BLOGS

Case Analysis: Reema Aggarwal v. Anupam

Khushi Malviya · 01 Aug 2025

Reema Aggarwal v Anupam is a landmark case by the Supreme Court that addressed important issues regarding the scope of Sections 498A and 304B of the Indian Penal Code. Read more here!

Introduction

The Supreme Court's judgment in **Reema Aggarwal v Anupam** (2004) marks a significant shift in the interpretation of **Section 498A** and **Section 304B** of the **Indian Penal Code (IPC)**.

This case expanded the scope of these provisions, establishing that they are applicable even in cases where the woman is not legally married to the accused.

The judgment was delivered by a two-judge bench, comprising **Justice Arijit Pasayat** and **Justice Doraiswamy Raju**, and it has had a lasting impact on the legal understanding of cruelty and dowry death.

The court held that these sections can apply in cases of marital cruelty and dowry deaths, regardless of the legality of the marriage.

The case is crucial as it underscores the purpose of these legal provisions to prevent abuse and ensure the protection of women's rights, even outside the boundaries of formal marriage.

Facts of the Case

The case arose on 13th July 1998, when Reema Aggarwal, the appellant, was admitted to Tagore Hospital after allegedly consuming a poisonous substance.

She was in a critical condition, and the police were informed about the incident. During the investigation, ASI Charanjit Singh obtained her statement regarding the circumstances surrounding the poisoning.

Reema disclosed that she was married to Anupam (Respondent no. 1) and that she had been subjected to continuous harassment by her husband and his family members for failing to bring dowry.

She further revealed that this was her second marriage, and her first marriage had not been legally dissolved at the time of the second marriage. Reema alleged that her husband and his family had mistreated her due to dowry demands.

Following these statements, the police filed a **chargesheet** against Anupam and his relatives under **Section 307 (attempt to murder)** and **Section 498A (cruelty)** of the IPC. The chargesheet also included allegations of dowry-related harassment, which forms the basis of **Section 304B (dowry death)**, based on Reema's claims of mistreatment and torture.

Decisions of the Courts

The case first went to the **Trial Court**, where the judge ruled that for **Section 498A** to be applicable, it was necessary to prove that the victim was legally married to the accused. Since Reema's first marriage had not been legally dissolved, the court found that the **Section 498A** offense was not made out.

Additionally, the court dismissed the charges under **Section 307 (attempt to murder)**, reasoning that the evidence did not establish a clear case of attempted murder.

Following this decision, the matter was appealed in the **Punjab and Haryana High Court**, where the Division Bench upheld the Trial Court's judgment.

The High Court ruled that the Trial Court's findings were not erroneous, reinforcing the conclusion that the first marriage was not legally dissolved, and thus, the marriage between Anupam and Reema could not be recognized under **Section 498A**. Furthermore, the court agreed with the Trial Court's stance on **Section 307**.

As a result, Reema approached the **Supreme Court**, seeking a legal interpretation of whether provisions under **Section 304B** (dowry death) and **Section 498A** could be invoked in cases where the marriage was not legally recognized.

Issue Involved

The core issue in this case was whether **Section 304B** and **Section 498A** of the IPC can be applied in situations where the marriage between the victim and the accused is not legally valid, particularly in cases where the second marriage occurs without the dissolution of the first marriage.

Specifically, the question was whether these provisions, which are intended to protect women from cruelty and dowry-related violence, could be extended to non-legally recognized marriages.

Observations in the Case

The respondents in the case of Reema Agarwal v Anupam referred to the **1965 judgment in Bhaurao Shankar Lokhande v. The State of Maharashtra**, where the court had held that the offense of **bigamy** under **Section 494 of the IPC** could only be prosecuted if the second marriage was legally valid and solemnized.

The respondents argued that, since the second marriage in this case was not legally recognized due to the existence of an undissolved first marriage, the provisions for **dowry death** and **cruelty** under **Sections 304B and 498A** could not apply.

However, the Supreme Court took a broader and more progressive view of the issue. The court emphasized that the crux of **Section 498A** is not whether the marriage is legally valid, but rather whether a woman is subjected to cruelty by her husband or his relatives.

Similarly, **Section 304B**, which addresses dowry deaths, is concerned with the harassment and ill-treatment of women in relation to dowry, and not necessarily with the legality of the marriage.

The court distinguished between offenses like **bigamy**, which are concerned with the validity of marriage, and **cruelty (Section 498A)** and **dowry death (Section 304B)**, which are focused on the actions of the husband and his family, regardless of the formal status of the marriage.

The court stated that these sections should be interpreted in a manner that would allow them to fulfill their social objective of preventing cruelty and dowry-related deaths, even in non-legal marriages.

Further, the court relied on **Heydon's Rule**, also known as the **mischief rule**, which advocates a purposive interpretation of statutes. According to this rule, the law should be interpreted in a way that addresses the social problem it was designed to prevent.

In this case, the mischief the law intended to remedy was the cruelty and harassment faced by women due to dowry demands and domestic violence. The court reasoned that applying **Section 498A** and **Section 304B** only to legally married couples would defeat the very purpose of these provisions, which is to protect women from abuse and exploitation.

The court pointed out that the social evil of dowry-related violence and marital cruelty was prevalent in society regardless of whether the marriage was legally valid or not. Therefore, a restrictive interpretation of these provisions, which would limit their application to legally married women, would leave a significant portion of victims without legal recourse.

The court observed that the terms "**husband**" and "**wife**" in these provisions should be interpreted liberally to cover relationships where a woman is subjected to cruelty by a man who has assumed the role of a husband, even if the marriage is not legally recognized.

This interpretation was consistent with the broader legislative intent of protecting women from dowry-related abuse and violence.

Conclusion

The Supreme Court, in the case of Reema Agarwal v Anupam, laid down a significant precedent, ruling that offenses under **Section 304B** (dowry death) and **Section 498A** (cruelty) of the IPC can be made out even in cases where the parties are not legally married.

The court's ruling is crucial because it ensures that the provisions meant to protect women from dowry harassment and domestic violence are not limited to legally married women but extend to those in non-legal relationships as well.

This judgment emphasizes the need for a broader, social understanding of marriage and spousal rights, moving beyond the technicalities of legal marriage to address the real-life issues of women suffering from marital cruelty and dowry-related violence.

By interpreting Section 498A and Section 304B in a manner that protects women outside the formal institution of marriage, the Supreme Court reinforced its commitment to safeguarding women's rights and providing them with legal protection from exploitation and abuse.

The judgment also underscores the importance of a purposive interpretation of laws to address social evils and ensure justice for victims of domestic violence, regardless of the formalities of marital status.

This case, therefore, marked a significant step forward in the legal protection of women in India, expanding the scope of IPC provisions to include those who are vulnerable outside the traditional bounds of marriage.