

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:2520
ANSWERED ON:08.12.2011
MISUSE OF SECTION A
Owaisi Shri Asaduddin

Will the Minister of LAW AND JUSTICE be pleased to state:

to the Unstarred Question No.2772 answered on 18 August, 2011 regarding Misuse of Section 498A and state:

- (a) whether the information has since been collected;
- (b) if so, the details thereof; and
- (c) the time by which changes under this section are likely to be suggested by the Law Commission?

Answer

MINISTER OF LAW & JUSTICE(SHRI SALMAN KHURSHID)

(a): Yes, Madam.

(b)& (c): In the cases Preeti Gupta v. State of Jharkhand (decided on August 13, 2010) and Ramgopal v. State of M.P.(Order dated July 30, 2010) relating to Section 498A, the Hon`ble Supreme Court of India has observed that complaints are not always bonafide and are at times filed with oblique motive. The Court has, inter-alia, requested the Law Commission of India to examine different aspects of Section 498A including that of making it compoundable.

The Law Commission of India has considered the above decisions of the Hon`ble Supreme Court of India. As per the information received by the Commission, more than one lakh cases are pending. The subject relating to Section 498A has been discussed at the meeting of Law Commission of India held on 31st October, 2011 and in the light of deliberations, the Law Commission will prepare the Report which will detail the need to make the offence under Section 498A IPC compoundable or not. The Report will also deal with other aspects relating to Section 498A such as making it bailable, process of arrest, conciliation etc.