



CRIMINAL

Beyond the Marriage: Gujarat High Court Clarifies Scope of Dowry Death Law

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Introduction

The Gujarat High Court in *State of Gujarat v. Natubhai Golanbhai Khuman & Ors.* (Criminal Appeal No. 1423 of 2013) has reaffirmed the fundamental principles governing prosecutions under Sections 304B, 306, 498A, and 114 of the Indian Penal Code (IPC). Upholding the acquittal of the accused by the Sessions Court, the Division Bench comprising Hon'ble Mr. Justice Cheekati Manavendranath Roy and Hon'ble Mr. Justice D. M. Vyas emphasized the necessity of cogent evidence in cases involving allegations of dowry death and abetment to suicide.

Factual Background

The case stemmed from the tragic death of a woman who was married in January 2011 and allegedly died by suicide in August 2011. The prosecution claimed that her in-laws had harassed her to procure ₹50,000 from her father to cover legal expenses for securing bail for her husband and other family members, who had been arrested in an unrelated land forgery case. According to the prosecution, her inability to fulfill this demand led her to consume poison.

Initially, the FIR was registered under Sections 306 (abetment of suicide) and 498A IPC (cruelty by husband or relatives of husband). Subsequently, charges under Section 304B (which deals with dowry death) and Section 114 (which deals with abetment) were added. However, the trial court acquitted all four accused her father-in-law, mother-in-law, sister-in-law, and brother-in-law for lack of credible evidence which was challenged before the Hon'ble Gujarat High Court.

Legal Analysis and Judicial Reasoning

The Gujarat High Court's dismissal of the State's criminal appeal in *State of Gujarat v. Natubhai Golanbhai Khuman & Ors.* rests on a meticulous appraisal of evidentiary gaps and legal interpretation under Sections 304B, 306, 498A, and 114 of the Indian Penal Code.

- **Inconclusive Cause of Death: A Forensic Void:** A decisive factor in the Court's reasoning was the absence of conclusive forensic evidence. While the postmortem initially pointed to cardio-respiratory failure, the viscera (i.e., preserved internal organs for forensic toxicology testing) was never chemically examined. The doctor admitted under cross-examination that poisoning could not be confirmed in the absence of such analysis. Without proof of unnatural death by poisoning, the statutory presumption under Section 304B IPC triggered when a woman dies under suspicious circumstances within seven years of marriage could not be applied. This omission left a fundamental evidentiary void, undermining the prosecution's case from the outset.
- **Scope of "Dowry" Demand-A Strict Construction:** Turning to the issue of the monetary demand, the Court assessed whether the alleged ₹50,000 sought for legal expenses could be classified as "dowry." The prosecution maintained that the deceased was harassed to arrange this sum for legal expenses connected to securing bail for her husband and other relatives. However, the Court correctly held that such a demand, unrelated to the marriage itself, does not meet the definition of "dowry" under Section 2 of the Dowry Prohibition Act, 1961. The requirement under Section 304B IPC is that harassment must be "in connection with any demand for dowry." A demand for funds to cover post-marriage legal issues, even if proven, was not sufficient.
- **No Provable Abetment under Section 306 IPC:** To sustain a conviction under Section 306 IPC, the prosecution must establish a clear link between the accused's conduct and the deceased's decision to commit suicide, as per Section 107 IPC. This includes proof of instigation, aiding, or active participation. In the present case, the evidence did not reveal any such act or communication by the accused. Moreover, the medical uncertainty surrounding the cause of death left even the suicide theory on uncertain footing. In this evidentiary landscape, the charge of abetment to suicide could not survive judicial scrutiny.
- **No Evidence of Cruelty Attracting Section 498A IPC:** The Court also found that the allegation of cruelty under Section 498A IPC had not been substantiated. The prosecution's claim that the deceased was pressured for money was contradicted by bank records produced by the accused, showing they had adequate funds for legal expenses. No consistent or credible testimony supported a narrative of persistent cruelty or harassment. In criminal law, particularly under Section 498A, the standard is not mere discomfort or isolated conflict, it must be willful conduct likely to drive the woman to harm herself or seriously impair her dignity.

- **Reasonable Doubt and the Acquittal Standard:** Ultimately, the prosecution’s failure to present a coherent and provable chain of facts—linking death, motive, conduct, and criminal liability led the Court to uphold the acquittal. The trial court’s findings were based on proper appreciation of evidence, and the High Court found no perversity or legal infirmity in its reasoning. In reaffirming the presumption of innocence and the high threshold of “beyond reasonable doubt,” the Court demonstrated fidelity to the foundational principles of criminal jurisprudence.

Commentary

This judgment serves as a reaffirmation of the legal distinction between dowry-related harassment and other forms of financial or familial coercion post-marriage. The Court correctly emphasized that not every demand made to a woman after marriage qualifies as a “dowry demand” under Section 2 of the Dowry Prohibition Act, 1961. The statutory framework requires that the demand be “in connection with the marriage”, meaning it must be made as a condition precedent or subsequent to the marriage ceremony, such as gifts, cash, or property demanded by the groom’s side in consideration of the marriage itself.

The Court treated the demand for bail related expense arising from a separate criminal proceedings as a post-marital financial dispute, not a dowry-related demand. On a strict reading of Section 304B IPC, this distinction is doctrinally sound and consistent with prevailing jurisprudence.

However, the judgment also raises a pertinent concern: just because a demand does not fall within the narrow confines of “dowry” does not mean the conduct in question is benign. If the deceased was indeed pressured or harassed to procure money from her parents irrespective of the purpose, it could still amount to “cruelty” under Section 498A IPC, or potentially abetment to suicide under Section 306 IPC, provided those charges are supported by cogent evidence.

Here, the Court found that the medical cause of death was unproven, the financial harassment was not credibly established, and bank records showed the accused had sufficient funds cumulatively casting doubt on the prosecution’s narrative. On those facts, acquittal may be justified. But in principle, the line between dowry and other forms of coercive financial control should not be blurred to the point that non-dowry abuse escapes scrutiny altogether.

Thus, while the decision is legally correct on the application of Section 304B, it must not be seen as watering down the seriousness of non-dowry related cruelty, which continues to be actionable under other provisions of the IPC. The case highlights the need for prosecutors to frame charges carefully, gather reliable medical and financial evidence, and distinguish clearly between dowry-linked demands and other oppressive conduct, both of which deserve rigorous legal response but under appropriately invoked provisions.

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