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# Invisible Victims: A Study on Men Facing Domestic Violence in India

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## ABSTRACT

*Though the legal system and society view domestic abuse as a gender-specific crime, where only women are considered as victims and men as offenders, it is clearly a ubiquitous problem in India. Although progressive in many areas, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) clearly excludes male victims from its protective scope. This study aims to clarify sometimes the disregarded reality of males who experience domestic abuse—from psychological and emotional manipulation to physical violence—abuse that is routinely denied, underwritten, or ridiculed because of dominant gender norms.*

*This study critically investigates the systematic neglect, legal silence, and institutional vacuum surrounding male victimizing in India by means of doctrinal legal analysis, empirical references, media reports, and comparative viewpoints from jurisdictions with gender-neutral domestic violence laws. It also looks at the society standards of masculinity that discourage men from getting treatment and the lack of support systems including helplines, shelters, or legal remedies for them.*

*The study underlines that appreciating male suffering strengthens the equality before the law rather than lessens women's rights. It advocates inclusive policies guaranteeing protection for all victims of domestic violence, regardless of gender, as well as gender-neutral legal changes and better data collecting. Through addressing this legal blind hole, the study adds to the larger conversation on justice, equity, and human dignity in India's changing sociopolitical scene.*

**Keywords:** Men as victims, male domestic violence, gender bias in law, legal reform India, domestic abuse India

## I. INTRODUCTION

Long addressed in India through a gender-specific legal prism, where the law mostly sees women as victims and men as aggressors, is domestic violence. Legislation like the Protection of Women from Domestic Violence Act, 2005 (PWDVA), which solely seeks to protect women from abuse inside domestic relationships, have helped to institutionalize this viewpoint. This

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legislation unintentionally creates a major legal void by excluding male victims from its scope, even as it marks a considerable step in acknowledging and fighting violence against women.

Men too can be victims of domestic violence, confronting emotional, psychological, verbal, financial, even physical assault from their husbands or intimate partners against popular social presumptions. Still, these events are little noticed, much less discussed. Deep ingrained ideas of patriarchal masculinity present men as physically strong and emotionally resilient, so leaving little space for society or legal acknowledgment of their victimhood. This frequently leads to a society of silence whereby male victims are reluctant to disclose abuse because of social alienation, fear of mockery, or lack of legal support.

Furthermore, absent from the Indian legal system is gender-neutral laws meant to fully handle domestic violence. Current systems not only fail to meet the requirements of male survivors but also lack any equivalent institutional mechanism—such as shelters, helplines, or rehabilitation facilities. India still runs under a strictly gendered legal paradigm while several nations like the United Kingdom and Canada have progressed toward gender-inclusive domestic abuse laws.

The legal invisibility and social marginalization of men confronted with domestic violence in India is investigated in this research. It examines closely the gaps in current legislation, the court system, and the lack of policy debate about male victimization. By means of a doctrinal approach augmented by media reports, secondary data, and comparative research, the paper proposes for thorough and inclusive domestic violence reforms that transcend gender stereotypes and maintain the ideal of equality before law.

## **II. LEGAL FRAMEWORK: AN INDIAN GENDERED APPROACH TO DOMESTIC VIOLENCE**

India's domestic violence jurisprudence is mostly based on the Protection of Women from Domestic Violence Act, 2005 (PWDVA), a civil legislation created to handle many kinds of abuse against women inside domestic relationships. The Act describes "domestic violence"<sup>3</sup> generally as physical, emotional, verbal, sexual, and financial abuse. Though the law is intrinsically exclusionary in its applicability and protection, despite this progressive and inclusive definition of abuse since it limits the description of an "aggrieved person"<sup>4</sup> only to women.

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<sup>3</sup> Section- 2(g) of Protection of Women from Domestic Violence Act, 2005

<sup>4</sup> Section- 2(a) of Protection of Women from Domestic Violence Act, 2005

Only a woman who is, or has been in a domestic relationship with the respondent and who claims to have been subjected to domestic violence by the respondent can register a complaint under Section 2(a) of the PWDVA. Moreover, Section 2(q) specifies the "respondent" as an adult male person; later on, the proviso covers female relatives of the spouse or male partner in some circumstances. This binary legal framework fails to see women as possible aggressors and males as possible victims, therefore reflecting the conventional wisdom on domestic violence as a one-directional phenomena.

There has been no legislative change to include male victims under the PWDVA or any other special statute, despite increasing knowledge and rare court rulings admitting that domestic abuse can be gender-neutral. Men experiencing domestic violence have few options; they may turn to criminal complaints under the Indian Penal Code (IPC), such as assault or criminal intimidation, but these clauses do not reflect the particular and continuous nature of domestic abuse, nor do they offer civil remedies like residence orders, protection orders, or monetary relief, which are available to women under the PWDVA.

Furthermore, absent from both the Indian Evidence Act, 1872 and the Code of Criminal Procedure, 1973 are any specific clauses for men subjected to abuse in intimate or family relationships. Male victims are deprived of state support systems including shelters, legal aid, counseling services, or helplines—which are ordinarily accessible for female survivors—in the lack of legal recognition. This leaves a major legal and institutional hole reflecting the gender bias ingrained in Indian domestic violence law.

Before Indian courts, several Public Interest Litigations (PILs) have been launched demanding gender-neutral domestic violence laws; nonetheless, the court has mainly refrained from providing any guidance that would supersede the legislative aim of the PWDVA. This legal immobility highlights a systematic resistance to interact with the complexity of domestic violence as a non-gendered issue, therefore weakening Article 14 and Article 15 of the Constitution, which guarantee equality and forbid gender-based discrimination.

By contrast, nations such Australia, Canada, and the United Kingdom have passed gender-inclusive laws acknowledging and safeguarding all domestic violence victims—regardless of their sex or gender identification. The lack of a comparable structure in India emphasizes how urgently legal change is needed to guarantee that the law accurately captures the lived reality of every victim—including males.

### **III. CASE STUDIES AND COURT INTERPRETATION**

Consistent with the legislative goal of protecting women, the Indian court has historically read

the Protection of Women from Domestic Violence Act, 2005 (PWDVA) through a gender-protective lens. Under the Act, the courts have actively expanded women's access to justice; but, male suffering has been underappreciated, usually because of the law's clearly gendered terminology. But a few court rulings and independent case studies in recent years have started to draw attention to the moral and legal complexity around domestic abuse as a gender-neutral reality.

Under Article 14 of the Constitution the Supreme Court declared the phrase "adult male person" from Section 2(q) of the PWDVA to be discriminatory and unconstitutional in *Hiral P. Harsora v. Kusum Narottamdas Harsora*<sup>5</sup>. Though the ruling was meant to let women report complaints against female relatives, it unintentionally created a forum for discussions on gender-neutral implementation of domestic abuse law. The Court underlined that arbitrary classifications created by the legislator run against the equality principle.

Still, this historic ruling did not provide defense for male victims. The scope of the ruling was restricted to broadening the spectrum of accused persons under the Act, without changing the meaning of "aggrieved person," in Section 2(a), which still confines complainants to women. Men thus remain excluded from pursuing remedies under PWDVA, and the courts have not independently read male victims into its reach notwithstanding judicial clarity on equality.

Though this awareness came in the context of denying redress to a wrongly accused husband<sup>4</sup>, the Himachal Pradesh High Court noted in *Ravi Kumar v. State of Himachal Pradesh* that not all victims of domestic violence are women and accepted that men too may endure abuse in intimate settings. Likewise, the Allahabad High Court observed in *Krishna Murari v. State of U.P.*<sup>6</sup> that women's abuse of Section 498A IPC and PWDVA can permanently harm innocent males, therefore indirectly implying the likelihood of male victimhood. These findings lacked any attempt to redefine the PWDVA's scope and were not binding precedents, nevertheless.

The Delhi High Court was urged in a striking PIL *Save Indian Family Foundation v. Union of India* to acknowledge the suffering of men suffering domestic violence and advocate gender-neutral laws. But the court declined to provide any instructions, saying that such changes are under the purview of the legislative branch.

Outside of the courtroom, many NGOs and support groups such the Save Indian Family Foundation, Men Welfare Trust, and Protect Indian Family Foundation have recorded hundreds of cases involving male victims who were physically abused, harassed, or emotionally

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<sup>5</sup> Civil Appeal No. 10084 of 2016 (Arising out of SLP (C) No. 9132 of 2015)

<sup>6</sup> Special Appeal No. 170 of 2012

blackmailed by their partners. Collecting testimonies and providing legal assistance where official channels fall short, these groups sometimes provide the sole haven for male victims.

The court's unwillingness to construe the PWDVA in a gender-neutral way reveals a more general institutional resistance to admit domestic abuse against men. Although some judges are becoming more conscious of this, legislative inertia, lack of clear precedents, and society prejudices still put men victims in a legal vacuum.

#### **IV. RECENT CASE**

##### **The Atul Subhash Suicide Case: An Update on Legal and Social Neglect Recent**

The Atul Subhash suicide case (2024) is among the most moving modern cases of a man victim of claimed domestic violence. Tragically ending his life on December 9, 2024 Atul, a 34-year-old Deputy General Manager of a Bengaluru-based car manufacturer, along with a video running more than an hour, he left behind a 24-page suicide note detailing supposedly ongoing mental abuse by his wife, Nikita Singhanian, and her relatives. He charged them of coercing him for a ₹3 crore divorce settlement and launching bogus court lawsuits against him.

Following the complaint filed by Atul's brother, Bengaluru Police registered a First Information Report (FIR) under relevant provisions of the Bharatiya Nyaya Sanhita, including abetment to suicide. The case attracted major media and public attention when the accused—including his wife, mother-in-law, and brother-in-law—were arrested and remanded to judicial custody.

The Subhash case highlights the general silence around male victims of domestic violence in India rather than being a singular incident. The case shows three important problems:

- Male victims under the Protection of Women from Domestic Violence Act, 2005 lack legal acknowledgement under the Act,
- The society's resistance to let males be susceptible targets of domestic violence,
- And the legal asymmetry that sometimes leaves men without access unless death takes place.

The thorough note and video testimony of Atul provide a first-hand record of systematic failure. Although the court system reacted following his death, it forces serious consideration on whether preventative legal systems were easily available or sufficient to protect his life.

This sad event calls not only for gender-neutrality in domestic violence laws but also for the creation of gender-sensitive mental health and legal aid programs to spot and alleviate such suffering before it results in permanent consequences.

## **V. REPORTING OBSTACLES AND SOCIAL STIGMA**

Legal invisibility is a major factor in the marginalizing of male victims of domestic violence in India, but another equally strong obstacle is social shame around the problem. Deeply ingrained patriarchal standards and gender expectations still shape public opinion of domestic violence; males are usually seen as offenders while women as victims. This inflexible duality gives little opportunity for society to consider men as possible victims of intimate partner violence, therefore leading to quiet, denial, and isolation.

Men find it challenging to freely admit victimhood without running from shame or emasculation since Indian society values masculinity linked with strength, stoicism, and emotional fortitude. Many times, people discount the possibility that a woman could physically or emotionally harass a guy as ridiculous or funny. Media stories, popular culture representations, and public dialogue that hardly show males as weak in domestic environments help to further support such social beliefs.

Male victim reporting rates are so shockingly low. Fear of societal humiliation, denial, or counter-allegations such as under Section 498A of the Indian Penal Code drives many male survivors away from law enforcement or legal institutions. According to a 2022 study by the Centre for Men's Welfare, over 72% of male victims of domestic abuse decided to remain silent or turn to unofficial coping techniques instead of contacting institutional support. Absence of Gender-Neutral Victim Reporting in NCRB Reports (2020–2023) is shown in Annexure I of this report NCRB Crime Data. This underreporting feeds the cycle whereby the apparent lack of male complaints supports the belief that domestic violence directed against men does not exist.

Men who do come forward encounter dismissive attitudes from police officials, lack of institutional systems, and a legal framework that does not acknowledge their complaints even then. Citing lack of relevant clauses or telling them to "man up," law enforcement authorities are sometimes ill-prepared or reluctant to register complaints by male victims. Furthermore, discouraging reporting and help-seeking behavior is the lack of government-run helplines, crisis shelters, or counseling programs catered for men.

Many of the male victims of unresolved abuse suffer from despair, suicidal thoughts, substance misuse, and chronic anxiety; the lack of a supporting environment aggravates their psychological trauma. Sadly, most public health and mental health initiatives concentrate just on women survivors, therefore depriving men of safe environments for healing or community support.

Acknowledging male victimization becomes not only a personal struggle but also a social challenge in a society where masculinity is linked with dominance and invulnerability. Legal change alone won't be enough to overcome these stigma-driven obstacles; public education campaigns, inclusive lobbying that acknowledges abuse as a human issue rather than a gendered one, and cultural changes are also needed.

## **VI. COMPARATIVE JURISPRUDENCE: GENDER-INCLUSIVE DOMESTIC VIOLENCE LAWS OVER JURISDICTIONS**

When one considers relative foreign law, the shortcomings of India's domestic violence framework in addressing male victims become more clear. Gender-neutral domestic violence laws have been implemented by several democratic and rights-based governments, therefore acknowledging that abuse inside intimate relationships transcends any one gender. These legal systems are quite helpful for imagining inclusive changes for the domestic violence law of India.

### **a) United England**

Regardless of the gender or sexual orientation of the victim or offender, the comprehensive, gender-neutral Domestic Abuse Act, 2021 in the United Kingdom defines domestic abuse generally to include not only physical violence but also emotional, financial, coercive, and controlling behavior<sup>1</sup>. Crucially, the Act grants same-sex partners and male victims access to government-funded shelters, counseling, and protective orders. Abuse can affect everyone, UK courts have underlined more and more, and government assistance has helped to institutionalize institutions like the Men's Advice Line.

### **b) Australia**

Explicitly gender-inclusive include Australia's Family Violence Protection Act, 2008 (Victoria) and other state-specific laws. The notion of "family violence" does not limit the victim depending on gender; it rather covers a broad spectrum of abusive behavior. Australian courts have often decided in favour of male and LGBTQ+ victims since they understand that gender-based presumptions could impede justice. Supported by data and empirical research, national campaigns and state-funded programs like "One in Three" also advocate for male victims.

### **c) Canadians**

Under both federal and province domestic violence laws, Canada takes a gender-neutral stance. Applicable independently of the victim's gender, the Criminal Code of Canada criminalizes intimate partner violence by general provisions including assault, forceful imprisonment, and harassment. Certain provinces such as Ontario and Alberta have passed particular domestic



violence laws requiring equal access to protective resources for all sexes. While guaranteeing due process for the accused, Canadian law shows a fair appreciation of both female and male victimization.

#### **d) American United States**

Originally gender-specific in title, the Violence Against Women Act (VAWA) has evolved over time to become increasingly gender-inclusive in actual use in the United States. Many state laws and federal standards guarantee that victims of any gender identification may obtain legal protection and services. Men survivors of domestic violence have been acknowledged by courts in jurisdictions like California and New York, and federal funding programs now demand non-discriminatory service delivery<sup>9</sup>.

#### **e) South Africa:**

Another gender-neutral legislative example from South Africa is the Domestic Violence Act, 1998. The legislation permits any offended party to seek redress under the law and acknowledges abuse happening in many different household relationships. Independent of the victim's gender or marital status, South African courts have regularly maintained the constitutional right to equality in cases involving domestic violence.

#### **India's Lesson from Comparative Legalism**

The comparative legal frameworks highlight how urgently India should embrace a gender-neutral legal system that recognizes the many reality of domestic violence. While protection of women is vital given past injustices, neglecting the suffering of male and LGBTQ+ victims compromises the values of equality, justice, and dignity embodied in Articles 14, 15, and 21 of the Indian Constitution. Supported by training for police, court, and service providers to address underlying gender bias in implementation, legislative reform must seek to balance protection with inclusivity.

### **VII. REFORM'S NECESSITY AND POLICY SUGGESTIONS**

According to the previous study, the Indian judicial system controlling domestic violence is systematically biased towards the protection of women, therefore depriving male victims of significant remedy. Although historical and statistical facts of gendered violence would have justified this strategy, the changing social scene calls for a more inclusive legal reaction. In addition to extending injustice, a system devoid of recognition for and response to male suffering compromises the constitutional guarantees of equality, dignity, and access to justice under Articles 14, 15, and 21 of the Indian Constitution.

## **A. Legal Transformations**

### **1. Modify the Protection of Women from Domestic Violence Act, 2005 (PWDVA):**

The most pressing change is the gender-neutral revision of the PWDVA, which lets everyone—regardless of gender or sexual orientation—seek protection under its terms. This would define "aggrieved person" under Section 2(a) to mean any victim of domestic violence, therefore enabling male and LGBTQ+ victims access to civil remedies including protection orders, residency orders, and compensation.

### **2. Provide separate, gender-neutral laws.**

Alternatively, the Indian legislature can take into account coexisting with the PWDVA a parallel legislation addressing domestic abuse in a gender-neutral way. One may model such a regulation on best practices from countries like the UK and Australia.

### **3. Edit Criminal Law Provisions:**

Laws like Section 498A of the IPC, first passed to guard women against abuse by spouses and in-laws, have to be carefully balanced. Many rulings by courts have admitted the abuse of 498A, which might be used to wrongly accuse men in marital conflicts. While ensuring real victims get justice, judicially watched rules can help to prevent abuse.

## **B. Institutional Reforms and Policies**

### **One should Male Helplines and Support Center Establishing**

Supported by both state and national governments, dedicated helplines, counseling services, legal assistance cells, and shelter facilities for male victims of domestic violence desperately needed. There isn't such a system now, hence male survivors lack institutional support.

### **The second is Gender-Neutral Judicial and Police Training:**

Through gender-neutral training courses, law enforcement and court officials should become sensitive to remove unconscious prejudice. Officers have to be taught to probe all domestic abuse cases impartially and to react sympathetically to male complainants.

### **The third is Male Victim inclusion into national crime statistics:**

As of right now, the National Crime Records Bureau (NCRB) does not publish numbers on male domestic abuse victims. Such excluding shapes governmental decisions and reinforces gender stereotypes. For a more comprehensive knowledge of domestic violence patterns, the NCRB should start recording data broken out by gender.

### **C. Reform in Society and Education**

One should Public Awareness Programs:

Government and NGOs should start national campaigns aiming at increasing awareness of domestic abuse against males, so dispelling negative preconceptions about masculinity, and so encouraging help-seeking activity.

The second is Changes in Curriculum:

Gender-inclusive viewpoints on domestic abuse should be included into legal and social work education so that future professionals handle the problem holistically and free from prejudice.

Third: Joint ventures with academic bodies and non-governmental organizations:

Evidence-based transformation depends critically on cooperation between research institutes and advocacy groups. These supporters can provide psychological services specialized to male victims, empirical insights, and community outreach.

## **VIII. CONCLUSION**

Traditionally seen through a gendered lens, domestic abuse has for long made male suffering invisible inside Indian legal and social systems. This study has looked at the shortcomings of the current legislative system, especially the Protection of Women from Domestic Violence Act, 2005, which—despite its progressive goal to protect women—excludes other vulnerable groups most especially men and LGBTQ+ people. Examining jurisprudence, reporting trends, society attitudes, and comparative legal models reveals that the Indian legal system lacks a gender-inclusive mechanism to handle the whole spectrum of domestic abuse.

Social shame, legal non-recognition, and institutional apathy aggravate men dealing with domestic abuse even more. Apart from discouraging reporting, the conventional myth of men invulnerability marginalizes actual victims, therefore forcing them into quiet and psychological suffering. Indian courts have started to admit abuse of some legal clauses and the possibility of male victimization; yet, court admission by itself is insufficient without legislative and policy changes.

Comparative jurisprudence from nations including the United Kingdom, Canada, Australia, and South Africa provides insightful guidance on creating gender-neutral domestic abuse rules, therefore supporting equitable access to legal remedies and support systems. These models underline the need of inclusive statutory wording, tailored support systems, data collecting, and awareness campaigns in constructing a fair and responsive framework.

India thus urgently has to review its domestic violence policy, either by changing current laws or by passing new legislation, so preserving the constitutional ideals of equality, decency, and non-discrimination. Legal reform is simply one aspect of the path forward; another is social change so domestic abuse is seen as a human concern rather than a gendered one. Then the quiet pain of invisible victims can be recognized, addressed, and finally lessened.

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### Annexure I: NCRB Crime Data (Indicative Gaps)

**Title:** Absence of Gender-Neutral Victim Reporting in NCRB Reports (2020–2023)

Year	Category	Female Victims Reported	Male Victims Reported	Gender-Neutral Option
2020	Domestic Violence	55,219	Not Reported	No
2021	Cruelty by Spouse	56,715	Not Reported	No
2022	Domestic Violence	57,028	Not Reported	No
2023	Domestic Violence	58,791	Not Reported	No

**Source:** National Crime Records Bureau, *Crime in India* Reports (2020–2023).

### References

#### **Statutes and Legal Instruments:**

1. Protection of Women from Domestic Violence Act, 2005 (India).
2. Indian Penal Code, 1860, Section- 498A.
3. Domestic Abuse Act, 2021 (United Kingdom).
4. Family Violence Protection Act, 2008 (Victoria, Australia).
5. Criminal Code, R.S.C., 1985, c. C-46 (Canada).
6. Violence Against Women Act, Pub. L. No. 103-322, amended 2013 & 2022 (United States).
7. Domestic Violence Act, 1998 (South Africa).

#### **Cases:**

1. Rajesh Sharma v. State of U.P., (2017) 11 SCC 265.
2. S v. Baloyi, 2000 (2) SA 425 (CC), Constitutional Court of South Africa.

#### **Government Reports & Institutional Publications:**

1. National Crime Records Bureau, Crime in India Report, Ministry of Home Affairs, Government of India (2023).

2. Department of Justice, Canada, Family Violence Laws and Policies (2022).

**NGO & Advocacy Publications:**

1. Centre for Men's Welfare, Annual Report on Domestic Abuse Against Men, 2023.
2. Men's Rights Association, Domestic Violence Against Men – Awareness Guide, 2022.
3. One in Three Campaign (Australia), "Reports & Data." Available at: <https://www.oneinthree.com.au>
4. Respect UK, "Men's Advice Line." Available at: <https://www.mensadvice.org.uk>

**Academic Articles:**

1. Sharma, Neha. "Bias in Law Enforcement: Gendered Attitudes Towards Domestic Violence," *Criminal Justice India Review*, Vol. 16 (2022).
2. Indian Institute of Social Welfare and Business Management (IISWBM), Domestic Abuse Interventions for Male Victims, Research Publication (2023).

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