

The Dowry Prohibition Act in Indian Courts: Evaluating the Effectiveness, Conviction Rates, and Challenges of Misuse

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ABSTRACT

In 2022, a total of 13,479 cases were registered under the Dowry Prohibition Act, 1961, according to data released by the National Crime Records Bureau (NCRB) on December 4. During the same year, 6,450 dowry deaths were reported across the country. Although there was a slight decrease in numbers compared to the previous year—dowry deaths declined by 4.5% and cases under the Dowry Act dropped by 0.6%—the figures remain alarming and reflect the continued presence of this deep-rooted social evil. Uttar Pradesh recorded the highest number of dowry deaths with 2,218 cases, followed by Bihar (1,057) and Madhya Pradesh (518). The state also led in the number of dowry-related cases filed under the Act, with 4,807 cases, followed by Bihar (3,580) and Karnataka (2,224). In the southern states, a total of 442 dowry deaths were reported, with Karnataka leading at 167, followed by Telangana (137), Tamil Nadu (29), and Kerala (11). These states also registered 2,776 cases under the Dowry Prohibition Act, with Karnataka again topping the list. The NCRB data also highlighted that 359 dowry death cases were closed due to lack of evidence, despite the complaints being found valid. In addition, five cases were transferred to other states or investigating agencies, and 4,148 cases resulted in formal charges being filed. It's important to note that NCRB clarifies its report only reflects registered cases, not the actual number of crimes committed, as many incidents may go unreported due to social stigma or family pressure.

Keywords: NCRB, Dowry Act, Dowry Death, Conviction, Acquaintances.

Introduction

Dowry, the practice of giving money, gifts, or property by the bride's family to the groom and his relatives at the time of marriage, has been a long-standing social custom in India. Traditionally seen as a form of inheritance or goodwill, dowry has increasingly become a source of greed, exploitation, and violence, especially against women. Over time, what began as a voluntary cultural exchange turned into a demand-driven and often coercive practice, leading to serious consequences such as harassment, abuse, and dowry-related deaths.

To combat this growing issue, the Indian government introduced The Dowry Prohibition Act in 1961, marking the first legal step toward eliminating the practice. However, the initial version of the law was weak in enforcement and lacked proper penalties. Over the years, several amendments were made, and provisions were added to the Indian Penal Code (IPC), such as Section 498A (cruelty by husband or relatives) and Section 304B (dowry death), to give the law more teeth. These legal reforms reflected a shift in the government's approach—from seeing dowry as a social issue to recognizing it as a serious criminal offense. Despite these efforts, dowry continues to persist in many parts of India, revealing a gap between law and societal practice.

Despite decades of legal reforms and awareness campaigns, dowry-related crimes continue to be reported in alarming numbers across India. The National Crime Records Bureau (NCRB), which publishes annual crime statistics, provides a sobering picture of how widespread and persistent this problem remains.

In 2022, a total of 13,479 cases were registered under the Dowry Prohibition Act, 1961, reflecting the ongoing demands and transactions associated with dowry, even though it is illegal. More distressingly, the country witnessed 6,450 dowry deaths that same year—cases where women lost their lives due to harassment, torture, or pressure related to dowry.

Though these numbers represent a slight decline from the previous year—4.5% decrease in dowry deaths and 0.6% decrease in dowry cases—they still paint a grim picture. The small dip in numbers is not enough to indicate a significant change in mindset or behavior at the societal level.

State-Wise Data

- **Uttar Pradesh** reported the highest number of both dowry deaths (**2,218**) and dowry cases (**4,807**).
- **Bihar** followed with **1,057 deaths** and **3,580 cases**, and **Madhya Pradesh** reported **518 deaths**.
- In **southern India**, **Karnataka** led with **167 dowry deaths** and **2,224 cases** under the Dowry Prohibition Act. It was followed by **Telangana (137 deaths)** and **Tamil Nadu (29 deaths)**.

Across the five southern states (Karnataka, Telangana, Tamil Nadu, Andhra Pradesh, and Kerala), **442 dowry deaths** and **2,776 registered cases** under the Act were reported. These numbers challenge the common perception that dowry-related violence is more prevalent only in northern or rural parts of India.

Case Outcomes and Challenges

The NCRB data also reveals systemic challenges in pursuing justice for dowry victims:

- **359 dowry death cases** were closed due to lack of evidence, despite complaints being found genuine.
- **5 cases** were transferred to other agencies or states.
- **4,148 cases** were charge-sheeted, showing that many cases did reach the stage of formal legal proceedings.

However, conviction rates in dowry cases remain **low**, largely due to poor investigation, lack of witnesses, and societal pressures that discourage women from pursuing justice. Additionally, many cases go **unreported** due to stigma, fear of retaliation, and the normalization of abuse in some households.

Evolution of the Act

The Dowry Prohibition Act, 1961, initially aimed to curb the practice of dowry by making it illegal and punishable. It was amended in 1986 to include "dowry death" as a new offense, establishing a separate section 304B in the Indian Penal Code. The Act has been subject to ongoing debate and revisions, with the understanding that societal change is crucial for effectively addressing the root causes of the dowry system.

Evolution of the Act

- **1961:** The Dowry Prohibition Act was enacted to outlaw the giving or receiving of dowry, making it illegal and punishable.
- **1986:** The Dowry Prohibition (Amendment) Act introduced Section 304B in the Indian Penal Code, defining "dowry death" as a new offense, which is the death of a woman caused by cruelty or harassment by her husband or his relatives in connection with a dowry demand.

Ongoing Discussions

The Dowry Prohibition Act has been the subject of ongoing discussions and debate regarding its effectiveness and the need for further amendments to address the nuances of dowry-related violence.

Key Aspects of the Act

- **Definition of Dowry**

The Act defines dowry as any property or valuable security given or agreed to be given, directly or indirectly, in connection with a marriage.

- **Prohibition**
The Act prohibits both the giving and receiving of dowry.
- **Penalties**
The Act prescribes penalties for violating its provisions, including imprisonment and fines.
- **Dowry Death**
Section 304B of the Indian Penal Code addresses "dowry death," the death of a woman caused by cruelty or harassment in connection with a dowry demand.

Dowry Act in India

The **Dowry Prohibition Act, 1961** has undergone several important **amendments** to strengthen its effectiveness and close legal loopholes. Here's a summary of the **key amendments** made to the Act and related provisions in the Indian Penal Code (IPC)

Key Provisions

- **Definition of Dowry:** Any property or valuable security given or agreed to be given either directly or indirectly in connection with marriage.
- **Penalty**
 - Giving/taking dowry: Imprisonment up to 5 years and fine up to ₹15,000 or the value of dowry.
 - Demanding dowry: Imprisonment up to 6 months to 2 years and fine up to ₹10,000.
- **Related Sections of IPC**
 - **Section 498A:** Cruelty by husband or his relatives.
 - **Section 304B:** Dowry death (if the death occurs within 7 years of marriage and involves harassment related to dowry).

Landmark Judgments

Rajesh Sharma v. State of Uttar Pradesh (2017)8 SCC 746

In this case, the Supreme Court addressed the growing concern over the misuse of Section 498A IPC, which deals with cruelty by a husband or his relatives.

- **Key Judgments:** The Court observed that many complaints under Section 498A were found to be exaggerated or false, filed with the intent to harass. Guidelines were issued, including the formation of Family Welfare Committees (FWCs) in every district, to scrutinize complaints before any arrest is made. The Committee's report was to be submitted to the police within a month, and no arrest should be made until the report was received. The court also directed that station house officers (SHOs) and magistrates should ensure compliance with these safeguards.
- **Significance:** This was a landmark judgment for providing pre-arrest guidelines and emphasizing mediation and reconciliation in family disputes. However, these directions were later modified in a subsequent case (see Social Action Forum v. Union of India, below).

Arnesh Kumar v. State of Bihar (2014)8 SCC 273

The case arose when Arnesh Kumar was arrested after his wife filed a complaint under Section 498A IPC and Section 4 of the Dowry Prohibition Act.

- **Key Judgments:** The Supreme Court strongly criticized the routine arrests being made under 498A, often without adequate investigation. It ruled that arrest is not mandatory and should be based on credible evidence and a reasonable belief of guilt. The police must follow Section 41 of CrPC, which outlines the conditions for arrest. Magistrates were instructed to ensure that due procedure was followed before authorizing detention.
- **Significance:** This judgment reinforced the concept that liberty is a fundamental right, and arrests must be justified. It became a guiding precedent for police and lower courts in handling dowry-related cases.

Inder Mohan Goswami v. State of Uttaranchal (2007) 12 SCC 1

This case highlighted how criminal law, especially provisions like Section 498A IPC, was being misused to settle personal scores or pressure for settlements.

- **Key Judgments:** The Court held that criminal proceedings should not be used as a tool of oppression. It stressed the importance of judicial discretion while issuing summons and warrants. Courts should examine whether a prima facie case exists and avoid criminalizing civil disputes.
- **Significance:** It emphasized the abuse of criminal process, especially in family and matrimonial disputes, and called for judicial restraint.

Preeti Gupta v. State of Jharkhand (2010) 7 SCC 667

This case involved a complaint under Section 498A by a woman against her husband and his relatives, which was later found to be based on false allegations.

- **Key Judgments:** The Court highlighted the rising number of false complaints and the social stigma and harassment suffered by the accused. It recommended a review of Section 498A by the legislature to prevent its misuse. The court also advised judicial officers to be cautious and ensure that trials are not used to pressurize settlements.
- **Significance:** This case was a strong judicial acknowledgment of the need for legal reforms and protection of the rights of the accused, particularly in matrimonial litigation.

Manav Adhikar v. Union of India (2018) 10 SCC 443

This case reviewed the Rajesh Sharma guidelines in the context of PILs filed by social action groups concerned with both misuse of laws and genuine domestic abuse cases.

- **Key Judgments:** The Court partially overruled the directions issued in Rajesh Sharma v. State of U.P. It held that Family Welfare Committees lacked any legal backing under CrPC and thus could not interfere with the criminal process. However, the Court maintained that false or exaggerated complaints are a reality and that courts must protect the innocent while ensuring justice for the genuine victims. The ruling reaffirmed the importance of police discretion and judicial oversight, as outlined in Arnes Kumar.
- **Significance:** This case balanced the rights of the victim and the accused, recognizing the potential for misuse without diluting the importance of protections against genuine domestic violence.

Kanpur Dowry Death Case (2024) District Court, Kanpur

This tragic case involved the death of Asha, who was found hanged in her marital home. Her husband Vishnu Agarwal and father-in-law Mahesh Agarwal were charged and convicted for her death.

- **Key Judgments:** Both accused were convicted under Section 304B IPC (dowry death) and Section 498A IPC (cruelty by husband or relatives). The court sentenced them to 10 years of rigorous imprisonment and imposed a fine of ₹30,000 each. It was proven that Asha was subjected to sustained physical and mental torture related to dowry demands, which ultimately led to her death.
- **Significance:** This case underlines the continued relevance and application of Section 304B in holding perpetrators accountable. It also reflects the judiciary's focus on punishing dowry-related cruelty, particularly when evidence of abuse is clear.

Ranchi Dowry Death Case (2024) Sessions Court, Ranchi

In a harrowing case, 24-year-old Chanda died in suspicious circumstances at her in-laws' home. A suicide note written on the wall became key evidence.

- **Key Judgments:** The husband Dilip Kumar, his mother Lalu Devi, and sister Anita Kumari were sentenced to life imprisonment. The conviction included charges under the IPC and the Dowry Prohibition Act. The prosecution relied on testimony from 12 witnesses, including a medical expert and the investigating officer.
- **Significance:** The case highlights the importance of thorough investigation and witness testimony in securing convictions. The use of physical evidence (suicide note) helped reinforce the victim's suffering and the motive behind her death.

Chandigarh Dowry Death Case (2023) District Court, Chandigarh

Sadhna, a young woman, was found dead at her in-laws' home in Dhanas in 2019. Her case finally reached judgment in 2023.

- **Key Judgments:** Her husband Ram Karan and his mother Sheela Devi were found guilty of harassing Sadhna for dowry and were sentenced to life imprisonment.

A fine of ₹25,000 was also imposed on each of the convicts.

- **Significance:** This case illustrates the delays often involved in dowry death trials but also shows that justice can eventually prevail. The lifelong sentence reflects the court's strong stance against persistent and proven dowry harassment.

Bareilly False Allegation Case (2025) District Court, Bareilly

In a rare reversal of narrative, this case involved fabricated charges of dowry death filed against a son-in-law and his elderly parents.

- **Key Judgments:** The court sentenced the father of the deceased to 800 days in jail—equivalent to the time the falsely accused had spent in custody. The man had presented false evidence and manipulated facts to frame his daughter's in-laws.
- **Significance:** This judgment serves as a strong judicial response to misuse of dowry laws. It reinforces that false allegations are criminal acts with serious consequences and calls for responsible use of legal protections.

Supreme Court Ruling on Dowry Death Conviction (2024) Supreme Court of India

The apex court overturned a conviction under Section 304B IPC, citing insufficient evidence of direct cruelty related to dowry before the woman's death.

- **Key Judgments:** The Court held that general statements about dowry demands are not sufficient to sustain a conviction. It emphasized that the prosecution must prove that the woman was harassed or subjected to cruelty "soon before her death" and that such treatment was specifically connected to dowry demands.
- **Significance:** This ruling sets a precedent that upholds the integrity of criminal trials by requiring specific, time-linked evidence. It provides clarity on the burden of proof in dowry death cases and protects against wrongful convictions.

Conclusion

The Dowry Prohibition Act, 1961, was enacted to curb the pervasive social evil of dowry and protect women from harassment, violence, and exploitation. Over the years, the law has played a crucial role in bringing awareness and offering a legal recourse for victims. However, its implementation has revealed a complex dual reality. On one hand, genuine victims have found justice through the legal system; on the other, a significant number of false or exaggerated cases have emerged, leading to misuse of the law in some instances.

Conviction rates under dowry-related laws, including Section 498A of the Indian Penal Code, remain relatively low, which may be attributed to both poor investigation and the withdrawal of cases due to reconciliation or lack of evidence. Simultaneously, concerns over fake cases have led the judiciary to caution against blind application of these laws, emphasizing the need for careful scrutiny and procedural safeguards.

These recent cases reflect the Indian judiciary's evolving stance on dowry-related offenses. While courts are delivering strong convictions in cases of proven cruelty and death, they are also increasingly vigilant against false accusations. The judgments underscore a key theme: justice must be evidence-based, and both victims and falsely accused individuals deserve protection under the law. Together, these rulings reinforce the need for a balanced legal approach, one that punishes genuine wrongdoing without enabling misuse of the legal process.

These landmark judgments show the Indian judiciary's dual responsibility—to protect genuine victims of domestic violence and dowry harassment, while also safeguarding the rights of the accused from frivolous or vindictive litigation. The courts have consistently advocated for caution, judicial discretion, and investigative prudence to ensure that Section 498A IPC remains a shield for the oppressed, not a weapon for the vengeful. Laws must serve justice, not personal vendettas, and the judiciary plays a critical role in ensuring that legal remedies are not misused to cause new forms of injustice.

Ultimately, while the Dowry Act remains a vital tool for safeguarding women's rights, its effectiveness hinges on balanced enforcement—where genuine victims are protected and false accusations are discouraged through fair investigation and judicial oversight. A nuanced approach that combines legal reform, awareness, and social change is essential to truly eradicate the dowry system and its abuses from Indian society.

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