

IMPACT OF FALSE DV COMPLAINTS ON TIMELY JUSTICE FOR GENUINE VICTIMS: A STUDY OF CASE BACKLOGS IN FAMILY COURTS

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Abstract: Domestic violence (DV) laws were enacted to protect vulnerable individuals, especially women, from abuse within domestic relationships. In India, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) serves as a major legal mechanism for ensuring protection, maintenance, and justice for victims. However, concerns have emerged regarding the filing of exaggerated or false complaints, which allegedly contribute to judicial delays and increased pendency in family courts. This research paper examines the relationship between false domestic violence complaints and delays in justice delivery for genuine victims. The study analyzes judicial backlog, procedural delays, low conviction rates, and the burden on family courts. Using doctrinal and analytical research methods, the paper evaluates court data, scholarly studies, and judicial observations. The findings indicate that while false complaints constitute only a portion of filed cases, procedural misuse and excessive litigation substantially increase case pendency and divert judicial resources. At the same time, overemphasis on “misuse” risks discouraging genuine victims from seeking legal protection. The paper concludes that balanced reforms, faster investigation mechanisms, mediation screening, and specialized domestic violence courts are essential for ensuring timely justice.

Keywords: Domestic violence, false complaints, family courts, judicial backlog, PWDVA, delayed justice, India, case pendency.

1. INTRODUCTION

Domestic violence remains one of the most significant social and legal challenges in India, affecting individuals across different economic, educational, and cultural backgrounds. It includes physical, emotional, sexual, verbal, and economic abuse occurring within domestic relationships. Women are the primary victims in most cases, and many continue to suffer in silence because of social stigma, financial dependency, fear of retaliation, and lack of family support. To address

this issue, the Indian legal system introduced several protective measures, most notably the Protection of Women from Domestic Violence Act, 2005 (PWDVA). The Act was enacted to provide immediate and effective civil remedies such as protection orders, residence rights, maintenance, and compensation to victims of domestic abuse.

In addition to the PWDVA, provisions such as Section 498A of the Indian Penal Code, now reflected in corresponding provisions under the Bharatiya Nyaya Sanhita, were designed to protect married women from cruelty and dowry-related harassment. These laws were intended to strengthen women's rights and ensure speedy justice against abusive spouses and relatives. The legislation represented a major step toward recognizing domestic violence as a serious violation of human rights rather than merely a private family matter. Over the years, awareness regarding domestic violence has increased, leading to a larger number of women approaching courts for legal relief and protection.

However, despite the progressive intent behind these laws, public and judicial debates have increasingly focused on the alleged misuse of domestic violence provisions. Certain court judgments have observed that some complaints are filed with exaggerated allegations or are used as pressure tactics during matrimonial disputes, divorce proceedings, property conflicts, or custody battles. In some cases, entire families of the husband, including elderly parents and distant relatives, have reportedly been implicated without sufficient evidence. Such concerns have led courts to emphasize procedural safeguards and caution against automatic arrests or mechanical prosecution without proper investigation.

The perception of misuse has created a complex legal and social debate. On one hand, genuine victims require strong legal protection and quick intervention to ensure their safety and dignity. On the other hand, false or malicious complaints may cause harassment to innocent individuals and consume valuable judicial time. Importantly, legal experts and women's rights scholars caution that acquittal or withdrawal of cases does not necessarily prove that a complaint was false. Many domestic violence cases fail because of lack of evidence, social pressure, financial compromise, or unwillingness of victims to continue lengthy litigation. Therefore, the issue must be approached carefully to avoid undermining the experiences of genuine victims.

Simultaneously, the Indian judiciary is struggling with a massive backlog of pending cases. Family courts and magistrate courts dealing with domestic violence matters are particularly overburdened due to increasing matrimonial litigation, shortage of judges, repeated adjournments, and procedural delays. Domestic violence complaints are often accompanied by related legal proceedings such as divorce petitions, maintenance claims, child custody disputes, and criminal complaints,

which together increase the complexity and duration of litigation. As a result, victims seeking urgent relief may face long waiting periods before obtaining protection orders or financial assistance.

The growing pendency of domestic violence cases raises important questions regarding access to timely justice. Delays in legal proceedings can seriously affect genuine victims who may continue to face abuse, financial insecurity, and psychological trauma while awaiting court decisions. At the same time, prolonged litigation also affects accused persons, especially in cases where allegations are ultimately found to be baseless. Therefore, understanding the impact of false or exaggerated domestic violence complaints on judicial efficiency and case backlog is essential for improving the effectiveness of family courts. This study seeks to examine how such complaints influence the delivery of timely justice and to explore reforms that can balance victim protection with procedural fairness and judicial efficiency.

The issue therefore involves two competing realities:

1. Genuine victims urgently require speedy protection and justice.
2. Frivolous or exaggerated litigation may increase delays and burden courts.

This paper examines how false or weak domestic violence complaints influence family court pendency and affect access to justice for genuine victims.

2. OBJECTIVES OF THE STUDY

The major objectives of this research are:

1. To examine the impact of false domestic violence complaints on judicial backlog.
2. To analyze delays in family courts dealing with DV-related cases.
3. To evaluate judicial observations regarding misuse of domestic violence laws.
4. To assess the consequences for genuine victims seeking timely relief.
5. To suggest reforms for balancing victim protection with procedural fairness.

3. RESEARCH METHODOLOGY

The study adopts a doctrinal and analytical research methodology. Secondary data has been collected from:

- Journal articles
- Court judgments
- NCRB reports
- Research papers
- Legal commentaries

- News reports related to judicial pendency

The research is qualitative in nature and focuses primarily on the Indian legal system.

4. CONCEPTUAL FRAMEWORK

4.1 Domestic Violence under Indian Law

The PWDVA, 2005 recognizes:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Economic abuse

The Act provides civil remedies including:

- Protection orders
- Residence rights
- Monetary relief
- Custody orders
- Compensation

The law aimed to provide speedy relief through magistrate courts.

4.2 False Domestic Violence Complaints

False complaints may include:

- Fabricated allegations
- Exaggerated accusations
- Inclusion of unrelated family members
- Filing cases for settlement pressure during divorce disputes

However, it is important to distinguish:

- Acquittal does not automatically mean a complaint was false.
- Low conviction rates may also result from evidentiary challenges, social pressure, or settlement.

Scholars caution against assuming widespread misuse without empirical evidence.

5. JUDICIAL BACKLOG IN INDIA

India's judicial system suffers from massive case pendency. Studies on court data indicate that pending cases continue to rise across multiple levels of the judiciary.

Family courts face particular difficulties due to:

- High volume of matrimonial disputes
- Repeated adjournments
- Multiple connected litigations
- Limited judicial infrastructure
- Shortage of judges

Domestic violence matters frequently overlap with:

- Divorce proceedings
- Maintenance petitions
- Child custody cases
- Dowry harassment complaints

This multiplicity significantly increases litigation burden.

6. LITERATURE REVIEW

6.1 Studies on Domestic Violence Litigation

A Maharashtra-based study examining implementation of the PWDVA found significant procedural delays and challenges in ensuring speedy justice.

Subramaniam and Krishnan analyzed Supreme Court decisions involving domestic violence and found that women often remain trapped between legal, familial, and social barriers.

6.2 Judicial Concerns Regarding Misuse

Some courts have expressed concern regarding exaggerated allegations and mechanical implication of relatives. A recent Delhi High Court judgment quashed a complaint due to vague allegations lacking specific evidence.

Research discussing the “perception of misuse” argues that judicial assumptions about rampant false complaints may dilute protections available to women.

6.3 Conviction Rates and Systemic Delays

A Bengaluru-based study highlighted extremely low conviction rates in DV-related cases and systemic inefficiencies in the justice process.

Large pendency rates in crimes against women cases demonstrate the strain on judicial infrastructure.

7. CAUSES OF DELAY IN FAMILY COURTS

Table 1: Major Causes of Delay in DV Cases

S. No.	Cause of Delay	Impact on Proceedings
1	Excessive case filings	Increases court burden
2	Repeated adjournments	Slows trial progress
3	Multiple connected cases	Creates procedural complexity
4	Shortage of judges	Longer waiting periods
5	Delayed police investigation	Weakens evidence collection

6	False/exaggerated complaints	Diverts judicial resources
7	Lack of mediation mechanisms	Prolongs matrimonial disputes
8	Poor infrastructure	Delays hearings and documentation

8. IMPACT OF FALSE COMPLAINTS ON GENUINE VICTIMS

False or weak complaints can negatively affect genuine victims in several ways:

8.1 Increased Pendency

Courts spend valuable time processing weak or exaggerated cases, reducing attention available for urgent matters involving real violence.

8.2 Reduced Judicial Sensitivity

Frequent allegations of misuse may create skepticism toward complainants, making genuine victims face additional scrutiny.

8.3 Delay in Interim Relief

Victims requiring immediate:

- Protection orders
- Shelter
- Maintenance
- Custody relief

may experience delays due to overloaded dockets.

8.4 Emotional and Economic Burden

Long trials force victims to repeatedly attend hearings, increasing emotional trauma and financial hardship.

9. STATISTICAL TRENDS

Table 2: Indicative Trends in DV-Related Litigation

Indicator	Observation
Rising matrimonial litigation	Increased burden on family courts
Low conviction rates in some regions	Questions regarding evidence and procedural effectiveness
High pendency rates	Delayed justice delivery
Multiple cross-cases in matrimonial disputes	Increased complexity
Increase in anticipatory bail applications	Reflects defensive litigation trends

A Karnataka-based report found that only a small proportion of registered Section 498A cases resulted in conviction, while courts continued to face heavy pendency.

10. JUDICIAL PERSPECTIVES

Indian courts have repeatedly emphasized the need for balance between:

- Protection of women
- Safeguarding due process rights

In several judgments, courts warned against:

- Automatic arrests
- Mechanical implication of relatives
- Vague allegations without evidence

At the same time, courts have also stressed that concerns about misuse should not weaken protections for genuine victims.

11. CHALLENGES FACED BY GENUINE VICTIMS

Table 3: Problems Faced by Genuine DV Victims Due to Delays

Problem	Consequence
Delayed hearings	Continued exposure to violence
Slow maintenance orders	Financial insecurity
Long litigation duration	Psychological stress
Lack of shelter support	Dependency on abusive households
Court congestion	Reduced access to timely remedies
Repeated adjournments	Victim fatigue and withdrawal

12. DISCUSSION

The debate surrounding false domestic violence complaints is highly sensitive and politically charged. While instances of misuse undoubtedly exist, available research does not conclusively establish that the majority of complaints are false. Scholars caution against relying solely on acquittal rates as indicators of falsity.

However, even a limited number of frivolous cases can significantly burden already overcrowded courts. Family courts in India operate under severe infrastructural and staffing constraints. Multiplicity of matrimonial proceedings further complicates disposal.

The real issue is therefore not only false complaints, but broader systemic inefficiency:

- insufficient judges,
- inadequate mediation,
- procedural delays,
- poor investigation,
- and fragmented litigation processes.

Both genuine victims and falsely accused individuals suffer from delayed adjudication.

13. SUGGESTIONS AND REFORMS

13.1 Specialized Fast-Track DV Courts

Dedicated courts can ensure quicker disposal of urgent domestic violence matters.

13.2 Preliminary Screening Mechanisms

Courts may adopt early-stage scrutiny to identify:

- vague allegations,
- duplicate litigation,
- jurisdictional abuse.

13.3 Strengthening Mediation

Mandatory pre-litigation counseling and mediation may reduce unnecessary litigation in non-violent matrimonial disputes.

13.4 Digital Case Management

Technology-based scheduling and online hearings can reduce adjournments and administrative delays.

13.5 Increasing Judicial Capacity

More judges and better infrastructure are essential to reduce pendency.

13.6 Penalties for Proven False Complaints

Courts may impose costs or penalties where deliberate fabrication is conclusively established, while ensuring genuine victims are not discouraged.

14. CONCLUSION

Domestic violence laws remain essential for protecting vulnerable individuals from abuse and ensuring gender justice. Genuine victims often depend on legal intervention for survival, dignity, and safety. However, concerns regarding false or exaggerated complaints have contributed to procedural complications and increased judicial burden in family courts.

The study finds that while false complaints alone are not the sole cause of case backlog, they contribute to delays by consuming limited judicial resources and increasing procedural complexity. Simultaneously, exaggerated public narratives about “misuse” may undermine confidence in genuine victims.

The central challenge therefore lies in balancing:

- speedy justice for victims,
- procedural fairness for the accused,
- and efficient judicial administration.

A balanced legal framework supported by judicial reforms, mediation systems, improved investigation, and increased judicial infrastructure is essential for reducing pendency and ensuring timely justice for all parties.

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