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Law of Crimes II Sem II

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Offence of Cruelty by Husband or Relatives of Husband , Section 498 A IPC

This section was introduced under IPC by Criminal Law Amendment Act 1983. It was brought to combat the menace of dowry where the married girl was harassed by her husband or his relatives in connection of demand of dowry.

The section 498 A IPC defines this offence as under

1. The husband or relatives of husband subject such woman to cruelty

The cruelty has been explained as any wilful conduct of such a nature 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

Such cruelty or harassment is with a view to coerce any person related to her to meet any unlawful demand for any property

The related offence which follows this cruelty ultimately resulting in death of the woman defined as dowry death under section 304 B IPC.

For dowry related issues the provisions of Dowry Prohibition Act 1961 shall be applicable.

To strengthen the section 498A analogous provisions were introduced by section 113A Indian Evidence Act with regard to presumption to be drawn by the law for abetment of suicide by a married woman under such suspicious circumstances.

Take care students.

Next time we shall be completing our course. Classroom discussion will also be held once the classes resume officially.