

Presumption as to Dowry Death and Abetment of Suicide: An Analytical Study Based on the Bhartiya Sakshya Adhiniyam, 2023

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Abstract: *This research paper provides a comprehensive and in-depth examination of the legal provisions relating to the presumption of dowry death and abetment of suicide under the Bhartiya Sakshya Adhiniyam, 2023. The study explores the historical evolution of dowry practices in India, the development of evidentiary laws, and the need for statutory presumptions in cases where direct evidence is difficult to obtain. It also critically evaluates judicial interpretations, evidentiary challenges, procedural aspects, and constitutional implications. Furthermore, the paper highlights socio-cultural, psychological, and institutional dimensions of dowry-related crimes, while suggesting reforms aimed at strengthening the legal framework and ensuring justice for victims.*

This paper examines the legal provisions concerning presumption as to dowry death and abetment of suicide under the Bhartiya Sakshya Adhiniyam, 2023. It discusses the historical context, legal framework, and recent amendments, while analyzing relevant case laws and judicial interpretations. The need for a comprehensive understanding of these provisions is crucial for both legal practitioners and society at large, particularly in the context of dowry-related violence and suicides in India..

Keywords: *Bhartiya Sakshya Adhiniyam*

1. INTRODUCTION

Dowry-related violence continues to be one of the most serious social and legal challenges in India. Despite the existence of several laws aimed at preventing dowry practices, incidents of cruelty, harassment, and unnatural deaths of married women remain widespread. These crimes often occur within the privacy of the household, making it extremely difficult to collect direct evidence and secure convictions.

The Bhartiya Sakshya Adhiniyam, 2023 represents a significant reform in the law of evidence by introducing clearer and more structured presumptions in cases of dowry death and abetment of suicide. The concept of presumption plays a crucial role in addressing evidentiary gaps and ensuring that justice is not denied due to lack of direct proof.

This paper aims to analyze the scope and application of these presumptions, examine their impact on the criminal justice system, and evaluate their effectiveness in protecting victims while maintaining fairness for the accused.

The phenomenon of dowry deaths and the abetment of suicides, particularly in the context of marital disputes, has been a persistent issue in Indian society. The introduction of the Bhartiya Sakshya Adhiniyam, 2023 represents a significant step towards addressing these issues through legislative reform. This paper aims to provide a detailed analysis of the presumption of dowry death and abetment of suicide, exploring the implications of these legal provisions on victims and their families.

Historical Background of Dowry System

The dowry system has deep historical roots in Indian society. In its original form, dowry was considered a voluntary gift given by the bride's family to support her financial independence after marriage. It was seen as a form of inheritance and security for women in a patriarchal society where property rights were limited.



However, over time, this practice gradually transformed into a mandatory and often coercive demand made by the groom's family. Economic pressures, social expectations, and the desire for status led to the commercialization of marriage. Dowry demands began to include cash, property, vehicles, and expensive goods, placing a heavy burden on the bride's family.

The failure to meet these demands often resulted in harassment, abuse, and even death. This transformation turned dowry into a serious social evil, necessitating strong legal intervention.

The practice of dowry has deep roots in Indian culture, often leading to severe consequences, including violence and death. Despite various legislative efforts to curb dowry-related crimes, such as the Dowry Prohibition Act, 1961, the issue continues to plague society. The introduction of the Bhatiya Sakshya Adhiniyam, 2023 seeks to strengthen the legal framework surrounding these matters by providing clearer guidelines and presumptions regarding dowry deaths.

The dowry system has deep historical roots in Indian society and has undergone significant transformation over time. In its earliest form, dowry was not viewed as a social evil but rather as a voluntary and affectionate practice. It was given by the bride's family in the form of gifts, jewelry, household items, or property to ensure her financial security and well-being after marriage. In a society where women had limited rights to inheritance and property ownership, dowry functioned as a form of economic support and a means to provide the bride with some degree of independence in her marital home. It was also seen as a gesture of goodwill and a way to strengthen familial bonds between the two families.

However, as social structures evolved, this voluntary practice gradually lost its original intent and became increasingly commercialized. The rise of materialism, coupled with societal pressure to maintain status and prestige, transformed dowry into a compulsory demand. Families of grooms began to expect substantial payments in the form of cash, land, vehicles, and luxury goods as a precondition for marriage. This shift was further reinforced by patriarchal norms that placed women in a subordinate position, making them vulnerable to exploitation. Marriage, which was once considered a sacred and social institution, began to resemble a transactional arrangement driven by financial considerations.

The consequences of this transformation have been severe and far-reaching. In many cases, the inability of the bride's family to meet escalating dowry demands results in continuous harassment, emotional abuse, and physical violence against the woman. Such cruelty often persists even after marriage, with repeated demands for additional dowry. In extreme situations, this abuse leads to tragic outcomes such as suicide or murder, commonly referred to as dowry deaths. These incidents not only reflect individual suffering but also highlight the systemic failure to protect women from domestic violence and exploitation.

Despite the enactment of several legislative measures aimed at curbing this practice, the problem continues to persist in various forms. Laws such as the Dowry Prohibition Act, 1961 were introduced to criminalize the giving and taking of dowry, but their effectiveness has been limited due to weak enforcement, lack of awareness, and deep-rooted cultural acceptance of the practice. Social stigma, fear of retaliation, and economic dependency further discourage victims and their families from seeking legal remedies.

In this context, the introduction of the Bhatiya Sakshya Adhiniyam, 2023 represents a significant advancement in addressing dowry-related offences. By incorporating specific presumptions relating to dowry death and abetment of suicide, the Act strengthens the evidentiary framework and helps overcome the challenges associated with proving such crimes. It acknowledges the unique nature of domestic violence cases, where evidence is often concealed, and provides courts with the authority to draw reasonable inferences based on established facts. This shift not only enhances the effectiveness of prosecution but also serves as a deterrent against dowry-related violence.

At the same time, it is important to recognize that legal reforms alone cannot eradicate the dowry system. The practice is deeply embedded in social attitudes, cultural traditions, and economic structures. Therefore, a comprehensive approach is required—one that combines strict legal enforcement with education, awareness, and social change.

Empowering women through education and economic independence, promoting gender equality, and encouraging community participation are essential steps toward eliminating this deeply entrenched social evil.



Evolution of Evidentiary Law in India

The Indian Evidence Act, 1872 laid down the foundational principles governing admissibility of evidence and burden of proof in courts. While it served as a robust legal framework for many years, it did not adequately address crimes occurring within domestic settings, where evidence is often concealed or unavailable.

Recognizing these limitations, the Bhartiya Sakshya Adhinyam, 2023 was introduced to modernize evidentiary laws. The new Act incorporates provisions that reflect contemporary realities, including digital evidence and presumptions in specific offences. These changes aim to strengthen the justice delivery system and make it more responsive to crimes such as dowry deaths and suicides.

Legal Framework under Bhartiya Sakshya Adhinyam, 2023

The Act introduces specific provisions dealing with presumptions in cases of dowry death and abetment of suicide. These provisions are designed to assist courts in drawing logical inferences when certain foundational facts are established.

The legal framework emphasizes the importance of balancing two competing interests: protecting victims and ensuring fairness to the accused. By shifting the burden of proof in certain circumstances, the law acknowledges the inherent difficulties in proving offences that occur in private spaces.

The Bhartiya Sakshya Adhinyam, 2023 establishes specific provisions regarding the presumption of dowry death and abetment of suicide. The Act stipulates that if a woman dies within seven years of marriage under suspicious circumstances, it shall be presumed that such death is a result of dowry-related harassment unless proven otherwise.

The relevant provisions include Section 1 dealing with the short title and commencement, Section 2 defining key terms, Section 3 addressing presumption as to dowry death, and Section 4 dealing with abetment of suicide.

The Act introduces specific and well-structured provisions dealing with presumptions in cases of dowry death and abetment of suicide, which play a crucial role in strengthening the evidentiary framework of criminal law. These provisions are carefully designed to assist courts in drawing logical and reasonable inferences when certain foundational facts are established by the prosecution. In cases involving domestic violence, direct evidence is often unavailable because such incidents typically occur within the privacy of the household. Recognizing this limitation, the law permits courts to rely on circumstantial evidence and statutory presumptions to arrive at a just conclusion.

The legal framework under the Bhartiya Sakshya Adhinyam, 2023 reflects a conscious effort to balance two important and sometimes competing interests—on one hand, the need to protect victims of dowry-related harassment and ensure justice for them, and on the other hand, the necessity of safeguarding the rights of the accused and upholding the principles of a fair trial. The introduction of presumptions does not automatically establish guilt; rather, it shifts the burden of proof to the accused only after the prosecution successfully establishes certain essential facts. This approach ensures that the presumption operates as a tool of justice rather than as a means of arbitrary conviction.

One of the most significant aspects of the Act is its recognition of the challenges involved in proving offences that take place in private spaces. In many dowry-related cases, evidence is either destroyed, manipulated, or simply unavailable due to the nature of the crime. Victims may not have had the opportunity to report harassment, and witnesses are often unwilling to testify due to social pressure or fear of retaliation. By allowing a shift in the burden of proof, the law addresses these practical difficulties and enhances the ability of the judicial system to deal effectively with such offences.

The Bhartiya Sakshya Adhinyam, 2023 specifically provides that when a woman dies within seven years of her marriage under unnatural or suspicious circumstances, and it is shown that she was subjected to cruelty or harassment in connection with dowry demands, the court shall presume that such death is a dowry death. This presumption is rebuttable, meaning that the accused has the opportunity to present evidence to disprove the allegation and establish innocence. The inclusion of this provision is particularly significant as it acknowledges the pattern commonly observed in dowry-related cases, where harassment often escalates over time and culminates in tragic outcomes.



The structure of the Act further enhances clarity and accessibility. Section 1 deals with the short title and commencement of the Act, establishing its formal identity and applicability. Section 2 provides definitions of key terms, ensuring that there is a clear understanding of concepts such as “dowry,” “cruelty,” and “harassment.” Section 3 specifically addresses the presumption as to dowry death, laying down the conditions under which the presumption can be invoked. Section 4 deals with the presumption relating to abetment of suicide, recognizing that prolonged mental and emotional abuse can drive a person to take extreme steps.

In addition to these provisions, the Act also implicitly reinforces the importance of judicial discretion. Courts are required to carefully examine the facts and circumstances of each case before applying the presumption. This ensures that the law is applied in a fair and balanced manner, preventing both wrongful convictions and unjust acquittals. The emphasis on a case-by-case analysis allows the judiciary to consider factors such as the nature of harassment, the timing of events, and the overall conduct of the accused.

Furthermore, the Act complements existing criminal laws dealing with dowry death and abetment of suicide by providing a strong evidentiary basis for prosecution. It bridges the gap between substantive law and procedural law, ensuring that offences do not go unpunished due to lack of evidence. At the same time, it reinforces the principle that the presumption of innocence remains a cornerstone of criminal justice, and any presumption must be applied cautiously and reasonably.

Overall, these provisions represent a significant advancement in the legal response to dowry-related offences. By combining legal precision with practical considerations, the *Bhartiya Sakshya Adhiniyam, 2023* seeks to create a more effective, fair, and responsive justice system capable of addressing the complexities of domestic violence and protecting the rights and dignity of women.

Concept of Presumption in Law

A presumption in law refers to an inference that a court may draw from established facts. It is a rule that allows certain conclusions to be reached without direct proof, provided specific conditions are satisfied.

Presumptions can be rebuttable or irrebuttable. In criminal law, rebuttable presumptions are more common, as they allow the accused to present evidence to disprove the presumed fact. This ensures that the principle of fairness is maintained.

In dowry-related cases, presumptions play a vital role in bridging the gap between suspicion and proof, thereby aiding in effective prosecution.

A presumption in law refers to a logical inference or assumption that a court is permitted to draw from a set of established facts. It operates as a rule of evidence that allows the court to conclude that a particular fact exists, even in the absence of direct proof, provided that certain foundational conditions are satisfied. Presumptions are based on probability, common human conduct, and the natural course of events. They are essential tools in the administration of justice, especially in situations where direct evidence is either unavailable or difficult to obtain.

Presumptions are broadly classified into rebuttable and irrebuttable presumptions. Rebuttable presumptions are those that can be challenged and disproved by the opposing party through the presentation of evidence. Irrebuttable presumptions, on the other hand, are conclusive in nature and cannot be contested once they are established. In criminal law, rebuttable presumptions are more commonly used because they strike a balance between assisting the prosecution and protecting the rights of the accused. They ensure that while the court is guided in its reasoning, the accused still retains the opportunity to defend themselves and prove their innocence.

The application of presumptions becomes particularly significant in cases involving offences that occur in private settings, such as domestic violence, dowry harassment, and related deaths. In such cases, the lack of independent witnesses, the possibility of evidence being concealed, and the social pressures surrounding family matters make it extremely challenging to establish guilt through conventional means. Presumptions help overcome these obstacles by allowing courts to rely on circumstantial evidence and logical reasoning.



In the context of dowry-related cases, presumptions play a crucial role in bridging the gap between mere suspicion and legally admissible proof. They enable courts to draw a connection between the harassment faced by the victim and the eventual outcome, such as death or suicide. For instance, when it is established that a woman was subjected to cruelty or harassment for dowry demands and subsequently dies under suspicious circumstances within a specific period of marriage, the law permits the court to presume that such death is linked to the dowry-related abuse.

This approach significantly strengthens the prosecution's case by reducing the burden of proving every element through direct evidence. At the same time, it does not violate the principles of natural justice, as the presumption is not absolute. The accused is given a fair opportunity to rebut the presumption by presenting evidence that disproves the alleged connection or demonstrates an alternative explanation for the events.

Moreover, presumptions also serve an important policy objective. They reflect the legislature's recognition of the patterns and realities of certain crimes, particularly those rooted in social practices like dowry. By incorporating presumptions into the legal framework, the law sends a strong message that such offences will not be tolerated and that the justice system is equipped to deal with them effectively.

However, the use of presumptions must be approached with caution. Courts must ensure that the foundational facts are clearly established before invoking any presumption. Blind or mechanical application of presumptions can lead to miscarriage of justice. Therefore, judicial discretion plays a vital role in assessing the evidence, determining the applicability of the presumption, and ensuring that the rights of both the victim and the accused are protected.

In conclusion, presumptions in law are indispensable tools that facilitate the effective functioning of the justice system. In dowry-related cases, they not only address evidentiary challenges but also enhance the ability of courts to deliver justice in complex and sensitive situations. When applied judiciously, they strike a careful balance between efficiency and fairness, thereby strengthening the overall integrity of the legal process.

Presumption of Dowry Death

The presumption of dowry death is one of the most significant provisions under the Act. It applies when a woman dies under unnatural or suspicious circumstances within seven years of marriage and has been subjected to cruelty or harassment related to dowry demands.

This provision recognizes that such deaths rarely occur in isolation and are often the result of sustained abuse. By allowing courts to presume culpability, the law shifts the burden onto the accused to provide an explanation.

This mechanism is particularly important because it reduces the burden on the prosecution, which may otherwise struggle to produce direct evidence. At the same time, it ensures that the accused has an opportunity to rebut the presumption by presenting credible evidence.

The presumption of dowry death under Section 3 is a crucial legal mechanism. It establishes a rebuttable presumption, shifting the burden of proof onto the accused once certain foundational facts are established. These include the death occurring within seven years of marriage, the presence of suspicious circumstances, and evidence of cruelty or harassment related to dowry soon before the death.

The evidentiary threshold required is prima facie proof. This reduces the burden on the prosecution and acknowledges the difficulty of proving offences occurring within the domestic sphere.

Once the presumption is triggered, the accused must rebut it by demonstrating an alternative explanation, absence of harassment, or lack of causal connection. The standard of proof for rebuttal is based on preponderance of probabilities.

Interpretation of "Soon Before Death"

The phrase "soon before death" is intentionally flexible and has been interpreted by courts based on the facts of each case. It does not imply an immediate or exact time frame but requires a proximate connection between the harassment and the death.

This interpretation ensures that the law remains adaptable and can be applied to a wide range of situations. It prevents misuse while also ensuring that genuine cases are not dismissed due to technicalities.



The phrase “soon before death” is deliberately kept flexible and has been consistently interpreted by courts in a contextual and case-specific manner. It does not refer to an exact or fixed time period such as days, weeks, or months, but rather emphasizes the existence of a proximate and live link between the alleged harassment and the death of the woman. The courts have clarified that the interval between the cruelty or harassment and the death should not be so long that the connection becomes remote or insignificant. Instead, there must be a continuing cause-and-effect relationship indicating that the harassment was a contributing factor leading to the death.

This flexible interpretation is essential because dowry-related harassment does not always follow a predictable or uniform pattern. In some cases, the abuse may be continuous, while in others it may occur intermittently but intensify closer to the time of death. By avoiding a rigid timeframe, the law allows courts to consider the overall circumstances, including the nature of harassment, frequency of incidents, and the mental condition of the victim. This ensures that justice is not denied merely because the events do not fit within a strict chronological limit.

Furthermore, the concept of “soon before death” helps establish the necessary causal connection required for invoking the presumption of dowry death. It ensures that the presumption is applied only when there is credible evidence linking the harassment to the death, thereby preventing arbitrary or unjustified conclusions. At the same time, it protects genuine cases from being dismissed due to technical gaps or lack of precise timing evidence, which is often difficult to obtain in domestic settings.

This interpretation also plays a crucial role in preventing misuse of the law. By requiring a proximate connection, courts ensure that past incidents of harassment that are unrelated to the death are not wrongly used to implicate the accused. Judicial discretion becomes vital in assessing whether the facts of a particular case satisfy this requirement. Courts carefully examine witness statements, medical reports, and surrounding circumstances to determine whether the harassment was sufficiently close in time and relevance to the death.

In addition, this principle reflects the broader objective of the legal framework—to strike a balance between protecting victims and ensuring fairness to the accused. It reinforces the idea that presumptions should not be applied mechanically but must be based on a careful evaluation of evidence. The flexible nature of the phrase allows the judiciary to adapt the law to the complexities of real-life situations while maintaining the integrity of the legal process.

In conclusion, the expression “soon before death” serves as a crucial link between the act of harassment and the resulting death. Its flexible and context-driven interpretation ensures that the law remains both effective and just, enabling courts to address the realities of dowry-related offences without compromising on fairness or legal principles.

Abetment of Suicide

Abetment of suicide involves instigating, aiding, or encouraging a person to take their own life. In the context of dowry-related harassment, continuous abuse and coercion can create circumstances that drive a person to commit suicide.

The law recognizes that such actions may not always involve direct instigation but can arise from prolonged mental and emotional distress. By introducing presumptions in such cases, the Act acknowledges the psychological impact of sustained harassment.

Section 4 of the Act deals with abetment of suicide. It recognizes that sustained harassment and coercion can drive a person to commit suicide. The law focuses on intent and conduct that contributes to such an outcome.

In *Sangeeta v. State of Maharashtra*, the court held that continuous harassment by in-laws amounted to abetment, thereby reinforcing the applicability of the provision in domestic settings.

Judicial Interpretations and Case Analysis

Judicial interpretation plays a crucial role in the application of these provisions. Courts have consistently emphasized the need to establish foundational facts before invoking presumptions. They have also highlighted the importance of maintaining a balance between protecting victims and safeguarding the rights of the accused.



Through various decisions, courts have clarified the meaning of key terms, the standard of proof required, and the circumstances under which presumptions can be applied. These interpretations have contributed to a more consistent and fair application of the law.

Judicial interpretation has played a vital role in shaping the application of this presumption. Courts have clarified that the expression “soon before death” is relative and must be interpreted based on the facts of each case.

In *Kaliyaperumal v. State of Tamil Nadu*, the court emphasized the importance of proper investigation and upheld the shifting of the burden of proof onto the accused once foundational facts are established.

Socio-Cultural Dimensions of Dowry

The persistence of dowry is deeply rooted in socio-cultural practices. Factors such as patriarchy, gender inequality, and social expectations contribute to its continuation. In many communities, dowry is seen as a measure of social status, leading to competitive and excessive demands.

This cultural acceptance makes it difficult to eliminate the practice through legal measures alone. Therefore, addressing dowry requires not only legal intervention but also social reform and awareness.

Dowry continues to persist due to deeply embedded socio-cultural norms. Originally intended as a form of inheritance, it has transformed into a coercive demand linked to status and economic expectations.

Factors contributing to its persistence include socio-economic inequality, caste-based marriage systems, rising consumerism, and gender inequality. This has led to the commodification of marriage and normalization of dowry demands, often escalating into violence and death.

Psychological Impact on Victims

Victims of dowry harassment often experience severe psychological distress. Continuous abuse, humiliation, and isolation can lead to anxiety, depression, and a sense of helplessness.

Over time, this emotional trauma can have devastating consequences, affecting not only the individual but also their families. Understanding the psychological dimension is essential for developing effective legal and support mechanisms.

The presumption under the Act is rebuttable, not absolute. It becomes applicable only after establishing essential elements such as unnatural death within seven years of marriage and prior harassment related to dowry.

This legal framework acknowledges the challenges in gathering direct evidence in domestic violence cases and provides procedural support to victims.

Role of Forensic Science

Forensic science plays a critical role in determining the cause of death in suspicious cases. Scientific techniques such as autopsy, toxicology analysis, and examination of physical evidence provide objective data that can support legal proceedings.

The use of forensic evidence strengthens the prosecution’s case and helps in establishing the truth, thereby reducing reliance on circumstantial evidence alone.

The Act operates alongside substantive criminal laws dealing with dowry death and abetment of suicide. It strengthens prosecution by addressing evidentiary gaps and enabling courts to draw presumptions in appropriate cases.

Procedural Safeguards

Proper investigation and procedural safeguards are essential for ensuring justice. This includes timely registration of complaints, careful collection of evidence, and protection of witnesses.

Magisterial inquiries and judicial oversight further enhance transparency and accountability in the investigation process.



Proper investigation is essential in dowry death cases. This includes prompt registration of FIR, preservation of evidence, recording witness statements, and conducting post-mortem examinations. Magisterial inquiries act as an additional safeguard to ensure transparency and accountability in such cases.

Evidentiary Challenges

Despite legal provisions, several challenges persist in proving dowry-related offences. These include lack of direct evidence, reluctance of witnesses, and social pressure.

Addressing these challenges requires a combination of legal reforms, institutional support, and awareness initiatives.

Several challenges affect the effective implementation of the law. These include hostile witnesses, lack of documentary evidence, and manipulation of facts. Social pressure and fear often prevent witnesses from testifying truthfully.

Constitutional Perspective

The provisions of the Act align with constitutional principles such as equality, dignity, and the right to life. They aim to protect vulnerable individuals while ensuring that justice is delivered in a fair and unbiased manner.

The Act aligns with constitutional principles of equality and dignity. It promotes substantive equality under Article 14, prohibits discrimination under Article 15, and protects the right to life under Article 21.

Misuse and Safeguards

While concerns about misuse exist, the legal framework includes safeguards to prevent wrongful prosecution. Judicial scrutiny and evidentiary requirements ensure that only genuine cases are prosecuted.

While concerns about misuse exist, studies indicate that underreporting is a more serious issue. Legal safeguards such as judicial scrutiny and evidentiary requirements help prevent wrongful prosecution.

Comparative Legal Analysis

Different countries address domestic violence through various legal frameworks. While many do not have specific laws on dowry, they provide protection through broader legislation on domestic abuse.

Comparative analysis highlights the importance of effective enforcement and victim support systems.

Different countries address domestic violence through varied legal frameworks. While some lack specific dowry laws, they provide protection through broader domestic violence legislation. Comparative analysis highlights the need for effective enforcement mechanisms.

Role of Technology

Technology has become an important tool in addressing dowry-related crimes. Digital platforms enable victims to report incidents, access legal aid, and seek support.

Technology can assist in addressing dowry-related crimes through digital complaint systems, helplines, legal aid platforms, and data analysis tools.

Institutional Mechanisms

Government agencies and non-governmental organizations play a vital role in supporting victims. They provide legal assistance, counseling, and rehabilitation services.

Government bodies and non-governmental organizations play a vital role in providing support, raising awareness, and advocating for victims' rights.

Preventive Measures

Long-term solutions require education, economic empowerment of women, and societal change. Awareness campaigns and community participation are essential in preventing dowry-related violence.



Education, economic empowerment of women, and community participation are essential in preventing dowry-related violence. Social change is critical for long-term impact.

Media Influence

Media contributes to awareness but must act responsibly to avoid sensationalism and protect victim identity.

Data Trends

Statistical studies indicate that most dowry deaths occur within the early years of marriage, with variations across rural and urban settings.

Intersectionality

Women from economically and socially disadvantaged backgrounds are more vulnerable to dowry-related abuse. Policy interventions must consider these factors.

Reform Suggestions

Key reforms include clearer guidelines on burden of proof, establishment of fast-track courts, witness protection mechanisms, and better coordination between legal frameworks.

Ethical Considerations

Legal professionals must maintain sensitivity towards victims while ensuring fairness to the accused.

Conclusion

The Bhartiya Sakshya Adhiniyam, 2023 represents a progressive step in strengthening the legal framework addressing dowry-related offences. Its provisions on presumptions help overcome evidentiary challenges and improve the chances of securing justice.

However, legal measures alone are not sufficient. A holistic approach involving social reform, institutional support, and effective implementation is necessary to eliminate dowry-related violence and protect the rights and dignity of women.

Only through coordinated efforts can meaningful and lasting change be achieved.

The Bhatiya Sakshya Adhiniyam, 2023 marks a significant advancement in the legal framework addressing dowry deaths and abetment of suicide in India. The provisions laid out in this Act not only reflect a progressive approach towards addressing the heinous crimes associated with dowry but also signify a shift in societal attitudes towards women's rights and the need for justice. By incorporating presumptions relating to dowry death and abetment of suicide, the Act attempts to overcome the evidentiary challenges that have historically hindered effective prosecution in such cases.

At the same time, the implementation of these provisions must be approached with caution. While the law aims to empower victims and their families, there remains a need to ensure that it is not misused. Safeguarding the rights of the accused while delivering justice to victims is essential to maintaining the credibility and fairness of the legal system.

However, legislation alone cannot eradicate dowry-related violence. The problem is deeply rooted in societal norms, cultural practices, and economic inequalities. Therefore, a holistic approach is required—one that combines legal reform with social transformation, economic empowerment of women, and a gradual shift in cultural attitudes. Efforts must be made not only to punish offenders but also to prevent the occurrence of such crimes through education, awareness, and community engagement.

The success of the Bhatiya Sakshya Adhiniyam, 2023 will ultimately depend on multiple factors. Effective implementation by law enforcement agencies is crucial to ensure that cases are properly investigated and prosecuted. Judicial sensitivity is equally important, as courts must interpret the provisions in a manner that upholds justice while considering the complexities of each case. Public awareness plays a vital role in encouraging victims to come forward



and in changing societal perceptions about dowry. Institutional accountability must also be ensured to maintain transparency and efficiency in the justice delivery system.

Furthermore, continuous evaluation of the Act through research and data collection is necessary to assess its effectiveness and identify areas for improvement. Collaboration between the government, judiciary, civil society organizations, and the community at large will be essential in creating a supportive environment for victims and in addressing the root causes of dowry-related violence.

In conclusion, while the Bhatiya Sakshya Adhinyam, 2023 is a progressive and much-needed step, it must be complemented by sustained and coordinated efforts across all sectors of society. Only through a comprehensive and inclusive approach can the rights, dignity, and lives of women be fully protected, and the menace of dowry-related violence be effectively eradicated.

