

Section 498A Misuse in Matrimonial Cases: 2025 Judicial Balancing

Abhijit kasar

Phd Student, Mumbai University

Abstract-To address domestic abuse and cruelty against married women related to dowries, Section 498A of the Indian Penal Code was introduced. Although the provision's purpose is still important, there is growing evidence of systematic abuse in marital disputes, as shown by both empirical data and judicial statements. By 2025, the courts in India have taken a constitutionally balanced stance, ensuring that real victims are protected while also preventing the criminal justice system from being abused. To determine how courts are readjusting the reach of Section 498A, this article takes a close look at recent trends in the law, statistics on convictions, and developing protections. Judgment is shifting away from mechanical criminalization and toward rights-oriented enforcement, according to the study's doctrinal analysis, which is backed by statistical evidence and current case law.

Keywords: Section 498A, matrimonial litigation, misuse, judicial safeguards, criminal justice reform, gender justice.

I. INTRODUCTION

In reaction to the disturbing increase in dowry-related fatalities, domestic violence, and institutionalized cruelty against married women in India, Section 498A of the Indian Penal Code, 1860 was passed by the Criminal Law (Second Amendment) Act, 1983. In the late 1970s and early 1980s, judicial investigations, women's groups, and social reform movements brought attention to the fact that civil remedies had not been successful in addressing domestic violence

within the context of marriage. As a result, in order to safeguard vulnerable women from husbands or their relatives who commit cruelty, the legislature enacted Section 498A as a severe penal measure. To show how seriously the State took the matter of ending this long-standing societal ill, the law uses a wide definition of "cruelty" that includes both physical assault and psychological harassment related to unlawful dowry demands.

Section 498A's protective purpose belies the complicated legal and societal issues it has caused in practice. To ensure prompt police action and prevent victims from being pressured into withdrawing charges, the offence was declared cognizable, non-compoundable, and non-bailable. Misuse was also possible because of this strict framework. The practice of using the provision as a weapon in marital conflicts, rather than only as a shield for real victims, has become increasingly noticeable to courts, legal experts, and law enforcement agencies over time. Complaints were lodged in multiple instances with charges that were either overstated, unclear, or unfounded, including not just the spouse but also elderly parents, distant relatives, and even children. These actions turned a statute that was intended to be used for remediation into a means of coercion and harassment.

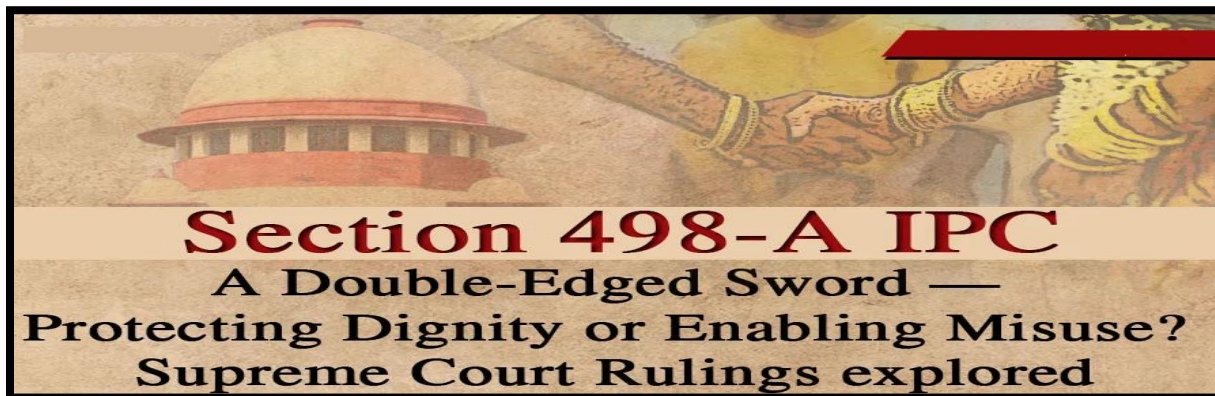


Figure 1: Section 498-A misuse

Judgmental experience has shown that when Section 498A is mechanically applied, it leads to arbitrary arrests, drawn-out criminal proceedings, harm to the accused's reputation, and emotional distress for their families. These effects persisted even after acquittals, and they were frequently permanent. By putting an undue strain on the criminal justice system and taking

resources away from actual instances of domestic violence, the abuse of the provision also led to systemic inefficiencies. Thus, judges came to realize that unfettered enforcement undermined the legitimacy of the law and infringed upon the accused's fundamental rights guaranteed by Article 21 of the Constitution.



Figure 2: 498A Not a Free Pass

Section 498A's dual realities its requirement for women's protection and its vulnerability to abuse have been increasingly acknowledged by the Supreme Court and several High Courts during the last decade. Notable rulings have characterized the abuse of the provision as "legal terrorism" and stressed that criminal law must not be used for vengeful purposes. By 2025, the courts in India have taken a more sophisticated and constitutionally based approach, aiming to balance gender justice goals with those of equity, proportionality, and due process. Crucial instruments in this balancing act have arisen as procedural protections, such as limitations on automated arrests, promotion of mediation, and judicial review of complaints. This research finds its place in the ever-changing field of law. In order to avoid abuse while maintaining its protective character, it looks at how Indian courts have tried to rebalance the execution of Section 498A, especially in the last few years. This article aims to show that criminalization is not the current trend by examining court decisions, statistics, and

constitutional principles. Instead, it proposes a balanced justice system that protects women's dignity while also allowing the accused their freedom.

1.1. Objectives of the study

The present study is undertaken with the following objectives:

- To examine the legislative intent and socio-legal background of Section 498A of the Indian Penal Code.
- To analyze the extent and patterns of misuse of Section 498A in matrimonial disputes using judicial trends and statistical data.
- To study recent judicial decisions (up to 2025) that reflect the courts' balancing approach between women's protection and the rights of the accused.
- To evaluate the procedural safeguards evolved by the judiciary to prevent arbitrary arrests and false prosecutions under Section 498A.

- To suggest legal and institutional reforms for ensuring fair and balanced application of Section 498A in matrimonial cases.

II. LITERATURE REVIEW

Sarma (2024) had offered a thorough legal and sociological examination of domestic violence in Northeast India, utilizing a case study method to investigate the ways in which institutional silence, patriarchal systems, and cultural norms impacted this issue. The study's findings showed that domestic violence is a social and legal issue with deep roots, exacerbated by power imbalances inside marriages. Fear of social stigma, economic dependence, and insufficient enforcement of protective legislation are some of the reasons why victims typically do not have access to appropriate legal remedies, as Sarma had noted. Legal institutions often failed to react appropriately to survivors' experiences, as revealed by the research, which further demonstrated the disparity between official legal protections and their real execution on the ground. This work has helped to expand our understanding of gender-based violence beyond its domestic context and into the realm of constitutional and human rights concerns.

Sarker and Biswas (2024) had used a constitutional perspective to analyze the tension between the restoration of marital rights as a remedy and the concept of individual autonomy. Based on their findings, one can conclude that the Indian Constitution protects the rights to privacy, dignity, and personal liberty, and that forcing spouses to live together violates these rights. That this rule from the colonial past is still in place shows that patriarchal ideas are still present in family law, they said. Additionally, the writers had stressed that a rights-based view of marriage was necessary to satisfy constitutional morality, rather than one that relied on coercive marital remedies. When it came to issues pertaining to women's physical autonomy and freedom, in particular, their research had shown how personal laws and constitutional ideals frequently clashed.

Sharma and Tewari (2021) had placed gender-based violence in India's context of war, safety, and reconciliation. In their research, they had looked at the ways that women were more likely to be victims of violence due to systemic inequality, social conflict,

and ineffective institutional responses. Gender justice, they said, necessitated not just criminalization but also social reform, community involvement, and governmental measures. The writers had also stressed how crucial it is to see the problem of violence against women as a matter of national security, not a personal or cultural one. Gender violence is now well seen as a threat to democratic principles and social stability, thanks to their multidisciplinary approach.

Tyagi (2021) had previously examined the function of ADR processes in marital conflicts, with an emphasis on the conflict that arises when seeking gender justice alongside mediated settlements. Despite ADR's marketing as a less confrontational and time-consuming alternative, the study found that it frequently served to further entrench power dynamics between partners. Tyagi had observed that women were often coerced into making unjust concessions in order to maintain peace within the family and gain societal acceptance. The study's findings cast doubt on the idea that such settlements accurately represent consent and instead suggest that they were influenced by societal, emotional, and financial factors. The importance of implementing measures to prevent alternative dispute resolution (ADR) processes from undermining women's rights and substantive justice was highlighted by this work.

Singh and Jaswal (2024) have given a thorough analysis of the changes made to India's criminal code recently, with an emphasis on how these changes could affect the administration of justice and the safeguarding of marginalized communities. Their research had focused on the ways in which new laws and amendments sought to update criminal law by bolstering victim protection, enhancing procedural justice, and dealing with new types of crime. Institutional lag, ignorance, and opposition to change were among the implementation hurdles mentioned by the writers. Their research had highlighted the fact that substantial change necessitated changes in both culture and administration in addition to changes in the law. The importance of a victim-centered and rights-based approach to gender justice was highlighted by this study, which placed it within the larger framework of criminal law reform.

III. RESEARCH METHODOLOGY

To investigate legislative changes, court rulings, and doctrinal interpretations, this study employs a doctrinal and analytical research strategy. An analysis of the Indian Penal Code's Section 498A and the changing judicial stance on its abuse is the methodological center.

3.1. Nature of Research

This study relies completely on secondary sources of information and uses a qualitative research approach. Comprehensive analysis of legal texts, judicial pronouncements, statutory provisions, government publications, and official crime figures is relied upon rather than field surveys, questionnaires, or interviews. The constitutional, social, and legal aspects of the matter have also been investigated by reviewing scholarly publications, books, and policy papers. Finding trends, patterns, and enforcement gaps in these authoritative sources will allow the study to draw reasonable inferences about the changing role of law and constitutional protections.

3.2. Sources of Data

Primary Sources:

- Judgments of the Supreme Court of India
- Judgments of various High Courts (2014–2025)
- National Crime Records Bureau (NCRB) crime statistics

Secondary Sources:

- Law Commission of India reports
- Legal textbooks and commentaries
- Research articles from peer-reviewed journals
- Government publications and online legal databases

3.3. Period of Study

This study examines judicial rulings and official statistics from 2014–2025, a time frame characterized by substantial modifications and improvements in the law concerning the implementation of Section 498A. The reason this timeline was chosen is because it

represents a pivotal period when the courts addressed worries about the provision's abuse, defined constitutional principles, and implemented crucial procedural safeguards. By looking at crime statistics, policy trends, and case law from this decade, the study shows how enforcement techniques changed to be more balanced and based on rights, and it illustrates the changing judicial attitude.

3.4. Method of Analysis

By using qualitative content analysis to the gathered data, we were able to conduct a thorough investigation of recent developments in the law, legislative interpretation, and judicial reasoning. The purpose of this study was to examine the evolution of judicial outlook, the application of constitutional principles, and trends in interpretation by comparing landmark cases. Furthermore, the legal analysis was supplemented with NCRB statistics, which shed light on empirical patterns in case registration, prosecution, and conviction rates, providing context and support. Overall, the study's validity was strengthened by its ability to reconcile doctrinal insights with factual patterns through this combined approach.

IV. STATISTICAL OVERVIEW AND TRENDS

According to official crime statistics, there is still a discrepancy between the number of Section 498A complaints and the number of cases that result in successful convictions. This trend has not changed much over the past few years, suggesting that the problem is systemic rather than transitory. Convictions occur in a very small percentage of the many cases that are registered annually. There are valid complaints about the thoroughness of investigations, the lack of evidence, the length of trials, and the inefficiencies in the criminal justice system's procedures.

Table 1: NCRB Data on Section 498A (India)

Year	Cases Registered	Charge-sheeted	Convictions	Conviction Rate
2019	1,26,164	95,479	5,520	4.3%
2020	1,12,292	84,291	4,114	3.6%
2021	1,20,351	90,978	4,567	3.8%
2022	1,31,559	98,342	5,139	3.9%

2023	1,40,019	1,02,440	5,890	4.2%
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While the total number of reported instances has grown over time, the percentage of convictions has stayed consistently below 5%, as seen in Table 1. The challenges in establishing accusations beyond a reasonable doubt, the length of time it takes to conduct an investigation, and the quality of the evidence all come into consideration when considering such a low success rate. Simultaneously, this trend has been used by courts to justify new procedural protections that try to curb needless arrests and avoid their abuse. The data thus emphasize the twofold difficulty of preventing the

arbitrary or excessive application of criminal law while simultaneously safeguarding actual victims.

V. JUDICIAL RESPONSE TO MISUSE

Although Section 498A was passed with the intention of providing protection, the Indian courts have come to acknowledge that its blanket application has, in certain cases, led to significant infringements on personal freedom. Therefore, in order to preserve the law's protective function, judicial involvement has centered on implementing safeguards to avoid malicious prosecutions, mechanical arrests, and abuse of the criminal process.

Table 2: Landmark Supreme Court Decisions on Misuse of Section 498A

Case	Year	Key Judicial Principle
<i>Arnesh Kumar v. State of Bihar</i>	2014	Arrest must satisfy necessity test under Section 41 CrPC
<i>Rajesh Sharma v. State of U.P.</i>	2017	Misuse described as “legal terrorism”; safeguards suggested
<i>Social Action Forum for Manav Adhikar v. Union of India</i>	2018	Emphasized judicial discretion and removed rigid guidelines

According to Table 2, the Supreme Court's stance on procedural protections evolved throughout time, moving away from unfettered enforcement. The decisions upheld the constitutional guarantees of individual liberty by establishing that arrest is not obligatory and requires a warrant.

Table 3: Judicial Safeguards Introduced Through Case Law

Safeguard	Judicial Basis	Purpose
Necessity-based arrest	<i>Arnesh Kumar</i>	Prevent arbitrary detention
Judicial screening	<i>Rajesh Sharma</i>	Filter false complaints
Discretionary oversight	<i>Social Action Forum</i>	Balance victim protection and accused rights
Inherent powers (Sec. 482 CrPC)	High Court practice (2023–2025)	Quash malicious proceedings

The courts now play the role of constitutional gatekeepers, as shown in Table 3. By instituting these measures, we can be certain that the criminal justice system will serve as a means of preserving justice and preventing harassment.

By safeguarding actual victims and avoiding the misuse of legal processes, these judicial developments demonstrate a well-rounded reaction to the Constitution.

VI. PROCEDURAL SAFEGUARDS EVOLVED

The Indian judiciary has, throughout time, established a number of procedural protections to circumvent the

potential abuse of Section 498A and the subsequent invasion of personal liberty, thus ensuring the equitable and balanced application of criminal law. These protections were put in place to avoid the unfair and inhumane treatment of accused individuals, rather than to weaken the protections provided to actual victims. The emphasis on due process, judicial scrutiny, and proportionality has given rise to a rights-based approach to enforcement, which has been shaped by a mix of Supreme Court decisions and High Court procedures. As shown in Table 2, the most important protections that have been put in place as a result of judicial interpretation

Table 4: Judicial Safeguards

Safeguard	Case Law	Objective
No automatic arrest	<i>Arnesh Kumar v. State of Bihar</i>	Protection of personal liberty
Preliminary inquiry	<i>Lalita Kumari v. Government of Uttar Pradesh</i>	Screening of false or motivated FIRs
Mediation focus	<i>Rajesh Sharma v. State of Uttar Pradesh</i>	Reduction of unnecessary litigation
Quashing powers	Section 482 CrPC (High Courts)	Prevention of abuse of process
Anticipatory bail	<i>Gurbaksh Singh Sibbia v. State of Punjab</i>	Safeguarding accused from arbitrary arrest

Judicial emphasis has shifted from a punitive enforcement paradigm to a rights-based one, with a focus on justice and constitutional protections, as seen in Table 2. The courts have made it clear through these measures that the criminal law cannot be manipulated for extortion or harassment. The judiciary has attempted to strike a careful balance between safeguarding victims of domestic violence and upholding the accused's basic rights through the incorporation of procedural checks such as judicial scrutiny, preliminary inquiries, and access to anticipatory bail.

VII. CONSTITUTIONAL BALANCING

Indian courts increasingly consider the larger context of constitutional rights protected by Articles 14, 15, and 21 while interpreting Section 498A. Equal protection under the law is guaranteed in Article 14, discrimination is outlawed in Article 15, and the right to life and personal liberty are safeguarded in Article 21. Taken as a whole, these clauses demand that the criminal justice system operate in a fair, reasonable, and arbitrary manner. The purpose of enforcing Section 498A is to shield women from domestic violence, but doing so must not infringe on the accused's constitutional rights.

Therefore, the judiciary has taken a moderate stance, protecting women's rights without trampling on the basic liberties of individuals who are the targets of accusations. Victims' rights and individual freedom are not incompatible, as the courts have stressed again and time again. On the contrary, due process, proportionality, and judicial supervision are necessary for constitutional balancing to ensure that both interests are balanced. This method guarantees that Section 498A serves as a safeguard instead of a weapon of oppression.

VIII. FINDINGS

The research shows that judicial intervention has been essential in changing the way Section 498A is enforced, leading to fewer cases of arbitrary and mechanical arrests and stronger procedural protections. To ensure justice and avoid abuse of legal provisions, the courts have placed a focus on necessity-based arrest, preliminary inquiry, and judicial discretion. While quashing powers and mediation-oriented approaches have helped reduce the number of false or misleading complaints, they have not eliminated the safeguards that exist for actual victims. All things considered, the results show that procedural fairness has been improved while the law's original protective aim has been preserved through the use of a balanced, rights-based judicial approach.

IX. CONCLUSION

Judicial interpretations of Section 498A are changing, showing a move away from harsh punishment and toward a rights-based framework that protects victims while also preserving their freedoms. The courts have taken measures to address concerns about abuse while still providing legal protection for real cases of marital cruelty. These measures include necessity-based arrests, preliminary inquiry, mediation, anticipatory bail, and judicial oversight. Articles 14, 15, and 21 provide the groundwork for this constitutional balance, which shows that due process, meticulous examination, and proportionality are more effective than mechanical application of the law in achieving justice. According to the study, in order to keep the public's trust in the criminal justice system and for Section 498A to accomplish its goals of providing justice, dignity, and fairness, these protections must be continuously improved while also being sensitive to institutional needs and enforced efficiently.

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