



Triple talaq is criminal offence

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Highlights

- The Union Cabinet cleared an ordinance that makes **talaq-e-biddat**, or **instant triple talaq**, a criminal offence that will attract a maximum jail term of three years.
- President Ram Nath Kovind later in the day gave his assent.

Features of new law

- The new law, however, incorporates safeguards, including a provision for bail to an accused before the start of the trial.
- While instant triple talaq will continue to be a “non-bailable” offence — the police cannot grant bail at the police station — the accused can approach a magistrate for bail even before trial.
- The magistrate could exercise discretion to grant bail “after hearing the wife”.
- The magistrate would also have power to decide the quantum of compensation and subsistence allowance for the victim and her minor children.
- Another safeguard that had been added is that the police can lodge an FIR (first information report) only if the complaint is filed by the wife (victim), her blood relations or her relatives by virtue of her marriage.
- Non-relatives or neighbours cannot lodge a complaint under the proposed law.
- The offence of instant triple talaq has also been “compoundable” or a provision that allows the wife to withdraw a complaint or approach the magistrate for a dispute settlement.

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