

# Impact of Delay in Justice On Newly Married Woman in India

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*Abstract- In India, many newly married women face problems such as domestic violence, dowry harassment, cruelty, abandonment, and emotional abuse. The law provides protection to women through several important Acts, such as the Dowry Prohibition Act, the Protection of Women from Domestic Violence Act, and Section 498A of the Indian Penal Code. However, even when women approach the court for help, they often do not receive justice quickly. Court cases can take many months or even years.*

*This delay in justice creates serious problems for newly married women. It affects their mental health, physical safety, financial condition, and social life. Many women lose hope and stop fighting for their rights. This research paper explains the reasons for delay in justice and how it affects newly married women in India. It also suggests simple solutions to improve the system.*

*Index Terms- Delay in Justice, Newly Married Women, Domestic Violence, Dowry Harassment, Section 498A IPC, Dowry Prohibition Act, 1961, Protection of Women from Domestic Violence Act, 2005, Family Courts Act, 1984, Judicial Delay in India, Women's Legal Rights, Access to Justice, Gender Justice, Fast- Track Courts, Maintenance Rights, Legal Aid Service.*

## I. INTRODUCTION

Marriage is an important part of Indian society. It is not only a relationship between two people but also a connection between two families. Newly married women are expected to adjust to a new home, new family members, and new responsibilities.

However, not all marriages are happy. Some women face harassment for dowry, emotional abuse, physical violence, or pressure from their husband and in-laws. When the situation becomes serious, women may decide to seek help from the police or the court.

In India, justice is meant to protect citizens. The Constitution gives every person the right to equality and protection of life and personal liberty. But when

court cases are delayed, these rights are weakened. For a newly married woman facing abuse, waiting for years for justice can make her suffering worse.

## II. LAWS THAT PROTECT NEWLY MARRIED WOMEN

India has made several laws to protect women after marriage. These laws are strong on paper, but their implementation is often slow.

### 2.1 Dowry Prohibition Act, 1961

The Dowry Prohibition Act makes it illegal to give or take dowry. Dowry means money, gifts, or property demanded by the groom's family before or after marriage.

Even though this law exists, dowry is still common in many parts of India. When a woman files a complaint, the investigation and court process may take a long time. Because of delay, the accused may continue to threaten or pressure the woman.

### 2.2 Section 498A of Indian Penal Code

Section 498A of the Indian Penal Code deals with cruelty by a husband or his relatives. Cruelty includes physical violence, mental harassment, or forcing a woman to bring dowry.

This section is very important for newly married women. However, cases under 498A often take many years to finish. There may be many court hearings, police investigations, and delays in evidence collection.

### 2.3 Protection of Women from Domestic Violence Act, 2005

The Protection of Women from Domestic Violence Act gives women the right to protection orders, residence rights, and financial support. The law says that women should get quick relief.

In reality, courts are overloaded with cases. As a result, even urgent matters are delayed. Women may not receive immediate protection or maintenance.

#### 2.4 Family Courts Act, 1984

The Family Courts Act was created to solve family disputes quickly and peacefully. But many family courts do not have enough judges or staff. This causes long waiting periods.

### III. REASONS FOR DELAY IN JUSTICE

There are many reasons why justice is delayed in India.

#### 3.1 Too Many Pending Cases

Indian courts have millions of pending cases. There are not enough judges compared to the number of cases. Because of this, even urgent cases are not heard quickly

#### 3.2 Shortage of Judges and Staff

Many courts do not have enough judges, clerks, or support staff. This slows down the process of hearings and decisions. Sometimes lawyers ask for adjournments (postponement of hearings). When hearings are postponed again and again, cases take longer to finish.

#### 3.4 Slow Police Investigation

Police investigations may be slow due to lack of training or resources. Delay in filing charge sheets or collecting evidence affects the court process.

#### 3.5 Social Pressure

Newly married women often face pressure from their own families to “adjust” and not go to court. If the case is delayed, they may be forced to withdraw their complaint.

### IV. IMPACT OF DELAY ON NEWLY MARRIED WOMEN

Delay in justice has serious effects on women’s lives.

#### 4.1 Mental Health Problems

Long court battles cause stress, anxiety, depression, and fear. A woman may feel helpless and alone. If

she is living in the same abusive house during the case, her mental health may become worse.

No one wants to understand her mental, problem people also neglect her she faces society and family survive many problems.

Newly married woman’s life is spoiling during the case hearing and she cannot move on ahead in her life.

#### 4.2 Physical Danger

If protection orders are delayed, the woman may face more violence. In some tragic cases, delay has led to dowry deaths or suicide.

#### 4.3 Financial Problems

Many newly married women do not have their own income. If maintenance or financial support is delayed, they may struggle to survive. They may depend on parents or relatives.

#### 4.4 Social Stigma

In Indian society, separated or divorced women are sometimes judged negatively. When cases continue for years, society may blame the woman instead of supporting her.

#### 4.5 Loss of Faith in the Legal System

When women see that cases take years without results, they may lose trust in the courts. This discourages other victims from reporting abuse.

### V. ROLE OF GOVERNMENT AND INSTITUTIONS

The government has taken some steps to reduce delay.

#### 5.1 Fast-Track Courts

Fast-track courts are special courts meant to decide cases quickly, especially crimes against women. However, these courts are not available everywhere.

#### 5.2 Digital Courts

Online filing of cases and virtual hearings started during the COVID-19 period. These steps help save time, but they need better technology and training.

### 5.3 Legal Aid Services

The National Legal Services Authority provides free legal help to poor and needy women. But many women are not aware of this service.

### 5.4 Women Support Centers

The government has opened One Stop Centres to give medical, legal, and psychological support to women. These centers need stronger coordination with courts and police.

## VI. REAL-LIFE CHALLENGES

Many newly married women withdraw their complaints because:

- They fear revenge from their husband or in-laws.
- They want to save their marriage.
- They do not want to burden their parents.
- They cannot afford long legal battles.

Delay makes these challenges bigger. The longer the case runs, the harder it becomes for the woman to continue fighting.

## VII. SUGGESTIONS FOR IMPROVEMENT

To reduce delay and protect newly married women, the following steps can help:

1. Increase the number of judges in courts.
2. Set a fixed time limit for domestic violence and dowry cases.
3. Avoid unnecessary adjournments.
4. Provide immediate protection and maintenance orders.
5. Train police officers in handling women's cases sensitively.
6. Spread awareness about women's legal rights.
7. Strengthen fast-track courts in all states.
8. Use technology to speed up court procedures.

### 1. Section 498A IPC Valid and Important for Women's Protection (2025)

Case Summary:

The Supreme Court upheld the constitutional validity of Section 498A IPC (now part of the Bharatiya Nyaya Sanhita) which deals with cruelty and harassment by husband/in-laws. The Court said that even if some cases are misused, that alone cannot be

a reason to strike down the law itself. Courts must examine misuse in individual cases.

Why This Matters:

This judgment confirms that laws protecting newly married women are legally sound and cannot be removed simply because some people misuse them. It protects women's rights while acknowledging that misuse should be checked on case-by-case basis.

### 2. Supreme Court Monitoring a 23-Year Delay in Dowry Death Trial (2026)

Case Summary:

The Supreme Court took serious notice of a 23-year delay in a dowry death trial where proceedings were stalled because a petition remained pending at the High Court. The Court asked the Rajasthan High Court to provide complete records and explain the delay.

Why This Matters:

This is a key example of what "justice delayed" means — a grave crime (dowry death) remained unresolved for decades due to court delays. The top court itself is now pushing for records and accountability. This shows the impact of delay on victims' families and the justice system.

## CONCLUSION

Delay in justice is a serious problem in India. For newly married women facing abuse, delay can mean continued violence, emotional pain, financial hardship, and social isolation. Although laws like the Dowry Prohibition Act, the Protection of Women from Domestic Violence Act, and Section 498A of the Indian Penal Code exist to protect women, they are not fully effective if justice is not delivered on time.

Justice should be quick and fair. When courts take too long, the purpose of the law is defeated. The government, judiciary, police, and society must work together to ensure that newly married women in India receive timely protection and support. Only then can we say that justice is truly served.

In judicial system a authorised person should be appointed by court to keep watching in this type of

cases progress and time to time given report to higher authority.

#### REFERENCES

- [1] Dowry Prohibition Act
- [2] Protection of Women from Domestic Violence Act
- [3] Indian Penal Code
- [4] Family Courts Act
- [5] National Legal Services Authority