CHAPTER IV

WOMEN AND DOMESTIC VIOLENCE IN CACHAR DISTRICT: A STUDY OF CASES

It has been discussed in previous chapters that in Indian patriarchal society violence against women is a common phenomenon. Interestingly, there appears to be no social sanctions against it since this is considered as a normal social behaviour. Notwithstanding this violence has oppressed women in respect of social, economical, cultural, political and other activities or in other words, women become the most serious victim of any kind of violence. Different types, nature and consequences of domestic violence against women have already been discussed in chapter I.

It has been repeatedly said that married women are more likely to experience physical or sexual violence than unmarried girls as mostly husbands subject them to different forms of torture. At the all-India level 37.2 per cent married women have experienced some form of physical or sexual violence perpetrated by their husbands whereas this percentage for Assam stands at 40.\(^{150}\) When we compare the problem of domestic violence at the national and the state levels the picture is not uniform as seen from table 4.1.

<table>
<thead>
<tr>
<th>Nature of violence (against married women aged between 15-49)</th>
<th>Levels</th>
<th>National</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical(^{151})</td>
<td>35.1</td>
<td>36.7</td>
<td></td>
</tr>
<tr>
<td>Sexual(^{152})</td>
<td>10.0</td>
<td>14.8</td>
<td></td>
</tr>
<tr>
<td>Emotional(^{153})</td>
<td>15.8</td>
<td>15.6</td>
<td></td>
</tr>
<tr>
<td>Physical or sexual</td>
<td>37.2</td>
<td>39.5</td>
<td></td>
</tr>
<tr>
<td>Emotional or physical or sexual</td>
<td>39.7</td>
<td>42.1</td>
<td></td>
</tr>
</tbody>
</table>

Source: National Family Health Survey – 3

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\(^{151}\) Physical violence refers to pain/injury inflicted on the body of a person.

\(^{152}\) Sexual violence implies unwanted/forced sexual behaviour on a person by another.

\(^{153}\) Emotional violence implies inflicting mental or psychological pain on any person by means of threat or abusive behaviour.
Table 4.1 shows that women in Assam face 15.6 per cent emotional violence by their husbands whereas this percentage for all India stands at 15.8; women in all over India face 35.1 per cent physical violence whereas women in Assam face it 36.7 per cent; the percentage of sexual violence against women in Assam is 14.8 whereas women in India face it 10.0 per cent.\textsuperscript{154} Moreover, the percentage of physical or sexual violence in India stands at 37.2 and in Assam it is 39.5 per cent; and the percentage of emotional or physical or sexual violence in Assam stands at 42.1 against 39.7 per cent at all India level.\textsuperscript{155} The comparative picture makes it clear that women in Assam suffer more spousal violence than women at the national level.

Table 4.2: Percentage of Emotional Physical and Sexual violence against Women in both Rural and Urban Assam

<table>
<thead>
<tr>
<th>Residence</th>
<th>Emotional violence</th>
<th>Physical violence</th>
<th>Sexual violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>9.5</td>
<td>23.0</td>
<td>8.6</td>
</tr>
<tr>
<td>Rural</td>
<td>16.9</td>
<td>39.7</td>
<td>16.1</td>
</tr>
</tbody>
</table>

Source: National Family Health Survey - 3

Table 4.2 shows that in both urban and rural areas women are subjected more to physical violence (23.0 for urban and 39.7 for rural) which is followed by emotional (9.5 for urban and 16.9 for rural) and sexual violence (8.6 for urban and 16.1 for rural). The nature of violence against women is similar in both areas but the only difference is in their percentages. It is worth noting that women in rural Assam suffer more domestic violence in terms of physical, emotional and sexual violence than the urban women.\textsuperscript{156}

Women in Assam continue to be victims of domestic violence and aggression. In fact, crimes against women at domestic level are on the rise. On the basis of data compiled by the State Home Department it is found that there has been more than
a two-fold increase in dowry cases in Assam during last six years. Dowry cases have increased from 1,307 cases in 2001 to 3,063 cases in 2007.

In the present study we try to focus on the nature of domestic violence against women of Cachar district (the study area). Women in the district have been suffering violence within family either at the hands of their husbands or in-laws or both. In this chapter a few cases have been studied which help us to understand the nature and causes of domestic violence against women in the district.

For the purpose of present study cases have been collected from the Chief Judicial Magistrate Court, Cachar; the Court of the District and Sessions Judge, Cachar; Family Court, Cachar; and the District Level Committee for Crime Involving Women (DLCCIW), Cachar, a voluntary social organisation. For an in-depth study of the nature of domestic violence against women of Cachar district, cases for a period of 10 years (since 2001 to 2010) have been studied. However, it covers the period from 2001 to 2005 for cases filed and disposed in the Court of Chief Judicial Magistrate, Cachar and District and Sessions Judge Court, Cachar; from 2006 to 2010 for the cases dealt and disposed by the Family Court and since 2001 to 2010 for cases available at the District Level Committee for Crime Involving Women (DLCCIW). The reason behind such division is that in Cachar district the Family Court was established in the year 2006. Under such circumstances cases in Family Court are available since 2006 to till date. But as the study period is up to 2010 so the given cases are restricted to the year 2010. It was decided to take only cases of 5 years (since 2001 to 2005) from the Chief Judicial Magistrate Court and District and Sessions Judge Court as it was found that after the establishment of the Family Court in the district (in the year 2006) the cases relating to family dispute are generally referred to the Family court. In case of DLCCIW cases have been collected for the whole period i.e., 2001 to 2010 as it is an important voluntary social organisation of the district (located in

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158 Ibid.
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the Court Complex) which is setup by governmental official in the year 1997 that is rendering counseling and legal aid to its petitioners actively. A total number of 83 cases have been provided to the researcher by the above mentioned institutions; these have been studied to find out the nature and causes of domestic violence against women; and also the nature of verdict. An analysis of these cases clearly enables us to understand the nature of domestic violence against women in the district of Cachar.

These cases are under section 498-A, 494, 34, 342, 323, 376, 506, 302, 307, 304-B and 306 of the Indian Penal Code; section

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159 For details please see page no. 73 of Chapter II.
160 Section 494 of Indian Penal Code deals with the offence of marrying again during lifetime of husband or wife. It states that whoever, having a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.
161 Section 34 of Indian Penal Code states that when a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.
162 Section 342 of Indian Penal Code punishes for wrongful confinement of persons. It is stated that whoever wrongfully confines any person shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.
163 Under section 323 of Indian Penal Code, whoever, except in the case provided for by section 334, voluntarily causes hurt, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.
164 For details please see page no. 74-75 of Chapter II.
165 Section 506 of Indian penal Code provides punishment for criminal intimidation. Under this section whoever commits, the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.
166 Section 302 of Indian Penal Code deals with punishment for murder. Under this section whoever commits murder shall be punished with death or with imprisonment for life and shall also be liable to fine.
167 Section 307 of Indian Penal Code deals with the punishment for attempt to murder. Under this section, whoever does any act with such intention or knowledge, and under such circumstances that, if he by that act caused death, he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if hurt is caused to any person by such act, the offender shall be liable either to imprisonment for life, or to such punishment as is hereinbefore mentioned.
168 For details please see page no. 72-73 of Chapter II.
169 Under section 306 of Indian Penal Code if any person commits suicide and if the commission of such suicide is abetted by any person then the person who abets the commission of such suicide shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.
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All the cases cited below deal with the nature of domestic violence that the women of Cachar district suffer from.

**Selective Cases**

The Chief Judicial Magistrate Court, Cachar, Silchar deals with cases that are criminal in nature. Criminal cases are related to acts which are considered as harmful for the society as a whole or that offence which violates the criminal law statutes such as, murder, rape, kidnapping and assault etc. Cases under the court of District and Sessions Judge, Cachar, Silchar are of both civil and criminal in nature. Civil cases are concerned with the private affairs of citizens and are noncriminal in nature such as, breach of contract or cases of personal injury, marriage, divorce, property ownership and cases of monetary damages etc. The Family Court, Cachar deals with cases relating to family dispute. The District Level Committee for Crime Involving Women (DLCCIW), Cachar is basically a voluntary social organisation providing counseling and legal aids to its applicants. It is the district level committee that most importantly deals with complaints related to crime against women. The following cases have been collected from these institutions.

1. **G.R. Case No. 2633 of 2004:** The applicant was married to the respondent for past two years from the date of filing this case. They were married according to Islamic rites. The applicant had a child from the respondent. After some days of their marriage the applicant was being subjected to physical, emotional and verbal abuse by the respondent on the issue of dowry articles. In such situation, one day the applicant was asked to bring ₹ 20,000.00 from her paternal house for the respondent. The applicant refused to do so as her brothers belonged were not rich to meet the demand. Hence,

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170 For details please see page no. 76 of Chapter II.
171 The Special Marriage Act 1954 provides for a special form of marriage in certain cases, to provide for registration of certain marriages and to provide for divorce. The Act is for the benefit of any person irrespective of caste and religion. There is also no need of any rites or ceremonies in marriages under this Act.
172 General Register.
the respondent at one night locked the applicant in his room and tortured physically. She got physical injury. The applicant was even driven out of the respondent’s house along with the child. Then she took shelter at her brother’s house.

2. **G.R. Case No. 2954 of 2001**: The applicant was married to the respondent at the office of the Marriage Registrar. According to the applicant one day when she was coming back to her own house from her uncle’s home she was induced and kidnapped by the respondent. Then the respondent married the applicant. After some days of their marriage there emerged dispute between them on the issue of dowry. On a particular night the respondent physically assaulted the applicant and thereby causing injury and drove her out of the house. Since then she had been staying with her parents.

3. **G.R. Case No. 1908 of 2001**: The applicant in this case is the brother of the victim. It was stated that the victim was married to the respondent just eight months back from the date of incident. The victim and the respondent lived together as husband and wife. One day respondents including the husband, the brother in-law, the father in-law and the mother in-law of the victim assaulted her physically and thereafter drove her out of the house. The brother of the victim did not find his sister i.e., the victim after many enquiries. Hence, the case was filed.

4. **G.R. Case No. 1765 of 2005**: The applicant was married to the respondent No.1 (the husband of the applicant) in this case. She (the applicant) was married according to the Islamic rites. The respondent and applicant had a child. The applicant had always been asked to bring ₹50,000.00 by the respondent. For this she was physically tortured also. The applicant thinking of her future interests tolerated all cruelty of her husband. Further, when the applicant told the respondent and her in-laws about the poor financial condition of her parents then she was subjected to more cruelty especially physical abuse. The applicant’s in-laws wanted to fix another marriage of the
applicant's husband. On protesting the applicant was forced physically to put her signature on a blank stamp paper and accordingly she signed. Moreover, the applicant was locked in a room without giving any food and was assaulted physically not only by the respondent but by the mother in-law, father in-law, sister in-law and the respondent's maternal uncle also. As a result, she got physical injuries and her health condition started deteriorating. At last being unable to bear the physical torture and life threatening acts the applicant requested her husband and in-laws to stop violence against her. On this request, the respondent and his relatives kept the articles of dowry at their house and drove her out.

5. **G.R. Case No. 1220 of 2002:** The applicant was married to the respondent No.1 (the husband of the applicant) for past four years from the date of filing of the case. They were married according to Hindu rites. After some days of their marriage, the husband and two brother in-laws started to torture her mentally for bringing money from her parent's home. She was also compelled to starve with the intention to drive her out of the house. This led to health related problems for the applicant. The respondent and two brother in-laws of the applicant threatened her to death and drove her out of the house. Then the applicant took shelter at her parent’s home. It was also stated that the husband of the applicant kept one girl at his house.

6. **G.R. Case No. 1382 of 2002:** The applicant was married to the respondent No. 1 of this case according to Hindu rites and customs. They had three children, two boys and one girl child. After some days of their marriage the husband of the applicant started demanding television and ₹15,000.00 from the applicant’s parent’s home as the husband found insufficient those articles which were given during marriage. On denying this demand the applicant was abused verbally by the relatives of the husband including his brother, sister, father and cousin. The husband used to beat her regularly. But considering the future of the children and herself the applicant was silently bearing the mental and physical torture of her husband and in-laws. When the health condition of
the applicant deteriorated due to torture the applicant was admitted to the medical college hospital for treatment by her husband and was left there with three children. Then the mother and sister of the applicant nursed her and after her recovery she went to her mother’s home with children. After staying there for quite a long time the husband took back the applicant to his home but continued to torture her and finally drove her out of his house with children. The husband took back her again after convening a village meeting and once again started torturing her. One day when the mother and a sister in-law of the applicant went to the applicant’s husband’s home then the husband assaulted the applicant in the presence of her mother and sister in-law. The husband threatened that unless she brings television and cash amount she would be driven out of the house. They (the husband and his relatives) also abused verbally the mother and sister in-law of the applicant and another person who went there with the applicant’s mother and sister in-law. The relatives of the respondent (husband) told that they would perform his marriage with another girl. The husband and his cousin snatched away one silver chain and one pair of ear rings of the applicant. They also kept all articles given during marriage and sent back the applicant with her mother and sister in-law. Finding no other alternative the applicant took shelter at her mother’s home. It is also pertinent to mention here that due to the torture of the husband the applicant was apprehending danger to her life.

7. **G.R. Case No. 1676 of 2005**: The applicant was married to the accused husband referred as respondent No.1 of this case following Islamic customs and rites. They had six children - two sons and four daughters. But trouble started once the accused husband asked the applicant to give her consent for marrying another woman (woman No. 2) who is wife of another man. The applicant refused to give such consent and for this at the instigation of the woman No. 2 the accused started to torture the applicant both mentally and physically. The applicant was tolerating all these tortures silently thinking about her future. But one day the applicant went to the house of woman No. 2 where she found her husband in compromising position with her. Then the
villagers drove woman No. 2. Later the accused husband kidnapped and brought her (woman No. 2) to his house. At this the applicant again protested. But the husband and woman No. 2 assaulted her physically and took her signatures on two blank papers and also threatened with dire consequences if she discloses such facts to anybody. The applicant was apprehending that they might turn those blank papers into some document. On the other hand, the husband of the applicant took a room on rent and started living as husband and wife with woman No. 2. They were also accused of running a brothel. Therefore, on the one hand the accused husband was earning money on account of this business and on the other hand damaging the future of young generation of that locality. Thereafter, when the said matter was informed to the police station by the applicant, the husband, woman No. 2 and a few unknown people physically assaulted the applicant severely and again threatened with dire consequences. Due to this the applicant was suffering from mental, physical and financial harassment too as the applicant was not financially maintained by her husband.

8. G.R. Case No. 1433 of 2003: The applicant was married to the respondent No. 1 of this case for past two years and two months from the date of filing this case. The marriage was performed as per Islamic rites. After the marriage the accused husband used to torture the applicant physically and mentally demanding dowry. For the interest of her future she tolerated all the torture and continued her family life with her husband. But the husband geared up the degree of torture on her for bringing more dowry. On refusing to fulfill any demand of dowry the husband tried to burn her alive by pouring kerosene oil. On another occasion the accused husband and the in-laws asked the applicant to bring money from her parent’s home but she refused due to poor economic condition of her father then they assaulted her barbarically and drove her out with her minor child. Finding no other alternative the applicant took shelter at her father’s house.
9. **G.R. Case No. 1228 of 2005:** The applicant was married to respondent No.1 as per Islamic Shariat on dower of ₹30,000.00. Various dowry articles were given at the time of their marriage by the parents and other relatives of the applicant. But those dowry articles were considered insufficient by the husband and in-laws of the applicant. On that ground the applicant was constantly harassed; she was not allowed to do household works and they went to the extent of starving her. She was pressurised to bring one new bicycle, radio, tape recorder, almira and ₹5,000.00 etc. from her parent’s home. But those demands remained unfulfilled as the parents of the applicant were too poor to give these articles to their daughter. Further, the applicant and her husband had two female children. This also became a source of constant abuse and assault on her. Finally when the husband and his relatives realised that they would not get their demand fulfilled, they mercilessly assaulted the applicant and drove her out of house on a particular day.

10. **G.R. Case No. 2030 of 2001:** In this case the applicant was married to the respondent No. 1. This was the second marriage of respondent No. 1. Earlier he was married to another woman and kept both his first and second wife in the same house. It was alleged by the applicant that at the instigation of the first wife the husband of the applicant demanded one bicycle, one radio from the applicant’s parents. But when the applicant failed to fulfill these demands due to the poor financial condition of her parents then the respondent No.1 and the first wife (i.e., respondent No.2) started torturing her (the applicant) and sent her back to her parent’s house. This happened for a couple of times and the accused husband used to take her back on assurance that he would mend his ways; but he failed to keep his promise and used to torture her all the time. One day both respondents beat the applicant mercilessly and tried to strangle her by a piece of saree. The applicant somehow saved her life by saying that she would fulfill their demands. After this incident she started living at her paternal house finding threat to her life at her matrimonial house.
11. G.R. Case No. 1402 of 2003: In this case the applicant is the mother of the victim. It was informed by the applicant that her daughter was wife of the respondent. The respondent had two other wives before he got married to the applicant’s daughter. The respondent had driven out his first wife by beating her severely from his house. It was mentioned that the respondent had murdered the applicant’s daughter at a midnight by hitting with an iron shovel. After this incident one relative of the respondent had informed the applicant about the matter. Then she (the applicant) went to the house of the respondent and found her daughter lying dead and some froth was coming out from the mouth of the deceased. The applicant suspected that the respondent after murdering her daughter had forcibly put poisonous substance in her mouth and had declared that his wife consumed poison.

12. G.R. Case No. 2069 of 2005: The applicant was married to the respondent No.1 of this case about four years back from the date of filing this case. The marriage was performed as per Islamic rites and customs on dower of ₹ 25,000.00. After marriage the husband and the applicant started living as husband and wife. Some days later the husband and his close relatives started ill treating the applicant on the issue of dowry. They were dissatisfied with the dowry articles that were given to the applicant at the time of marriage by her family members. Hence, the husband and his close relatives asked the applicant to bring new television, motor cycle, refrigerator etc. from her parent’s home. But the economic condition of the parents of the applicant was not such that, these excessive demands of articles could be fulfilled and on that ground the applicant was subjected to inhuman torture and cruelty at her matrimonial home. Unable to bear this torture the applicant left her matrimonial home and started living at her parental house for some time. In such situation the matter was addressed by convening a meeting and she went back to her matrimonial house. But again the applicant found the same behaviour from her husband and in-laws. This time she was pressurised for bringing ₹ 50,000.00 from her parents as dowry. On denying this the applicant was abused physically and mentally. Further, the husband wanted to get
married again so that he could get more dowry from that marriage. The applicant protested against this. Again the applicant was beaten physically. One day when the husband was beating the applicant with a broom then the applicant run away from her matrimonial home and took shelter in the house of a neighbor. After that one in-law of the applicant took her back to her matrimonial home. After this incident the father of the applicant went to his daughter’s matrimonial house and asked about the matter but he did not get any positive response. Then the applicant took shelter at her parental home.

13. G.R. Case No. 1873 of 2002: The applicant was married to the respondent No.1 of this case as per Islamic rites and customs on dower of ₹ 15,000.00 about eight years back from the date of filing this case. The husband or respondent No.1 of the applicant had another wife before this marriage. The applicant and her husband had four children. It was alleged that the first wife instigated respondent No. 1 to torture the applicant. As a result, the applicant was subjected to inhuman physical torture and mental too. One day the husband of the applicant along with his first wife and their son tied the hands of the applicant and poured kerosene on her with the intention to burn her alive. Observing this the four children of the applicant started crying. Then neighbours came to their house and saved the applicant. The next day the husband drove her (the applicant) out of home without her four children. Then the applicant took shelter at her brother’s home.

14. G.R. Case No. 619 of 2004: The applicant was married to the respondent No.1 of this case as per Islamic rites and customs. After marriage they started living as husband and wife. During this marriage some articles were given to the applicant by her family members. The husband and in-laws of the applicant were not satisfied with the given articles. Hence, the applicant was tortured and abused verbally at her matrimonial house by her in-laws and husband. She was subjected to ill treatment there. She was also asked to bring bicycle and television set from her paternal home. As the applicant could not fulfill these demands of her husband and in-laws so she was physically beaten
there by them (husband and in-laws). Unable to bear this torture the applicant went to her father’s home to stay. Then through consultation she was sent back to her matrimonial house. The attitude of the respondent and in-laws did not change. This time one in-law refused to provide the applicant any place in that house. So, the applicant’s husband took her to another house and started living there. The husband continued torturing the applicant there. The husband of the applicant developed an illegal relationship with his cousin sister and his family members were fixing their marriage. On protesting this applicant was assaulted physically by the husband and in-laws. As a result, she got physical injuries. The husband and in-laws did not take the applicant to doctor for treatment. On a particular day, the applicant was assaulted physically with a piece of beetle nut tree; her hair was pulled and she was dragged on the floor. Then she was forcefully driven out of that house. Then finding no other alternative the applicant took shelter at her paternal house. There she got medical treatment with the help of her brother.

15. G.R. Case No. 2024 of 2004: The applicant was married to the respondent about seven years back from the date of filing this case. Before their marriage the applicant was once kidnapped by the respondent. Then the respondent was arrested by the police. After this incident there held a meeting among the family members of the parties and it was decided that the respondent would marry the applicant. Thus the marriage took place. However, during this marriage no dowry articles were given to the applicant by her mother. As a result, the respondent used to severely assault physically the applicant. He used to give death threat too. On a particular day the respondent attacked the applicant with an iron tool and caused injury to her finger. Due to the constant fear at her matrimonial house the applicant took shelter at her mother’s home. Whenever the respondent happened to meet her he had the intention to cause harm to her.

16. G.R. Case No. 2186 of 2004: The applicant was married to the respondent No. 1 of this case following Islamic rites about one year and six months back
from the date of filing this case. After their marriage the applicant was being tortured physically and mentally by her husband and in-laws. The applicant gave birth to a female child. After that she was not allowed to enter the room. She was assaulted physically whenever she tried to enter the room. On a particular day the applicant’s husband and in-laws beat her and drove her out of the house keeping her newly born baby. Even after her request the respondents did not give her the baby.

17. G.R. Case No. 104 of 2004: The applicant was married to the respondent as per Islamic rites on dower of ₹ 75,000.00 about two years back from the date of filing this case. The amount of dower was unpaid. However, after their marriage, the applicant was living at her matrimonial house. During that time, she was asked to bring car and cash amount from her paternal house. On not fulfilling these demands she was physically assaulted by her husband and in-laws. She was beaten and asked to leave that house. Then the applicant went to her father’s home. After that a meeting of guardians of both parties was organised and the matter was settled amicably. The applicant was not present in that meeting. However, the applicant went back to her matrimonial house. By this time the applicant gave birth to a child. The cruel behaviour of the respondent continued against her. The respondent also got married to another woman and was living as husband wife with her. The applicant came to her paternal home again and was living there. For one year the respondent neither enquired about her nor gave her any maintenance. The applicant in this case was asking for maintenance for her child and herself.

18. G.R. Case No. 23 of 2002: The applicant was married to the respondent following Islamic rites on dower of ₹ 50,000.00. The applicant was staying at her matrimonial house. During this period she was pressurised by her mother-in-law and father-in-law to bring dowry from her parental home. On denying this the applicant was physically assaulted by her in-laws. She was bearing all physical and mental torture thinking of her future. During her pregnancy she was beaten and was driven out of her matrimonial house. Then
she took shelter at her parental house. There she gave birth to a child. The respondent got married to another woman by this time. He did not enquire about his first wife and child. In such situation the applicant was demanding maintenance for her child and herself.

19. Sessions Case No. 25 of 2005: The applicant is the brother of the victim. In this case the victim was married to respondent No. 1; Respondent No.2 and 3 are maternal uncle and mother of Respondent No.1 respectively. The victim was married to respondent No. 1 about ten months back from the date of filing this case. During marriage the applicant gave some articles to his sister according to his financial capacity. But after few days of this marriage all the respondents asked the applicant’s sister to bring ₹ 10,000.00 from the applicant. For this they pressurised her in different ways. The victim thinking of the economic condition of her brother did not fulfill this demand of the respondents. So, she was abused verbally and physically. On a particular day the respondent No. 1 confined the applicant’s sister in a room and pulled her hair and beat her seriously. Then he (respondent No. 1) poured kerosene on her with the intention to burn her alive. Then the sister of the applicant cried for help and hearing her cry for help the neighbours came and broke open the door and saved her. Without informing the applicant the victim was admitted in a hospital by the respondents. The matter that the victim was seriously ill was informed to the applicant. Then the applicant went and found his sister in a civil hospital in serious condition and there he came to know about the incident from his sister (the victim) and thereafter he lodged this complaint.

20. Sessions Case No. 66 of 2006: The applicant is the father of the victim. The victim was married to a person in a temple. This marriage was the result of love between them. After they got married the guardians of both parties arranged a social marriage for them again. In that marriage the father in-law and mother in-law of the victim demanded ₹ 50,000.00 as dowry from the father of the victim. Then they took ₹ 30,000.00 and for remaining ₹ 20,000.00 they (including the husband and in-laws) started pressurising the
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victim by means of both physical assault and mental torture. The victim informed about all this to her father over telephone and said that her life is in threat. On a particular day on getting information through some people the grandfather of the victim went to the victim’s matrimonial house. As the father of the victim was sick so he could not go there. It was a day of festival. So, the grandfather of the victim went to a *puja mandap* for sometime near to the victim’s matrimonial house. After coming back from there the grandfather came to know that the victim had burnt herself. This was told by the mother in-law of the victim to the grandfather. Then the grandfather and the neighbours rescued the victim and took her to medical college hospital for treatment. But the wounds were so severe that the next day the victim died.

21. **Sessions Case No. 79 of 2005:** The applicant was the father of the victim. The victim was married to respondent No.1. One day when the applicant sent his son to the house of respondent No.1 to bring his daughter who is the wife of respondent No.1 then the in-laws of the victim told that they would not allow their daughter in-law to go that day as it was Tuesday. But after sometime one in-law of the applicant’s daughter went to the applicant’s house to inform that the victim (daughter of the applicant) was sick so they took her to a civil hospital and then medical college hospital for treatment. After going to the medical college hospital the applicant found his daughter dead and came to know from the in-laws of the victim that she died on the way. They also told the applicant that their daughter in-law had committed suicide. The applicant held responsible the in-laws of his daughter for this death. According to the applicant few days back the victim had gone to her father’s home and informed her parents that she had to face physical assault and verbal abuse from her husband, mother in-law, father in-law and others on the issue of *dowry*. The victim used to cry when she was beaten. Then the husband, mother in-law and father in-law used to constrict her throat and prevented from breathing so that the neighboring people could not hear her voice. In this case six in-laws and the husband of the victim were accused.
22. G.R. Case No. 1506 of 2004: (Sessions Case No. 19 of 2007): The applicant is the mother of the victim. The victim was married to the respondent No.1 as per Hindu customs about seven years back from the date of filing this case. The applicant one day at about 12 p.m. came to know from others that her daughter was burnt alive in her matrimonial house and she was senseless then. Then the applicant went to the house of respondent No.1. The daughter of the applicant died because of this incident. The victim was subjected to physical assault for dowry by her husband, mother in-law, sister in-law, and other in-laws since her marriage. The dead body was in medical college at the time of filing this case.

23. Sessions Case No. 115 of 2003: The applicant is the father of the victim. The victim was married to respondent No. 1 of this case about one year and six months back from the date of filing this case as per Hindu rites and rituals. The victim was being tortured at her matrimonial house just after her marriage by her husband and in-laws for dowry. Regarding this torture information was also given to local police station. The victim died at the house of her husband. On being reported the applicant sent one of his relative to respondent No.1’s house. The relative came back with the information that the daughter of the applicant died due to consumption of poison. According to the applicant the victim was murdered by her husband and in-laws for dowry.

24. G.R. Case No. 1776 of 2005: The applicant is the father of the victim. The victim was married to respondent No.3 (respondent No. 1 is mother in-law & respondent No. 2 is father in-law) of this case. After the marriage the daughter of the applicant (victim) was abused physically by her husband, father in-law and mother in-law. She was also tortured mentally for bringing more dowry. Once, the daughter of the applicant was asked to bring ₹ 100,000.00 from the applicant. As the daughter of the applicant could not fulfill this demand so her husband and in-laws abused her physically. However, on a particular day the applicant was informed over telephone by the mother in-law of the victim that his daughter was sick. Then the mother of the victim went to her daughter’s
matrimonial house and found her daughter dead. The wife of the applicant told the applicant over telephone from her daughter’s matrimonial house that their daughter was in hanging position in her father in-laws room. Then the applicant reached there and found the same. The applicant stated that his daughter was murdered by the husband and in-laws of his daughter.

25. Sessions Case No. 80 of 2004: The applicant is the brother of the victim. The victim was married to the respondent No. 1 of this case. Just after their marriage the sister of the applicant or victim was tortured physically and mentally by her husband and in-laws for dowry. Regarding this local meetings were also convened many times. On a particular day respondent No. 4 of this case informed the applicant that their daughter in-law i.e., the sister of the applicant had committed suicide by consuming poison. Then the applicant went to his sister's matrimonial house and found that there were wounds and blood too in the dead body of his sister. Then the matter was informed to local police station.

26. Sessions Case No. 59 of 2004: The applicant is the cousin of the victim. The victim was married to the respondent following Hindu rites and customs. On a particular day the applicant came to know that his sister is sick. Then he went to the respondent’s house and saw the dead body of his sister lying in the courtyard. There was strangulation mark on the throat of the deceased and a protruded tongue. It was alleged that the respondent and his brothers had murdered the applicant’s sister.

27. Sessions Case No. 75 of 2003: In this case one married women died by hanging herself at her matrimonial house. The husband of the deceased told that there was quarrel between them (the husband and the deceased) last night and the husband beat his wife. So, the wife committed suicide as it is reported.

28. G.R. Case No. 1821 of 2002: The applicant was married to the respondent about seven years back from the date of filing this case. They had a girl child.
One day the applicant’s minor sister went to the applicant’s matrimonial house to meet her sister. That day she stayed at her sister’s matrimonial house. On that day the respondent forcibly spent the night with the applicant’s younger (minor) sister. The applicant was assaulted physically and day after the incident she was driven out of the house. She was also threatened to death. Then the applicant finding no other alternative took shelter at her paternal home with her girl child.

29. Case No- F.C. (Cr.I) 230/2007 – The complainant (the woman) got married to a person who was a constable of Assam Police 06 Battalion, on 07/02/2006 according to Hindu rites and customs and was living at her matrimonial house along with her husband and in-laws. On 8th day of marriage the husband left her at his home and went to his place of service. During this time the wife was tortured both physically and mentally by her in-laws on the ground that she did not bring enough articles at the time of her marriage. She was used by her in-laws as their bonded labour. On informing the matter to her husband, he did not pay any attention to it. The in-laws and the husband even had threatened her to kill by gagging her mouth if she cried. She was burnt with hot oil and one day the wife was compelled to leave her matrimonial house. Then on her request the husband kept her in a rented house and again went back to his place of service and did not make any contact with her except beating her whenever he used to come to that house. It was also mentioned that the in-laws told the wife that their son (the husband) had relation with another woman; hence, the wife did not have any right as wife. In this case, the applicant was a temporary worker in Sarba Siksha Abhijan but was unable to maintain herself due to irregular salary. Hence, the family court where the case was filed, ordered the husband to give ₹ 2000.00 per month for her maintenance. The case was under section 125 of the Code of Criminal Procedure.

30. Case No- F.C. (Civil) 35/2009 – A woman filed this case for dissolution of her marriage with her husband whom she got married on 25th February, 2008
as per Special Marriage Act 1954. After 4/5 days of their marriage the
husband went to Bangkok which was his service place leaving his wife along
with his family members. And after some more days the wife was taken to
Bangkok by her father-in-law where she found a Nepali woman who was
staying at her husband’s house. The Nepali woman was introduced to the wife
by her husband as his maid. But with time, the petitioner found that her
husband had no attachment with her which he had with that Nepali woman.
And the Nepali woman also started ill treating her. Moreover, the husband did
not make any physical relation with his legally married wife. For this he used
to say that he was a follower of ISKON so he could not develop any physical
contact with her. Moreover the husband used to say that his friends often
laugh at his wife saying that she is fatty. In addition to this the father-in-law
of the victim also asked his daughter-in-law to bring some dowry from her
father. The case was under section 27 (1) (d) of the Special Marriage Act
1954.

31. Case No- F.C. (Cr.P.C.) 588/2006 - The applicant was married to the
respondent on 25/09/2005 according to Muslim Shariat with Rs 60,000.00 as
Maher. After some days of their marriage when the brother of the applicant
went to her sister’s matrimonial house to bring his sister along with him for
Ramjan the respondent demanded some dowry in the form of motor cycle,
washing machine, refrigerator and Rs 20,000.00 as cash from the brother of
the applicant and put the condition that if his demands were not fulfilled the
applicant would not have any place in the respondent’s house. However, on
5/02/06 the respondent asked the applicant’s family members to take her
along with them. When the brother of the applicant went to the respondent’s
home then he found his sister in unconscious state. Then the applicant was
taken to her father’s home by her brother. On 7/09/06 the applicant gave birth
to a male child and the cost of her treatment was bore by her brother. The
respondent did not keep any contact with his wife and newly born baby. And
after one month and 27 days when the child expired and then also the
respondent did not make any contact with his wife. In such situation the
applicant asked ₹ 5000.00 per month from the respondent as her maintenance cost as the respondent earns ₹20,000.00 per month (as it is mentioned in the petition).

32. Case No. 121/2009 of District Level Committee for Crime Involving Women (DLCCIW): The applicant (1st party) was married to the 2nd party in 2007. After their marriage the 2nd party was not willing to maintain any matrimonial relationship with the applicant. Rather on the advice of his mother, brother and sister the 2nd party started staying separate at another home. The applicant was even physically tortured and abused verbally. Then the applicant came to her father’s home but after some days she was taken back to her matrimonial home by her brother in-law promising that there would be no repetition of all those past events. Unfortunately the situation did not change for the applicant at her matrimonial home. One day her mother-in-law and sister-in-law attacked her with an axe. Then she saved her life by entering her husband’s elder brother’s room. Even the husband i.e. the 2nd party used to say that the applicant had some illegal relation with her brother in-law. The applicant being unable to bear all these problems went to her father’s home again for some days but during that period the 2nd party did not make any contact with his wife although his wife was willing to go back to her matrimonial house. However, this case is settled when both the parties showed their willingness to stay together by forgetting their all past problems and promised each other that there would be no repetition of past events.

33. Case No. 110/2009 (DLCCIW): The complainant got married to the respondent in the year 2001 as per Hindu rites and rituals. After their marriage the complainant gave birth to a male child. According to her, her husband had no attraction towards her after the birth of their child. Rather the husband used to torture her both mentally and physically. She was always verbally abused by her husband. The husband used to give his wife little money for the maintenance of her child and herself and handed over the rest of his salary to his elder brother. After some days the wife found that her husband had an
extra marital affair with another girl whom he wanted to marry and that also according to the advice of his elder brother. Due to this the complainant was physically and mentally harassed. Being unable to bear all harassments the complainant went to her father’s home with her child and after some days she was taken back to her matrimonial home by her husband on the condition that there would be no repetition of all past events. It was unfortunate that the situation did not change for her. The husband acted like a silent actor. One day the brother in-law of the complainant violently entered her room without any permission and scolded and beat her seriously. Not only that the brother in-law asked the complainant to bring ₹ 50,000.00 from her father’s home. As the complainant refused she was given a threat that she would be killed. She also mentioned that regarding this matter she lodged a complaint in a local police station but no action or step was taken for this.

34. Case No. 51/2006 (DLCCIW): The complainant got married to the respondent as per Hindu rites and rituals in the year 1986. They had two children. After their marriage the complainant was subjected to torture regularly. The respondent was an auto driver and the complainant was trying to earn money by doing a small business. Once she got ₹8000.00 from kalpataru fund and started investing the amount in Avon Company to gain some profit. But the respondent wanted her to give him the profit. On denying the complainant was beaten seriously. Moreover, the respondent did not allow her to meet her children. Even the respondent threatened the complainant that she would be attacked with acid. Not only this, the respondent also prevented her from taking food. Regarding all these the complainant filed an ajahar in the police station.

35. Case No. 129/2005 (DLCCIW): The petitioner got married to the respondent according to Hindu rites and rituals about 25/26 years back from the date of filing this complaint. After their marriage they got two sons and three daughters. However, the petitioner had been physically tortured at her matrimonial house. She had been beaten seriously and most of the times she
was forced to leave her matrimonial house. She was tolerating all these as she was concerned about the future of their children. Not only this, the respondent got married to other three women after his marriage with the petitioner. Among their (the respondent and petitioner) three daughters, two got married and one remained unmarried. Boys were unemployed. But the respondent was not concerned about that. Moreover, the respondent drove them (the petitioner with children) out of the house and did not allow them to enter the house. Once their younger daughter went to the respondent’s house where she (the younger daughter) was beaten and forced to go out again. Many times village elders tried to solve all these problems and the respondent was supposed to give the petitioner ₹ 5000.00 for the marriage of their younger daughter which he did not pay. Facing all problems the petitioner was staying at her father’s home with her children.

36. Case No. 156/2006 (DLCCIW): In this case the petitioner filed a complaint against her brother in-law. After 16 years of her marriage as per Muslim law her husband passed away. After the death of her husband the petitioner had been mentally tortured by her brother in-law. The brother in-law thrashed her out of her deceased husband’s house. She was staying at cow-shed with her child. He also snatched away the death certificate and life insurance documents of her husband. Moreover, she was always threatened to leave the house permanently.

37. Case No. 39/2007 (DLCCIW): The petitioner was married to the respondent as per Muslim Shariat and gave birth to three male children. After eight years of their marriage, one day the petitioner found her husband missing. The husband was missing for a period of 10 to 15 days. By this time the petitioner was trying to find him out by searching through different contacts. At last one day she somehow got some information about her husband and went to a house where she found her husband in compromising position. On questioning the petitioner was beaten seriously by both the husband and that other woman. After that the husband came back home and again assaulted the petitioner
physically and thrashed her out of her matrimonial home without her children. Then the petitioner took shelter at her brother’s home.

38. Case No. 108/2006 (DLCCIW): The petitioner filed this complaint against her husband, mother in-law and father in-law. She was married according to Hindu rites and rituals. Her husband was a habitual alcoholic. After their marriage the husband used to torture her both mentally and physically and the wife used to bear all these thinking about children’s future. At one night the husband beat her seriously and thrashed the petitioner with her children out of her matrimonial home. Then the petitioner spent the whole night out of home with her children and next morning she went to her father’s home. On informing the matter to her mother in-law and father in-law she was not shown any mercy rather she was again beaten by them. During the petitioner’s staying at her father’s home the husband did not make any contact with her and did not pay any amount for maintenance of his children and the petitioner.

39. Case No. 132/2005 (DLCCIW): The petitioner was married to the respondent according to Hindu rites and rituals and gave birth to a female child after two years of their marriage. Immediately after the marriage the petitioner was asked frequently by her in-laws and husband to bring dowry. For this reason she was abused both mentally and physically. She was kept even in starvation for many days. However, one day the petitioner was severely beaten by her husband and later the husband left home. After that the petitioner came to know that her husband eloped with his younger brother’s wife. And the mother in-law, father in-law and the brother in-law thrashed her out forcibly from her matrimonial home. Then she took shelter at her father’s home. The in-laws and the husband did not make any contact with her after that.

40. Case No. 85/2005 (DLCCIW): The petitioner filed this complaint against her husband with whom she got married as per Hindu rites and rituals. After their marriage the petitioner gave birth to two children who died later. The husband used to abuse the petitioner physically and one day she was thrashed out of her matrimonial home by her husband. The husband also kept all articles that
the petitioner brought at the time of her marriage. The petitioner took shelter at a neighbor's house. In such situation the husband neither made any contact with her nor provided monetary support to her for earning livelihood.

41. Case No. 106/2005 (DLCCIW): The complainant was married to the respondent on 06/02/2005 according to Hindu rites and rituals. Immediately after her marriage she was asked by her mother in-law to bring some amount of money from her father's home. During marriage some articles were given to her by her father. Even after that the complainant was pressurised to bring ₹ 50,000.00 from her father's home. As she refused to do so she was beaten seriously by her husband, and in-laws. One day the brother in-law poured some kerosene on her with the intention to burn her alive. Then she (the complainant) was threatened that if she does not bring the asked amount then she would be killed. Then the complainant went to her father's home to stay there for one month. During that period the brother in-law went to her (complainant's) father's home to bring her back and on denying she was abused verbally. In such situations the husband made it clear to his wife that he could leave his wife but not his mother. Moreover, the complainant was three months pregnant and the husband neither gave any monetary support to her for her treatment nor gave mental support.

42. Case No. 114/05 (DLCCIW): The petitioner filed this complaint against her cousin. According to the petitioner, her father was suffering from mental disorder. And taking this opportunity her cousin always beat her and her other five sisters. He used to abuse them (the petitioner and her sisters) physically. In such situations they were helpless. Their mother was working as maid somewhere. The petitioner found no reason for such unjust behaviour of her cousin towards herself and her sisters.

43. Case No. 102/2009 (DLCCIW): The complainant was married to the respondent on 04/03/09 according to Hindu rites and rituals. After their marriage she was living with her husband and his family members. The
complainant found that her brother in-law was trying to make illicit relation with her. For this, in absence of her husband, the brother in-law used to give her some unwanted proposal. The complainant informed the matter to her husband but the husband did not believe all. Moreover, the complainant was repeatedly insulted on the ground of dowry. She was abused both physically and mentally by her in-laws for that. The complaint was pregnant and her in-laws gave her some medicine saying that the medicine was for gastritis and stomach pain and after taking that medicine the complaint lost her unborn child due to miscarriage. Then she was taken to her father’s home by her father and was given medical treatment there.

44. Case No. 65/2003 (DLCCIW): The complainant got married to the respondent as per Hindu rites and rituals. After six months of their marriage the complainant faced emotional abuse at her matrimonial house. She was often insulted for not bringing enough dowry. The respondent (the husband) did not like to continue any marital relationship with her. He gave wrong information to his father in-law that his wife is ill. After that the father of the complainant came to the house of his son in-law. There he was asked to take his daughter along with him. So the father took her home. But even after four months of this incident the husband did not make any contact with his wife.

45. Case No. 147/2005 (DLCCIW): The petitioner filed this complaint against her husband after five years of their marriage. Immediately after the marriage the petitioner was tortured both physically and mentally by her husband. She was expecting a child; so thinking of the future of the child the petitioner did not protest against her husband. She thought that after the birth of the child the husband’s behaviour towards her would change. It did not happen. She was all the time abused verbally by her husband. In spite of informing the matter to the father and mother of the husband no step was taken by them to improve the matter. It was reported in the complaint that there was no financial crisis in their family as the husband was a permanent government employee and so
was her father in-law. The complainant did not find any reason for this unjust behaviour of her husband towards her.

46. Case No. 97/05 (DLCCIW): The petitioner was married to the respondent as per Hindu rites and rituals and became pregnant after the marriage. She was subjected to physical abuse by her husband and in-laws immediately after her marriage. Even the husband caused her miscarriage without her consent. He did not give the petitioner economic support rather used to beat her seriously. She was asked to bring money from her brother. On denying this she was beaten seriously by her husband and in-laws together and was thrashed out of her matrimonial home without her belongings such as, her cloth and other things which she brought at the time of marriage.

47. Case No. 59/2005 (DLCCIW): The complainant was married to the respondent according to Hindu rituals and gave birth to three daughters and one son. The complainant was accused on her character immediately after the marriage and this caused physical abuse against her by the husband. The extent of abuse was so high that the complaint went to her uncle’s home only with her younger son. Three girl children were left behind with her husband. It was also mentioned that the children were beaten by the respondent.

48. Case No. 112/2005 (DLCCIW): The petitioner was married to the respondent about five years back from the date of filing this complaint. She was subjected to assault by her mother in-law, a sister of her mother in-law, father in-law and her husband immediately after her marriage. Every day she had been abused on the ground that her parents did not give her refrigerator, car, washing machine etc. One day at about 9 p.m. she was severely assaulted by her husband on a minor issue related to kitchen. She was then slapped, kicked and even attacked with weapon. The petitioner fearfully informed the matter to her uncle over telephone who came to the respondent’s house that night itself and took the petitioner along with him to her father’s home. She was taking medical treatment there.
49. Case No. 15/2007 (DLCCIW): The petitioner was married to the respondent as per Hindu customs. She was subjected to mental torture by her in-laws since the fourth day of her marriage. On that day she was asked by her two sister in-laws to give all her gold ornaments to them. On refusing this the in-laws assaulted her. The petitioner had to face all these mental and physical torture. Then she went to her parental home and her husband told that after getting a job he would take the petitioner at his home. It is unfortunate that the husband got a government job but he did not make any contact with her later.

50. Case No. 100/2007 (DLCCIW): The petitioner was married to the respondent about three years back from the date of filing this complaint. They had a child. The husband of the petitioner was a drunkard who used to assault the petitioner physically at the instigation of his family members. The petitioner was denied food. Because of these family problems the respondent kept the petitioner in a rented house where he was not giving any monetary support to run the family. The petitioner demanded money for daily expenditure and she was beaten by her husband for this. Then the husband went to his own house leaving the petitioner alone in that rented house. After ten days of this incident when the respondent went to her matrimonial house in search of her husband she was again tortured physically there and was driven out of house with her child. The husband did not make any contact with her later.

51. Case No. 101/2007 (DLCCIW): The petitioner was married to the respondent No. 1 of this case. After her marriage everything was running good. But with time the husband and brother in-law of the petitioner started ill treating her on the issue of dowry. She had been verbally abused. Her husband was a driver by profession. The husband and in-laws told her many times to go back to her paternal house. Being unable to bear these problems the petitioner went back to her father’s home.

52. Case No. 45/2007 (DLCCIW): The petitioner was married to the respondent following Hindu customs. They had four children. After their marriage the
respondent was torturing the petitioner in different ways. Thinking of future interest of their children the petitioner used to tolerate all physical torture of her husband silently. The respondent was working in BSF but he was not giving monetary support to his wife. So, the petitioner was earning her livelihood in difficulty.

53. Case No. 26/2009 (DLCCIW): The petitioner was married to the respondent about 3 years back from the date of filing this case. They had three children. The respondent used to consume alcohol every day and the petitioner was beaten by her husband. She was tolerating silently the torture only for their children’s future. But on a particular day being unable to bear such physical torture the petitioner filed this complaint.

54. Case No. 96/2009 (DLCCIW): The petitioner was married to the respondent about three years back from the date of filing this complaint. They had a child. The petitioner was tortured at her matrimonial house. She was beaten by her husband and driven out of home to bring ₹ 5,000.00 from her parental home. He did not allow the petitioner to stay at the respondent’s house although the petitioner requested for this. Then finding no other alternative the petitioner took shelter at her parental home. The respondent did not make any contact with her later.

55. Case No. 69/2009 (DLCCIW): The petitioner was married to the respondent about nine months back from the date of filing this complaint. After their marriage the petitioner was subjected to cruel behaviour of her husband. Her husband was a drunkard who used to assault the petitioner every night. The petitioner was pregnant. In such situation also, she was beaten and verbally abused. The mother in-law of the petitioner also did not try to solve the problem. Then the petitioner, being unable to bear this torture, went back to her parental house. Then the in-laws of the petitioner threatened to kill her.

56. Case No. 21/2006 (DLCCIW): The petitioner was married to the respondent about 13 years back from the date of filing this complaint. Her husband was a
Grade I officer of Central Government. However, after their marriage the petitioner was tortured every night by her husband who used to consume alcohol. The respondent used to disturb the petitioner in many ways. He gave many unexpected proposals to the petitioner in front of their 12 years old son. She (the petitioner) was also abused verbally by her husband. She once went back to her parental home and completed D.T.P. course there. She also got a job there. The respondent then went to the petitioner's parental house and promised her that there would be no repetition of such behaviour. Further the respondent prevented the petitioner to join the job and brought her back to his house. There was no change of the earlier situation. The respondent did not allow the petitioner to talk to her parents over telephone. So, the brother of the petitioner gave a postpaid mobile phone to the petitioner so that she could make contact with her parents. The respondent and his family members also suspected and blamed the petitioner of having illegal relationship with her father in-law and other persons. The petitioner, being helpless, was bearing all these tortures silently.

57. Case No. 01/2006 (DLCCIW): The petitioner was married to the respondent as per Hindu customs and rituals. After their marriage the petitioner was expecting a child but she could not gave birth to any child after her treatment and operation. After few days of this incident the respondent started torturing the petitioner. He also used to abuse her verbally. The respondent was prepared to get married again with another woman. On that issue the petitioner was forced to leave the house of the respondent. Further the respondent did not bear the family expenditure and used to take food in hotels keeping the petitioner in starvation at home. The petitioner was subjected to inhuman behaviour.

58. Case No. 207/2002 (DLCCIW): The petitioner was married to the respondent and had two children from him. The respondent used to suspect her for illicit relation. He assaulted her many times after their marriage. But the petitioner was concerned about the future interests of their children and so
she was tolerating the physical and mental abuse of the respondent silently. However, on a particular day the respondent consumed alcohol and beat the petitioner severely. As a result she (the petitioner) fell ill. Then the father of the petitioner went to the respondent’s house to see his daughter but the respondent insulted his father in-law, brother in-law and sister in-law and drove out all of them including his wife (the petitioner) of his house.

59. Case No. 330/2001 (DLCCIW): The petitioner was married to respondent No. 1 of this case as per Hindu customs. Before marriage the respondent No. 1 and his family members did not demand any dowry. But just after one month of this marriage the respondent No. 1 pressurised the petitioner to bring dowry from her parents. She was asked to bring gold ornaments, cash and other items. On not bringing these things the petitioner was tortured physically and mentally. Even she had to pass days in starvation. There was attempt on her life by her husband, mother in-law and the sister in-law too. At last they forcefully drove her out (the petitioner) of her matrimonial house. Finding no other alternative the petitioner took shelter at her sister’s house. Her husband did not make any contact with her later.

60. Case No. 466/2001 (DLCCIW): The petitioner was married to the respondent No. 1 about 17 months back from the date of filing this case. She had a child from the respondent. After their marriage the respondent No. 1 (the husband of the petitioner) asked the petitioner to bring ₹ 50,000.00 from her paternal home. For this the husband and the mother in-law of the petitioner used to abuse her (the petitioner) both verbally and physically. She was also kept in starvation. The respondent No. 1 did not give the food and medicine to his child properly. One day the husband and the mother in-law of the petitioner forcefully sent her (the petitioner) to her paternal home to bring the said amount. At that time the respondent No.1 kept all gold ornaments of the petitioner which she brought during her marriage. However, the husband did not make any contact with her later rather told her that he would get married again with another woman.
61. Case No. 95/2002 (DLCCIW): The petitioner was married to the respondent as per Islamic rites on dower of ₹ 30,000.00. They had a child. The husband and his mother asked the petitioner to bring ₹ 20,000.00 as dowry from her parents. The petitioner was assaulted physically as she did not fulfill this demand of her husband and mother in-law. One day she was driven out of house with her child. Regarding this village meetings were held many times but the husband and the mother in-law of the petitioner never cared for the decision of these meetings.

62. Case No. 24/2002 (DLCCIW): The petitioner was married to the respondent No. 1 about three months back from the date of filing this case. The petitioner was being kept in a separate room by her husband at night after six days of their marriage. In such situation after a week the petitioner came to know that her husband had illegal physical relationship with his younger brother’s wife. Both the husband and his younger brother’s wife used to abuse the petitioner verbally. The petitioner stayed only 12 days at her husband’s house. During that time the extent of mental torture towards her was so high that she could not bear it and went to her paternal house. Further during the marriage the respondent no. 1 told that he had no brother and mother but after marriage the petitioner found all of them at the house. To solve the problem village meeting was convened but no fruitful result was found.

63. Case No. 58/2004 (DLCCIW): The petitioner was married to the respondent according to Hindu customs. She became pregnant after this marriage. The respondent without any serious cause used to beat the petitioner in pregnant condition. Then the petitioner went to her brother’s house. The respondent again went there and assaulted the pregnant petitioner at her brother’s house.

64. Case No. 189/2002 (DLCCIW): The petitioner was married to the respondent No. 1 about six months back from the date of filing this case. After this marriage the husband, father in-law and mother in-law of the petitioner started demanding dowry in the form of cash from the paternal house of the petitioner.
for starting a business. Accordingly the petitioner brought ₹ 53,000.00 from her parents and gave her husband and in-laws. After some days she was again pressurised for bringing ₹ 50,000.00. This time she refused to fulfill this demand. As a result she was physically assaulted. She was kicked and given blow. She was beaten with iron rod. Her physical injury was serious. Her teeth were broken. Then she was driven out of her matrimonial house after keeping all her gold ornaments and valuable items such as, furniture, refrigerator, and television set etc. Village meetings were convened to solve the problem amicably but the in-laws and the husband of the petitioner did not come forward.

65. Case No. 11/2003 (DLCCIW): The petitioner was married as per Islamic rites on dower of ₹ 25,151.00. After her marriage she was regularly beaten by her husband for bringing ₹ 50,000.00 from her parental home. Many times her throat was squeezed to kill her. She was kept in starvation and was locked in a room. After all these one day the husband and father in-law drove her out of the house without giving her anything that she brought at the time of her marriage. Later they did not make any contact with her.

66. Case No. 535/2001 (DLCCIW): The petitioner was married to the respondent following Islamic rite. Her husband was a businessman. After their marriage the petitioner was tortured at her matrimonial home by her in-laws. Her in-laws used to abuse her verbally for dowry. At the absence of her husband the mother in-law of the petitioner with other in-laws asked the petitioner to bring ₹10,000.00 from her parents. On refusing the petitioner was physically assaulted by them at that night. She was kicked and slapped. On that night they (the in-laws) assaulted her severely. Then the petitioner spent the night with her minor children. In the next morning again she was beaten by them. During the incident her husband was out of station for business purpose. However, that day the in-laws sent the petitioner back to her parental house keeping her children at their house. As there was no other alternative so she took shelter at her parental house.
67. Case No. 56/2003 (DLCCIW): The petitioner was a widow. Her husband died about six years back from the date of filing this complaint. She had two children. She lodged this complaint against her brother in-law who used to disturb her in many ways after the death of her husband. The brother in-law used to lock her in a room. Most of the nights he asked her (the petitioner) to open the door. As she did not respond to his demands so the brother in-law assaulted her physically and drove out her of her matrimonial house. Then the petitioner tried many times to go back to her matrimonial house but her brother in-law did not allow her to enter the house.

68. Case No. 259/2002 (DLCCIW): The petitioner got married according to Islamic rituals on dower of ₹ 30,101.00. After the marriage the petitioner along with her husband was residing at her paternal house. She there gave birth to two children. They were living peacefully together. On the day of a religious occasion the husband of the petitioner went to his mother’s and sister’s house. Since then the husband started torturing the petitioner. The husband stopped taking food at home with his wife and did not maintain the family properly. He used to beat his wife whenever he came to his wife’s house. The petitioner was attacked with weapon and was injured. Her ear was cut by her husband and was given blow on her nose. So, the petitioner was living in fear.

69. Case No. 407/2001 (DLCCIW): The petitioner was the mother of the respondent. She had four daughters and one son. This complaint was against her son who used to beat the petitioner and his two unmarried sisters for property. The petitioner was a widow. She wanted to distribute her husband’s land among all her daughters and the son. But the son did not want to give any share of the land to his sisters. Hence, he abused his mother i.e., the petitioner and sisters both verbally and physically.

70. Case No. 64/2003 (DLCCIW): The petitioner was married to the respondent No. 1 of this case. They had three daughters. The husband of the petitioner
was torturing her (the petitioner) with the intention to get married again with another woman. He assaulted the petitioner physically. The petitioner took medical treatment for this. Her husband also pressurised her to prepare a legal document transferring the authority of petitioner’s paternal land to his (the husband’s) name. On refusing to do so the petitioner was beaten by her husband seriously. Regarding this matter the petitioner consulted her brother in-law but no response was found. Rather she was subjected to more cruelty by her husband.

71. **Case No. 480/2001 (DLCCIW):** The petitioner was married to the respondent following Islamic rites on dower of ₹ 35,000.00. They were living peacefully. But after five or six months of their marriage the respondent started ill treating the petitioner. Without any reason he used to beat the petitioner. He also abused her verbally using slang language. The petitioner was tolerating all these cruel behaviour thinking of her future life. One day the respondent drove her out of his house without any items that she brought with her at the time of marriage. As there was no other alternative so she took shelter at her father’s home.

72. **Case No. 393/2001 (DLCCIW):** The petitioner was married to the respondent No. 1 following the legal norms in a court. They had four children. Everything was running good. After 12 years of their marriage the husband of the petitioner started torturing her. He then started beating her and drove her out of his house. Then he brought another woman at his home and lived with her (another woman) as husband and wife. The other woman gave birth to one child also. On the other hand the petitioner was earning her livelihood with her children in difficulty. The husband was not supporting her economically.

73. **Case No. 56/2010 (DLCCIW):** The petitioner was married to the respondent No. 1 about two years back from the date of filing this complaint. The petitioner had been beaten and abused verbally by her husband since they got married. One son of her brother in-law also assaulted her physically. Her husband suspected her. In such situation the petitioner, being unable to bear
the torture of her husband and other family member, went to her parental home for staying some days. Then the husband and her family members were not willing to talk to her (the petitioner).

74. Case No. 87/2008 (DLCCIW): The petitioner was married to the respondent No. 1 of this case according to Hindu rites in a temple. After marriage she was subjected to mental and physical torture at her matrimonial house by her husband, mother-in-law and sister-in-law. Her husband was a drunkard. He used to assault the petitioner after consuming alcohol. The in-laws and husband kept the petitioner in starvation also. As the tortures were unbearable so the petitioner went to her father’s home. She started working as maid servant. After spending one year and six months at her father’s home the petitioner was taken back to her matrimonial house by her husband. She gave birth to a child there. But the attitude of the husband and his relatives towards her remain unchanged. They drove her out of that house without her child.

75. Case No. 67/2008 (DLCCIW): The petitioner was married to the respondent about 17 years back from the date of lodging this complaint. They had six children. The husband of the petitioner was a drunkard. He used to assault the petitioner physically after consuming alcohol. The petitioner thinking of the future interests of their children did not protest against all for long time. But the extent of cruelty was much high, so, for some days she had to stay separately also.

76. Case No. 85/2008 (DLCCIW): The petitioner was married according to Islamic rites on dower of ₹ 25,000.00. Her husband was a man of easy nature. Taking this opportunity the brother in-law of the petitioner tortured her physically. Her husband also did not protest against this kind of behaviour of his brother. Being unable to tolerate the cruelty the petitioner went to her paternal home. Then the husband neither made any contact with her nor gave monetary support to her for her maintenance.
77. Case No. 124/2008 (DLCCIW): The petitioner was married, according to Hindu custom, to the respondent No. 1 of this case. After two years of their marriage the mother in-law, sister in-law and the brother in-law assaulted the petitioner physically for dowry. They asked her to bring money from her parents. She was beaten by them and fell ill for this. At that time her husband had illegal relationship with another woman of the village. The petitioner came back to her parental home with her girl child and stayed there for one year. The husband was not willing to provide any maintenance to his wife.

78. Case No. 28/2008 (DLCCIW): The petitioner was married to the respondent about nine years back from the date of filing this complaint. They were married according to Hindu customs. Before this marriage the respondent had another wife who died leaving her three children. Then the respondent got married to the petitioner. However, the petitioner gave birth to two children. Suddenly after eight years of their marriage the respondent started torturing the petitioner both physically and mentally. Then the petitioner took a room on rent and lived with her minor son separately. In such situation one day the respondent went to her rented house and took the minor son with him. The petitioner was earning her livelihood working as a maid servant. The respondent did not support her economically.

79. Case No. 12/2008 (DLCCIW): The petitioner was married according to Hindu customs. Her husband died two years after their marriage due to a serious disease. After the death of her husband the petitioner was tortured at her matrimonial house by her in-laws. All her in-laws subjected her into cruelty for the property of her deceased husband. The in-laws forcefully kept the properties of the petitioner’s deceased husband and drove her out of her matrimonial house.

80. Case No. 64/2010 (DLCCIW): The Petitioner was married to the respondent No. 1 of this case. After her marriage she was subjected to cruelty by her husband and mother in-law for not bringing dowry from her parents. By this time she gave birth to a male child. The husband of the petitioner used to tell
her (the petitioner) to bring money and valuable items from her father. Accordingly she was bringing. The husband kept her in a rented house. One day the husband assaulted the petitioner physically and took the child along with him from that rented house. Then the petitioner being helpless went to one of her aunt’s house and took shelter.

81. **Case No. 06/2010 (DLCCIW):** The petitioner was married according to Hindu customs. She was subjected to torture within the six months of her marriage at her matrimonial house by her husband, mother in-law and brother in-law. The husband of the petitioner used to consume alcohol and beat her. As a result she got serious physical injury. Further, the husband also threatened the petitioner to death. Being unable to tolerate these tortures the petitioner went to her paternal house to take shelter.

82. **Case No. 67/2010 (DLCCIW):** The petitioner got married to the respondent about 10 years back from the date of filing this complaint. She was tortured just after six months of her marriage by her husband. Her husband was a drunkard. He used to beat the petitioner with iron rod and wooden items. Once he wounded her belly, leg and waist. Whenever his mother and father wanted to stop his violence towards their daughter in-law the respondent also attacked them. One day after getting the information of this violence the father of the petitioner went to the respondent’s house. Then the respondent also attacked his father in-law with an iron weapon. The respondent caused disturbance to the petitioner in many ways. He used to make the bed of the petitioner wet during winter so that the petitioner could not sleep. Once he poured kerosene on the petitioner along with the minor children with the intention of burning them alive. He finally drove the petitioner out of the house keeping the children with him and the petitioner without anything.

83. **Case No. 57/2010 (DLCCIW):** The petitioner was married, about five years back from the date of lodging this complaint, to the respondent No.1 according to Hindu customs. As a result, the petitioner gave birth to a girl child. After the birth of this child the respondent subjected the petitioner to
physical torture. The respondent had contact with another woman and he used to beat his wife whenever his wife talked about that other woman. He asked his wife to leave his house. This was also supported by the mother in-law and the father in-law of the petitioner. Once the respondent assaulted the petitioner physically and left the house at night. Thereafter the in-laws asked the petitioner to leave the house without her child. The petitioner did not find the respondent later although she was willing to live with him and their child.

**Nature and Causes of Domestic Violence against Women in Cachar District**

Based on the above mentioned cases the nature of domestic violence against women in Cachar District has been broadly categorised under the following heads.

**Physical abuse:** Wife beating by husband and in-laws, confining women in room, blow, punch, slap, kick, hair pulling, cut, burn, threat to kill, hitting with iron rod or any weapon, iron shovel, wooden piece, broom; burning alive, killing, squeezing the throat of married women, beating in pregnant condition.

**Economic abuse:** Driving out of home, snatching the ornaments and clothes, preventing from doing job, taking the profit of wife’s business, not giving money to wife for daily household expenditure.

**Emotional abuse:** Threat to kill, husband’s physical relationship with other women, taking signatures of victims on blank papers, keeping the wife in rented house other than husband’s own house, assaulting the children, threat to be driven out of matrimonial house on failure of bringing demanded dowry articles or cash etc.

**Sexual abuse:** unwanted sexual demands by husband after consuming alcohol.

**Verbal abuse:** scolding the wife using slang language.
Causes of Domestic Violence against Women in Cachar District

The study of above cases reflects that there are varieties of causes behind the problem of domestic violence. The issue of dowry is such a serious social evil that has always been contributing towards violence against women. It is considered as one of the root cause of violence against married women within the household by their husbands or in-laws. In case of Cachar district also the problem of dowry caused domestic violence against many married women. In these cases either the husband or the in-laws have inflicted both physical and mental violence against many married women. Some married women have been asked to bring luxury items or cash amount from their parental house and in some cases the husband or in-laws are dissatisfied with the articles that are given to the women at the time of marriages. Extramarital affairs of husbands are another factor that leads to domestic violence against their wives. Often husbands torture their wives both physically and psychologically in order to get married again with another woman. In many cases the husbands maintain illegal physical relationship with other women without getting a legal divorce from their wives. Apart from this, domestic violence against women is also caused by factors such as, alcoholism, suspecting wives for having illegal relationship, for snatching property of wives/mothers/sisters by husbands or in-laws or by sons, brothers; for giving birth to female child and for taking the earnings of their wives etc.

Response of Judiciary and Voluntary Organisation to Cases of Domestic Violence

From the above mentioned cases we can understand the nature of complaint of the aggrieved person / the victim or their relatives. Against this background it is important to raise the question that whether these women are provided justice by the judiciary when they approach it or not. After studying the judgment of these cases it is seen that in most cases the alleged person is acquitted either on the ground of lack of proof required to prove the allegations or if there is mutual settlement of the case. In a few cases the judiciary could hold that the petitioner had been treated with cruelty by the respondent. Regarding permanent alimony or
maintenance out of 83 petitioners 27 (32.53 per cent) have been awarded by these institutions. In this connection it is important to mention that these institutions not only award maintenance to victims but also play an important role in making it a reality by collecting the amount of maintenance from the respondent and paying the same to the victims.

Summary

1. Violence against women is a common phenomenon in Indian patriarchal society where it appears to be no social sanctions against it since this is considered as a normal social behaviour.

2. Married women are more likely to experience physical or sexual violence than unmarried girls as mostly husbands subject them to different forms of torture. At the all-India level 37.2 per cent married women have experienced some forms of physical and sexual violence perpetrated by their husbands whereas this percentage for Assam stands at 39.5.

3. A comparative picture of national and state (Assam) level percentage of violence (Emotional or physical or sexual) against women makes it clear that women in Assam (42.1 per cent) have experienced more spousal violence than women at the national level (39.7 per cent).

4. The percentage of emotional, physical and sexual violence against women in rural Assam is much higher than the percentage found in urban areas of the state. Women in urban areas of Assam face 9.5 per cent emotional violence whereas the rural women face it 16.9 per cent; in case of physical violence the percentage for urban women is 23.0 and for rural women it is 39.7; and the percentage of sexual violence against urban and rural women of Assam is 8.6 and 16.1 respectively.

5. This chapter presents a few cases (under section 498-A, 302, 304-B, 506, 376, 494, 34, 342, 323, 307 and 306 of the IPC and section 125 of the Cr.P.C
and the Special Marriage Act, 1954) to understand the nature of domestic violence against women in the Cachar district. Cases have been collected from the Chief Judicial Magistrate Court, Cachar; the Court of the District and Sessions Judge, Cachar; Family Court, Cachar; and the District Level Committee for Crime Involving Women, Cachar.

6. For an in depth study of the nature of domestic violence against women of Cachar district, cases for a period of 10 years (since 2001 to 2010) have been studied.

7. It covers the period from 2001 to 2005 for cases filed and disposed in the Court of Chief Judicial Magistrate, Cachar and District and Sessions Judge Court, Cachar; from 2006 to 2010 for the cases dealt and disposed by the Family Court and since 2001 to 2010 for cases available at the District Level Committee for Crime Involving Women.

8. The reason behind such division is that in Cachar district the Family Court was established in the year 2006. Under such circumstances cases in Family Court are available since 2006 to till date. But as the study period is up to 2010 so the given cases are restricted to the year 2010. It was decided to take only cases of 5 years (since 2001 to 2005) from the Chief Judicial Magistrate Court and District and Sessions Judge Court as it was found that after the establishment of the Family Court in the district (in the year 2006) the cases relating to family dispute are generally referred to the Family court. In case of DLCCIW cases have been collected for the whole period i.e., 2001 to 2010 as it is an important voluntary social organisation of the district that is rendering counseling and legal aid to its petitioners.

9. From the study of a few cases the nature of domestic violence against women in Cachar district has been broadly categorised as physical abuse, economic abuse, emotional abuse, sexual abuse and verbal abuse.
Women and Domestic Violence...

10. Under physical abuse wife beating by husband and in-laws, confining women in room, blow, punch, slap, kick, hair pulling, cut, burn threat to kill, hitting with iron rod or any weapon, iron shovel, wooden piece, broom; burning alive, killing, squeezing the throat of married women, beating in pregnant condition are the most common.

11. The nature of economic abuse against women in Cachar district include driving them out of home, snatching their ornaments and clothes, preventing them from doing job, taking the profit of wife’s business and not giving money to wife for daily household expenditure.

12. Emotional abuse include threat to kill, husband’s physical relationship with other women, taking signatures of victims on blank papers, keeping the wife in rented house other than husband’s own house, assaulting the children, threat to be driven out of matrimonial house on failure of bringing demanded dowry articles or cash etc.

13. Verbal abuse include scolding the wife using slang language and sexual abuse such as, unwanted sexual demands by husband after consuming alcohol.

14. The causes behind the problem of domestic violence against women in Cachar district are varieties such as, dowry, extramarital affairs of husbands, illegal physical relationship of husbands with other women without getting a legal divorce from their wives, alcoholism, suspecting wives for having illegal relationship, for snatching property of wives/mothers/sisters by husbands or in-laws or by sons, brothers; for giving birth to female child and for taking the earnings of their wives etc.

15. After studying the judgment of these cases it is seen that in most cases the alleged person is acquitted either because of the lack of proof required to prove the allegations or both parties go for mutual settlement of the case. In a
few cases the judiciary could hold that the petitioner had been treated with cruelty by the respondent. Regarding permanent alimony or maintenance out of 83 petitioners 27 (32.53 per cent) have been awarded this by judiciary and DLCCIW.

In fine, there are a number of causes of domestic violence such as, extramarital affairs, dowry, etc. among others. Domestic violence has curtailed freedom and diminished the dignity of women. It has even become a threat to women’s fundamental right to life. It is seen from the above mentioned cases that the human rights of women in the district are grossly violated. The study shows that in spite of the presence of different protective mechanisms the human rights condition of women in the district is afflicting.

In the next chapter (Chapter V) we present the findings of the empirical study of some other cases of violence against women within the households in the district of Cachar and try to understand the nature of domestic violence against women in the district, the response of the victims towards domestic violence and examine awareness of victims about the existing legal/redressal mechanisms and to find out the nature of help/support from different agencies taken by the victims of domestic violence. This will enable us to understand the problem more deeply.