



**MEN
WELFARE
TRUST**
(Regd.)



**SAVE FAMILY
FOUNDATION**
(Regd.)

www.saveindianfamily.in

SIF One: Helpline for Men

8882 498 498

OPEN LETTER TO HON'BLE JUSTICE CHIEF JUSTICE OF INDIA & HON'BLE CHIEF JUSTICE OF KARNATAKA

Your Lordships,

We, the undersigned are taking this liberty of writing to your kind selves as concerned citizens and men of India, in regard to the decision of Hon'ble Justice Krishna S. Dixit, High Court of Karnataka in CrI. P No. 2427/2020 (Shri Rakesh B. vs State of Karnataka) dated 22/June/2020 & the aftermaths after that.

It is our humble submission that after the said judgment by the Hon'ble High Court, there are terrible volleys of attacks that we are witnessing in the media attempting direct effect on independence of this august pillar of democracy. It is indeed our serious concern when people with oblique motives, start using media and social media to raise questions on a judgment or even language of a judgment in attempt to gain cheap publicity.

In this instant judgment too, the court's language, made specific to the parties involved of the case, are being questioned. We are seeing an increasing tendency of many women's rights groups to the level of tutoring the Hon'ble Judiciary on how to write judgments. The same has been done while targeting the judgment delivered by Hon'ble Justice Krishna S. Dixit.

The social media has been cluttered with opinions from various women's rights groups on what an Hon'ble High Court Judge write and what not to write. We ask a simple question; CAN & SHOULD JUSTICE BE TUTORED? Is it right for few Feminist groups to start tutoring the Judges on how to write the judgements?

It is indeed deplorable that there are specific feminist funded projects running in India like "The Feminist Judgments Project" (another import from western world), which focusses on being a shadow judgment writing project to allegedly bridge the distance between feminist theory and practice where they claim to reimagine the role of the judge to adjudicate differently by maintaining fidelity.

With this open letter, we wish to appreciate the Hon'ble Justice Krishna S. Dixit to have maintained the belief of a common Indian in the Justice System of India by calling a spade as spade. Why should a spade be called as a unique device made of a ferrous alloy with a wooden handle, just to please a litigant, based on it's gender? If a man convicted can be called criminals, why not a woman? When a court looks into the conduct of 1 litigant to convict the opposite litigant, why can't it do the same other way? Does the definition and description of Justice differ based on Gender? If no, why such feminist groups should be allowed to have any inroads into openly questioning the judgment or the judge or to conduct pro-women training for the Judiciary?

Infact, we wish to bring to your kind attention to the submission of the HCGP, Sri K. Nageshwarappa, who in the bid to present arguments to stop bail of the jailed applicant, went ahead to pass judgment on his behalf, terming the Accused-Applicant as if he is convicted. The HCGP submitted, "*it is unsafe to the society to grant Advance Bail to the offenders like the petitioner;*". It is pertinent to mention here that the HCGP refers to the Accused as an Offender. Hasn't the HCGP crossed it's jurisdiction of representing the state to become a judge on his own? It is indeed a need of the hour that such loose usage of words, specially based on the gender of the accused must be avoided at all costs and the Supreme Court of India is requested to issue clear directions on the same.

Whereas the women's groups have questioned the observations of the court in instant case being deplorable for women, to the contrary, the Hon'ble Court gave a positive value to women of India while observing what women of our country don't do. Since, the case was of a gender-based crimes, mention of the gender by far becomes obvious. Even if this would have been a case of say kidnapping and the alleged victim would have slept after being kidnapped and having an opportunity to run, similar observation w.r.t. the facts of the case would have been made by any Justice driven judgment.

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Under the garb of Article 15(3) of the Constitution of India, women's groups are exerting lot of pressure on the Judiciary of India to write the judgments in favor of gender or even make the language pro-women. It is urgently requested that the Hon'ble Supreme Court of India and the Hon'ble High Courts of India must step in to protect the independence of judiciary and to save the citizens of the Constitution of India, who have equal protection under law, as per Article 14.

It is indeed pertinent to mention that under various judgments, across various trial courts, courts have seen the misuse of the Rape Laws of the country as a very serious matter while making observations on how such cases create havoc on the data of the country to make it look like Rape Capital country, to wreck vengeance on the Accused or to even coerce them for marriage.

It is pertinent to mention that similar women's rights groups had strongly opposed making the Rape Law of India as Gender Neutral. Ironically, the reasoning of their opposition was that, "men will misuse the law" in Rajya Sabha Parliamentary Standing Committee on Home Affairs, 167th Report on "The Criminal Law (Amendment) Bill, 2012". Misuse is not a Gender Specific Term. It is Human specific. So, inspite of the fact that most of the countries have Gender Neutral Rape/Sexual Assault Laws, Indian law fails to protect men from becoming a victim of Sexual Assault as soon as he is 19 years of age.

Owing to our above submissions, with this letter we request following:

1. Genderization of Language of Judgments or any such training for the Judiciary must be stopped with immediate effect.
2. Strict instructions must be issued to the Public Prosecutors and Bar Council of India to ensure that an accused is called only an accused and not an offender or criminal, till the time they are convicted.

With the above prayers, we once again appreciate the sense of fine judgment of Hon'ble Justice Krishna S. Dixit and giving hope to the common citizen that if misuse of Gender Biased Laws are there to abuse them, the Judicial System of India would continue to uphold the life and liberty of everyone, as conferred by the Constitution of India.

Yours Sincerely,

Men Welfare Trust (Regd. NGO)

Along with Save Family Foundation (Regd. NGO)

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