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Legal Actions Against Domestic Violence In Live In Relationship

Ms. Anupama Yadav¹, Dr. Anand kumar² Research scholar, BPSMV¹, Assistant professor, BPSMV²

Abstract: In India, the term "live-in relationship" refers to cohabiting as a pair without officially living. However, such relationships have become more prevalent in recent years for several reasons. In the lack of specific legislation, norms, or customs governing such relationships, the Supreme Court provided some recommendations in its decision. This article will define live-in relationships, examine the Constitutional Protection for Live-In Relationships, and explain Live-In Relationships and the 2005 Domestic Violence Act. Contrary to popular belief, a live-in relationship between two individuals with consent is lawful. Assume the couple lives with each other as a married couple for a lengthy period and presents themselves to the public as such. In such a scenario, the "relationship in the nature of marriage" is considered under the 2005 Prevention of Domestic Violence Act. As a consequence, under the provisions of the law, the woman is entitled to alimony. Kids born out of these relationships are deemed genuine and counted as part of their parents' self-acquired assets. There is no coparcenary part in Hindu undivided family property, though. While live-in relationships allow couples to get to know one another better, such a no-strings-attached relationship has several drawbacks. The pair confront many social and logistical challenges on a daily basis. Mental health experts believe that being involved in a high-quality relationship is preferable to living alone and having no relationship.

Keywords: Live-In Relationship, Domestic Violence Act, 2005, Marriage, Women, Legal.

1. INTRODUCTION

Since the Vedic era, marriage has been seen as a holy tie in Indian culture. The concept of marriage has changed throughout time. As culture and human psychology continue to develop, so does the idea of marriage and relationships. Future generations are more receptive to relationships than previous generations were. The concepts of live-in relationships are embracing by various couples worldwide. The term "live-in-relationships" refers to relationships in which two individuals cohabit outside of marriage and are not legally bound to each other. This is a marriage-like relationship, but it is not a marriage. This concept has gradually gained traction in the Indian context. However, such relationships are forbidden in Indian culture. While the Supreme Court of India has declared that any partners living with each other for an extended period of time are considered lawfully married unless and until the opposite is proved, the legalized position of live-in relationships in India remains uncertain. Thus, the aggrieved live-in spouse may seek protection and maintenance under the Domestic Violence Act 2005, which grants the right to alimony.

1.1 Meaning of Live-In Relationship

The phrase "live-in relationship" doesn't have a legal meaning. Live-in relationship is described as "a living arrangement in which unmarried partners cohabit in order to maintain a long-term relationship in the same manner as in marriage."¹ It is an agreement in which two individuals agree to live together in an sexually and/or emotionally intimate bond for an extended period of time or permanently. The phrase is more frequently used to refer to unmarried couples. It arose as a statement of freedom from institutionalized marriage's 'shackles.' It is a deliberate rejection of marriage as an institution, of the preconceptions it generates, and of the limitations and inequities it has come to symbolize.

In India, the majority of people still oppose live-in-relationships. They are still looking taboo in Indian culture. Most individuals think that such a relationship is immoral and inappropriate.

1.2 Distinction between live-in-relationship and marriage

The term "*Marriage*" is also known as wedlock or matrimony. It is a legally recognised relationship or contract between partners that confers specific legal rights and obligations. As India's diverse culture, various laws have been enacted to establish actions and rules for implementing marriages in numerous religions. Marriage laws have been established in various religions to settle marital disputes. Individual Acts were drafted for various faiths owing to the diversity of their customs and traditions. The Special Marriage Act shall apply in the event of inter-caste marriages.

At a distance from maintenance in personal law, Section-125 of the 1973 Code of Criminal Procedure allows for care in certain circumstances, including when a wife cannot support herself. According to Section 20 (1) (d) of the Protection of Women from Domestic Violence Act (PWDV Act), 2005, women may seek extra maintenance in addition to the maintenance they get under any other legislation.³

In basic words, a live-in-relationship is similar to marriage in that both parties retain their independence and share a house without being wedded. It entails the parties cohabiting indefinitely without any duties or commitments to one another. No legislation binds them together, and as a result, any partner may end the relationship whenever they want.⁴

The legality of such relationships is likewise questionable since a live-in relationship has no legal meaning. Indian law makes no provision for the partners in a living relationship to have any rights or responsibilities. The legal status of a kid born in such a relationship is uncertain, and as a result, the Court has clarified the idea of live-in-relationships via many decisions. The Court has generously declared that a female cohabiting with any male for an extended period would be supposed to be lawfully married under the law unless and until the opposite is shown.

The Court determines a person's entitlement to care in a 'live-in relationship' in accordance with the Domestic Violence Act, 2005 and the circumstances of the particular instance.

However, this type of relationship is reluctant to accept by the average person, the Protection of Women from Domestic Violence Act 2005 allows for maintenance and protection, giving the right to alimony to an "aggrieved live-in partner".

2. OBJECTIVES OF THE STUDY

- ✓ To study the concept of a live-in relationship.
- ✓ To discuss the Constitutional Protection to Live-In-Relationship.
- ✓ To describe the Domestic Violence Act, 2005 with respect to live-in relationships.

3. RESEARCH METHODOLOGY

It has been mainly used by empirical and rational. Additionally, in addition to philosophical studies of its secondary material, it is aided by television, newspapers, books, journals, research papers, the internet (web resources), and discussions with those involved in the problem.

4. DISCUSSION

4.1 Issue of Maintenance in Live-in Relationship

In the instance of a lady in a live-in-relationship with her partner, the issue was whether the absence of a legal marriage under personal law creates a presumption of validity, enabling such a lady for upkeep. In *Jagit Kaur v. Jaswant Singh*,⁵ the Court noted that Chapter-XXXVI of the Code of Criminal Procedure, 1898 (Cr.P.C.) covers provisions for the support of kids and wives. Section 488 establishes a forum for a procedure to obtain

immediate relief for an abandoned wife or a vulnerable child, illegitimate or legitimate. Again, Supreme Court reached a nearly identical conclusion in '*Nanak Chand v. Chandra Kishore Aggarwal*',⁶ when debating section 488 of the Cr P C: section 488 provides a solution appropriate to all persons regardless of religion. It has nothing to do with the parties' personal laws.

Following the adoption of the unified Cr P C, 1973, the Supreme Court ruled in *Ramesh Kaushal v. Veena Kaushal*⁷ that provision 125 is a reincarnation of section 488 of the Cr P C, 1898. It noted that this social justice provision portion was explicitly established to safeguard and prevent the negligence of kids and females. Therefore, it comes in the scope of Article 15(3), which is strengthened by the Constitution's Article 39. Justice Iyer said the following for the Bench: "We do not doubt that the parts of laws requiring judicial interpretation are not frozen text but dynamic words serving a societal purpose. If interpretation is socially relevant, the brooding presence of constitutional sympathy for weaker groups such as women and children must guide it. With this perspective, one may be selective in selecting one of two potential interpretations that promote the cause - the cause of the derelicts.

It should be mentioned that section 125 of the Criminal Procedure Code allows for the payment of support to the spouse and certain other relations. In description (b) to section 125(1) of the Cr P C, the term "wife" is definite as: "A wife is a woman who has not remarried after being divorced by or receiving a divorce from her spouse."

Despite the Supreme Court's observation in Captain Ramesh Kaushal's case, the Court later restricted the denotation of the section 125 provision in '*Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav and Another*',⁸ in which Supreme Court bench of two judges ruled that an attempt to remove personal law from proceedings under section 125 is inappropriate. Additionally, the Court ruled that the term "wife" in section 125 ought to be construed to imply on wife who is lawfully married. This case influenced future court rulings.⁹ In *Vimala v. Veeraswamy*,¹⁰ a Supreme Court Bench of three judge gave a broader clarification of section 125 of the Cr P C, 1973, holding that the provision is envisioned to serve a social objective and the aim is to avoid homelessness and poverty. In defining the phrase "wife", the Court stated: "the objective is to prevent vagrancy and poverty. It provides a primary means of providing food, clothing, and shelter for the abandoned wife. When the husband attempts to deny the ignored wife's claim by presenting her as a kept mistress on the weak basis of a prior marriage, the Court will need stringent evidence of the previous marriage. Section 125 of the Criminal Procedure Code refers to a woman who has been divorced by her husband or who has obtained a divorce from her marriage and has not remarried as a 'wife'. Thus, the objective's wide meaning of the word 'wife' includes women who don't have the legal position of a wife. However, a second wife whose marriage is null and invalid as a result of the continuance of the prior marriage is not regarded as a lawfully wedded wife under the law and therefore is not eligible to maintenance under this article."

The Supreme Court reaffirmed the rule established in the Vimala case in 1991 by safeguarding women who lacked lawful marital positions. The Supreme Court ruled in '*Dwarika Prasad Satpathy v. Bidyut Prava Dixit and Anr*'¹¹ that under section 494 of the IPC, 1860, the threshold of evidence of marriage in a section 125 case is rigorous than that needed in a trial. The Court clarified its reasoning for the conclusion mentioned above by stating that an instruction entered in an appeal under section 125 doesn't define the parties'

duties and rights since the provision was intended to offer an expedited remedy for neglected spouses seeking support. The Court ruled that maintenance could not be withheld when there was proof of living.

The Supreme Court trusted on the law established in Yamunabai, restricting the meaning of section 125 of the Cr P C, 1973, in a succeeding conclusion in '*Savitaben Somabhat Bhatiya v. State of Gujarat and Others*',¹² where the Court said that while it may be desirable to consider the sufferings of an unfortunate lady who innocently married an already married person, there is no possibility to embrace a lady who is not law. The Bench determined that only the Legislature has the authority to rectify this deficiency in the legislation. As a result of the above, it is apparent that there was disagreement about the denotation of the phrase "wife" in section 125 of the Criminal Procedure Code, 1973.

4.2 Constitutional Protection to Live-In Relationship

It's worth noting that some see approval of live-in relationships and premarital sex as an assault on the value of marriage. While it is undeniable that marriage is a critical social institution in India, it is equally necessary to keep in mind that not everyone or all groups share this perspective. There are certain native tribes within our nation whose sexual interactions outside the marriage context are considered normal. Even in the social mainstream, a sizable proportion of individuals find nothing mistaken with pre-marital sex. The criminal law cannot be used to violate an individual's right to liberty since social morality is essentially subjective.¹³ Morality and crime are not mutually exclusive concepts.

Whenever restrictions on live-in relationships and premarital sex are enforced, they contradict Article 21 of the Indian Constitution, which guarantees personal liberty and the right to life. More specifically, the right to privacy.

'*Payal Sharma v. Supdt., Nari Niketan Kalindri Vihar, Agra*',¹⁴ the Court ruled that the requester, a woman of approximately 21 years and a major, had the freedom to travel wherever and live with anybody in accordance with Article 19 and 21 of the Constitution. Even if they are not married, a man and a woman may cohabit. While society may see this as immoral, it is not criminal. Law and morality are distinct concepts. The Supreme Court ruled in '*Lata Singh v. State of Uttar Pradesh*'¹⁵ that a live-in relationship between two individuals with the consent of heterogenic sex doesn't form an offense, even if it is seen as immoral. A girl has the freedom to live or marry with whoever she chooses.

The Supreme Court added another constitutional sanction to live-in relationships in '*S. Khushboo vs. Kanniammal*',¹⁶ the Court said that, although the bulk of our culture believes sexual contact should occur exclusively between married couples, there is no legislative prohibition on adults engaging in sexual intercourse outside the marriage setting. Despite the obiter dicta, this decision served as a spark for the growth of live-in relationships in India.

4.3 Live-In Relationship and the Domestic Violence Act, 2005

By passing the Protection of Women from Domestic Violence Act, 2005 (henceforth denoted as 'the Act'), the Indian Parliament recognized new social phenomena recognized as live-in relationships in our nation. This new type of relationship, which is still uncommon in our nation, is sometimes seen in large metropolitan areas. In India, in relation to changing societal circumstances, the Court recognized the live-in relationship though understanding the phrase "relationship in the nature of marriage" mentioned in section 2 of the Act.

To conduct a thorough observation of the phrase "relationship in the nature of marriage," it is necessary to observe many essential sections of the Act.

Section 2(a) states: The phrase "aggrieved person" refers to any female who is now or has previously been in a domestic relationship with the plaintiff and claims to be a victim of the respondent's domestic abuse.

Section 2(f) states: The term "domestic relationship" refers to any connection in two people who reside or have lived in the same home at any time, regardless of whether they are connected by marriage, blood, or a "relationship in the nature of marriage", adopted, or are members of a family.

Section 2(s) states: "shared household" refers to a residence in which the aggrieved person resides or has previously resided in a domestic relationship with the respondent, whether jointly or separately, and comprises such a household whether rented together or individually or owned by the respondent and the aggrieved person, or leased or owned by either of them, and comprises such a household in which also the respondent or the aggrieved person or both together or individually have any interest, equity, right, or title, and comprises any home that is a part of the respondent's joint family, regardless of any how the aggrieved person or the respondent has any interest, title, or right in the shared household.

Section 3(a) states that an act will form domestic violence in case: It is defined as any act that endangers or harms the aggrieved person's life, safety, health, well-being, or limb, whether physical or mental and includes sexual, physical, emotional and verbal abuses, as well as monetary exploitation.

It is worth noting that while defining domestic relationships in section 2 (f) of the Act, the phrase "lived together in a shared home" was employed. The term is silent on the parties' duration of the residency. The Madras High Court ruled in *M. Palani v. Meenakshi*¹⁷ that the Act doesn't require that the respondent and petitioner reside or have lived with each other for few days or a certain time. They shared a home at the lowest

while they engaged in consensual sexual intercourse, enabling women to continue their maintenance application. In this instance, the petitioner and respondent had consensual intercourse. However, he made no promises about marrying her.

However, the phrase “relationship in the nature of marriage” has been used in several meanings under Section 2 of the Act, it has not been definite. In ‘*D. Velusamy v. D. Patchaiammal*’,¹⁸ the Top Court established the following criteria for defining the phrase “relationship in the nature of marriage”:

1. Both partners must be of legal marriage age.
2. They must meet all other criteria for legal marriage, including being single.
3. They must hold themselves out to society as being akin to spouses.
4. They must have lived together willingly and presented themselves to the public as being on a par with spouses for a lengthy period.

According to the Court, a “relationship in the nature of marriage” as definite in the Act of 2005 should meet the criteria mentioned earlier. Additionally, the parties must have had a “shared household” within the meaning of section 2(s) of the Act. Weekend getaways or a one-night stand do not form a “domestic partnership”. Consequently, a relationship with a married person is not a relationship in the real meaning of the word.¹⁹

Additionally, the Court said that every live-in relationship would qualify as a “relationship in the nature of marriage” for purposes of the 2005 Act. The four circumstances mentioned above must be pleased to be qualified for this benefit, and this must be demonstrated through proof. Suppose a guy has a 'keep' that he economically supports and mostly utilizes for sexual reasons and/or as a servant. In that case, this is not a “relationship in the nature of marriage”. Therefore, in “Madras High Court's verdict in the M. Palani case”, the Supreme Court has indirectly declined. The Court ruled that parties living with each other at the point of having sex formed a domestic relationship enabling a woman to seek maintenance.²⁰

The Court also noted in the *D. Velusamy case*²¹ that the decision would eliminate numerous females who had a “live-in relationship” from the Act of 2005. Nonetheless, the Court has no authority to make or amended laws. Parliament used the term “relationship in the nature of marriage” as a substitute of “live in relationship”. Under the guise of interpretation, the Court can't alter the wording of the law.

4.3.1 Grant of Alimony and Application of the Prevention of Domestic Violence Act, 2005

In the United States, the word "palimony" refers to providing respite in live-in relationships. Palimony was coined in the celebrity divorce case "*Marvin vs. Marvin*"²² in California, United States of America. In this instance, the accuser was in a live-in relationship with the guy for an extended length of time and then sought the Court seeking financial compensation from her partner after their breakup. The term "palimony" is a mash-up of the terms "pal" and "alimony." However, the action was ineffective, the courts determined that "in the non appearance of an explicit agreement, courts may consider a range of alternative equitable distribution solutions." Cohabitation agreements were well-known to increase the chances of the Court awarding palimony if a couple signed one before moving in together. In India, the Malimath Committee on Criminal Justice recognized the necessity for such relief when it proposed amending Section 125 of the Criminal Procedure Code (Cr. P. C.), 1973 to comprise females who have lived as a wife with a male for a reasonably lengthy time.²³ Section 125 of the Cr. P.C., 1973 authorizes spouses, children, and parents to pursue maintenance from a dependent person who cannot support themselves. However, the change was not adopted into the Cr. P.C., 1973 it placed such relationships inside the meaning of domestic relationships. A domestic relationship is mentioned in Section 2(f) of the Prevention of Domestic Violence Act, 2005 (PDV Act, 2005) as "a relationship between two individuals who are connected through consanguinity, marriage, or a relationship consider marriage, adoption, or relatives living as a joint family at any moment in time." As per this explanation, 'live-in relationships' that have the features of marriage, that is, couples who live with each other for a lengthy time and identify themselves as husband and wife, fall in the scope of the Protection of Women from Domestic Violence Act, 2005. Thus, a woman in a live-in relationship may seek protection under the 2005 Protection of Women from Domestic Violence Act and may also seek maintenance (*D. Velusamy vs. D. Patchaiammal*²⁴). The Supreme Court considered the applicability of the Protection of Women from Domestic Violence Act, 2005 to live-in relationships in the case of "*Lalita Toppo vs. the State of Jharkhand*." In a shared home, the victim, the separated wife, or the live-in partner would be eligible to remedy under the Act. In "*Ajay Bhardwaj vs. Jyotsna*"²⁵, the Court mentioned to this report while awarding alimony to a female in a live-in relationship under the Protection of Women from Domestic Violence Act, 2005. However, under the Protection of Women from Domestic Violence Act, 2005, only the woman is entitled to support. Men in live-in relationships are not eligible for support under the Protection of Women from Domestic Violence Act Act, 2005. In this regard, it is value noticing that the Court said in "*Khushboo vs. Kanniamal*"²⁶ that "a live-in relationship is usually started and preserved by males."

4.3.2 Rights of Children Born Out of Live-In-Relationship

While granting property rights to a child in "*Tulsa vs. Durghatiya*"²⁷, the Supreme Court specified that kids born from live-in relationships wouldn't be considered unlawful if their parents lived in the same house and cohabited for a sufficiently lengthy period to be recognised as wife and husband. It could not be a "walk in and walk out" relationships. Section 16 of the Hindu Marriage Act, 1955, and Section 26 of the Special Marriage Act confer legality on kids born out of the voidable and void marriages, respectively, by giving that kids born out of a null and invalid marriage or where a verdict of nullity is approved a voidable marriage are deemed illegitimate or legitimate. However, according to Sub-section (3) of the exact provisions of the Act, such kids' legacy rights are restricted to their parents' property. Consequently, if their parents were not officially married, such kids cannot inherit coparcenary rights in Hindu undivided family (HUF) property. Thus, the provisions of these portions of the Act have been interpreted to give a legacy right in the parents' self-acquired property to kids born out of a "live-in relationship". Though, if their parents are not lawfully married, kids cannot claim coparcenary rights in HUF property of their father. Claiming support under Criminal Procedure Code Provision 125 is well in the rights of dependent kids born out of live-in relationships, since the section expressly states "both illegitimate and legitimate child." When determining guardianship, the mother is considered the natural guardian of such children.

4.3.3 Psychosocial Implications of Live-In-Relationship

Our nation has seen dramatic developments in the area of opposite-sex relationships in recent years. The current generation views such relationships differently than previous generations. It was deemed taboo for males and females to live with each other in the same house without being officially married in the framework of our social norms. Similarly, premarital sex was considered very sinful. However, these ideas and taboos are progressively disappearing, and society is becoming more receptive to the notion of live-in relationships and premarital sex. This shift in mentality may be attributed to reasons such as freedom, privacy, career, education, globalization, and others. Such relationships include a better understanding of the parties and determine whether the partners are compatible. Unlike their forefathers, the current generation believes it is essential to comprehend one another decently before getting into a legal marriage. Once someone gets into a lawful marriage, the breakup becomes very difficult, lengthy, complicated, and inconvenient for all parties involved in the partner to discover that they are not suitable for one other. However, living with each other for a while without getting into a legal marriage allows for a simple breakup without the need for time-consuming legal processes. However, such a relationship with no duties or commitments has its drawbacks. Such relationships are not legally obligatory on the parties. Still, in a traditional marriage, the spouses are given specific rights and responsibilities and duties that both must fulfill. In live-in relationships, the woman is frequently at a disadvantage. In September 2019, a Rajasthan State Human Rights Commission panel even declared such

relationships to be against women's self-respect and suggested that a law be enacted to prohibit them. Human rights groups, however, were outraged and slammed the decision.

Such relationships cause a slew of social and logistical issues in everyday living. They confront various legal obstacles, such as creating a joint account in bank, obtaining visas, insurance, visiting hospitals, etc. Kids born out of marriage are subjected to emotional anguish and face difficulties inheriting their parents' possessions. As previously indicated, they have inheritance rights in properties of their parents, but they don't have a coparcenary part in the Hindu undivided family assets. Two examples are provided below to demonstrate the challenges that partners in live-in relationships experience when not legally married. Anuradha Beniwal, an international chess player, discreetly lived with her lover in a live-in relationship, despite society's implicit disapproval. Her partner later obtained a job opportunity in London, and she chose to relocate with her partner. The visa issue was declined because they were not legally married to each other. To escape these problems, they had to marry quickly. For 40 years, in Kerala, a couple had a live-in relationship. They were opposed to the social establishment of marriage, believing that love didn't require permission from society and that marriage was not sacred.²⁸ They had decided to live together for the rest of their lives and had done so for the past four decades. After such a lengthy period of cohabitation, they definite to legalise their relationship, not for individual reasons, but to evade official and administrative complications for their grandkids.

5. CONCLUSION

In India, the legislation governing live-in relationships is ambiguous, and several problems remain unanswered. The rights of the Children born from such relationships should be protected. There is an urgent requirement for a law that clearly defines the scope of live- in-relationships and the partners' rights and duties in such relationships. Despite this, and in light of the judiciary's determination to resolve current difficulties expeditiously, the following propositions from the Apex Court should be considered when defining the phrase "live-in relationship":

1. A woman who lives with a man may be considered an "aggrieved person" under section 2 (a) of the Protection of Women from Domestic Violence Act, 2005.
2. A lady and her man companion need to present themselves to society as married couple; they must be of lawful marriageable age; they must be then capable of entering into an official marriage, including being not married; and they must have cohabited willingly and showed themselves to the society as partners for a reasonable time.
3. They must have shared a household in accordance with the provisions of section 2(s) of the Protection of Women from Domestic Violence Act, 2005

BIBLIOGRAPHY

Journal

- a. Bruce C. Hafen, "The Constitutional Status of Marriage, Kinship, and Sexual Privacy -- Balancing the Individual and Social Interests," *81 Michigan Law Review*, (1983).
- b. Divya Sharma, "The Plight of a Second Wife: A Case Study." *4 NALSAR Stud. L. Rev.*, (2008).
- c. Douglas NeJaime, "Marriage Inequality: Same-Sex Relationships, Religious Exemptions, and the Production of Sexual Orientation Discrimination", *California Law Review* (2012).
- d. Kasanappa Naik and Devidas G. Maley, "Live-in-Relationship and Institution of Marriage: Socio-Legal Dimensions" *3 Indian Journal of Law and Human Behavior* (2017).
- e. Loveday Hodson, "A Marriage by Any Other Name?" *11 Human Rights Law Review* (2011).

Act

- a. Domestic Violence Act, 2005

Cases Laws

- a. *D. Velusamy case*, (2010) 10 SCC 469
- b. *D. Velusamy v. D. Patchaiammal*, 2011 Cri L J 320.
- c. *Dwarika Prasad Satpathy v. Bidyut Prava Dixit and Anr*, 1999 AIR SCW 3844.
- d. *Jagit Kaur v. Jaswant Singh*, AIR 1963 SC 1521.
- e. *Lata Singh v. State of U.P.*, AIR 2006 SC 2522.
- f. *M. Palani v. Meenakshi*, 7 2008 (5) ALL MR (Journal) 38.
- g. *Nanak Chand v. Chandra Kishore Aggarwal*, AIR 1970 SC 446.
- h. *Payal Sharma v. Supdt., Nari Niketan Kalindri Vihar*, AIR 2001 All 254.
- i. *Ramesh Kaushal v. Veena Kaushal*, AIR 1978 SC 1807.
- j. *S. Khushboo v. Kanniammal*, 2010 Cri L J 2828.
- k. *Savitaben Somabhat Bhatiya v. State of Gujarat and Others*, AIR 2005 SC 1809.
- l. *Vimala v. Veeraswamy*, 1991 AIR SCW 754.
- m. *Yamunabai Anantrao Adhav v. Anantrao Shivram Adhav and Another*, AIR 1988 SC 644.

Websites

- a. <http://legalservices.co.in/blogs/entry/Live-InRelationship>
- b. <https://www.jstor.org/stable/353439>

Endnotes

- ¹ Available at: <http://legalservices.co.in/blogs/entry/Live-InRelationship>, (Last Visited on 30 August, 2021).
- ² Douglas NeJaime, "Marriage Inequality: Same-Sex Relationships, Religious Exemptions, and the Production of Sexual Orientation Discrimination", *California Law Review* (2012).
- ³ Divya Sharma, "The Plight of a Second Wife: A Case Study." 4 *NALSAR Stud. L. Rev.*, (2008).
- ⁴ Bruce C. Hafen, "The Constitutional Status of Marriage, Kinship, and Sexual Privacy -- Balancing the Individual and Social Interests," 81 *Michigan Law Review*, (1983).
- ⁵ AIR 1963 SC 1521.
- ⁶ AIR 1970 SC 446.
- ⁷ AIR 1978 SC 1807.
- ⁸ AIR 1988 SC 644.
- ⁹ *Ibid.*
- ¹⁰ 1991 AIR SCW 754.
- ¹¹ 1999 AIR SCW 3844.
- ¹² AIR 2005 SC 1809.
- ¹³ *Ibid*
- ¹⁴ AIR 2001 All 254.
- ¹⁵ AIR 2006 SC 2522.
- ¹⁶ 2010 Cri L J 2828.
- ¹⁷ 7 2008 (5) ALL MR (Journal) 38.
- ¹⁸ 2011 Cri L J 320.
- ¹⁹ Loveday Hodson, "A Marriage by Any Other Name?" 11 *Human Rights Law Review* (2011).
- ²⁰ Kasanappa Naik and Devidas G. Maley, "Live-in-Relationship and Institution of Marriage: Socio-Legal Dimensions" 3 *Indian Journal of Law and Human Behavior* (2017). ²¹ (2010) 10 SCC 469
- ²² 18 Cal.3d 660
- ²³ Dr. Justice V.S. Malimath Report . Committee on Reforms of Criminal Justice System. Government of India, Ministry of Home Affairs. Report Vol I; March 2003. Available at: https://www.mha.gov.in/sites/default/files/criminal_justice_system.pdf. (Last Visited on Sep. 23, 2021).
- ²⁴ AIR (10 SCC 469) 2010.
- ²⁵ SCC Online P&H 9707.
- ²⁶ AIR 2010 (5 SCC 600 2010).
- ²⁷ Air 2008 Sc 1193
- ²⁸ Anand, A . The complete guide to live-in relationship in India. Quartz India Available at: <https://qz.com/india/303608/the-complete-guide-to-live-in-relationships-in-india/> (Last Visited on Sep. 23, 2021).