
PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005: A CRITICAL ANALYSIS WITH REFERENCE TO THE 2023 CRIMINAL LAW REFORMS IN INDIA

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ABSTRACT

Domestic violence remains a serious social and legal issue in India, reflecting deep-rooted gender inequality and patriarchal structures within society. In response to the growing recognition of violence against women within the household, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) was enacted to provide effective legal protection and civil remedies to women facing abuse in domestic relationships. The Act recognizes multiple forms of violence, including physical, emotional, verbal, sexual and economic abuse, and provides remedies such as protection orders, residence orders, monetary relief and custody orders. This paper examines the constitutional foundations and legal framework of the PWDVA and evaluates its effectiveness in addressing domestic violence. It also analyses important judicial interpretations and highlights key challenges such as ambiguity in the definition of domestic relationships, lack of gender neutrality, overlapping legal provisions and implementation issues. The paper concludes that while the Act is progressive, stronger implementation, legal awareness and institutional reforms are necessary to ensure effective protection for women.

Keywords: Domestic Violence, Abuse, Women's Rights, Protection of Women from Domestic Violence Act, 2005, Constitutional Law, Legal Protection in India.

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INTRODUCTION

Domestic violence continues to be a serious and widespread social issue in India, rooted in long-standing gender inequality and patriarchal social norms. Although the Constitution guarantees equality and dignity to all individuals, many women still experience different forms of abuse within their homes, which are often considered private and secure spaces. Such violence may take several forms, including physical, emotional, sexual, verbal and economic abuse committed by family members or intimate partners. These acts of violence have a profound impact on the physical health and psychological well-being of women, affecting their safety, dignity and overall quality of life.²

Statistical data further emphasizes the gravity of the problem. Recent reports released by the National Crime Records Bureau (NCRB) reveal an alarming rise in crimes against women in India. The Crime in India report consistently shows that cruelty by a husband or his relatives continues to be among the most commonly reported offences against women in the country.³ Moreover, incidents involving domestic violence and dowry-related harassment account for a substantial share of the crimes reported against women every year. These statistics make it clear that domestic violence cannot be viewed merely as a private family issue; rather, it represents a grave violation of human rights that calls for effective legal measures and meaningful social reform.⁴

In the Indian context, eliminating social problems such as domestic violence largely depends on three key elements: effective legislation, proper enforcement of laws and active support from society. Over the years, the Indian legislature has introduced various laws aimed at safeguarding the rights and dignity of women. Among these, the Protection of Women from Domestic Violence Act, 2005 (PWDVA) is one of the most important legislations, enacted to provide stronger and more comprehensive protection to women who experience violence within the domestic sphere.⁵

The Act was enacted with the aim of providing effective protection to the rights of

² Indira Jaising, *Handbook on the Protection of Women from Domestic Violence Act, 2005* (Universal Law Publishing, New Delhi, 2007).

³ National Crime Records Bureau, *Crime in India 2022 Statistics*, Ministry of Home Affairs, Government of India.

⁴ Utthan, "Domestic Violence," cited in Bijal Dave Acharya, Assistant Professor, Shree Sarvajanic M.S.W. College, Mehsana.

⁵ The Protection of Women from Domestic Violence Act, No. 43 of 2005, Statement of Objects and Reasons.

women guaranteed under the Constitution of India. It acknowledges domestic violence as a violation of fundamental rights, particularly the right to equality and the right to life and personal liberty as guaranteed under Articles 14, 15 and 21 of the Constitution.⁶ Unlike earlier laws that primarily focused on physical cruelty, the Protection of Women from Domestic Violence Act adopts a broader and more comprehensive approach by recognizing different forms of abuse, including physical, emotional, verbal, sexual and economic violence. In addition, the Act provides several civil remedies such as protection orders, residence orders, monetary relief, custody orders and compensation orders in order to offer immediate support and protection to victims.⁷

The enactment of the Act was facilitated by the legislative authority granted to Parliament under Article 253 of the Constitution of India, which empowers Parliament to make laws for the purpose of implementing international treaties and conventions. In this context, the Protection of Women from Domestic Violence Act was introduced in line with India's commitment to international human rights instruments, particularly the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) adopted by the United Nations.⁸ Through this legislation, India aimed to fulfill its international commitments to eliminate discrimination and violence against women and to promote gender justice within the domestic sphere. Since its enactment, the Protection of Women from Domestic Violence Act has been further strengthened through various judicial interpretations and policy developments. In *Hiral P. Harsora v. Kusum Narottamdas Harsora*, the Supreme Court struck down the restrictive phrase "adult male person" from the definition of respondent under the Act, thereby permitting complaints to be filed against female relatives as well.⁹ Similarly, in *Satish Chander Ahuja v. Sneha Ahuja*, the Supreme Court broadened the interpretation of the term "shared household" and held that a woman has the right to live in a shared household even if she does not possess legal ownership of the property.¹⁰ These judicial decisions have played an important role in expanding both the scope and the effectiveness of the Act. However, despite its progressive framework, several challenges still affect its proper implementation. Limited awareness among victims, insufficient institutional support, a shortage of protection officers, delays in legal procedures and prevailing social stigma often discourage women from seeking

⁶ The Constitution of India, Arts. 14, 15 and 21.

⁷ The Protection of Women from Domestic Violence Act, 2005, Sections 18–22.

⁸ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted by the United Nations General Assembly in 1979.

⁹ *Hiral P. Harsora v. Kusum Narottamdas Harsora*, (2016) 10 SCC 165.

¹⁰ *Satish Chander Ahuja v. Sneha Ahuja*, (2020) 11 SCC 415.

legal assistance or pursuing available remedies.¹¹ Therefore, it becomes necessary to critically examine how effective the Protection of Women from Domestic Violence Act, 2005 has been in addressing the issue of domestic violence and safeguarding the rights of women.

In this context, the present paper aims to analyse the legal framework of the Protection of Women from Domestic Violence Act, 2005 and assess its effectiveness in tackling domestic violence in India. It also examines significant judicial interpretations, identifies practical challenges in its implementation and explores possible reforms that may help strengthen the legal protection available to women under the Act.

PROTECTION OF WOMEN AND CONSTITUTIONAL PERSPECTIVE

The Protection of Women from Domestic Violence Act, 2005 finds its constitutional basis in the fundamental rights guaranteed under the Constitution of India. The Statement of Objects and Reasons of the Act makes it clear that the legislation was enacted with reference to the fundamental rights provided under Articles 14, 15 and 21 of the Constitution. These provisions together promote equality, prohibit discrimination and safeguard the right to life and personal liberty, thereby forming a strong constitutional foundation for laws designed to protect women from domestic violence.

Article 14 of the Constitution guarantees equality before the law and equal protection of the laws throughout the territory of India. While the provision prohibits arbitrary discrimination and unreasonable classification, it permits reasonable classification for legislative purposes. However, such classification must meet two essential requirements. Firstly, it should be based on an intelligible differentia that distinguishes the persons or things included in a particular group from those excluded and secondly, this differentia must have a rational connection with the objective that the legislation seeks to achieve.¹²

The Protection of Women from Domestic Violence Act, 2005 specifically provides protection to women against domestic violence, thereby creating a distinction based on gender. However, this distinction is considered constitutionally justified as it is founded on a reasonable classification. Women have historically been more vulnerable to abuse within domestic and

¹¹ Law Commission of India, Reports and recommendations relating to women's rights and protection against domestic violence.

¹² State of West Bengal v. Anwar Ali Sarkar, AIR 1952 SC 75.

family settings, and the Act seeks to address this social reality. The classification based on gender therefore serves a legitimate purpose and has a clear connection with the objective of the legislation, which is to provide effective protection and appropriate remedies to women who are victims of domestic violence.¹³

Article 15 of the Constitution of India prohibits the State from discriminating against individuals on the grounds of religion, race, caste, sex or place of birth. However, Article 15(3) provides an important exception by allowing the State to make special provisions for women and children. This clause acknowledges the need for protective and supportive measures to promote substantive equality and to address the historical disadvantages experienced by women. In this context, the Protection of Women from Domestic Violence Act, 2005 can be seen as a welfare-oriented legislation enacted under the authority of Article 15(3) with the objective of protecting and promoting the rights and interests of women.¹⁴

Article 21 of the Constitution of India provides that no person shall be deprived of life or personal liberty except in accordance with the procedure established by law. Over time, the Supreme Court of India has interpreted this provision broadly, expanding its scope to include the right to live with dignity, the right to bodily integrity, the right to shelter and the right to live free from violence and exploitation.¹⁵ Domestic violence directly undermines these rights by exposing women to physical, emotional and psychological abuse within the household. In this context, the enactment of the Protection of Women from Domestic Violence Act serves as an important legal measure to protect the constitutional promise of a life with dignity, safety and personal security.

Judicial interpretations have also played a significant role in strengthening the constitutional foundation of laws intended to protect women. In *Vishaka v. State of Rajasthan*, the Supreme Court highlighted that gender equality and protection from violence are essential aspects of the fundamental rights guaranteed under Articles 14, 15 and 21 of the Constitution.¹⁶ Similarly, in *Francis Coralie Mullin v. Union Territory of Delhi*, the Supreme Court observed that the right to life is not limited to mere physical existence but also includes the right to live with human dignity and all that accompanies a dignified life.¹⁷ These judicial interpretations

¹³ M.P. Jain, *Indian Constitutional Law*, 8th ed. (LexisNexis, 2018).

¹⁴ The Constitution of India, Art. 15(3).

¹⁵ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

¹⁶ *Vishaka v. State of Rajasthan*, (1997) 6 SCC 241.

¹⁷ *Francis Coralie Mullin v. Union Territory of Delhi*, AIR 1981 SC 746.

underline the importance of laws that aim to protect women from violence, as such measures are necessary for fulfilling the constitutional ideals of equality, dignity and justice.

In this regard, the Protection of Women from Domestic Violence Act, 2005 can be viewed as a significant legislative initiative that seeks to give practical effect to the constitutional commitment of safeguarding women's rights and ensuring their safety, dignity and well-being within the domestic sphere.

PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005: AN OVERVIEW

The Protection of Women from Domestic Violence Act, 2005 (PWDVA) is an important welfare legislation enacted to safeguard women who face violence within the domestic sphere. The law recognizes that domestic violence extends beyond physical assault and includes various behaviours that negatively affect a woman's physical, emotional and psychological well-being. The central purpose of the Act is to ensure prompt civil remedies and legal protection for women who suffer abuse in domestic relationships.

Under Section 3 of the Act, domestic violence is defined as any act, omission or conduct that harms or endangers the health, safety, life, limb or overall well-being of the aggrieved person, whether physical or mental. The provision identifies several forms of abuse, including physical abuse, sexual abuse, verbal and emotional abuse, and economic abuse. It also covers acts of a sexual nature that humiliate, degrade or violate the dignity of a woman. By adopting such a wide definition, the Act acknowledges the different forms of violence that women may experience within the household.

Furthermore, Section 2(f) of the Act defines a "domestic relationship" as a relationship between two individuals who live or have previously lived together in a shared household and are connected by consanguinity, marriage, adoption, or a relationship in the nature of marriage, including live-in relationships. This provision broadens the scope of protection by covering women in both traditional marital relationships and other forms of domestic arrangements. The Act extends its protection not only to women who are victims of domestic violence but also to children below eighteen years of age, including adopted, step or foster children.¹⁸

¹⁸ The Protection of Women from Domestic Violence Act, 2005, Section 2(a).

Originally, the Act defined the respondent as an “adult male person” who is, or has been, in a domestic relationship with the aggrieved woman. However, the Supreme Court in *Hiral P. Harsora v. Kusum Narottamdas Harsora* declared the words “adult male” unconstitutional. As a result, the scope of the Act was broadened, allowing complaints to be filed not only against male members but also against female relatives who may be involved in acts of domestic violence.¹⁹

The Act provides a range of important rights and remedies to women facing domestic violence. One of the most significant protections under the law is the right of a woman to reside in a shared household. According to Section 17, a woman who is in a domestic relationship has the right to live in the shared household regardless of whether she has ownership or any legal title over the property.

To ensure the protection and welfare of the aggrieved woman, the court is empowered to issue various orders, including protection orders, residence orders, custody orders, compensation orders and monetary relief. These remedies aim to safeguard the woman from further abuse and to provide necessary financial and legal support. In situations that require immediate intervention, the court may also grant interim or ex parte orders to prevent the continuation of domestic violence and to offer prompt protection to the victim.²⁰

Apart from the remedies provided under this Act, an aggrieved woman also has the option to initiate criminal proceedings for cruelty committed by a husband or his relatives under Section 85 of the *Bharatiya Nyaya Sanhita, 2023*, which has replaced Section 498A of the *Indian Penal Code, 1860*. In this way, the *Protection of Women from Domestic Violence Act, 2005* forms part of a broader legal framework designed to safeguard women from abuse and to uphold their right to live with dignity, safety and security within the domestic environment.

LIABILITIES, INSTITUTIONAL MECHANISMS AND PENALTIES UNDER THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005

Liabilities and Restrictions Imposed upon the Respondent

The *Protection of Women from Domestic Violence Act, 2005* (PWDVA) not only

¹⁹ *Hiral P. Harsora v. Kusum Narottamdas Harsora*, (2016) 10 SCC 165.

²⁰ *The Protection of Women from Domestic Violence Act, 2005*, Sections 18–22.

grants rights and remedies to the aggrieved woman but also places certain legal obligations and restrictions on the respondent. When a Magistrate issues a protection order or a residence order under the Act, the respondent is legally required to follow the directions mentioned in those orders. These directions may prohibit the respondent from committing any further acts of domestic violence, contacting or communicating with the aggrieved person, entering specific places, or disposing of or transferring the shared household property.²¹

The respondent may also be ordered to provide monetary relief to the aggrieved woman and her children for expenses arising as a result of domestic violence. Such financial support may cover medical costs, loss of income, maintenance, and compensation for any damage to property.²² Moreover, the court may also award compensation or damages to the aggrieved woman for the physical injuries, mental suffering and emotional distress resulting from acts of domestic violence.²³ Where custody orders are issued, the respondent must comply with the arrangements made by the court regarding the custody or visitation rights of the children.²⁴

Appointment of Protection Officers and Service Providers

The Act also provides for the appointment of Protection Officers and Service Providers by the State Governments to assist victims of domestic violence. Protection Officers work under the supervision of the Magistrate and play a vital role in the effective implementation of the Act. Their responsibilities include helping the aggrieved woman in filing applications before the Magistrate, preparing Domestic Incident Reports, ensuring that victims receive access to legal aid, medical assistance and shelter homes, and facilitating the proper execution of orders issued by the court.²⁵

Service Providers are voluntary organizations or institutions that work for the protection and welfare of women's rights and are registered with the State Government. These organizations assist the aggrieved woman by recording the domestic incident report, facilitating medical examinations when required, providing legal advice, and helping her initiate appropriate legal action.²⁶ The Act also provides protection to Service Providers for actions

²¹ The Protection of Women from Domestic Violence Act, 2005, Section 18

²² The Protection of Women from Domestic Violence Act, 2005, Section 20

²³ The Protection of Women from Domestic Violence Act, 2005, Section 22.

²⁴ The Protection of Women from Domestic Violence Act, 2005, Section 21

²⁵ The Protection of Women from Domestic Violence Act, 2005, Section 8.

²⁶ The Protection of Women from Domestic Violence Act, 2005, Section 10.

carried out in good faith while performing their duties.

Additionally, police officers, service providers and Magistrates have a legal obligation to inform the aggrieved woman about the rights available to her under the Act. These rights include the ability to seek protection orders, obtain access to shelter homes, receive free legal aid, and pursue appropriate criminal remedies where necessary.²⁷ The Magistrate may also appoint qualified counsellors or welfare specialists to help in resolving disputes and to ensure the welfare and protection of the parties involved.

Punishment under the Act

A breach of a protection order or an interim protection order by the respondent is treated as a cognizable and non-bailable offence under the Act. In such cases, the respondent may face punishment in the form of imprisonment for a term that may extend up to one year, or a fine up to twenty thousand rupees, or both.²⁸

Apart from proceedings under this Act, the respondent may also face prosecution for related offences under other criminal laws, such as cruelty by a husband or his relatives under Section 85 of the Bharatiya Nyaya Sanhita, 2023, which has replaced Section 498A of the repealed Indian Penal Code, 1860.²⁹

If a Protection Officer fails to perform the duties assigned by the Magistrate without sufficient reason, he may also be held liable under the Act and may face similar punishment. However, the prosecution of a Protection Officer can only take place with the prior sanction of the State Government, and any actions performed in good faith while carrying out official duties are protected under the law.³⁰

Appeal under the Act

The Act also provides a mechanism for appeal to ensure proper judicial oversight. Any person aggrieved by an order passed by the Magistrate may file an appeal before the Court of

²⁷ The Protection of Women from Domestic Violence Act, 2005, Section 5

²⁸ The Protection of Women from Domestic Violence Act, 2005, Section 31

²⁹ Bharatiya Nyaya Sanhita, 2023, Section 85

³⁰ The Protection of Women from Domestic Violence Act, 2005, Section 33

Session within thirty days from the date on which the order is served.³¹

For the proper implementation of the Act, the Central Government has also framed the Protection of Women from Domestic Violence Rules, 2006. These rules outline the procedures for preparing Domestic Incident Reports, submitting applications for protection orders, registering service providers, and ensuring that victims of domestic violence receive access to shelter, medical care and other necessary support services.³²

LOOPHOLES AND CRITICISMS OF THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005

Domestic violence has long been acknowledged as a serious social issue that affects the dignity, safety and overall well-being of individuals within the family. In earlier times, violence within the household was often considered a private matter and therefore received little attention from legal authorities. However, growing awareness about gender-based violence and the need to protect women from abuse within domestic relationships eventually led to the enactment of the Protection of Women from Domestic Violence Act, 2005. The Act was introduced as a comprehensive law aimed at providing civil remedies and immediate protection to women who experience domestic violence.³³

The PWDVA represented an important legislative advancement by acknowledging that domestic violence can take various forms, including physical, emotional, verbal, sexual and economic abuse within domestic relationships.³⁴ The Act also established several legal mechanisms, including protection orders, residence orders, monetary relief and custody orders, to ensure prompt and effective relief for victims.

However, despite its progressive objectives and protective framework, scholars, legal experts and judicial authorities have pointed out a number of loopholes and practical challenges that continue to affect the effective implementation of the Act.

1. Ambiguity in the Definition of Domestic Relationship

One of the significant loopholes in the PWDVA relates to the wording of Section 2(f),

³¹ The Protection of Women from Domestic Violence Act, 2005, Section 29.

³² Protection of Women from Domestic Violence Rules, 2006.

³³ Protection of Women from Domestic Violence Act, 2005, Preamble

³⁴ Protection of Women from Domestic Violence Act, 2005, Section 3

which defines the term domestic relationship. The provision includes relationships formed through marriage, consanguinity, adoption, as well as relationships described as being “in the nature of marriage.” However, the Act does not clearly explain what exactly constitutes a relationship “in the nature of marriage.”

This lack of clarity has created uncertainty regarding the legal status and rights of women involved in live-in relationships. As a result, questions frequently arise about whether such women are entitled to benefits such as maintenance, residence rights and protection under the Act.

The judiciary has attempted to interpret this concept through several judicial decisions. In *D. Velusamy v. D. Patchaiammal*, the Supreme Court observed that a relationship in the nature of marriage must satisfy certain conditions, such as the parties living together for a considerable period of time, presenting themselves to society as husband and wife, and being legally capable of entering into a valid marriage.³⁵

Subsequently, in *Indra Sarma v. V.K.V. Sarma*, the Supreme Court recognized that even relationships which may not strictly meet the criteria of marriage-like relationships could still require legal protection, particularly to prevent the exploitation and vulnerability of women involved in such arrangements.³⁶

Nevertheless, the absence of a clear and precise statutory definition continues to create difficulties in interpretation and highlights the need for legislative clarification.

2. Lack of Gender Neutrality

Another significant criticism of the PWDVA is that it is not gender-neutral. The Act provides protection specifically to women as aggrieved persons, while men cannot seek relief under its provisions even if they experience domestic violence.

Although domestic violence largely affects women, cases of abuse against male partners, elderly parents and male children have also been reported. Critics argue that excluding such victims from the scope of the Act may raise concerns regarding the principle of equality guaranteed under Article 14 of the Constitution of India. In addition, male children who face

³⁵ *D. Velusamy v. D. Patchaiammal*, (2010) 10 SCC 469

³⁶ *Indra Sarma v. V.K.V. Sarma*, (2013) 15 SCC 755.

abuse within the household may not receive protection under the PWDVA, although they may seek remedies under other legislations such as the Protection of Children from Sexual Offences Act, 2012, which offers gender-neutral protection in cases involving sexual offences against children.

As a result, some legal scholars and activists have suggested the introduction of gender-neutral provisions so that the law can address domestic violence in a more inclusive and comprehensive manner.

3. Overlapping with Other Laws

The PWDVA often overlaps with other legal provisions that deal with cruelty, maintenance and family-related disputes. In many cases, victims initiate legal proceedings under several statutes at the same time, which can create procedural complications and difficulties in co-ordination.

For example, criminal prosecution for cruelty by a husband or his relatives is now governed by Section 85 of the Bharatiya Nyaya Sanhita, 2023, which has replaced Section 498A of the Indian Penal Code, 1860. Similarly, claims for maintenance may be filed under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which has replaced Section 125 of the Code of Criminal Procedure, 1973.

Apart from these provisions, maintenance and matrimonial relief may also be sought under personal laws such as the Hindu Marriage Act, 1955 and the Hindu Adoption and Maintenance Act, 1956. The availability of multiple legal remedies can sometimes lead to confusion for both victims and judicial authorities, especially when parallel proceedings are initiated under different laws.

4. Possibility of Misuse

Another commonly raised criticism relates to the potential misuse of the Act. Since proceedings under the PWDVA can lead to protection orders, residence orders and monetary relief, respondents sometimes contend that false or exaggerated complaints may be filed with the intention of causing harassment.

The Act does not prescribe a specific penalty for filing false or malicious complaints,

which has led some critics to argue that stronger safeguards should be introduced to prevent possible misuse. However, courts have consistently maintained that the mere possibility of misuse cannot be a valid reason to dilute or undermine legislation designed to protect vulnerable individuals.

In this context, judicial scrutiny and careful assessment of evidence play an important role in ensuring that the provisions of the law are applied fairly while preventing potential abuse of the legal process.

5. Implementation Challenges

The effectiveness of the PWDVA largely depends on how effectively it is implemented by the State authorities. The Act requires State Governments to appoint Protection Officers, register Service Providers, and ensure that victims have access to essential support services such as medical assistance, legal aid and shelter facilities.³⁷

In practice, however, there are considerable differences among states with regard to the number of Protection Officers appointed, the availability of funds and the level of administrative support provided. In some states, an adequate number of officers are appointed, whereas in others only a limited number of officers are responsible for covering large geographical areas.

Moreover, inadequate training, poor record maintenance and the absence of reliable data collection systems make it difficult to properly evaluate the overall effectiveness and implementation of the Act.

6. Limited Scope of Remedies

Although the PWDVA offers a range of civil remedies such as protection orders, residence orders, custody orders, and monetary relief, many of these measures are temporary or interim. Long-term matters, including issues related to marriage, divorce, inheritance, and permanent maintenance, are still governed by personal laws and separate legal proceedings. Consequently, victims often have to navigate multiple courts and legal processes, which can

³⁷ Protection of Women from Domestic Violence Act, 2005, Sections 8–10

result in delays, increased legal costs, and added emotional strain.

7. Need for Legal Awareness and Social Reform

Another major challenge is that many victims remain unaware of their legal rights. Due to social conditioning, financial dependence, and fear of stigma, numerous women experiencing domestic violence may not even perceive their situation as a legal violation. Consequently, the effectiveness of the PWDVA relies not just on the law itself, but also on initiatives such as legal literacy programs, awareness campaigns, and empowerment efforts that aim to enhance women's social and economic standing.

CONCLUSION

The Protection of Women from Domestic Violence Act, 2005 is an important step toward recognizing that violence within the home is a serious social and human rights issue rather than merely a private family matter. By introducing remedies such as protection orders, residence rights and monetary support, the Act has strengthened the system designed to protect women from abuse in domestic relationships. It also broadened the understanding of domestic violence by acknowledging that harm can take many forms, including physical, emotional, verbal, sexual and economic abuse. This wider recognition reflects the complex realities faced by many women in their everyday domestic lives.

However, despite its progressive approach, certain limitations continue to affect how effectively the Act works in practice. Some provisions remain unclear, particularly those relating to the definition of domestic relationships. There are also concerns about the absence of gender neutrality and the overlap between this Act and other laws dealing with cruelty, maintenance and family disputes. In addition, the proper functioning of the Act depends greatly on support systems such as Protection Officers, Service Providers and the courts, which sometimes struggle due to limited resources, heavy workloads and administrative challenges.

Recent reforms in India's criminal justice system, including the Bharatiya Nyaya Sanhita, 2023 and the Bharatiya Nagarik Suraksha Sanhita, 2023, have also reshaped the broader legal framework dealing with offences such as cruelty and maintenance. These developments highlight the need for better co-ordination between different laws so that victims can access support and remedies more clearly and effectively.

Ultimately, addressing domestic violence requires more than just strong laws. Greater awareness, accessible support systems and social change are equally important. Empowering women through education, financial independence and community support can help them seek help without fear or social stigma. A balanced approach that combines effective implementation, public awareness and social responsibility is essential to create safer homes and build a more equal and respectful society.

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