
**INVISIBLE VICTIMS: A HUMAN RIGHTS ANALYSIS OF DOMESTIC
VIOLENCE AGAINST MEN IN INDIA**

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DOI: <https://doi-doi.org/101555/ijarp.6990>**ABSTRACT**

Domestic violence is universally acknowledged as a critical human rights violation, yet its conceptualization and legal remediation remain profoundly gendered. In India, the legislative framework epitomized by the Protection of Women from Domestic Violence Act, 2005 explicitly constructs domestic violence as a crime against women, with men positioned exclusively as perpetrators. This paper challenges that binary by examining the invisible reality of male victims of domestic violence in India. Through a doctrinal legal analysis incorporating empirical data from the National Family Health Survey, judicial precedents, and comparative jurisdictional analysis, this research establishes that domestic violence against men is not a statistical anomaly but a significant social phenomenon requiring urgent legal recognition. The paper argues that the current gender-specific legislative framework violates fundamental constitutional guarantees of equality before the law (Article 14) and undermines India's international human rights obligations. By rendering male victims invisible, the law perpetuates suffering, denies access to justice, and reinforces harmful masculine stereotypes. Drawing on successful gender-neutral models from jurisdictions including the United Kingdom and the United States, this paper proposes comprehensive legal reforms including amendment of the PWDVA to encompass all genders, establishment of support infrastructure for male victims, and judicial sensitization programs. The paper concludes that genuine gender justice demands legal frameworks that protect all victims of domestic violence, irrespective of gender, without diminishing the imperative to address the disproportionate violence experienced by women.

1. INTRODUCTION: The Invisible Victim

The phenomenon of domestic violence occupies a paradoxical position in contemporary Indian discourse: simultaneously visible and invisible. It is visible in its legislative articulation, judicial pronouncements, and activist interventions all of which have, over decades, constructed a powerful narrative of women as victims and men as perpetrators. Yet it remains invisible in its alternate manifestation: the man who suffers physical assault, psychological torment, or economic deprivation at the hands of his intimate partner. These men constitute what this paper terms the "invisible victims" individuals whose suffering is rendered legally non-existent, socially unspeakable, and academically under-examined.

The Protection of Women from Domestic Violence Act, 2005 (hereinafter PWDVA) represents a landmark legislative achievement in India's journey toward gender justice. Enacted to give effect to the constitutional mandate of equality and India's international obligations under instruments including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Act provides comprehensive protection to women experiencing domestic violence. Its preamble explicitly states its objective: "to provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family."

Yet this very specificity, while historically necessary and socially valuable, has created an unintended consequence: the complete legal erasure of male victims. As Ansari and Kumar observe in their recent study, matrimonial laws in India "are primarily focused on women protection as the Domestic Violence Act, 2005 or sections 85-86 of the *Bhartiya Nyaya Sanhita*, 2023. These laws were initially made to empower and secure the women against cruelty and abuse but are silent about abuse of husbands by their wives or her family in a marriage." This silence is not merely legislative oversight; it constitutes a form of institutional violence that denies legal personhood to male victims, rendering their suffering juridically unintelligible.

The invisibility of male victims operates through multiple mechanisms. Legally, the absence of gender-neutral provisions means that men cannot access protection orders, residence orders, or monetary relief under the PWDVA. Socially, dominant constructions of masculinity preclude acknowledgment of victimhood men who report abuse face ridicule, emasculation, and disbelief. Culturally, the deeply entrenched patriarchy that subordinates women simultaneously constructs men as invulnerable, denying them the vocabulary of suffering. As one study notes, "the social, cultural, and emotional barriers in society prevent us from recognising the victimisation of men by women."

This paper undertakes a comprehensive human rights analysis of domestic violence against men in India. Part 2 examines the empirical evidence establishing the prevalence and nature of such violence. Part 3 analyzes the existing legal framework, identifying its gendered assumptions and constitutional vulnerabilities. Part 4 situates the issue within international human rights law, arguing that the exclusion of male victims violates multiple treaty obligations. Part 5 offers comparative perspectives from jurisdictions with gender-neutral legislation. Part 6 proposes a framework for legal reform, and Part 7 concludes with reflections on the relationship between gender justice and legal inclusivity.

2. The Hidden Prevalence: Empirical Evidence of Domestic Violence Against Men

2.1 National Estimates and Methodological Challenges

The invisibility of male victims is sustained partly by the absence of robust data. India's primary sources of violence statistics the National Crime Records Bureau (NCRB) and the National Family Health Survey (NFHS) have historically focused on female victimization. The NCRB maintains comprehensive statistics on crimes against women but collects no equivalent data on male victims of domestic violence. This statistical silence reinforces the perception that such violence does not exist or exists at negligible levels.

However, recent scholarship has begun to pierce this statistical veil. A landmark study published in the *Journal of Biosocial Science* analyzed data from the fourth National Family Health Survey (NFHS-4), examining a sample of 62,716 currently married women aged 15–49 years to understand the prevalence and risk factors of physical violence against husbands. The study's methodology using women's reports of their own perpetration of violence circumvented the underreporting that occurs when male victims are surveyed directly, given the stigma associated with male victimhood.

The findings are striking. The research revealed that "in most of the states of India, physical spousal violence has increased over time" and identified significant regional variations in perpetration rates. Behavioural characteristics including marital control, alcohol consumption, and childhood experience of parental violence emerged as consistent predictors of violence perpetration by wives against husbands. The study further found that "with age, experience of violence against husbands increases," challenging assumptions that such violence is confined to younger couples.

Perhaps most significantly, the research identified complex socioeconomic gradients in violence perpetration. Working women who earn cash and have access to mobile phones were found to perpetrate more physical violence in selected regions. Education showed a

protective effect, but only after a threshold: "only after achieving a certain level of education, chances of violence reduce." This finding complicates simplistic narratives that attribute violence solely to male privilege or patriarchal socialization, suggesting that changing gender roles and economic empowerment, unaccompanied by corresponding cultural shifts, may create conditions for female-perpetrated violence.

2.2 Regional Variations and Risk Factors

The NFHS-4 analysis revealed substantial regional heterogeneity in violence against husbands. States with higher levels of female autonomy and economic participation showed varying patterns of violence perpetration, indicating that "development alone may not resolve violence unless the system is addressing the behavioural aspects." This finding has significant implications for policy: interventions designed solely to empower women economically, without addressing relationship dynamics and conflict resolution mechanisms, may inadvertently increase certain forms of violence.

Smaller-scale studies provide complementary evidence. Research conducted in rural Haryana found that 52.4% of men experienced spousal violence at least once in their lifetime, with 10.5% reporting such violence in the preceding twelve months. These figures substantially exceed prevalence rates documented in Western countries, suggesting that domestic violence against men may be more common in India than previously recognized. The Partner Abuse State of Knowledge (PASK) project similarly found that prevalence of male partner violence in India exceeded that documented in the United States, Canada, and the United Kingdom.-8 Ansari and Kumar's empirical study of married men across age groups provides additional insights. Their research found that 20% of men surveyed had "at some point of time faced fake and false FIR or domestic violence cases by their spouse or the in-laws."-1 While this figure pertains specifically to legal harassment rather than direct violence, it illuminates a parallel dimension of male victimization: the weaponization of gender-specific laws to inflict psychological and reputational harm. The same study found that 45% of men reported negative experiences of marriage, while 45% reported positive experiences and 10% maintained neutral assessments.

2.3 Forms and Consequences of Violence

Domestic violence against men manifests in forms parallel to those experienced by women: physical, psychological, emotional, and economic. Physical violence includes hitting, slapping, kicking, and use of weapons. The NFHS-4 data captures these dimensions through

women's self-reports of having "ever beaten" their husbands.-8 Psychological abuse encompasses verbal humiliation, threats, isolation from family and friends, and controlling behaviors. Economic abuse includes withholding resources, incurring debt in the husband's name without consent, and interfering with employment.

The health consequences for male victims are severe and well-documented. Research indicates that "partner violence victimisation imposes certain health issues among men, whereas other health issues may result from coping with the same. According to various studies, male victims of domestic abuse have higher rates of smoking, alcohol abuse, STDs, drug abuse, anxiety, functional disabilities, depressive symptoms, asthma, and deteriorated health overall."-9 Mental health impacts include depression, post-traumatic stress disorder, and suicidal ideation. The stigma attached to male victimhood exacerbates these effects, as men are less likely to seek psychological support or disclose their experiences to healthcare providers.

The phenomenon of "suicide by tortured husband," while lacking systematic documentation, has gained attention following high-profile cases such as that of Atul Subhash, a Bengaluru-based technology professional who died by suicide in 2024, leaving behind a video alleging harassment by his wife and the legal system. While individual cases cannot establish patterns, they illuminate the desperation that can result from prolonged abuse combined with institutional unresponsiveness.

2.4 The Problem of Underreporting

The true prevalence of domestic violence against men almost certainly exceeds documented figures due to profound underreporting. Multiple factors contribute to this invisibility. First, gender socialization discourages men from acknowledging victimhood or seeking help. As one analysis notes, "male victims of domestic violence often hesitate to report their case to the police due to the societal perceptions that deem it unmanly for men to be assaulted by women. Consequently, many continue to suffer in silence."

Second, the absence of legal recognition means that reporting, even when attempted, leads nowhere. Police stations lack protocols for receiving complaints from male victims; helplines and shelters exclude men; protection orders are unavailable. This institutional vacuum communicates that male victimization lacks legal significance, discouraging potential complainants.

Third, fear of retaliatory legal action deters reporting. Men who complain about domestic violence risk being accused of perpetrating violence themselves or face counter-complaints

under the very laws that exclude them as victims. The weaponization of section 498A of the Indian Penal Code (now section 85 of the Bharatiya Nyaya Sanhita) and the PWDVA against men who seek to exit abusive marriages is well-documented. This creates a perverse incentive structure: reporting abuse invites legal peril.

Fourth, the absence of supportive infrastructure counseling services, shelters, helplines means that even men who overcome social stigma and legal barriers have nowhere to turn. The complete absence of state-funded support services for male victims communicates that their suffering is not a matter of public concern.

3. The Gendered Architecture of Indian Domestic Violence Law

3.1 Legislative Framework: Protection for Women Only

India's domestic violence legislation is explicitly and intentionally gender-specific. The PWDVA defines "aggrieved person" exclusively as "any woman who is or has been in a domestic relationship with the respondent and who alleges to have been subjected to any act of domestic violence by the respondent." The "respondent" is defined as "any adult male person who is or has been in a domestic relationship with the aggrieved person," though the Act was subsequently amended to permit complaints against female relatives as well.⁶

This gendered definition reflects the legislative history and purpose of the Act. As senior advocate Geeta Luthra argues, "by definition, these legislations are aimed at affirmative action for women and to help bring about equalization of the genders and to help women who are undeniably discriminated and victimized by men."⁶ The PWDVA was enacted against the backdrop of overwhelming evidence of violence against women, including the shocking prevalence of dowry deaths 6,450 such deaths were recorded in 2022 alone.⁶ The Act's gender-specificity was intended as remedial legislation, compensating for historical disadvantage and structural inequality.

Criminal law provisions reinforce this gendered approach. Section 498A of the Indian Penal Code (now section 85 of the Bharatiya Nyaya Sanhita, 2023) criminalizes cruelty by a husband or his relatives toward a married woman. The provision was introduced in 1983 in response to rising dowry deaths and remains gender-specific in its formulation. The Dowry Prohibition Act, 1961, similarly targets demands for dowry made upon women and their families.

Even civil remedies reflect gendered assumptions. Section 125 of the Code of Criminal Procedure, 1973, which provides for maintenance of dependents, explicitly privileges wives as recipients of maintenance from husbands while making no equivalent provision for

husbands unable to maintain themselves. This asymmetry extends throughout family law: Hindu marriage legislation provides grounds for divorce that are formally gender-neutral, but the substantive protections available to men and women during marriage and its dissolution remain deeply unequal.

3.2 The Constitutionality Challenge: Article 14 and Gender Discrimination

The exclusion of men from domestic violence protections raises serious questions under Article 14 of the Constitution of India, which guarantees equality before the law and equal protection of the laws. While Article 15 permits the State to make "special provision for women and children," this affirmative action power is not unlimited. Classifications based on gender must withstand constitutional scrutiny: they must be founded on intelligible differentia and bear a rational relation to the objective sought to be achieved.

The question is whether the complete exclusion of men from domestic violence protections satisfies this test. Proponents of gender-specific legislation argue that it does: the differentia (gender) is intelligible, and the objective (protecting women from widespread domestic violence) is legitimate. The classification is rationally related to this objective because women constitute the overwhelming majority of domestic violence victims and face gender-specific barriers to accessing justice.

However, this argument becomes increasingly difficult to sustain as empirical evidence of male victimhood accumulates. If domestic violence against men exists at significant levels and the NFHS-4 data suggests it does then the exclusion of men from protective legislation means that a class of victims is denied any legal remedy whatsoever. The rational relationship test requires that the classification actually serves the legislative purpose. Excluding male victims does nothing to protect women; it merely abandons another class of victims to suffering. As Agrahari and Umair argue, "appreciating male suffering strengthens the equality before the law rather than lessens women's rights."

The Supreme Court has recognized the potential for misuse of gender-specific provisions, even while affirming their constitutional validity. In *Arnesh Kumar v. State of Bihar* (2014), the Court expressed concern about the "indiscriminate arrest" of husbands and their relatives under section 498A and issued guidelines to prevent automatic detention. The Court directed that "no arrests should be made on the basis of the offence being non-bailable and cognisable and should not be made on a mere allegation made against any person. The arrest must not be made casually, and necessary facts and reasons should be presented before the magistrate within 24 hours of making the arrest by the police officer."

While *Arnesh Kumar* addressed procedural safeguards rather than constitutional validity, its concern with misuse implicitly acknowledges that gender-specific laws can operate unjustly. The question is whether the remedy for such injustice lies in procedural guidelines alone or requires substantive legislative reform.

3.3 Judicial Attitudes: Recognition and Resistance

Indian courts have displayed ambivalent attitudes toward male victims of domestic violence. On one hand, judicial pronouncements have occasionally acknowledged that men can be victims of cruelty and that gender-specific laws may be misused. On the other hand, courts have consistently refused to extend domestic violence protections to men through interpretative means, insisting that legislative amendment is the appropriate remedy.

The Supreme Court has emphasized that the PWDVA's protections are unavailable to men. In multiple decisions, the Court has held that the definition of "aggrieved person" is unambiguous and cannot be read to include males. This textual fidelity, while legally correct, leaves male victims without remedy. The Court has also declined to read gender-neutrality into section 498A, despite acknowledging the provision's potential for misuse.

However, some judicial observations suggest openness to reconsideration. In cases involving dowry harassment allegations, courts have occasionally noted the suffering endured by innocent family members, including elderly parents and minor children, who may be implicated in complaints. While these observations fall short of recognizing male victimhood directly, they indicate judicial awareness that gender-specific laws can produce unintended victims.

3.4 The Problem of Misuse and Its Implications

Any discussion of domestic violence against men must confront the contentious issue of legal misuse. Men's rights activists have long argued that gender-specific laws, particularly section 498A, are routinely weaponized by women to extract settlements, gain custody advantages, or retaliate against husbands and in-laws. The Ansari and Kumar study's finding that 20% of men surveyed had faced false complaints lends some empirical support to these claims.

However, the misuse narrative requires careful contextualization. Research by the Aweksha Trust, examining domestic violence cases in Bengaluru, found "little evidence of large-scale misuse of DV laws." The study revealed that "anticipatory bail was granted in over 72% of cases filed under DV-related provisions, and arrests of minors or elderly relatives were rare. The average number of accused listed per charge sheet was also relatively low typically two

to three individuals refuting claims of women falsely implicating large numbers of family members."

Moreover, the same study found that conviction rates under domestic violence provisions are dismally low just 1.08% for section 498A in Bengaluru suggesting that "institutional failures" rather than false complaints explain many case outcomes. The research also documented that survivors "prefer civil remedies under the PWDV Act over criminal prosecution," with cases under the PWDVA outnumbering criminal complaints by more than two to one. This pattern "challenges the notion that DV laws are used as tools for revenge and instead suggests survivors seek safety, not incarceration."

The misuse debate thus presents a complex picture. Isolated instances of false complaints undoubtedly occur, and their impact on accused individuals can be devastating. However, systematic evidence of widespread misuse remains elusive, and institutional failures including inadequate investigation, judicial bias, and poor evidence preservation may explain many case outcomes that are attributed to false complaints. Recognizing male victimhood need not entail accepting exaggerated claims about misuse; it requires instead a nuanced understanding of how gender, power, and legal institutions interact.

4. Human Rights Framework: Equality, Dignity, and Non-Discrimination

4.1 International Human Rights Obligations

India's treatment of male victims of domestic violence must be assessed against its international human rights obligations. As a party to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), India is bound to ensure equal protection of the law and freedom from discrimination to all persons within its jurisdiction. The exclusion of men from domestic violence protections raises questions under multiple treaty provisions.

Article 26 of the ICCPR guarantees "equal protection of the law" and prohibits "discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." The Human Rights Committee, which monitors implementation of the ICCPR, has consistently held that discrimination includes the failure to protect particular groups from violence. Where the state provides legal remedies to one class of domestic violence victims but denies them to another solely on the basis of sex, it engages in prohibited discrimination.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which India acceded in 1993, imposes specific obligations to address violence

against women. However, CEDAW's focus on women does not authorize the exclusion of men from protection. General Recommendation No. 19 of the CEDAW Committee emphasizes that "discrimination under the Convention is not restricted to action by or on behalf of Governments" but includes "any distinction, exclusion or restriction made on the basis of sex." While the Convention mandates affirmative action to address violence against women, it does not require or permit the exclusion of male victims from equivalent protection.

The Universal Declaration of Human Rights, while not a treaty, articulates principles that have attained customary international law status. Article 1 proclaims that "all human beings are born free and equal in dignity and rights." Article 7 guarantees "equal protection against any discrimination." The invisibility of male victims in India's legal framework violates these fundamental principles by denying equal dignity to those whose suffering fits neither the legislative paradigm nor social expectations.

4.2 The Right to Freedom from Violence as a Human Right

International human rights law has increasingly recognized that freedom from violence is not merely a matter of criminal justice but a fundamental human right. The UN Declaration on the Elimination of Violence against Women (1993) articulated this principle for women, but subsequent developments have extended it to all persons. The Human Rights Committee's General Comment No. 35 on liberty and security of person emphasizes that states must protect individuals from violence by private persons, including intimate partners.

The right to security of person, guaranteed by Article 9 of the ICCPR, imposes positive obligations on states to take reasonable measures to protect individuals from foreseeable threats to their physical integrity. Where the state maintains a legal framework that systematically excludes an entire class of persons from protection against intimate partner violence, it fails to discharge this obligation. Male victims who suffer violence without access to legal remedies can legitimately claim that India has violated their right to security.

The right to health, protected by Article 12 of the ICESCR, further supports this claim. The World Health Organization has documented the severe health consequences of domestic violence, including physical injury, mental illness, and increased mortality. By denying male victims access to protection orders, counseling services, and other interventions, India fails to take steps necessary for the realization of the right to health for all persons.

4.3 The Principle of Non-Discrimination and Substantive Equality

The human rights framework distinguishes between formal equality treating likes alike and substantive equality achieving equal outcomes through measures that address structural disadvantage. Affirmative action for women, including gender-specific domestic violence laws, is justified as a means of achieving substantive equality by remedying historical discrimination and addressing women's particular vulnerabilities.

However, substantive equality does not require the complete exclusion of men from protection. Rather, it requires that measures designed to address women's specific needs be complemented by general protections available to all. As the Human Rights Committee has emphasized, affirmative action must be "proportional" and must not "continue after the objectives for which they were undertaken have been achieved." While India has not yet achieved the objective of eliminating violence against women, the existence of male victims demonstrates that women are not the only class requiring protection.

The concept of intersectionality, central to contemporary human rights analysis, illuminates the multiple dimensions of male victimhood. Men who experience domestic violence may face discrimination not only as victims of violence but also as members of other marginalized groups religious minorities, lower castes, persons with disabilities, or sexual minorities. The absence of gender-neutral protections compounds these intersecting vulnerabilities, leaving multiply marginalized individuals without recourse.

4.4 The Harm of Invisibility: Human Rights Consequences

The exclusion of male victims from legal protection produces concrete human rights harms. Most obviously, it denies access to justice. Men who experience violence cannot obtain protection orders, cannot access shelters, cannot claim compensation, and cannot secure residence rights in shared households. Their complaints are not registered; their injuries are not documented; their suffering is not recognized. This denial of remedy violates the right to an effective remedy guaranteed by Article 2 of the ICCPR.

Second, invisibility perpetuates violence. Without legal intervention, abusive relationships continue unchecked. Abusers face no consequences; victims receive no support. The state's failure to protect legitimizes violence, communicating that such conduct is acceptable or at least not sufficiently serious to warrant intervention.

Third, invisibility produces secondary harms including mental illness, economic deprivation, and social exclusion. Men who cannot access legal remedies may lose employment, suffer

relationship breakdown, experience homelessness, or attempt suicide. These consequences flow directly from the state's failure to protect.

Fourth, invisibility reinforces harmful gender stereotypes. The construction of men as invulnerable, as incapable of victimhood, as always already perpetrators, is itself a form of gender-based discrimination. It denies men the full range of human experience and emotion, imprisoning them in rigid masculine roles. As one commentator notes, "the social, cultural, and emotional barriers in society prevent us from recognising the victimisation of men by women." These barriers are themselves human rights concerns, implicating the right to develop one's personality and identity free from stereotyped constraints.

5. Comparative Perspectives: Learning from Gender-Neutral Jurisdictions

5.1 The United Kingdom: Domestic Violence, Crime and Victims Act 2004

The United Kingdom's journey toward gender-neutral domestic violence legislation offers valuable lessons for India. The Domestic Violence, Crime and Victims Act 2004, together with subsequent legislation, provides protection to all persons regardless of gender. The Act defines domestic violence through the nature of the relationship and the conduct involved, not the gender of the victim or perpetrator. This approach recognizes that domestic violence is a pattern of coercive control that can be perpetrated by persons of any gender against persons of any gender.

The UK framework includes criminal offenses, civil protection orders, and support services accessible to all victims. The Serious Crime Act 2015 introduced the offense of controlling or coercive behavior in intimate or familial relationships, again formulated in gender-neutral terms. This legislative architecture reflects an understanding that domestic violence is not inherent to male-female relationships but can occur in any intimate partnership.

Empirical research from the UK indicates that gender-neutral laws have not disadvantaged female victims. Women continue to constitute the majority of those seeking protection, and services remain available to address their specific needs. The gender-neutral framework has, however, enabled male victims to access protection who would otherwise have been excluded. Research cited in the SSRN paper on gender justice indicates that "comparative analyses with countries like the UK and USA reveal the efficacy of gender-neutral domestic violence laws, which provide equal protection to all victims and challenge stereotypes surrounding gender roles."

5.2 The United States: The Violence Against Women Act and Its Evolution

The United States presents a more complex picture. The federal Violence Against Women Act (VAWA), first enacted in 1994, was explicitly gender-specific in its original formulation, focusing on violence against women. However, subsequent reauthorizations have progressively expanded coverage. The 2013 reauthorization included provisions explicitly stating that VAWA programs are available to all victims regardless of sex, sexual orientation, or gender identity. The 2022 reauthorization reinforced this inclusivity.

Importantly, the expansion of VAWA to include male victims did not occur at the expense of women. Funding for women's services was maintained and increased. Specialized programs for particular populations including Native American women, immigrant women, and LGBTQ victims were added rather than substituted. The US experience demonstrates that gender neutrality need not mean gender blindness; it can mean recognizing that violence affects all genders while maintaining attention to those most affected.

State-level domestic violence laws in the US vary, but an increasing majority are gender-neutral in their formulation. Research indicates that gender-neutral laws have not reduced reporting or prosecution rates for violence against women. They have, however, enabled men to access protective orders and support services. The National Intimate Partner and Sexual Violence Survey (NISVS) estimates that "nearly a quarter of men reported some form of contact with sexual violence in their lifetime," underscoring the need for inclusive services.

5.3 Other Jurisdictions: Canada, Australia, and South Africa

Canada's domestic violence framework is comprehensively gender-neutral. The Criminal Code prohibits assault regardless of relationship or gender, and protection orders are available to all victims. Provincial family violence legislation similarly adopts gender-neutral formulations. Research from Canada indicates that gender-neutral approaches have not undermined efforts to address violence against women; rather, they have revealed the full spectrum of domestic violence while maintaining attention to its gendered dimensions.

Australia's family violence legislation varies by state and territory, but all jurisdictions have moved toward gender-neutral formulations while maintaining recognition that women and children are disproportionately affected. The National Plan to Reduce Violence against Women and their Children (2010-2022) explicitly focused on women while operating within a broader legal framework that protects all victims. This dual approach maintaining targeted programs for women within gender-neutral laws offers a model for jurisdictions seeking to balance inclusivity with attention to disproportionate impact.

South Africa's Domestic Violence Act 116 of 1998 defines domestic violence broadly and protects all persons in domestic relationships regardless of gender. The Act includes comprehensive remedies including protection orders, seizure of arms, and police duties to assist complainants. South Africa's experience demonstrates that gender-neutral legislation is achievable even in societies with high levels of gender inequality and violence.

5.4 Lessons for India

Comparative analysis yields several lessons for India. First, gender-neutral legislation is compatible with continued attention to violence against women. Jurisdictions with gender-neutral laws maintain specialized services for women while extending protection to other victims. Second, gender-neutral laws challenge rather than reinforce stereotypes, enabling recognition that violence is not inherent to masculinity. Third, the absence of gender-neutral protections creates gaps in protection that leave particular victims including men, LGBTQ individuals, and others without remedy.

The Indian context presents unique challenges, including deep-seated patriarchy, widespread violence against women, and institutional weaknesses. However, these challenges do not justify maintaining legal frameworks that exclude an entire class of victims. Rather, they call for carefully designed reforms that extend protection while maintaining attention to women's disproportionate victimization. As the SSRN analysis argues, "by recognizing that domestic violence transcends gender, India can move closer to achieving true gender justice, ensuring fair protection for all individuals impacted by abuse."

6. Toward Inclusive Justice: A Framework for Legal Reform

6.1 Amendment of the Protection of Women from Domestic Violence Act

The most direct path to recognizing male victims is amendment of the PWDVA to encompass all genders. This could be achieved by redefining "aggrieved person" to include any person in a domestic relationship who experiences domestic violence, regardless of gender. The Act's comprehensive remedies protection orders, residence orders, monetary relief, custody orders, and compensation orders would then become available to male victims.

Such amendment need not dilute the Act's protections for women. The existing provisions for women could be maintained while extending coverage to others. Indeed, gender-neutral formulation would strengthen the Act's constitutional foundation by removing any doubt about its compatibility with Article 14. The Act would then protect all victims while maintaining its focus on the domestic relationship as the site of violence.

Legislative amendment should also address the specific needs of male victims. Support services, including shelters and counseling, must be established. Helplines must be prepared to receive calls from men. Police training must include recognition of male victimization. Courts must be sensitized to the reality that men can be victims and women can be perpetrators. These changes require not only legislative amendment but also administrative implementation and cultural change.

6.2 Gender-Neutral Criminal Provisions

Criminal law should similarly be reformed to recognize male victims. Section 85 of the Bharatiya Nyaya Sanhita (formerly section 498A IPC) should be amended to criminalize cruelty by any spouse against any spouse, regardless of gender. The offense should encompass physical, psychological, and economic cruelty, with definitions that capture the reality of coercive control. Sentencing provisions should reflect the seriousness of the offense while allowing courts to consider mitigating and aggravating factors.

The Bharatiya Nagarik Suraksha Sanhita (successor to the Code of Criminal Procedure) should be amended to ensure that maintenance provisions are gender-neutral. Where one spouse is unable to maintain themselves and the other spouse has sufficient means, maintenance should be available regardless of which spouse is the claimant. This reform would recognize that economic dependency can affect husbands as well as wives, particularly in contexts of disability, illness, or unemployment.

6.3 Support Infrastructure for Male Victims

Legal reform without support infrastructure is insufficient. India must establish services for male victims parallel to those available for women. This includes:

Helplines: Toll-free telephone services staffed by trained counselors who can provide immediate support, risk assessment, and referral to other services. Helplines must be publicized in ways that reach men, including through workplaces, healthcare settings, and community organizations.

Shelters: Safe accommodation for men fleeing violence, including their children. Shelters must address men's specific needs while maintaining safety and confidentiality. They should be located separately from women's shelters to avoid compromising women's safety while providing equivalent protection.

Counseling and support groups: Mental health services addressing trauma, depression, anxiety, and suicidal ideation. Support groups enable men to share experiences and strategies, reducing isolation and shame.

Legal aid: Free or subsidized legal assistance for men seeking protection orders, filing complaints, or navigating family law proceedings. Legal aid lawyers must be trained in domestic violence dynamics and the specific barriers facing male victims.

Healthcare protocols: Medical protocols for identifying and responding to male victims of domestic violence, including documentation of injuries, referral to support services, and trauma-informed care.

6.4 Judicial Sensitization and Police Training

Courts and police must be prepared to respond appropriately to male victims. Judicial training should address:

- Recognition that domestic violence affects all genders
- Understanding of dynamics of female-perpetrated violence
- Awareness of barriers facing male victims, including shame and fear of not being believed
- Appreciation that men can be victims of psychological abuse, economic control, and coercive coercion
- Skills for assessing credibility without gender stereotyping

Police training should similarly address recognition of male victimization, proper procedures for receiving complaints from men, risk assessment, and referral to support services. Police must understand that their duty to protect extends to all citizens regardless of gender.

6.5 Data Collection and Research

India cannot address what it does not measure. The National Crime Records Bureau should begin collecting data on domestic violence against men, disaggregated by type of violence, relationship to perpetrator, and geographic location. The National Family Health Survey should continue and expand its collection of data on violence perpetration, including questions that capture the full spectrum of abusive behaviors.

Research funding should support studies of male victimization, including its prevalence, dynamics, consequences, and effective interventions. Qualitative research can illuminate men's experiences and barriers to help-seeking. Intervention research can identify effective

approaches to prevention and support. Comparative research can assess the impact of legal reform in other jurisdictions and inform Indian policy.

6.6 Public Awareness and Cultural Change

Legal reform must be accompanied by public education challenging stereotypes about gender and violence. Campaigns should communicate that domestic violence can affect anyone, that men can be victims, and that seeking help is a sign of strength, not weakness. Media should be encouraged to portray male victims sensitively and accurately, avoiding ridicule or disbelief.

Educational institutions should incorporate discussion of gender and violence into curricula, teaching young people that violence is unacceptable regardless of who perpetrates it and who experiences it. Workplace programs should address domestic violence as a workplace issue, recognizing its impact on productivity and providing support to affected employees.

Cultural change is the most challenging but most essential component of reform. As long as masculinity is constructed as invulnerable, men will suffer in silence. As long as victimhood is feminized, male victims will be unrecognizable. Changing these deep cultural structures requires sustained effort across multiple domains legal, educational, media, and interpersonal.

7. CONCLUSION: Gender Justice and Human Dignity

The invisibility of male victims of domestic violence in India is not an accident but a construction produced by gendered laws, reinforced by cultural stereotypes, and sustained by institutional failures. This construction has human rights consequences: men suffer violence without remedy, endure abuse without recognition, and face barriers to help-seeking that compound their trauma.

Recognizing male victims does not diminish the imperative to address violence against women. Women remain the overwhelming majority of domestic violence victims in India and globally. The 2022 NCRB data showing 6,450 dowry deaths, the NFHS finding that one-third of women have experienced violence, and the reality that 52.5% of female suicide victims are housewives all demand continued attention and action.-6 Gender justice requires sustained effort to eliminate violence against women.

But gender justice also requires recognition that violence can affect anyone, that perpetrators can be any gender, and that justice must be available to all. As Kaur and Gulati argue, "Laws that discriminate against women exacerbate the situation. Everyone experiences violence, regardless of gender, yet the frequency can differ. This fact cannot be ignored. The future lies

in gender-neutral legislation." Gender neutrality need not mean gender blindness; it can mean recognizing multiple forms of victimization while maintaining attention to those most affected.

The path forward requires legislative amendment, institutional reform, and cultural change. The PWDVA must be amended to protect all persons in domestic relationships. Criminal law must recognize male victims. Support services must be established. Courts and police must be sensitized. Data must be collected. Public awareness must be raised. Each of these reforms is achievable; together, they would transform India's response to domestic violence from gender-specific to gender-just.

The ultimate justification for reform is not comparative that men suffer as much as women, or that false cases are as common as genuine ones. It is not about competition between victim groups or zero-sum calculations of justice. The ultimate justification is human dignity: the recognition that every person who suffers violence at the hands of an intimate partner deserves protection, support, and justice. As Agrahari and Umair conclude, "appreciating male suffering strengthens the equality before the law rather than lessens women's rights." In making visible the invisible victims, India would fulfill its constitutional promise of equality for all and its human rights obligation to protect the dignity of every person.

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