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Dissertation Submission Topic

Domestic Violence Against Male Spouse: A Comparative Study Between
Bangladesh and India

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Letter of Transmittal

To

Dr. Kudrat-E-Khuda Babu

Professor & Head

Department of Law

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Daffodil International University

Dear Sir,

With due respect, I pray to Allah Azzawazal for a healthy and great life for you and your family on this lovely day. Sir, It has been a surreal experience for me that I was trusted to make a research paper on a topic that has not been discussed that much but now a days it gone beyond endurance of a men's life. I am very thankful and blessed to work on "Domestic Violence against male spouse: a comparative study between Bangladesh and India". During this legal research, I tried my best to make sure all the information are relevant and impactful enough to surpass the expectation you are bearing.

Therefore, I will be forever grateful and humbled if I get the honor to get pass this research paper for assessment and need exhortation from the legal research wisdom you carry on.

I am bound to submit any further clarification of any part of this paper if it is needed.

Sincerely,



Azhar Chowdhury

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Letter of Approval

The legal research entitled “Domestic Violence against male spouse: a comparative study between Bangladesh and India” is an authentic project of Azhar Chowdhury ID: 221-38-031 (LL.M final, Department of Law, Daffodil International University), accomplished underneath my supervision and acquiesced for the fulfillment of the Law-812 course requirement to accomplish the research monograph beneath Department of Law, Daffodil International.



I wish him success

Dr. Kudrat-E-Khuda Babu

Professor & Head

Department of Law

Faculty of Humanities & Social Science

Daffodil International University

Declaration

This is my solemnly declaration that, this project has been completed by me and this legal research paper is not published on any journal or any university.

I, Azhar Chowdhury ID: 221-38-031 (LL.M final, Department of Law, Daffodil International University) Declare that the legal research paper on “Domestic Violence against male spouse: a comparative study between Bangladesh and India” is an original work by Azhar Chowdhury ID: 221-38-031 (LL.M. final, Department of Law, Daffodil International University), has completed under the supervision of Dr. Kudrat-E-Khuda Babu (Professor & Head, Department of Law, Faculty of Humanities & Social Science, Daffodil International University) fulfillment of requirement of award of Masters of Law from Daffodil International University. I want to further add that, I take over to pay off the damage arising from breach of the foregoing scores.

Sincerely,



Azhar Chowdhury

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Acknowledgement

Assalamualaikum warahmatullahi wabaraktuhu.

I want to express my appreciativeness for the niamah of Allah Azzawazal, Alhamdulillah. From the very beginning to the end of this legal research, the credit is not only mine but also on the contributions of friends, teachers, people I interviewed, Organizations gave celebration in this project, even people who have encouraged, prejudiced and guided my work. Specially, I would like to pray to Allah Azzawazal for a healthy and great life for my supervisor in this legal research and his family on this lovely day. It has been a surreal experience for me that I was trusted to make a research paper on such a big project. Without Sir's continuous support and wisdom, it would have been pretty incredible to carry out the project and proceedings of this legal research. Afterwards, I want to recompence my cordial gratitude to my family to take care of me and give me courage in my saddest mental situation.

Sincerely,



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Table of Abbreviations

&	And
AC	Appeals Cases
AD	Appellate Division
AIR	All India Reporter
Art.	Article
AK	Asha Kiran
BMRF	Bangladesh Men's Rights Foundation.
CBR	Crime Bure Reports
C.J.	Chief Justice
Cr.P.C	Code of Criminal Procedure
DV	Domestic Violence
DLR	Dhaka Law Reports
FW	Forgotten Women
FIR	First Information Report
IPC	Indian Penal Code
LEM	Labor and Employment Ministry
MN	My Nation
MPs	Members of Parliaments
PIF	Project Indian Family
SC	Supreme Court
SIFF	Save India Family Foundation
V	Versus
VOL	Volume

Table of Cases

Amit Bhardwaj v Sushila Bhardwaj, Punjab & Haryana High Court, FAO-4782-2017.
B. Anuradha v N. Saravanan, Madras High Court, Tr.C.M.P No. 866 of 2019.
Chhavi Goel Nee Agarwal v Central Public Information Commission Second Appeal No. CIC/CCITB/A/2018/120646-BJ.
Jyoti Soni v Mithlesh Soni, Madhya Pradesh High Court, F.A. No. 823 of 2015.
Kaukuntla Krishna Mohan 4 Others v the State of A.P. Another, Telangana High Court, CRLP/9264/2013.
Kamal Hossain vs. State (Criminal) 505.
Md Golam Mortuza vs. the State; 28 DLR (1976) 115.
Preet Ranjan Kaur Petitioner v Harijit Sing & another S, Punjab & Haryana High Court, Amended crl. WP No. 978 of 2012.
Raghuvir Prasad v Public Information Officer, Department of Central Information Commission, CIC/POSTS/A/2017/164355.
Roni Ahmed Liton vs. State (Criminal) 147; 5 DLR (FC) 107.
Sanjay Jain Petitioner v State of NCT of Delhi, Delhi High Court, Bail Appln. 1752/2017 & CrI. M.A 14404/2017.
Shri Soumitra Sen, P v Shri Vijay Swamp, CP, Central Information Commission, F No. CIS/SS/A/2013/000658-YA.
Sohel Rana (Md) vs. State (Criminal): 57 DLR (HCD) (2005) 591
SMT Kanchan v Ramswaroop, Rajasthan High Court, CMA Case No. 4420 of 2008.
Zafrullah vs. Abu Bakar Siddique : 8 BLC (2003) AD 15.

Table of Constitutional Instruments

The Constitution of Bangladesh
The Constitution of India

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Code of Criminal Prosedure,1898
Domestic Violence (Prevention and Protection) Act, 2010
The Indian Penal Code Act, 1860.
The Penal Code, 1860
Protection of Women from Domestic Violence Act, 2005

Abstract

2022 is a year where we saw Hollywood actress Amber Heart falsely accused Hollywood megastar Johnny Depp for DV. Which eventually made his life very bad, he lost credibility in the industry. People did not want to work with him because of his wife's claim. That made the researcher think in Bangladesh and India also people believe women's claim without any kind of investigating the issue. Lots of false claim not only make male spouses socially ashamed but also make his life a living jahannam. This research paper will show the readers the growing agenda of DV in the shape of mental abuse, sexual abuse, verbal abuse, economic violence towards male spouse by their wives. The message is not like all the cases of female DV are false. The researcher admits the ratio of females being abused mentally, physically, sexually are way higher than male spouse being tortured in this manner. But if the readers go through this legal research, they will find out that; as Bangladeshis see woman very respectfully and Indians respect women in such a degree that they consider women as devi or Goddess. Citizen of this region believes women's perspectives more than men. Even one man makes fun of other man if they came to know he has been DVed by his wife. Even wife beating her husband is showing as comedy skits. People are laughing to see in live performance a female character beating her husband and the husband making funny faces.

Chapter One: Introductory Part

1.1 Preclude

In Art 19(3) of the Constitution of Bangladesh, we the people gave Government the power to ensure equal opportunity. In this phase, a pledge has been expressed towards the empowerment of women at all levels of the society and the state and the establishment of equal rights. The significance of this is that women are currently deprived of all levels of society such as ownership of industries, ownership of assets, appointment to public and private officials and employees and decision-making levels of family, society, economy and state.

Economic subjugation of women has been acknowledged as the root source of women's disempowerment.

Some of the prominent demands of the women's empowerment movement are as follows:

Women's ability to make decisions must be ensured; Women must participate in economic activities and production; Women should create joint ownership of family assets; Women's equal rights should be protected at all levels of decision-making, including those in the home, society, economy, and the state; There must be an equitable recruitment of women at all levels, in both the public and commercial sectors; Stop all forms of discrimination in the workplace; Women's health and education should come first, and 8. Women's equal rights in marriage and other relationships should be guaranteed.

In the past, women couldn't work in some professions. At the top levels of the state apparatus, the highest industrial or company administration posts, the magistracy to the highest court judges, etc., the rate of appointment of women is still relatively low. Women make up a tiny minority of parliamentarians in several nations. As a result, the promise made by our constitution is to grant women at all levels of the state, society, and family equal opportunities, equal employment, and equal rights. (Khan, 2022)

On the other hand, if we see in Indian perspective of special treatment of women, we will found out that: According to the Delhi High Court, treating those who are less fortunate with special care is a recognized type of discrimination and treating those who are less fortunate than others as equals is a component of equality guaranteed by the Constitution.

The court emphasized that the Constitution has particular provisions for the Scheduled Castes (SC) and Scheduled Tribes (ST) and gives the state the authority to enact additional measures for the progress of persons from socially and educationally disadvantaged groups.

The court's observations were made in response to a number of petitions filed by candidates from the SC and ST groups who had been denied the opportunity to be hired as court attendants or room attendants (Group-C) under the reserved category in the Delhi High Court because they are not "ordinarily residents of Delhi." The national capital will be subject to the "law of pan-India reservation" when hiring for positions in

the subordinate services, the court decided, taking into account a number of Supreme Court and high court rulings.

The court ordered its institution to take into account the appointment of the deserving petitioners to the jobs in question under the quota for applicants from the reserved category, without requiring them to show that they are regularly residents of Delhi.

It was observed that the official notice for the positions sought applications from all residents of the nation, with the exception of individuals claiming reservation for belonging to the SC and ST categories, who were not required to habitually reside in Delhi. The court stated, "Therefore, if a candidate is able to furnish a certificate of belonging to a Scheduled Caste or Scheduled Tribe that may otherwise be issued only by the competent authority where such a candidate is ordinarily resident, he cannot be denied the benefit of reservation as specified under the notification."

The Delhi HC was instructed to take into account the petitioners' appointment to the advertised positions under the quota for applicants from the reserved category without requiring them to prove that they are regularly residents of Delhi.

The researcher thinks women forgot the original meaning of feminism.

1.2 Literature Review

In order to understand the concept of DV, the researcher looked into the accounts of different researchers and experts. Apart from the literature on this Issue the researcher also read some written documents on DV of Bangladesh as well as India, which helped the researcher to understand about the problem of DV in Bangladesh and India as a whole. Besides, some of these works benefited the researcher to understand the methodology of studying about the problem of the abuser and the victim. However, the major contents of different works are given below:

Delanie Woodlock specializes on a growing trend in the setting of domestic abuse. His paper claims that many forms of abuse and stalking have been made easier by the time period. Intimate partner stalking frequently involves the use of smartphones, tablets, laptops, and social networking websites, according to surveys with 152 DV advocates and 46 victims. Technology-enabled stalking, in his opinion, has to be treated as a serious violation, and strong guidelines, laws, and penalties need to be created.¹

Richard B. Felson and Paul-Philippe Pare conducted research to see if victims of sexual assault or physical assault on male partners receive more lenient punishment than criminals who commit other types of abuse. Instead, they argue that women who assault their male friends are particularly likely to avoid being arrested.

¹ Woodlock, D. (2016). The Abuse of Technology in Domestic Violence and Stalking. *Violence against Women*, 23(5), 584–602. <https://doi.org/10.1177/1077801216646277>

Additionally, compared to other criminals, women who assault partners are far more likely to avoid prosecution. Evidence suggests that the costs of arrest and conviction for accomplice violence increased with time.²

Girls who utilize violence with intimate partners have been the subject of evaluations by Suzanne C. Swan and her team. The primary aim is to inform service providers working with domestically aggressive females who are in the military and civilian organizations. The following are the main criteria used in this assessment: In general, women and men engage in equal levels of physical and mental aggression, but evidence shows that men engage in sexual abuse, coercive control, and stalking more frequently than women, and that women are also significantly more frequently hurt during incidents of domestic violence. (a) Women's violence typically occurs within the context of violence against them by way of their male partners. (b) Women and men engage in equal levels of physical and mental aggression. (c) In relationships where extremely violent "intimate terrorism" occurs, men are more likely to be the perpetrators and women the victims; (d) In relationships where less extreme "situational couple violence" occurs, women and men are equally likely to provoke physical violence; (e) in relationships where extremely violent "intimate terrorism" occurs, women and men are equally likely to be the perpetrators; (f) Interventions based only on male models of intimate partner violence are likely no longer effective for many females due to the major differences in behaviors and motivations between girls' and guys' violence³.

According to Elizabeth D. Katz, judges have historically ignored or maybe protected "husband beaters" because of the patriarchal value placed on domestic privacy. This article needs circumstances that account right now. Judges regularly and passionately covered women who experienced DV in the divorce and criminal situations in the early 20th century. Judges intervened in domestic violence cases as alternative patriarchs when criminal and financial trends appeared to undermine American masculinity and traditional family structures. They fiercely denounced men who punished men for not acting like good husbands by sending them to jail, fines, or even the whipping post, while rewarding partners who displayed the typical traits of fragility and reliance in women were harshly criticized. Judges trivialized or may have mocked those who had been the victims of "husband beating" based on the equal gendered argument. Men who sought safety from physically abusive better halves were stigmatized as unmanly and unworthy of the same criminal punishments as girls⁴.

² Felson, R. B., & Pare, P. (2007). Does the Criminal Justice System Treat Domestic Violence and Sexual Assault Offenders Leniently? *Justice Quarterly*, 24(3), 435–459. <https://doi.org/10.1080/07418820701485601>

³ Swan, S. C., Gambone, L. J., Caldwell, J. E., Sullivan, T. P., & Snow, D. L. (2008). A Review of Research on Women's Use of Violence With Male Intimate Partners. *Violence and Victims*, 23(3), 301–314. <https://doi.org/10.1891/0886-6708.23.3.301>

⁴ Katz, E. D. (2015). Judicial Patriarchy and Domestic Violence: A Challenge to the Conventional Family Privacy Narrative. Retrieved June 21, 2022, from Ssrn.com website: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2589941

Although courts automatically handled domestic violence in divorce and criminal cases, they objected when women launched interspousal tort suits, a third category of criminal action. The most notable case of this response is *Thompson v. Thompson*⁵, in which the U.S. Supreme Court disallowed a wife from bringing a tort claim against her husband for abusing her. Due to the forceful criminal stance and empowering handling of the tort, which appeared to undermine associated gender stereotypes, judges outlawed tort movements from divorce and robbery cases. Male judges utilized the ethical theater in their courtrooms to forcefully and publicly deal with domestic abuse, but only in ways that supported gender and marital hierarchies in a world when women appeared to be significantly advancing in the arts and politics⁶.

1.3 Nature and Scope of The Study

A nation's foundation is the family. Families create society, society creates a hamlet or city, and when we combine cities, we create a country. If a husband and wife have a poisonous relationship, it will eventually harm their children and ultimately the destiny of the entire country.

The researcher is aware of the need of protecting the mental health of kids who often see their mother being physically assaulted since their own father physically mistreated his own mother. One must live with this mental illness their entire lives, and it's possible that when they were married, they took out their anger on their spouse.

The researcher also wants to make it clear that although women are frequently identified as DV victims, there are men who are equally at risk from society despite not reporting being assaulted by their wives. Or, wives may act the victim in order to set up their spouse as a wife-beater for their own nefarious purposes. The researcher believes that this study will uncover the root of the issue, which is to detest abuse or crime rather than the offender in this case in order to stop such unsettling issues.

1.4 Objectives of The Study

Male Spouse in every family of our society is not in every aspect very dominating and they can be victimized by their wives. My objectives of the study are given below:

1. To understand core or vital characteristics of DV against male spouses.
2. To seek out the nature of behavior of family members and parents in case of violence against the victim.
3. To analyze the root cause of DV against the victim.

⁵ *Thompson v. Thompson*, 218 U.S. 611 (1910)

⁶ FindLaw's California Court of Appeal case and opinions. (2020). Retrieved June 21, 2022, from Findlaw website: <https://caselaw.findlaw.com/ca-court-of-appeal/1365760.html>

4. To find out the differences of violence towards men in the family and also self-image both victim and offender.
5. To compare between this issue between Bangladesh and India

1.5 Research Methodology

The researcher used Qualitative, Descriptive, Analytical, Applied, Pure, Doctrinal and Comparative legal research methodology to make this research appropriate. The researcher has before done this legal research made a roadmap of how the research method will happen. In-depth Interview and case study methods have been used as research methods in this proposed research. The researcher thinks the above methods will be appropriate for the study. Important persons like Lawyers, Judges, Police Officers who deal with victims of such problems more often are eager to help on this project. Keeping record of their thoughts about DV will be very helpful. People so far, I have been able to interviewed in depth with are:

Dr. Mehtab Khanam, Honorary Professor, Department of Psychology, Dhaka University.

Dr. Akib Ul Huque, Associate Professor, Department of Psychology, Dhaka University.

Saikul Ahmed Bhuia, Additional Police Super of Shonagaji Circle, Feni

Al Noman Sabith, Advocate of Khagrachari Judge's Court

Md. Abdul Mannan Majumdar, Advocate of Supreme Court of Bangladesh and VicePresident of Cumilla Bar Association

Mijanur Rahman Bhuiyan, Advocate of Supreme Court of Bangladesh

Ferdous Ara Khondokar Sheli, Advocate of Supreme Court of Bangladesh

Md. Al-Mamun, Penal Lawyer of Bangladesh Bank & Rupali Bank, Advocate of Dhaka Judge Court

Ikbal Hossain, Judicial Magistrate, Noakhali

Tanjina Chowdhury, Assistant Judge

Mujahidul Lelin, Assistant Judge

Nusrat Jahan Jinia, Assistant Judge

The researcher shared some own experience of field work in the Kausar Alam Chowdhury murder case. The researcher collected some Bangladeshi married men's being abused by their wife's data from BMRF.

In Indian Context, the researcher was honored to find a collaboration with five organization works for Indian men's rights. SIFF, MN, PIF, AK and FW. The researcher also cited case laws from both countries to find the legal aspect from these cases. Individual Indian men's rights activists like Madhu Kishwar and Deepika Narayan Bhardwaj's Journal, articles and interviews also enlightened this project.

As this study involves analytical comparative legal research, several surveys and the opinions of numerous experts might be helpful. Individuals in Bangladesh can provide any useful information regarding this research through secondary methods like books, journals, articles, and even in this digital age, interactions from Indian people who can help with collaboration are included in the research. Bangladesh and India are the research topics chosen by the researcher for comparative research.

Units will be present. India is Unit 2, and Bangladesh is Unit 1.

Information will be collected from a variety of sources, mostly primary and secondary sources.

Primary Sources: The primary data will come from the married men in the research region.

Secondary Data: The secondary sources include books, journals, published articles, weekly magazines, research papers, websites, monographs, government reports, and other publications produced by governments and non-governmental organizations (NGOs) on relevant subjects. Additionally, unstructured and semi-structured interviews as well as key informant interviews will be employed in this study to collect data.

In this study, the qualitative assessment method might be applied when it is appropriate and practical by maintaining validity and by using directly found data. It will be attempted to set a good obligation and it will be monitored at each level in this level of statistics processing and assessment so that unexpected errors may be avoided.

Care should be given from the beginning while processing and evaluating the statistics for this suggested research. When processing newly received raw data at first, errors and gaps will be repaired while keeping in mind the data's completeness and readability and removing inconsistency. Statistics evaluation, which is essentially a quantitative assessment approach, may be applied in this situation. Statistics may be defined from the tables and graphs used to present the statistics in this case. At this point, a variety of statistical techniques, including percent and ratio, may be applied. Materials from the WHO, SPSS, and Daffodil virtual library are all applicable here.

1.6 Limitation of The Study

All the data or statistics of Married man DVed by their wives are like more than ten years old. The way women are being taken lightly in crimes; I am afraid the percentage of women abuser are higher than ten years back. Bangladesh do not have organization to help Men's rights. The one organization they have BMRF have communication issues. The organization is very recently formed that is why they contribute very little in this project. The time limitation of the project also shortens many strategies the researcher wanted to work on. Like SIFF did state wise statistics, the researcher wanted to do 64 district statistics and more one on one interviews. The researcher wanted to find out district wise which district's men are being abused by their wives. The researcher wanted to also do a thana wise case file percentage of men getting

help from police. The researcher thought to get Bangladesh's data would be easy from getting India's. The scenario is totally different.

Chapter Two: Origin and Development of DV

2.1 Definition of DV

Jack Ashley is credited as using the DV for the first time in 1973 (National Women's Aid Federation, 2012). Traditionally, physical violence has been associated with domestic violence. Although phrases like "spouse abuse," "spouse beating," "spouse battering," and "battered wife" have been used, their popularity has decreased due to efforts to include single partners, non-physical violence, female offenders, and partnerships involving the same partner. The term "domestic violence" (DV) is now frequently used to refer to "any acts of physical, sexual, mental, or financial aggression that might be committed by a member of the family or an intimate friend" (Convention on preventing and combating violence against women and domestic violence, 2013).

Intimate partner violence is frequently used interchangeably with domestic abuse or home violence, but it primarily refers to violence that occurs within a couple's relationship (i.e., marriage, cohabitation, or non-cohabiting intimate partners), according to "Domestic Abuse & Violence Support in UK" (Krug et al. 2002). The World Health Organization (WHO) identifies controlling behaviors as one type of abuse that applies to these. Home violence was defined as follows in the 1993 UN Declaration on the Elimination of Violence Against Women:

Violence against women and girls that occurs within one's own family, including beating, sexual abuse of women's children in the home, marital rape, woman genital mutilation, and other harmful traditional practices, as well as non-spousal violence and violence related to exploitation (General Assembly, 1993). The focus of research on men and domestic violence is on men as both perpetrators and victims of violence, as well as how to include men and boys in anti-violence efforts. DV against men includes acts of mutual aggression as well as physical, emotional, and sexual abuse. Male patients may be reluctant to seek help for a variety of reasons. Police are especially unlikely to arrest girls who attack their male friends, according to one observation that looked into whether or not girls who assaulted their male companions had been considerably more likely to avoid arrest even if the guy contacted police. They do this because they "think that the person can shelter himself from his lady accomplice and that a woman's aggression isn't always harmful except when she assaults a person other than her accomplice," according to the objective (Felson et al. 2007). There are "some guidelines for qualitative research demonstrating that judicial staff are attentive to the gendered asymmetry of intimate partner violence, and may see female intimate violence abusers more as suffering than criminals," according to another observation.

The National Coalition for Men sued the state of California in 2005 to stop it from funding domestic violence shelters that are exclusively for women. Because "men experience widespread degrees of domestic abuse as victims," the Court of Appeal ruled in *Woods v. Horton* (2008) that the exclusion of male victims breaches their right to equal safety and "includes the burden of sexual prejudices."

Protection of Women from Domestic Violence Act 2005; an Indian Act describes it by dividing it by four orders-

Physical abuse: Beating, slapping, hitting, remonstrating, punching, pushing, shoving or causing bodily pain or injury in any other manner are considered as physical abuse. However, also it'll be considered as physical abuse against manly partner, If a lady does similar geste to her husband.

Sexual abuse: Forced sexual intercourse, forces you to look at pornography or any other obscene pictures or material, any act of sexual nature to abuse, humiliate or degrade you, or which is otherwise violative of your dignity or any other unwelcome conduct of sexual nature these are provided as sexual abuse in that act. The researcher wants to add that withholding or not letting your husband intercourse is also asexual abuse.

Using sex as a bargaining tool to get or done things done from one's spouse is a disgusting tool woman of India is reportedly used. Marital rape used to punish men.

Verbal or emotional abuse: Insulting, name calling (as in Indian culture, wives don't call their husbands name directly), accusations on character and conduct, insults for not having a boy child, insults for not bringing dowry (specially for Muslim husbands of India), preventing a child in custody from attending school, college or any other educational institution, preventing from taking up a job, forcing to leave job, preventing a child in your custody from leaving the house, preventing from meeting any person in the normal course of events, forcing to get married when one don't want to, Preventing from marrying a person of own choice, forcing to marry a particular person of one's own choice, threat to commit suicide, any other verbal or emotional abuse are considered as verbal abuse in that act. Clearly the act was made in such a way by thinking only female can DVed. Indian women verbally abuse men more than physically.

Economic violence: Not providing money for maintaining the spouse and children, not providing food, clothes, medicines etc, stopping from carrying on employment or disturbing in carrying on employment, not allowing you to take up an employment or taking away income, salary, wages etc, forcing out the house spouse live in, stopping you accessing or using any part of the house, not allowing use of clothes, articles or things of general household use these are considered as economic violence. Again, stereo type thinking where men not providing money, food, clothes, medicine to his wife and child are being seen economic violence. In India, man seldom does shop for himself. Always thinks about their family first. Researcher acknowledge that there are exceptions. There are men who economically abuse their spouses. False Dowry case file making is an economic violence against men. Female spouses also do domestic theft. Taking

money from husband's wallet are felt normal in Indian society. It can also be included as economic violence against male spouse⁷.

SIF did a survey about the ratio of these four types of DV reports state and Union wise. Researcher discussed that further.

Bangladesh kind of copy pasted Protection of Women from Domestic Violence Act 2005 and make Domestic Violence (Prevention and Protection) Act, 2010. In Section 3 of that Act defined DV as, any person in a family relationship doing mean physical abuse, emotional abuse, sexual abuse or financial harm to another female or child member of the family will be considered as DV⁸. But India though made the whole law keeping victims particularly being women on the mind, Bangladesh declared only female or child member of a family are victims for DV. This Act ditto like India categorized DV as physical abuse, emotional abuse, sexual abuse or financial harm.

2.2 Origin of DV in Bangladesh and India Perspective

Similar to Bangladesh, a third-world nation has numerous societal problems. Domestic violence (DV) is one that can be found. Studies have been conducted on this conundrum as a result of this issue. Numerous institutions, including the government and Non-Governmental Organizations (NGOs), work on DV. The majority of the time, the issue and urgency of DV in relation to females has been a source of annoyance. These heinous crimes are frequently committed against women and take the form of physical, sexual, mental, or social assault. These violent actions are so disturbingly common that it is estimated that 1 in 3 or roughly 35% of girls worldwide have experienced some type of physical or sexual abuse from intimate or non-accomplice assault at some indeterminate point in their lifetime (WHO, 2017). Although this type of violence is still frequently present, estimates range from 23.2% in high-income countries to 37.7% inside the WHO South-East Asia areas (WHO, 2017). But according to the Bangladesh Bureau of Statistics (BBS), DV has decreased in Bangladesh. According to survey data, DV has decreased from 87% in 2011 to 77% in 2013 and then to 72.6% in 2016. (The Future Law Initiative, 2016). But the United Nations Population Fund (UNFPA) has recently predicted a 20 percent lengthening in DV during the lockdowns in all 193 UN member nations, including Bangladesh (UNFPA, 2020). Numerous predisposing tractors also cause DV.

⁷ Protection of Women from Domestic Violence Act, 2005. (2022). *Indiacode.nic.in*. <https://doi.org/200543>

⁸ পারিবারিক সহিংসতা (প্রতিরোধ ও সুরক্ষা) আইন, ২০১০ | ৩। পারিবারিক সহিংসতা. (2019). Retrieved December 4, 2022, from Minlaw.gov.bd website: <http://bdlaws.minlaw.gov.bd/act-1063/section-40958.html>

Education decline, alcohol misuse, poverty, cultural norms, and other factors are thought to be issues that lead people to form committed family relationships, and violence within these partnerships affects every aspect of a woman's life. Even though it is commonly ignored due to the application of cultural standards and social perception, violence against women in particular has profound effects on the body, mind, and fitness as a whole.

Let's examine the situation when males are mistreated by their spouses.

In 2015, at least 500 men who claimed to be subjected to abuse by their spouses contacted the Bangladesh Manabdhikar Bastabayan Sangstha (BMBS) database seeking legal guidance in order to carry on with their home lives without harassment. The database also reveals that a total of 26 males filed written complaints of harassment against their spouses during the first half of that year.

According to a 2018 The Guardian piece, barely one in twenty men who suffer domestic abuse actually report it. According to a poll conducted in 2020 by the Bangladesh Men's Rights Foundation (BMRF), 80% of married men in our nation have experienced psychological abuse at the hands of their spouses or other family members.

In India In line with WHO Nearly one in three women worldwide have experienced physical or sexual abuse at the hands of an intimate partner or other person during their lives. India has the third highest estimated prevalence of lifetime intimate partner violence (35%) among ever-married/partnered women aged 15 to 49 among the WHO South-East Asia Region Member States.

The majority of states and union territories have seen a decrease in physical and sexual violence, according to a recent demographic health study from India (2019-2020), although improvement has been inconsistent. One of the five states that saw a rise in violence against women was Maharashtra, where it went from 21% in 2015–2016 to 25% in 2019–20. The COVID-19 epidemic is straining healthcare systems and eroding social support networks, therefore combating violence against women needs more focus than ever.

Chapter Three: DV against Male Spouse in Bangladesh

3.1 Opinions from Experts and Legal Personals

The researcher talked with Dr. Mehtab Khanam. She is professionally an Honorary Professor in the Department of Psychology of Dhaka University. She gave some valuable information like she gave a ratio of 70-80% of children gets the violent nature from witnessing violence of their parents. These creates “diverse behavioral problem or emotional disorders” according to her word. Research shows that 10.6%-40% of abuser themselves had experiences of abuse or cruelty in childhood. Dr. Mehtab also consoled many women being victim but she never consoled any men. She thinks Men do not want to share such sufferings because of society making men a laughable issue if he is getting abused by his wife.

The researcher felt may be a man psychologist may have men console experience and give this research more in dept information about this problem. The researcher talked with Dr. Akib Ul Huque, Associate Professor in Department of Psychology of Dhaka University. He promotes mental health is also very important in such problems. As he studied his higher study in UK, there are local counseling and support network there. And he shares a data where 346 men reported having counseling in intervention centers for DV⁹. But Dr. Akib never consoled any man victim of DV also. It does not means men are not abused by their life partners, men are ashamed to report. Also, a very important point of view of Dr. Akib. He thinks prohibition from getting contact with their children makes men stop to share their abusing relationship with their partners. Women abuse their husbands verbally to provoke which make men get angry and physical abuse their wives. Dr. Akib thinks women get beaten because of their behavior.

Then the researcher talked with Saikul Ahmed Bhuia to get a practical point of view in this situation. He is the Additional Police Super of Shonagaji Circle from Feni. He says now a days women are more active towards reporting their abusive relationship. He says that Feni Police got 0% police report where men are being physically abused. But when wives reports, it is mostly shown that that woman provoked her husband so much that in the hit of the moment he physically abused his wife. Now women don't tolerate anything. The OC of certain Thanas also do console the couple who wants to end their married relationship in such issues. He says Police wants to help citizens weather they are male or female.

Al Noman Sabith an advocate of Khagrachari Judge's Court in profession says, the rate of divorce in Cities are more then villages or rural areas. Because they believe in tolerance. They understand their partners, put aside their ego problems that is why they are happier.

Md. Abdul Mannan Majumdar an advocate of Supreme Court of Bangladesh and VicePresident of Cumilla Bar Association thinks that, Now women are very choosy. He told in Cumilla context that girls of Cumilla does not wants to live with their husbands' parents. They consider a separate life and most of the cases he got are on such problems. These problems create bigger problems like physical or verbal abuse. He thinks there is a role for each person of the family. The Male are the money provider and Female contributes house holding works. There is no bad in woman working, but if both partners earns, there is this mental comparison of who contributes more in this family, jealousy of meeting new friends, insecurity those creates DV.

Mijanur Rahman Bhuiyan an Advocate of Supreme Court of Bangladesh thinks law gave women so much loop holes that, now men are being victim in all of that. Men now feel afraid of women. In late 80s Feminists wanted to create a society where man and women would be treated as equal. Men and women

⁹ Kolbe, V., & Büttner, A. (2020). Domestic Violence Against Men— Prevalence and Risk Factors. *Deutsches Ärzteblatt International*. <https://doi.org/10.3238/arztebl.2020.0534>

getting equal rights to vote, job opportunities etc. But now women compete to be better than Men. Which is not a healthy mindset.

Ferdous Ara Khondokar Sheli also an advocate of Supreme Court of Bangladesh blames this situation on TV, movies, our legal system and this feminist propaganda in our country. She thinks women are given open permission to hit men. According to an article 25%-30% of DV are exclusively by female on male.

Md. Al-Mamun, Penal Lawyer of Bangladesh Bank & Rupali Bank also an Advocate of Dhaka Judge Court thinks that getting mental stress from misses hamper work life. US 8 million paid working day due to DV. Unhappy husband, unhappy family that results unhappy economy of a country as well.

Ikbal Hossain, Judicial Magistrate, Noakhali thinks people modernizing is a great problem. We should follow our religion that will help this problem he said. He said he deals with many wives taking away their cases after husbands giving what they want. Marital rape, physical abuse, mental abuse or even verbal abuse are very much personal. There can not a person found who gave witness statement unbiased. Wive's side witness like her family will blame the man and man's side will deny. Incident between two people many times people get sympathized with the female one. Because this misogynist society thinks every man is very abusive towards his wife.

Tanjina Chowdhury an assistant Judge says before talking with the researcher, she just delt with a false DV case victim. She said false case in DVing is just one year prison or only fifty-thousand-taka punishment or both¹⁰. According to Justice Tanjina, the humiliation the accused gets is not enough justice.

Mujahidul Lelin an assistant Judge shares an incident talking about female being opportunists. It was an incident when he used to travel on public bus. He used to give female let seat if he sees any one not getting bus seat like a gentleman. Once he was so tired, he could not stand. There was no seat but woman selected seats. He sat for sometime but a lady wanted to seat there. Justice Lelin politely said he is not well and his station is close. But the woman verbally abused him in a public place and some boys having no clue made judgement of him being disrespectful. Which clearly Justice Lelin was not. "all the time I give them seat. But when I needed the most, I was not given the chance". He related this with DV. Law and order being lose towards Bangladeshi women empowered them being abusive to their partners.

Nusrat Jahan Jinia an assistant Judge also thinks like India, Bangladesh should use the word person instead of the word women. DV is not a gender-based crime. People of any gender can be victim of such crime. Justice Nusrat thinks society can not imagine a crime done by woman. Women needing help from men mentality creates such dilemma. Even if a men got abused by women will be questioned like you did nothing after getting abused by a woman! Rate of Bangladeshi educated, working woman are much higher. They use the system in their benefit. Justice Nusrat thinks if women start to false case file about such

¹⁰ পারিবারিক সহিংসতা (প্রতিরোধ ও সুরক্ষা) আইন, ২০১০ | ৩২। মিথ্যা আবেদন করিবার শাস্তি. (2019). Retrieved December 11, 2022, from Minlaw.gov.bd website: <http://bdlaws.minlaw.gov.bd/act-1063/section-40987.html>

important issue, then people will not feel trust towards law and order. People will feel like, law and order just help women. Bangladeshi law should change the gender based mentality she added. Women not getting the highest punishment they deserve, getting bail only because of she is female, not getting remand because of her gender also discriminates ones action. Justice Nusrat thinks if someone is getting equal rights, they should also be ready to get equal punishment to harm someone's right. If a lady does any extra marital affair, she is not any kind of criminal. The men are accountable for their action. She also talked about her recent Facebook post where the context was a USA living bad boy was using his USA life style to get girls. He shared his nude pic which one of the lady published. Now this boy gone viral and he is being trolled. In revenge, he also leaked some of those girls picture. People are blaming this boy for leaking these girl's photo. Justice Nusrat gave her point of view that, they both with sane mind give each other nude pictures, now if girl leak boys is justified, boy is being trolled and cyber bullied is ok! Most of the men agreed with me but there were people started even bully me. So, sad society do not accept reality.

3.2 Kausar Alam Chowdhury Murder Case: An Eye-Opening Incident Regarding DV against Male Spouse

Kausar Alam Chowdhury is the maternal uncle of the researcher. The horrible incident was the driving point the researcher wanted to work on this project. 11 April, 2022 was a day of Ramadan. Mother of the researcher, maternal aunty of the researcher and Mr. Kausar used to be in video call while doing the sahari or late-night fast meal. Often the time would be 3 or 3.30 am and that is a religious thing before our fast. Little did we know he would be taking his last sahari. At 6 am morning my mother got a call from the youngest maternal uncle that Mr. Kausar had been thrown hot water like lava. Those waters were so hot, his skin discolored to reddest red ever. The mother of the researcher came as soon as possible and took him to Chittagong as the local doctor advised. Chittagong Medical was unable to give him proper treatment. So, they gave first aid and advised to took Mr. Kausar to Dhaka. Already two days passed in this not here not there problem. Mr. Kausar could talk a little bit and he on his own voice told the mother of the researcher and maternal youngest uncle that it was his wife who did that. He and his wife were in an argument and thinks got so out of the hand, his wife threw hot water from the stove¹¹ even knowing he is in fast. The family of the researcher were struggling to admit the patient because the researcher feels sad to say this, hospitals do not want to admit police case accident in the think of being burden. Hospitals do not want to cooperate any legal help. In Sheikh Hasina National Institute of Burn and Plastic Surgery we were able to

¹¹ ফেনী প্রতিনিধি. (2022, April 18). স্বামী হত্যার অভিযোগে স্ত্রী গ্রেফতার, রিমান্ডে চায় পুলিশ. Retrieved December 12, 2022, from Bangla Tribune

admit him and instant he was transferred from Emergency Unit to ICU¹². The researcher was doing x-ray report, collecting Plasma from Blood Bank and in ramadan, it was hard for people to be 24/7. But after losing father; it was researcher's eldest maternal uncle, Mr. Kausar who do not let the researcher to be tensed about how the family will go on now. Mr. Kausar was a guardian angel of the researcher's family. In one moment for a woman being so angry to hold her anger, took a father of two beautiful daughter out. Took a responsible son out¹³. Took a guardian angel of a family who needed that guardian the most. Also, the researcher forgot to mention, Mr. Kausar was a big cricket player and played Chittagong Division under Friends Club¹⁴. He was a famous person in Feni¹⁵. Come to Mr. Kausar's misery, he was transferred to CCU from ICU as his condition became worst. The researcher's maternal aunt and mother tried to take a video statement of Mr. Kausar saying the water thrower was his wife. Because she was arrested in Feni for attempt to murder of Mr. Kausar. Officer in charge of this case Sub Inspector Mr. Irfan says Khadiza Binte Shams, wife of Mr. Kausar did not confess her attempt to murder. She said she and her two daughters were sleeping inside the bed room locked door and she don't know anything about it. The strangest thing about all of this was Mr. Kausar not shouting at all. No neighbor heard him shouting, even his next-door neighbor decline hearing any noise. Sub Inspector Mr. Irfan says there was only one door to enter and Mrs. Khadiza first says someone threw hot water from the window. Which is impossible, because there is not any surface to stand for if someone wants to climb let alone throw this amount of lava temperature hot water. There was no trace of any water besides the window. The main gate was locked. So, outsider cannot be involved in this. On the other hand, the family of researcher lost an important person of their family Mr. Kausar on 17 April 2022, 12.15 pm. The researcher was their when Mr. Kausar could not eat at all because of hot water damaging his stomach. He was so trusty, five liter water bottle would be empty every day. After his death, his friends and close people protested for justice¹⁶. This murder case shook the people of Feni. It was the talk of the town. Mostly because how a woman can kill her husband and Mr. Kausar's misery was seen by all.

¹² গরম পানি নিষ্ক্ষেপে সাবেক ক্রিকেটারকে হত্যা, স্ত্রী গ্রেপ্তার. Retrieved December 13, 2022, from মানবজমিন website: <https://mzamin.com/article.php?mzamin=324312>

¹³ মুহাম্মদ আরিফুর রহমান. (2022). “স্ত্রীর ছোড়া” গরম পানিতে দক্ষ ক্রিকেটার তৈমুরের মৃত্যু. Retrieved December 13, 2022, from Newsbangla24 website: <https://www.newsbangla24.com/news/188073/Cricketer-Timurs-dead-wife-arrested-in-hot-water>

¹⁴ Team, O. (2022, April 18). ফেনীর সাবেক ক্রিকেটার তৈমুর হত্যার অভিযোগে তার স্ত্রীকে গ্রেফতার | SATV. Retrieved December 13, 2022, from SATV

¹⁵ ফেনী জেলা সংবাদদাতা. (2022). ফেনীতে স্বামীর গায়ে গরম পানি ঢেলে হত্যার অভিযোগ. Retrieved December 13, 2022, from Daily Inqilab

¹⁶ অনিন্দ্য. (2022, April 19). তৈমুর হত্যা: ফেসবুকে ৯৪ ব্যাচের বন্ধুদের প্রতিবাদের ঝড়. Retrieved December 13, 2022, from E News Up-bangla online news portal 24x7 website: <https://enewsup.com/%E0%A6%A4%E0%A7%88%E0%A6%AE%E0%A7%81%E0%A6%B0-%E0%A6%B9%E0%A6%A4%E0%A7%8D%E0%A6%AF%E0%A6%BE-%E0%A6%AB%E0%A7%87%E0%A6%B8%E0%A6%AC%E0%A7%81%E0%A6%95%E0%A7%87-%E0%A7%AF%E0%A7%AA-%E0%A6%AC%E0%A7%8D/>



P.M



SL NO: 39

ICU - 06

Unit: Lavender

পুলিশ কেইস

Government of the people's Republic of Bangladesh
Ministry of Health and Family Welfare
Directorate General of Health Service

International Form of Medical Certificate of cause of Death

Hospital Name: SHNIBPS Hospital Code No: 10025001 Admission Reg. No: 61439 Ward No: ICU-06

Patient Name: KAW SAR ALOM CHOWDHURY

Father's/Mother's Name: ABU TAYAB CHOWDHURY

Address: House/Road (Name/No): 475, NO Village/Area/Town: Said Sabina parvin Road Union/Ward: Feni Post Office: Feni Post Code: 3900 Upazilla/Thana: Feni District: Feni

Sex: Female Male Third Gender Religion: Islam Hindu Buddha Christian Other

Occupation: Service Business Govt. Service Student Housewife Retired Other

Date of Birth of Deceased: 17/04/2022 Age if DoB is not Available: 45 years Date of Admission: 13/04/2022

Time of Admission: 12:15 AM Date of Death: 17/04/2022 Time of Death: 12:15 PM

NID of Deceased/Spouse: 1005499460 Deceased Spouse Parents

Parents NID (< 18 Years):

Family Cell Phone Number (if available): 01821919193

Frame A: Medical data: Part 1 and 2

1	Cause of death	Time interval from onset to death
Report disease or condition directly leading to death on line a	a Inevitable Cardiorespiratory failure.	
Report chain of events in due to order (if applicable)	b Due to ARDS.	
State the underlying cause on the lowest used line	c Due to 47v. FB	
	d Due to:	

2 Other significant conditions contributing to death (Time intervals can be included in brackets after the condition)

Frame B: Other medical data

Was surgery performed within the last 4 weeks? Yes No Unknown. If yes please specify date of surgery

If yes please specify reason for surgery (disease or condition)

Was an autopsy requested? Yes No Unknown. If yes were the findings used in the certification? Yes No Unknown.

Manner of death

Disease Assault Could not be determined Accident Legal Intervention Pending investigation Intentional self harm

War Unknown If external cause or poisoning Date of injury: 11/04/2022

Please describe how external cause occurred (If poisoning please specify poisoning agent)

Place of Occurrence of the external cause

At home Residential School, other institution, public administrative area Sports and athletics area Street and highway Trade and service area

Industrial and construction area Farm Other place (please specify): Unknown

Fetal or infant Death

Multiple pregnancy: Yes No Unknown Stillborn?: Yes No Unknown

If death within 24h specify number of hours survived: Birth weight (in grams):

Number of completed weeks of pregnancy: Age of mother (years):

If death was perinatal, please state conditions of mother that affected the fetus and newborn

For women of reproductive age

Was the deceased pregnant within past year? Yes No Unknown

If yes, was she pregnant: When she died Within the 42 days preceding her death Within 43 days up to 1 year preceding her death Exact pregnancy timing unknown

Did the pregnancy contribute to the death: Yes No Unknown

Name: Dr. Andousi Akter Position: Asst Surgeon BMDC Reg. No: A-50599

Bangladesh Form No: 1714122



স্মৃতহাল প্রতিবেদন

ফোনঃ কাঃ বিঃ ১৭৪, পিআরবি-২৯৯ ইউনিটঃ আইটিএস থানা DMP ঢাকা

স্মৃতঃ শাহবাগ থানার জিডি/অপমৃত্যু মামলা নং ২০৭৬ তার- ২৭/০৪/২০২২ ধারা- জে. জে. বি. ১৭৪

মৃত ব্যক্তি/মৃত্যুর নামঃ কাজিম আলম চৌধুরী	বর্তমান ও স্থায়ী ঠিকানা (আইডি নং যদি থাকে)	বয়স	লিঙ্গ	ধর্ম	পেশা
স্বামী/পিতার নামঃ আবু হেদয় চৌধুরী	সাং ইন্ডিয়া-৪২৫ বোডার্স পলিটিকাল পার্সনাল সার্ভিস (ইন্ডিয়া) এম. এ. এম. এ. খান, ঢাকা	৪৫ বছর	পুরুষ	ইসলাম	কাজ
মাতার নামঃ শ্রী. গুলশাওয়ারা বেগম	খান, ঢাকা আই. ডি. নং 1005499460				

স্মৃতহাল প্রস্তুতকারী কর্মকর্তার নাম পদবী এবং সন্যাস ফোর্সের নাম	মৃতদেহ সনাক্তকারী ব্যক্তির নাম, ঠিকানা, বয়স মোবাইল নম্বর(সহ) এর মৃত্যু ব্যক্তির সংক্ষেপে সম্পর্ক।	মৃত দেহ প্রাপ্তির স্থান, তারিখ, সময়, অবস্থান ও পারিপার্শ্বিক বর্ণনা।
স্ব. ড. আলম হোসেন এম. ডি. (সি.) সর্গীয় জে. ২০৭৪ থানার উপস্থিত জিডি/অপমৃত্যু মামলা নং ২০৭৬ আইটিএস থানা DMP ঢাকা	আজহার চৌধুরী (মৃত) পিতা শ্রী. বেনজামিন চৌধুরী (মৃত) স্বামী: বজলুয়ারা চৌধুরী সাং ইন্ডিয়া-৪২৫ বোডার্স পলিটিকাল পার্সনাল সার্ভিস (ইন্ডিয়া) এম. এ. এম. এ. খান, ঢাকা মোবাইল নং ০১৭৪০৬০৬৪৭৩	ঢাকা-প্রাকৃতিক মৃত্যু জিডি/অপমৃত্যু মামলা নং ২৪. ৪০ প্রাকৃতিক মৃত্যু তার ২৭/০৪/২০২২

মৃত ব্যক্তির শারীরিক বর্ণনা

পোশাক	গায়ের রং	উচ্চতা	চুলের রং ও ধরন	চোখের বর্ণনা	সনাক্ত করণের বিশেষ চিহ্ন (যদি থাকে)
আলম সবুজ নাই সবুজ রঙের চামড়া চামড়া	স্বাভাৱিক	৫'৬"	গাঢ় চুল কাল-কাল খোঁস-খোঁস	উজ্জ্বল চোখ বন্ধ	-

দৈহিক অবস্থা

অস্থিসন্ধি (Rigor motis) শক্ত হইয়াছে কিনা।	তাপমাত্রা (Algor mortis)	মরণভোর কালশিরা (Liver motis) থাকিলে তাহার বর্ণনা।	সম্পূর্ণ পঁচন, আংশিক পঁচন, নাক, মুখ, কান, দিয়ে নির্গত তরল পদার্থের (Lividity) বর্ণনা।
-	-	-	-

জখমের বর্ণনা

যথা, মাথা, কপাল, মুখমণ্ডল, নাক, কান, চোঁট, গলা, , কাঁধ, হইতে আঙ্গুল পর্যন্ত, বুক, পেট, কোমর, হইতে পা পর্যন্ত ও যৌনাঙ্গসহ শারীরের বিভিন্ন অঙ্গ প্রত্যঙ্গে প্রাপ্ত জখমের বিবরণ।

শ্রী. কাজিম আলম চৌধুরী (মৃত) এর সর্গীয় চুল কাল-কাল খোঁস-খোঁস। সর্গীয় স্বামী: বজলুয়ারা চৌধুরী (মৃত) এর সর্গীয় চুল কাল-কাল খোঁস-খোঁস। সর্গীয় স্ত্রী: গুলশাওয়ারা বেগম (মৃত) এর সর্গীয় চুল কাল-কাল খোঁস-খোঁস। সর্গীয় পুত্র: আলম চৌধুরী (মৃত) এর সর্গীয় চুল কাল-কাল খোঁস-খোঁস। সর্গীয় পুত্র: আলম চৌধুরী (মৃত) এর সর্গীয় চুল কাল-কাল খোঁস-খোঁস। সর্গীয় পুত্র: আলম চৌধুরী (মৃত) এর সর্গীয় চুল কাল-কাল খোঁস-খোঁস।

(প.নং)

যৌন নিপীড়ন বা ধর্ষনের কোন লক্ষণ থাকিলে উহার বর্ণনা (মহিলা ক্ষেত্রে মহিলা পুলিশ অথবা অন্য কোন মহিলা দ্বারা পরিষ্করা করা হইতে হইবে)			
আঙ্গুলের ছাপ নেওয়া হইয়াছে কিনা?	ছবি তোলা হইয়াছে কিনা?	কোন আলামত জব্দ করা হইয়াছে কিনা?	বিষ বা নেশা জাতীয় কোন পদার্থের গন্ধ পাওয়া গিয়াছে কিনা?
	না		

উপরোক্ত তথ্যের বাহিরে গুরুত্বপূর্ণ কিছু থাকিলে।

আগ্র-দগদ ৪৭%

মৃত্যুর সম্ভাব্য কারণ সম্পর্কে সুরতহাল প্রস্তুতকারী কর্মকর্তার মতব্যা

প্রাথমিক অনু-সন্ধানের উপস্থিত প্রকৃত স্থান প্রতিবেদনের স্বাক্ষরিত হওয়ায়- সফরমাদার বিজ্ঞানাবাদ এবং SHNiBPS এর উত্তরভাগে উল্লিখিত স্থানে প্রথম পর্যবেক্ষণের সময় অর্থাৎ ০৬.০০ ঘটিকায় মৃত্যু হওয়ার প্রায় ২৫ মিনিট পরে প্রায় ৪২৫ সফরমাদার এবং ৩০০ সফরমাদার প্রায় ০৬.২৫ ঘটিকায় উত্তরভাগে প্রায় ৩০০ সফরমাদার দ্বারা মৃত্যুর স্থান পরিদর্শন করা হয়। এতে প্রায় ৩০০ সফরমাদার এবং ৩০০ সফরমাদার দ্বারা মৃত্যুর স্থান পরিদর্শন করা হয়। এতে প্রায় ৩০০ সফরমাদার এবং ৩০০ সফরমাদার দ্বারা মৃত্যুর স্থান পরিদর্শন করা হয়।

ময়না তদন্তের কি কি বিষয়ের মতামত প্রয়োজন (ধর্ষণ বা যৌন নিপীড়নের কোন লক্ষণ পাওয়া গেলে তাহা উল্লেখ্য করিতে হইবে।

উপস্থিত সাক্ষীদের নাম, ঠিকানা-স্বাক্ষর/ টিপসহিঃ	দিজা রুহ- বেলালউদ্দিন জেথুদী সাজা, বঙ্গবন্ধু সড়ক
১। অজ্ঞানতার কারণে (২০)	সাক্ষী সাজা হাজিরা সাজা সাজা সাজা সাজা সাজা
সম্পর্কঃ	০১৭০ ৬০ ৬৪ ৭৩
২। হোসেন আহা (৩০)	সাক্ষী সাজা হাজিরা সাজা সাজা সাজা সাজা
সম্পর্কঃ	০১৭৩ ২৬ ৩৬ ৬৪ ৬৬
৩। রওশন আলী চৌধুরী (৪০)	সাক্ষী সাজা হাজিরা সাজা সাজা সাজা সাজা
সম্পর্কঃ	০১৭১ ৩৪ ০৬ ৬৪

প্রস্তুতকারী কর্মকর্তার স্বাক্ষর
 নাম : সারমুহম্মদ হাজিরা
 পদবী : এস.আই (নিঃ)
 ইউনিট : শাহবাগ থানা, ডি.এম.পি, ঢাকা।
 আইডি নং : BP-১১ ২০ ২২ ২৫ ২৫
 মোবা : ০১৩১৬ ৩২ ৩২ ৫
 তাং : ০৭/০৪/২২

জ্ঞাতব্যঃ

- বর্ণিত ছকের কোন কলাম অপূর্ণীয় রাখা যাইবে না (তথ্য না থাকিলে না সূচক বা প্রয়োজ্য নহে শব্দ ব্যবহার করিতে হইবে।
- কবর থেকে লাশ উত্তোলনের ক্ষেত্রে ম্যাজিস্ট্রেট এর উপস্থিতিতে ছকের কলাম পূরণ করিতে হইবে এবং আইনানুগ কাহারও হেফাজতে মৃত্যু হইলে ম্যাজিস্ট্রেট সুরতহাল প্রস্তুত করিবেন।
- মৃত ব্যক্তিকে যে অবস্থায় পাওয়া যায়, সেই অবস্থায় আশেপাশের পরিবেশ সহ বিভিন্ন ফটো বিস্কের একাধিক ছবি লাইতে হইবে।
- অসনাকৃত মৃত দেহের ক্ষেত্রে দশ আঙ্গুলের ছাপ পৃথক কামজে লাইতে হইবে এবং মৃত ব্যক্তিকে সনাতনের বিষয়ে আইনানুগ পদ্ধতি অনুসরণ করিতে হইবে।
- মৃত ব্যক্তির পরিচয় পাওয়া না গেলে নাম ঠিকানার কলামে অজ্ঞাত লিখিত হইবে।
- ছবি, বস্তুগত সাক্ষ্য ও আলামত সংগ্রহের ক্ষেত্রে ডিম্ব ফাগজ ব্যবহার করা যাইতে পারে।

3.3 Female Using False “Nari Nirjaton” Allegations against their Husbands

Fake victim creates false bruise only seeable body parts. They are afraid of sensitive body parts as they are keen to make their husbands looks like physical abuser in front of the society. As she is self-hurting herself, the bruises are not deep cut or major bruise is nowhere to be found. If there are cut marks, those marks would be start straight as a line. If false bruises created from Acidic liquid, then many mini blisters can be found. Throwing Acid to someone and pouring Acid to own self creates different kinds of bruises. Liquid Acid spillage through body part will be found. This liquid also many times mixed with water to sabotage some major damages. There are no blood clots under the skin of the fake victim. Normal nail scratches can be found. Skin color not being change at all. On the other hand, on an original bruise, bruises from blunt weapons are found. Mini blisters are not to be found. Cut marks would be very crooked. Normally skin colors turn black or blue. No nail scratch beside the bruise. (Islam & Shamsul, 2017)

Sometimes, after a couple has been legally wed, a case is brought up accusing the husband of rape for willingly having intercourse with the house teacher, and then a case is brought up accusing the couple of rape for agreeing to get married in the future and having willing sex. A rape after union instance has been reported. Allegations in all of these cases generally fall into two categories: some claim that my sister-in-law was naked, while others assert that the accused removed my little daughter's pajamas and then sexually assaulted her against her consent. The specifics of a few genuine incidents are briefly detailed to substantiate all of these rape cases. Because the reader will immediately refer to all of those occurrences as the novel's story if the true picture is not supplied.

The 1995 Abuse of Women and Children Act's 9(b)/6(1)/14 is relevant here.

The book Problems and Solutions of Criminal Cases discusses section cases in complete detail. Summary: The victim's older brother reported the accused Umuk to the Demra Police Station, alleging that he had abducted and taken his sister-in-law. She was forced into the rape by him. The actual circumstances in this situation became clear: Between the home of the victim's older brother and the home of the accused, there were two homes. That instance, the accused resided in a home that was under construction and was situated two homes away from the victim's brother-in-law's home. The victim and the accused started dating in the interim, and eventually the two of them left their separate houses to become husband and wife by taking an oath in Moulvibazar's first-class magistrate court and afterwards registering in the Kazi office. 4 / After spending five days in a hotel in Sylhet, the accused brought the victim—the wife—home to her hometown. The victim went there and discovered that the accused was working as a housekeeper in Dhaka and had no suitable house or property. The defendant later applied for bail after being apprehended at the Dhaka Women and Child Torture Prevention Tribunal, and the judge of that court, Mr. A. Ghafoor, approved it. The victim's handwritten letters and the marriage affidavit completed in the Moulvibazar First Class Magistrate

Court were also produced during the bail hearing. Whether the accused committed the crime of rape or not must be decided in this instance. The accused has never been questioned by the victim if he is the owner, the owner's son, or the caretaker of the Dhaka home where he resided. In addition, the accused said nothing to the victim. Instead, the victim and the offender were wed in a First-Class Magistrate's court as a result of a marriage of love. In this instance, the accused's consenting sexual activity with the victim is legitimate sexual activity, and the accused, who is a husband, has merely exerted conjugal authority over the victim, who is the wife, in this situation. As a result, the accused in this instance has not committed any rape-related crimes, and the rape claim is untrue.

2. This is a second rape case, and the simple claim is that the accused abducted Badini when she was doing schoolwork at home, held her captive for five or seven days in a hotel, and then sexually assaulted her against her will. The accused was detained and eventually freed on bail approximately five months after the incident. In light of the case, the real facts reveal that the accused used to tutor his third-grade daughter and fifth-grade son at Badini's home for 7 or 8 months. When the householder was abroad on business, the housewife modified the tutor's appointment time from the original 7 or 8 pm to 3 or 4 pm. The homemaker and the homemaker become closer in the meantime through an illegal, profound friendship. The housemaster and housekeeper are at odds, and at one point the housekeeper is at odds with the home teacher, when the boy tells his father about the situation. The housekeeper reported the house instructor for rape against her will after they went out and shared a hotel room for five or seven days. And the householder reported his wife missing in a GD at the police station. There are no marks or signs of harm in the report, only the phrase "habituated in sexual act" in the opinion column of the medical report. Whether the accused committed the crime of rape or not must be decided in this instance.

Given the circumstances, it must be inferred that one of the housekeeper's motivations, among other things, was to engage in sexual activity with the homeowner when she departed the house with the housekeeper while leaving the husband and children behind. However, since the housewife was obligated to the house teacher and was unhappy in her marriage or did not want to live with the householder, i.e., her husband, for some other reason, she should have divorced him once he left the house. In the event of divorce, the marriage was not deemed null and void if the aforementioned stipulation was not observed, even if it called for observing the Iddat period or remaining alone for 90 days. It is clear that there are no indications of rape in the situation under discussion. However, it will be regarded as unlawful sexual activity if the housemaid engages in sexual activity with the housekeeper for 5 or 7 days while staying at a hotel and is not his wife. The housekeeper consented to the sexual intercourse the house instructor had with her, and as there were no signs of rape, they were free to have sex in a hotel room. The home instructor did not commit the crime of rape, even if they had sex without permission with the housewife. She cannot be charged with rape as a result.

3. Although the complaint process is significantly different, this is another instance of rape.

According to the brief, the accused allegedly brought the victim to a hotel outside of Dhaka on the pretense of getting married. After spending two days together in the same room, the accused allegedly forcibly raped the victim against her will.

Finding the facts will reveal that both the victim and the defendant are students at the top university in the nation. They have been close friends for about two years.

As a result, a romantic relationship develops between the two, and they verbally decide to be married after finishing their studies. The issue was known to the parents of both households. They both left Dhaka in the interim for a trip, staying in a hotel. The victim initially does not indicate a desire for sexual activity outside of marriage, but later, under a specific circumstance, both of them participate in sexual activity. The victim filed a rape lawsuit against the accused when the accused left the hotel the next day and did not come back. (Islam & Shamsul, 2017)

Cannot be accused of false charges. As long as the FIR is not judicially accepted. Section 211 prohibits prosecution for filing a false police report unless it has first been determined by a judge that the FIR was filed in error.

No process may be started under Section 211 of the Penal Code against the person who filed the complaint as long as it has not been rejected under Section 203 CrPC or otherwise resolved by a judge. Before such processes may be initiated, the initial complaint must be resolved legally.

In the current instance, the accusation in the petitioner's FIR has not yet been adjudicated by a judge as to whether it is true or not, hence it is not yet possible to draw any conclusions about its veracity. As a result, the petitioner cannot be charged at this time with filing a fraudulent police report¹⁷¹⁸.

In response to cross-examination, the putative victim's deposition made it abundantly evident that she was a voluntary participant in frequent sex acts with the appellant. She was not mentioned in the FIR or her primary examination as having sought to oppose an act of intercourse or raised any suspicions. Therefore, there was no rape crime committed¹⁹.

If, after reviewing the evidence, the court concludes that there is a plausible chance that the accused's defense is accurate, this decision affects the whole prosecution case. In certain situations, the accused is automatically entitled to the benefit of the doubt²⁰.

¹⁷ Md Golam Mortuza vs. the State; 28 DLR (1976) 115

¹⁸ Zafrullah vs. Abu Bakar Siddique : 8 BLC (2003) AD 15

¹⁹ Soheli Rana (Md) vs. State (Criminal): 57 DLR (HCD) (2005) 591

²⁰ Roni Ahmed Liton vs. State (Criminal) 147; 5 DLR (FC) 107

Despite knowing the victim girl's fate, the unhappy adult girl mingled with the appellant knowingly and at her own risk. This appellant took use of the chance for free consent and mixing, which is not subject to judicial action²¹.(Ali, 2010)

Chapter Four: DV against Male Spouse in India

4.1 Honey Trap as a Sexual Violence against Husbands

In his 1974 book *Tinker Tailor Soldier Spy*, John le Carré introduced the phrase "honey trap." Intelligence organizations frequently used women during the Cold War to capture important military personnel, politicians, and businesses. Then they would threaten them into disclosing crucial information. It goes without saying that the femme fatales hired by these organizations had to be sexy and intelligent enough to coax information out of strong men, generally after developing a sexual relationship with them. Now married men face sexual abuse by their wives by honey trapping²².

In fact, the National Crime Records Bureau of India's data on gender-based violence is really eye-opening. In the year 2020, there were 120,306 arrests made in accordance with section 498A; 96,497 of those arrests involved males, while 23,809 included women⁵. After a few years of marriage, there are more and more stories of women fabricating domestic violence claims in an effort to get sizable settlements. The family is then served with a summons and made to agree to a settlement that involves paying a sizable quantity of money. Up to 75% of cases are withdrawn when it becomes clear that the alleged victims are abusing the legal system. The credibility of actual abuse and domestic violence survivors will only be compromised as a result of this³.

"According to Additional Superintendent of Police Rahul Srivastav, "sensationalism sells," and "reporters in the Rampur case were told that the woman is acting in retaliation against the investigating officer because the complaint she filed has been determined to be fake. However, a prominent English newspaper used a title that was deceptive and that damaged the reputation of the UP Police by being picked up by foreign media."²³

Srivastav, who is also the Lucknow Police PRO DGP, concurs that in order to deal with false charges made in violation of Indian laws protecting women, the media must provide both sides of the argument. No matter how compelling the evidence is, nobody wants to hear the opposite side of the story. While news of

²¹ Kamal Hossain vs. State (Criminal) 505.

²² Vikram Zutshi. (2022, October 28). Shining the Light on the Great Indian Honey Trap - Fair Observer. Retrieved December 5, 2022, from Fair Observer website: <https://www.fairobserver.com/interview/shining-the-light-on-the-great-indian-honey-trap>

²³ Deepika Narayan Bhardwaj. (2017, July 10). Destroyed By The Media, And Then Ignored: Victims Of False Rape Accusations. Retrieved December 5, 2022, from Swarajyamag website: <https://swarajyamag.com/ideas/destroyed-by-the-media-and-then-ignored-victims-of-false-rape-accusations>

suspected crimes is presented on the front page, the truth or its fabrication is conveyed in a few paragraphs deep inside the newspaper. Loss of interest in TV medium. Daily Mail Online ignored our numerous demands for a response, despite our continuous pleas. These allegations have an irrevocable negative impact. The suffering is made worse by the media trial since the defendant is already perceived as guilty by the public. It is imperative that people start discussing this annoyance and that the media investigates these tales thoroughly and impartially, he continues⁴.

Although men's rights activist Barkha Trehan praises the UP Police's response in the Rampur case, she thinks the only reason they moved quickly in this instance was because the accused was a police officer. "When a regular guy is wrongly accused of rape, we don't see the police react and respond in such a swift manner. They responded instantly to my tweet because I wanted them to witness how such media claims spread quickly without any fact checking, she explains⁴.

When the lads who were charged by the Rohtak sisters were given a clean bill of health by the court, the infamous case of the Rohtak sisters scarcely received any coverage in the mainstream media, especially TV⁴.

In India, a total of 32,443 rape cases were registered in 2015, according to NCRB data. Custodial gang rape and custodial rape are not included in this statistic. Of these, police investigations revealed that 2,303 rape cases and 318 gang rape cases were fictitious. Another 500 instances were ruled to be "mistakes of fact or law." The charge sheet rate for rape cases was 96.1% in 2015, however the conviction rate was only 29%⁶. The researcher get an answer from Sneha Agrawal, a young journalist with India Today Group who has reported several tales of men being falsely accused of rape and dowry. She claims that in society, "we do not associate reputation and dignity to a male in the same way that we do to women, and it's true for media as well."⁴

Discussing false charges against males may have negative effects on everyone, not just the media. People or platforms who debate this are frequently labeled as misogynistic and anti-women. Last year, when Minister of State for Home Kiren Rijiju responded to a Rajya Sabha question on "Misuse of Domestic Violence Act by Women," he received criticism from female lawmakers. Even though he was only citing information from the NCRB, a female member of parliament called his response inappropriate and offensive and demanded an apology⁴.

4.2 Marital Rape using as a Weapon against Male Spouse

The majority of marital rape lawsuits are brought based only on the statement of the wife and her parents, without any proof whatsoever proving the claimed physical or mental abuse. If the spouse is wrongfully accused, there is not much room for relief. It is simple to argue that the abuse of the law is no excuse for not having one, but it would be devastating to pass a law without any safeguards against abuse. A woman can

file a complaint against a man under the revised rape rules with or without proof. Her testimony stands as solid proof and is the only thing that can result in a conviction. The burden of proof for consent to have sex falls on the guy²⁴.

According to the National Crime Records Bureau, of the 33,000 rape cases reported in 2015, over 7700 were rape cases filed on husbands or live-in partners²⁵. Famous social activist Madhu Kishwar has filed a public interest lawsuit in the Delhi High Court challenging the constitutionality of the changes that have rendered the legislation harsh and simple to misuse²⁶.

After the Supreme Court issued guidelines banning mechanical arrests under Section 498A, the Deputy Inspector General of Police of Meerut, Laxmi Singh, issued a circular to the police in June 2016 warning them against adding IPC 376 (rape) or IPC 377 (Unnatural Sex) to cases registered under Section 498A³. Regarding the viewpoint of consent inside marriage, I am reminded of a story from Mumbai in which a lady killed her boyfriend in a fit of fury because he refused to have sex. Because the husband claimed that his wife was a sexomaniac who would assault him if he did not satisfy her sexual needs, his divorce petition from Gurgaon unfortunately became the subject of ridicule on social media³.

Deepika Narayan Bhardwaj polled 1205 people on Twitter regarding whether or not a law prohibiting marital rape. Of those, 16% said it should be approved, 52% said no, and 32% said it should be passed with a specific abuse clause³.

If a woman who reports a rape is instantly referred to as a rape survivor, Justice Nivedita Anil Sharma of Delhi once questioned, "Why shouldn't we refer to males who are honorably exonerated in these situations after being unfairly accused as "Rape Case Survivors"?"³

If a woman claims that sexual activity between a man occurred without her consent yet there is evidence of it, the law presumes that there was none. These women knew they possessed a weapon they could easily discharge and not even get caught for it since they were well-versed in legal intricacies²⁷.

4.3 False Cases Filed by Wives against Their Husband

²⁴ Deepika Narayan Bhardwaj. (2017, October 21). Marital Rape Law – Reflect Before You Act. Retrieved December 4, 2022, from Swarajyamag website: <https://swarajyamag.com/ideas/marital-rape-law-reflect-before-you-act>

²⁵ Crime Records | National Crime Records Bureau. (2022). Retrieved December 4, 2022, from Ncrb.gov.in website: <https://ncrb.gov.in/en/crime-records>

²⁶ Kishwar, M. (n.d.). Laws Against Domestic Violence Underused or Abused? Retrieved from <https://feministlawarchives.pldindia.org/wp-content/uploads/Laws-Against-Domestic-Violence-Underused-or-Abused-by-Madhu-Kishwar.pdf>

²⁷ Deepika Narayan Bhardwaj. (2019, October). MP “Honey Trap” Case Once Again Raises Concerns Of Misuse Of Rape Laws. Retrieved December 5, 2022, from Swarajyamag website: <https://swarajyamag.com/blogs/mp-honey-trap-case-once-again-raises-concerns-of-misuse-of-rape-laws>

In Preet Ranjan Kaur v Harjit Sing²⁸, Preet wife of Harijit filed a DV case in Mohali and after being compromised through money, she withdrew the case. In Raghuvir v PIO²⁹, Raghuvir claimed that his wife had filed an unfounded and baseless complaint accusing him of dowry and domestic abuse. The appellant stated that he is not even looking for the slightest financial assistance from the daughter-in-law and that he has come to terms with the fact that she is having a daughter outside of marriage. He also stated that he is fully supportive of his granddaughter's upbringing, which includes paying for her education and other costs. The main issue here is that he requested a copy of the affidavit she had submitted at the time of obtaining compassionate employment in order to present it to the courts in order to defend himself. The affidavit demonstrates that she got along well with her in-laws. In Anuradha v Sarananan³⁰, the respondent's knowledgeable attorney claimed that by recently pursuing fictitious criminal charges against the petitioner's ex-husband, the respondent found that there were issues with him. The petitioner has also filed a complaint with the Inspector of Police, All Women Police Station, Ayanavaram, alleging that the respondent has demanded dowry from her. The petitioner is also facing domestic violence cases against the respondent that were filed on 11.7.2019 before the Protection Officer of Chennai. The respondent's mother was also abused throughout the investigation. As a result, the respondent has filed a complaint with the Protection Officer against the petitioner's actions. All of them were false claims. In Kaukuntla v the State of A.P.³¹, knowledgeable counsel argued that the charges in the complaint are imprecise and that the de facto complainant has a history of pushing bogus cases. No date or time was mentioned for any particular allegation made. She filed a DV Case against the first petitioner during that time. In Sanjay v State of NCT³², The learned attorney for the petitioner argued that the current FIR filed against Sanjay is false and fabricated; that the petitioner visited the prosecutrix's home after accepting her invitation to lunch; that the prosecutrix frequently threatens him and his family members by filing false cases of domestic violence, sexual harassment, etc.; and that in 2005, she falsely accused her husband of domestic violence, which was later proven to be untrue. In Amit v Sushila³³, to torment the appellant and his parents, the respondent falsely accused him of dowry and domestic abuse in May 2012 in Bhiwani. After that, in the month of July 2012, a Panchayat was called to resolve their issues and let them to live together, but the wife's behavior remained unchanged. In Chhavi v CPIC³⁴, Under the Protection of Women from Domestic Violence Act,

²⁸ Preet Ranjan Kaur Petitioner v Harijit Sing & another S, Punjab & Haryana High Court, Amended crl. WP No. 978 of 2012

²⁹ Raghuvir Prasad v Public Information Officer, Department of Central Information Commission, CIC/POSTS/A/2017/164355

³⁰ B. Anuradha v N. Saravanan, Madras High Court, Tr.C.M.P No. 866 of 2019

³¹ Kaukuntla Krishna Mohan 4 Others v the State of A.P. Another, Telangana High Court, CRLP/9264/2013

³² Sanjay Jain Petitioner v State of NCT of Delhi, Delhi High Court, Bail Appln. 1752/2017 & CrI. M.A 14404/2017

³³ Amit Bhardwaj v Sushila Bhardwaj, Punjab & Haryana High Court, FAO-4782-2017

³⁴ Chhavi Goel Nee Agarwal v Central Public Information Commission Second Appeal No. CIC/CCITB/A/2018/120646-BJ

2005 and in a police report, the appellant had falsely accused him in Mumbai. In *Kanchan v Ramswaroop*³⁵, Kanchan has indicated that he believes his wife poses a threat to his life since she is capable of doing anything, and as a result, has filed for a divorce decree. He also claims that fraudulent dowry charges and DV cases have been filed against him. In *Saumitra v Vijay*³⁶, The appellant claimed that his estranged wife and her father had filed fictitious lawsuits against him and his father. He also claimed that in a separate lawsuit brought against him under the Protection of Women Against Domestic Violence Act of 2005 (PWDVA), his wife had claimed Rs. 49,569 per month in support because she was living with her father and married sister at the time. In *Jyoti v Mithlesh*³⁷, It is terrible to keep filing bogus charges against the respondent. It is argued that the courts below found cruelty on the basis of the circumstances about the filing of fraudulent proceedings against the respondent.

4.4 Arvind Bharti Suicide Case: An Eye-Opening Incident Regarding DV against Male Spouse

In an interview between Vikram Zutshi, a journalist and Deepika Narayan Bhardwaj, an activist for men's right; Deepika was asked to share the most disturbing and unique story. She shared the story of Arvind Bharti. In her documentary called *India's Sons*, she have written about the tragic story of the late Arvind Bharti, which is the most depressing one she had to write about. First, a lady threatened Arvind with a rape lawsuit and coerced him into marriage. He felt that once he married her, everything would be easy, but a year after their wedding, she accused him of receiving an illegal dowry. When Arvind eventually won the lawsuits after eight years of fighting them and studying the law to properly defend himself, he still had to settle because the woman wouldn't let him be. Arvind had anguish because this marriage also produced a daughter for him. But his wife's ongoing hostility forced him to give up on his daughter. Arvind eventually got divorced and tried to move on, but his ex-wife continued to disparage him everywhere he went, including his workplace and study locations. After viciously beating him and keeping him locked up for three days, she managed to have him fired from his job and finally book him on a fake rape accusation. Arvind spent 15 days in prison. This deeply wounded him. Arvind eventually took his own life and left a 26-page suicide note in which he described the years of suffering he had through and praised the laws favoring women so much. I wrote about the incident and supported his family. After numerous efforts, the lady was ultimately detained for aiding in his suicide³⁸.

³⁵ SMT Kanchan v Ramswaroop, Rajasthan High Court, CMA Case No. 4420 of 2008

³⁶ Shri Soumitra Sen, P v Shri Vijay Swamp, CP, Central Information Commission, F No. CIS/SS/A/2013/000658-YA

³⁷ Jyoti Soni v Mithlesh Soni, Madhya Pradesh High Court, F.A. No. 823 of 2015

³⁸ Vikram Zutshi. (2022, October 28). Shining the Light on the Great Indian Honey Trap - Fair Observer. Retrieved December 5, 2022, from Fair Observer website: <https://www.fairobserver.com/interview/shining-the-light-on-the-great-indian-honey-trap>

4.5 Data Regarding DV against Male Spouse in India

LEM have an information about women are more demanding in job opportunity then men. Getting less qualification from men they are taking place only because of their gender identity. To show the world we are giving opportunities to women, men are being laid off from their respective jobs. “The data available for period from 2001 to 2005 says it straight. The number of employed people in both public and private sector came down by over 13 lakhs in this period. But this fall was solely because of men losing their jobs. The number of employed men dropped by 14 lakhs, from 228.4 lakhs in 2001 to 214.4 lakh in 2005”³⁹.

(Table 1) Type wise statistics:

State	People Interviewed	Physical Abuse	Verbal Abuse	Economic Violence	Sexual Abuse	Number of Violence	Total
Andra Pradesh	218	55	39	68	52	4	218
Assam	2	-	1	1	-	-	2
Bihar	44	14	9	12	8	1	44
Chhattisgarh	2	-	-	2	-	-	2
Gujrat	60	20	8	19	12	1	60
Haryana	6	2	1	2	1	-	6
Himachal Pradesh	6	-	1	3	2	-	6
Jammu & Kashmir	4	1	1	2	-	-	4
Jharkhand	12	3	2	4	3	-	12
Karkanata	142	32	24	47	35	4	142
Kerala	84	21	19	27	16	1	84
Madhya Pradesh	68	16	17	22	12	1	68
Maharashtra	183	52	35	59	36	1	183
Manipur	2	-	-	2	-	-	2
Orissa	16	2	2	7	4	1	16
Punjab	48	6	6	22	12	2	48
Rajasthan	168	46	42	61	16	3	168
Tamil Nadu	62	18	15	16	10	3	62
Tripura	9	1	4	4	-	-	9
Uttar Pradesh	139	28	38	54	17	2	139
Uttaranchal	9	-	2	7	-	-	9
West Bengal	63	19	16	15	10	3	63
Total (States)	1347	336	282	456	246	27	1347
Union Territories	People Interviewed	Physical Abuse	Verbal Abuse	Economic Violence	Sexual Abuse	Number of Violence	Total

³⁹ Employment Publications | Ministry of Labour & Employment. (2021). Retrieved December 1, 2022, from Labour.gov.in website: <https://labour.gov.in/employment-publications>

Chandigarh	28	6	6	9	7	-	28
Delhi	275	74	78	76	41	6	275
Total (Union Territories)	303	80	84	85	48	6	303
Total (Whole India)	1650	416	366	541	294	33	1650
Percentage (%)	-	25.21%	22.18%	32.79%	17.82%	2%	-

Source: study during (10/04/2005- 30/03/2006) by SIFF⁴⁰

As per CBR, Indian government earns 82% Tax money only from men and still men are not given the protection they need.

(Table 2) Age wise statistics:

State	People Interviewed	15-25 years	26-35 years	35-45 years	45-above 45 years	Total
Andra Pradesh	218	18	148	40	12	218
Assam	2	-	1	1	-	2
Bihar	44	4	33	6	1	44
Chhattisgarh	2	-	1	1	-	2
Gujrat	60	6	32	14	8	60
Haryana	6	0	3	2	1	6
Himachal Pradesh	6	-	4	1	1	6
Jammu & Kashmir	4	1	2	1	-	4
Jharkhand	12	0	7	4	1	12
Karnataka	142	16	86	34	6	142
Kerala	84	1	52	27	4	84
Madhya Pradesh	68	4	38	22	4	68
Maharashtra	183	6	107	64	6	183
Manipur	2	-	2	-	-	2
Orissa	16	1	9	4	2	16
Punjab	48	2	32	12	2	48
Rajasthan	168	6	128	30	4	168
Tamil Nadu	62	3	49	8	2	62
Tripura	9	1	6	2	-	9
Uttar Pradesh	139	12	89	32	6	139
Uttaranchal	9	-	7	2	-	9
West Bengal	63	6	42	13	2	63
Total (States)	1347	87	878	320	62	1347
Union Territories	People Interviewed	15-25 years	26-35 years	35-45 years	45-above 45 years	Total

⁴⁰ Save Indian Family Foundation – Men’s Human Rights need to be protected. (2021). Retrieved December 1, 2022, from Saveindianfamily.org website: <https://www.saveindianfamily.org/>

Chandigarh	28	1	24	3	0	28
Delhi	275	4	203	62	6	275
Total (Union Territories)	303	5	227	65	6	303
Total (Whole India)	1650	92	1105	385	68	1650
Percentage (%)	-	5.58%	66.97%	23.33%	4.12%	-

Source: study during (10/04/2005- 30/03/2006) by SIFF

(Table 3) Profession wise statistics:

State	People Interviewed	Marketing / Media	Doctor/ Engineer	Business/ Self Employed	Govt job	Unemplo yed	Total
Andra Pradesh	218	36	108	42	28	4	218
Assam	2	-	1	1	-	-	2
Bihar	44	6	12	4	19	3	44
Chhattisgarh	2	-	1	1	-	-	2
Gujrat	60	12	25	16	6	1	60
Haryana	6	1	2	1	2	-	6
Himachal Pradesh	6	-	4	1	1	-	6
Jammu & Kashmir	4	1	2	1	-	-	4
Jharkhand	12	2	3	2	5	-	12
Karkanata	142	24	82	28	8	-	142
Kerala	84	6	32	28	18	-	84
Madhya Pradesh	68	12	28	18	8	2	68
Maharashtra	183	36	58	54	32	3	183
Manipur	2	-	2	-	-	-	2
Orissa	16	4	4	2	6	-	16
Punjab	48	2	18	19	8	1	48
Rajasthan	168	40	44	62	22	-	168
Tamil Nadu	62	14	30	12	4	2	62
Tripura	9	2	2	1	3	1	9
Uttar Pradesh	139	32	34	43	27	3	139
Uttaranchal	9	2	4	2	1	-	9
West Bengal	63	8	17	4	32	2	63
Total (States)	1347	240	513	342	230	22	1347
Union Territories							
Chandigarh	28	4	12	6	4	2	28
Delhi	275	82	110	51	28	4	275
Total (Union Territories)	303	86	122	57	32	6	303
Total (Whole India)	1650	326	635	399	262	28	1650
Percentage (%)	-	19.76%	38.48%	24.18%	15.88%	1.70%	-

Source: study during (10/04/2005- 30/03/2006) by SIFF

Chapter Five: Concluding Part

5.1 Recommendations

The fundamental tenet of consent is assumed in a marriage. No criteria would be used to determine its absence if there were no obvious indicators of physical harm or violence. Medical information should be taken into account. That should not just be based on the complainant's statement. Even though a woman's confession is proof in and of itself, the husband's side of story also should be present to show his innocence. How long would the alleged offense be allowed to go unreported? Section 498A(IPC) suits have been brought after decades of marriage and years of divorce. In cases when the alleged rape is reported years after a consensual relationship, cases of rape on the pretext of marriage are being recorded across the nation. It should not be accepted to report marital rape years after it is allegedly committed. The legislation should be gender neutral, as marital rape is prohibited. There are many instances where spouses are coerced into having sex as well, even when there is no permission or free choice. The law should be impartial to gender. The matter should be resolved without a monetary settlement. In domestic violence cases, courts have regularly requested that the parties mediate their differences. Incidents of rape reported during a marriage are uncompromisable. If the lady is reliant on her husband and he spends months or years in jail while the case is being tried, no one will take care of her. The in-laws would never want the relationship to continue. The researcher is not being retrograde, but this is also a sad truth in a number of DV instances. False DV cases have made husbands resolute not to accept back wives, according to statements placed on the record by the SC. The problem would only become worse under this law. There should be specific sanctions to imposed on someone who filed a fraudulent complaint. The individual should be detained right away, or the matter will be investigated first, and only then will an arrest be made³.

Because nobody attempts to intervene because our society views domestic violence as a family affair that should be kept private. The common adage is to "be patient" and "all will work out." That is not the answer to this issue. The negative aspects of this situation should be covered by the media, the press, or other venues.

Whether the victim is a man or a woman, society should support those who come out as DV victims. One shouldn't let societal pressure put their relationship in danger.

The perpetrator and victim will benefit from couples treatment with a reputable psychiatrist.

5.2 Conclusion

The researcher wishes to suggest in the conclusion that in order to secure the future of the country, it is imperative to address the issue, which results from an outdated mentality that normalizes DV as an everyday occurrence. Healthy relationships not only keep a family's peace intact, but they also inspire one to serve their family, which ultimately plays a crucial part in the advancement of a country. By releasing this study, the researcher hopes to contribute in some tiny way to society's progress. In addition, given the good ties between Bangladesh and India, the researcher hopes these comparisons to help these two countries' sociocultural mindsets. There have been several studies on this subject, but the majority of them solely consider women to be victims. Researchers acknowledge that women are significantly more likely than men to become victims of domestic violence. The issue is still there in society if there are even 1% male victims. The gender perspective is disregarded in this study. Whether a victim is a woman or a man, it still matters. The researcher thinks that even a tiny contribution from this work will enable society as a whole to stop abusing their spouses and build societies that are peaceful at their heart.

