, 5 people chose option no. 3 weighing 25% population, whereas 5 people selected option no. 4 amounting to 25% of the population, followed by 2 people selecting option no. 5 weighing 10% of the population as their answers. Additionally, 1 person chose 3.5 rating weighing 5% of the population and 1 person gave 0 rating amounting to 5% of the population.

D. How would you rate your say in marriage? [where is no say and 5 is absolute say

Graphic 4

Analysis of Question 1.D

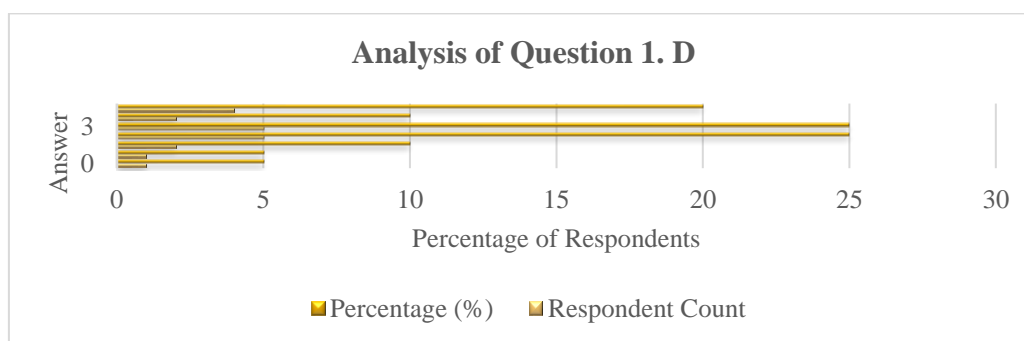


Table 4

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	4	20.0
2	0	0.0
3	5	25.0
4	0	0.0
5	10	50.0
3.5	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 4 people answered option no. 1 weighing 20% of the population, 0 person answered option no. 2 i.e., 0% of the population, 5 people chose option no. 3 weighing 25% population, whereas 0 person selected option no. 4 amounting to 0% of the population, followed by 10 people selecting option no. 5 weighing 50% of the population as their answers. Additionally, 1 person rated 3.5 weighing 5% of the total population.

E. Who influences the marriage – you or her?

Graphic 5

Analysis of Question 1.E

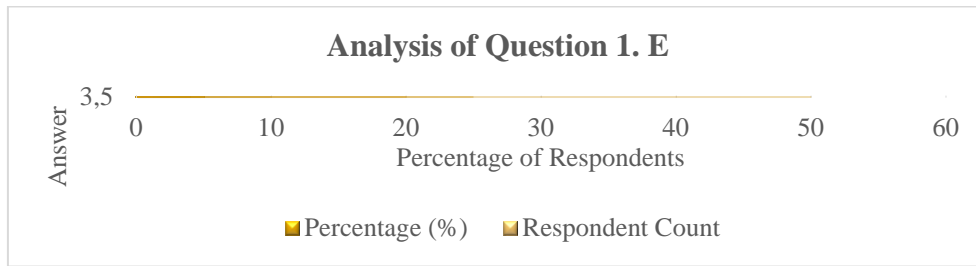


Table 5

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	1	5.0
2	2	10.0
3	7	35.0
4	3	15.0
5	7	35.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 1 person answered option no. 1 weighing 5% of the population, 2 people answered option no. 2 i.e., 10% of the population, 7 people chose option no. 3 weighing 35% population, whereas 3 people selected option no. 4 amounting to 15% of the population, followed by 7 people selecting option no. 5 weighing 35% of the population as their answers.

F. Rate satisfaction from marriage.

Graphic 6

Analysis of Question 1.F

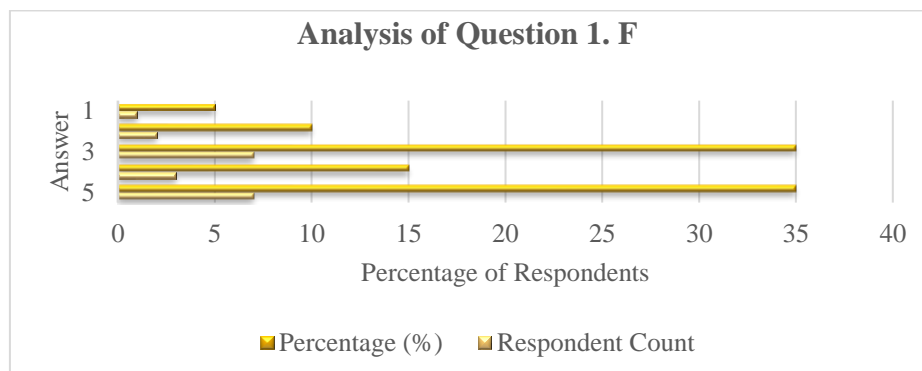


Table 6

The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	2	10.0
2	1	5.0
3	6	30.0
4	2	10.0
5	6	30.0
2.5	2	10.0
4.5	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 2 people answered option no. 1 weighing 10% of the population, 1 person answered option no. 2 i.e., 5% of the population, 6 people chose option no. 3 weighing 30% population, whereas 2 people selected option no. 4 amounting to 10% of the population, followed by 6 people selecting option no. 5 weighing 30% of the population as their answers. Additionally, 2 people rated 2.5 weighing 10% of the total population and 1 person chose 4.5 as an answer weighing 5% of the total population.

G. Has compatibility increased over the years in your marriage?

Graphic 7

Analysis of Question 1.G

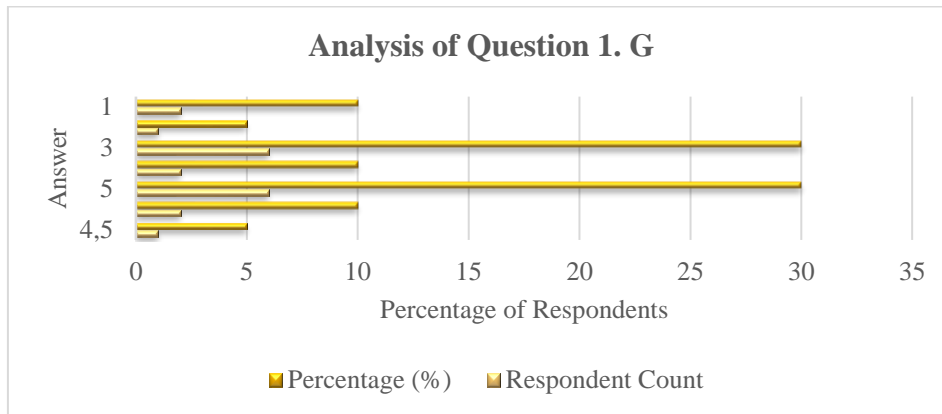


Table 7

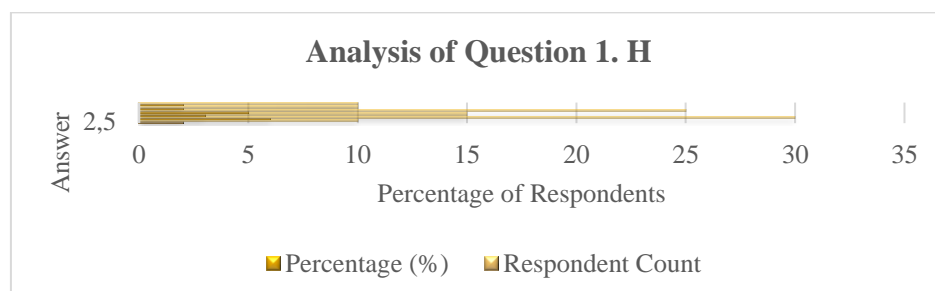
The following is the bifurcation of the response obtained by the respondents: -

Selected option number	Respondent Count	Percentage (%)
1	2	10.0
2	2	10.0
3	5	25.0
4	3	15.0
5	6	30.0
2.5	2	10.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 2 people answered option no. 1 weighing 10% of the population, 2 people answered option no. 2 i.e., 10% of the population, 5 people chose option no. 3 weighing 25% population, whereas 3 people selected option no. 4 amounting to 15% of the population, followed by 6 people selecting option no. 5 weighing 30% of the population as their answers. Additionally, 2 people rated 2.5 weighing 10% of the total population.

Graphic 8

Analysis of Question 1.H



2. Select the extent of fight from the below: A. No communication B. Sleep in separate rooms C. Does not cook or attend to chores D. Leaves house E. Involves neighbors/ in-laws/ your parents in fight F. Takes away kids (if any) with her

Graphic 9

Analysis of Question 2

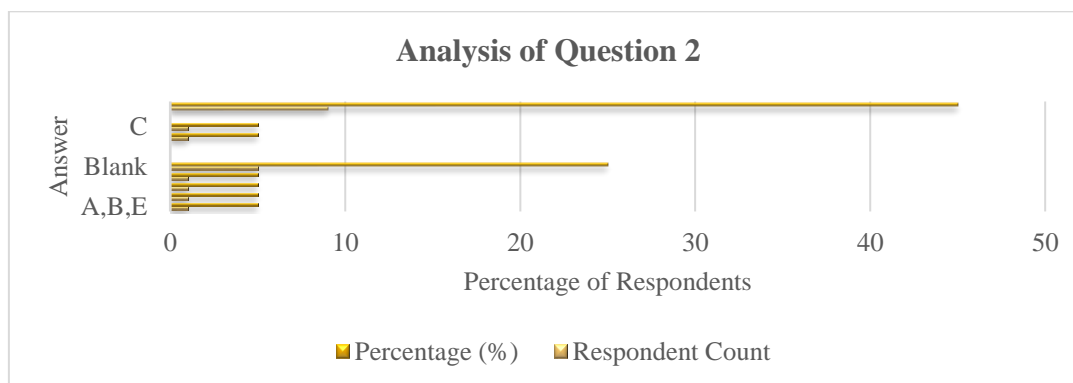


Table 8

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
A	9	45.0
B	0	0.0
C	1	5.0
D	1	5.0
E	0	0.0
F	0	0.0
Blank	5	25.0
A,B,C	1	5.0
A,E	1	5.0
D,F	1	5.0
A,B,E	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 9 people answered option no. A weighing 45% of the population, 0 person answered option no. B i.e., 0% of the population, 1 person chose option no. C weighing 5% population, whereas 1 person selected option no. D amounting to 5% of the population, followed by 0 people selecting option no. E & F weighing 0% of the population as their answers. Additionally, 5 people left blank or chose not to select any option weighing 25% of the population. 1 person chose A, B, C weighing 5% of the population, 1 person marked A, E amounting 5% of the population, 1 person marked D,

F amounting 5% of the population and 1 person marked A, B, E amounting 5% of the population.

2. Select the appropriate in a fight between you and your spouse: A. Physical abuse B. Verbal abuse C. Sabotage D. Financial abuse E. Silent treatment [no communication] F. Emotional abuse [emotional blackmail etc.] G. Psychological abuse [use of coercion/ direct blackmail etc.]

Graphic 10

Analysis of Question 3

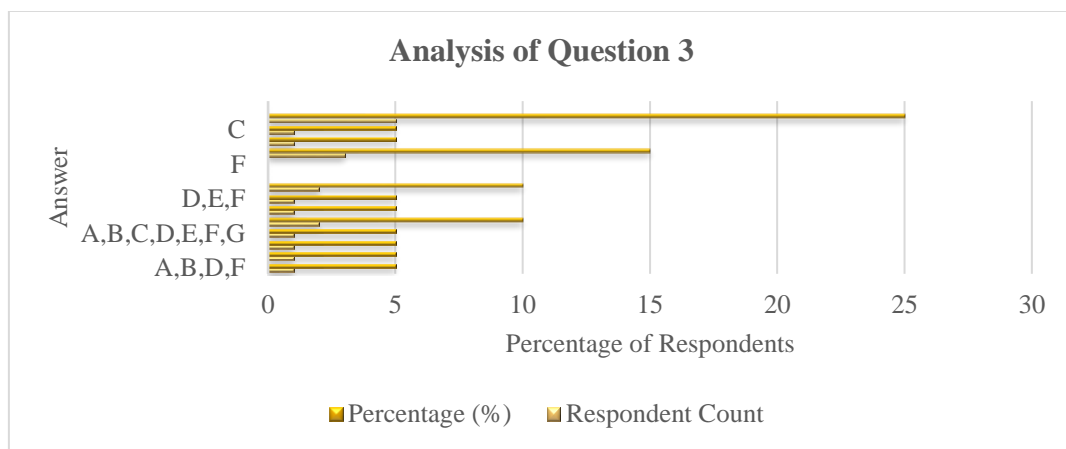


Table 9

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
A	0	0.0
B	5	25.0
C	1	5.0
D	1	5.0
E	3	15.0
F	0	0.0
G	0	0.0
Blank	2	10.0
D, E, F	1	5.0
B, C, D, E, F, G	1	5.0
B, E	2	10.0
A, B, C, D, E, F, G	1	5.0
E, F	1	5.0
B, F	1	5.0
A, B, D, F	1	5.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 0 person answered option no. A weighing 0% of the population, 5 people answered option no. B i.e., 25% of the population, 1 person chose option no. C weighing 5% population, whereas 1 person selected option no. D amounting to 5% of the

population, 3 people selected option no. E weighing 15% of the population as their answers followed by 0 person selecting option no. F & G weighing 0% of the population as their answers. Additionally, 2 people left blank or chose not to select any option weighing 10% of the population. 1 person chose D, E, F weighing 5% of the population, 1 person marked B, C, D, E, F, G amounting 5% of the population, 2 people marked B, E amounting 10% of the population, 1 person marked A, B, C, D, E, F, G amounting 5% of the population, 1 person marked E, F amounting 5% of the population, 1 person marked B, F, amounting 5% of the population and 1 person marked A, B, D, F amounting 5% of the population.

3. Select the appropriate option for compromise intervention: A. Friends B. Family C. Neighbors D. In-laws E. Siblings F. Self

Graphic 11

Analysis of Question 4

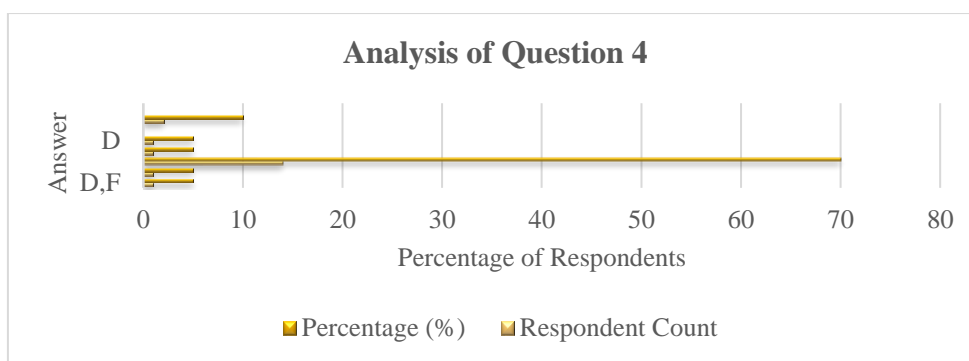


Table 10

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
A	0	0.0
B	2	10.0
C	0	0.0
D	1	5.0
E	1	5.0
F	14	70.0
B, F	1	5.0
D, F	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 0 person answered option no. A weighing 0% of the population, 2 people answered option no. B i.e., 10% of the population, 0 person chose option no. C

weighing 0% population, whereas 1 person selected option no. D amounting to 5% of the population, 1 person selected option no. E weighing 5% of the population as their answers followed by 14 people selecting option no. F weighing 70% of the population as their answers. Additionally, 1 person chose B, F weighing 5% of the population and 1 person marked D, F amounting 5% of the population.

4. How much time does it take for the patch up? A. Same day B. Next day C. A week D. A month E. Longer than all of the above

Graphic 12

Analysis of Question 5

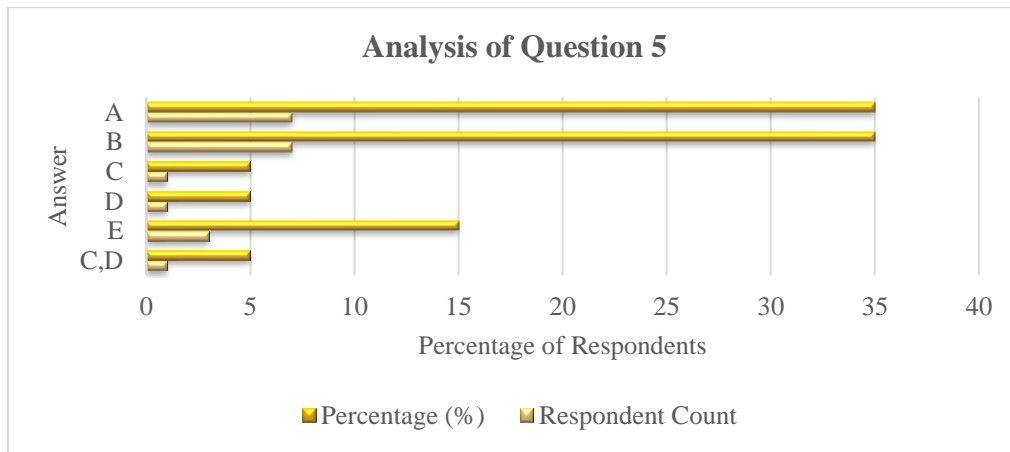


Table 11

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
A	7	35.0
B	7	35.0
C	1	5.0
D	1	5.0
E	3	15.0
C, D	1	5.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 7 people answered option no. A weighing 35% of the population, 7 people answered option no. B i.e., 35% of the population, 1 person chose option no. C weighing 5% population, whereas 1 person selected option no. D amounting to 5% of the population, 3 people selected option no. E weighing 15% of the population as their answers followed by 1 person selecting option no. C, D weighing 5% of the population as their answers.

5. Select the influence of others in your marriage/ marital disputes: A. Family B. Friends C. In-laws D. Siblings E. Misunderstandings F. Kids

Graphic 13

Analysis of Question 6

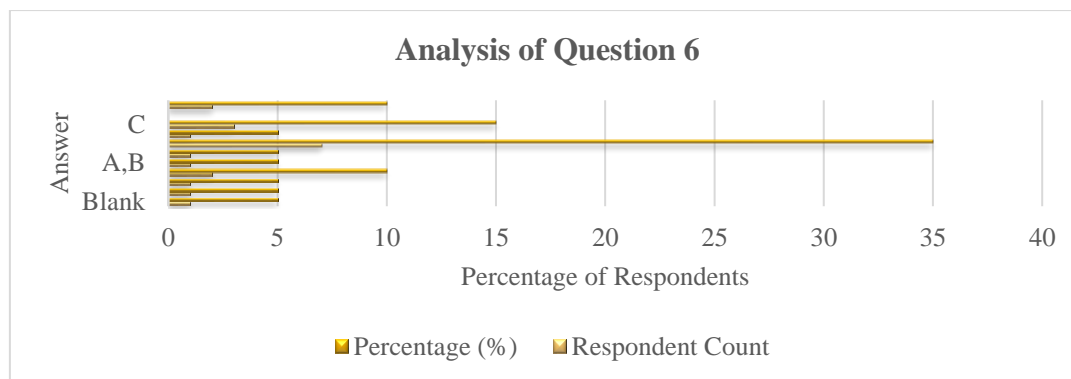


Table 12

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
A	2	10.0
B	0	0.0
C	3	15.0
D	1	5.0
E	7	35.0
F	1	5.0
A, B	1	5.0
A, E	2	10.0
C, F	1	5.0
D, E	1	5.0
Blank	1	5.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 2 people answered option no. A weighing 10% of the population, 0 person answered option no. B i.e., 0% of the population, 3 people chose option no. C weighing 15% population, whereas 1 person selected option no. D amounting to 5% of the population, 7 people selected option no. E weighing 35% of the population as their answers followed by 1 person selecting option no. F weighing 5% of the population as their answers. Additionally, 1 person chose A, B weighing 5% of the population, 2 people marked A, E amounting 10% of the population, 1 person chose C, F weighing 5% of the population, 1 person marked D, E amounting 5% of the population and 1 person left blank or chose not to select any option weighing 5% of the population.

6. Who initiates fights first? A. Him B. Her C. Both

Graphic 14

Analysis of Question 7

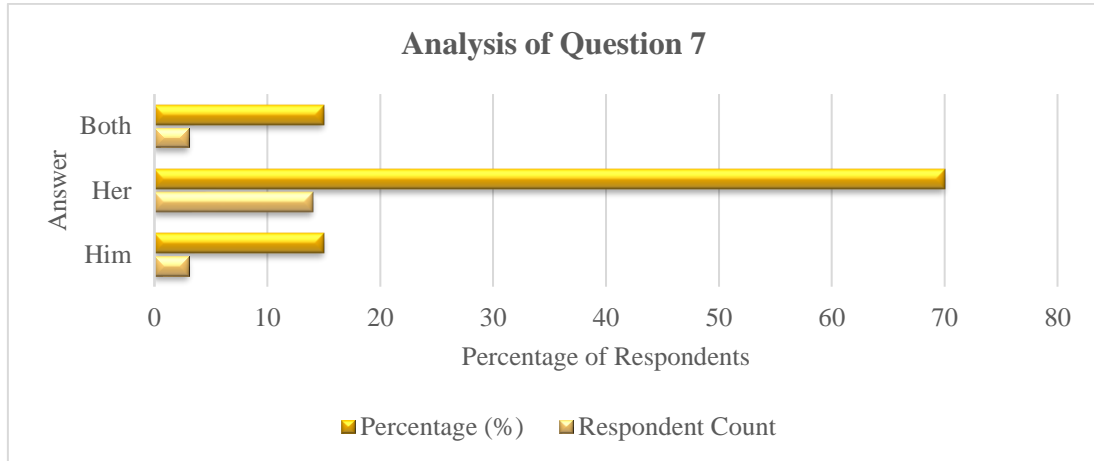


Table 13

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
Him	3	15.0
Her	14	70.0
Both	3	15.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 3 people answered, “Him” weighing 15% of the population, 14 people answered, “Her” i.e., 70% of the population and 3 people chose answer, “Both” weighing 15% of the population.

7. Have you ever faced legal hassles due to domestic violence [fake FIR/case]? If yes, when? A. Yes B. No

Graphic 15

Analysis of Question 8

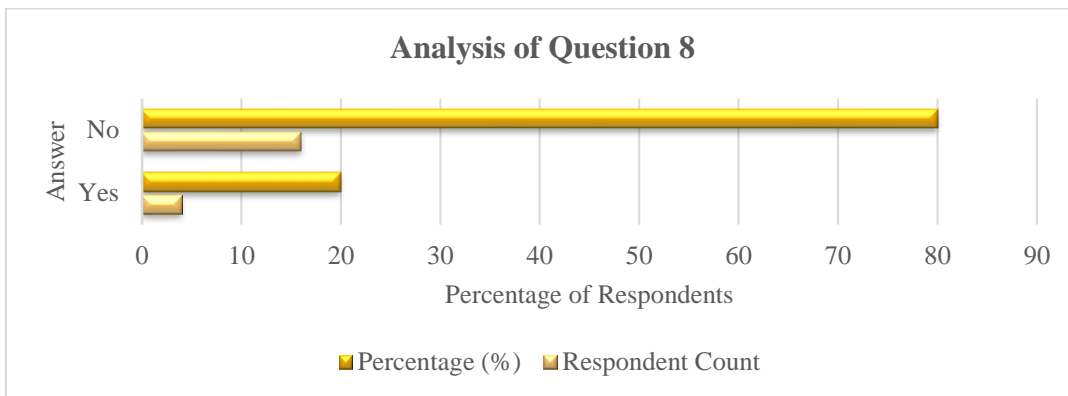


Table 14

The following is the bifurcation of the response obtained by the respondents: -

Selected option	Respondent Count	Percentage (%)
Yes	4	20.0
No	16	80.0

As mentioned above, a brief analysis of total 20 respondents’ responses were obtained out of which 4 people answered “Yes” weighing 20% of the population and 16 people answered, “No” i.e., 80% of the population.

- 8. Describe your opinions and experience derived from your marriage. A. Positive experience B. Negative experience C. Neutral experience

Graphic 16

Analysis of Question 9

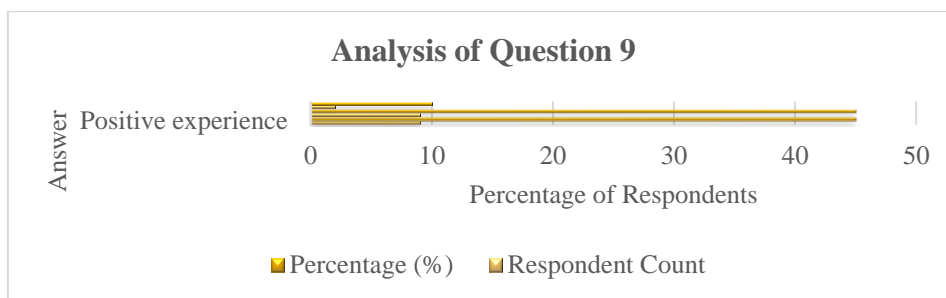


Table 15

Q.9 The following is the bifurcation of the response obtained by the respondents:

Answer	Respondent Count	Percentage (%)
Positive experience	9	45.0
Negative experience	9	45.0
Neutral	2	10.0

As mentioned above, a brief analysis of total 20 respondents' responses were obtained out of which 9 people had positive experience from their marriage weighing 45% of the population, 9 people had a negative experience from their marriage i.e., 45% of the population and 2 people had a neutral experience from their marriage weighing 10% of the population.

15 CONCLUSION, FINDINGS AND SUGGESTIONS

In a nut shell, it is concluded that there is a need for recognition of matrimonial offences against husbands under the Protection of Women from Domestic Violence Act, 2005. With changing times, it is crucial that imposition of penal sanctions for imposing fake cruelty cases under sections 498A or 85-86 of the BNS is made along with amendments to the current provisions and inclusion of remedial measures. It is also not justified to address the violence in matrimonial offences against men in a statute and imposing penal sanctions for abusing protective laws against men falsely. In addition to the previously said things, reforms in current judicial system by establishment of fast-track courts for expeditious resolution and disposal of matrimonial disputes and promoting the alternate dispute resolution for matrimonial disputes is highly advised. And lastly, social awareness through campaigns and enabling police and judicial officers to handle male victims with sensitivity and no bias is also the need of hour.

REFERENCES

Awasthi, S. (2022). Gender-neutral laws in matrimonial disputes: Comparative perspectives from common law jurisdictions. *Indian Journal of Law and Policy*, 14(2), 87–102.

Article 14, Constitution of India, 1950.

Ally Abubakar, Tariq, et al, (2024). Implementation of Women's Human Rights in Dar Es Salaam with Special Reference to Domestic Violence: A Critical Appraisal.

Revista de Gestao Social e Ambiental. 18 (5), 1-14. doi:
<https://doi.org/10.24857/rgsa.v18n5-038>.

- Bhattacharya, R. (2023). Gender neutrality in Indian criminal law: Revisiting matrimonial offences. Eastern Book Company.
- Choudhury, R. (2021). False allegations in matrimonial offences: Psychological and social consequences for men. *International Journal of Family Studies*, 9(1), 44–59.
- Commonwealth Human Rights Initiative. (2019). Gender and criminal law: A policy review. <https://humanrightsinitiative.org>.
- Ghosh, P. (2020). Domestic violence laws and the invisibility of male victims in India. *Indian Journal of Criminology*, 48(3), 211–226.
- Gupta, R. K. (n.d.). Legal Terrorism in Matrimonial Disputes: A Study of False Allegations and Judicial Delays. Journal name and volume/issue not specified in the original prompt.
- Kaur, R. (2024). A pace of matrimonial crime against women in 21st century. *International Journal of Law, Management & Humanities*, 28(2), 455–472. https://heinonline.org/holcgibin/get_pdf.cgi?handle=hein.journals/ijlmhs28§ion=233
- Kumar, Ramesh, et al, (2024). Human Rights for LGBTQIA+ as an Essence of Global Dimensions in the Gravity of Time: A Critical Appraisal. *Pakistan Journal of Life and Social Sciences*. 22 (2), 4461-4481. doi: <https://doi.org/10.57239/PJLSS-2024-22.2.00333>.
- Kumar, A. (2023). Judicial approaches to gender neutrality in matrimonial offences: An analysis of landmark cases. *Journal of Indian Legal Studies*, 5(1), 12–28.
- Law Commission of India. (2018). Consultation paper on reform of family laws. Government of India. <https://lawcommissionofindia.nic.in>.
- Menon, N. (2022). Gender and law in India. Sage Publications.
- Ministry of Law & Justice. (2022). Report on reforming matrimonial offence laws towards gender neutrality. Government of India. <https://legalaffairs.gov.in>
- Mishra, A., & Sharma, M. (2025). Gender neutrality: Needs & practical enforcement. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.5180698>.
- National Crime Records Bureau. (2023). Crime in India: Statistics on matrimonial offences. NCRB. <https://ncrb.gov.in>.
- Patel, K. (2020). Men’s rights and matrimonial disputes in India. Himalaya Publishing House.

Protection of Women from Domestic Violence Act, 2005, No. 43 of 2005, India Code (2006).

Save Indian Family Foundation. (2021). White paper on misuse of gender-biased matrimonial laws in India. <https://saveindianfamily.org>.

The Bhartiya Nyaya Sanhita, 2023

Sharma, A. (2019). The legal position of men in matrimonial disputes. Universal Law Publishing.

Sharma, V. (2024). Revisiting the Domestic Violence Act: Towards inclusivity and equality. *Journal of Gender and Law*, 16(4), 231–248.

Singh, B., Raghav, A., & Raghav, R. (2025). Socio-legal impact of domestic violence against women in India. *Journal of Family & Adoption Law*, 13(1), 65–82. <https://lawjournals.celnet.in/index.php/jfal/article/view/1737>.

Sinha, P. (2021). Family law in India: Contemporary issues and challenges. LexisNexis.
UN Women. (2020). Handbook on gender-responsive legislation. UN Women. <https://unwomen.org>.

Verma, P. (2022). Alternatives to criminalization in matrimonial disputes: Mediation and restorative justice. *Law & Society Review India*, 6(3), 97–112.

Supreme Court of India. (2010). Preeti Gupta v. State of Jharkhand, (2010) 7 SCC 667.

Supreme Court of India. (2017). Rajesh Sharma v. State of Uttar Pradesh, (2017) 10 SCC 703.

Supreme Court of India. (2014). Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273.

Authors' Contribution

Both authors contributed equally to the development of this article.

Data availability

All datasets relevant to this study's findings are fully available within the article.

How to cite this article (APA):

Ansari, M., & Kumar, R. LEGAL FRAMEWORK FOR GENDER EQUALITY IN MATRIMONIAL OFFENCES AGAINST MEN IN INDIA. *Veredas Do Direito*, e223282. <https://doi.org/10.18623/rvd.v22.n2.3282>