

# 498A Times

A monthly newsletter about the misuse of 498A

## From the Editor's Desk

Dear Reader,

We are all well aware that the traditional Indian family structure of parents, sons, daughter-in-laws, and grandchildren all living together as a family is under attack from a number of forces. One of the negative forces that have adversely impacted Indian families in recent years is the legislation commonly referred to as IPC 498A. Though it was originally introduced with good intentions (but bad planning and execution), it has become tool of “legal terrorism” against married Indian men around the world. Unethical and immoral women and their families (parents, brothers, and relatives) use it to harass the husband’s family, humiliate them to accept their improper and illegal demands, and extort money. It is obvious to most Indians (including the judiciary, legislature, and

executive) today that 498A is a weapon of choice for many women who see it as a convenient way to get out of married relationships, often with hefty “settlements” negotiated under blackmail.

Many organizations, including the Save India Family and Rakshak Foundation are engaged in the worldwide struggle against 498A through protests, rallies, and petitions. This newsletter is another effort to create awareness about the misuse of 498A and highlight the harrowing tales of its victims. I am committed to making this newsletter successful in achieving its mission and invite you to become actively involved with us. If you have any comments or suggestions about the kinds of things you want to see in this newsletter, please feel free to email at [sindbadthe@yahoo.com](mailto:sindbadthe@yahoo.com).

## News from the Halls

**A**ccording to a judgment of the Bombay High Court pronounced on 8<sup>th</sup> April 2008, there can be no maintenance for women who can not prove cruelty in a matrimonial relationship. This is an important judgment as it will discourage greedy women from using divorce as a substitute for a regular job! The complete judgment is available at [www.498a.org](http://www.498a.org).

**I**n an important recent judgment pronounced on 8<sup>th</sup> May, 2008, the Supreme Court of India observed that proceedings under 498A can not automatically be quashed because of settlement between the parties. Though the Supreme Court accepted that courts have the authority to quash such proceedings if the two parties have reached a settlement with mutual consent, such decision can only be made on a case-to-case basis. The complete judgment is available at [www.498a.org](http://www.498a.org). This judgment means that people who are considering an out-of-court settlement with the women and her family will not be automatically relieved from the accusation simply because a settlement has been negotiated.

**T**he Bombay High Court has ruled that family courts do not have the authority to waive off the requirement of the 6-month waiting period needed after filing for divorce by mutual consent under the Hindu Marriage Act. Only in divorce cases involving cruelty and hardship can people get an immediate divorce. This judgment is especially relevant for men who are stuck in situations where the woman wants to use the settlement to make quick money for herself, her greedy parents, or her boyfriends.

## Hall of Shame

Name: Geetika Nandwani

Residential Address: 27, Nandwani Nagar,  
Sonepat, Haryana - 131001

Married Name: Geetika Kapoor

498A Filed: 30 January, 2008

Date of Birth: 20<sup>th</sup> Sept, 1978

Place of Birth: Sonipat, Haryana

Education: M.Sc. in IT and Library Science

Father: Atam Prakash Nandwani

Mother: Mamta Nandwani

Brother: Jai Gopal Nandwani

*If you are interested in including the profile of the women who falsely accused you and your family in 498A in this section, please email us all her details. We would appreciate if you can send us a picture too. Some of these girls are so cunning they try to change their name and trap other men in their vicious schemes. By including a picture, we can make it more difficult for these girls to trap more men.*

### 498A Success Story

‘Shonee’ Kapoor, a young IT executive, was married to Ms. Geetika Nandwani in April 2005. His father-in-law was retired, his mother-in-law a housewife, and his brother-in-law worked for a software company. In January 2008, Shonee’s wife failed a 498A complaint against him in her native place of Sonipat (Haryana). Of course, like most 498A complainants she included Shonee’s father, sister, uncle and aunt in the complain too.

Fortunately, the 498A complaint was not unexpected, Shonee had been preparing himself for a while to see how his wife and her parents’ greed would destroy their matrimonial life and the future of their infant child. Shonee had wisely recorded many conversations and collected evidence that there was never any dowry demand and the accusations about such demands were fabricated.

Nevertheless, the 498A complaint against Shonee, his father, and his sister changed Shonee’s world. He met with senior police officials, wrote to government ministers and administrators, and presented them with evidence about the criminal behavior of Geetika and her parental family. Shonee was successful in getting a relatively impartial investigation of his case and get his sister, uncle and aunt’s name deleted from the complaint. He confidently resisted Geetika’s offer to withdraw the case if he paid a large amount of money to her family. The case is now in the court where Shonee expects justice to prevail in his favor. Shonee’s story provides a good example to all those men who find themselves trapped in false 498A cases. For more information about Shonee’s situation, you can write to him at his gmail address (user name [harassed.by.498a](mailto:harassed.by.498a)).

**Best of Luck, Shonee!**

## Case Study

***Mr. P.S. Neog from Jorhat married a woman who left him 2 years ago taking their little child with her. She threatened to have him arrested for domestic violence and mental cruelty by filing cases under 498A and other similar laws. Mr. Neog comes from a family of freedom fighters, national gallantry award winners, defense personnel, and educators. What should he do?***

*Our response.* The most important thing to understand in cases like this is that ATTACK MAY BE THE BEST FORM OF DEFENSE. If the girl has threatened a criminal complaint, ask the police to register a case under IPC section 503 (threat of criminal intimidation) against her and the other people supporting her criminal behavior.

The next thing to remember is that once a girl threatens to file or actually files a false complaint against you and her family, there is no turning back for you or her. She has demonstrated that she is willing to lie, be dishonest, and ready to abuse the judicial system to harass you. No matter how much you loved her in the past, this breach of trust can not be bridged anymore. Just as once a predatory animal like a tiger tastes human blood, he will always have a taste for it, a girl who is willing to abuse the law to intimidate you once, she will be willing to do it again. Thus, it is best to start thinking of your life without her and beyond her.

In the exceptional event that you decide to restart your matrimonial life with the girl who dragged your and your family's name through mud intentionally, please bear in mind that no amount of proof of your innocence is enough. Get her to sign an affidavit saying no dowry has been demanded from her, that she has never been physically or mentally abused, and that she is treated like family in your house. Also, get her to sign an affidavit accepting her mistakes and apologizing for her past behavior. If possible, ask her father, mother, and siblings to provide you with similar affidavits. Keep the affidavits safe in a bank locker and never ever give them to her.

In summary, if you have been falsely accused of domestic violence and threatened with a complaint under any of the family laws (e.g. 498A), immediately adopt an offensive posture. Girls who make false accusations like these are unlikely to settle in with you as a loving wife, even if you compromise with them and accept them back. If you do decide to resettle with them, be cautious and protect yourself at all times. Remember, you are being attacked by a "legal terrorist" who has identified the loophole in the law and is now using it to attack you and your family. The only way to save yourself and your family is by using the law to attack back aggressively.

If you have other suggestions for Mr. Neog, please email him directly at [psneog@gmail.com](mailto:psneog@gmail.com).

## Research News

Ask any person on the streets of India who they think engages in more domestic violence and aggression against their partner and you are likely to hear the answer MEN. Unfortunately, research evidence does not support the claim that men engage in aggression and violence more than women. Professor Murray Strauss at The University of New Hampshire (USA) collected data in 32 countries, including India, and found that in a large number of cases women physically assaulted and abused their partners much more than men did to their partners. In India data was collected from a

university in Pune. In this Indian sample, 31% women reported engaging in minor assault on men, while 13% women seriously assaulting their male partner. It is notable that among Indian men, the rate of serious assault on women was far lower than that of women on men. The percentage of women assaulting men in India was much higher than the international average. Indian women were more likely than women from United States or Tanzania to assault men, but less likely than women from New Zealand and South Korea, where the rate of female assault on men was even higher.

## Patriot and Pinhead



The Commissioner of Police Shri. Yudhbir Singh Dadwal has warned against the misuse of 498A for blackmail and extortion and issued standing orders to the effect that no one is to be arrested in 498A cases without the permission of the DCP. The order from the police commissioner is likely to help significantly reduce the use of legal means to extort money from men and their families. With this action Commissioner Dadwal has demonstrated his commitment to upholding the law of the land and for this he is a TRUE PATRIOT.



The Minister for Women & Child Development Smt. Renuka Chowdhary recently declared in a 498A-related meeting called by her office that she is proud she does not have a son. The same minister had earlier filed a case for dowry harassment against her daughter's husband and parents-in-law. The minister is probably unaware that it takes both sexes to keep the human population alive and evolving. For her actions against the Indian family and her crazy comments, Ms. Chowdhary is a PINHEAD.

***Do you know of somebody who deserves to be acclaimed as a patriot or recognized as a pinhead? If yes, let us know. We would love to hear from you about who you think is helping to protect and promote Indian families (PATRIOT) and who is working to undermine and weaken Indian families (PINHEAD)***

## 498A Resources

<http://mynation.net/db/>: If you are a potential, current, or past victim of a false 498A, add your name to the database of victims.

<http://saveindianfamily.org>: A useful website for those interested in helping protect and promote the traditional and time-tested Indian family system.

[www.498A.org](http://www.498A.org): A comprehensive networking site for victims of 498A worldwide.

Protect Indian Family: A non-governmental organization to help victims of domestic abuse (psychological, physical, legal, and verbal) by wife.

<http://498agirls.blogvis.com>: A web-based directory of girls who file false 498A complaints.

<http://sahanaindia.org>: A registered organization for promoting domestic and marital harmony focused on the people of Andhra Pradesh. \_

<http://mynation.blogvis.com>: A news blog about 498A-related news. Is also a useful site to find a list of good and bad lawyers recognized by other victims of 498A.

### We Need You!

**W**ould you like to contribute to any of our weekly sections: (1) Success Story, (2) News from the Halls, (3) Case Study, (4) Hall of Shame, (5) Patriot and Pinhead? If yes, please send us a brief description clearly indicating which section of the newsletter you would like to submit it to. We would love to include your contributions in future issues of this newsletter.

**A**re you actively involved in the weekly meetings of abused and victimized Indian men? If yes, consider sending us a monthly summary of your activities so that we can include them in the future issues of this newsletter.

**A**re you a lawyer who is actively involved in helping protect people from false complaints under IPC 498A and other similar laws? If

yes, we would love to include your profile in our newsletter. Please send us your details as well as an example of where you helped somebody fight and win a false complaint made by his wife.

**D**o you want to write for a small newsletter? We are looking for people with good writing skills who are willing to take responsibility for individual sections of this monthly newsletter. If you are interested, please contact us at the earliest.

**A**re you a law enforcement officer who is tired of the blatant misuse of 498-A related laws by many greedy women and their families? Would you like to share your experiences with other people so they can understand things from your perspective? We would love to hear from you.