

## FALSE CASES CRIPPLING THE CRIMINAL JUSTICE SYSTEM

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### **ABSTRACT**

The risk of false rape charges influenced the creation and implementation of the legal doctrine significantly as well. Concerns about phony allegations are used to excuse proof laws in cases involving sexual offenses, such as corroborating notices and the protection of domestic harassment immunity. This allows police and prosecutors to influence their decisions. Sir Matthew Hale's seventeenth-century belief that rape "is a readily substantiated and untenable allegation for the guilty party to refute." Numerous jurisdictions have examined the ease with which a man can bring harassment allegations and the difficulty with which they can be refuted. In comparison, they are easily accessible to attorney, legal experts, and academics. India's latest criminal code modification, passed in 2013, raised the possibilities of faking rape charges. A review of court judgments made by Delhi's rapid track courts and news headlines in international media demonstrates this. This growing threat, which jeopardizes the fabric of society and fosters the misuse of legislation for a variety of objectives, must be addressed immediately. Perhaps unsurprisingly, whereas the problem of false accusations remains crucial in the criminal justice system's response of rape, the veracity of facts underlying the occurrence of false accusations has gotten scant attention. The goal of this study paper is to raise public awareness about the growing number of fake rape cases in India and to offer alternatives for resolving these instances. Additionally, this article will explore the legal penalties and legal recourse available in this case. Thus, this study article demonstrates how the rise in fake sexual crimes in India has posed a danger to men.

**KEYWORDS:** RAPE, LEGAL RECOURSE, FALSE RAPE ALLEGATIONS, SEXUAL OFFENCES

### **INTRODUCTION**

Are women the only victims of harassment? Without a doubt not. Our civilization or culture, on the other hand, makes it appear that way. Every day, we read front-page news stories about the pervasiveness of male harassment of women at home, at the workplace, and on the

streets. We rarely hear about men being harassed by women. However, the reality is that males get harassed as well. Indeed, women account for a greater proportion of victims than men. Men, however, are also targets of harassment by other women and men, which must be recognized and addressed. The concept 'Harassment' refers to a wide variety of offensive acts that have the potential to disturb or upset a person. Harassment, in the legal context, refers to activities that are upsetting or threatening. There are numerous forms of harassment, including landlord harassment, cellphone harassment, online abuse, police abuse, psychic harassment, racist harassment, spiritual harassment, sexual harassment, and workplace harassment. A societal revolution necessitates a mental shift on the part of men. There are several campaigns, organizations, and efforts aimed at empowering women and combating female harassment, but there are none aimed at men.

The #metoo movement received widespread support during the latest social media campaign, as millions of women voiced their concerns against harassment. Regrettably, few guys came up and shared their stories and experiences of harassment. But from the other side, men have a dearth of similar platforms. We shall examine the present global landscape of male harassment and the laws that protect males from such horrible acts in this seminar paper. Women-centric legislation is enacted to help women, who are viewed as an oppressed segment of society. However, it is necessary to view these laws differently. These laws have an effect on the rights of males who are harassed as a result of a false charge leveled against them. The judiciary's responsibility is to ensure that every individual receives justice, so there can be no bias among men and women generally to justice. Even though one innocent person is prosecuted or risks his life, it reflects poorly on women-centric policies.

A few years ago, a news story about a young guy committing himself drew a lot of attention. This incident occurred just after he was acquitted of domestic abuse charges. When he was detained, there were insufficient evidences, but he was arrested to obtain women justice, to indicate that women-centric laws are intended to protect females, and to demonstrate that men are the offenders of such crimes. He was later found innocent. However, after he resumed his regular routine, matters were no longer the same for him. He lost his work, but those around him continued to treat him as if he were a criminal, making sarcastic remarks about him. He was also unable to handle this and committed suicide. The straightforward question is whether rules enacted to safeguard women have the authority to murder an innocent man if they are not applied effectively. These all will be discussed in this seminar paper.

**REALITY OF HARASSMENT SUFFERED BY MEN**

When a man attempts to communicate his emotions or to describe his issues, harassing encounters, and hardships, no one believes him or listens; rather, they joke it off. Some males are even embarrassed to discuss it. Everyone in India assumes that only women are victims. However, the countless instances of abuse directed towards men go ignored. Millions of surveys and statistics on abuse of women are available on the internet, but relatively few research and surveys on crimes against males by women are undertaken. There is no debate that women are subjected to more harassing than men. However, there are some male victims who must be adequately addressed. The primary issue is that few current laws are gender-biased in favor of women. As a result, numerous women abuse laws in order to psychologically abuse and torture men. To be fair, we are not implying that every woman commits this act; rather, a sizable number of such instances may be observed in India. Human rights should be universal, regardless of gender, ethnicity, or class. Similarly, laws must be equally applicable to everyone regardless of gender. Criminal cases of harassment of any kind must be investigated swiftly and strong measures taken against the culprit, whether male or female.

**LAWS FAVOURING WOMEN**

Laws are enacted to safeguard the rights of every individual. However, historically, women have been subjected to horrors committed by men. They were viewed as a vulnerable and oppressed segment of society, and as a result, several laws were enacted to protect them. However, as we see it nowadays, many laws enacted to benefit females are frequently abused by them by interfering with male rights. The various laws are described as follows:

**DOMESTIC VIOLENCE**

The most often misused sections of the Indian Penal Code are Section 498-A<sup>1</sup> and Section 376<sup>2</sup>. Section 498-A of the IPC prohibits women from being subjected to cruelty by their husbands or in-laws. The first thing that the IPC makes no mention of is the possibility of

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<sup>1</sup> Section 498 A of Indian Penal Code 1860- Husband or relative of husband of a woman subjecting her to cruelty

<sup>2</sup> Section 376 of Indian Penal Code of 1860- Punishment for rape

cruelty toward men. It is not essential that only women are capable of cruelty; several of them are able to inflict cruelty on men as well. The IPC refers to cruelty committed by males, not by a person, which encompasses both men and women. When a woman or a relative files a complaint with the police, swift action is done against the spouse. The husband and his family members may be imprisoned for three years and fined. It is a non-bailable, cognizable (a police officer may arrest without a warrant), and non-compoundable (complaints cannot be withdrawn simply by withdrawing it; it must be rejected by the High Court) offence. Additionally, the general perception of such instances is that the spouse is at fault, and the majority of decisions in such circumstances favor the women. Female tears are visible to all, but men's tears are invisible. There are many fabricated domestic violence cases being filed, and innocent individuals are being imprisoned. In the majority of cases, the husband's family is also detained and subjected to social disgrace as well as ill-treatment by the government.

### **DOWRY DEATH**

Section 304-B<sup>3</sup> of the IPC was enacted to safeguard women from cruelty perpetrated by their husbands and in-laws in exchange for dowry. If a lady dies within seven years of marriage and her husband or in-laws were seeking dowry, it is presumed that they were responsible for her untimely demise. Women are protected by this law, but what about men? There is no such provision that a wife can be held accountable if her husband dies during seven years of marriage. The law should defend the rights of all members of society, not just females. Additionally, a full investigation should be conducted into the cause of the women's deaths, rather than directly blaming the husband and in-laws as the aggressor.

### **FORCED SEXUAL INTERCOURSE**

When forced sexual assault is discussed, the first thing that leaps to mind is women as the sufferer and males as the assailant, and this is where the fundamental problem resides. Section 375<sup>4</sup> of the IPC, which was established to assist women in obtaining justice if they are coerced into sexual intercourse, has also been abused numerous times by women. A male is not protected from such coerced sexual encounters. Though women are significantly more

<sup>3</sup> Section 304 B of Indian Penal Code 1860- Dowry death

<sup>4</sup> Section 375 of Indian Penal Code 1860- Rape

likely than men to be victims of such offenses, although if one person is harmed, justice should be served by punishing the culprit. According to the US Centers for Disease Control and Prevention in Atlanta<sup>5</sup>, around 18.3 percent of women and 1.4 percent of males have been raped at some stage of life. The figures may be underestimated due to the shame associated with reporting rape occurrences. According to the US Department of Justice<sup>6</sup>, 99 percent of people convicted of rape are male, whereas 1% are female<sup>7</sup>. However, we are unable to obtain data for India because rape against men is illegal under Indian law. According to the Delhi-based Centre for Civil Society, approximately 18 percent of Indian adult men have been forced to have sex. Female perpetrators accounted for 16% of the incidents, while male perpetrators accounted for 2%.

### **MAINTENANCE BY HUSBAND OF WIFE**

- According to Section 125<sup>8</sup> of the Code of Criminal Procedure, a person is required to support his wife, children, and parents that are unable to support themselves. Even though the wife produces an income, it is insufficient to support her, and the husband is responsible for meeting her requirements.
- Section 37<sup>9</sup> of the Special Marriage Act requires the husband to support his wife from his property following divorce, unless her circumstances change, such as she remarries or becomes immoral.
- According to Section 18<sup>10</sup> of the Hindu Adoption and Maintenance Act, a Hindu wife has the right to be maintained by her husband for the duration of her life.
- According to Section 3<sup>11</sup> of the Muslim Women Act, a divorced Muslim woman has the right to be supported by her ex-husband throughout the iddat period.
- When a decree of dissolution or judicial separation is entered, Section 37<sup>12</sup> of the Divorce Act, requires the husband to maintain his wife for the remainder of her life.

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<sup>5</sup> US Centers for Disease Control and Prevention in Atlanta, <https://ccsindia.org/indias-law-should-recognise-men-can-be-raped-too>

<sup>6</sup> United States Department of Justice, <https://www.justice.gov/>

<sup>7</sup> Statistics of United States Department of Justice, <https://ccsindia.org/indias-law-should-recognise-men-can-be-raped-too>

<sup>8</sup> Section 125 of Criminal Procedure Code 1973- Order for maintenance of wives, children and parents.

<sup>9</sup> Section 37 of Special Marriage Act 1954- Permanent alimony and maintenance

<sup>10</sup> Section 18 of Hindu Adoption and Maintenance Act 1956- Maintenance of wife

<sup>11</sup> Section 3 of Muslim Women Protection of Rights On Divorce Act 1986- Mahr or other properties of Muslim woman to be given to her at the time of divorce

All of the laws described above provide for maintenance of a wife by her husband, but none provide for the maintenance of a husband by his wife. There may be circumstances in which the husband requires maintenance as well, but that requirement is not included in the rules outlined above. In Family Law, a woman is defended in divorce and maintenance proceedings. Section 125<sup>13</sup> of the CRPC specifies that if a husband fails to provide for his wife's maintenance, a warrant for her recovery may be issued. Whenever it comes to child custody, it is preferable that the wife retains till the time the child under the age of five. A single male is also not permitted to adopt a girl child in circumstances of adoption. All of these laws contain loopholes that disproportionately harm males.

### **PROVISION IN CONSTITUTION**

Article 15(1) of the Constitution forbids discrimination on the basis of gender, while Article 15(3)<sup>14</sup> states that the state may create particular arrangements for women. Although this specific provision was created to safeguard women who are perceived to be at a disadvantage in comparison to men, it is in certain cases impairing men's rights. There is nothing wrong with enacting such rules, except when women abuse them by harassing their male partners.

### **SITUATION OF MEN**

Numerous laws harm guys. They are frequently caught up in fabricated cases. The various laws enacted to defend women's rights are abused by them to torment males and occasionally to appease their egos. For them, the government are extremely rigorous, and they are subjected to a variety of injustices at the hands of police. Additionally, the majority of offenses against females are cognizable and non-bailable, making it even more difficult for innocent men to defend themselves. There are numerous statutes that defend women's rights, but none that help the interests of men in society. Frequently, these actions are brought solely to obtain cash from their partners. And one single false claim has the potential to destroy his job and reputation in society. Females have also been reported to marry many times in order to obtain wealth and maintenance from their wealthy husbands. There are laws protecting

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<sup>12</sup> Section 37 of Divorce Act 1869- Power to order permanent alimony

<sup>13</sup> Section 125 of Criminal Procedure Code 1973- Order for maintenance of wives, children and parents

<sup>14</sup> Article 15(3) of Constitution of India 1949- Special Provision for women

women from workplace sexual harassment, but there are no comparable regulations protecting men. What is assumed is that only women are victims of sexual assault and eve-teasing and that males can only be perpetrators, not victims, which is not the case.

### **MISUSE OF LAWS BY WOMEN**

Women empowerment has historically been supported by the majority of people in society. In the present era, women have the upper hand when it comes to women-centric legislation. From a time when women were despised and deemed weak to the present day, when women are valued and not all women are equally weak, society has changed. However, the society's perspective remains unchanged, such that when instances involving women-centric laws are filed, people automatically declare men to be perpetrators rather than attempting to understand the entire scenario. When a girl gets raped, everyone is concerned for her well-being and offers her sympathy. There is nothing incorrect with this. Obviously, if people live together, they are required to do at least this much. However, how about a man whose been charged with rape but has been found innocent? Is society treating him the same way they did before he became entangled in a fake case? No, it is not.

Even if they are declared innocent, they are frowned upon by members of society who have already proclaimed them to be the perpetrators deserving of not living with their heads held high. And this scenario has gotten worse as the use of social media sites has increased, as these platforms may easily be exploited to damage someone's name. This is how society interprets women-centric policies, in which women are perpetually the victim and males are perpetually the culprit, without comprehending the underlying cause. Any fabricated case or charge, such as a false dowry charge, a false rape charge, a fabricated cruelty charge, or a fabricated domestic violence allegation, is capable of damaging a human's life, character, freedom, employment, and peace of mind. Any false lawsuit or charge brought against anyone, regardless of their gender, is unethical. However, some of India's gender-biased laws make it easy for men to slip into a trap of false accusations, as everyone, including the police, the court, and society, blames men and sides with the women. Certain women use fabricated accusations as a weapon to suffocate guys.

While there is no shortage of fabricated instances, there is no major data to support this assertion because no list of fabricated cases is maintained anywhere. The number of false

claims made against innocent males following the dissolution of a marriage is also increasing. Certain laws have evolved into an extortion tool for a select women. Men are not protected by the existing judicial system from these false and humiliating claims, which might lead to desperate measures such as suicide or depression.

### **NATIONAL MEN'S COMMISSION**

For women, the Indian government established a statutory agency called National Commission for Women to advise the government on women-related policy. Our country desperately needs a men's central body along the lines of NCW, and its past time for it to be founded. As the data demonstrate, men require assistance in defending themselves against false allegations and the illegitimate use of the law by women. Purush Ayog, or the National Men's Commission, may be the necessary first step toward a country with gender-neutral laws and policies that treat all victims equally and all perpetrators as criminals, regardless of gender. Numerous individuals have attempted to file a PIL in Indian courts challenging revisions to existing gender bias laws and activities that discriminate against men. Today, India's laws strongly favor women. The IPC contains no relevant section for men who are raped. Similarly, countless incidents have been brought to light in the past demonstrating how some women abuse laws to harass their spouses and in-laws. While protecting women is critical, it should not come at the expense of other people, particularly men. Since numerous years, Indian males have been requesting a Purush Ayog to assist them in obtaining justice. Harinarayan Rajbhar, a BJP legislator from Uttar Pradesh, has stated that he will request the government to build a Purush Ayog in the parliament.

Purush Ayog is not a novel concept; various social media groups discuss women's abuse of laws and provide a place for male victims to voice out and promote awareness. Additionally, there are various websites online owned by individuals or non-governmental organizations that provide legal assistance to men unfairly charged by women under gender bias statutes. On 2 September 2018, two BJP Members of Parliament demanded the establishment of a committee to investigate allegations from men who had endured at the hands of their spouses or other women. Harinarayan Rajbhar and Anshul Verma are rallying support to form Purush Ayog to assist the guys in obtaining justice. They are not criticizing all women for illegally exploiting gender bias legislation, but they acknowledge that some do, as evidenced by statistics and data.



Several more MPs and MLAs are now backing the National Men's Commission, believing it is the correct thing to do. Numerous legislators have addressed the urgent need to reform section 498A<sup>15</sup> of the IPC to prevent its misuse. Additionally, several additional laws need to be amended to render them gender neutral. The National Commission on Women was founded to provide women a voice and to ensure that they are treated fairly by the law. Similarly, men must have a body that speaks for India's voiceless majority. Maneka Gandhi, the Women and Child Development Minister, has stated that a fresh window should be opened for males who are victims of bogus cases and accusations on the women's panel's online complaint system.

### **GENDER BIAS**

Gender bias is described as the differential relationship between men and women in the any field, which can have a good, negative, or neutral effect. Following the enactment of The Criminal Law Amendment Act<sup>16</sup>, (Nirbhaya Act), some activities are recognized as offenses that were previously dealt with under related statutes. The Indian Penal Code has been amended to include new charges such as sexual assault, acid attack, voyeurism, and stalking. In February 2018, the Supreme Court dismissed a petition seeking gender-neutral regulations for offenses such as harassing, rape, and stalking. Chief Justice of the Supreme Court of India Dipak Mishra stated that certain portions cannot be modified since they are victim-oriented and the Indian parliament has recognized women as victims.

### **PROBLEMS WITH WOMEN CENTRIC LAWS**

It is true that excessive usage of anything is extremely harmful. Likewise, with women-centric legislation. These rules were enacted to safeguard women and ensure their safety. However, women began abusing these regulations throughout time, and men were forced to bear the penalties. Women began abusing these laws by interfering with men's rights. These legislation were also introduced to be abused by women in order to state their egos and to harass men. Males are kept in a disadvantageous position as a result of these types of laws.

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<sup>15</sup> Section 498A of Indian Penal Code 1860- Husband or relative of husband of a woman subjecting her to cruelty

<sup>16</sup> Criminal Law Amendment Act 2013

There are several laws protecting women's rights, but none that champion the cause of men in society. There are regulations in designed to safeguard women from workplace sexual harassment, but no equivalent laws exist to protect guys. Occasionally, in order to appease their own egos, women make false complaints against men, destroying not only his profession but also his character in society.

Women are able to abuse men and abuse these laws because there is a fixed idea that a man is stronger than a woman, and hence it is always the woman who suffers, not the men. To enact severe regulations in favor of women, legislators paid no consideration to the negative effects for males. Numerous males who are unable to establish their innocence commit themselves in order to avoid the mocking opinions of society. Even when a woman is detained, few directions are issued and she is simply released, but when a guy is arrested, he practically faces several atrocities.

Legislation has enacted numerous laws protecting women, but not a single legislation protecting men. Women are protected under the Domestic Violence Act, but there is no explicit statute covering husbands who are harassed by their wives. Favoring women empowerment doesn't really imply that we should harm the other gender in order to benefit one. And, while we're on the subject of the court, its primary purpose is to safeguard the innocent and to punish the accused following a thorough inquiry. However, once a case involving crimes against women is brought to court, the court tends to lean slightly toward the victim's side, i.e. the lady's side.

In *Dr. N.G Dastane vs. S. Dastane*<sup>17</sup>, the Supreme Court decided that while physical cruelty is considered to be committed primarily by the husband as the powerful, mental cruelty can be committed by both husband and wife. Even a wife can be harsh to her husband mentally. In *Anil Bharadwaj vs. Nimlesh Bharadwaj*<sup>18</sup>, the court determined that a wife's refusal to have sexual relations with her husband without a valid explanation constitutes cruelty.

## **SOLUTIONS**

Women-centric legislation that is inflexible should be thoroughly scrutinized to close any loopholes that may exist. There is a necessity to protect women, and there is no harm in

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<sup>17</sup> *N.G Dastane vs. S. Dastane* AIR 1975 SC 1534

<sup>18</sup> *Anil Bharadwaj vs. Nimlesh Bharadwaj* AIR 1987 Delhi 111

enacting women-centric legislation; but, the important to remember is that any legislation enacted to assist female victims should not result in the death of an innocent guy. Legislation should be drafted with both males and females' rights in mind. Although dowry rules are strictly enforced against the groom's family, there are still situations involving the same. The rationale for its creation is that it punishes only those who receive dowry, not the bride's family, which is also a violation of the Dowry Prohibition Act<sup>19</sup>. Generally, those who offer dowry are those who seek dowry. As a result, it is critical that laws are properly executed.

As indicated previously, the judiciary becomes somewhat bias whenever a case is brought to court involving a crime committed by a woman; this needs to end and a thorough inquiry should be conducted regardless of who did the crime. Prior to enacting any legislation, consideration should be given to gender equality. Courts and police must conduct competent investigations without presumption that the alleged male is guilty and has for certain committed the crime in the absence of sufficient evidence.

### **NEED FOR CHANGE IN LAWS**

The legislation covered in this research were enacted in the years 1860, 1956, and 1983 - an age when women lacked significant political power. Men were thought to be superior to women throughout that historical period. That must be why all of these laws are sexist. However, rules should be dynamic and adapt to the changing social environment. Legislation should be updated to reflect the new normal. As has previously been demonstrated, women harass and abuse males in today's world. The legislation should be modified to reflect India's current demands and circumstances. For example, homosexuality was not even a reality in India a century ago, according to the standards of the community. Nonetheless, people are becoming more aware of this issue and rethinking their attitudes on homosexuality. As a result of this, and in accordance with the times, India's Supreme Court decriminalized consensual homosexual intercourse and homosexuality in 2018. Similarly, society and the legislation should recognize acts of cruelty and abuse directed towards men (especially married men). We may see other adjustments of this nature in the future as well, because as people's mindsets evolve over time, changes in the legislation become unavoidable. If no modifications are made to the law, our social environment and the laws will become

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<sup>19</sup> Dowry Prohibition Act 1961

incompatible. Laws and societies should always coexist. When one is altered, the other is rendered obsolete.

### **SUGGESTIONS**

The suggestions are described as follows:

1. Women's safety and security legislation should be enacted, as should analogous laws protecting men's human rights. The primary concern and issue raised in this research paper is that gender-biased legislation have been abused by women in India in the past, and it is past time for this to change. Among the fundamental reforms and amendments that our existing law requires is gender neutrality in crimes such as stalking, rape, harassment, and dowry.
2. The term "victim" should be used in these regulations to refer to both men and women, not simply women, as it currently does. Both women and men must be safeguarded under the Nirbhaya Act, and the court should recognize female-on-male harassment. The Indian Supreme court can re-examine the petitions of aggrieved victims and must take action against them.
3. Women shall face the same sentence as men if they are convicted of bringing a bogus or misleading case. If a women files a case under 498A, which has a maximum sentence of seven years in jail, and the court judges the case to be bogus or the women to be lying, the woman must face the same punishment, without pity. This way, the rate of fabricated instances will almost surely decrease as word spreads. In just one year, it is expected that the filing of bogus lawsuits will reduce by about 80%.
4. The Indian judicial system should convey to society that legislation and provisions are in place to safeguard women and should not be abused by them. Additionally, courts should use articles 14, 15 and 21 as a foundation for granting men equal rights and protection. Article 14<sup>20</sup> guarantees equality before the law, as well as equal protection under the law. Article 15<sup>21</sup> prohibits discrimination based on religion, ethnicity, caste, sex, or place of birth, among other grounds. Article 21<sup>22</sup> protects each person's personal liberty and life from injury by others. Keeping these constitutional clauses in

<sup>20</sup> Article 14 of Constitution Of India 1949- Equality before law

<sup>21</sup> Article 15 of Constitution Of India 1949- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

<sup>22</sup> Article 21 of Constitution Of India 1949- Protection of life and personal liberty

consideration, the Courts in India must take necessary measures to safeguard males against fabricated charges. Promoting gender-neutral legislation in India and establishing a National Men's Commission are critical for India's society to be just and impartial.

5. Women-centric and rigid legislation should be thoroughly scrutinized to close any loopholes that may exist.
6. There is a necessity to protect women, and there is no harm in enacting women-centric legislation; but, the important to remember is that any legislation enacted to assist female victims should not result in the death of an innocent guy. Legislation should be drafted with both males and females' rights in mind.
7. Although dowry rules are strictly enforced against the groom's family, there are still situations involving the same. The rationale for its existence is that it punishes only those who take dowry, not those who give dowry, which is also a felony under the Dowry Prohibition Act. Generally, those who offer dowry are those who seek dowry. As a result, it is critical that laws are properly executed.
8. A speedy trial in 498A cases not only ensures restitution for innocent individuals implicated in false claims, but also facilitates the settlement of the concerns of true donor victims. The decrease of legal expenses and the disposal of genuine charges will also grow as a result of the dismissal of fake cases.
9. The people are innocent victims of maltreatment mostly as a result of their non-leasing behavior. This area must be repatriated to prevent young innocent people, pregnant sisters, and college students, from languishing in captivity for weeks without any accountability.
10. To my mind, in order to preserve the virtue of justice, the judiciary and legislative should focus on what I refer to as a "perjury in rape case" policy. This rule should be written in a way that this can deliver justice to the survivor of a wrongful rape charge. The punishment (incarceration) should be severe enough that women understand the consequences of making false allegations against any innocent man in society, and they should also be ordered to compensate men for damages sustained during the trial, which include court fees, litigation fees, and other liquidated damages.
11. The damages awarded and the women sentenced to prison will ensure that men regain the dignity they lost during the trial, as when women are sentenced to prison, it sends a message to the world that the suspect was innocent; the reality will soar and will aid men in recovering quickly from the trauma they endured during the trial. While this

model may not be acceptable to everyone, it will serve the best interests of "Justice" and will be much more efficient in today's society than the current paradigm.

### **CONCLUSION**

The principle of justice requires that true criminals be punished, and that punishment be proportionate to the offense. The individual who files a fraudulent case should be presumed guilty of the charge and should receive the highest sentence or punishment authorized for that offense, without the possibility of pardon. Such provisions can serve as a deterrent to false cases and safeguard the innocent. While men commit more crimes than women in terms of rape, harassment, stalking, and acid attacks, women commit far fewer false cases than men. Several males have reported being victims of domestic abuse, yet ironically, they are the ones spending jail time, as women are not punished for the same offenses as men. Certain ladies take advantage of this, while others fall into the trap. The remedies are discussed in this research paper, along with an evaluation of the present global situation. It is evident that Indian laws require significant reforms to become gender-neutral, as this will offer true fairness to the society.

Women-centric legislation is enacted to safeguard women from social harm. It was necessary at the time they were introduced and remains necessary today. However, it is equally vital to ensure that no innocent person is hurt by such regulations in any battle. Additionally, it is a difficult task for judges to ensure that the society's view of women as perpetual victims in women-centric legislation does not influence their decision-making. The current court system is ineffective at eliminating false rape allegations and defending the accused against unjustified imprisonment and/or defamation. Taking harsh legal actions and penalizing the act of filing bogus rape charges, on the other hand, would be even rasher. This issue lies at the heart of India's judicial conundrum when it comes to enacting legislation against False Rape Charges. The model for achieving justice in sexual crimes is fairly ancient.

The law was never designed to discriminate against anyone on the basis of his or her position, gender, religion, or social standing. However, women should be given additional opportunities and rights to protect their dignity and rights. Rather than using these rights to defend and grow themselves, some women use them to exert control over, harass, and abuse males. It is not that the rules enacted to protect the women were incorrect, as there is a

significant difference in the sort of crime performed against women and men. However, regardless of gender bias, stringent restrictions are necessary. Rather than women-centric legislation, it is in need of gender neutral legislation that protects all genders from offense. With these revisions, also there is a need to shatter all the stereotypes about males that males are strong (physically powerful, but emotionally fragile), or that they must not show their vulnerability or cry, and when they do, they should not be labeled as 'unmanly'. Rather than debating over gender equality, we as human beings should recognize and accept another's needs and circumstances.

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