

# Critical Evaluation of Section 498-A. Indian Penal Code in the Light of Recent Guidelines given by the Supreme Court

**Rudra Rajesh Tibhe**

LLM 2nd Semester

School of Law, Sandip University, Nashik, India

rudratibhe2000@gmail.com

**Abstract:** India is a country where customs and traditions have played an important and crucial role in society. Marriage is one of the divine social institution in society but in last few decades it has undergone monumental changes. Dowry was one of the practices prevailing in Indian Society which was earlier treated as blessing. However it took monstrous form and became a curse for the society and as a result women fell prey to the darkest side of it. Gradually, it became a reason for the harassment and cruelty to women. Endeavour should always be made to sustain the sanctity of marriage as a divine institution, but what has been widely recognized is the violence against women as one of the most pervasive forms of human rights abuse. Therefore, for the protection of women, Section 498A was brought under Indian Penal Code, 1860 by the Act 46 of 1983. However in recent years, it has been observed that women misuse Section 498A of Indian Penal Code for their own personal benefits. This Section has created snag in current state of affairs for men as they are being discriminated. There is a desire of amendment in Section 498A of IPC and a need for bringing up some changes in society so as to remove the curse of misusing the legal provision against men. In many instances, due to the harassment by wives to approach the Police or Court for no reason, men have committed suicide. This research paper tries to analyze the concept of the cruelty against women and also tries to make it evident that there is a misuse of Section 498A of Indian Penal Code, 1860.

**Keywords:** Section 498A, Indian Penal Code, Cruelty, Misuse

## REFERENCES

- [1]. The Code of Criminal Procedure, 1973.
- [2]. The Indian Penal Code, 1860.
- [3]. The Indian Evidence Act, 1872.
- [4]. The Dowry Prohibition Act, 1961.
- [5]. R.Ranchoddas&D K. Thakore, (2014) Indian penal code, Published by LexisNexis, Edition 34th,
- [6]. K.D.Gaur, (2009) Textbook on the Indian penal code, Published by Universal Law Publishing Co. Edition 4th
- [7]. Section 498A, Dowry: Most FIRs, Least Convictions. | Legal Desire. December 6, 2017. <http://legaldesire.com/section-498a-dowry-firs-least-convictions/>.
- [8]. Sec 498A of the Indian Penal Code a Weapon in the Hands of Vamps. | Lawyersclubindia. January 03, 2009, <http://www.lawyersclubindia.com/articles/Sec-498A-of-the-Indian-Penal-Code-a-weapon-in-the-hands-of-vamps585.asp>.
- [9]. Indian kanoon, <https://indiankanoon.org/>.
- [10]. National Crime Records Bureau(NCRB), <http://ncrb.gov.in/>.