



BREAKING THE SILENCE: ADDRESSING MEN'S RIGHTS AND BHARATIYA NYAYA SANHITA

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ABSTRACT

The discourse on gender rights in India has predominantly focused on women's empowerment and protection. However, men's rights remain an underrepresented issue, with concerns such as false allegations, domestic violence against men, and unequal parental rights often overlooked. The introduction of the Bharatiya Nyaya Sanhita (BNS), replacing the Indian Penal Code (IPC), presents an opportunity to reassess legal provisions and advocate for a more balanced legal framework. This study explores the legal landscape concerning men's rights in India, analyzing judicial precedents, policy gaps, and the gender-specific nature of laws. A comparative analysis of the IPC and BNS highlights the persistent legal asymmetry, with multiple provisions continuing to identify men solely as perpetrators and women as victims. The study also examines statistical evidence on domestic violence against men, false accusations, and the mental health implications of gender-biased legal frameworks, including suicide rates among married men. While progressive judicial interpretations have expanded constitutional protections under Article 14 and Article 21, legislative reforms remain limited in addressing the challenges faced by men. By advocating for gender-neutral legal provisions, this research emphasizes the need for an equitable justice system that protects individuals regardless of gender. It calls for urgent legislative reforms to acknowledge men as potential victims of violence, harassment, and legal exploitation, ensuring a more inclusive and fair legal system in India.

Keywords: Men's Rights, Gender Neutrality, Bharatiya Nyaya Sanhita (BNS), Indian Penal Code (IPC), False Accusations, Domestic Violence Against Men, Legal Reforms, Judicial Bias, Constitutional Equality.

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INTRODUCTION

The discussion on gender rights in India has traditionally focused on women's empowerment and safety. While this focus is crucial, there remains an often-overlooked aspect—men's rights. In recent years, discussions surrounding false allegations, gender-neutral laws, domestic violence against men, and equal parental rights have gained momentum towards the need for a more balanced legal system. Despite the increasing number of men facing legal and social challenges, discussions on their rights remain subdued, with societal norms discouraging open dialogue.

The introduction of the **Bharatiya Nyaya Sanhita (BNS)**, which replaces the colonial-era Indian Penal Code (IPC), provides an opportunity to re-evaluate legal provisions and ensure a balanced approach to justice. The BNS has introduced several changes, and addresses the issues faced by men in areas like false accusations, gender-neutral laws, and fair legal recourse.

This research paper aims to explore the evolving legal landscape in India concerning men's rights, the implications of the Bharatiya Nyaya Sanhita, judicial precedents and the need for gender-neutral legal reforms to highlight the need for a more inclusive and gender-neutral approach to legal reforms. This study will also include a comparative analysis of the Indian Penal Code (IPC) and the Bharatiya Nyaya Sanhita (BNS) in relation to men's rights.

Recognizing that justice should not be selective, this research seeks to contribute to a broader dialogue on ensuring fairness in the Indian legal system for individuals of all genders. By addressing legal biases, societal perceptions, and policy gaps, this study seeks to contribute to a more equitable legal framework that upholds justice for all, irrespective of gender.

EVALUATING GENDER NEUTRALITY IN THE INDIAN CONSTITUTION

The Indian Constitution enshrines the principle of equality before the law under **Article 14**, ensuring that no individual faces discrimination based on caste, race, religion, place of birth, or sex. This provision mandates equal protection of laws for all persons, reinforcing the fundamental right to fairness and impartial treatment within the legal system.

Furthermore, **Article 21** of the Constitution¹ upholds the right to life and personal liberty, a fundamental right that extends to all individuals, irrespective of gender. Over the years, the Supreme Court of India has significantly broadened the interpretation of this right, recognizing its dynamic and evolving nature. The judiciary has consistently affirmed that the right to life is not merely confined to physical survival but encompasses a dignified existence.

Through a series of landmark rulings, the Supreme Court has clarified that Article 21 includes a wide range of protections essential for leading a meaningful life. These include the right to livelihood, ensuring that individuals are not arbitrarily deprived of their means of subsistence; the right to a clean and healthy environment, acknowledging the intrinsic link between environmental well-being and human life; the right to a safe and secure workplace, particularly in cases concerning labor rights and workplace harassment; the right to a fair trial, safeguarding the principles of natural justice; and the right to privacy, which has been explicitly recognized as a fundamental right integral to personal dignity and autonomy.

By continuously expanding the scope of Article 21, the judiciary has reaffirmed its commitment to upholding human rights and adapting constitutional protections to contemporary societal challenges. This evolving interpretation reflects the Constitution's enduring commitment to justice, equality, and individual freedoms in a modern democratic society.

In the seminal case of *Maneka Gandhi v. Union of India*², the Hon'ble Supreme Court significantly expanded the interpretation of the right to life and personal liberty under Article 21 of the Indian Constitution. The Court emphasized that this right is not confined to mere physical survival but encompasses a dignified existence, underscoring the necessity of ensuring conditions that allow individuals to live with self-respect and human dignity. This decision laid the foundation for a broader understanding of fundamental rights. Despite this progressive jurisprudence, the gender-specific nature of several penal provisions addressing offences such as sexual harassment, voyeurism, stalking, rape, cruelty, and domestic violence has remained a subject of intense legal and societal debate. These legislations predominantly recognize women as victims, reflecting the historical and social realities of gender-based violence.

¹ The Constitution of India. [Feb.09, 2025, 10:00 AM].

Available on: https://www.indiacode.nic.in/bitstream/123456789/15240/1/constitution_of_india.pdf

² Maneka Gandhi vs. Union of India (1978) AIR 597, 1978 SCR (2) 621 (India). [Feb.09, 2025, 11:05 AM]

Available on: https://digiscr.sci.gov.in/view_judgment?id=NjE1MQ==

However, this gendered approach has led to ongoing discussions about the exclusion of male victims and the broader implications of such statutory frameworks.

While legislative bodies and judicial institutions have made significant strides in recognizing and addressing crimes against women, the deep-seated patriarchal structures within society continue to hinder the acknowledgment of men as potential victims of such offences. The prevailing societal narrative often dismisses or undermines the victimization of men in cases of sexual and domestic violence, contributing to a lack of legal protections and institutional support for male survivors. Furthermore, the criminal justice system, shaped by traditional gender roles, has been slow to adapt to the evolving understanding of gender-based violence, thereby perpetuating legal asymmetry in addressing these issues.

The ongoing discourse surrounding gender neutrality in criminal laws reflects a growing awareness of the need to ensure equitable legal protections for all individuals, irrespective of gender. While the existing framework has been instrumental in securing justice for women, there is a pressing need to evaluate and reform legal provisions to reflect a more inclusive and comprehensive approach to victim protection.

Therefore, besides all these provisions and precedents there has been no law laid down for the protection of men against sexual and domestic violence cases.³

DOMESTIC VIOLENCE INITIATED BY WOMEN AGAINST MEN

It is indisputable that domestic violence is not determined by the victim's gender. While it is undeniably true that women constitute the majority of victims, the reality that men also experience such abuse cannot be overlooked. However, a clear legal disparity exists, as men, despite facing similar forms of violence, are primarily viewed as perpetrators under the law, leaving cases where they are victims largely unrecognized.

While spousal violence is often associated with husbands as perpetrators, women can also engage in acts of domestic violence against their spouses. To assess this phenomenon, the NFHS-3 survey included a question for ever-married women, inquiring whether they had ever physically harmed their last husband or partner—such as by hitting, slapping, or kicking—

³ *The Protection of Women from Domestic Violence Act, 2005*. [Feb.09, 2025, 12:45 PM]. available from: <https://www.indiankanoon.org/doc/542601/>

when he was not already engaging in physical violence against them. Women who answered affirmatively were further asked about the frequency of such incidents in the 12 months preceding the survey. The questionnaire from the National Family Health Survey-3 (NFHS-3), is derived from a modified version of the Conflict Tactics Scale ($\alpha = 0.86$). Socioeconomic status was determined based on the Pareekh scale.

Table 1 presents data on the proportion of ever-married women who have engaged in spousal violence against their current or most recent husband, as well as the percentage of non-widowed ever-married women who reported initiating such violence within the past year, categorized by various demographic, spousal, and marital characteristics.

Percentage of ever-married women age 15-49 who have committed physical violence against their husband when he was not already beating or physically hurting them ever and in the past 12 months, according to women's own experience of spousal violence and their own and husband's characteristics, India, 2005-06

Characteristics	Percentage who have committed physical violence against their current or most recent husband			
	Ever	Number of women	In the past 12 months ¹	Number of women ¹
Woman's experience of spousal physical violence				
Ever	1.8	23,364	1.1	22,421
In the past 12 months ¹	2.3	13,680	1.7	13,680
Not in past 12 months or not asked ²	1.1	9,684	0.1	8,742
Never	0.1	43,294	0.1	41,545
Age				
15-19	0.3	4,643	0.3	4,628
20-24	0.5	11,642	0.4	11,571
25-29	0.8	13,006	0.5	12,789
30-39	0.8	22,191	0.4	21,241
40-49	0.8	15,175	0.4	13,736
Residence				
Urban	0.9	20,441	0.5	19,634
Rural	0.7	46,217	0.4	44,332
Education				
No education	0.8	32,024	0.5	30,360
<5 years complete	1.0	5,647	0.5	5,354
5-7 years complete	0.6	9,900	0.4	9,597
8-9 years complete	0.6	7,585	0.3	7,376
10-11 years complete	0.6	5,440	0.4	5,318
12 or more years complete	0.4	6,059	0.3	5,960
Husband's education				
No education	0.9	18,207	0.6	17,181
<5 years complete	1.3	5,728	0.8	5,508
5-7 years complete	0.8	10,589	0.5	10,125
8-9 years complete	0.5	10,342	0.2	10,007
10-11 years complete	0.6	9,317	0.3	9,001
12 or more years complete	0.4	11,867	0.2	11,600
Husband's alcohol consumption				
Does not drink	0.4	45,838	0.2	43,147
Drinks/never gets drunk	0.4	3,506	0.1	3,506
Gets drunk sometimes	1.2	12,816	0.8	12,816
Gets drunk often	3.3	4,395	2.1	4,395
Spousal age difference²				
Wife older	0.9	1,364	0.8	1,364
Wife is same age	1.1	1,508	0.7	1,508
Wife's 1-4 years younger	0.6	24,270	0.4	24,270
Wife's 5-9 years younger	0.7	25,369	0.4	25,369
Wife's 10+ years younger	0.9	9,959	0.5	9,959

Table 1 shows the number of women initiating violence by

men against men as per the National Family Health Survey.⁴

⁴ National Family Health Survey -3. [Feb.09, 2025, 04:40 PM].

Available from: <https://dhsprogram.com/pubs/pdf/frind3/frind3-vol1andvol2.pdf>

According to the National Family Health Survey (2005-2006), nearly **60 lakh women have committed acts of physical violence against their husbands without provocation**. However, men are more frequently subjected to violence from their wife's relatives and family members rather than the wife themselves. When such incidents are included, the total number of domestic violence cases against men in India reaches approximately 3 crore.

A study funded by the **Indian Council of Medical Research**, conducted over a one-year period in Rohtak, Delhi, examined a sample of 1,000 men. The findings revealed that 515 participants had experienced violence at the hands of their wives. Emotional abuse was the most prevalent form, affecting 49.6% of respondents, while instances of physical violence (0.6%) and sexual violence (0.4%) were also reported.

The study attained a complete response rate, with all 1,000 households contacted successfully contributing one participant each.

Prevalence of gender based violence among men ($n=1000$)*

Perpetrator of violence	Ever experienced	In last 12 months
Any female	524 (52.4)	105 (10.5)
Spouse	515 (51.5)	85 (8.5)
Female other than spouse	42 (4.2)	5 (0.5)

*Table 2 shows the overall incidence of gender-based violence among males was recorded at 524 cases, accounting for 52.4% of the participants.*⁵

⁵ Jagbir Singh, Anuradha Nadda, A Cross-sectional Study of Gender-Based Violence against Men in the Rural Area of Haryana, India [Feb.07, 2025, 02:46 PM].available on: <https://pmc.ncbi.nlm.nih.gov/articles/PMC6437789/>

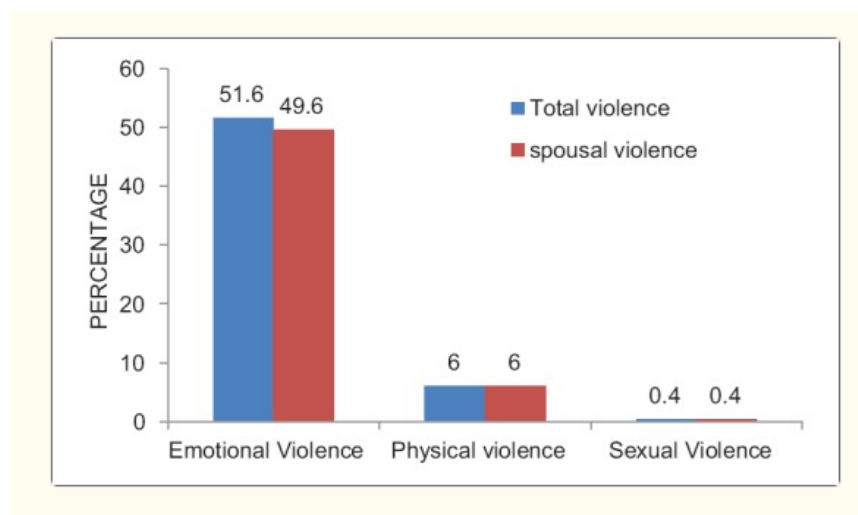


Figure 1 illustrates the total occurrence of emotional, physical, and sexual spousal violence faced by men. The blue candle depicts the emotional, physical and sexual violence faced by men by other member of the family also including spouse (wife) out of which red candle depicts the violence on men solely by their wives.

Figure 1 shows that among the 60 male participants, 25 (2.5%) reported experiencing physical violence within the past 12 months. Slapping was the most frequently reported form of physical abuse (98.3%), while assault with a weapon was the least common (3.3%). Severe physical assaults were observed in only 10% of cases (seven individuals). Notably, in all instances, the perpetrator of the physical violence was the spouse.

Among those subjected to emotional violence, 85% reported being criticized, 29.7% experienced public humiliation, and 3.5% were threatened or harmed. Of the 516 individuals who encountered emotional abuse, 20 (3.9%) experienced it within the past year.

Regarding sexual violence, only four respondents (0.4%) out of the total 1,000 reported experiencing such incidents. Among them, only one case occurred within the last 12 months. In one instance, a female partner physically coerced her spouse into sexual intercourse, while in three cases; men were forced to engage in sexual acts against their will.

These statistical tables and figures demand the urgent need for legislation to legislate the laws to safeguard men as victims of domestic, emotional and sexual violence. Legislation has to bring some reforms in the existing laws to address the contemporary needs of men in the changing world. The urgency to bring legal reforms can be witnessed by observing the new

law Bharatiya Nyaya Sanhita, 2023 which includes the comparative study of Indian Penal Code, 1860 and Bharatiya Nyaya Sanhita, 2023.

GENDER-SPECIFIC PROVISIONS OF BNS AND IPC

1) Section 75 of the BNS⁶ [Section 354(A) of the IPC]

The above-mentioned sections of the BNS and IPC have addressed ‘men’ as the transgressors and ‘women’ as the victims by using the pronoun she to refer to the victims of sexual harassment. Using the pronoun ‘she’ limits the scope of the respective section excluding the possibility that men can also be victims of sexual harassment.

National statistics by organisation like **National Sexual Violence Resource Centre⁷** on Gender Equity and Health, only 43% of men disclose their experiences; whereas the reporting rate among women stands at 81% which itself makes evident the percentage of men being the victim of sexual harassment in the changing world.

In India, therefore no specific legal provisions exist to address cases of sexual harassment or victimization involving adult male victims, leaving them without legal protection or recourse against perpetrators. Judging from the recent reports published by the Economic Times - Synovate Survey⁸ out of the 527 men questioned among the seven cities namely Bangalore, Chennai, Delhi, Kolkata, Hyderabad, Mumbai, and Pune – the following percentage of questioned men reported on the following concerns:

- a) 19% of the said men said they have gone through some kind of Sexual harassment at the workplace.
- b) In Bangalore, 51% of the respondents reported experiencing Sexual Harassment.
- c) Delhi and Hyderabad reported 31% and 28% of those questioned said to be sexually harassed.

⁶bSection 75 of BNS [Feb.04, 2025,05:10PM]

Available on: <https://devgan.in/bns/section/75/>

⁷ Report by National Sexual Violence Resource Centre [Feb.05, 2025, 01:30PM]

Available on: <https://www.nsvrc.org/statistics>

⁸ Kritika Kapoor, Men too are victims of Sexual Harassment [Feb.05,2025, 06:30AM]

Available on: <https://timesofindia.indiatimes.com/life-style/relationships/love-sex/men-too-are-victims-of-sexual-harassment/articleshow/16336627.cms>

Approximately 38% of respondents across seven Indian cities stated that, in modern workplaces, “men are just as susceptible to sexual harassment as women”. It alarms the need to legislate laws for men facing sexual harassment.

2) Section 76 of BNS⁹ [Section 354(B) of the IPC]

Section 354(B) of the IPC and Section 76 of the BNS address the offense of ‘assault or use of criminal force with the intent to disrobe a woman’. Notably, the BNS replaces the term “any man” with the gender-neutral “whoever” to define the perpetrator.

However, the continued use of the pronoun “she/her” in reference to the victim indicates that the provision remains applicable exclusively to female victims and explicitly excludes men.

3) Section 77 of the BNS [Section 354(C) of the IPC]

Section 77 of BNS and section 354(C) of IPC addresses the offence of ‘VOYEURISM’.

According to Wikipedia¹⁰, Voyeurism refers to a sexual fascination with or the act of observing individuals engaged in private activities, such as undressing or intimate interactions. This definition by Wikipedia is not a gender-centric explanation of Voyeurism making it exclusively applicable to the binary genders and other genders also.

Section 354(C) of the IPC and defines voyeurism by stating, "Any man who watches, or captures the image of a woman...." The revised BNS replaces the term "any man" with "whoever" to broaden the scope of the offender. However, it continues to use gender-specific terminology, such as "woman," along with the pronouns "she/her" when referring to the victim explicitly legislating the law of voyeurism for women only.

In the landmark case of Justice *K.S. Puttaswamy (Retd.) & Anr. V. Union of India*¹¹, the court affirmed that the Right to Privacy is a fundamental right and an integral aspect of the Right to Life under the Indian Constitution. The criminalization of voyeurism reinforces this protection, offering citizens a degree of assurance that their privacy rights are being upheld. But in spite

⁹ Section 76 of BNS [Feb.09, 2025, 10:20 AM]

Available on: https://devgan.in/bns/chapter_05.php#s76

¹⁰ Definition of Voyeurism by Wikipedia.[Feb.09, 2025, 07:25 PM].

Available on: <https://en.wikipedia.org/wiki/Voyeurism>

¹¹ K.S. Puttaswamy (Retd.) & Anr. V. Union of India (2017) 10 SCC 1(India) [Feb.10, 2025, 08:00 AM]

Available on: <https://indiankanoon.org/doc/127517806/>

of this landmark judgment for the protection of privacy rights irrespective of gender, no legal provision has been laid for the men subject to the offence of voyeurism.

4) Section 78 of the BNS [Section 354(D) of the IPC]

Section 78 of BNS and Section 354(D) of IPC laid down the law for the offence of 'stalking'. The definitions of stalking in these legal provisions designate "any man" as the perpetrator while referring to the victim using gender-specific terms such as "woman" or pronouns like "she/her."

A fact sheet has been published by the organisation named National Violence Against Women Prevention Research Center at the University of Missouri at St. Louis¹² on the statistics of 'Stalking'. It reports that stalking predominantly takes place between individuals who are acquainted with each other. Instances involving strangers account for less than a quarter of cases among women and approximately one-third among men.

Despite this report, men are not given protection for the offence of Voyeurism.

5) Section 63 of the BNS [Section 375 of the IPC]

Legal provisions of Section 63 of BNS and Section 375 of IPC define rape by stating, "A man is said to commit 'rape' if he—," followed by clauses that use the pronoun "she" which refers to the victim. Therefore, these sections mention the male as perpetrator and women as victims of rape.

While the majority of rape victims are women, disregarding male victims entirely is inherently unjust. Although the number of men experiencing sexual violence is comparatively lower than that of women, male victims must also be acknowledged and granted justice equally, just as the female victims. Societal norms frequently reinforce the notion that perpetrators are exclusively men, while victims are solely women which needs to be changed in the evolving society.

A survey conducted by the Save Family Foundation and My Nation Foundation revealed that between 2005 and 2015, around 20.4% of the men surveyed reported experiencing sexual violence. It indicates the need for framing the law to protect the male victims of sexual violence.

¹² Mindy Mechanic, Fact Sheet on Stalking (Report published by the National Violence Against Women Prevention Research Center University of Missouri) [Feb.11, 2025, 08:10AM]
Available on: <https://mainweb-v.musc.edu/vawprevention/research/stalking.shtml>

6) Section 85 and 86 of BNS [Section 498(A) IPC]

Sections 85 and 86 of BNS have the corresponding section 498(A) in IPC. Section 85 of BNS addressed the offence of 'cruelty by Husband and his relatives against women' and Section 86 of BNS mentions the specific acts of 'Cruelty'. The explicit mention of 'women' and the pronoun 'her' as the sole victim of cruelty automatically defines the male as the perpetrator in these sections.

Both the provisions similarly define cruelty, emphasizing physical or mental harm inflicted on the woman, as well as harassment linked to unlawful demands.

Women are misusing this section by making baseless and false accusations against their husbands, often with the intent of financial gain or to distress the family. The misuse of this provision is rising rapidly because in many cases, wives are well aware of their husbands' vulnerabilities. The government has not assessed the changes in past years' situation well with regard to the changing society where men can be victims too. A research and development strategy is urgently required to enhance the current understanding of how legislative penalties affect domestic abuse.

An often-overlooked consequence of the misuse of domestic violence laws is the psychological distress experienced by accused individuals, particularly married men. A report by the name 'Suicides in India 2022' has been published by the NCRB and that report was analyzed gender-wise by the 'Voice For Men India'¹³. The NCRB report presents the total figures for the past three years which has been evidently increasing each passing year. The male-to-female suicide ratio in 2022 was 71.8:28.2, reflecting a decrease compared to 2021. However, the total number of suicides for both genders has continued to increase.

¹³ Arnaz Hathiram, NCRB Suicide Report of men 2022, Gender wise evaluation [Feb.12, 2025, 07:30 PM] Available on: <https://voiceformenindia.com/ncrb-suicide-report-2022-gender-wise-analysis-married-men-1-73-times-higher-than-married-women/>

Gender Wise Suicide Numbers & Percentage: 2020 – 2021 - 2022

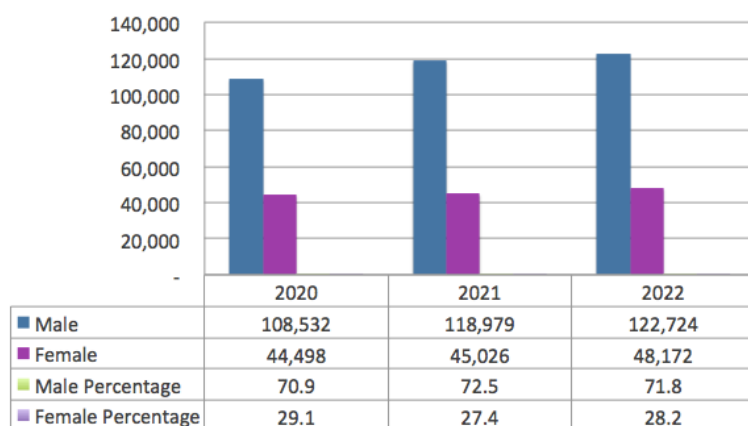


Figure 2 represents the number of suicides by men more than the suicides committed by women in the year 2020, 2021 and 2022.

NCRB also released the statistics on the marital status of the victim who had committed suicide during the year 2022. The marital status of the victims was categorized into seven categories by the NCRB to give more clarity on the number of suicides committed by the men.

The chart below evidently shows that the number of married men doing suicide is the highest of all accounting for a total of 83,713 in number which is raising an alarming need for the government and legislature to protect the males and their rights in the evolving society.

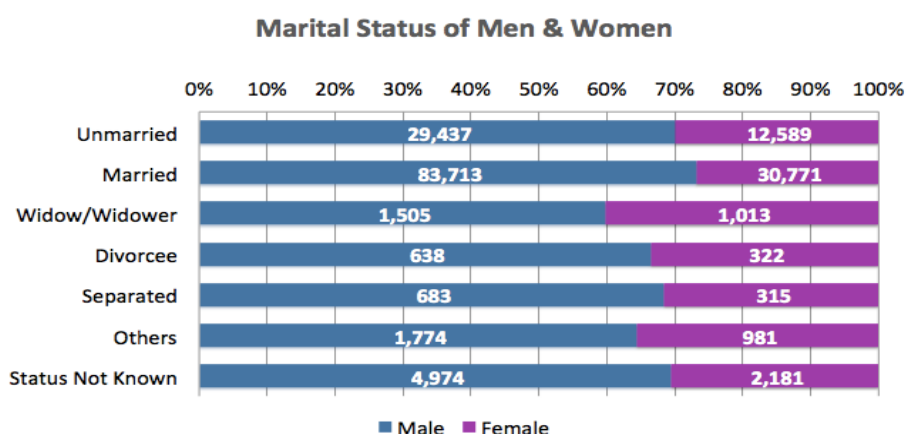


Figure 3 shows the chart giving statistics of suicide by men in the year 2022.

The chief reason for the suicides by the men was the ‘Family Problem’ and ‘illness’ which accounted for 31.7% and 18.4% respectively during the year 2022. However, NCRB fails to

release the statistics of the suicides of men and their families who face harassment and threats related to alimony demands during divorce, false criminal accusations, or a spouse's infidelity.

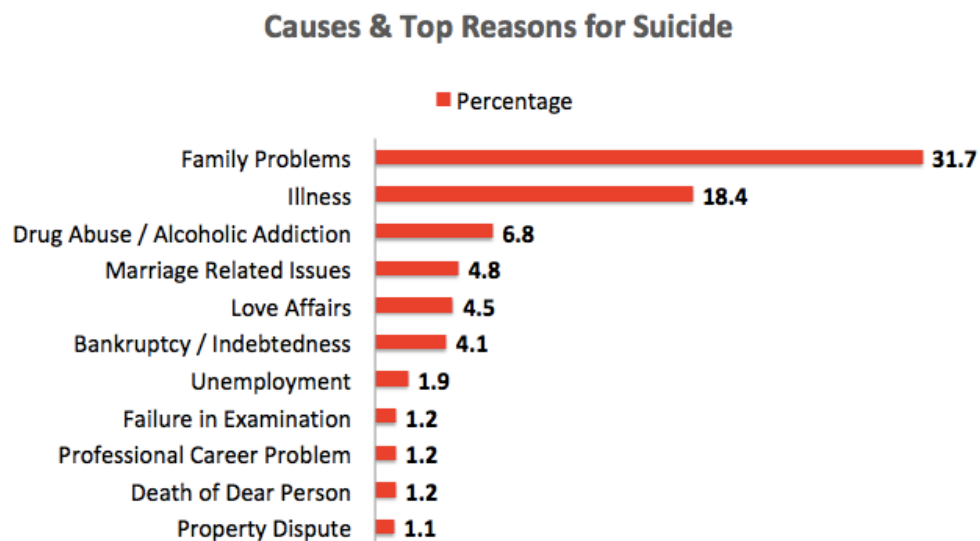


Figure 4 represents the main reasons for the suicide of the men.

One of the cases of ‘**Atul Subhash’s Suicide case**’ has revived a nationwide discussion on gender-neutral laws and the psychological burden such allegations can impose on the accused. The case of Subhash Atul exemplifies the severe consequences that false accusations can have, not only on the individual being wrongfully implicated but also on their loved ones. His tragic death serves as a stark reminder of the urgent need for systemic reforms to uphold justice for all parties involved.

Subhash Atul, a software engineer from Pune, was discovered dead under unclear circumstances by suicide. Reports suggest that persistent harassment by his spouse may have contributed to his distress. The case has been under trial in the court for the deceased Subhash Atul who lost his life due to the lack of balance between Safeguarding vulnerable individuals and promoting equity within the legal system.

While the Supreme Court of India has issued certain rulings that provide reform and relief for the challenges faced by men, the issue remains unresolved. One of the rulings is mentioned below:

In *Arnesh Kumar v. State of Bihar*,¹⁴ the Supreme Court ruled a significant turning point in addressing the misuse of Section 498A. Recognizing the increasing trend of its exploitation, the Court scrutinized the case in which the wife accused her husband of dowry harassment and mental cruelty. However, the allegations were deemed vague. Consequently, the High Court imposed strict directives on law enforcement, emphasizing the necessity of a thorough investigation before making arrests under Section 498A. The ruling highlighted concerns over the indiscriminate use of the law, which often led to unjustified arrests based on unsubstantial claims.

Besides the Supreme Court's ruling the situation is unchanged and urgently requires to be amended after legislating and enforcing the new laws and acts for the protection of men and their rights.

CONCLUSION

Although limited surveys and studies have been conducted on Men's rights against women, the existing data is sufficient to acknowledge its presence in society. As society evolves, the expectations and requirements of individuals also transform, necessitating corresponding changes in the legal framework. It is essential to remember that laws are established to safeguard the well-being of individuals, allowing them to lead their lives free from unjust restrictions. The law must protect individuals' rights from infringement by others, including the State, except where due process permits. Moreover, the pursuit of justice must remain paramount, recognizing that society comprises all genders, and legal provisions should reflect this inclusivity.

Although challenges persist regarding the gender neutrality of domestic violence laws, it is crucial to acknowledge and support genuine victims who seek legal recourse. The deep-seated cultural biases that perceive men solely as perpetrators, particularly in cases of domestic violence, must be dismantled. Society must move beyond these stereotypes to ensure a fair and just legal framework. It is imperative for both the legislature and the judiciary to recognize the existing gaps in the provisions of domestic violence, sexual violence, and harassment and work

¹⁴ *Arnesh Kumar v. State of Bihar* (2014) 8 SCC 273(India). [Feb.12, 2025, 07:40 PM]. Available on: https://digiscr.sci.gov.in/pdf_viewer?dir=YWRtaW4vanVkZ2VtZW50X2ZpbGUvanVkZ2VtZW50X3BkZi8yMDE0L3ZvbHVtZSA4L1BhenQgSS8yMDE0XzhfMTI4LTE0M18xNzAzMjQzMDQ2LnBkZg==

in unison toward achieving true social justice and gender equality, not just in theory but in practice.

To ensure that domestic violence, sexual violence and harassment laws uphold the principles of justice and equality, and protect men from false allegations, several reforms and measures must be considered:

- a) **Gender-Neutral Legislation** – The legislature should amend existing domestic violence laws to provide equal protection to all victims, regardless of gender. Legal provisions must recognize that men, too, can be subjected to abuse and require legal remedies.
- b) **Specialized Redressal Mechanisms** – Establishing dedicated helplines, shelters, and support groups for male victims of domestic violence can help in providing necessary legal, psychological, and social assistance.
- c) **Comprehensive Research and Data Collection** – The absence of reliable data on domestic violence against men leads to policy blind spots. The government and legal institutions should conduct extensive studies to assess the prevalence and nature of abuse faced by men, aiding in better policy formulation.
- d) **Balanced Legal Protections** – While it is essential to protect genuine victims, safeguards should be introduced to prevent the misuse of protective laws. Mechanisms such as stringent scrutiny of false complaints and appropriate legal consequences for perjury can deter frivolous allegations.