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# **ALIMONY IN INDIAN LAW: A SOCIO-LEGAL ANALYSIS**

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## **Abstract**

This article examines the concept of alimony as it applies to wives in India. It highlights that alimony is a right for every woman, even after her marriage has ended. India has several laws on alimony, each governed by different personal laws. The article briefly outlines the relevant provisions from the Code of Criminal Procedure, Hindu Law, and Muslim Law. It also discusses the conditions under which a woman can claim her right to alimony. By reviewing judgments from the Supreme Court and various High Courts, the article aims to show how these laws have been interpreted to protect women's interests. The rulings and judges' comments suggest a need for better implementation of these statutes.

The article also discusses the right to alimony for minor wives. In the end, it offers suggestions for expanding the scope and application of this right. The goal is to highlight the growing need to strengthen the right to alimony.

**Key words:** Alimony, Family Courts, Comparative

## **1. Introduction**

Alimony is an allowance that, by court order, the husband or former husband must pay to his wife or former wife, after they have been legally separated or divorced. This allowance is for her support and alimony. If the allowance is granted during the suit, it is called alimony pendente lite. If it is allowed after the suit ends, it is called permanent alimony. Alimony is usually an incident of legal separation or divorce proceedings. However, in some jurisdictions and, by statute, in many states, it is also recognized as an independent right. Such proceedings

are usually held in chancery courts.<sup>1</sup>

In *Burr v. Burr*, 7 Hill (N. Y.) 207, “it was said that alimony is the alimony or support which a husband is bound to give his wife upon separation from her, or support which either father or mother is bound to give either his or her children, though this is more usually called alimony.”

The lower-earning spouse maintains a standard of living similar to that during marriage. Support may be temporary or permanent and depends on the length of the marriage, the spouses' financial differences, and their needs and abilities. Alimony aims to ensure fairness and ease financial hardships the lower-earning spouse may face after divorce. It recognizes each spouse's contribution and aims to address any economic imbalances from the divorce.<sup>2</sup>

Alimony pendente lite was granted until the divorce decree, reflecting the husband's responsibility to support his wife during the marriage. Post-divorce or permanent alimony was also based on the belief that the marriage persisted, as the courts could only issue a divorce a mensa et thoro, akin to today's legal separation.

In India's last 20 years of criminal law reform, a recurrent argument leveled against laws dealing with violence against women has been that women exploit such laws. Police, civic society, politicians, and even High Court and Supreme Court judges fiercely pushed claims of such "misuse." Misuse was suspected, specifically in violation of IPC Sec 498A. Domestic abuse and harassment by partners and family members are complicated actions. The courts and police habitually continue to devalue domestic violence situations. Females also take advantage of laws created to protect women from abuse and cruelty by making false charges against their husbands to get rid of them or tarnish the family.

### **1.1 Research Problem: The Shift from Welfare to Strategy**

This research focuses on the current framework of alimony and alimony laws in India. It examines how these laws aim to ensure a dignified life under Article 21 of the Indian Constitution. The study also looks at the difference between 'needs' and 'luxuries,' the ongoing need for alimony laws, and the social stigma faced by divorced women.<sup>3</sup>

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<sup>1</sup> David S., et al., Editors Garland, American and English Encyclopaedia of Law (2d ed.1896-1905).

<sup>2</sup> Lovish, *Metamorphosing Alimony Laws in India: Charting a Course towards Equity, Empowerment, and Social Justice*, 3 Indian J. Integrated Rsch. L. 1 (July-August 2023).

<sup>3</sup> India: Shackled mentally-ill people released from faith-based asylum – IFHHRO

<https://www.ifhhro.org/news/india-shackled-mentally-ill-people-released-from-faith-based-asylum/>

## 1.2 Research Objectives and Methodology

### Research Objectives

This paper analyzes alimony by examining its legal framework, assessing its social impact, and addressing the reasons such laws are implemented in society.

1. To examine the evolution of alimony from traditional personal laws to the secular provisions of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.
2. It examines how alimony has evolved from traditional personal laws to the secular provisions of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. It also looks at how alimony claims can sometimes be used for financial harassment or as a 'jackpot' strategy in urban divorce cases. Study of alimony cases and a deep analysis of judges' attitudes towards them.

### Research Methodology

This research employs a doctrinal approach and draws on empirical studies, case law, articles, and other social and legal scholarship related to Indian society.

## 1.3 Literature Review

"As held by us in *Kiran Jyot Maine*, it is also necessary to ensure that the amount of permanent alimony should not penalize the husband but should be made with the aim of ensuring a decent standard of living for the wife." BY VIKRAM NATH, J. "*PARVIN KUMAR JAIN VERSUS ANJU JAIN* 2024 LiveLaw (SC) 969"<sup>4</sup>

"With the inclusion of judicial divorce, alimony continued as a proper remedy in view of women's dependent position within marriage as long as they remained innocent. The modern reform of no-fault divorce leaves us with the requirement for a new rationale or basis for alimony." BY GAYTRI KACHROO "*MAPPING ALIMONY: FROM STATUS TO CONTRACT AND BEYOND*"<sup>5</sup>

Enhancing alimony laws is not a solitary endeavor. It involves legal experts, policymakers, and stakeholders working together. By weaving together the threads of transparency, consistency, accountability, and fairness, we can fashion a legal fabric that resonates with the values of a

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<sup>4</sup> Mittal, Y. (2024, December 11). Permanent alimony shouldn't penalize husband but should ensure decent living for wife: Supreme Court lists out factors. Live Law. Retrieved November 18, 2025, from <https://www.livelaw.in/supreme-court/permanent-alimony-shouldnt-penalize-husband-but-should-ensure-decent-living-for-wife-supreme-court-lists-out-factors-277959>

<sup>5</sup> Kachroo, Gaytri. (2007). Mapping alimony: from status to contract and beyond. *Pierce Law Review*, 5(2), 163-270.

just and compassionate society. By Lovish. "METAMORPHOSING ALIMONY LAWS IN INDIA: CHARTING A COURSE TOWARDS EQUITY, EMPOWERMENT, AND SOCIAL JUSTICE"<sup>6</sup>.

Several laws recognize the rights of married women and work towards the betterment of their conditions in case of any injustice faced by their husbands, but over time, these laws have transformed into a weapon that is used against men. There have been instances where alimony and alimony have been used as a weapon to extort money from a spouse. By Ananya, Ajita. "ALIMONY: WEAPON FOR MALE DESTRUCTION -A CASE STUDY ON INDIAN PERSPECTIVE"<sup>7</sup>

When dealing with the laws, implementing agencies should keep in mind that men are also human beings. Men also have their physical, emotional, and financial rights. Preventing the misuse of amendments to women's protection laws is the need of the present time. If a woman misuses the law, she should be punished severely. By Anjali Dixit, Digshikha Priyadarshani, and Pallav Mittal "GENDER-BASED MALE TORTURE, SUICIDE AND BIASED LAWS IN INDIA."<sup>8</sup>

Modern law lacks a theory of alimony to explain why someone should be obligated to help support a former spouse. Contract and partnership principles, although appealing on many grounds, ultimately cannot fill this gap by providing a coherent rationale. By Ira Mark Ellman in "The Theory of Alimony"<sup>9</sup>

The subject of theoretical analysis involves essential signs of relationships for the actual upbringing of a child and tools of judicial knowledge of this category of cases: logic for the purpose of establishing the content reliability of the studied post-facts, reception reconstruction of past events in the relations of the disputing parties; judicial interpretation, judicial discretion, analogy of the law. In conclusion, the idea is put forward that the problem of proper child-rearing should not be covered by the problem of evaluative concepts. By E.G. KOMISSAROVA, KRASNOVA, in "ALIMONY CLAIMS ACTUAL CAREGIVERS OF THE CHILD: PROCEDURAL FEATURES COURT PERMISSION"<sup>10</sup>

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<sup>6</sup> Lovish. (2023). *Metamorphosing Alimony Laws in India: Charting a Course towards Equity, Empowerment, and Social Justice. Part 2 Indian J. Integrated Rsch. L., 3, 1.*

<sup>7</sup> Ananya, Ajita. (2023). *Alimony: Weapon for Male Destruction A Case Study on Indian Perspective. Indian Journal of Law and Legal Research, 5, 1-11.*

<sup>8</sup> Anjali Dixit and Digshikha Priyadarshani and Pallav Mittal (2025) *Gender-Based Male Torture, Suicide, And Biased Laws In India International Journal of Environmental Sciences ISSN: 2229-7359 Vol. 11 No. 22s, 2025*

<sup>9</sup> Ellman, Ira Mark. (1989). *The theory of alimony. California Law Review, 77(1), 1-82.*

<sup>10</sup> Komissarova, E. G., & Krasnova, T. V. (2021). *Alimony claims actual caregivers of the child: procedural features court permission. Herald of Civil Procedure, 2021(3), 237-259.*

## **2. Alimony Under Family Law**

### **2.1 Hindu Law**

Hinduism places a strong spiritual responsibility on husbands to care for their wives. Under the Hindu Marriage Act of 1955, Section 24 allows either spouse, regardless of gender, to seek financial support from the other. The amount of support depends on factors such as the husband's financial situation, income, the wife's employment status, and both parties' assets and liabilities.<sup>11</sup>

When couples choose mutual divorce, alimony is usually determined by their agreement. In contested divorces, the court determines alimony based on the specific details of each case. Sometimes, alimony may not be awarded, depending on the circumstances.

In these cases, the court uses its discretion to decide the amount of alimony. Additionally, Section 18 of the Hindu Adoptions and Alimony Act of 1956 provides wives with another means to seek alimony.

### **2.2 Christian aw**

Under Christian law, the Indian Divorce Act of 1869 sets out rules for supporting a wife in Sections 36, 37, and 38. Section 36 deals with requests for temporary financial support and alimony while a divorce case is ongoing. The main goal is to provide the wife with financial help during the legal process.

Transitioning to Section 37 of the Indian Divorce Act: Section 37 covers long-term alimony. The court can order the husband to provide regular financial support, either weekly or monthly, to ensure the wife's well-being. The amount is decided by the court based on what is reasonable.

### **2.3 Muslim Law**

In Muslim Law, the consideration of alimony necessitates an initial examination of the pertinent legal framework, a consideration of profound significance when seeking to assert this entitlement. In Muslim jurisprudence, the right to claim alimony is specifically vested in women.<sup>12</sup> This legal doctrine emanates from the tenets of Sharia, where women are unequivocally endowed with an inherent prerogative to sustenance, an entitlement impervious even to the wife's favorable financial standing, which stands in stark contrast to the financial limitations faced by her husband.

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<sup>11</sup> Disha Sivakumar, Maintenance Laws in India and Gender Inequality, 6 Int'l J.L. Mgmt. & Human. 720 (2023).

<sup>12</sup> Arshiya Rizvi And Anr. v State of U.P. And Anr., (2022) Criminal Revision No. 763/2018

The Muslim Women (Protection of Rights on Divorce) Act, 1986<sup>13</sup>, outlines the rules for alimony and alimony under Muslim law.

### **3. Case analysis related to Alimony in India**

#### **Captain Ramesh Chander Kaushal v. Mrs Veena Kaushal And Others<sup>14</sup>**

The Supreme Court, presided over by Justice V.R. Krishna Iyer, primarily addressed the jurisdictional nuances and the interpretation of Section 125 of the Criminal Procedure Code (CrPC) concerning alimony orders. The District Court had awarded alimony to Mrs. Veena Kaushal and their two children, which was subsequently adjusted by the High Court. Concurrently, the Magistrate imposed a higher alimony amount of Rs 1,000, which was challenged on the grounds that it exceeded the statutory maximum defined under Section 125 CrPC. The Supreme Court upheld the Magistrate's decision to award Rs 1,000, interpreting Section 125 CrPC in light of broader social justice principles. The Court emphasized the independent entitlement of each alimony claimant—be it the wife or the children—and rejected the notion that the statutory cap should be interpreted restrictively to prevent cumulative alimony awards.

#### **Rajnish v. Neha And Another<sup>15</sup>**

The Supreme Court affirmed the orders passed by the Family Court and the Bombay High Court, directing the appellant to pay the arrears of alimony. A significant portion of the judgment was dedicated to framing comprehensive guidelines to address overlapping jurisdictions under different alimony laws, such as the Hindu Marriage Act (HMA), the Hindu Adoptions and Alimony Act (HAMA), Section 125 of the Criminal Procedure Code (CrPC), and the Protection of Women from Domestic Violence Act (DV Act). The Court emphasized the necessity of a uniform procedure to avoid multiplicity of proceedings and conflicting orders.

Key directives included mandatory disclosure of previous alimony proceedings, standardizing affidavits of assets and liabilities, and setting timelines for the disposal of alimony applications. Additionally, the Court addressed the enforcement of alimony orders, highlighting measures to ensure compliance and prevent defaulting spouses from evading their obligations..

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<sup>13</sup> Muslim Women (Protection of Rights on Divorce) Act, 1986, s 3(1)

<sup>14</sup> Captain Ramesh Chander Kaushal v. Mrs Veena Kaushal And Others 1979 CRLJ SC 3

<sup>15</sup> Rajnish v. Neha And Another, 2020 INSC 631

**Aditi v. Jitesh Sharma<sup>16</sup>**

“After referring to *Rajnish v. Neha*, (2021) 2 SCC 324, the Court said that the terms of alimony are decided based on the pleadings of the parties and based on some amount of guesswork. It is often seen that both parties submit scanty material and fail to disclose accurate details. The wife tends to exaggerate her needs, whereas the husband tends to conceal his actual income. Thus, this Court laid down the procedure to streamline the grant of alimony. Guidelines were issued in exercise of powers under Article 136 read with Article 142 of the Constitution of India, prescribing a uniform format of Affidavit of Disclosure of Assets and Liabilities to be filed in alimony proceedings. Criteria for determining the quantum of alimony were also laid down.”

#### **4. Challenging claims of Alimony In India**

Challenging alimony in India requires understanding the legal grounds and rights for contesting or modifying alimony orders. Alimony, or alimony, is a financial obligation in which one spouse supports the other after separation or divorce.<sup>17</sup>

There are specific legal reasons and remedies for contesting alimony, such as financial hardship, false information from the spouse, or changes in circumstances. A spouse can challenge alimony if they believe the order is unfair or no longer applies. Courts consider various legal and factual grounds when reviewing these challenges. Here are the main grounds for contesting alimony in India:

1. **Misrepresentation of Financial Status:** If the spouse receiving alimony has provided false information about their income, assets, or overall financial standing to secure alimony, the paying spouse can
2. **Recipient's Self-Sufficiency:** Alimony is intended for a spouse who cannot maintain themselves. If the recipient earns sufficient income or has substantial means to support themselves, the paying spouse can challenge the alimony.
3. **Remarriage of the Recipient:** Under Indian law, remarriage of the alimony recipient automatically nullifies their right to further alimony.
4. **Change in Financial Circumstances:** A significant change in the financial status of either party can form the basis for contesting or modifying alimony.

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<sup>16</sup> *Aditi v. Jitesh Sharma*, 2023 SCC OnLine SC 1451, decided on 06-11-2023

<sup>17</sup> Sheokand Legal. (2024, December 12). Challenging Alimony in India | Sheokand Legal. <https://sheokandlegal.com/articles/challenging-alimony-in-india/>

5. **Marital Misconduct or Fault:** If the recipient spouse is proven guilty of marital misconduct, such as adultery or desertion without reasonable cause, they may lose their right to alimony.
6. **Short Duration of Marriage:** Alimony is generally awarded based on the duration of the marriage. In brief marriages with no dependents or significant contributions from either spouse, the paying spouse can contest alimony.
7. **Pre-Nuptial or Mutual Agreement:** If the couple has entered into a pre-nuptial or post-nuptial agreement that excludes or limits alimony, such agreements can be used as a defense against alimony claims.
8. **Recipient's Failure to Provide for Children:** If the custodial parent (usually the alimony recipient) neglects their duty to care for the children, the paying spouse can use this as a ground to contest or reduce alimony.
9. **Fraudulent or Hidden Marital History:** If the recipient spouse has concealed prior marriages, children, or other obligations at the time of claiming alimony, this could be a valid ground to contest the award.
10. **Recipient's Financial Independence Post-Divorce:** A recipient who establishes a stable income or business after the divorce may no longer require alimony.

To challenge alimony in India, it is important to understand the legal grounds and remedies available. With help from an experienced family court lawyer, individuals can contest or change alimony orders to ensure fair treatment and financial stability. Taking a strategic approach to alimony disputes can help achieve fair outcomes and protect your rights under Indian law.

## **5. Comparative analysis of Alimony in Different Countries**

(A)Canada In Canada, spousal support can take different forms:

- **Compensatory Support:** Compensates for contributions and losses during the marriage.
- **Non-Compensatory Support:** Based on needs, often for illness or economic hardship.
- **Contractual Support:** Agreed upon in divorce settlements. Both married and common-law couples can receive spousal support. However, common-law couples must claim it within a year of separating. Married couples can divorce under federal law, while common-law couples separate under provincial law.

Spousal support determination criteria: The federal Divorce Act's Section 15.2(6) lists four

goals for spousal support orders.<sup>18</sup> Courts consider factors like the length of the relationship, roles, and existing agreements when deciding on support. The goals are to recognize economic impacts, allocate child-related expenses, ease financial hardship, and promote self-sufficiency. The amount and duration of support vary. Guidelines provide ranges, but courts are not bound by them. The length of the relationship influences how long support payments are made. Notably, bankruptcy doesn't erase alimony or child support obligations. However, divorcerelated equalization payments are considered debts and are cleared in bankruptcy, as ruled by the Supreme Court of Canada in 2011<sup>19</sup>

(B). England. In England, courts can award spousal alimony, which can be either a lump sum or periodic payments. This support is granted when one party in a marriage cannot financially support themselves without assistance from the other party.<sup>20</sup> Historically, under traditional English common law, women forfeited their property rights upon marriage.

(C)Japan In Japan, spousal support is provided while the couple is married, but ends after divorce. When a divorce occurs, Japanese courts often grant a one-time payment, known as "isha-ryo" or "consolation money," to the spouse who may have been cheated during the divorce. This type of compensation, called consolation money, is unique to Japan and is not a common practice in many other places, like most U.S. states<sup>21</sup>

(D) California, if spousal support (alimony) is restricted under the agreement, only California has a law requiring that the parties be represented by counsel.

(E) In the United States, alimony regulations are determined by state law, and they establish requirements for alimony and child support payments, as well as the consequences for non-payment.

### **6. Changing Trends in thoughts related to Alimony**

These days, fraudulent 498A cases harass all relatives, including fathers, mothers, and sisters, even if they are not living in the matrimonial house. The following are the reasons why wives file fraudulent 498a complaints against their husbands and their families. "Money: Your wife could be pursuing your money and using bogus 498a suits to harass you and your family. Mental harassment can force you to settle for a large sum of money. "Husband refused to

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<sup>18</sup> Divorce Act, RSC 1985, c 3, § 15.2 (2nd Supp) (2019-04-08).

<sup>19</sup> Schreyer v. Schreyer, SCC Cases (Lexum July 4, 2011),

<sup>20</sup> Guidance on "Financial Needs" on Divorce (PDF), Courts and Tribunals Judiciary - Family Justice Council, Judicial Press Office, June 2016

<sup>21</sup> Mutsuko Yoshioka & Janel Anderberg Callon, Reform of Japanese Divorce Law: An Assessment, 11 U.S.-Jap. Women's J., Eng. Supp. 47, 60 (1996), <https://www.jstor.org/stable/42772100>

divorce his Wife: If you refuse to give him/her a divorce, you may be subject to bogus 498a and 406 IPC proceedings, as well as the new 377 IPC. " Persistent family pressure: Matrimonial disagreement is prevalent in marriages, and it can occasionally be exacerbated by relatives. False 498A cases might be caused by negative relatives. "Wife has an extramarital affair: If the husband finds out that his wife is having an affair somewhere else, and you find out, she can use these bogus cases against her husband. The offenses in this section are non-bailable, meaning they are punishable by imprisonment.

After witnessing female cruelty. Section 498, which falls in line with other laws. However, false and exaggerated, and his family's relatives, beneficiary laws as a tool of the 11 -educated. Women realize that it is both cognizable and perceived through a woman's simple accusation, placing the male reader in the context of the prevalence and severity of recorded examples in 1983. Section 498A of the IPC is a punitive provision in the Code of Criminal Procedure intended to deter, as well as to involve several of the husband's relatives, leading to widespread acceptance of this women's retribution<sup>22</sup>.

The main reason why male victims are neither recognized nor adequately protected by the law is that they are often portrayed as strong, leaving no room for them to showcase their vulnerabilities. This society will portray men as 'weak' and 'less masculine' if they voice their problems, leading them to question their masculinity. They fear that if they speak up, they will be ridiculed and their problem will not be heard, just because they have the cover called 'men.'

In the case of Mohammed Zakir V. Shabana<sup>23</sup>, the judgment was given after reviewing the precedent in Harsora v. Kusum Narottamdas Harsora<sup>24</sup>. The Supreme Court held that the Domestic Violence Act of 2005 will ensure the protection of domestic partners irrespective of their gender. Even men can seek relief under this Act. This was an important judgment, as it recognized that the Act predominantly favored women and violated Article 14 of the Constitution<sup>25</sup>, which guarantees equality before the law.

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<sup>22</sup> Devarajan, B., & Samyuktha, V. (2025). BHARATIYA NYAYA SANHITA: UNVEILING THE REALITY OF GENDER EQUALITY FOR MEN. In Indian Journal of Integrated Research in Law, Indian Journal of Integrated Research in Law. Indian Journal of Integrated Research in Law. Retrieved April 16, 2026, from <https://ijirl.com/wp-content/uploads/2025/01/BHARATIYA-NYAYA-SANHITA-UNVEILING-THE-REALITY-OF-GENDER-EQUALITY-FOR-MEN.pdf>

<sup>23</sup> Mohammed Zakir v. Shabana & Ors (2018) 15 SCC 316

<sup>24</sup> Hiral p harsora v kusum narottamdas AIR 2016 SC 4774

<sup>25</sup> Art.14 is available at

[https://www.indiacode.nic.in/bitstream/123456789/15240/1/constitution\\_of\\_india.pdf](https://www.indiacode.nic.in/bitstream/123456789/15240/1/constitution_of_india.pdf)

The judgment stressed the social issues faced by men; they are often portrayed as the sole perpetrators of domestic violence. It's only through such judicial precedents that it becomes explicitly apparent that men, too, can be victims of domestic violence. This recognition is essential for the justice system to be fair and inclusive and to address the suffering of all aggrieved parties, irrespective of gender.

The society desires to uphold social justice and equality; it is important to address gender-neutral laws, as they are needed in the hour. Instead of placing men and women in particular boundaries, we should evolve with the changing societal attitudes towards each gender. The society and the law that seem to be prejudiced should step out of the vicious circle to ensure equal protection to all genders. The laws on crimes such as cruelty, sexual harassment, dowry demand, alimony, and domestic violence, which are meant to protect only women, should be reformed.<sup>26</sup>

When men's struggles go unnoticed and unaddressed, the very nature of societal justice is called into question. Creating gender-neutral laws is not just a legal responsibility, but it is also a responsibility of society to embrace the struggles of male victims and be supportive in their journey of getting justice and their healing process. We have to step into the shoes of the victims and stand with them instead of approaching the victims with gender-centric notions. The womanhood may be considered as a weaker section in the eyes of society, but should not be in the eyes of law, as the weaker section is prevailing in manhood too.

In the matter of misuse<sup>27</sup>, these are done as follows:

- Unfair arrests: Men and their families face arrest based solely on the wife's complaint, even in the absence of solid evidence. This leads to increased false accusations by the wife against their husband and his relatives without proper legal grounds for filing a case at the police station. This procedure is completely unfair under the law.

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<sup>26</sup> Ramanpreet Kaur & Bhawna Arora, Misuse of Matrimonial Laws: An Analytical View, 7 Int'l J.L. Mgmt. & Human. 1032 (2024).

<sup>27</sup> Ajita Ananya, Alimony: Weapon for Male Destruction - A Case Study on Indian Perspective, 5 Indian J.L. & Legal Rsch. 1 (2023).

- Reputation Damage: This kind of false allegation against men can tarnish their reputation, which can cause personal, social, and professional harm, even after they are proven innocent.
- No Protection for Men: Sections 85 & 86 of BNS are one-sided and do not give protection for cases where men face cruelty and false accusations. Men do not have any safeguard equal to that of women, and there is no gender-neutral provision in BNS under this provision. The law itself portrayed men as predators, not as victims.

Men can also be victims in certain cases that impact their emotional and mental distress. False allegations can lead to depression, anxiety, and in some extreme cases, even suicide. Furthermore, men face substantial financial burdens due to legal battles that impose high costs on the accused and their families. An innocent individual accused of cruelty will endure societal discrimination and loss of reputation. *Preeti Gupta v. State of Jharkhand* (2010)<sup>26</sup>. This case primarily concerns the wife's false accusation of cruelty. The Supreme Court emphasized that false complaints under Section 498A are causing harassment and humiliation to the accused, and the reforms are necessary to ensure justice for all without gender discrimination.<sup>28</sup>

From the discussion above, it is clear that alimony provisions are included in several major laws. However, quick justice is often absent due to issues such as multiple proceedings, lengthy court processes, and tactics used by the parties. There is a strong need for a uniform law on alimony to address the problems faced by those involved in alimony cases.

### **7. Conclusion and suggestions**

In India, the misuse of matrimonial laws is a complex issue that poses social, cultural, and ethical challenges affecting individuals, families, and the legal system. While these laws are meant to provide remedies for spouses and their children, misuse can harm individuals. False charges, weak evidence, and economic blackmail are examples of how these laws can be abused. Such misuse not only burdens the legal system but also causes psychological, social, and financial harm. Courts have tried to address these challenges carefully and thoughtfully.

Courts are becoming more aware of the risk of abuse and are taking steps to prevent it. In 2015, the Supreme Court issued guidelines to curb misuse of Section 498A, emphasizing the

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<sup>28</sup> Lovish, *Metamorphosing Alimony Laws in India: Charting a Course towards Equity, Empowerment, and Social Justice*, 3 *Indian J. Integrated Rsch. L.* 1 (July-August 2023).

importance of due process and requiring courts to review each bail application individually. There is debate about how effective these measures are, and more reforms may be needed. Another issue is that matrimonial laws can be hard to understand. Simplifying the law and clarifying its purpose can help restore public trust. This may require clearer legal language and higher standards for evidence in court. Better judicial education and wider access to legal aid are also important, as is making the process faster to avoid overwhelming the courts.

In summary, while matrimonial laws are meant to protect those involved in a marriage, their misuse can undermine justice and equality. Both legal reforms and non-legal measures, such as education and social support, are needed to ensure that these laws achieve their goal of providing real justice for everyone.

