
JUDICIAL ACTIVISM AND LEGISLATIVE INACTION: ANALYSING THE ABSENCE OF A STATUTORY FRAMEWORK FOR LIVE-IN RELATIONSHIPS IN INDIA

M. Siddharth, School of Law, SRM IST, Kattankulathur

ABSTRACT

The concept of live-in relationships has increasingly become part of contemporary Indian society. Despite this social development, the legal system does not yet have a dedicated statutory framework governing such relationships. While the Supreme Court and various High Courts have progressively recognised such relationships under Article 21 of the Constitution, particularly through landmark judgments including *Lata Singh v. State of U.P.*, *D. Velusamy v. D. Patchaiammal*, and *Indra Sarma v. V.K.V. Sarma*, whereas the Parliament has remained silent despite repeated judicial calls for legislative intervention. The paper uses a doctrinal analysis of the existing legal provisions governing live-in relationships in India, including the Protection of Women from Domestic Violence Act, 2005, the Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bharatiya Nyaya Sanhita, 2023, along with recent state-level legislative developments under the Uttarakhand Uniform Civil Code, 2024 and the Gujarat Uniform Civil Code, 2026. This study shows that the current framework is fragmented and largely remedial in nature, offering only a conditional and inconsistent protection that largely depends on judicial discretion. The lack of a central statute has created uncertainty regarding maintenance, property rights, succession, and the status of children, while also leading states to introduce mandatory registration models that raise serious constitutional concerns relating to the right to privacy. The paper concludes that judicial developments, though important, cannot substitute for proper legislative action, and argues for a comprehensive central law that provides optional registration, clearly defined rights, and safeguards for privacy in live-in relationships.

Keywords: Live-in Relationships, Judicial Activism, Legislative Inaction, Article 21, Uniform Civil Code.

1. INTRODUCTION:

In India, the legal system has traditionally relied on marriage as the primary basis for regulating personal relationships between individuals. Most family laws in the country are centred around this institution, as it provides clarity regarding the rights, duties, and social recognition of such relationships. However, over the past few decades, this pattern has started to change, especially in urban areas where individuals are increasingly making personal choices about their relationships. As a result, many people are choosing to cohabit without entering into marriage, leading to the rise of non-marital relationships commonly referred to as live-in relationships.

There is an absence of a separate legislation regulating these live-in relationships, and courts in the country have been performing the role of the legislature by protecting and providing rights to people living in such relationships for the past few decades. Courts have firmly affirmed that such relationships, where there is cohabitation between consenting adults, are not illegal and fall within the scope of personal liberty under Article 21 of the Constitution of India.¹ They have also attempted to distinguish between different types of live-in relationships by clarifying that not all such relationships can be treated on the same footing as marriage. This has been clearly discussed in one of the most important and landmark judgments in family and personal law, namely, *Indra Sarma v. V.K.V. Sarma*,² where the Supreme Court examined the nature and legal status of these live-in relationships.

Even though the judiciary has been recognising and regulating these live-in relationships by pronouncing judgments which protect and regulate the rights of people in such relationships, the legal position in the country remains unclear and fragmented. The absence of a national legislation regulating these relationships is creating a lot of problems for the courts as well as for society as a whole, as the rights and obligations of the people in these relationships come to be decided on a case-by-case basis before the courts in order to obtain relief. This creates a lot of confusion with regard to maintenance, property rights, and the legal status of children born out of such relationships, where there is no proper legislation that gives recognition in the eyes of law in the country. Because of this, individuals in these relationships do not have clear or uniform legal protection.

The paper analyses the legal status of these live-in relationships and also the role played by the

¹ INDIA CONST. art. 21.

² *Indra Sarma v. V.K.V. Sarma*, (2013) 15 SCC 755.

judiciary over the years, along with the absence of a national legislation which is needed to regulate these relationships. The paper further focuses on how courts have shaped the recognition of these relationships through their judgments, while at the same time highlighting why courts alone are not sufficient and how relying solely on the judiciary is a limitation. The paper argues that there is an absence of a clear statutory framework, which leads to inconsistency, uncertainty, and more chaos, which further emphasises the need for legislative action to provide proper protection of rights and recognition to people in these relationships.

1.1 Objectives:

- To examine the legal status of live-in relationships in India.
- To analyse the role played by the judiciary in recognising and regulating such relationships.
- To study the limitations of the existing legal framework governing live-in relationships.
- To highlight the issues arising due to the absence of a comprehensive statutory framework.
- To emphasise the need for legislative intervention to ensure clarity and protection of rights.

2. REVIEW OF LITERATURE:

In India the legal status of live in relationship is in a combative space between the judiciary and the legislative where the judiciary recognises and the legislative is silent about this where in the first place it is the duty of the legislature to draft the rules to regulate these relationships. There are so many articles about this situation which say that as a society we are moving towards slowly accepting this and more in urban areas whereas there is a lack of proper laws from the centre which creates a statutory vacuum. Most of the authors agree that the judiciary has been forced to be the temporary lawmaker but in fact this "judicial approach" is inherently limited because a case-by-case decision often leads to a lack of uniformity and legal uncertainty.³

³ A. Sharma, *Judicial Approach Amidst Growing Live-in Relationship*, Law and World (2025).

The fundamental research in this field centres on the "relationship in the nature of marriage" a test which establishes the criteria for protecting women in these non-marital cohabitations. These guidelines acted as big breakthroughs for rights like maintenance and other rights but existing analyses have been suggesting that these in truth remain "conditional" and doesn't cover the entire spectrum of how couples are in these modern cohabitations.⁴ Recent articles by scholars highlight that the legal ambiguity in not having a proper legislation which regulates these relationships remain a central problem and that courts often find it difficult to apply judicial standards to the complex modern relationship and social realities of the present day.⁵

Recent articles have shifted the focus towards the dangers of "state overreach" in personal lives in the name of regulation of these live in relationships. There is an evolving observation that the legal landscape is moving towards "from choice to compliance" as the new criminal frameworks and the new state level Uniform Civil Codes are regulating what was once a private autonomy of the individual.⁶ Many studies are now exploring the constitutional dilemma created by these new laws and particularly questioning why there is a mandatory registration requirement and whether these violate the fundamental right to privacy under Article 21 of the individuals involved in these relationships.⁷ To conclude current updates, warn that regarding these relationships that because of an absence of a clear civil statute leads to many personal relationship disputes to be treated as criminal matters.⁸

By reviewing these sources it's clear that the research gap is visible. There are so many multiple analyses of individual court cases and specific statutes are available but there is a lack of research which connects the historical judicial milestones with the current legislative push for mandatory registration. The main aim or the goal of the paper is to fill this gap by analysing how the courts and the state are in conflict with each other and why a national legislation regulating these relationships is the most appropriate and comprehensive way to ensure both protection and privacy of the individuals involved in this modern form of non-marital cohabitations.

⁴ *Indra Sarma, (2013) 15 SCC 755.*

⁵ N. Talawar, *Legal Standings of Live-in Relationships in India: Analysis of Judicial Trends*, SSRN (2025).

⁶ *From Choice To Compliance: Regulating Live-in Relationships in India's Emerging Legal Order*, Mondaq (Mar. 2026).

⁷ *Live-in Relationships and the Uniform Civil Code in India: Legal Evolution, Social Response and Constitutional Dilemmas*, ResearchGate (Oct. 2025).

⁸ SCC Online Blog, *Women's Rights in Live-in Relationships in India* (Feb. 17, 2026).

3. METHODOLOGY:

This research paper adopts a doctrinal method of study which primarily relies on the analysis of existing legal materials. The study is based on both primary and secondary sources and that the primary sources consist of statutes and court judgments while the secondary sources are articles and legal commentaries published in journals and law sites. The objective of the method is to find out the current legal position relating to live-in relationships in the country and also to identify the gaps and the absence of legislation in the existing legal framework. The study is done by doing a detailed analysis of key judgments given by the courts in the country including judgments like *Indra Sarma v. V.K.V. Sarma* and analysis of relevant statutory provisions like the Protection of Women from Domestic Violence Act, 2005⁹ and the recent developments under Bharatiya Nyaya Sanhita, 2023¹⁰ and other articles by various authors to understand the evolving nature of the issue. The paper follows an analytical and descriptive approach focusing on how the courts have expanded the scope and meaning of these live-in relationships in the absence of a clear legislation by the legislature and also the limitations of relying on the judiciary alone highlights that there is an urgent need for a clear and structured statutory framework.

3.1 Limitations:

This research is purely a doctrinal based one and that it relies on analysis of statutes, judicial precedents, and secondary legal sources available up to March 2026. This study does not include any empirical field data, interviews, or surveys conducted with couples currently in live-in relationships. The scope of the research is primarily limited to the legal and the constitutional frameworks in the country, with a special focus on the central legislative vacuum and the recent state-level Uniform Civil Codes like Uttarakhand and Gujarat where the laws are very recent and there is currently a lack of established case laws regarding their practical implementation and enforcement. The analysis here is primarily focused on the legal position in India; while a brief reference to international frameworks (such as those in France and South Africa) are made in the conclusion. The study does not undertake a full comparative analysis of foreign jurisdictions. The paper focuses only on the legal rights and obligations and does not explore the sociological or psychological impacts of cohabitation in detail.

⁹ The Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2005 (India).

¹⁰ The Bharatiya Nyaya Sanhita, 2023, No. 45, Acts of Parliament, 2023 (India).

3.2 Historical and Social Context of Live-in Relationships in India:

The modern and urban forms of live-in relationships are often perceived as an influence or import from western culture, driven by globalisation and individuality, whereas the core idea of informal unions based on mutual consent has deep historical roots in Indian legal and cultural traditions itself. Multiple ancient Indian and Hindu texts, particularly the Gandharva marriage recognised in the Manusmriti and in the Dharmashastra, accepted the consensual union of a man and a woman without any formal rituals or parental approval. This form of relationship was considered one of the eight forms of marriages in classical Hindu law. The orthodox social norms during the medieval period got strengthened and this led to marriage as an institution which became the only socially and legally accepted way of cohabitation. Any relationship outside of this sacramental or registered form was looked at with suspicion and was stigmatised. After independence, the country witnessed a gradual shift, and eventually the weakening of the joint family system, rising urbanisation, spread of education especially among women, and importantly the economic liberalisation of the 1990s started to change the attitudes of the people largely. During all these changes, the judiciary applied the long-standing presumption of marriage to couples who had lived together for a longer period, and this can be seen in the case of *Badri Prasad v. Director of Consolidation*,¹¹ where the Supreme Court held that continuous cohabitation for a number of years raises the presumption of marriage, which reflects the law's attempt to give a form of legitimacy to informal unions even before the modern live-in relationship phenomenon became widespread in the country. From the beginning of the twenty-first century, a new form of cohabitation called live-in relationships, a modern phenomenon, emerged in urban areas and metropolitan cities. Many young professionals and students began to choose this form of cohabitation to test compatibility or to live together rather than to go through the formalities of marriage. This trend has to a greater extent been driven by the greater financial independence of women, exposure to western ideas through media and the internet, and the gradual decline of conservative family influences which has been going on for decades now.

Recent surveys and reports indicate that, societal acceptance of live-in relationships is steadily increasing in urban areas, whereas in rural areas and small towns it still continues to be looked upon with disapproval and social stigma. The legal system has not kept pace with these fast-evolving social realities. There is an absence of a central statute to regulate these modern live-

¹¹ *Badri Prasad v. Director of Consolidation*, (1978) 3 SCC 527.

in relationships or this modern form of non-marital cohabitation. Because of this statutory vacuum, the judiciary has been compelled to continuously intervene in cases and deliver judgments which protect individuals in these relationships, especially women and children born out of such unions. This gap between the changing social fabric of the country and the absence of clear legislation governing these relationships is the central theme of this paper.

3.3 Constitutional Foundation of Live-in Relationships (Article 21):

Article 21 of the Constitution provides protection for life and personal liberty to all individuals in the country, and live-in relationships primarily rest on this constitutional foundation. Over the years, with the evolving legal landscape, the Supreme Court has interpreted Article 21 in a wider manner by holding that the right to life also includes aspects such as dignity, privacy, and the freedom to make personal decisions with respect to matters of intimate relationships.

In *Kharak Singh v. State of Uttar Pradesh* (1963),¹² and later in *Maneka Gandhi v. Union of India* (1978),¹³ the Supreme Court adopted a broader interpretation of Article 21 and this laid the groundwork for recognising each person's personal autonomy. Because of these changes, the evolution of Article 21 finally reached its pinnacle in the significant judgment of Justice K.S. Puttaswamy v. Union of India (2017),¹⁴ where the Court affirmed that privacy forms an essential part of the protection of life and personal liberty under Article 21 of the Constitution. This judgment further highlighted that privacy also includes individual autonomy, meaning that people have the right to make their own choices when it comes to intimate relationships, specifically without any unwarranted state interference. The Supreme Court has protected live-in relationships under this constitutional framework. In *Lata Singh v. State of Uttar Pradesh* (2006),¹⁵ the court stated that cohabitation between consenting adults is not unlawful and that such individuals are free to live together without any social or parental interference. Similarly, in *S. Khushboo v. Kanniammal*,¹⁶ the court observed that such relationships fall within the scope of personal liberty and cannot be called criminal or immoral. These developments were further reflected in *Indra Sarma v. V.K.V. Sarma* (2013),¹⁷ where the Supreme Court observed that "live-in or marriage-like relationship is neither a crime nor a sin though socially

¹² *Kharak Singh v. State of Uttar Pradesh*, AIR 1963 SC 1295.

¹³ *Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

¹⁴ *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

¹⁵ *Lata Singh v. State of Uttar Pradesh*, AIR 2006 SC 2522.

¹⁶ *S. Khushboo v. Kanniammal*, (2010) 5 SCC 600.

¹⁷ *Indra Sarma*, (2013) 15 SCC 755.

unacceptable in this country." The Court also connected such relationships with dignity and personal liberty under Article 21.

The judiciary has played a key role in protecting such modern relationships within the framework of Article 21, and this provision acts as the foundation of protection for the people involved in these relationships. The Supreme Court, by expanding the scope of life and personal liberty to cover autonomy in intimate matters, has filled the vacuum created by the legislature due to the lack of a specific legislative framework.

Although the judiciary has made efforts to provide protection, it is still clear that there are clear limits to relying solely on constitutional interpretation by the courts. Without a separate legislative framework, the rights and duties of individuals involved in such live-in relationships depend on case-by-case adjudication by the courts.

3.4 Judicial Evolution and Legal Recognition:

The Supreme Court along with different High Courts across the country have recognised these live-in relationships and this reflects how judicial activism has addressed the gap created due to the absence of legislative action. The Parliament for decades has remained silent on the legal status of these modern forms of cohabitation outside of marriage. The courts primarily relied on Article 21 of the Constitution and gradually developed a body of laws to protect individuals, specifically women, in these relationships.

This evolution of the courts' view began from the late 1970s when the Supreme Court extended the presumption of marriage to situations involving long-term cohabitation. This happened in *Badri Prasad v. Director of Consolidation* (1978),¹⁸ where the court observed that if a couple is not married and cohabitated for a long term continuously over a considerable period of time, it may give rise to a strong presumption of a valid marriage and this was the first judicial acknowledgement that couples who have been living together without a formal marriage can still be entitled to a few legal protections.

One of the major breakthroughs came in 2006 in *Lata Singh v. State of Uttar Pradesh*.¹⁹ Where the Supreme Court clearly stated that cohabitation between consenting adults is not unlawful

¹⁸ *Badri Prasad*, (1978) 3 SCC 527.

¹⁹ *Lata Singh*, AIR 2006 SC 2522.

and further recognised that adults are free to live together without any interference from either the society or from their family. This was followed by another case in the year 2010 in *S. Khushboo v. Kanniammal*,²⁰ where the Court reiterated that such relationships fall within the scope of personal liberty and cannot be considered as either criminal or immoral. The court then took a more structured approach in *D. Velusamy v. D. Patchaiammal*,²¹ in the year 2010 and for the first time in detail the court laid down four essential ingredients that must be fulfilled for a relationship to be considered as "in the nature of marriage" as per Section 2(f) of the Protection of Women from Domestic Violence Act, 2005.²² These essential conditions include that the couple presents themselves to society as husband and wife, are legally eligible to marry, have the capacity to enter into a valid marriage, and have lived together for a considerable period of time.

Even today, one of the most authoritative and comprehensive judgments given by the Supreme Court on this subject remains the important decision in *Indra Sarma v. V.K.V. Sarma*,²³ where the court in this case openly acknowledged that "live-in or marriage-like relationship is neither a crime nor a sin though socially unacceptable in this country." Justice K.S. Radhakrishnan, who was writing for the bench, laid down eight guidelines to assess whether a live-in relationship can be considered as a "relationship in the nature of marriage" within the scope of the Domestic Violence Act. These guidelines are: (1) duration of the relationship, (2) shared household, (3) pooling of resources and financial arrangements, (4) domestic arrangements, (5) sexual relationship, (6) children, (7) socialization in public, and (8) the intention and conduct of the parties. The court further clarified that a woman who knowingly enters into a relationship with a married man may not be entitled to claim full benefits of such a "relationship in the nature of marriage." These decisions collectively establish that live-in relationships get a certain level of protection within the country under Article 21, particularly in relation to life, personal liberty, dignity, and privacy, but this activism of the judiciary alone is not sufficient and the courts have stated this multiple times and that their role is just a case-by-case basis and that even though legal recognition exists, a clear and comprehensive statutory framework is missing.

²⁰ *Khushboo*, (2010) 5 SCC 600.

²¹ *D. Velusamy v. D. Patchaiammal*, (2010) 10 SCC 469.

²² The Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2005 (India).

²³ *Indra Sarma*, (2013) 15 SCC 755.

3.5 Existing Statutory Framework Governing Live-in Relationships:

The judiciary has acknowledged the nature of such relationships while the legislature has not enacted a comprehensive law to regulate them, because of this the existing statutory framework is fragmented and has very limited provisions across different laws. Although these scattered provisions offer some protection, they do not provide a clear legal status for couples in live-in relationships. One of the most important recognitions is found in the Protection of Women from Domestic Violence Act, 2005 under Section 2(f), where “domestic relationship” is defined to include a relationship between two persons who have lived together in a shared household in the nature of marriage.”²⁴ This provision gives women in live-in relationships the rights to seek protection and residence along with monetary relief. Women can also seek maintenance under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which replaces Section 125 of the CrPC.²⁵ Section 69 of the Bharatiya Nyaya Sanhita, 2023²⁶ protects women because this section criminalises sexual intercourse obtained through deceit or on the basis of a false promise of marriage, a provision which is often invoked by the courts in order to protect women in broken live in relationships.

Because of the absence of a central legislation two states have taken it by themselves to legislate live in relationships and the first state to do so was the State of Uttarakhand which legislated the Uttarakhand Uniform Civil Code Act, 2024 with later amendments in 2026,²⁷ which became the first law in the country to mandate people to register live in relationships. The second state to do so was the state of Gujarat which legislated the Gujarat Uniform Civil Code Bill,²⁸ which was passed on 24th March 2026 which also had adopted a similar mandatory registration and along with penalties for non-compliance. These state interventions marks a shift from the judicial tolerance to active state regulation which raises a lot of concerns regarding the privacy and personal autonomy of people under Article 21 of the Constitution.

The Domestic Violence Act and maintenance provisions do provide some safeguards and the new criminal and state laws regulate this but there is still not a comprehensive legislative framework to clearly defines the rights and duties of individuals in a live-in relationship. These existing laws are therefore limited and inconsistent and because this legislative vacuum forces

²⁴ Protection of Women from Domestic Violence Act, 2005.

²⁵ The Bharatiya Nagarik Suraksha Sanhita, 2023, No. 46, Acts of Parliament, 2023 (India).

²⁶ The Bharatiya Nyaya Sanhita, 2023, No. 45, Acts of Parliament, 2023 (India).

²⁷ The Uttarakhand Uniform Civil Code Act, 2024 (India).

²⁸ The Gujarat Uniform Civil Code Bill, 2026 (India).

the judiciary to be the primary law maker and protector of rights of the people involved in these relationships.

3.5.1 Protection of Women from Domestic Violence Act, 2005:

The Protection of Women from Domestic Violence Act, 2005 is the most significant and the central statute which clearly recognises live-in relationships in the country which was enacted on 13 September 2005 and came into effect from 26 October 2006. This act in the first place was introduced to give more protection to women who might be victims to violence in families or family-like settings. The Statement of Objects and Reasons²⁹ clearly states that this is the legislation which aims to implement the constitutional guarantees under Articles 14, 15 and 21 for women who might suffer from domestic violence.³⁰ One of the important sections in the act is Section 2(f) which says that "domestic relationship" in broad terms is "a relationship between two persons who live or have, at any point of time, lived together in a shared household, when they are related by consanguinity, marriage, or through a relationship in the nature of marriage, adoption or are family members living together as a joint family." This phrase "relationship in the nature of marriage" is deliberately expanded than the term "marriage" itself because it was intended to expand the protective rights of the act to women who are involved in these non-marital cohabitations and thus acknowledging the social reality of live-in relationships. The Supreme Court gave one of the most important judgments in the case of Indra Sarma v. V.K.V. Sarma (2013) 15 SCC 755³¹ where the court stated that "live-in or marriage-like relationship is neither a crime nor a sin though socially unacceptable in this country." Justice K.S. Radhakrishnan laid down eight guidelines to determine whether a live-in relationship qualifies as one "in the nature of marriage" under Section 2(f),³² and these are: (1) duration of the relationship; (2) shared household; (3) pooling of resources and financial arrangements; (4) domestic arrangements; (5) sexual relationship; (6) children; (7) socialisation in public; and (8) the intention and conduct of the parties. The court held that the relationship must display the essential characteristics of marriage, even if it is not a legally recognised marriage, and also clarified that when a woman enters into a relationship with a married man knowingly then she is treated as a concubine or mistress and cannot claim the full benefits of a "relationship in the

²⁹ Protection of Women from Domestic Violence Act, 2005, Statement of Objects and Reasons, No. 43, Acts of Parliament, 2005 (India).

³⁰ INDIA CONST. arts. 14, 15, 21.

³¹ Indra Sarma v. V.K.V. Sarma, (2013) 15 S.C.C. 755.

³² Protection of Women from Domestic Violence Act, 2005, § 2(f), No. 43, Acts of Parliament, 2005 (India).

nature of marriage." When the relationship is held to be "in the nature of marriage", then the aggrieved woman can ask for civil remedies under the DV Act. These remedies include protection orders under Section 18, residence orders under Section 19, monetary relief under Section 20, custody orders under Section 21, and compensation for mental torture and emotional distress under Section 22. The Act also provides for interim and ex parte orders under Section 23, making it one of the most powerful and speedy remedial legislations.³³

The DV Act regulates consequences of violence and not the relationship itself. It has some notable limitations because it is actually a protective and remedial statute instead of a comprehensive code governing live-in relationships, because it does not define the rights and obligations of the parties, does not provide for the registration of such relationships, does not regulate property rights, succession, or inheritance, or grant automatic legitimacy to children born out of these relationships. The most important point is that these protections are available only when domestic violence has occurred or is apprehended. To determine whether the relationship qualifies under Section 2(f) is highly fact-specific and case-by-case and depends on judicial discretion in each case. The Act only applies to women as aggrieved persons and does not provide any protections to men.

The DV Act is the primary law in India which offers meaningful legal protections to women in live-in relationships but this alone is not enough for the societal landscape right now and does not fill the void left by the legislature in this area. The Act gives some civil remedies to women and not a complete legal framework for regulating live-in relationships. This gap continues to force the courts to act as the lawmaker in this field in the country.

3.5.2 Maintenance Rights under BNSS §144:

The maintenance rights for women in live-in relationships are available under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS),³⁴ which replaced Section 125 of the Code of Criminal Procedure, 1973.³⁵ This provision gives the power to magistrate to order the person who has sufficient means to provide maintenance to his wife, children, or parents if they are unable to maintain themselves, though the section uses the term "wife", the courts have given it a broad interpretation to include women in live-in relationships and specifically those

³³ Protection of Women from Domestic Violence Act, 2005, §§ 18–23, No. 43, Acts of Parliament, 2005 (India).

³⁴ The Bharatiya Nagarik Suraksha Sanhita, 2023, § 144, No. 46, Acts of Parliament, 2023 (India).

³⁵ The Code of Criminal Procedure, 1973, § 125, No. 2, Acts of Parliament, 1974 (India).

that qualifies as “in the nature of marriage”. The Supreme Court has consistently maintained that a woman in a long-term live-in relationship is entitled to maintenance under this provision only if the relationship satisfies the criteria of a “relationship in the nature of marriage”.³⁶ In the case of *Indra Sarma v. V.K.V. Sarma* (2013) 15 SCC 755,³⁷ the Supreme Court clarified that once a live-in relationship is considered as one “in the nature of marriage” under the DV Act, the woman is entitled to claim maintenance both under the DV Act (Section 20) and also under the maintenance provision (then Section 125 CrPC, now BNSS §144). The court clarified that the purpose of maintenance is to prevent vagrancy and destitution, and that a woman who has lived with a man in a relationship without marriage cannot be left alone without any financial support just because there was no any formal marriage between them.³⁸ The judiciary treated a woman in a qualifying relationship as a “wife” specifically for the purpose of giving maintenance. In *D. Velusamy v. D. Patchaiammal* (2010) 10 SCC 469,³⁹ the Supreme Court laid down four essential conditions for such recognition and these are: (i) the parties must hold themselves out to society as husband and wife; (ii) they must be of legal age to marry; (iii) they must be otherwise qualified to enter into a legal marriage; and (iv) they must have lived together for a significant period. If one if these conditions are satisfied then the woman becomes eligible for maintenance under BNSS §144. Even this recognition and right is not absolute as the courts have repeatedly held that a woman who enters into a relationship with a married man knowingly cannot claim maintenance as a “wife”. This has been explained in the *Indra Sarma* case where the court ruled that a woman in such a kind of situation will be generally treated as a concubine or mistress and therefore is not entitled to the full benefits of a “relationship in the nature of marriage”. Maintenance can be granted in some deserving cases, but the quantum and duration are determined on a case-by-case basis and deserving cases determination is also at the discretion of the court and they do consider factors such as the length of the relationship, financial capacity of the man, and the woman’s own earning capacity. The introduction of the new criminal law BNSS §144 in 2023 has not done anything substantially the position and continues the earlier CrPC jurisprudence and applies the same tests. Many court judgments have granted maintenance to women in live in relationships but at the same time have denied it in cases where there is bigamy or deceit involved.

³⁶ *Chanmuniya v. Virendra Kumar Singh Kushwaha*, (2011) 1 SCC 141 (India) (Discussing the "broad interpretation" of the term 'wife' in maintenance proceedings).

³⁷ *Indra Sarma v. V.K.V. Sarma*, (2013) 15 SCC 755 (India).

³⁸ *Badshah v. Urmila Badshah Godse*, (2014) 1 SCC 188 (India) (Clarifying that maintenance laws are social justice legislations intended to prevent vagrancy and destitution).

³⁹ *D. Velusamy v. D. Patchaiammal*, (2010) 10 SCC 469 (India).

The BNSS §144 provides a safety net but it suffers the same fate as the DV Act. Maintenance is available only when the woman proves the existence of a qualifying relationship, to prove this it requires lengthy litigation and judicial discretion. There is no automatic or presumptive right, no provision for registration of the relationship, and no clarity on property rights or succession. The remedy is also only limited to monetary relief and doesn't address the legal status of the couples or the rights of children born out of the relationship. Even though Section 144 BNSS just like DV Act as a legal protection but Section 144 specifically acts as a financial protection and operates as a remedial measure. There is no comprehensive statutory framework and leads to a larger problem of legislative inaction but the laws such as DV Act and Section 144 do provide some relief with judicial discretion there is no predictable legal statute for live in relationships.

3.5.3 Criminal Provisions under Bharatiya Nyaya Sanhita §69:

The new criminal law The Bharatiya Nyaya Sanhita, 2023 (BNS) introduced Section 69, which criminalises sexual intercourse obtained by deceitful means or by making a false promise of marriage. The provision states that: “Whoever, by deceitful means or by making promise to marry a woman without any intention of fulfilling the promise, has sexual intercourse with her, shall be punished with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.”⁴⁰ This explanation in Section 69 clarifies that “deceitful means” includes things like false promise of employment or promotion, inducement for marriage after suppressing identity, or any other forms of deception. This provision is relevant to live-in relationships as one partner usually the man continues the relationship while promising marriage at a future date and when the relationship ends without a marriage the woman may invoke Section 69 alleging that the sexual relationship was based on deceit or a false promise.

The courts apply a strict test for conviction called the “inception test” where the prosecution must prove that the accused had no intention of fulfilling the promise at the very beginning of the relationship and that a mere breach of a promise which changed due to circumstances doesn't attract any criminal liability. This distinction was reiterated in the case of *Anurag Soni v. State of Chhattisgarh* (2019) 13 SCC 1,⁴¹ and also in *Sonu v. State of Uttar Pradesh* (2021) SCC

⁴⁰ The Bharatiya Nyaya Sanhita, 2023, § 69, No. 45, Acts of Parliament, 2023 (India).

⁴¹ *Anurag Soni v. State of Chhattisgarh*, (2019) 13 SCC 1 (India).

OnLine SC 181,⁴² where the court held that only a false promise made with the dishonest intention from the inception can convert a civil relationship dispute into a criminal offence.⁴³

This BNS Section 69 marks a significant shift from the laws like DV Act and BNSS §144 where in those laws it attracts civil remedies and liabilities but in Section 69 its criminal sanction where if the breakdown of the live in relationship is based on deceit. In the absence of a central legislation governing these live in relationships the criminal law has become one of the primary mechanisms for addressing disputes arising from these relationships. This provision still has a practical limitation that is, its gender specific which means only a man can be the accused and the burden of proving a false promise at inception of the relationship lies on the woman and requires strong corroborative evidence. The courts have cautioned that every failed live-in relationship cannot be converted into a criminal case under Section 69.⁴⁴

Section 69 adds a criminal layer to the regulation of live-in relationships. The section offers protection against exploitation and expands the existing statutory framework where civil rights remain underdeveloped this section offers criminal remedies to fill the gap.

3.5.4 State-level Experiments – Uttarakhand UCC 2024 & Gujarat UCC 2026:

Because there is an absence of a comprehensive central legislation governing live-in relationships, two states have taken the lead and by themselves have passed a law for regulation under the name Uniform Civil Code (UCC). These state level experiments with this issue represents that it has been a departure from a judicial recognised model for over two decades from a case-by-case judicial interpretation by the courts to a mandatory state registered and oversight of the live in relationship.

The first state in the country to do this was the state of Uttarakhand which passed the law in the parliament called the Uttarakhand Uniform Civil Code Act, 2024 which mandated compulsory registration of live in relationship.⁴⁵ Under Part III of the Code (Sections 380–387),⁴⁶ every live-in relationship must be registered with the Registrar within whose jurisdiction the partners are residing. They are required to submit a “statement of live-in

⁴² *Sonu v. State of Uttar Pradesh*, 2021 SCC OnLine SC 181 (India).

⁴³ *See also Pramod Suryabhan Pawar v. State of Maharashtra*, (2019) 9 SCC 608 (India).

⁴⁴ *See Shambhu Kharwar v. State of Uttar Pradesh*, 2022 SCC OnLine SC 1032 (India)

⁴⁵ The Uniform Civil Code of Uttarakhand Act, 2024, §§ 380–387 (India).

⁴⁶ *Id.* at § 381 (registration procedure); § 387 (penalty).

relationship” and this should be done within one month of entering into the relationship. The registrar has the right to conduct an enquiry to check whether the relationship does not involve persons within prohibited degrees of relationship, minors, or any other disqualification. After successful registration a certificate is issued and a failure to register leads to the punishment of imprisonment for a term which may extend to three months or a fine, or both.

The second state in the country to follow this is the state of Gujarat which passed the Gujarat Uniform Civil Code Act, 2026,⁴⁷ in the assembly on 24th March 2026 which too adopts a similar registration model. The partners in the relationship must submit a formal statement of live in relationship to the District Registrar within whose jurisdiction they reside. There is a special feature in this where the residents of Gujarat who are in live in relationship outside the state should register with their home district registrar.⁴⁸ The termination of the relationship should likewise be notified and just like Uttarakhand here too its punishable with imprisonment up to three months or a fine or both but here the fine amount is up to ₹10,000 only.

Both of these statutes grant only limited rights like a deserted woman in a live-in relationship is entitled to maintenance, and children born out of these relationships are deemed legitimate. One distinctive feature of Gujarat UCC is the parental notification clause which states that if either partner is between 18 and 21 years of age, the parents or guardians must be informed of the live-in relationship.⁴⁹ Both laws exempt Scheduled Tribes from their respective applications. These two state experiments say a lot about the “fragmented reality” of live-in relationship regulation in the country. A couple’s legal obligations and protections now vary depending on which state they reside or are domiciled. At the same time both statutes do provide certain legal certainty through registration, they do this through imposing mandatory disclosure and state oversight. These patchworks by the states leads to the main problem of the absence of a uniform national framework for regulation of these relationships.

Both these state laws make a shift from the in the tolerance of live in relationships to active registration through compulsory registration, they try their best to address some of the uncertainties created by the lack of central legislation, but these new laws raise fresh constitutional concerns regarding personal autonomy and privacy.

⁴⁷ Gujarat Uniform Civil Code Act, 2026, Cl. 384 (mandatory registration) (passed 24 March 2026).

⁴⁸ Id. (extra-territorial application for Gujarat residents).

⁴⁹ Id. (parental notification for partners aged 18–21).

3.6 Judicial Activism in the Absence of Legislative Intervention:

The judiciary has been performing the role of the legislature for more than two decades at this point. The Supreme Court and various High Courts have recognised, protected, and regulated live-in relationships through progressive interpretations of Article 21. The judicial activism even though it was protective came into place because the Parliament has failed to enact a central legislation defining the rights and obligations of people involved in these relationships. In the case of *Indra Sarma v. V.K.V. Sarma* (2013) 15 SCC 755,⁵⁰ the Supreme Court acknowledged this legislative vacuum, and observed that live-in or marriage-like relationships are neither a crime nor a sin and asked the Parliament to frame a legislation to protect women and children in these relationships. Even after a decade later the Parliament has still not responded. This silence of the Parliament is not accidental and it is a very clear case of legislative inaction. The judicial activism of court have inherent limitations and that they can only decide the specific dispute placed before them on a case-by-case basis only and cannot enact a general law that applies all over the country. Because of this every live-in couple have been forced to approach the court individually to establish that their relationship which qualifies for protection. Different benches apply the eight guidelines laid down in *Indra Sarma* differently and it leads to inconsistency and uncertainty. One of the most important things is that the judiciary cannot create rights that Parliament has not granted, and because of these important issues such as property division, succession, inheritance rights, and formal registration are unaddressed and they require legislative intervention. The tests given by the Supreme Court are in conditional in nature of protection to couples and these tests are given in both the case of *D. Velusamy v. D. Patchaiammal* (2010) 10 SCC 469,⁵¹ where the court gave four conditions and in the *Indra Sarma* case the court gave eight guideline that requires a woman in a live-in relationship to prove that her relationship satisfies the judicial criteria before she can claim any rights in the court. While at the same time a legally married couple doesn't have to prove anything to get the same rights, and this inequality is a direct consequence of an absence of a clear statutory framework.

The recent state level legislations in the name of Uniform Civil Code in states like Uttarakhand and Gujarat address the practical problem in the society and also the inaction by the Parliament. Because of the Parliament's silence these states have introduced mandatory registration of

⁵⁰ *Indra Sarma v. V.K.V. Sarma*, (2013) 15 S.C.C. 755 (India).

⁵¹ *D. Velusamy v. D. Patchaiammal*, (2010) 10 S.C.C. 469 (India) (defining the criteria for a "relationship in the nature of marriage").

people involved in these live-in relationships and with criminal penalties for non-compliance of the same. Even though these laws try their best to address the challenges faced by people in these relationships it does it with serious concerns like imposing state surveillance on private consensual relationships which are complex and violated their right to privacy under Article 21 as recognised in *K.S. Puttaswamy v. Union of India* (2017) 10 SCC 1.⁵²

Its commendable that the judiciary has been acting as an activist in this issue, but it's clearly a failure of legislature to give a permanent solution, and the solution is not just more court cases or fragmented state legislations, and the true solution lies in a comprehensive central legislation which can clearly define live-in relationships, provides for optional registration, establishes clear rights relating to maintenance, property, and children, and protects individual privacy and autonomy without criminalising personal choices.

3.7 Consequences of the Absence of a Clear Statutory Framework:

The absence of a central legislation regulating live in relationships has created widespread chaos in the country. This is because there is no clear rights and obligations of people in these relationships and they have to depend on the courts and it's decided on a case-by-case basis. This situation leads to uncertainty, inconsistency, and long court battles.

The first consequence is the law itself is highly unpredictable. A couple will never know whether their relationship will be accepted as its "in the nature of marriage" or not because they must prove the conditions listed in the case of *D. Velusamy v. D. Patchaiammal*,⁵³ either that or they need to satisfy the eight guidelines from *Indra Sarma v. V.K.V. Sarma* every time,⁵⁴ and one of the other issue is different courts apply these tests in different ways and because of this the same facts can produce different results in different cases. This inconsistency makes it difficult for people involved in these relationships to plan their future or protect their rights.

The second consequence is that the people who suffer the most in these relationships are women and children because a woman who has lived in this type of live in relationship has to

⁵² *K.S. Puttaswamy v. Union of India*, (2017) 10 S.C.C. 1 (India) (affirming the right to privacy as a fundamental right under Article 21).

⁵³ *D. Velusamy v. D. Patchaiammal*, (2010) 10 S.C.C. 469 (India) (outlining the four conditions to determine a "relationship in the nature of marriage").

⁵⁴ *Indra Sarma v. V.K.V. Sarma*, (2013) 15 S.C.C. 755 (India) (outlining the eight guidelines for judicial recognition).

go through a lengthy litigation process to claim maintenance under BNSS §144,⁵⁵ or protection under the DV Act.⁵⁶ During the meantime she goes without any financial support if she is not able to maintain herself, and children born out of these relationships also face a huge problem of what about their legitimacy, custody, and inheritance rights. Even though some judgments have granted legitimacy, there is no automatic legal presumption in favour of the kids.

The third consequence is that the important areas such as property rights, succession, and inheritance remain completely unregulated. Courts have mentioned multiple times that they can't create these rights without a the legislative backing which means they cant do all without the legislature creating a law regarding these issues by regulating these relationships. When a live in relationship between couples end then they have no clear way to divide their jointly acquired property or claim succession rights and this leave the women with economic vulnerability even after years of cohabitation.

The fourth consequence is the new state laws as these have added more difficulties than solutions to people. The mandatory registration under the Uttarakhand UCC 2024,⁵⁷ and Gujarat UCC 2026,⁵⁸ has now turned a private consensual relationship between two people into a state monitored relationship, because a failure to register the relationship will attract criminal liability like imprisonment fine or both. Even though these laws assuming they have good intentions it still raises serious concerns about the right to privacy under article 21 because they are imposing state surveillance on people.⁵⁹

The fifth consequence is that couples face major administrative and financial hardships in their day-to-day life, because there is no official document to prove their status as a couple and they find it difficult to open joint bank accounts or to name their partner as a nominee in insurance policies or provident funds. Another major issue because of the absence of a legislative framework is that during emergencies a live in partner is not recognised as “next of kin” and they cannot give consent to medical procedures, surgery or treatment. Many landlords refuse to rent houses to people in live in relationship because there is no law which protects them from

⁵⁵ Bharatiya Nagarik Suraksha Sanhita, 2023, § 144, No. 46, Acts of Parliament, 2023 (India).

⁵⁶ Protection of Women from Domestic Violence Act, 2005, § 2(f), No. 43, Acts of Parliament, 2005 (India).

⁵⁷ The Uniform Civil Code of Uttarakhand Act, 2024, No. 4, Acts of Uttarakhand State Legislature, 2024, §§ 380–387 (India).

⁵⁸ The Gujarat Uniform Civil Code Act, 2026, Cl. 384 (India) (passed by the Gujarat Legislative Assembly, Mar. 24, 2026).

⁵⁹ India Const. art. 21. *See also K.S. Puttaswamy v. Union of India*, (2017) 10 S.C.C. 1 (India) (affirming the right to privacy and individual autonomy as intrinsic to life and liberty).

discrimination.

The sixth consequence are the judicial tests given by courts where it creates an “all or nothing” problem. The courts only give protection to those relationships which closely imitate that of a traditional marriage. Many of these modern non marital forms of cohabitation by couples in urban areas choose it because they want more flexibility and don’t want to follow these traditional patterns where there is complete pooling of resources or presenting themselves as husband and wife in society. If their relationship doesn’t meet the guidelines then they do not get any legal protection at all. This approach fails to recognise that the reality of live in relationships in the country today.

This absence of a clear statutory framework has led to uncertainty, inequality, economic vulnerability, and new constitutional problems. Judicial activism has tried to fill this gap, but it can’t replace a comprehensive central law. These consequences show us that legislative inaction has not only failed to protect people but has also created new difficulties in both personal and practical life.

4. FINDINGS:

The study reveals five clear findings about the legal status of live in relationship in the country.

The first finding is that there is no comprehensive central legislation regulating live-in relationships. The already existing framework is limited and also fragmented. The Protection of Women from Domestic Violence Act, 2005,⁶⁰ BNSS §144,⁶¹ and BNS §69,⁶² do provide some protection, but they are only remedial and do not clearly define their rights and obligations, because of this the legal position of live in relationship in the country is not clear and uncertain.

The second finding is that the judiciary has been filling the vacuum left by the legislature. The cases such as *Lata Singh*,⁶³ *D. Velusamy*,⁶⁴ and *Indra Sarma*,⁶⁵ have protected women and children and have expanded the meaning of article 21. Even though all of this has been done the judicial protection is conditional and it is case by case only. Couples in these relationship

⁶⁰ Protection of Women from Domestic Violence Act, 2005, § 2(f), No. 43, Acts of Parliament, 2005 (India).

⁶¹ Bharatiya Nagarik Suraksha Sanhita, 2023, § 144, No. 46, Acts of Parliament, 2023 (India).

⁶² Bharatiya Nyaya Sanhita, 2023, § 69, No. 45, Acts of Parliament, 2023 (India).

⁶³ *Lata Singh v. State of U.P.*, (2006) 5 S.C.C. 475 (India).

⁶⁴ *D. Velusamy v. D. Patchaiammal*, (2010) 10 S.C.C. 469 (India).

⁶⁵ *Indra Sarma v. V.K.V. Sarma*, (2013) 15 S.C.C. 755 (India).

must prove that their relationship meets the strict tests every time and different courts apply the guidelines differently and this creates inconsistency and forces every couple to litigate separately.

The third finding is the recent state laws which have added more newer problems in this already big chaos instead of solving the already existing ones. The Uttarakhand UCC 2024,⁶⁶ and Gujarat UCC 2026,⁶⁷ have introduced mandatory registration and for people who don't register they attract criminal liabilities. Even though they give certainty and legitimacy to children, they still impose state surveillance on private relationships between people and raise serious concerns about the right to privacy under Article 21. A couple's rights now change depending on which state they live and this makes the law even more fragmented.

The fourth finding is the absence of a clear central statute which creates more serious practical and constitutional difficulties. Women and children face economic vulnerability, lengthy litigation, and uncertainty about property, succession, and inheritance. Couples face daily administrative hardships like they cannot easily open joint bank accounts, name partners in insurance policies, or get recognised as next of kin in hospitals. The judicial test creates an "all or nothing" situation where only those relationships which closely resemble a traditional marriage get protection whereas modern relationships like this live in relationships often get no protection at all.

The fifth finding is that judicial activism is necessary and commendable but it's a temporary solution only and it can't replace a uniform national law. The continued legislative silence at the centre forced the judiciary into activism and also forced the states to draft their own legislations and neither can provide a complete, consistent, and privacy-respecting framework. This does confirm the central research gap which is that India has judicial recognition without a certainty in a statute, and the present system fails to balance protection of rights with individual autonomy.

These findings clearly show that the absence of a dedicated central legislation is not a minor gap and that it is a major structural failure that affects the daily lives of thousands of people

⁶⁶ The Uniform Civil Code of Uttarakhand Act, 2024, No. 4, Acts of Uttarakhand State Legislature, 2024, §§ 380–387 (India).

⁶⁷ The Gujarat Uniform Civil Code Act, 2026, Cl. 384 (India).

and creates many constitutional problems.

5. CONCLUSION AND SUGGESTIONS:

To conclude the study shows clearly that live-in relationships in India exist in a legal vacuum. The judiciary has tried its best to fill this gap by its various progressive judgments such as *Lata Singh*,⁶⁸ *D. Velusamy*,⁶⁹ and *Indra Sarma*.⁷⁰ The courts have protected women and children under Article 21,⁷¹ and the DV Act.⁷² All this said and done it's a fact that judicial activism has serious limits and courts can only decide on individual cases and they cannot create a uniform law that applies to everyone in the country and because of all this the rights uncertain, inconsistent, and conditional.

The existing statutory provisions such as Section 2(f) of the DV Act,⁷³ BNSS §144,⁷⁴ and BNS §69⁷⁵ — offer only limited remedies and they do not clearly define what are the rights and obligations of people involved in these relationships clearly. The recent state legislations made Uttarakhand,⁷⁶ and Gujarat,⁷⁷ have made the situation even more complicated. These laws make it mandatory to register and this has shifted the law from judicial tolerance to state surveillance and has created fresh and more serious concerns with respect to privacy of the individuals involved in these relationships under Article 21 of the constitution,⁷⁸ and also about their personal autonomy.

This absence of a central legislation has definitely produced uncertainty, inequality, economic vulnerability, and administrative hardships for couples in these live-in relationships, because of this women and children suffer the most, and rights such as property rights, succession, and inheritance remain unregulated. These kinds of modern relationships often receive no protection at all, and to conclude judicial activism, though necessary, is only a temporary solution and it cannot replace a clear statutory framework.

⁶⁸ *Lata Singh v. State of U.P.*, (2006) 5 S.C.C. 475.

⁶⁹ *D. Velusamy v. D. Patchaiammal*, (2010) 10 S.C.C. 469.

⁷⁰ *Indra Sarma v. V.K.V. Sarma*, (2013) 15 S.C.C. 755.

⁷¹ India Const. art. 21.

⁷² Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2005 (India).

⁷³ Protection of Women from Domestic Violence Act, 2005, § 2(f).

⁷⁴ Bharatiya Nagarik Suraksha Sanhita, 2023, § 144, No. 46, Acts of Parliament, 2023 (India).

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⁷⁶ The Uniform Civil Code of Uttarakhand Act, 2024, No. 4, Acts of Uttarakhand State Legislature, 2024.

⁷⁷ The Gujarat Uniform Civil Code Act, 2026, No. 12, Acts of Gujarat State Legislature, 2026.

⁷⁸ *K.S. Puttaswamy v. Union of India*, (2017) 10 S.C.C. 1 (the landmark ruling establishing privacy as a fundamental right).

A comprehensive central legislation is urgently required. Parliament should enact a national “Live-in Relationships (Rights and Obligations) Act”, and this law should do the following:

1. Should define live in relationships clearly and provide an option to register and this registration should be voluntary and not be made compulsory so that couples who want legal certainty can register and those who want privacy should not face any penalties.
2. The act must grant clear rights on maintenance, residence, and protection without forcing couples to prove that their relationship meets those strict tests given by the courts in every case.
3. It should provide simple rules for division of jointly acquired property and succession rights so that women are not left economically vulnerable once the relationship ends.
4. It must recognise children who are born out of these live-in relationships as legitimate and give them clear rights to custody, maintenance, and inheritance.
5. The act should include strong safeguards when it comes to the privacy as it should protect the right to privacy under Article 21, and must avoid turning private consensual relationships into a matter of state surveillance or moral policing.

This kind of a central law will bring uniformity across the country and will also reduce unnecessary litigation. This will balance the need for protection and also the right to personal autonomy. Until Parliament enacts this kind of a legislation, live-in relationships will continue to suffer from uncertainty and inequality.

This is the right time for the legislature to step in and convert the judicial activism into a stable statutory framework. Countries like France have PACS - Civil Solidarity Pacts,⁷⁹ and South Africa have created specific statutes for cohabitation,⁸⁰ and its high time India too needs to provide a clear, consistent, and dignified legal recognition to the growing reality of live-in relationships in the country.

⁷⁹ *Loi 99-944 du 15 novembre 1999 relative au pacte civil de solidarité* [Law 99-944 of Nov. 15, 1999 on the Civil Solidarity Pact], Journal Officiel de la République Française [J.O.] [Official Gazette of France], Nov. 16, 1999.

⁸⁰ Domestic Violence Act 116 of 1998 (S. Afr.) (recognizing domestic partnerships); *see also Jane Bwanya v. Master of the High Court*, [2021] ZACC 51 (S. Afr.) (expanding inheritance rights to surviving life partners).

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