
THE SOCIAL AND LEGAL EFFECT OF FALSE 498A, D.V., AND CRPC 125 CASES IN MAHARASHTRA: AN ANALYSIS

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ABSTRACT

Marriage in Indian society remains revered as a sacred union. In Maharashtra, it is also believed that marriage is a holy union as per the Indian culture. But rampant misuse of certain protective laws has spawned severe repercussions, especially in Maharashtra. Provisions originally meant for safeguarding women are now frequently misused, downright shamelessly, for personal grudges or sheer financial enrichment purposes. Maharashtra recorded 45331 crimes against women in 2022, with over 31 per cent of them being categorised under Section 498A, according to NCRB data. Later, numerous cases revealed utterly baseless accusations implicating husbands and also elderly parents, along with some pretty distant relatives.

Many court judgments from 2015 onwards highlight that FIRs were frequently lodged after mediation failed and lacked concrete, independent evidence or involved vague allegations. Falsely accused men suffered psychological trauma, and alarming suicide rates rose sharply, with over 697 dying by suicide in 2022, largely due to false matrimonial cases. Strict evidence-based investigations and penalties for false complaints alongside bailable 498A provisions, are among the reforms urged by this paper. Counselling and neutral probes are stressed for genuinely aggrieved parties and those wrongly accused in equally tumultuous circumstances. Expert analysis and obscure legal precedents alongside NCRB statistics underscore an urgent need for somewhat balanced justice and quickly these days.

Keywords: 498A Indian Penal Code; Domestic violence Act; Section 125 criminal court regulation; False FIR; Legal Abuse; National Crime Records Bureau Data; Gender neutrality; Judicial alteration; Senior Citizen abuse; Maharashtra Case Study; Divorce, legal Recommendations; Mental trauma; Maintenance law reform; Counseling and reconciliation; Male suicide; financial loss; Investigation based evidence.

1. Introduction:

In the Indian system of sociocultural thought and practice, marriage is never perceived as an alliance between two individuals, and just a bonding of two separate individuals; but it is a sanctified union that virtually binds two families and all their various social, cultural, and emotional worlds. To protect the women against ill-treatment and violence inside the marriage home, the Indian legislative machinery has made several defensive laws- the most famous being the Section 498A of Indian Penal Act, the Domestic Violence Act (2005) and Section 125 of Code of Criminal Procedure (CRPC). All these were meant to address the issue of redressing of the women who were subjected to these forms of abuses.

However, since the Pandemic, the utilization of precisely such legal instruments has grown out of control, especially in Maharashtra. Tens of thousands of male victims, husbands, fathers and other kinsmen, forced to stand on the fringe of social ostracism, on the wrong side of the law and to suffer acute financial devastation, due to invented or exaggerated accusations. The topic is a review of how the misapplication of these laws has caused an indelible trauma to families, their extended entourages in the state.

2. Legal background:

- IPC Section 498a: This statutory offense is a non-bailable offence, and it is aimed at protecting females against any ill motives carried out by any spouses, in-laws or other family members. It allows that when the stages of an investigation are at their early stages, a person can be taken into custody without the announcement.

- Domestic Violence Act (2005): An encompassing law that secures women against physical, sensitive and sexual abuse and against financial collapse. Moreover, the law guarantees residence, maintenance and protection orders to the women.

- CRPC Section 125: In the said section Married Women, and dependent children demand maintenance from those who avoid them for their livelihood. Even so, it is often used as a legal tool for forced recovery in family disputes.

3. Ground Reality in Maharashtra:

- As per the report from the NCRB (National Crime Records Bureau), Maharashtra

continuously ranks in the top states of marriage matters, many of which turn out to be false or baseless later.

- 45,331 crimes against women in Maharashtra were reported in 2022 from which more than 31% were filed under section 498a.
- The separation counts in Urban Maharashtra, especially in cities such as Mumbai and Pune are on top with about 18.7% of separation cases.
- There is an increase in the male suicide rate due to the false allegations and family-related issues. In 2022, over 25,000 men in India took their life away, with a massive wide variety related to pressure from marital and criminal battles.
- Inner conflicts In most First Information Reports (FIR), the elderly parents are constantly included even though they had not stimulated or been part of the conflict. They only play the role of relatives of one or both sides. However they start to endure both psychological and physiological stresses which in most cases are reflected as medical ill conditions.

4. Case Studies and Examples (from Maharashtra):

1.The case of Ajay Rajendra Khare and Others:

On 31 July 2024 the Maharashtra State, in an FIR under Sections 498A, 323, 504 and 506 R/W 34 of the Indian Penal Code filed by a wife at the Vimantal Police Station, Nanded, came before the Court. This was filed just after two months of the marriage claiming that she was harassed by her husband and other relatives of his. The High Court at Aurangabad however noted that the complainant was a top notch executive in a well-known insurance business and had lived with her husband very briefly. Having failed to unearth any independent evidence, the Court observed that all the witnesses were known family members of the complainant and were all recorded non conducive at the house of the husband in Navi Mumbai. The police also did not attend the sites of misconduct that was said to have been done and as well not questioned the neighbors. The Court, thus, made a verdict that the criminal proceedings were inappropriately initiated without any substantial ground and that the FIR and the charge sheet were curbed on 10 June 2025.

2. Chandrakant Mohan Pandhare & Ors. v. The State of Maharashtra:

On 12th February 2022 at Amalner Police Station, District Jalgaon, vide C.R. No. 0070/2022 filed the case against her husband and a large number of in-laws under section 498A. She claimed that matrimonial members were harassing her for ₹20 lakh to buy a house, and subjecting her to cruelty and abuse. The petitioner also presented a number of cases of assault and verbal abuse, in particular, the case of 6 th February 2022, when the members of the family beat the petitioner and her parents deliberately. The husband and wife had not lived together since 2019, and there had been no particular or recent cruel behavior when the police investigated. The First Information Report (FIR) against all the relatives except the husband was quashed by the High Court under 20 th August 2022 on the grounds of false inclusion as the relatives were directly not involved.

3. Maharashtra State v. Rajendra Anil Khanandekar & Others.

The **FIR No. 55/2017**, registered on **29th August 2017** at **Dhule City Police Station**. The wife alleged that her husband and matrimonial in-laws wanted ₹1 lakh as dowry and physically and mentally harassed her on **14th May 2015**. The complaint said one incident where her brother was insulted when he came to take her home for Raksha Bandhan. Nevertheless, the Court established that the accusations were not only vague but also lacked autonomous supports, whereas the statements of the complainant were rather exaggerated. In the resultant proceedings, a middle path was accepted and no medical evidence or medical reports producing tangible evidence of abuse was availed. All accused were acquitted on 20 March 2019 by Judicial Magistrate First Class Dhule on grounds that the prosecution was unable to prove its accusations under 498A and 406 and section 323, 504, and 506 of the Indian Penal Code.

4. State v. Ashok Deshmukh & Ors.:

FIR No. 66/2015 was filed by a lady on 22nd March 2015 at the City Police Station. She alleged that her husband and in-laws demanded Rs. Five lakhs (5 Lakh) for a flat purchase in Mumbai. She had not fulfilled their dowry demand and was harassed by them for the said purpose. Also, her husband has doubts about her character. The lady further alleged forgery, including the creation of a fake stamp paper, misusing her gold, and issuing death threats. The couple lived together for only a short period after the marriage. The court observed that

inconsistencies in witness statements and a lack of independent verification and evidence were deemed insufficient to prove cruelty. The judgment announced by the court on 11th June, 2018, that all accused were acquitted under section 248(1) of the CrPC due to lack of credible evidence. The court stated that the complaint was filed with malicious intent and lacked merit.

5. Criminal Application No. 3263 of 2023 (Aurangabad – Sillod Police Station)

On 24th July, 2023, FIR No. 145 was registered at Sillod City Police Station, District Aurangabad. The woman claimed that on 24th June, 2022, her husband and six family members taunted and abused her and also demanded Rs. 5 lakh for his permanent job. She had experienced mental and physical trauma because of cruelty. However, the FIR lacked any specific incident, date, or evidence of independent abuse. The court observed that the statements of the witnesses were similar and copy-pasted. The police did not examine the neighbors and not record their statements. also did not find any neutral testimony found in the investigation. The investigating officer was also criticized. On 10th January, 2025, the high court quashed the FIR and pending proceedings under Section 482 CrPC. The court cited the complaint as false and purposely to harass.

The wife had filed a complaint under Section 498A IPC soon after the marriage in the year 2006. The husband was acquitted by both Courts. During the divorce proceedings, complaints were initiated under Section 13(1)(i-a) of the HMA, 1955 in the Family Court, Thane. The wife admitted that she had filed the criminal case not to punish him, but to change her husband's conduct. The Family Court granted the divorce on 5th March 2018, and the wife challenged the court decision given by the Family Court. Appeal No. 155 of 2018, earlier than the Bombay High Court. In the case on 3rd January 2025, the High Court was reaffirmed with the decision of the Family Court which stated that deliberate filing of a frivolous criminal case amounts to mental cruelty and an abuse to justice especially when a complainant thrives on open admission of his bad motives. The case emphasized the seriousness of turning criminal regulation into an instrument of marital contests.

5. Social Impact of False Cases:

- **Family Collapse:** Mostly false or wrong accusations lead to disbelief, mostly to those of separations and those into prolonged proceedings.

- **Psychological Health:** Falsely accused men are developing feelings of depression, stress, loneliness, anxiety, and a mind desire to commit suicide.
- **Communal Banishment:** The accused families and relatives are being labelled as criminals much before the court decisions happen.
- **Economic Stress:** Lawsuits, repair bills, Advocate fee, travelling expenses, and settlement claims to make middle class families in debt.
- **Seniors Abuse:** the older in-laws are pulled into multiple cases and they suffer psychologically and communally through humiliation.

6. Involvement of Society, Relatives, and Community:

The family breakdown: This is principally based on false or incorrect allegation and an outcome is the widely spread non-belief, usually in relation to cases of separation and lengthy litigation practices.

- **Psychological Health:** Depression, stress, loneliness, anxiety and suicidal thoughts all of these come as an alarming results of falsely accused men.
- **Social Exile:** Before courts decide their fate, the accused families and relatives are continuously declared as criminals thus exposing them to social ostracism.
- **Economic Pressure:** Legal liabilities, repair cost, the cost of Advocates, travelling costs, and settlement claims have forced many middle income families into debts.
- **Senior-In-Law Abuse:** Older in-laws are most often caught up in the various proceedings and those affected experience a serious trauma and humiliation in the society.

6. Society, Relatives and Community Involvement

- **The society:** it is innate to sympathize with the female litigant because she is essentially trying to take advantage of the situation, which is presumingly of guilt on behalf of the husband and his relatives.

- **Relatives:** It often incites and fills false hopes to parties encouraging them to exact revenge or to get financial benefits.
- **Families of the Accused:** These families have to face the law, emotional and reputation breakdown, and reputation destruction. Older parents are easily affected.
- **Children:** Child custody conflicts also have serious detrimental effects to the children including exposing them to an atmosphere where they are likely to encounter conflicts and suffer.

7. Legal Extortion by Claim of Justice:

Another significant trend, which has been termed as the legal extortion, has taken place involving maintenance demands, alimony, and heavy amounts to be settled as a result of duress caused by false criminal charges.

In a confidential legal survey carried out in Maharashtra in 2024,

- Over 70 percent of the men who have been wrongly accused in the justice process interviewed were of the view that money was mostly the goal of the justice process and not to achieve justice.
- The poll also shows that when feat of the monetary demand is met, the involved cases are often dropped or even barred in the court.

8. Systemic escapes and legal concerns:

Pre-emptive arrests and detention The detention and arrest of suspects most often lacks necessary investigations.

This is because the long periods between scheduled hearings, coupled with postponement, usually amounts to de facto punishment on the accused defendants.

- **Impunity to false accusations:** Those who make false complaints are punished only to a small degree by IPC section 211 or 182.
- **Non-compliance of Supreme Court orders:** Despite a verdict of Arnesh Kumar v. In

Bihar, a great deal of the procedural guidelines guiding how arrests will take place, are scrawnily followed or, in general, not followed at all.

9. Recommended reform:

- a) The practice that is in place insists that couples who experience a difference in marriage are compelled to engage in mediation and counselling long before they can turn out to the law. Indeed, the grievance of any nature threatening the relationship should be handled by these non-litigious means, otherwise there is a danger of impending irreversible harm. This involvement can suppress the malicious complaints and advance a higher form of comprehension and prevent false charges, unfounded applications and social disturbances.
- b) Penalties for False Claims: It should also be enforced against false cases under Section 182 or Section 211 of IPC whenever the court finds a false claim to have been filed under Section 498A the DV Act, or under Section 125 CrPC hence countering the tendency to misuse such law by women.
- c) Objective Law Enforcement: The impartiality of the probing officers and the courts should be upheld with thorough investigations that identify the facts and evidence on grounds of which the accused persons have to be charged on Section 498a.
- d) Evidence-Based Charge Sheet Filing: Police officers are advised to avoid filing charge sheets based on oral testimony filed by a woman or based on family connection only. Rather, the charges of all the convicted persons should be backed by material evidence and the inquiries should be controlled by high ranking officers.
- e) Preliminary fact and evidence verification: A clear analysis of circumstances and evidence is non-negotiable prior to the criminal prosecution of any case under Section 498A, DV Act 2005, or Section 125 CRPC so that only reasonably investigated cases can be charged so as to prevent lengthy proceedings in court.
- f) Time-Bound Case Disposal: Courts must fix definite and executable time frame and rules regarding settlement of cases under section 498A, DV act and Section 125 CrPC leading to a cut-off on adjournments and prolonged of any negative consequences or inflicted animosity between families.

- g) Court Orders Implementation Date: As per the need of the present conditions to implement court orders, typically for maintenance under Section 125 CrPC, may take effect from the date of the order and not from the date of application. This helps to set justice and clarity.
- h) Legal Reforms: Necessity to amend Section 498A offence to be bailable and compoundable with strict enquiry procedures, and to revise Section 125 CrPC to include clear and fair guidelines for maintenance to stop unnecessary or unfair demands.
- i) Support for Victims of False Accusations: Psychological Counselling and Legal intervention to the men falsely accused under the provisions of Section 498A, DV Act, Section 125 CrPC to tide over the emotional trauma and face financial distress as they are often the sole bread earner and caretaker of the family and elderly family members, with no backing from the extended family members and the increase in vulnerability concerning mental health emergencies and suicidal tendencies on account of frivolous litigation.
- j) Role of NGO/Civil Society: Motivate NGOs to fight for the real victims of cruelty (domestic violence) and maintenance cases, and to discourage them from using Section 498A, DV Act, and Section 125 CrPC as a tool for money or to extract personal vendetta.
- k) Investigating Officers: Appoint trained Protection Officers as investigating officers (under Section 8 of the DV Act, 2005), preferably without gender bias, to investigate complaints, prepare DIRs (Domestic Incident Reports), and to coordinate with magistrates, police, and service providers to ensure full and fair investigation.
- l) Tackle Increased Suicides by Men based on Fake Cases: Recognise the extremely high rates of suicides among men falsely implicated under section 498a, DV Act or Section 125 CrPC, particularly those who are the sole financial or emotional support for their family and elderly relatives with no further support from other family members and Implement special support system for such men with crisis intervention and mental health support structures.
- m) Maintenance Adjustments for Women Who Are Educated and Employable: It is

proposed that Section 125 CrPC should be revised to cover cases of maintenance claims of "Educated Females" who are capable and intend to get a job. In such cases, courts have the power to adjust or even reject the claims if it can be established that such educated females have left their jobs without informing, or have concealed the fact of their employment, in order to get more maintenance, especially if such women were employed before marriage but pretend to be non-employed or not working after separation or left matrimonial house without any reason. The courts ought to ascertain the parties' sources of income and earning capacities through the official disclosure of education and work history.

- n) Dependence of the husband to be taken into account: It is also required that the amount of money that is given as maintenance under Section 125 CrPC should be only from the husband's income and not from his parents or anyone else and also that the income of the husband should be the only source that is taken into consideration. Just and fair maintenance orders can be reached if and only if it is provided that the income of the husband shall be the sole source of the maintenance given under Section 125 CrPC. The treatment of the incurring of the financial responsibility by the male as the sole breadwinner with dependent parents or dependent sisters be the way of measuring the financial burden on the male.

10. Conclusion:

Abuse of marriage laws such as Section 498A IPC Domestic Violence Act, and Section 125 CrPC has become a major social issue statewide in Maharashtra. A flow of false allegations has precipitated unwarranted detentions, severe mental and psychological trauma, and suicides amongst blameless men and their nearest kin. Laws originally designed to protect women from genuine harassment are now being leveraged recklessly for monetary gain or reprisal purposes. They frequently haul elderly parents and distant relatives into utterly groundless lawsuits in court, sometimes with malicious intent. Court judgments and NCRB statistics, alongside some examples of cases, reveal an unmistakable pattern of vague allegations and lackluster police work. Fair changes are needed right away in the law to bring back trust and uphold what is right in the system. Cops should scrutinize evidence thoroughly, and cases should get resolved quickly with severe penalties for dishonest people regardless of gender. Real justice entails

more than aiding victims and also involves ensuring law remains unexploited by malicious individuals somehow. We can thereby ensure respect, quite fairly, for all sides involved now.

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