



LAW AND A LIE THAT RUINED LIVES; A SOCIO-LEGAL STUDY ON THE IMPACT OF FALSE RAPE ALLEGATIONS ON MEN MENTAL HEALTH IN INDIA

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ABSTRACT :

The Indian court system's gender prejudices have put a lot of burden on men's mental health in recent years. The fact that we must dedicate a whole month to men's mental health—which is also unknown to everyone—helps to explain the status of males in today's society. This raises the question of whether men in Indian society are truly respected or if they are merely puppets who are easily sucked into false accusations with no one to listen to their cries. It is really disheartening to observe that although India is making strides in the direction of equality, if there is a provision in Indian law that shields men against these baseless accusations, it is not routinely applied. This essay critically examines the effects of these accusations on man's mental health and highlights the limited legal choices available to them. The idea that there are no measures in the Indian judicial system to protect males against false accusations was further solidified with the establishment of Bhartiya Nyaya Sanhita (BNS). Does this effectively indicate that men are exempt from harassment or attack by women if existing laws affecting rape and assault are classified as offenses against women or children? The legal safeguards provided to males who are harassed, abused, or wrongfully charged are seriously called into question by this. whoever decides the gender ratio, we argue in this article that laws should be gender neutral rather than gender centric or prejudiced toward any one gender.

Keywords; Women, Men, Mental Harassment, Fake Allegations

Introduction:

The word "rape," which comes from the Latin "rapio," which means "to seize by force," now refers to a grave infringement of human rights and physical autonomy. Rape is still a serious problem in India, where it is made worse by societal shame and a lack of prompt punishment. By addressing compulsion, deceit, drunkenness, and the incapacity to provide permission, Section 63 of the Bhartiya Nyaya Sanhita, 2023, expands the legal definition of rape to encompass a variety of non-consensual sexual activities.²

Although women's rights are strengthened by these legal developments, justice is seriously threatened by growing worries about the abuse of rape laws, particularly when false accusations are made out of personal grudges or broken relationships. Reputations & mental health can be permanently damaged by such situations, and those who are wrongfully accused frequently face social and legal repercussions.

Examining the fine line between safeguarding actual victims and avoiding legal abuse is the goal of this study. It examines inadequacies in the application of pertinent laws (such as IPC Sections 211, 182, 195, and 196), and it promotes gender-neutral, fact-based changes that preserve judicial equity and safeguard all parties.³

A false allegation is a claim made against a person or organization that is inaccurate or unjustified. These charges fall within the categories of unsupported, baseless, or deceptive statements. Both more formal legal & judicial procedures as well as casual, daily situations might give birth to false accusations.

From a sociological perspective, this article investigates whether the current gender-biased legal approach effectively addresses the issues it aims to address and what impact this has on social justice. The study's conclusion advocates for a more balanced legal system that ensures justice and mental health for all genders and highlights the need for unbiased laws to curb the rise in male marginalization and psychological suffering.

The #metoo movement was a powerful and earnest campaign that helped many women who had been raped, sexually harassed, assaulted, or subjected to any other crime that affected them physically or psychologically. This movement undoubtedly marked a sea change in society, and many men participated as well, doing all in their power to help their female friends, coworkers, sisters, children, and wives. The concept of gender-inclusive crime was struggling to gain traction during this time.

The concept of gender-neutral crime was having trouble gaining traction at the time, so individuals used social media to spread the word that males are not just predators of sexual assault but may also become victims of it. Men perceive sexual assault as a very obscure behavior, but they are unaware of it, thus the public is still not ready to accept them as victims. The judicial system and society still do not acknowledge males as possible victims of sexual assault and harassment, despite numerous attempts on social media and in various magazines.

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² Halder, D., & Basu, S. (2024). Digital dichotomies: navigating non-consensual image-based harassment and legal challenges in India. *Information & Communications Technology Law*, 1–24

³ Admin. (2025, February 6). Gender-Neutral Laws in India: A Progressive Step Towards Equality

The situation has gotten worse since new regulations were introduced. They were supposed to be more gender neutral and varied, but unfortunately, they had gender prejudices built into them. The BNS, which sought to modernize criminal laws, was heavily criticized for its provisions that were centered on women and solely protected them, often to the utter denial of male victims.

As demonstrated by the BNS 2023, India's existing judicial system does not sufficiently recognize male accusers of sexual assault or shield males from unfounded allegations⁴.

The significance of rights for males is diminished by this gender bias in laws, which even violates the fundamental rights enshrined in the Indian constitution. Additionally, this keeps the male victims from speaking out or sharing their complaints.

According to the dictionary, sexual assault is "illegal sexual contact that usually involves force upon a person without consent or is inflicted upon a person who is incapable of giving consent (as because of age or physical or mental incapacity) or who places the assailant (such as a doctor) in a position of trust or authority"⁵. This definition states that anybody, regardless of gender or sex, can be the victim of assault. But society has a tendency to assume that the man is always the attacker and that this is usually a female.

Conventional gender stereotypes show men as strong and assertive and women as submissive and obedient. Since of this stereotype, males can never be victims since they are physically powerful and can protect themselves from such attacks, whereas women are the only ones who suffer because they are weak.

Stereotypes like this prevent people from considering that males are the victims and women are the offenders. However, this discourages males from reporting crimes against them because they believe that doing so would call into question and make light of their manhood. This therefore has disastrous effects on both their sexual and mental health.

Legal Framework

The law that defines and makes rape a crime in India is found in Section 63 of the BNS 2023. The several types of non-consensual sexual contact are described in this section along with the circumstances under which consent is deemed void, such as when it is acquired by compulsion, fraud, or threats. Additionally, the clause expressly safeguards those who are unable of giving permission for various reasons, including mental illness or being a juvenile. This paradigm is essential for protecting sexual rights and individual autonomy because it makes sure that individuals who engage in sexual abuse are held responsible.

Gender-Specific Nature of Rape Laws

India's present rape laws, especially Section 63, are gender-specific and mainly target women's susceptibility to sexual assault. This strategy, which positions women as the majority of rape victims, has been the cornerstone of India's legislative protection against sexual assault. Although this clause is essential to protecting women's rights and dignity, it does not account for the potential that males and other gender identities may also be subjected to comparable abuses.⁶

Since sexual violence may impact people of any gender, requests for gender-neutral legal reforms have grown in response to the law's narrow application. In order to ensure that males and transgender people may also seek legal recourse when they are the victims of sexual abuse, proponents contend that changing the legislation to reflect gender neutrality will provide equal protection to all survivors of sexual violence. The necessity of revisions emphasizes how our view of sexual assault is changing and how crucial it is to have a fair legal system for all people, regardless of gender.⁷

The purpose of the legislation is to protect and promote people's rights and dignity. India has made significant strides in drafting legislation to defend and advance women's rights. The country has also launched a number of initiatives to raise awareness of women's empowerment, including:

Some Schemes Initiated by Indian Government⁸:

- Beti Bachao Beti Padhao Scheme 2015
- Women Entrepreneurship Fund Scheme 2020
- Nari Shakti Puraskar 2016
- Mahila Shakti Kendra Scheme, 2017
- Women Helpline Scheme 2016
- Women and Child Development (WCD) Ministry Schemes
- Support to Training and Employment Programme for Women (STEP) 1986-87
- Sukanya Samridhi Scheme 2015
- One-Stop Centre Scheme 2015
- SWADHAR Greh 2018
- Mahila E-Haat 2016

In various ways, each of these projects makes a substantial contribution to the advancement of women's rights. Darwin's classical theories and the contemporary notion of social stratification are both discussed in relation to social inequality. "Social inequality is thus an unconsciously evolved device

⁴ https://www.ejss.net.in/article_html.php?did=15382

⁵ WIKIPEDIA, https://en.wikipedia.org/wiki/Jasleen_Kaur_harassment_controversy

⁶ B, M. R. (2022). Rape Laws in India: a gender perspective. SSRN Electronic Journal.

⁷ Editor_4. (2021, May 27). Should Sexual Offences be Gender Neutral | SCC Times. SCC Times.

⁸ <https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=1795471>

by which societies ensure that the most important positions are conscientiously filled by the most qualified persons," Wilbert E. Moore and Kingsley Davis authored "Some Principles of Stratification." Any society, no matter how simple or complex, must inevitably have some level of institutionalized inequality since individuals must be identified by their status and esteem for. In order to protect the rights of oppressed women who are unable to speak up or defend themselves, the Indian government has created a number of laws, rules, and regulations. Nonetheless, a tiny percentage of women will always attempt to take advantage of all the government's efforts. We call this abuse the "weaponization of laws." This weapon is used by a specific percentage of women to intimidate or harass males in order to get them to comply with their immoral and unethical demands. In *C. Tamilkumaran vs. Vedagnana Lakshmi*, which was decided on September 23, 2024, the wife refused to let her husband's family into their house, demanded that he listen to her, and placed restrictions on him that said he could never speak to his parents or interact with his family in any way. If not, she threatened to kill herself or use both of her parents, who are High Court Advocates, to bring a fake dowry case upon the husband's entire family. The woman's brother contacted the husband and demanded that he take the wife home and treat her appropriately, failing which he would suffer the severe repercussions of a fake dowry case.⁹

This was only one example; there are countless others that are just as heinous or even worse. The following are examples of laws that have been discovered to be misused:

- **Dowry Laws:** Section 85 of the BNS, 2023 was created to prevent harassment linked to dowries, but it has frequently been used to extort and make false claims against spouses and their families. Many contend that its abuse has been encouraged by the lax sanctions for fake reports.
- **Domestic Violence Act:** To safeguard women who are victims of domestic abuse, the Domestic Violence Act was passed. It has also been misused to harass vulnerable family members, such elderly parents and distant relatives, during marital disputes.
- **Rape Laws:** There have been instances of false accusations made for monetary gain or personal resentment, despite the fact that strong rape laws are required to protect women from sexual violence.
- **Prevention of Sexual Harassment Act:** To provide secure working environments for women, the POSH Act was passed. In several cases, women have falsely accused coworkers or superiors of settling personal scores.
- **Abuse of kid Custody Laws:** Some women take advantage of laws that give mothers exclusive custody of children after divorce and custody disputes, regardless of what is best for the kid.

DISCUSSION ON ACTUAL ISSUE

Cultural and societal conventions that portray women as being particularly susceptible to certain types of offenses have traditionally shaped the Indian legal system, leading to the inclusion of gender-specific clauses in a number of legislations. For example, there are severe criminal penalties for rape, assault, dowry killing, and other offenses under chapter-5 of the Bhartiya Nyaya Sanhita, (BNS) 2023; yet, the national government had to take these legislative actions.

However, some of the requirements are not as fair and just as they are supposed to be. Section 69 of the BNS, 2023, is a good example of how the criminal laws can be used as a weapon to make false accusations¹⁰.

However, prior to the implementation of BNS, 2023 Sec 376, we have seen several instances in recent years when women have falsely accused males in case of rape after breakup. India is undoubtedly home to a large number of rape instances, many of which are thought to go undetected. However, whenever consensual partnerships go sour, it is undeniable that women frequently initiate lawsuits against their individual spouses.

Kiranmayee Nayak, the head of the women's commission in Chhattisgarh, once said, "If a married guy entices a girl into an affair, she has to know if he is telling the truth and if he would help her survive or not. Both of them, mostly the ladies, go to the police if that isn't the case. She said, "In most of the cases, girls have a consensual relationship, a live-in setup and then file a FIR (First Information Report) for rape after separation."¹¹

The Delhi High Court also noted in 2017 that "this court had observed on several occasions that the number of cases where both persons, out of their own will and choice, develop consensual physical relationship, and when the relationship breaks up due to some reason, the women use the law as a weapon for vengeance and personal vendetta."

It went on to say, "They frequently turn such voluntary actions into rape episodes, which may be motivated by rage and frustration, negating the intent of the clause. This necessitates a distinct separation between consenting sex and rape, particularly when the suit alleges that agreement was obtained in exchange for a marriage commitment.

The court's decision was noteworthy because it rejected the plea of a 29-year-old woman who had sued her husband in order to take action in the rape case prior to their 2015 marriage. The country is now in danger from false rape cases brought for the evil purpose. It supports Indian men's inferior status in the current legal system, which views men as the aggressors and women as the victims. Some shrewd women are abusing the regulations designed to protect real victims. It's time for people to understand that crime knows no gender boundaries and that comprehensive investigations must be conducted before a guy is found guilty on false charges.

A 10-year-old child in Muzaffarnagar district was sodomized by a young person in an instance of sodomy, which is the sole conduct under Section 377 that shields males from male-on-male rape. The culprit is still at large, and the police have not taken any action to deliver justice to the sodomized

⁹ C.Tamilkumaran vs Vedagnana Lakshmi on 23 September, 2024

¹⁰ Bhartiya Nyaya Sanhita, 2023 sec 69

¹¹ <https://timesofindia.indiatimes.com/city/raipur/many-rape-cases-filed-after-break-up-chhattisgarh-women-panel-chief/articleshow/79702636.cms>

youngster. Nearly 1 in 38 men have been the victim of full or attempted rape at some point in their lives, according to data from the Centres for Disease Control and Prevention (CDC)¹².

Most false allegation instances involve someone purposefully lying about having been raped or sexually assaulted. They may even submit a police report in addition to making up a victimization claim. In a situation involving rape or sexual assault, this false allegation may then lead to the criminal prosecution of an innocent party.

There are several reasons why someone may claim a rape or sexual assault falsely, even when it seems unimaginable. Among the more prevalent hidden motives we come across are:

- To express regret
- To express anger
- To deny a consensual sexual encounter
- Revenge
- To generate sympathy
- Material (monetary) gain
- To gain leverage in a custody or divorce proceeding
- To create an alibi
- To draw attention
- Mental instability

Impact Of False Allegations on Men and Judicial Statement

These days, survivors of violence and sexual assault talk about their own experiences. Their bravery in sharing extremely personal parts of their life is admirable, but it has also led to a culture that might encourage unfounded claims of rape.

False accusations might have disastrous consequences during a period when all claims of sexual misbehaviour are treated with extreme seriousness. Sexual assault charges, such as rape or child abuse, are extremely severe and should never be dismissed. The issue is that overly many people take advantage of sexual assault allegations for personal benefit.

There have been reports recently of women in Madhya Pradesh filing false claims of rape. Even police officers and attorneys are allegedly implicated in the gang that women are a member of. According to reports, some women have filed four or five formal complaints against males in order to receive government compensation if they belong to the ST/SC category. Otherwise, the women become hostile in court or a large sum of money is demanded from the males in the guise of compromise and settlement.

Not only do these kinds of situations occur in one state, but they may also occur in other states, and I don't record them. I want to talk about the consequences of making such a baseless accusation. The "alarming increase" of fake rape cases being filed "only to arm-twist the accused and make them succumb to the demands of the complainant" was a concern raised by the Delhi High Court in August 2021.

According to a Delhi court, women who fabricate rape accusations to settle personal scores should be prosecuted and punished since they inflict the accused great suffering and humiliation, which persists even after they are found not guilty.

Add. Sessions Judge Virender Bhat ordered the court personnel to file a report against the lady with the Chief Metropolitan Magistrate for fabricating false accusations after clearing two Delhi youths of gang rape charges in 2014.¹³

"It is very difficult, nay impossible, to restore the lost honour and dignity of a rape accused after his acquittal from the court. They are never compensated for the emotional distress, humiliation and pecuniary damage suffered by them," he said.

The person's total loss of self-esteem and confidence is what is most worrisome. Men and their families experience psychological harassment in addition to social and financial harassment. "Of the 30 participants, 19 felt they had experienced permanent changes to their personality, such as becoming paranoid and anxious (60%), hypervigilant or antagonistic (50%) and less confident (53.3%)," according to research by K Brooks and Greenberg (2020)¹⁴. In addition to personality changes, participants also suffered from a number of additional losses associated with their sense of self, such as diminished credibility and dignity, a diminished feeling of self as a loving parent, and a diminished sense of hope and purpose for the future." Many people experience anxiety, sadness, and becoming indifferent and aggressive toward the outside world. They believe they don't need to care about anyone else because no one cared about them. These accusations have a lasting effect on these men's brains, and some of them kill themselves due to trauma and sadness. In addition, many of them lose their jobs, making life miserable, and many of them have trouble finding employment, even if they are innocent.

Deepak Sangwan, a citizen of Dwarka, Delhi, shot himself in the neck to end his life in 2021. He left a note claiming that a woman and her father had filed a false rape case against him.

According to reports, Sandeep, 30, of Farukh Nagar, committed suicide after being set up by a Rajasthani family. His family claims that Sandeep had lent Saheb Singh Rs. 3 lakhs and had been pursuing him for several months to return the money. Saheb Singh falsely accused Sandeep of rape and continued to seek more money from him rather than repaying the loan. Sandeep had severe emotional anguish as a result of this, and he hung himself from a tree on the grounds of a school in his hometown. Sandeep called his uncle Muneesh just before he killed himself to inform him that he had prepared a suicide note. Sandeep blamed Saheb Singh and his family for the suicide, according to the suicide note¹⁵.

¹² Ibid.

¹³ <https://www.hindustantimes.com/delhi/delhi-court-orders-trial-against-woman-for-false-rape-claim/story-nuDZ2FArDKlw9OlpNx20KM.html>

¹⁴ K Brooks and Greenberg (2020)

¹⁵ Jignasa Sinha, March 15, 2021, Delhi: man commits suicide over fake rape cases,

A closer look at the data shows a worrying pattern of rising fake rape allegations. 2,556 of the 46,984 rape cases that were investigated in 2017 were out to be fake. In 2017, the proportion of fictitious cases was 5.4%. Although the number of rape cases that have really occurred has not increased much over the last five years, the number of rape cases that have been fraudulently reported has increased by 55%.¹⁶ 3.6% (6,938) of incidents included assault by spouses or family members, and 9.1% (11,680) involved kidnapping and forced confinement of women. Furthermore, 5.4% (6,764) of the false instances involved attacks or the use of illegal force with the intention of offending a woman's modesty.

In 2021, 5.8% of cases of crime against women are false.

"LET HER EARN" brings to mind the most recent and well-known trending case that was filed in the Karnataka High Court. This case, however, represents a new way of harassing the husband or male partner by requesting maintenance payments that are so high that the judge herself said, "let her earn".

Judge Lalitha Kanneganti of the Karnataka High Court dismissed the wife's motion, stating that the outrageous sum was irrational. "Does anybody spend this much, a single lady for herself, if she wants to spend, let her earn, not on the husband?" the court urged the wife's attorney to come up with a fairer sum.

This case demonstrates how provisions according to the Hindu Marriage Act, 1955, which are intended to help dependent spouses financially during continuing legal issues, may be abused. The judge's ruling serves as a warning to spouses who are requesting maintenance to prioritize their financial obligations and to make fair requests.

The following are some brief facts of the case of *Prateek Bansal vs. The State of Rajasthan*, a landmark ruling that revealed another instance of a wife and her family harassing her husband by bringing legal action against him in multiple states:¹⁷

In the exercise of its criminal appellate jurisdiction, the Hon'ble Supreme Court on April 19, 2024, rendered a most learned, laudable, landmark, logical, and recent ruling that fined a wife's father Rs 5 lakhs for filing a false Section 498A IPC case against her husband in multiple locations in order to harass him by having him stand trial in multiple locations.

It should be noted that the Apex Court Bench, which was composed of Hon. Mr. Justice Vikram Nath and Hon. Mr. Justice Prashant Kumar Mishra, did not hold back when they declared: "We thus deprecate this practice of state machinery being misused for ulterior motives and for causing harassment to the other side (husband), we are thus inclined to impose cost on respondent No.2 (wife's father) in order to compensate the appellant (husband)." The top court further stipulated that the appellant (husband) would receive Rs 2.5 lakhs of the Rs 5 lakhs cost, with the remaining amount being transferred to the Supreme Court Legal Services Committee's account and deposited with the Apex Court Registrar within four weeks. As a result, the Apex Court dismissed the ongoing FIR in Udaipur and granted the husband's appeal.

Most notably, the Bench stipulates in paragraph 11 that "We believe that respondent Nos. 2 and 3 had been abusing their official position by filing complaints one after the other in the facts and circumstances as documented above." Additionally, their failure to attend before the Hisar Trial Court or to drop their suit there would demonstrate that their sole goal was to torment the appellant by forcing him to stand trial in Hisar and then Udaipur.

Additionally, it would be pertinent to note that the appellant had been arrested and released on bail. The respondent Nos. 2 and 3 have been vehemently opposing the quashing of the FIR at Udaipur before this Court. We may also note that in the complaint made at Hisar, there are allegations to the effect that when respondent No.2 visited the appellant at Hisar, he had made a demand of Rs. 50,00,000/- and also an Innova Car. Therefore, the argument that Udaipur was the only location where a crime was committed was also incorrect. We thus deprecate this practice of state machinery being misused for ulterior motives and for causing harassment to the other side, we are thus inclined to impose cost on the respondent No.2 in order to compensate the appellant."

In conclusion, the Bench holds in paragraph 12 as a consequence that:

"In light of the foregoing, the appeal is granted. The impugned order passed by the High Court is quashed, and the impugned proceedings registered as FIR No. 156 of 2015 dated 01.11.2015, Women Police Station, Udaipur are quashed with costs of Rs. 5,00,000/- (Rs. 5 Lacs Only) must be paid with this Court's Registrar within four weeks, with half going to the appellant and the other half to the SC Legal Services Committee's account¹⁸. There is no denying that it is past time for the Centre to make the necessary changes to the laws pertaining to rape, dowries, and women's safety. These laws are frequently abused by women and their family members by falsely accusing men, their parents, and other family members. These laws should not be allowed to remain unpunished, unaccounted for, or unhindered under any scenario any longer. Those who file false and vexatious complaints should be forced to pay hefty compensation and be imprisoned for at least two to three years. The most severe punishment, which may include a few years in jail, must be meted out when the court determines unequivocally that the officer who investigated purposefully carried out a skewed and dishonest inquiry in order to frame innocent people. It is undeniable that if judges follow the precedent set by this important case law, no woman or her family are going to dare to violate laws intended to protect women.

Another vicious event occurred in Delhi in August 2015 and was termed the Jasleen Kaur Harassment case. In this instance, Jasleen Kaur falsely accused Delhi resident Sarvjeet Singh Bedi of harassing her at a traffic signal and further claimed that Singh had made offensive remarks about her.¹⁹ He was referred to as 'Delhi Ka Darinda (Delhi's Predator)' for an act that never took place and rendered him helpless. In the meantime, he is subjected to a number of severe punishments for the crime. Singh was laid off. His mother's condition also declined significantly, and Singh had no way to engage an advocate for himself. The entire family became so disturbed that his father suffered a heart attack, and an eyewitness later attested to Singh's innocence, giving Singh's story more credibility. An Indian court cleared Singh of all allegations and declared him innocent in October 2019. The Delhi HC ultimately

¹⁶ IndiaInfacts data Centre, 28- September-2023, 'False Rape Cases Increased by 55% in the Last Five Years, Reveals NCRB Data'

¹⁷ 2024 INSC 324

¹⁸ Adv. S. Sirohi, 22 April 2024, Lawyers Club India, <https://www.lawyersclubindia.com/articles/sc-imposes-rs-5-lakh-cost-on-wife-s-father-for-filing-false-cases-at-different-places-to-harass-husband-16608.asp>

¹⁹ Wikipedia, https://en.wikipedia.org/wiki/Jasleen_Kaur_harassment_controversy

rejected Sarvjeet Singh's request for a criminal probe against Kaur for fabricating unfounded allegations. This episode serves as an example of how the gendered nature of the Indian judicial system results in harsh penalties even for those who have not committed a crime, while the person who made a number of unsubstantiated claims is living a free life, and a case was brought against them under sections 182 and 250 of the Criminal Procedure Code.²⁰

Impact of False Allegations

Psychological, Social, and Legal Fallout for the Falsely Accused

Regardless of a conviction, a false charge of sexual assault can cause significant disruptions to the accused's life. On an emotional level, it frequently leads to extreme tension, embarrassment, worry, and melancholy. Socially, the accused can experience public humiliation, lose relationships in both their personal and professional lives, and be shunned. The actual legal process is exhausting and is marked by intrusive inquiries, escalating legal fees, and constant monitoring²¹. Complete social acceptance and professional recovery are frequently thwarted by the residual stigma, even in cases of acquittal.

Loss of Faith in Real Survivors

False accusations may unintentionally cause harm to actual victims of sexual assault. When fraudulent instances are exposed, they throw doubt on genuine allegations and increase scepticism and distrust. This atmosphere of scepticism may deter survivors from coming forward out of fear of incredulity or criticism. Since real victims could find it difficult to receive the assistance and justice they are entitled to, attempts to establish a secure reporting environment are also jeopardized, compromising the legitimacy of the court system.

Declining Public Trust and Pressure on the Legal System

These rape allegations put further strain on the already overworked legal and law enforcement agencies. In order to look into and decide on unfounded allegations, valuable time, money, and staff are diverted, which causes backlogs and delays in legitimate cases. The public's trust in the justice procedure is weakened by such inefficiencies. False reporting has the danger of undermining the legitimacy of legal institutions and the fairness standards they support if it is thought to be common or not sufficiently punished.

REMEDIAL MEASURES

False accusations, such as fictitious rape cases, are addressed by specific laws and remedies. The Indian Penal Code, 1860, which was recently simplified to the Bhartiya Nyaya Sanhita, 2023, governs these laws in India.

Several of the statutes are:

- False information intended to persuade a public servant to use his lawful authority to harm another person is covered by Section 217 of the BNS.²²
- A false accusation of an infraction committed with the purpose to cause harm is covered by Section 248 of the BNS.²³
- The BNS's Section 227 addresses providing false substantiation.²⁴
- Section 237 of the BNS addresses the use of comparable protestations as true when they are untrue.²⁵
- Section 231 of the BNS addresses providing or creating false evidence with the intention of being found guilty of a crime carrying a life sentence or other severe penalties.²⁶

Falsely entangled individuals can use these laws to cleanse their identity from fictitious cases and guarantee that those who file them face consequences. The idea that someone is innocent until proven guilty is the most crucial one for ensuring justice. This assumption will guarantee that trials are fair and that people won't be wrongfully punished without sufficient evidence. This concept is derived from the Latin phrase "Ei incumbit probatio qui dicit, non qui negat," which states that rather than the accused establishing his innocence, the burden of proof rests with execution to demonstrate that the accused is shamefaced. We can maintain the integrity of our legal system by using this testimony.

Conclusion

It is not necessary to oppress others in order to elevate one segment of society; otherwise, the goal of equal treatment in terms of fundamental rights would be defeated, and men would be blatantly denied such rights. The situation is important to know that the idea that women are the only victims,

²⁰ Ibid.

²¹ Admin. (2023, June 7). The impact of false allegations and the lack of redress of the harm caused.

²² The Bhartiya Nyaya Sanhita, 2023, Sec -217

²³ The Bhartiya Nyaya Sanhita, 2023, Sec - 248

²⁴ The Bhartiya Nyaya Sanhita, 2023, Sec - 227

²⁵ The Bhartiya Nyaya Sanhita, 2023, Sec- 237

²⁶ The Bhartiya Nyaya Sanhita, 2023, Sec- 231

which is so deeply ingrained in our society, is wrong because women have come a long way and are not behind in the current situation. When everything is considered, it is plausible to claim that the existing legal system is skewed against women, a fact that is used by some women against their respective male spouses to force them to agree to their irrational and unfounded demands. It has been noted that women have occasionally applied these rules against their own fathers or children.

In addition to harming the well-being of those wrongfully accused, women's and their families' abuse of these laws compromises the legitimacy of legitimate cases, making the struggle for justice less visible.

Coercion and manipulation are frequently cultivated when one group is given more power at the cost of the other. The men's ongoing harm to their reputations and societal shame make new gender-neutral legislation imperative. We may establish a legal system that protects everyone's rights, regardless of gender, by ensuring that the structure of the law does not favor any one gender over another.

The idea of gender-neutral legislation is not new. There is currently legislation in a number of nations that do not target any particular gender, including:

Because it prohibits harassment, the UK's "Protection from Harassment Act, 1997" is gender-neutral: "A person must not pursue a course of conduct which amounts to harassment of the other." It is clear that this context makes no reference of any gender. Both sexes are equally covered by the Act. Likewise, in South Africa, "The Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007 has declared rape and sexual assault as act of 'any person' thus framing it genders neutral...Again, the Domestic Violence Act, 1998 defined complainant as "any person who is or has been in domestic relationship with the respondent." which is a practical fairness approach".

These are but a handful of excellent illustrations of how changing the wording of legislation may have a significant impact. In conclusion, it is important to note that although the present legislative structure is rightly intended to protect women, it has to be reformed to stop certain groups from abusing it. The most crucial step in creating a country where equality is not only a concept but is really realized via legal requirements is the adoption of gender-neutral legislation. Building a community where everyone's interests are taken care of, regardless of gender, should be our goal. This step would not only help in confronting the immediate issue of false accusation but would also encourage equality and fairness for all.

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