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False case of abuse and harrassment

6 years ago 11 Replies

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MIS

Student

Points: 42

Hi Guys ,

My brother is in deep trouble,Sat down to seek help from you guys .His (brothers) wife had been a b*tch from the last 6 months and my brother being a down to earth person/very calm couldnt collect enough proofs against her and one day when he(my brother) saw her going out with her boyfriends in the middle of the night and questioned her about it.She threatened to kill him and said she can do anything and He should not question her.After a few arguements the next day she left his place with all the assets(jewellery) and filed a complaint against him saying that he has been harrassing her with all my family including me.When we went to their local police station the officer said it is a written complaint and no FIR has been filed and said will be counselling us.After a Gyan session..he directed us to DCP we attended to DCP session and my brother said will accept her back if she stops/changes ger behaviour.

My Question :

- Is my brother right in what he is doing?
- What if she comes back and slaps a case again on him with all my family members as she did this time ?
- What would be a correct step to take ?
- Neither of us have been arrested but I was informed to come and sign on behalf as the case has my name too.Is this right?

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Im not sure what would be the right step,The Lawyer simply said file a case and fight it.Is there anything my brother can do in this case.

↩ Reply



🕒 6 years ago



Rahul Kapoor

Legal
Enthusiast

👍 Likes: 43

📌 Points: 1483

hello,
do not go into litigation untill circumstances are so.
talk to them and try to reach at a solution .
if your brother ready for divorce then try for MCD.
and the most imprtant part is be calm and have patience.

Total likes : 1 times

↩ Reply

🕒 6 years ago



Shantanu
Wavhal

Worker

👍 Likes: 513

📌 Points: 7939

- Is my brother right in what he is doing?

for the purpose of police counselling, ur brother should keep saying - i m ready to take her back. but actually its not worth & also dangerous to take back such a wife.

- What if she comes back and slaps a case again on him with all my family members as she did this time ?

this is very possible thing. There are NO preventive measures.

- What would be a correct step to take ?

either file for divorce / do nothing on ur own. u may cross the bridge as and when u come across one.

- Neither of us have been arrested but I was informed to come and sign on behalf as the case has my name too.Is this right?

the signature might be asked for as u attended the mediation process.

Im not sure what would be the right step,The Lawyer simply said file a case and fight it.Is there anything my brother can do in this case.

nah ! nothing ! no prevention except fighting the injustice and getting acquittal.

Total likes : 1 times

Reply

6 years ago



Vinayak ▾

self

Likes: 3

Points: 92

beautiful replies Amit

You are doing a great service

may God bless such souls who help others

regards

Vinayak

Total likes : 1 times

↩ Reply

🕒 6 years ago



Shantanu
Wavhal ▾

Worker

👍 Likes: 513

📌 Points: 7939

vinayak,

i m blessed with 498a - 406 - 323 - 504 - 506 - 34

did Harey - Ram ... Harey - Krishna in police lockup for 1 day with my family.

i m just sharing my experiences with others, in the same boat.

Total likes : 1 times

↩ Reply

🕒 6 years ago



syed faisal ▾
not working

Points: 59

@ AMIT SIR.....

Dear Sir,

I have filed a RUKHSATI case(rcr) on my wife she lives saprate her parental home from last 5 years in other state.

After full of mentally harassing 5 years i have taken last decisin that i have send a TALAQNAMA from from registerd QAZI.

so my question is:

HOW CAN WITHDRAW THE RIKHSATI CASE OR I DONT ATTENT ITS HEARING SO IT WILL AUTOMATICALLY WITHDRAW BY COURT.

PLZ SUGGEST ME

↩ Reply

🕒 6 years ago



Shantanu
Wavhal ▾

Worker

👍 Likes: 513

Points: 7939

if u dont attend, the case will be dismissed for default.

u can also file a pursis in the court stating that u want to withdraw the case.

u have both these options

PS : i m not expert on Muslim Personal Law.

↩ Reply

🕒 6 years ago



MIS ▾

Student

Points: 42

As my brother kept saying he is ready to take her back.They are now saying that they want a written assurance of their daughters safety and they want the entire family to sign on it.

My questions :

- Is it legal to do so ?
- If we dont do it, they`re saying they wont send their daughter,Now what happens to the complaint ? Wil it be filed in the police station as the negotiation/mediation didnt go well?
- If so will my brother and family be arrested?

Pleeeeeeease Help with your kind replies

↩ Reply

🕒 6 years ago



@ MIS,

Do not give anything in writing. Tell them that your brother will take good care of her.

Nandha ▾
NIL
👍 Likes: 12
Points: 783

↩ Reply

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