

## A GLANCE AT THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005 – Evolving Interpretation by the Apex Court<sup>1</sup>

By

–Dr. YARLAGADDA PADMAVATI<sup>2</sup>

Domestic violence is undoubtedly a human rights issue and serious deterrent to development. The Vienna Accord of 1994 and the Beijing Declaration and the Platform for Action (1995) have acknowledged this. The United Nations Committee on Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in its General Recommendation No.XII (1989) has recommended that state parties should act to protect women against violence of any kind – especially that occurring within the family, a phenomenon widely prevalent in India. Presently, when a woman is subjected to cruelty by husband or his relatives, it is an offence punishable under Section 498-A IPC. The civil law, it was noticed, did not address this phenomenon in its entirety. Consequently, the Parliament, in order to provide more effective protection of rights of women guaranteed under the Constitution of India under Articles 14, 15 and 21, who are victims of violence of any kind occurring in the family, enacted the Protection of Women from Domestic Violence Act, 2005 (DV Act). The DV Act has been enacted to provide a remedy in civil law for protection of women from being victims of domestic violence and to prevent occurrence of domestic violence in the society<sup>3</sup>.

A cursory reading of the Statement of Objects and Reasons of the Protection of Women from Domestic Violence Act, 2005, makes it clear that the phenomenon of domestic violence against women is widely

prevalent and needs redressal. Whereas criminal law does offer some redressal, civil law does not address this phenomenon in its entirety. The idea therefore is to provide various innovative remedies in favour of women who suffer from domestic violence, against the perpetrations of such violence. What is of great significance is that the 2005 Act is to provide for effective protection of the rights of women who are victims of violence of any kind occurring within the family. The Preamble also makes it clear that the reach of the Act is that violence, whether physical, sexual, verbal, emotional or economic, are all to be redressed by the statute<sup>4</sup>.

There are two vital procedural provisions in the *Protection of Women from Domestic Violence Act, 2005* which do not find a place elsewhere in any other enactments. Section 13 prescribes that the notice ordered by the Magistrate shall be served on the respondent within two days of its issue. Section 32(2) states that the Court can conclude that an offence has been committed by the accused on the basis of the sole testimony of the aggrieved women.

The protection from Domestic Violence Act, 2005 (43 of 2005) came into existence on 17.10.2006 by Central Government notification in Gazette. It contained 5 Chapters. Chapter-I deals with preliminary including definitions, Chapter-II deals with definition of Domestic Violence, Chapter-III deals with powers and duties of protection

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[2] Practicing Advocate of Telangana and A.P. High Court, E.C. Member, Andhra Mahila Sabha (DDMS), Ex-Secretary, Indian Federation of Women Lawyers, Part time Faculty at P.G. College of Law, Osmania University, Post-graduate Diploma course on "Family Dispute Resolution" at ICADR.

[3] *Indra Sarma v. V.K.V. Sarma*, (2013) 15 SCC 755 = AIR 2014 SC 309

[4] *Hiral P. Harsora v. Kusum Narottam Das Harsora*, (2016) 10 SCC 165

officers, service providers, *etc.* Chapter-IV deals with procedure for obtaining orders of reliefs. Chapter-V deals with miscellaneous provisions.

In exercise of powers conferred by Sec.37 of Protection of Women from Domestic Violence Act, 2005 (43 of 2005) the Central Government made rules thereunder.

The definitions under preliminary chapter include definitions of “Aggrieved person”, “Domestic relationship”, “Domestic violence”, “Monetary relief”, “Protection Officer”, “Protection order”, “Residence order”, “Respondent”, “Service provider” and “Shared household”.

The Section 3 defines “Domestic violence”. Any act, omission or commission or conduct of the respondent shall amount to domestic violence in certain circumstances. It includes causing physical abuse, sexual abuse, verbal and emotional or economic abuse which are also explained in the section. In determining whether any act, omission, commission or conduct of the respondent constitutes “domestic violence”.

The Police Officer, protection officer and service provider have a duty to inform the aggrieved person of her right to make an application and seek one or more reliefs under the Act.

Chapter-IV of the Protection of Women from Domestic Violence Act, 2005 (DV Act) is the heart and soul of the DV Act, which provides various reliefs to a woman who has or has been in a domestic relationship with any adult male person and seeks one or more reliefs provided under the Act. The Magistrate, while entertaining an application from an aggrieved person under Section 12 of the DV Act, can grant the following reliefs :

(1) Payment of compensation or damages without prejudice to the right of such person to institute a suit for compensation or

damages for injuries caused by the acts of domestic violence committed by the adult male member, with a prayer for set-off against the amount payable under a decree obtained in Court (Section 12(2)).

(2) The Magistrate, under Section 18 of the DV Act, can pass a “Protection order” in favour of the aggrieved person and prohibit the respondent from doing acts as mentioned in clauses (a) to (g) of Section 18;

(3) The Magistrate can pass a “Residence order” under Section 19 of the DV Act;

(4) An aggrieved person is also entitled, under Section 20 of the DV Act, to get “monetary reliefs” to meet the expenses incurred and losses suffered by the aggrieved person and any child of the aggrieved person as a result of the domestic violence;

(5) The Magistrate, under Section 21 of the DV Act, has the power to grant temporary custody of any child or children to the aggrieved person or the person making an application on her behalf and specify, if necessary, the arrangements for visit of such child or children by the respondent;

(6) The Magistrate, in addition to other reliefs, under Section 22 of the DV Act, can pass an order directing the respondent to pay compensation and damages for the injuries, including mental torture and emotional distress, caused by the acts of domestic violence committed by the respondent (Paras 17 and 44)<sup>5</sup>.

With this backdrop of the provisions of the Act, now we can proceed summing up the principles laid down by the Apex Court while interpreting the provisions of Protection of Women from Domestic Violence Act, 2005.

While interpreting provisions of Section 2(s) shared household, Section 19(1)(b) of the D.V. Act, the Apex Court held that the right to residence under Section 19 is not an indefeasible right of residence in shared

[5] *Indra Sarma v. V.K.V. Sarma*, op. cit.

household especially when the daughter-in-law is pitted against aged father-in-law and mother-in-law. The senior citizens in the evening of their life are also entitled to live peacefully not haunted by marital discord between their son and daughter-in-law. While granting relief both in application under Section 12 of the DV Act, 2005 or in any civil proceedings, the Court has to balance the rights of both the parties. The directions issued by the High Court adequately balances the rights of both the parties (Para 90).

In the same judgment, the interpretation of Section 2(s) laid down in *S.R. Batra*, (2007) 3 SCC 169, is been overruled. It was held that the entire scheme of the Act is to provide immediate relief to the aggrieved person with respect to the shared household where the aggrieved person lives or has lived. The use of the expression “at any stage has lived” was only with intent of not denying the protection to aggrieved person merely on the ground that aggrieved person is not living as on the date of the application or as on the date when the Magistrate concerned passes as order under Section 19. Thus, shared household referred to in Section 2(s) is the shared household of aggrieved person where she was living at the time when application was filed or in the recent past had been excluded from the use or she is temporarily absent. (Paras 66 and 67)<sup>6</sup> and<sup>7</sup>

In a subsequent judgment dealing with scope of Section 2(s) and Sections 17, 19 and 12 of D.V. Act, the Apex Court summarized the definition of shared household as follows: The legal interest in the shared household is not relevant. An aggrieved women’s right to residence in a “shared household” is irrespective of her having any legal interest in the same. A shared household under Section 2(s) need not be owned by singly by the husband. It may or may not be jointly owned or taken on rent by husband. The

intention of the parties and nature of living, including the nature of household must be considered, to determine as to whether the parties intended to treat the premises as a “shared household” or not<sup>8</sup>.

In another case, it was held that if domestic violence had taken place when wife lived together in shared household with her husband through relationship in nature of marriage, application would be maintainable and Act of domestic violence once committed, subsequent decree of divorce, would not absolve husband from his liability for offence (though in present case, the alleged divorce not really found to have taken place.)<sup>9</sup>

While interpreting Sections 12, 28 and 32 and Section 3(iv) of the D.V. Act dealing with definition of Domestic Violence, in connection with economic abuse, the Apex Court applying Sections 468 and 472 Cr.P.C. held that retention of Stridhan by husband or his family held to be a “continuing offence” and demands made by wife, application made by appellant wife under Section 12, 2005 Act after about two years of judicial separation is not barred by limitation<sup>10</sup>.

In another case where, as per the facts, the parties never lived in the property in question, the Apex Court set aside the order passed under Article 227 of the Constitution of India holding that residence order under Section 17 cannot be granted<sup>11</sup>.

In another case, while interpreting Section 19(1)(b) of the Act, the Apex Court held that in a civil suit filed by parents-in-law against any daughter-in-law for mandatory and permanent injunction, mother-in-law can allege threats and violence

[8] *Rajneesh v. Neha*, (2021) 2 SCC 324

[9] *Juveria Abdul Majid Patni v. Atif Iqbal Mansoori*, (2014) 10 SCC 736

[10] *Krishna Bhattacharjee v. Sarathi Choudary*, (2016) 2 SCC 705.

[11] *Manmohan Attavar v. Neelam Mohan Attavar*, (2017) 8 SCC 550

[6] *Indra Sarma v. V.K.V. Sarma*, *ibid.*

[7] *S.R. Batra v. Tarun Batra*, (2007) 3 SCC 169

meted out by daughter-in-law who had initiated proceedings under Section 12 for relief of residence under Section 19. Civil Court can consider the issues and if proved, may grant relief accordingly<sup>12</sup>.

While interpreting Sections 22, 18 to 20 and 3 of the D.V. Act, wherein the husband throwing appellant wife out of matrimonial home four months after marriage and despite repeated orders of various Courts and intervention of police, not permitting her to live in shared household for last 14 years, the action of the respondent husband squarely comes within ambit of “domestic violence”, especially “economic abuse”. The respondent husband was directed to pay compensation and damages of Rs.5,00,000/- within 6 months. The order passed by High Court was set aside with a direction to the respondent husband to comply with orders and directions passed by Courts below with regard to residence and maintenance within three months<sup>13</sup>.

While dealing with the scope of Section 20(2) of the D.V. Act, the Apex Court held that the monetary relief granted to the aggrieved woman and/or the children must be adequate, fair, reasonable, and consistent with the standard of living to which the aggrieved woman was accustomed to in her matrimonial home (Para 83).

Factors for determining maintenance.

The following factors have been laid down for determining maintenance:

1. Status of the parties.
2. Reasonable wants of the claimant.
3. The independent income and property of the claimant.
4. The number of persons, the non-applicant has to maintain.

5. The amount should aid the applicant to live in a similar lifestyle as he/she enjoyed in the matrimonial home.
6. Non-applicant's liabilities, if any.
7. Provisions for food, clothing, shelter, education, medical attendance and treatment, *etc.*, of the applicant.
8. Payment capacity of the non-applicant.
9. Some guesswork is not ruled out while estimating the income of the non-applicant when all the sources or correct sources are not disclosed.
10. The non-applicant to defray the cost of litigation.
11. The amount awarded under Section 125 CrPC is adjustable against the amount awarded under Section 24 of the Act (Para 84)<sup>14</sup>.

While interpreting the provisions of Section 3 of DV Act, referring to Expln.I(iv), the Apex Court held that under the provisions of DV Act, the victim *i.e.*, estranged wife or live-in partner would be entitled to more relief than what is contemplated under Section 125 of CrPC, namely, to a shared household also<sup>15</sup>.

While dealing with the scope of Section 3 of D.V. Act, the Apex Court held that the facts of a woman after 31 years of marriage, having no children, compelled to live alone at advanced age of 63 years without any means of sustenance, situation falls within the definition of Domestic Violence<sup>16</sup>.

Distinguishing the nature of reliefs available under Section 20, the Apex Court held that the monetary relief as stipulated under Section 20 of the D.V. Act is different from maintenance, which can be in addition to an order of maintenance under Section 125 Cr.P.C. or any other law. Such monetary relief can be granted to meet the expenses incurred and losses suffered by the aggrieved person and child of the aggrieved person as a

[12] *Satish Chander Abuja v. Neba Abuja*, (2021) 1 SCC 414

[13] *Saraswati v. Babu*, (2014) 3 SCC 712 = AIR 2014 SC 857

[14] *Rajneesh v. Neba*, op.cit.

[15] *Lalita Toppo v. State of Jharkhand*, (2019) 13 SCC 796

[16] *V.D. Bhanot v. Savita Bhanot*, (2012) 3 SCC 183

result of the domestic violence, which is not dependent on the question when the aggrieved person, on the date of filing of the application under Section 12 of the D.V. Act is in a domestic relationship with the respondent<sup>17</sup>.

While interpreting Section 19(1)(b) read with Section 27(1)(b) of D.V. Act, Special Marriage Act, 1954, the jurisdiction of Magistrate to direct removal of spouse from shared household on being satisfied that domestic violence has taken place, interim order directing the husband to remove himself from matrimonial home of which he is co-owner is sustained by the Apex Court<sup>18</sup>.

While interpreting Section 2(f) of D.V. Act, the Apex Court held that unmarried woman entering into live-in relationship with married male having wife and children in spite of opposition by her family and by wife of such married male, such woman is guilty of committing intentional tort *i.e.*, interference in marital relationship with intentionally alienating married male from his family. Wife and children of such married male can sue the woman for compensation for alienating husband/father from company of his wife/children. If the case set up by the appellant is accepted, it has to be concluded that there has been an attempt on the part of the appellant to alienate the respondent from his family, resulting in loss of marital relationship, companionship, assistance, loss of consortium, *etc.*, so far as the legally wedded wife and children of the respondent are concerned, who resisted the relationship from the very inception (Para 66)<sup>19</sup>.

While interpreting Article 21 of the Indian Constitution, the Apex Court held that the role of law and society in bringing gender equality, the patriarchal social values and law should not be allowed to hinder exercise of constitutional rights by women.

Law and society are intrinsically connected and oppressive social values often find expression in legal structures. The law

influences society as well but societal values are slow to adapt to leads shown by the law. The law on adultery cannot be construed in isolation. To fully comprehend its nature and impact, every legislative provision must be understood as a “disclosure” about social structuring. However, the disclosure of law is not homogeneous. In the context particularly of Section 497, it regards individuals as “gendered citizens”. In doing so, the law creates and ascribes gender roles based on existing societal stereotypes. An understanding of law as a “disclosure” would lead to the recognition of the role of law in creating “gendered identities” (Para 111).

Over the years, legal reform has had a significant role in altering the position of women in societal orderings. This is seen in matters concerning inheritance and in the protection against domestic violence. However, in some cases, the law operates to perpetuate an unequal world for women. Thus, depending on the manner in which it is used, law can act as an agent of social change as well as social stagnation (Para 112)<sup>20</sup>.

While dealing with the scope Section 12/19 of D.V. Act, to be read with 125 of Cr.P.C. the Apex Court held that compelling the victim to choose only one forum is not permissible<sup>21</sup>.

While observing that inherent powers of High Court under Section 482 of Cr.P.C., is not properly exercised, the Apex Court set aside the order of High Court. Instant is a classic case of taking revenge by the husband against the wife since he was aggrieved by the action of the wife moving an application seeking maintenance. Absolutely no allegation which could fit in for the offence under Section 420 IPC is found in the first information lodged by respondent 2. Since the first information of respondent 2 appears to be a counterblast to the maintenance proceeding initiated by the wife against her husband, such proceedings are liable to be quashed. Accordingly the order

[17] *Juveria Abdul Majid Patni v. Atif Iqbal Mansoori*, op.cit.

[18] *Saraswati v. Babu*, op. cit.

[19] *Indra Sarma v. V.K.V. Sarma*, op. cit

[20] *Joseph Shine v. Union of India*, (2019) 3 SCC 39 = AIR 2018 SC 4898

[21] *Nutan Gautham v. Prakash Gautham*, (2019) 4 SCC 734

passed by the High Court is set aside. The proceeding pending before the Court below are hereby quashed<sup>22</sup>.

In another case, the Apex Court set aside the order of High Court, holding that Section 482 of Cr.P.C. has to be cautiously utilized while quashing FIR. This was a case related to abetment of suicide. In the instant case, respondent wife filed a domestic violence case against husband. Due to continuous humiliation and suffering inflicted upon by wife and her family, deceased committed suicide. Before committing suicide, deceased wrote two suicide notes, in which he blamed his wife, her parents and other in-laws for threatening him and his family after marriage and getting filed a false case against him, his parents and sisters. He further wrote, that he was in deep mental stress because of aforesaid fact, and was committing suicide and that all abovementioned were conspiring to grab the house and factory of his parents<sup>23</sup>.

While dealing with scope of Articles 21 and 14 of the Indian Constitution to be read with provisions of D.V. Act, the Apex Court setting aside a Sessions Court view that one or more wife-beatings is not sufficient in ordinary course for a woman to commit suicide, held that assault on women offends human dignity<sup>24</sup>.

While interpreting Article 21 of the Indian Constitution to be read with other statutes like Protection of Women from Domestic Violence Act, 2005, the Apex Court held that the girl child has right to good health, physical as well as mental, right to equal opportunity, right to education, right to bodily integrity, reproductive choice, right to deny sexual intercourse to her husband as no one has right to violate her person<sup>25</sup>.

While interpreting Articles 21, 19(1) and

14 of the Indian Constitution, the Apex Court upheld the right to marry persons of one's own choice and denounced honour killing and other forms of honour crimes inflicted on young couples pending enactment of proper legislation. Honour killings are condemned as a serious human rights violation and are addressed by certain international instruments. Article 42 of Council of European Convention on preventing and combating violence against women and domestic violence addresses this issue<sup>26</sup>.

In another matter, dealing with reversing of interim orders made in favour of victim, the Apex Court held that under a legislation meant for protecting the rights of women (*i.e.*, Protection of Women from Domestic Violence Act, 2005) the High Court should have been slow in granting interim orders in interfering with maintenance granted<sup>27</sup>.

While interpreting Articles 39, 15(3) and 142 of the Indian Constitution, the Apex Court held that there is a need for framing guidelines under Article 142 of the Constitution laying down uniform and consistent standards and for ensuring timely disposal of applications seeking maintenance under all applicable laws.

It was further held that though there are different enactments providing for maintenance, each enactment provides an independent and distinct remedy framed with a specific object and purpose. Provision of maintenance in secular laws like the Special Marriage Act, 1954, Section 125 Cr.P.C. and protection of women from Domestic Violence Act, 2005 are irrespective of religious community to which they belong apart from other remedies provided in personal laws like dissolution of marriage or restitution of conjugal rights<sup>28</sup>.

### Conclusions and Recommendations

An analysis of the principles laid down in the above cited judgments, it is clear that

[22] *Anu Priya Pal v. State of U.P.*, (2019) 14 SCC 643

[23] *Mumshi Ram v. State of Rajasthan*, (2018) 5 SCC 678

[24] *Vajresh Venkat Reddy Avekar v. State of Karnataka*, (2013) 3 SCC 462

[25] *Independent Thought v. Union of India*, (2017) 10 SCC 800

[26] *Shakti Vabini v. Union of India*, (2018) 7 SCC 192

[27] *Salu Ojha v. Prasant Ojha*, (2015) 2 SCC 99

[28] *Rajneesh v. Neha*, op. cit.

the Apex Court interpreted provisions of the protection of women from the Domestic Violence Act fairly well in accordance with objectives and purposes of the Act.

While interpreting Section 2(s) to be read with Section 17 of the D.V. Act, the Apex Court in *Satish Chander Abuja's* case overruled the interpretation laid down in *S.R. Batra's* case, protected the interest of aged father-in-law and mother-in-law by holding the senior citizens in the evening of their life are entitled to live peacefully and not haunted by marital discord between their son and daughter-in-law.

In *Indira Sharma's* case, the Apex Court in accordance with Indian culture made a distinction between live-in relationship and relationship in a nature of marriage. It was held that unmarried women entering into live-in relationship with married male having wife and children inspite of opposition by her family and by wife of such married male, such woman is guilty of committing intentional tort and liable to be sued.

In *Saraswati's* case, while interpreting economical abuse under Section 3 of D.V. Act, the Apex Court awarded a compensation and damages of Rs.5,00,000/- to the victim to be paid by the respondent therein.

In *Krishna Bhattacharjee's* case, while interpreting Section 3(iv) of D.V. Act in connection with applicability of Sections 468 and 472 Cr.P.C., the Apex Court held that demand made by wife for her stridhana property under Section 12 of D.V. Act, even after two years of judicial separation is not barred by limitation.

In granting relief in accordance with Chapter-IV of D.V. Act, the Apex Court was liberal.

The Apex Court in the case of *Anu Priya Lal* set aside the order of High Court, where the husband therein was harassing wife in a false case under Section 420 of IPC as a counterblast.

In *Munshiram's* case also, the Apex Court observed High Court should cautiously

exercise powers under Section 482 Cr.P.C., dealing with abatement of suicide by husband by wife and her relatives. The higher judiciary maintained a great balancing Act in rendering these two judgments.

In *V.D. Bhanot's* case, while interpreting Section 3 of D.V. Act, the Apex Court held that a woman married for three decades, compelled to live alone without any means of sustenance came under the purview of Domestic Violence Act.

In *Vajresh Venkat Reddy Avekar's* case, the Apex Court adversely commented on assault on woman and offending human dignity, wherein one or two beatings led to suicide of a wife and found fault with Sessions Court judgment.

In *Shakti Vabini's* case, the Apex Court came down heavily against honour killings and observed on need for legislation against such crimes.

Coming to part of the recommendations, these are few observations suggested by the author to the aggrieved persons, concerned officers and State Governments and Central Government.

1. The remedies available for protection of women either under Protection of Women from Domestic Violence Act, 2005, IPC 498-A or under Dowry Prohibition Act, 1961 are double edged. There are several genuine cases of suffering, dowry harassment, physical, economic, emotional abuse of victims. At the same time, there are also instances of foisting of false cases against in-laws for varied reasons.

2. The aggrieved person has a right to be informed of her rights under the Protection of Women from Domestic Violence Act, 2005 by either police officer, protection officer, service provider regarding her entitlement in approaching competent Magistrate and get proper reliefs under the Act.

3. The reliefs include interim relief under Section 12 of the Act and other reliefs under Sections 17 to 22 of Act include right to reside in a shared household, protection

orders of prohibition against the respondent against committing violence *etc.*, residence orders, monetary reliefs, custody of children and compensation orders.

4. The Apex Court while interpreting the provisions of the D.V. Act, held that the Protection of Women from Domestic Violence Act, 2005 is gender neutral.

5. It is highly advisable that any appropriate time, even after filing cases under D.V. Act, the parties may participate in counselling. The D.V. Act under Section 14 authorises the Magistrate to refer the matter to counselling.

6. The Court or concerned Governments, while allotting counsellors, should take proper care to appoint well trained counsellors/mediators. The facts of cruelty, violence *etc.*, varies from person to person, background to background and sensitivities of involved parties and circumstances. The counsellors/mediators should give sufficient time and analyze the background of parties, sensitivity of each case and help the parties to come to an amicable settlement as far as possible.

7. The Counsellors should always keep in mind that after subjected to violence at home (whether physical, verbal, economic, emotional), the victim or her family members may be in an emotionally charged and fragile mental state. While counselling, the background and sensitivities of parties, should be understood properly and a distinction should be drawn between fact and fiction.

8. As contemplated under Section 11 of the D.V. Act, the Central Government and State Government should give wide publicity in popularizing provisions of the Act and also give periodic sensitization and awareness training to police officers and members of judicial services in order to smooth handling of disputes.

9. It is unfortunate that in international meets, some countries offered only redressal

for gender-based violence but not gender-based discrimination. Many countries were willing to condemn violence against women but insisted that violence was unconnected to the wide range of violations of civil, cultural, economic and political rights of women. In particular, Governments failed to recognize that in many countries, women are denied access to public life, to paid work, to education, to credit, to custody of their children and to inherit land and property. The denial of these basic human rights make women in these countries particularly vulnerable to domestic violence by making it almost impossible for them to leave an abusive relationship<sup>29</sup>.

The Governments of such countries should make every possible endeavour to enable women access to public life, to paid work, to education, to credit, to custody of their children and to inherit property through proper legislations, Government policies, *etc.*, in order to combat domestic violence in a holistic way.

It is painful to note that the social attitude towards the victims of either domestic violence or matrimonial cruelty is that of curiosity rather than concern. Many a times, we realise that when the victims are in a very vulnerable mental state, instead of giving moral or any other assistance, members of society push the victims to a state of self-consciousness by showing a sense of superiority and driving the victims to become wrecks. This practice inculcates a fear of 'social heckling' and disapproval that forces many victims to put up with either violence against them or violation of their rights. The spectre of insidious and invidious societal violence that haunts a single woman is worse than domestic violence. It is high time that curious and uncharitable attitudes of members of society be transformed into care and concern<sup>30</sup>.

[29] Dr. *Yarlagadda Padmavati*, "Status of Women and Human Rights: A Global Socio-Legal Perspective", 2002 (1) ALD Pp.21-22.

[30] Dr. *Yarlagadda Padmavati*, "Violence against Women: Violation of Human Rights – A Response to Protection from Domestic Violence Bill", 2004 ALD.