

## SC does a rethink on dowry harassment ruling

The Centre has been asked to respond by October 29.

Two months after the Supreme Court stopped immediate arrests of accused in dowry harassment cases, the court on Friday did a re-think, saying its order dilutes the right of a woman to seek justice against the evil of dowry.

On July 27, a Bench of Justices A.K. Goel and U.U. Lalit had concluded that Section 498A (dowry harassment) of the Indian Penal Code has come under much abuse. Dowry complaints are being filed in the heat of the moment by women over trivial issues. Innocent relatives, including parents of advanced age, siblings and grandparents, suffer harassment. Their judgment directed 'Family Welfare Committees' to sift the genuine cases of dowry harassment from the trivial ones. Police would take action only on the basis of the committee's report.

These committees were directed to be made up of social workers, homemakers, retired persons and other citizens.

In an absolute U-turn, a three-judge Bench led by Chief Justice of India Dipak Misra said the July 27 verdict blunted the purpose of Section 498A as an effective law to protect human rights of married woman who live in torture.

"The judgment (July 27) seems to have entered the legislative domain... We are not in agreement with the view taken as it is liable to affect the rights of woman," Chief Justice Misra observed.

The Bench asked the Centre to respond by October 29.

The Bench was hearing a plea filed by an NGO 'Nyayadhar', an organisation of women advocates from Maharashtra, who sought a revival of Section 498A, which they said has now become "valueless."

The July 27 ruling had held that no arrest should normally be effected on dowry harassment complaints until the committee confirms the genuineness.

The apex court had also ordered that trial judges should close Section 498A cases based on matrimonial disputes once the parties have reached a settlement. In fact, bail should be given on the same day, it said.

END

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