



# INTERNATIONAL JOURNAL OF ADVANCE RESEARCH, IDEAS AND INNOVATIONS IN TECHNOLOGY

ISSN: 2454-132X

Impact factor: 4.295

(Volume3, Issue4)

Available online at [www.ijariit.com](http://www.ijariit.com)

## Dowry Prohibition Act- A Shelter or a Weapon

Suraj Sharma

Lawyer

[advocatesurajsharma@gmail.com](mailto:advocatesurajsharma@gmail.com)

*Abstract: Though the system of dowry existed in India even before the British Rule, the format of this tradition was entirely different. It was a form of recourse for a woman in case of emergency in which her father used to give a part of the property to the bride to whom she was entitled but not to the groom in shape of the land, gifts, etc. And the bride was the sole beneficiary of this property.*

*But nowadays, dowry means goods given by the family of the bride to the bridegroom, his parents, and relatives on their marriage either on demand or without demand which may include cash, ornaments, furniture, utensils, house hold or immovable property.*

*In India dowry is prohibited and who so ever demand dowry is punishable under Section 498-A IPC.*

*Unfortunately, in the recent decades, rather used as a protective shield it has become a weapon and it is misused by most of the women who have filthy relations with their husband or in-laws.*

**Keywords:** Amendment of Dowry Laws.

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### INTRODUCTION

As per the current law, a wife or a daughter-in-law can get her husband or in-laws arrested simply based on a written false complaint of dowry harassment to a nearby police station. Where such false complaints are filed, the husband and his relatives are subjected to arrest, bail being denied and even to enter into an understanding with the wife to withdraw such cases is not available, as the offenses under Section 498-A are cognizable on bail able and not compound able. Serious violations of human rights take place of the person who is subjected to such false complaints. Among the persons so involved are a large number of women like husband's sister, brother or other female relatives. It is now used as a weapon by women against other women resulting in cruelty to those who are the victims of false complaints.

The National Crime Records Bureau 2012 statistics reveal that about two lakh people, including 50,000 women were arrested under Section 498-A in 2012. While the rate of charge sheeting the accused was as high as 93.6 percent, only 15 percent of the cases resulted in convictions. It should also be noted that as per the Supreme court bench, about 3.72 lakh cases of dowry harassment are currently pending, of which 3.17 lakh are likely to result in acquittals.

Finally, in Arnesh Kumar's case, the apex court directed the state governments to instruct police that they should not automatically arrest husband, his family or his relatives when a case under Section 498- an of IPC is registered rather they should satisfy themselves about the necessity for arrest under the parameters laid down flowing from Section 41 of Criminal Procedure Code.

While giving the directions, the Supreme Court has expressed concern over the misuse of anti- dowry law by "disgruntled" wives against her husband and in-laws and noted that the act was being increasingly used to harass in-laws.

With the above mention amendment, thousands of people got relieved who were falsely implicated in complaints by their wives or daughter in-law. It has definitely put a barrier over women trying to use it as a weapon but now vice-versa, it must be supervised to ensure that even husband do not misuse the law and exploit the women.