Indian Domestic Violence Law with Reference to Section 498A IPC

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Abstract

Domestic violence in modern India is endemic. Women victims are protected from domestic abuse under the civil law, namely, Protection of Women from Domestic Violence Act 2005. Section 498A on cruelty against wives by husband and his relatives was inducted to Indian Penal Code as early as 1983. Though it is made for addressing cruelty arising from dowry related issues, its definition is wide enough to address other situations of matrimonial domestic violence as well. The response of the society against the law has been unparalleled owing to the fact of its sporadic misuse by women. It is alleged that women "misuse" the law. Patriarchal allegations of misuse have sprung up from men's fear of the appropriate use of the sting in 498A. There have been desperate demand for diluting, deleting the sting by making the law compoundable, non-cognizable, and bailable. This paper discusses the predicament of women and the reasons leading to it. The need to take precautions to stop the aberrational misuse is emphasized. The paper examines the trueness of the allegations of women's misuse of the law by referring to case laws. Besides, it proposes some preventive measures. The co-ordination of civil and criminal mechanism to combat domestic violence can lead to checking the potential misuse.

Keywords

marital cruelty, protection of women, domestic violence law

Introduction

The allegation of misuse seems to be embedded in fear. It appears that the real fear has triggered not from the rigour of S.498 A as such. The sting is in the procedure. The offense is made cognizable, non-bailable and non-compoundable. There is a purpose behind this sting. Women have been doomed to the private sphere of life by men and securing equality with men poses a threat to the traditional, patriarchal power relations in the family.

When an institution in a society is patriarchal, law cannot stand aloof. If a particular stringent law has been framed to book male perpetrators of domestic violence against women, even the law administering institutions use to play it down with allegations of misuse by women citing sporadic instances of misuse. Every law is misused, mostly by men without having allegations of misuse. It is the sheer fear of losing dominion which has tempted men to allege misuse by women of the gender sensitive domestic violence laws. There is much furore against the stringent punitive provisions pertaining to the offence of spousal (male) cruelty under Section 498 A, I.P.C. The demands for deletion and dilution of the stringent procedural provisions are illustrations of patriarchal hegemony rampant in every facet of Indian society. Men in his ardent desire to keep

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women as a subservient wife and mother at home, are attacking legislation which liberates women from men's matrimonial cruelty.

In order to underscore the need of a stringent law like 498A it is imperative to know the grim picture of women's unenviable predicament in Indian society and family. Therefore, before going to assess Section 498 A, I.P.C. with reference to its misuse by married women let us first verify women's predicament in their household, in general. Besides this, the stance of law on domestic violence and the limitations of law to intervene in intimate partner violence are discussed from an angle of feminist jurisprudence.

The Unenviable Women's Sphere

Patriarchal outlook of society has condemned women to the tight corner of the private sphere of life, the home. The home is often the place of masculine dominion in which men expect the women's labour to secure the peace they crave. The home can be a place of terror for many women who are blamed for not being able to maintain the ideal home.

The pretext of biological determinism has been employed to tie women to domestic responsibilities of home. The inferiority of women is socially constructed rather than biologically determined. This can be well enunciated by the fact that the degree of inferiority varies from society to society. In reality women's disabilities are not natural but enforced. The world is the male and the woman is the 'other' (de Beauvoir, 1949).The role played by women in bearing, rearing children as mother has disadvantaged her from playing a vital role in the public sphere. Instead of recognizing her unpaid domestic services and her contributions to humanity in reference to procreation and protection of the offspring, she has been subjected to gender violence in a shared household. One is not born but becomes a woman through socialization and nurturance. Her status is socially constructed rather than biologically determined.

What de Beauvoir, the French feminist, said in 1949 still holds good in contemporary India. He is essential and she the inessential and the incidental. Humanity is man and the woman is considered only relative to him. A woman is simply what a man decrees. Everywhere he is vocal and loud, she is silent (de Beauvoir, 1949). This patriarchal attitude about domestic life has also led to her limited and unequal role in the public sphere of life. In this context it is quite reasonable to agree with de Beauvoir's words, 'personal becomes political'. The gender discrimination and inequality in the private sphere of personal, domestic life perpetrated on women get extended and reflected on the public sphere of their life. She is toiling in her domestic prison under the yoke of ovary, uterus, breast-feeding, menstruation and menopause withstanding the patriarchal insult, apathy, and cruelty all around. The oppression of the cumbersome responsibilities thereof has obstructed her public appearance in the role as a citizen. Domestic violence may, therefore, be seen as men's counter reaction to women's ever growing yearning for liberation from the oppression of the home. Women who try to challenge conventions of patriarchy by making public appearances are indicted as deserting the home and threatening the natural order. Such nonconforming women are indicted by society as misguided beings who have sacrificed their life for success.

The Stance of Law

Law has been patriarchal in content and conduct. Law presumably is neutral but subconsciously it is addressing exclusively and essentially the male. Law is an imposter in reference to its proclaimed objectivity, rationality and impartiality. The reasonable man of (common) Law precludes woman from its ambit. In order to secure the attribute of reasonableness she has to assimilate and qualify to the male standards of reasonableness. The generic reference of law is male.

All social institutions are controlled and reined by male architects who adjudge upon women's

fate. The gender inequality in public sphere has made men the makers of law. (Barnett, 1998). Judiciary, executive and legislature are by no means exceptions to such patriarchal ways. Law's gender neutrality, therefore, is but a myth. The allegations of misuse can be traced to this patriarchal stance of law and society. It includes every wing or machinery under the administration of justice. A woman's autonomy is regulated by law, religion and social policy which are male dominated. Woman's rights are subordinated to state policies.

Women are almost invisible in the eyes of law as their traditional, patriarchal private sphere is unregulated by law. Men were subjects of law and women and her rights were invisible to law. The process of removing the veil has started, though belated with the inception of gender sensitive law on domestic violence. Law was forced to seize the matter in the context of increasing occurrences of matrimonial cruelty, particularly pertaining to dowry. The Dowry Prohibition Act of 1961 proved wanting in prohibiting dowry in marriage. This has led to the making of Section 498 A, I.P.C. and later Section 304 B (dowry death) was introduced. Still the law is reluctant to enter the private sphere of intimate partner relationships.

Overview of the Evolution of Domestic Violence Law

Protection of Women from Domestic Violence Act, 2005, is the latest example of state intervention in the intimate domestic relationships providing for complete and speedy civil remedies against incidence of domestic violence against women. The Act is path-breaking because it is the first civil law permeating with gender sensitive notions and effective machineries providing for complete, meaningful protection of women from domestic violence. The Act has shown how the legal system might respond to situations in which the level of violence is low but the actual and/or potential harm to a woman is high. The Act has underscored that the seeming unrelated right to housing is far more important for addressing violence against women.

It may be noted that the demand of feminist movements, in the backdrop of increasing incidence of dowry related domestic violence, for the criminalization of dowry death culminated successfully in the enactment of Sec 498A in the IPC in 1983, Sec 304B in 1986 and corresponding provisions in the Indian Evidence Act, 1872. The ensuing sections will make an attempt to critically analyze the different facets of cruelty as conceived in Section 498 A with special reference to the misuse of the provision.

Critique on Section 498 A

The criminal law perspective

Before making an analysis of the penal provision some salient objectives of law of crimes are to be examined. The adage, 'every saint has a past and every sinner has a future' is reflective of one of the primary objectives of penal law. A sinner's life cannot be condemned to his capricious ways of delinquency. The state is made responsible by law to facilitate correction and rehabilitation of the offender. This is an essential component of a penal law.

The penal law has the deterrent or preventive content in it to prevent the individual offender from committing offenses in the future. In addition to this personal preventive aspect there is the general preventive aspect whereby society, at large, is cautioned against the punitive consequences of commission of a crime. The other motive, maybe the basest, for punishment is retribution. 'The offender must pay for what he has done' is its tone. The state, on behalf of the victim, takes revenge on the delinquent through punishments.

The state is interested in social control and it has, therefore, prioritized controlling violent conduct by its citizens, both in public and private spheres of life. For example, intimate partner violence may be of interest to the state because it unsettles families, harms children, and creates a public health crisis. This mandates intervention for the purposes of containing crises and managing harm, not to address women's systematic oppression. Separation of perpetrator and

victim through arrest or the use of shelters is often the first intervention for marital or partner violence. It is also among the most common interventions.

The above objectives of punishment inherent in penal provisions are naturally there in Section 498 A. The thrust here, accordingly, is on social control through correction, deterrence and retribution. In the scheme of things the individual victim has no real or direct benefit. The social security concern of the state is explicit. The punishment of the perpetrator of matrimonial cruelty often ends up with the dissolution of marriage. In this predicament the victim often has to take recourse in her reluctant natal home. The penal law is silent on the continued protection of the victim of marital cruelty. Besides, the machineries under penal law system are designed to meet the unique purposes of punishment. The protection of the victim is not its priority.

The existing civil law was too expensive and time-consuming to deliver speedy justice. Most of the civil law was personal law and they therefore had no universal application or relevance, irrespective of the religion the parties' belonged to. The making of the Protection of Women from Domestic Violence, Act of 2005 has come up with effective remedies and machineries to do away with the deficiencies in the existing law.

Another significant feature of criminal law is that the offence (cruelty) has to be proved beyond reasonable doubt. Although both civil and criminal law address violence against women as "cruelty "and considers the definition to be the same, the requirement of proof in civil and criminal law is very different. Sec 498A of the IPC necessitates that the "cruelty" of the husband and his relatives be proved "beyond reasonable doubt." Meeting this requirement is extremely difficult and almost impossible in most cases since such cruelty takes place within the precincts of the home.

Defining the offence of cruelty

The term cruelty has been defined as inclusive of any conduct, which is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health of the woman. Cruelty can be inflicting of mental agony or physical injury. The perpetration of cruelty shall be by the husband or the in-laws of the woman victim. Any kind of such harassment with a view to coercing the woman or any person related to her to meet any unlawful demand for property or any valuable security forms are the cruelty contemplated in the Section. Harassment for dowry, falls within the sweep of the Section. Creating a situation that drives the woman to commit suicide is also one of the ingredients of 'cruelty'. The offence under S.498A is cognizable, non-compoundable and non-bailable. Though made for addressing cruelty arising from dowry related issues, the definition is wide enough to address other situations of matrimonial domestic violence in general.

Any critical review of Sec 498A would convince that the definition of "cruelty" be expanded and elaborated to include the varied forms of violence against women within the home, so that it is not left to the discretion of police officers and courts to assess whether such violence would qualify as cruelty or not. In the patriarchal institutions of administration of law there could be arbitrary use of discretion. Thus the gaps and lacunae in the very definition of the offence have sown the seeds of its abuse and misuse. There is need for a broad and inclusive definition which would be in line with the definition of family violence given under the D.V Act of 2005.

The definition of a crime has to satisfy primarily three requirements (Pillai, 2001). First, a conduct that the law prohibits is a crime (nullum crimen sine lege). Here in the definition of cruelty the law has not specifically alluded to as a particular conduct called cruelty since cruelty cannot be concluded as a singular act or conduct. It is an ongoing conduct and treating it singularly as a specific conduct is irrational. Second, the law must prescribe punishment for the crime (nullum ponae sine lege). This requirement has been met with by the definition. Third, there is the 'ex post facto' rule that forbids the making of the criminal retrospectively. This

requirement too is fulfilled.

Owing to the vagueness in the definition the judiciary has given interpretations contrary to the interests of women victims. Some Judges have equated cruelty with the very term in the Hindu Marriage Act, 1955 while some others have held otherwise. On a more positive note, the courts have frequently held that cruelty under Section 498A would not only mean physical but also mental cruelty,[2] which includes mental torture and harassment. Although the term "cruelty" in 498A encompassed and got both physical and mental cruelty, it was difficult to bring the subtleties of everyday violence in intimate relationships within the ambit of the law even when the judges were convinced of the existence of "cruelty" (Jaising, 2009). In short, the definition was worded in such vague terms that it was difficult to bring issues of sexual violence, economic violence or even threats of violence within the ambit of the section.

Constitutionality of the Section

The doctrine of equality before law is a necessary corollary of 'Rule of Law' which pervades the Indian Constitution.[3] The right to equality is guaranteed by Indian Constitution through Articles 14-18. Art. 15(1) mandates, 'the state shall not discriminate against any citizen on grounds only on religion, race, caste, sex, place of birth or any of them. 'Discriminate' here means not to distinguish unfavourably from others. This mandate has concertized and enlarged the scope of Art. 14.

Article 15(3) prescribes that the prohibition on discrimination in 15(1) and 15(2) shall not prevent the state from making any special provision for women and children. This is based on the spirit of protective discrimination. The Article 15(3) is couched in unambiguous and absolute terms. It in no manner appears to restrict the nature or ambit of special provisions which the state may make in favour of women and children.

It is striking to note here the words of the Supreme Court while commenting on S.497 (adultery) of I.P.C. '...Articles 14 and 15 taken together validate the last sentence of S. 497, I.P.C.which prohibits a woman from being punished as an abettor of the offense of adultery."[4] It is quite interesting to compare the status of a woman perpetrator of domestic violence with the woman abettor of the offense of adultery under S. 497. These two laws have got the constitutional blessings and validation thanks to Art. 15(3). The jurisprudence behind the two laws may be different though they are in agreement with constitutional requirement.

A judgment of the Delhi High Court upholding the constitutional validity of the PWDVA on the ground that the gender-specific nature of the law does not violate the guarantee of equality as it is a "class legislation" aimed at protecting women as a class that is disproportionately vulnerable to violence.[5]The same argument holds well with S.498A also.

The violence faced by women is a gendered phenomenon that reproduces and reinforces gender inequality, and hence, a gender-neutral law would defeat the purpose of a law on domestic violence. Given the power relations in the home, the men could use a gender-neutral law to dispossess women from the homes. It is in recognition of this gendered power imbalance that the Constitution enjoins upon the state to make "special provisions" for women and children in its pursuit of prohibiting discrimination on grounds of sex.

The backing of judiciary respecting the human rights of women is founded on the above-mentioned Articles 14 and 15. Human rights justice cannot be withheld to women. The entry of

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[2] In Mohd Hoshan vs. state of AP, the Supreme Court gave an interesting judgment upholding the Andhra Pradesh High Court ruling on mental cruelty.

[3] Ashutosh Gupta V. state of Rajastan, AIR 2002, SC 1533.

[4] Yusuf Abdul Aziz V. state of Bombay, AIR 1954, SC 321.

[5] Aruna Pramod Shah vs Union of India, Writ Petition (Crl) 425/2008.

human rights law into the household has brought revolution since it has facilitated legal intervention in the private sphere of family life. Comparatively more general frame of human rights might "offer a more effective way to talk about domestic violence than the framework of women's rights"(Bumiller, 2010). Women may be invisible elsewhere but they are visible as (better) equal half of humanity in the floodlight of human right law.

From the above discourse on the constitutionality of S.498 the same has been affirmed through decisions of the apex court. Looking from this human right perspective the following infamous remarks of the Delhi High Court in Harvinder Kaur vs Harmander Singh sound totally[6] out of tune with socio-legal context, "introduction of Constitutional Law in the home is the most inappropriate. It is like introducing a bull in a china shop... In the privacy of the home and the married life neither Art 21 nor Art 14 have any place." These words are not in isolation and cannot, therefore, be ignored as a solitary deviation or aberration. The same patriarchal refrain is frequently reiterated by every wing in administration of justice.

Allegations of misuse; why?

It is alleged that women "misuse" the law. Decoded, this means that women are actually using the law. When the disadvantaged use the law after centuries of exclusion from the legal system, they are charged with "misuse" of the law. What the backlash (the allegation of women's misuse) tells us is that society has not accepted the fact that women's rights are human rights (Jaising, 2009). The reports of low conviction cannot be exclusively related to misuse of the provision. Public prosecutors fail to actively pursue cases of domestic violence under Sec 498A, as often women turn hostile during the prosecution and agree to drop the charges. This cannot be attributed to misuse of the law by women. The reasons for alleged misuse may be seen as follows.

Stringent Pro-arrest stance: It is the procedure and not the punishment which has made this law unacceptable to many. The offence is cognizable, non-bailable and non-compoundable. These stringent procedural provisions have made the punitive facet acutely deterrent and retributive. These provisions have also necessitated the compulsory arrest of the accused. Based on the recognition that domestic violence is often repetitive and that domestic violence is often regarded as not serious by police, it is argued that predictable and substantial legal consequences for domestic violence should make victims safer and deter or remove perpetrators. This led to several changes in law which, inter alia required immediate arrest of offenders. A substantial set of studies has evaluated the effects of compulsory arrest in contrast to arrest at officer discretion and to other interventions such as mediation or separation. Compulsory arrest is adopted with a view to reduce the scope of arbitrary discretion of the police.

Vague definition: Fortunately, although conceived as a protection against dowry harassment, the text of Sec 498A was wide enough to apply to other situations of domestic violence. However, it applies only to violence faced by married women at the hands of their husbands or husband's relatives. Nonetheless the definition of 'cruelty' is vague as it is wide. The degrees of cruelty cannot be assessed or measured as there involves mental cruelty as well. The police may make arrest of the accused persons irrespective of the seriousness of the criminal conduct.

While the text of Sec 498A contains one part that specifically addresses cruelty as harassment for dowry, the ambit of the section is meant to be much wider than that as it seeks to address all forms of cruelty that cause grave injury or danger to life, limb or health whether mental or physical. Sexual violence particularly needs to be recognized as a form of cruelty not only because of its high prevalence within marriage but also because the definition of rape within Sec 376 IPC specifically excludes marital rape as an offence. When a woman's modesty is deflowered by rape,

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[6] AIR 1984 Del 66.

marital or otherwise, there occurs her social death. A definition of matrimonial cruelty on women is shamelessly incomplete if it excludes marital sexual violence.

The members of the bar: Majority of the complaints are filed either on the advice or concurrence of lawyers. At the time of filing of the complaint the implications and consequences are not properly visualized by the complainant that such complaint can lead to insurmountable harassment, agony and pain to the complainant, accused and his close relations.

Lawyers have enormous social responsibility and obligation to ensure that the social fabric of family life is not ruined or demolished. They must ensure that exaggerated versions of small incidents should not be reflected in the criminal complaints. The learned members of the Bar who belong to a noble profession must maintain its noble traditions and should treat every complaint under section 498-A as a basic human problem and must make serious endeavor to help the parties in arriving at an amicable resolution of that human problem.

The police: The police have a pivotal role in any type of cognizable cases as there is the leeway for discretion. The police action often is responsible for the use or misuse of the leeway. On the other hand, it has always been contended by feminine activists that the police and the courts are failing to protect women because they generally follow a policy of non-intervention in domestic and intimate partner violence. This non-interventionist attitude and policy imposes a secondary victimization on the woman.

Section 498-A IPC is incorporated by the Legislature basically in the interest of women and to safeguard them from harassment. But, it has become somewhat counterproductive due to either overreaction or inaction of the police. In several cases, due to police overreaction women as in-laws of the complainant are harassed, arrested and humiliated on the complaints given under the section.[7] The police attitude to arrest first is the root cause of misuse. This injustice has often occurred due to the collusion or connivance of the police. There are instances of police reluctance to step in family violence cases. The degree of gravity is rarely taken into account by the police. Unity of approach results in hardships. The question of social security or law enforcement is dominated over liberty of the offender.

In Sidharam Lingappa Vs state of Maharashtra,[8] the Supreme Court said, 'The arrest should be the last option...in exceptional cases where it is imperative in the facts and circumstances of that case'. The police act too fast. There is occasionally the tendency to unjustly implicate the relatives. The police conduct and attitude is not professional, sensitive or empathetic to meet the requirement of the situation.

Conclusion

In the absence of statistically correct and reliable data it is unfair to blame women alone for all the misuse of S.498A. The reasons for misuse are manifold. Now let us look at solutions for the alleged malady of misuse. The reasons themselves have inherently forwarded the answers to the problem. The solution is said to be part of the problem.

No one thinks that there is no problem in implementing the law on cruelty (498A, IPC), though it is not substantially due to women's misuse. The question, therefore, is whether any amendment to the Section or any other law is needed to do away with the problems in administering the provision. Besides there are some other measures to be administered along with the amendment of law.

The 237th report recommended for making 498A compoundable as reformation and

[7] Criminal Petition No. 6642 of 2007, Kamireddy Mangamma and others Vs. state of AP.
[8] Criminal Petition No. 6642 of 2007, Kamireddy Mangamma and others Vs. state of AP.

restoration are preferred by penal law to deterrence as its goal, especially in the marital contexts. Even in a law exclusively made for protecting women from domestic violence, reconciliation is given a preliminary place (Also see 243rd Report on Section 498A IPC).

1. Section 41 CrPC by adding sub section (3). This is to set in motion the steps for reconciliation and wait one month for the result, if the offence is not serious. The matter is undecided by judiciary as to whether FIR be postponed till mediation is complete. At present the respective High Court directives are to be followed in this respect. Such mediation has to be done by experts and not by police.
2. S. 358 CrPC: by raising the compensation from Rs. 1,000 to 15,000, for falsely implicating in criminal cases.
3. Punishment for false or over-implication need not be inserted into 498A as already there are such provisions, viz. S.211 IPC, 250 (malicious accusations) and 358 CrPC.
4. According to 237th report the offence it has to be made compoundable, subject to a cooling off period of three months. The preponderance of the view was to make it compoundable.
5. Let non-bailable arrest procedure be there as per S.41 and 41 a of CrPC. A subsection 41(3) to be inducted with a view to set in motion steps of reconciliation.
6. There shall be Women's Cell in every city/district, with women personnel in police, counseling, etc.
7. Passport of NRI's shall not be impounded, they need only be taken as bonds or sureties.
8. Most importantly, expeditious disposal is needed to prevent miscarriage of justice. Potentiality to abuse cannot be overemphasized in order to repeal or dilute the provision, especially when atrocities against women are on the increase. More than women men also have to be made aware of the penal provisions.
9. Co-ordination between civil and penal law institutions: The Protection of Women from Domestic Violence Act, 2005 is but supplemental to any other law in force. The right to file a complaint under S 498A specifically preserved under S. 5 of the Act. The interplay of the two laws guarantees the cognizance of the incidence by the Magistrate which will help prevent secondary victimization. It also paves the way for an early counseling occasion. The aim of law shall be protective and not retributive at least in family violence. The PWDV Act is a model to build upon. The machineries thereunder may be made use in the process under S. 498A also, especially in granting residence rights, restraint orders, mediation/reconciliation/counseling process. The obligation of the state to protect estranged women in distress as many women victims are unwelcome in their marital and natal homes. Only the state can intervene to help such miserable women as they need medication, shelter and counselng. The civil law can be an effective tool to combat misuse of 498A.
10. Misuse can be averted through the measures in S.482 CrPC whereby the High Court may use its inherent power to quash the proceedings in deserving cases. This is the inherent power of the court to prevent miscarriage of justice and should be harnessed only in deserving cases.
11. Role of women NGOs: These organizations should investigate complaints properly without any bias towards women keeping in mind that the law is being misused largely to harass more women in husband's family. A woman protective law shall not be made a law victimizing women unjustly.
12. Punish both Dowry Givers and Dowry Takers: If the complainant admits giving dowry in the complaint, the courts should take cognizance of the same and initiate proceedings against both the parties under the relevant sections of the Dowry Prohibition Act. Except conduct concerning dowry issues the law may be made gender neutral.
13. Amendment by making it bailable, non-cognazible and compoundable: This is to protect the elderly, the children, young women who have been implicated by the complainant. A law

made for protecting married women in her matrimony shall not be made a tool of oppression against other women who are in-laws of the husband.

Objection against making the section Compoundable: Often the prosecution is coupled with Ss. 3&4 of the Dowry Prohibition Act, 1961. A private compounding will, therefore, leads to legal endorsement of a social evil like dowry. It. may be true that some other socially harmful offences are compounded. It is so true that the section has reference to other forms of matrimonial cruelty. But can violence be compounded in a family? A wise approach has to be taken here. A judicious mix of deterrence, repentance and reformation will be appropriate in familial situations. Another contention against making violence compoundable is that women are often pressurized to make some compromise. In order to combat this challenge the prosecution and trial have to be conducted by gender sensitive personnel.

The myth of one-way cruelty is a cause for allegation of misuse. The section has become sometimes a tool for mutual interspousal intimidation and harassment. Violence between partners is often bidirectional. Individuals participating in bidirectional aggression are also more likely to be involved in physical aggression across relationships. Almost no one considers that perpetrators are also often victims of some form of family violence.

Divorce after a successful prosecution under 498A is the most likely aftermath. It should, therefore, never be used for any other purpose than what it was intended for. This is because misuse takes place when a thing is used for a purpose for which it was not intended or designed for. Dating Violence, though non marital, is a matter of growing concern. The PWDV Act, 2005 is giving protection to aggrieved women who have a relationship in the nature of marriage with the male partner. The criminal law on spousal cruelty against women will also have to listen to the need of the times by bringing dating violence, if it is a relationship in the nature of marriage, under its ambit.

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