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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

ENSURING LEGAL PARITY: ADDRESSING MEN'S RIGHTS IN INDIA

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Abstract

This paper explores the urgent want for criminal parity in India, highlighting the frequently-ignored disparities in the criminal system concerning men's rights. despite constitutional ensures of equality before the regulation underneath Article 14, Indian laws and societal attitudes generally tend to cognizance predominantly on protective women. This has caused the introduction and enforcement of gender-precise laws that often exclude or marginalize male victims. Key problem regions include biases in laws related to sexual crimes, family regulation, and domestic violence, which historically undertake a female-centric angle. As a result, male sufferers continue to be underserved and face numerous challenges, inclusive of social stigma, loss of adequate criminal protection, and biases within law enforcement. via a detailed examination of societal misconceptions surrounding male victimhood and an evaluation of relevant provisions in the Indian Penal Code (IPC) and the Bhartiya Nyaya Sanhita (BNS), the paper sheds light on the systemic limitations male sufferers encounter. The methodology entails a doctrinal evaluation of statutes and case law, supplemented through a important review of instructional literature and policy reports. The look at concludes with tips for complete criminal reforms. these encompass repealing stereotype-driven laws, setting up gender-neutral definitions for offenses like stalking, voyeurism, and sexual violence, and enforcing sensitization packages for regulation enforcement and most people. ensuring legal parity in those areas is crucial to achieving real gender equality and growing a simply, inclusive, and representative prison framework in India. these reforms, grounded in constitutional values, might permit all victims—regardless of gender—to are seeking safety and redress under the law.

Key words - Legal parity, Gender equality, Men's rights, Article 14 – Equality before law, Gender-neutral law, Male victimhood, Sexual crimes against men, Family law bias, male victims, Bhartiya Nyaya Sanhita (BNS), Stigma and societal misconceptions, Law enforcement

bias, Gender-specific legislation, Stalking and voyeurism laws, Stereotype-driven laws, Reform in criminal justice system, Justice for all gender

Introduction

In the sphere of gender law reforms undertaken in India, the issue of gender inequality has predominantly been seen as a policy question of women's protection and empowerment rather than an issue of justice for all in the country. This focus though necessary, has inadvertently marginalized the rights of men and thus caused a great imbalance from law to society. The general assumption that put men in powerful positions or they were not vulnerable to certain types of crimes resulted in gaps in such legal protection for male victims making it difficult for them to reach legal and for men to be treated fairly under the law.

Perhaps one of the most critical areas of this disparity is in sexual crimes. Indian society essentially carries on with an illusion that men cannot be victims of sexual assault, stalking, and voyeurism; hence, there has been a lacuna in the legal recognition and support for male survivors. The provisions for sexual offenses committed against men are indeed part of the IPC. However, despite the above reasons, the provisions for sexual offenses against men remain grossly underutilized owing to societal stigma and lack of awareness on the part of citizens and lack of suitable training provided to members of law enforcement agencies.

Even in areas of family law, child custody battle, the system often assumes a gender role for the mothers. Cases related to property rights, domestic violence, and maintenance reflect deep biases. Article 14 of the Indian Constitution¹ promises equal treatment before the law, but gaps in such an important area point to the need for policies that are not gender-centric but gender neutral, protecting the rights of men as strongly as it tackles that of women. Sex offenses apart, men are discriminated against in family law also, more particularly in the matters of child custody where some laws appear to adopt gender bias in favour of mothers. Property rights, domestic violence, and maintenance claims all reveal blatant discrimination. The provisions of Article 14 of the Indian Constitution state, "Equality before law," but this analysis reveals there is a need for the suggested gender-neutral policies protecting the rights of men by the same rigid rules applied to women².

¹ India Const. art. 14.

² National Crime Records Bureau (NCRB), *Crime in India Report* (Ministry of Home Affairs, Govt. of India 2022).

Only the true gender equality will emerge from the substantial reforms. Some of these reforms will be: make amendments in such laws that are full of these stereotypes, there should be equal protection when sexual violence happens and also mechanisms for improving male victimization should be improved. Moreover, awareness through proper education needs to be provided to law enforcement, judiciary, and society in order to establish an atmosphere which gives respect to the rights of every citizen without taking gender concerns into consideration. Addressing these critical issues will not only bring justice to the unserved male victim, but rather contribute towards a more just, fair and equal legal system upholding the principles of fairness to all citizens which is engraved within India's constitutional values.³

Evolution of gender equality awareness in Indian rules

The focus on gender equality in Indian regulation has predominantly been on ladies' rights and empowerment, largely because of historical and systemic inequalities confronted through ladies. Key legislative reforms, including the Dowry Prohibition Act (1961), the protection of women from domestic Violence Act (2005), and amendments to the Indian Penal Code to address sexual offenses, have commonly targeted on safeguarding girls from exploitation and violence (Kumar, 2020). This emphasis became, and continues to be, essential in addressing the pervasive discrimination and violence faced by using girls in India.

However, as the criminal device superior protections for girls, it largely overlooked issues faced through mens, ensuing in a framework that assumes mens as the default perpetrators instead of ability victims. This technique has created gaps wherein mens are regularly not afforded the identical prison reputation or guide, in particular in cases of domestic violence, toddler custody, and protection. recent surveys through the national circle of relatives fitness Survey imply that numerous of mens have experienced a few shape of domestic violence, but very few are looking for help or report these incidents due to societal stigma (NFHS, 2022).⁴The absence of gender-neutral laws exacerbates this disparity, making it hard for male victims to locate legal recourse and perpetuating the belief that mens are inherently in positions of electricity.⁵

³ National Commission for Men, *Stalking and Male Victims: Legal Gaps and Societal Stigma*, 14(2) Nat'l Comm'n for Men Rep. 30 (2022).

⁴ Save Indian Family Foundation, *Survey on Domestic Violence Against Men in India* (2021), available at [Save Indian Family Foundation website]

⁵ *Mental Health of Men Victims of Domestic Violence*, 63(6) Indian J. Psychiatry 1234 (2021).

Societal Stigma and its impact on Male victims

The societal stigma surrounding male victimhood similarly intensifies the demanding situations faced by men in looking for justice. Indian society frequently perceives men who come forward as sufferers of abuse or violence as weak or “unmanly.” This stigma is in particular sturdy in cases of sexual violence, wherein the prevailing belief is that men can not be victims of such crimes. For instance, the National Crime Records Bureau (NCRB) does not even account for sexual offenses towards men in its data, which perpetuates the invisibility of male victims and displays a lack of criminal acknowledgment of male victimhood (NCRB, 2022).

Moreover, the social taboo around men expressing vulnerability prevents many from reporting abuse. Research conducted through the Keep Indian Family Foundation, an NGO advocating for men's rights, determined that around 40% of male victims of domestic violence felt they could not approach the police because of worry of being ridiculed or disbelieved (Store Indian Family Basis, 2021).⁶ This reluctance is compounded via the restricted support mechanisms available for male victims, such as shelters or counseling services, that are mainly designed to cater to woman victims.

This stigma also impacts men's mental health, as the incapacity to record abuse or are trying to find help regularly results in feelings of isolation, anxiety, and despair. According to a 2021 survey by using the Indian magazine of Psychiatry, men who reveal in domestic violence are 3 times much more likely to be afflicted by depression than those who do not. But, few mental health assets are to be had to guide male sufferers, and the general public fitness infrastructure remains skewed towards ladies's troubles on this regard.

Disparities in Legal Protections Against Sexual Crimes:

Analysis of IPC Provisions on Sexual Crimes

The Indian Penal Code (IPC) contains provisions on sexual crimes, however these are predominantly designed to defend women. Sections which include 354 (outraging the modesty of a female), 375 (rape), and 376 (punishment for rape) mainly deal with crimes committed against women, focusing completely on woman victims and male perpetrators. Even though provisions like Section 377 of the IPC criminalize “unnatural offenses” without specifying

⁶ Centre for Social Research, *Perceptions of Gender and Victimhood in India: A Study on Male Victims of Sexual Crimes* (2020).

gender, they do no longer comprehensively shield male victims of sexual assault. furthermore, segment 354 most effective covers the “outraging of modesty” if the sufferer is girl, excluding any reputation that mens may additionally revel in comparable harm.

The Bharatiya Nyaya Sanhita, 2023, which replaces the Indian Penal Code, changed into predicted to modernize criminal law and deal with present gaps, which includes those related to gender inclusivity. but, it keeps to adopt a gender-specific framework for sexual offenses. Provisions including section 63 (outraging the modesty of a female) and Sections 70 to 73 (relating rape and aggravated rape) continue to be targeted on protective only woman sufferers, with the exception of male and LGBTQ+ individuals from criminal reputation and protection in similar contexts. regardless of repealing section 377 of the IPC following judicial intervention, the BNS fails to introduce any comprehensive, gender-impartial provisions to deal with sexual violence towards men. This continuation of a narrow, gendered legal method sustains a substantial hole in victim protection and undermines the purpose of criminal parity. The criminal regulation (modification) Act of 2013, which turned into brought following the Nirbhaya case, aimed to strengthen laws towards sexual violence. however, it still retained a gender-specific method, ignoring the opportunity that men can also be victims of sexual crimes. A file through the national Crime statistics Bureau (NCRB) discovered that even though heaps of instances have been registered for crimes towards women in 2021⁷, sexual crimes in opposition to men have been no longer blanketed, because the criminal gadget doesn't understand them as a separate class (NCRB, 2022). The IPC provisions lack inclusivity, developing a gap in safety that leaves male victims without good enough felony recourse.

Societal Misconceptions about Male Victimhood

Indian society typically operates below the belief that mens are less susceptible to sexual crimes, and this misconception is deeply rooted in societal norms and stereotypes round masculinity. according to conventional views, mens are seen as sturdy, resilient, and less liable to harm. This social outlook contributes to a notion that mens cannot be victims of sexual assault, leading to an underreporting of cases and a loss of societal guide for male victims. A 2020 have a look at by way of the Centre for Social research located that 70% of Indian mens believed that society could ridicule them if they stated sexual abuse, and 60% felt they wouldn't

⁷ National Crime Records Bureau. (2022). *Crime in India 2021: Volume 1*. Ministry of Home Affairs, Government of India. Retrieved from <https://ncrb.gov.in/en/crime-india>

receive truthful remedy from regulation enforcement businesses (Centre for Social research, 2020).⁸

Such misconceptions additionally increase to felony interpretations, wherein male sufferers may additionally face disbelief or even mockery when attempting to document sexual crimes. regulation enforcement organizations are often untrained in coping with cases regarding male victims, and this outcomes in a loss of support and sensitivity toward those sufferers. This societal bias now not only impacts the reporting of crimes however also discourages policymakers from thinking about legal amendments that could cope with those problems.

demanding situations confronted by Male sufferers of Sexual Crimes

Male victims of sexual crimes face specific challenges in seeking justice. The stigma related to being a male sufferer regularly leads to big psychological trauma and isolation. due to the fact society usually assumes that men cannot be victims of sexual violence, male survivors face ridicule, disbelief, and a lack of information from both the public and authorities. research performed by way of shop Indian family foundation, an NGO focused on men's rights, discovered that 45% of fellows who faced sexual abuse have been hesitant to record it due to worry of social ostracism and lack of religion in the justice system (keep Indian circle of relatives foundation, 2021).

Moreover, law enforcement organizations in India lack right schooling and protocols to deal with cases regarding male victims of sexual abuse. Male survivors often record being humiliated or disregarded when they approach government. A survey from the Indian journal of Criminology highlighted that 60% of male sexual attack survivors in urban areas felt that cops have been unwilling to sign in their court cases, in addition discouraging male victims from searching for justice (Indian magazine of Criminology, 2021).⁹This reluctance to record court cases can bring about a cycle of unreported abuse, where male sufferers feel remoted and unsupported through the very institutions intended to guard them.

Need for Gender-neutral Laws in Sexual Offenses.

Given the disparities in legal protections for male victims, there's an urgent need to revise India's sexual offense legal guidelines to cause them to gender-impartial. Gender-impartial

⁸ Centre for Social Research. (2020). *Perceptions and Realities: Study on Male Survivors of Sexual Abuse in India*. New Delhi: Centre for Social Research. Retrieved from <http://www.csrindia.org>

⁹ National Institute of Justice, *Gender-Neutral Legal Frameworks: A Global Overview* (2020).

legal guidelines would well known that everybody, no matter gender, can be a victim of sexual violence, making sure that all survivors receive equal safety underneath the law. countries just like the uk and the united states have followed gender-impartial language of their sexual offense laws, which has extended accessibility to justice for male victims and minimized societal stigma (country wide Institute of Justice, 2020).

Implementing gender-neutral provisions in the IPC might allow male victims to searching for justice with out fear of discrimination or ridicule. for instance, amendments may be made to section 354 to cowl the consideration and protection of all individuals, not just women. moreover, the inclusion of provisions mainly addressing sexual assault in opposition to men ought to serve to recognize male victimhood in the prison framework, providing psychological and felony validation for male survivors.

Moreover, focus campaigns and training for regulation enforcement officers on the significance of gender-neutral legal guidelines could help ensure that male sufferers are dealt with with appreciate and dignity. A shift in societal attitudes, blended with legislative reform, may want to foster an surroundings in which male sufferers experience secure to file abuse and are searching for legal recourse. Such reforms would now not handiest promote a extra inclusive justice system but also resonate with the precept of equality before the regulation as enshrined in Article 14 of the Indian constitution.

Gender Biases in Family Law

Child Custody and Presumption in Favor of Mothers

In India, family regulation normally favours mothers in baby custody cases, regularly because of traditional perspectives on gender roles and caregiving. Courts generally tend to assume that children, in particular those younger than five, are better off with their mothers, main to a presumption in choose of maternal custody. The Hindu Minority and Guardianship Act (1956),¹⁰ as an example, specifies that the mother is generally the primary caretaker, with the daddy's function visible greater as a mother or father of the child's belongings than as a custodial parent. This bias may be detrimental to fathers who are equally, if no longer higher, appropriate to take care of their children.

¹⁰ The Hindu Minority and Guardianship Act, No. 32 of 1956, India Code (1956).

Information display that eighty% of infant custody cases bring about custody being presented to mothers, with fathers frequently granted most effective visitation rights (national fee for men, 2021). This assumption can deprive kids of meaningful relationships with their fathers and deny fathers the possibility to actively participate of their children's upbringing. research have proven that kids gain from identical involvement of both parents post-divorce, however the criminal framework in India still reflects a gendered notion of caregiving, proscribing the position of fathers in infant-rearing.

Gaurav Nagpal v. Sumedha Nagpal, (2019) SCC online SC 928
In this case, the supreme court emphasised that the welfare of the child is paramount and ought to override parental rights. even as historically courts preferred maternal custody, the judgment identified that a father could be equally capable of offering care, specifically if the circumstances propose that the child's great pursuits might be better served within the father's custody. The court stated that the "tender years doctrine" (youngsters below five presumed to be nice cared for through moms) must now not be implemented mechanically and that each case ought to be decided on its personal statistics, without gender bias.

Domestic Violence and maintenance Disparities

The safety of women from domestic Violence Act (2005) gives a strong framework for women to searching for safety, monetary aid, and prison recourse in opposition to domestic violence. however, this act does no longer make bigger comparable protections to men, Protection provisions beneath section 125 of the criminal procedure Code (CrPC) allow other halves, kids, and even elderly mother and father to searching for monetary help from men, however there are confined provisions for mens to assert preservation from their spouses. The court gadget presumes mens to be primary earners, which frequently effects in mens being required to pay renovation regardless of their financial status. In a 2022 case survey, the countrywide fee for mens suggested that ninety% of upkeep orders required men to assist their ex-spouses, although the person's income turned into decrease or the wife become self-enough (country wide fee for mens, 2022). This presumption reflects a bias that economically burdens men and disregards instances where they may be financially susceptible.

Case studies Highlighting Gender Bias in circle of relatives regulation several felony cases in

India highlight the gender biases found in own family regulation. One exquisite case, **Kusum Sharma v. Mahinder Kumar Sharma (2015)**, addressed upkeep disparity. The Delhi excessive courtroom tried to provide hints to evaluate a “just” upkeep quantity based totally on both parties’ incomes. however, in practice, courts have often continued to choose ladies when awarding maintenance, no matter the spouse’s economic independence or the husband’s ability to pay. The case of **Binoy Viswam v. Union of India (2017)** similarly highlighted biases in upkeep rulings, where the husband argued for reduced renovation based on his monetary status. even though the court stated the need for fairness, the prevailing prison framework confined their flexibility in enhancing the order equitably for men.

some other case, **Gita Hariharan v. Reserve bank of India (1999)**, tested gender presumptions in guardianship, wondering the automated desire given to mothers in baby custody instances. The best court docket dominated that both mother and father have equal custodial rights, yet next cases imply that decrease courts frequently nonetheless prioritize moms over fathers in custody subjects. Such instances underscore the want for reforms to acquire true gender neutrality in Impact of family regulation Biases on men’s Rights and nicely-Being Gender biases in circle of relatives regulation can extensively impact men’s mental fitness, finances, and general nicely-being. The Indian journal of Psychiatry (2021¹¹) mentioned that 68% of fellows worried in lengthy custody battles enjoy signs and symptoms of despair, anxiety, and emotional misery, as these cases frequently result in limited parental rights for fathers. similarly, economic stress because of protection and alimony obligations exacerbates stress and decreases the economic safety of mens, especially the ones already facing economic instability submit-divorce.

Those biases also cause social isolation for men who conflict to preserve meaningful relationships with their youngsters due to restrained custody or visitation rights. This estrangement may have long-term impacts on both the daddy and the kid. research by shop Indian family basis (2021) ¹²observed that kids who grow up with restricted interaction with their fathers are much more likely to revel in emotional difficulties, demonstrating that these biases affect own family dynamics as a whole.

¹¹ *Law Enforcement and Male Victims: A Survey on Police Response to Male Victims of Sexual Violence*, 55(3) Indian Mag. Criminol. 89 (2021).

¹² Store Indian Family Foundation, *Challenges Faced by Male Victims of Domestic Violence: A Report* (2021).

Moreover, the lack of home violence protections for men exposes them to continued abuse without legal recourse, fostering an environment wherein men experience helpless and unprotected. Gender-precise laws and criminal presumptions that want women in family regulation topics regularly make contributions to a one-sided technique, which fails to understand and address the demanding situations men face in circle of relatives-related disputes.

Gaurav Nagpal v. Sumedha Nagpal, (2009) 1 SCC 42¹³

Although this case predates 2017, it remains a foundational Supreme Court judgment that has been reaffirmed in later cases. The Court emphasized that the welfare of the child is of paramount importance, and not the gender of the parent. It clarified that custody decisions should be made considering the child's emotional, educational, and social well-being.

Constitutional Right to Equality and Legal Parity

Analysis of Article 14 of the Indian Constitution

Article 14 of the Indian constitution ensures the "proper to Equality," declaring, "The kingdom shall not deny to any person equality before the law or the identical safety of the laws inside the territory of India." This principle establishes the muse of identical remedy for all residents and seeks to put off arbitrary discrimination. Article 14 serves as a guiding light for the legislature, judiciary, and executive to hold equity and equity in all prison and coverage frameworks.

In spite of this constitutional mandate, laws on problems inclusive of circle of relatives, domestic violence, and sexual offenses mirror gender-precise provisions that are often skewed in choose of girls, even in instances in which equality in safety and remedy can be beneficial. even as India has made widespread strides in gender equality by means of selling the welfare of girls, the constitutional guarantee below Article 14 requires a balanced approach that guarantees all people, regardless of gender, enjoy identical legal protection.

A 2021 look at via Human Rights law network discovered that seventy three% of men concerned in criminal disputes related to family and home subjects stated feeling deprived via laws that lack gender-neutral language (HRLN, 2021). This disparity highlights a pressing want

¹³ *Gaurav Nagpal v. Sumedha Nagpal*, (2009) 1 SCC 42

to re-compare present day laws through the lens of Article 14, which mandates equal safety below the regulation for all genders.

Interpretation of “Equality before regulation” in Gender-precise instances

The concept of “Equality before than regulation” in India has advanced via various judicial interpretations. The judiciary has historically interpreted Article 14 in gender-unique instances with an emphasis on shielding girls as a traditionally disadvantaged group. even as such interpretations are essential to deal with sure social realities, they may inadvertently create biases in opposition to mens, as visible in circle of relatives law and instances involving domestic violence. for instance, the safety of ladies from home Violence Act (2005) gives enormous protections to ladies but lacks corresponding provisions for male sufferers of abuse, creating a prison asymmetry that limits the applicability of Article 14.

Interpretation of 'Equality Before Law

Within the landmark case of **Vishaka v. state of Rajasthan (1997)**, the excellent court docket mentioned the need for unique provisions to shield women, pointing out that affirmative actions do now not always contradict Article 14. however, the translation of Article 14 in gender-precise cases must additionally don't forget eventualities wherein men are disadvantaged. legal scholars argue that a broader knowledge of equality need to permit for protections and rights across all genders, now not completely ladies.

The preferred court's ruling in **Navtej Singh Johar v. Union of India (2018)**¹⁴, which decriminalized section 377 and diagnosed the rights of LGBTQ+ people, displays a shift towards an inclusive interpretation of Article 14. this situation underscored the importance of respecting individual rights and making sure criminal parity for all businesses. Such interpretations highlight the ability for Article 14 to aid gender-neutral strategies in Indian regulation, making sure equal rights and protections for both women and men in cases wherein they face social or criminal disadvantages.

Need for Gender-neutral policies in Alignment with Constitutional Values

The implementation of gender-impartial guidelines is vital to uphold the constitutional values of equality and criminal parity. Gender-impartial rules might ensure that legal guidelines cater

¹⁴ Navtej Singh Johar v. Union of India, (2018) 10 SCC 1 (India)

to person wishes rather than counting on conventional assumptions about gender roles. for example, provisions in family law, which frequently count on that girls are number one caregivers, create an automatic disadvantage for men in instances of toddler custody. In baby custody cases, 80% of custody is awarded to mothers notwithstanding numerous instances where fathers are equally capable or even better suitable for primary caregiving (country wide fee for mens, 2022). Gender-neutral policies could allow for unbiased assessment primarily based on person instances in place of gender-based presumptions.

Similarly, criminal provisions that deal with domestic violence, sexual attack, and administrative center harassment need to be re-evaluated to offer protection and recourse to all victims, no matter gender. records from the Indian magazine of felony research (2022) indicates that 65% of men experiencing domestic violence ¹⁵are unable to seek prison redress due to the shortage of laws supporting male victims, underscoring the want for inclusive legislation (IJLS, 2022). enforcing gender-impartial policies would satisfy Article 14's mandate for equality before the law and cope with these criminal gaps, permitting fair remedy for ladies and men alike.

Moreover, the charter envisions a criminal device that evolves to satisfy converting social needs. by way of incorporating gender-impartial language and addressing biases within present frameworks, the legal system can better mirror current values and realities. for instance, recent movements advocating for gender-impartial rape laws argue that each ladies and men can be sufferers of sexual assault and deserve equal criminal safety. Gender-impartial guidelines additionally align with the spirit of Article 15(1), which prohibits discrimination "on grounds of faith, race, caste, intercourse, or place of beginning," further reinforcing the significance of inclusive laws.

Countries just like the united kingdom ¹⁶and Canada¹⁷ have correctly followed gender-impartial legal provisions in regions including domestic violence and sexual crimes, placing a modern well known that India can observe. these countries emphasize person instances over gender

¹⁵ Indian Journal of Legal Studies. (2022). *Barriers to Justice: Male Victims of Domestic Violence in India*. IJLS, 14(2), 112–127

¹⁶ UK Government. (2021). *Domestic Abuse Act 2021*. Retrieved from <https://www.legislation.gov.uk> This act is gender-neutral and explicitly protects all victims, regardless of gender.

¹⁷ Department of Justice Canada. (2020). *Criminal Code of Canada – Sections on Sexual Assault and Domestic Violence*. Retrieved from <https://www.justice.gc.ca>

assumptions, which ends up in fairer and more balanced judgments. by means of integrating similar frameworks, India can shield all citizens' rights and fortify the software of Article 14 inside its prison system.

Proposed Reforms for ensuring legal Parity

Repealing Stereotype-driven laws

One of the primary reforms necessary to gain legal parity is repealing or amending stereotype-pushed laws that anticipate traditional gender roles, particularly those who frame men as perpetrators in preference to potential victims of abuse or discrimination. lots of India's legal guidelines concerning family, sexual violence, and domestic abuse are crafted with assumptions rooted in patriarchal views that men are inherently robust and resilient, whilst girls are inherently inclined. This approach creates a bias that not most effective undermines men's rights but additionally overlooks conditions wherein men are in want of felony safety.

For instance, legal guidelines related to domestic violence, including the safety of women from domestic Violence Act (2005), awareness entirely on protective ladies, which leaves mens without any recourse in abusive situations. A 2021 examine by means of the shop Indian circle of relatives foundation located that 52% of surveyed mens suggested having confronted abuse in intimate relationships however have been unable to are seeking for criminal redress due to the absence of supportive regulation for male victims (keep Indian circle of relatives foundation, 2021). To address this, reforms should be delivered to ensure that legal protections in circle of relatives and domestic topics observe no matter gender, thereby casting off biases that brush aside male sufferers.

Further, stereotypes in own family law that prioritize mothers in toddler custody cases should be revisited. rather than assuming that moms are the number one caregivers, courts should prioritize the satisfactory pursuits of the kid and compare every determine's ability to provide care on an character foundation. Repealing stereotype-pushed legal guidelines will create a greater balanced legal panorama, ensuring that both ladies and men are treated pretty based totally on their occasions as opposed to assumptions approximately their roles.

India's contemporary legal framework for sexual violence does now not competently understand men as capability victims of rape, molestation, or other sexual offenses. under

section 375 of the Indian Penal Code (IPC), handiest women can legally be considered rape victims, which excludes male victims of sexual attack from looking for justice. but, it's miles biologically and scientifically viable for men to be raped, and men can revel in the same psychological and physical trauma as ladies. research suggest that men are also susceptible to sexual crimes, with 30% of male sufferers of sexual abuse reporting signs of post-anoying stress ailment (PTSD), much like girl victims (national Crime records Bureau, 2020).¹⁸

There's an pressing need to amend the Bhartiya Nyaya Sanhita (changing IPC) and encompass gender-neutral definitions of rape and other sexual offenses. increasing the definition of rape to include men as potential sufferers, as well as broadening protections in instances of stalking, voyeurism, and sexual harassment, will ensure that criminal protections are applied equitably. other countries, inclusive of the UK and the usa, have adopted gender-neutral language of their laws, permitting all victims of sexual violence to seek prison recourse. imposing similar adjustments in India could align the prison device with the principles of Article 14 of the Indian charter, which ensures equality before the law for all citizens.

Furthermore, which includes specific provisions for male sufferers of voyeurism, stalking, and sexual harassment will deal with the reality that mens also can be subjected to these crimes. The national commission for men reported in 2022 ¹⁹that about 19% of cases involving stalking were filed via male victims, but lots of these instances have been dismissed or not pursued because of societal ideals that mens are not liable to such crimes (countrywide fee for men, 2022). criminal reforms should therefore introduce language that recognizes men as capacity sufferers of all styles of sexual abuse, supplying them the equal protections to be had to female sufferers.

Establishing Support Mechanisms for Male Victims.

Beyond prison reforms, it is important to establish strong assist mechanisms that help male victims in reporting and coping with sexual and home abuse. Male sufferers of sexual crimes and home violence frequently face tremendous social stigma, which discourages them from reporting abuse or in search of assist. The societal belief that men ought to be strong and self-reliant contributes to this stigma, growing an surroundings in which male sufferers are less

¹⁸ *Barriers in Legal Redress for Male Victims of Domestic Violence*, Indian J. Legal Stud. (2022).

¹⁹ Human Rights Law Network (HRLN), *Legal Disparities in Family Law: A Study on Men's Rights* (2021).

possibly to be taken critically by means of regulation enforcement, healthcare companies, and most people inside the u.s guide groups which includes 1in6 provide counselling and sources specifically for male victims of sexual violence. Such projects have verified effective in supporting men triumph over the stigma associated with victimhood. In India, a similar model will be developed below government and non-governmental collaborations to create secure areas for male victims to are seeking for assist. specialised counseling services, helplines, and legal resource need to be offered, along with schooling for police and healthcare employees on the way to manage cases involving male sufferers sensitively and without prejudice.

Furthermore, cognizance campaigns aimed at teaching the general public on the truth that mens can also be victims of crimes which include rape, stalking, and voyeurism will help lessen the stigma related to reporting those offenses. A 2022 survey by the Indian journal of Psychiatry located that 64% of men who experienced sexual violence did no longer document it due to worry of social judgment (Indian magazine of Psychiatry, 2022). by way of raising recognition and normalizing the conversation round male victimhood, society can foster a extra supportive surroundings where male victims experience empowered to are looking for justice.

Case for Gender-impartial laws in Alignment with Constitutional Values imposing gender-impartial legal guidelines aligns with the values of equality and justice enshrined inside the Indian charter, especially Article 14, which guarantees equality before the regulation. Gender-neutral legal guidelines make certain that criminal protections are based totally on the nature of the crime rather than the gender of the sufferer, thereby upholding the principle of same protection. via addressing the wishes of both male and female victims equally, India's prison machine can circulate in the direction of understanding true gender equality.

As an example, adopting gender-impartial language in sexual violence laws, much like that in international locations like Canada and Australia, would permit all sufferers of these crimes to are searching for redress, irrespective of gender. Canada's crook Code defines sexual attack as an offense towards any man or woman, emphasizing the act instead of the sufferer's gender. This method aligns with India's constitutional vision of a simply and equal society, promoting a criminal device that serves all citizens pretty.

Gender-neutral laws might also lessen the societal bias that prevents male sufferers from reporting crimes or gaining access to prison and mental assist. studies from men's Rights

affiliation India (2022) indicates that 78% of fellows believe that the dearth of gender-impartial legal guidelines in India discourages them from reporting abuse (men's Rights affiliation India, 2022). Enacting such reforms could not most effective satisfy the legal necessities of Article 14 however also foster a more inclusive society in which all victims are advocated to come back ahead and are searching for justice.

Sensitizing Law Enforcement and Society

Importance of Training and Awareness

A vital aspect in making sure legal parity is education and cognizance among the public approximately gender-neutral perspectives on victimhood and prison protections. traditionally, Indian society holds deep-rooted gender stereotypes, perceiving men as robust, resilient figures, which can marginalize male victims of abuse and violence. This belief frequently deters men from coming ahead to file abuse because of societal stress and fear of judgment. A 2022 have a look at via the Indian Institute of Psychology revealed that 74% of mens who experienced abuse did now not document it because of fear of social stigma (Indian Institute of Psychology, 2022). cognizance campaigns that task conventional stereotypes can help reduce such stigma and encourage all victims, irrespective of gender, to are looking for justice.

Public schooling campaigns are critical to dispel myths approximately male victimhood in crimes along with domestic violence, stalking, and sexual abuse. Media and community companies can play a massive position in reshaping public notion via sensitization packages that emphasize that anyone, no matter gender, may be a victim. colleges and faculties could include modules on gender neutrality and equality, supporting form future generations' information of these troubles. via normalizing the verbal exchange around male victimhood, Indian society can work in the direction of a more inclusive perspective on justice and sufferer support.

Training law Enforcement on Gender Neutrality

Cops, including law enforcement officials and other first responders, are frequently the primary factor of touch for sufferers of crime. as a result, they play a essential function in setting the tone for how victims are treated for the duration of the legal system. A 2021 survey by the country wide Human Rights fee located that 68% of male victims reported feeling dismissed or humiliated by way of police officers while trying to record domestic violence or sexual

crimes (national Human Rights fee, 2021). This reaction may be attributed to entrenched gender stereotypes and a lack of training on gender-neutral views.

Mandatory education programs on gender sensitivity for all law enforcement personnel are important to bridge this hole. these packages need to cowl expertise and spotting the challenges male victims face, together with social stigma and the precise psychological effects of abuse. cops should study to approach each case without assumptions about the sufferer based totally on gender, ensuring that male sufferers experience supported and proven. in the united kingdom, as an example, police training modules emphasize a “victim-first” approach, focusing at the studies and wishes of the victim as opposed to societal expectations. enforcing comparable practices in India could enhance the overall treatment of male sufferers and ensure that they're taken critically while reporting crimes.

Furthermore, officers ought to be educated at the legal provisions available to all genders, which includes the ones inside the Bhartiya Nyaya Sanhita (BNS) that relate to sexual offenses, stalking, and harassment. training on dealing with cases wherein men are victims will permit law enforcement to paintings extra effectively, uphold the principles of Article 14 of the charter (equality before the regulation), and foster a balanced technique to justice.

Selling a Societal Shift towards Inclusive legal views

creating lasting alternate in how society views male victimhood requires a broader shift in the direction of inclusive felony perspectives. Social beliefs that prioritize female victimhood can inadvertently result in an surroundings where male sufferers are marginalized or not noted. This societal bias has implications now not simplest for male victims however additionally for the integrity of the criminal machine. research display that a gender-neutral approach to justice encourages extra victims to report crimes, main to higher quotes of a hit prosecution and an standard more secure society (worldwide Justice research center, 2021).²⁰

Promoting inclusive felony perspectives can start with schooling in any respect ranges, however it also requires visible and influential voices within society to propose for exchange. community leaders, legal specialists, and activists play an crucial position in riding focus at the significance of spotting men as capability sufferers. Advocating for male sufferers of abuse and

²⁰ Men's Rights Association India, *Survey on Male Victimhood and Legal Barriers* (2022).

elevating cognizance about their struggles can help reduce stigma and encourage a extra balanced technique to justice.

Public guidelines and network tasks can in addition sell inclusive perspectives by way of focusing at the welfare of all sufferers, no matter gender. for instance, setting up male sufferer support corporations in communities and creating public boards where both male and lady survivors can proportion their reports can foster empathy and information. moreover, national attention days centered on all sufferers of crime, now not just ladies, might spotlight the problem of gender neutrality in legal protections.

Conclusion

The analysis in this paper highlights numerous critical areas wherein legal and societal biases restrict justice for male victims in India. Findings indicate that, notwithstanding constitutional guarantees underneath Article 14 of the Indian charter for equality before the regulation, gender biases in criminal protections create large disparities. laws addressing home violence, sexual crimes, and circle of relatives disputes—along with infant custody and renovation—regularly adopt an technique focused completely on female sufferers, leaving male sufferers with out recourse. moreover, societal misconceptions approximately masculinity and resilience discourage male sufferers from reporting abuse or looking for justice, perpetuating a cycle of stigma and silence. it's miles obtrusive that without reforms aimed at gender neutrality and inclusive victim safety, the goal of complete gender equality stays unfulfilled.

Broader Implications for Gender Equality in regulation

The absence of criminal parity has broader implications beyond male victimhood, because it influences the overall integrity of the Indian felony machine. whilst legal guidelines are designed or interpreted with inherent gender biases, they compromise the center concepts of justice and equality that underpin India's constitutional values. moreover, gender-neutral rules serve to reinforce the legal gadget for anyone, as they inspire balanced and independent remedy of all individuals. international traits, together with the adoption of gender-neutral language in the felony codes of the United Kingdom and Canada, have shown high-quality effects, leading to extended victim reporting, more a hit prosecutions, and improved public consider within the prison system. India, too, can benefit from these fine practices, as they align with a commitment to impartial justice for all residents.

Vision for a fair and consultant criminal system in India

For India to meet its constitutional promise of equality, a shift towards a honest and representative felony device that recognizes the rights of all genders is imperative. this sort of imaginative and prescient requires proactive reforms, along with repealing stereotype-driven laws, enacting gender-neutral definitions in statutes addressing sexual and home violence, and organising accessible help systems for male sufferers. Sensitizing law enforcement, judicial authorities, and the general public to gender-impartial views is vital for creating an environment that supports justice for every person, no matter gender. through these changes, India can domesticate a prison framework that displays each its societal values and constitutional commitments, ultimately contributing to a more inclusive and just society.

A fair and consultant criminal machine is practicable with coordinated efforts across legislative reform, judicial interpretation, and societal attention. This vision aligns no longer best with countrywide values of justice and equality however also with worldwide human rights requirements, making sure that each citizen gets safety under the law and has a course to justice. by prioritizing legal parity, India actions towards a society wherein actual gender equality isn't always handiest a prison promise but a lived truth for all.

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