

THE KNOWLEDGE TREE

VOL - 6



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Editor-in-Chief: Dr. Pooja Roy Dasgupta

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Preface

In the past decade multiple developments have taken place which has led to changes in organisational structures, technologies and legal peripherals. Changing structures, advances in information and communication technologies and the greater reliance of companies on information indeed poses a number of challenges for maintaining good management practices. With an objective to promote fresh ideas and provide a platform to all avid writers, I am pleased to be a part of this book.

I am extremely grateful to all the reviewers, editors and all the authors for their valuable contribution to make this book a grand success. The main aim of this book is to enhance knowledge among researchers, students and the legal fraternity at large and to provide an opportunity for creative research and multi-level consideration of broader issues related to legal insight from both national and interdisciplinary perspective.

It has been a matter of great pride and honour to be associated with this book and I hope it will inspire scholars to create a new viewpoint of ideas and enrich their knowledge.

Happy reading!

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“Compromises of Bonafide Dowry Cases in India”

Subhra Priyadarsini Baral
Advocate, Kendrapara, Odisha
M.A. (English Literature),
L.L.M (Corporate & Business Law)

Introduction

Every year in India, many accused persons are acquitted in marriage-dowry disputes. Why this prejudice exists is the topic of discussion and this article intends to explore from different macroscopic angles. Despite the enactment of so many laws, the status of women has still progressed a little bit. Though the vast use of social media and the internet makes people aware of many legal provisions; the fair and justified use of law is merely seen. On one side, some women are becoming victims of misogyny and on the other side some are

misusing the law for their vendetta and men are trapped in false allegations. This article examines the phenomenon of compromises made between both parties in dowry murder cases in India, as an example of how violence against women is perpetuated on a global scale. “Dowry murder” is the killing of a woman, ostensibly for not bringing sufficient dowry to the marriage. It is the culmination of a series of prior domestic abuses by the husband's family. This article analyses this move from private compromise to public trial and its impact on the judicial arena. Compromises carried out by hostile witnesses are examples that can be utilized to increase awareness of the severe effects of Patriarchy. The social mechanisms of male domination and female subordination perpetuate the imbalance of power between men and women in day-to-day events.

Section 498A is one of many legal provisions designed to protect Indian women; others include the Hindu Marriage Act (1955), the Dowry Prohibition Act (1961), and the Protection of Women from Domestic Violence Act (2005). Despite these laws, women’s status in India seems to have progressed little which implies a significant failure in society's mindset. It reveals the excruciating psychological trauma that victims of dowry death endure when faced with dowry demands. Even after marriage, women are often expected to continue fulfilling these demands. Many times, the Judiciary has underscored that this practice reinforces the view of women as financial burdens, with their marriage prospects and associated expenses taking precedence from birth and overshadowing their educational and career aspirations, particularly in financially weaker sections of society. Also, different courts have emphatically stated that they cannot allow the financial circumstances of a girl's parents to become a death sentence for their daughters in cases involving dowry death.

The fact that, after marriage, a wife tends to move in with her husband’s family corrodes her support system and discourages parents from investing in daughters instead of sons.

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