
DIGITAL EVIDENCE AND FAMILY LAW IN INDIA: CHALLENGES, OPPORTUNITIES, AND REFORM

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ABSTRACT

While technology has made communication more efficient and widespread, it has also introduced challenges in personal relationships. The ease of digital communication can sometimes make people feel disconnected from one another. The constant flow of notifications, messages, and social media posts can cause feelings of information overload and anxiety. In face-to-face conversations, eye contact, and gestures play a significant role in conveying meaning. In digital communication, these roles are often missing, which may lead to misinterpretations. Technology is changing evidence by altering what is collected, how it is verified, and how much it is trusted, especially in family law cases. Courts are moving away from relying mostly on physical evidence or eyewitness testimony. They increasingly consider digital evidence like text messages, emails, social media posts, GPS location data, call logs, and recordings from smartphones. In family law cases involving divorce, child custody, or domestic abuse, this evidence can help show patterns of behavior, communication, financial activities, or parental involvement. Software and artificial intelligence can aid in organizing and analyzing large amounts of digital information, making it easier to spot timelines and inconsistencies. However, technology also brings challenges. Digital evidence can be manipulated and presented out of context, which raises concerns about authenticity and fairness. Furthermore, the growing use of digital evidence in family law brings up privacy and ethical questions. Family courts increasingly rely on such evidence in matters involving child custody, domestic violence, and matrimonial disputes, yet their preparedness to handle technologically complex material remains fragmented. Moreover, many aspects of family law are governed by personal laws rooted in religious or customary traditions, which were developed prior to the digital age and often lack clear provisions addressing electronic evidence. This paper argues that alongside procedural and institutional reforms, there is a pressing need to modernize personal laws to ensure they align with technological realities, protect individual rights, and promote consistency and fairness in family law adjudication.

Keywords: Digital evidence; Family law; Technology and communication; Personal laws; Privacy and ethics; Legal modernization; Artificial intelligence; Legal modernization; Procedural reforms; Court preparedness; Data manipulation; Legal ethics; Digital-age challenges.

Introduction:

Family law was not a distinct codified part of law in ancient India. Rather, laws related to marriage, inheritance, adoption, and family responsibilities came from moral, religious, and customary sources. The idea of dharma, which stood for moral obligation, righteousness, and appropriate behavior, was the most significant pillar. The law acted as a guide for leading a disciplined and peaceful life in conformity with social and religious norms, instead of just a system of state enforcement. The philosophical and moral foundations of social life were established by the Vedas, the oldest holy texts in Hinduism. Ancient family law had been greatly influenced by the Smritis. These were written works that offered useful guidelines for social conduct as well as an explanation and clarification of the dharma's tenets. The Manusmriti was the most powerful and authoritative of them all. It established comprehensive rules about marriage, women's status, inheritance, and family responsibilities. Family law principles were further developed by other significant Smritis, such as the Yajnavalkya Smriti and the Narada Smriti, particularly in areas like property rights, partition, and dispute resolution. When resolving family conflicts, kings and judges frequently consulted these texts. Customs (Achara) were an important source of family law in addition to textual sources. As long as they didn't conflict with dharma, local customs, caste customs, and social norms were respected. These traditions were acknowledged as legally binding and frequently controlled daily family affairs. With dharma serving as its guiding principle, ancient Indian family law developed from an integration of sacred texts and long-standing social customs.

Traditional Reliance on Oral Testimony and Paper Evidence

Since the legal system in ancient India was not very organised or codified, the administration of justice, including family and personal disputes, mainly depended on oral testimony and paper (documentary) evidence. Because morality, reputation, and community trust were so important in society, oral testimony was considered as one of the most significant types of evidence. Witnesses were expected to tell the truth, and their credibility was evaluated according to their age, social status, character, and level of factual knowledge.

The Manusmriti clearly emphasizes that truthful testimony is a moral and religious duty, and that false vidence is a grave sin.

Manusmṛiti, Chapter 8, Verse 81–83¹ states:

- *A witness who speaks the truth fulfills dharma.*
- *A witness who gives false testimony commits sin and invites divine punishment.*

The Dharmashastras, particularly the Manusmṛiti, emphasized that witnesses must be honest and morally upright. False testimony was regarded not merely as a legal wrong but as a serious sin against dharma, attracting moral and religious consequences.

Manusmṛiti, Chapter 8, Verse 73² states:

- *That legal disputes should be decided by examining witnesses, documents, and relevant circumstances, thereby recognizing oral and documentary evidence as valid means of proof.*

There also another smṛiti that came into play which is important to especially those relating to civil disputes, family matters, contracts, inheritance, debts, and property.

Narada Smṛiti is an important ancient Indian legal text belonging to the Dharmashastra tradition, attributed to the sage Narada. It primarily deals with judicial procedure, evidence, and the administration of justice, making it one of the earliest systematic works on law in ancient India. Narada Smṛiti is the most advanced ancient Indian text on legal procedure and explicitly recognizes witness testimony as evidence.

Narada Smṛiti, Chapter 1, Verses 108–109³ states:

- *Cases are decided on the basis of witnesses*
- *Truth is to be established through oral testimony*

Moreover, the Narada Smṛiti integrates oral testimony with other forms of proof, such as written documents (likhita) and possession (bhukti), but still positions witness testimony as the

¹ *Manusmṛiti* 8.81–83, in *Manu's Code of Law: A Critical Edition and Translation of the Mānava-Dharmaśāstra*, trans. Patrick Olivelle (Oxford: Oxford University Press, 2005), 158–159.

² *Manusmṛiti* 8.73, in *Manu's Code of Law: A Critical Edition and Translation of the Mānava-Dharmaśāstra*, trans. Patrick Olivelle (Oxford: Oxford University Press, 2005), 155.

³ *Nārada-smṛiti* 1.108–109, in *Nārada's Code of Law: A Critical Edition and Translation of the Nārada-smṛiti*, trans. Patrick Olivelle (Oxford: Oxford University Press, 1999), 73–74.

primary determinant of truth. False testimony was treated as a grave offense, with both legal and religious consequences, reflecting the ethical dimension of law in ancient India.

What's even more important to note is how sophisticated this approach was, especially given when these texts were written. While it was certainly not conceivable in those eras to have forensic science or evidence laws in place, these Smritis presented a highly advanced framework in accordance with which truth was to be assessed in combination with legal process and moral accountability. The integration of oral and documentary evidence in these texts formed the basis of how family law developed in India, emphasizing that in fact thousands of years ago too just like in modern eras justice was to be imbibed through evidence-based judgements.

Rise of Digital Communication as Evidence

Digital communication's rapid rise has profoundly altered interpersonal relationships and, as a consequence, the kind of evidence utilized in family court cases. Spouses, partners, and family members now mostly communicate via digital messaging services like Facebook, Instagram, SMS, Telegram and WhatsApp. Because of this, daily interactions now leave enduring digital traces that often serve as the foundation for evidence in family law cases. Digital communications are automatically recorded, time-stamped, and frequently stored indefinitely, in contrast to traditional forms of communication like oral conversations or handwritten letters. They are especially important in family law cases involving domestic violence, divorce, maintenance, custody, and accusations of cruelty or harassment because of these qualities. Courts are being asked to review call logs, emails, social media posts, chat histories, and more.

As we see in case of the *Anjali Sharma v. Raman Upadhyay, 2025*⁴. In this case the husband used WhatsApp chats from his wife's phone to support grounds of cruelty/adultery in a divorce petition. The MP High Court allowed those chats to be marked as evidence despite privacy objections under the Information Technology Act and right to privacy. The Court reasoned that under **Section 14 of the Family Courts Act, 1984**⁵, Family Courts are empowered to receive any material that assists in effectively resolving matrimonial disputes, even if such material

⁴ Ritu. (2025, June 24). *Illegally procured WhatsApp chat in matrimonial dispute is admissible as evidence under Section 14 of Family Courts Act: MP High Court | SCC Times*. SCC

Times. <https://www.scconline.com/blog/post/2025/06/19/illegally-procured-whatsapp-chat-in-matrimonialdispute-is-admissible-as-evidence-under-section-14-of-family-courts-act-mp-high-court-scc-times/>

⁵ Family Courts Act, No. 66 of 1984, § 14, India.

may not strictly comply with the procedural or technical requirements of the Evidence Act. Emphasising the distinctive nature of family law adjudication, the Court observed that rigid exclusion of relevant electronic evidence would defeat the object of discovering the truth in disputes involving intimate relationships conducted largely through digital means.

Another case we have *Vibhor Garg v. Neha (2025)*⁶, The husband sought to admit secretly recorded telephone conversations with his wife as evidence in his divorce petition under **Section 13, Hindu Marriage Act, 1955**⁷ to support allegations of cruelty. The Family Court had permitted the recordings, but the Punjab & Haryana High Court set aside that order, relying on the wife's privacy rights. And then the Supreme Court allowed the husband's appeal and restored the Family Court's order, holding that Secretly recorded telephonic conversations between spouses may be admissible in matrimonial proceedings. The Court clarified that protecting marital sanctity under **Section 122 of Evidence Act**⁸ was not intended to create an absolute privacy right in matrimonial disputes, and that fair trial and truth-finding in divorce litigation can justify admissibility of relevant recorded conversations.

Both cases clearly demonstrate that Indian judiciary's evolving and practical viewpoint towards digital communication as admissible and convincing evidence in family law proceedings. In both cases, the courts overruled strict objections based on privacy or the way the evidence was obtained and in favor of the relevance and probative value of digital material, such as recorded conversations and WhatsApp chats. When examined as a whole, these rulings highlight a judicial transition in family law adjudication from rigid formalism to substantive justice and truth-finding. They acknowledge that the majority of modern relationships are conducted online, and that the court's capacity to evaluate behavior, intent, and patterns of behavior would be diminished if such evidence were excluded. Both cases support the idea that, when relevant and authentic, electronic evidence is not only supplemental but essential to just and efficient adjudication in modern family disputes by upholding the merit of judgments through the careful examination of digital communications.

The ability of digital communication to produce current, real-time records of interactions is what gives it its evidentiary value. WhatsApp messages might demonstrate financial

⁶ Shrivastava, A., & Law, L. (2025, July 15). Secretly recorded telephonic conversation of spouse admissible evidence in matrimonial cases: Supreme. . . *Live Law*. <https://www.livelaw.in/top-stories/secretly-recordedtelephonic-conversation-of-spouse-admissible-in-matrimonial-cases-supreme-court-297390>

⁷ Hindu Marriage Act, No. 25 of 1955, § 13, India.

⁸ Indian Evidence Act, No. 1 of 1872, § 122, India.

negotiations, attempts at reconciliation, emotional abuse, or threats. Facebook posts or private conversations may disclose parental neglect, extramarital affairs, or attempts to sway witnesses. Particularly in marital disputes involving property or maintenance, emails often serve as official records of agreements, financial disclosures, or admissions.

Authenticity of Digital Evidence

Recently Supreme Court in the case of *Neha Lal v. Abhishek Kumar*⁹ expressed serious concern over AI-generated and fabricated evidence in matrimonial disputes, noting that parties, eager to 'teach the other side a lesson,' are increasingly misusing technology to build cases based on false allegations.

“Whenever the parties in matrimonial dispute have differences, the preparation starts as to how to teach lesson to the other side. Evidence is collected and, in some cases, even created, which is more often in the era of artificial intelligence. False allegations are rampant.”, remarked a bench comprising Justices Rajesh Bindal and Manmohan, while dissolving the marriage of a couple on the grounds of irretrievable breakdown of marriage.

In such cases, it becomes imperative to understand how the authenticity of digital evidence can be made more reliable. Ensuring the credibility of digital evidence involves implementing rigorous verification methods. Additionally, the use of metadata analysis, secure timestamps, and forensic tools that are widely recognized in legal and technical communities further strengthens the trustworthiness of digital evidence. By combining these measures, investigators and legal professionals can present digital evidence with higher confidence, minimizing the risk of manipulation and reinforcing its admissibility in judicial proceedings.

The main concerns are those of authenticity, admissibility, privacy, and manipulation. Because digital communications can be erased, changed, or faked, courts must rely on forensic techniques and legal protections to assess their authenticity. As a result, rules governing electronic evidence have been incorporated into family law jurisprudence, with an emphasis on appropriate certification, preservation, and proof of authorship.

Digital forensic analysis, as compared to physical forensic proof, is the most common form of

⁹ Mittal, Y., & Law, L. (2026, January 21). 'Warring Couples can't make courts their battlefield': Supreme Court flags growing matrimonial. . . *Live Law*. <https://www.livelaw.in/supreme-court/warring-couples-cant-makecourts-their-battlefield-supreme-court-flags-growing-matrimonial-litigation-bats-for-mediation-519800>

forensic evidence in family law disputes. In order to validate WhatsApp chats, emails, call recordings, photos, videos, and social media activity, electronic devices like smartphones, laptops, tablets, and cloud-based accounts are investigated. To figure out when, how, and by whom a specific communication was created, forensic specialists examine metadata (such as timestamps, sender and recipient IDs, IP addresses, device identifiers, and GPS coordinates). Hash values, which serve as digital fingerprints to verify that a file hasn't been changed since its extraction, are another essential forensic technique.

The Indian Evidence Act's Sections 45 and 65B: Use and Scope in Digital and Forensic Evidence

Expert opinion admissibility is covered in **Section 45 of the Indian Evidence Act of 1872**¹⁰. It provides that when the court has to form an opinion on matters requiring specialised knowledge, such as science, art, handwriting, or identity, the opinions of persons especially skilled in such fields are relevant facts. This section provides the legal foundation for the admission of expert testimony and forensic reports pertaining to electronic devices and data in the context of digital evidence. Their job is to help the court decide whether electronic documents, like WhatsApp conversations, call logs, videos, or photos, are authentic, unaltered, and technically sound. When one party alleges the other of fabricating or intentionally editing digital communications, such testimony from experts becomes especially important in family law disputes. Importantly, expert testimony under this section supports judicial evaluation by converting complicated technical findings into conclusions that are legally accessible rather than taking the place of the court's ruling.

Expert opinions on metadata analysis, hash value verification, data recovery, voice and video authentication, and the detection of editing or manipulation, including deepfake technology, may be relied upon by courts under Section 45. When one party accuses the other of fabricating or selectively editing digital communications, such expert testimony becomes especially important in family law disputes. Crucially, expert testimony under this section supports judicial evaluation by converting intricate technical findings into conclusions that are legally understandable rather than taking the place of the court's decision.

In contrast, the admissibility of electronic records as documentary evidence is governed by

¹⁰ Indian Evidence Act, § 45, Act No. 1 of 1872 (India)

Section 65B of the Indian Evidence Act¹¹. Given that digital records are fundamentally different from paper documents, it offers a unique process for admitting electronic evidence. Electronic records, including chats, emails, audio files, and videos, are admissible under **Section 65B (1) and (2)**¹² if specific requirements about the device's regular use, proper operation, and legal operation are met. Importantly, **Section 65B (4)**¹³ calls for a certificate that identifies the electronic record, explains how it was created, and certifies that it is an accurate and true replica of the original data.

While Section 45 deals with "is this electronic record technically authentic and reliable?" courts primarily use Section 65B to answer the question, "can this electronic record be read as evidence at all?" These provisions work in concert in real life. A forensic expert's report under Section 45 may be used to settle disagreements about data manipulation, authorship, or integrity, while a Section 65B certificate allows the court to admit the electronic record into evidence.

In family law proceedings, especially before Family Courts, this combined use becomes particularly significant. Together, these provisions ensure that digital evidence is not only procedurally admissible but also substantively reliable, thereby strengthening its probative value in adjudicating issues such as cruelty, harassment, infidelity, and breakdown of marital relationships.

Admissibility of Digital Evidence in Family Courts: A Critical Study of Section 14 of the Family Courts Act, 1984

Even if the evidence is not strictly admissible under the **Evidence Act, Section 14**¹⁴ permits a Family Court to consider any material reports, documents, statements, or information if it aids in the court's decision-making. Naturally, digital communications like WhatsApp chats, emails, SMS, screenshots, and audio-video recordings are included because the wording is so broad "any document / information / matter". Family Courts prioritize substantive truth and justice. For this reason, if digital evidence is pertinent and helps with decision-making, it is frequently accepted even in the absence of rigorous formalities.

¹¹ Indian Evidence Act, § 65B, Act No. 1 of 1872 (India).

¹² Indian Evidence Act, § 65B(1)–(2), Act No. 1 of 1872 (India).

¹³ Indian Evidence Act, § 65B(4), Act No. 1 of 1872 (India).

¹⁴ Indian Evidence Act, § 14, Act No. 1 of 1872 (India).

Section 14's wording is deliberately murky. The phrase "**any report, statement, document, information, or matter**" refers to more than just standard documentary evidence. These terms naturally include electronic and digital communications in the modern digital age, such as WhatsApp chats, emails, SMS, social media messages, screenshots, call logs, photos, and audio-video recordings. Excluding such information would undermine the very goal of factfinding in matrimonial and custody disputes, since family relationships are now primarily conducted and reflected through digital platforms.

A truth-driven and socially responsible approach to family dispute resolution is essentially reflected in Section 14. The provision ensures that Family Courts remain open to the realities of current family life, where digital interactions frequently constitute the most reliable evidence of matrimonial conduct, by allowing the admission of digital communications without requiring stringent formalities.

From the Indian Evidence Act to the Bharatiya Sakshya Adhiniyam: Evolution of Electronic Evidence in Family Courts

Sections 65A and 65B of the Indian Evidence Act, 1872, which placed stringent requirements on the validity of digital records, heavily governed electronic evidence. Electronic records, whether emails, WhatsApp messages, SMS, or computer-generated outputs, had to be proven in line with Section 65B, which required that they be backed up by a certificate under Section 65B(4) verifying authenticity, device details, and compliance with IT standards. Due to procedural technicalities, family courts frequently discovered it hard to rely on digital evidence, genuine communications could be excluded if the certificate was missing or faulty, and the formal rules made challenging otherwise simple evidentiary submissions. For instance, prior to the liberalization brought about by Section 14 of the Family Courts Act, some High Court rulings rejected WhatsApp messages based only on their failure to comply with Section 65B certification requirements. A notable example which is different from family law cases ***Rakesh Kumar Singla v. Union of India***¹⁵ in which Punjab & Haryana High Court, the court declined to accept screenshots of the prosecution's WhatsApp chat because they lacked the required certificate under Section 65B (4). The WhatsApp messages are not subject to judicial consideration because the Court ruled that uncertified electronic records have no evidentiary

¹⁵ Editor. (2021, January 19). *P&HHC | Whatsapp messages do not have any evidentiary value in the absence of certificate under S. 65B of Evidence Act; HC states | SCC Times*. SCC Times. <https://www.sconline.com/blog/post/2021/01/19/p-hc-states/>

value and cannot be considered. This ruling reflects the pre-liberalization judicial approach, which prioritized strict adherence to the Evidence Act's procedural requirements over substantive justice considerations.

Many of these issues are resolved and the law on electronic evidence is updated by the Bharatiya Sakshya Adhinyam, 2023. **Section 63**¹⁶ takes the place of Section 65B, which states that electronic records are admissible in any proceeding if relevant. It also makes certificate requirements more standardized, flexible, and centered on the authenticity and dependability of the record rather than just technical compliance. Furthermore, **Section 39(2)**¹⁷ formally acknowledges the function of expert opinion in confirming electronic evidence, allowing courts including Family Courts under Section 14 to more efficiently evaluate digital records like WhatsApp chats, SMS, emails, social media messages, CCTV footage, and audio/video recordings. The Family Courts Act of 1984 itself needs to be updated although these changes significantly improve the admissibility and assessment of digital evidence. In order to take full advantage of the flexibility provided by the BSA, Family Courts would be able to make decisions more quickly, precisely, and with a focus on justice if the Act were updated to explicitly incorporate modern technological evidence standards, clarify expert verification procedures, and streamline digital record assessment. When combined, Section 63 of the BSA and a revised Family Courts Act could provide a clearer, more useful framework for settling family disputes in the digital age by bridging the gap between the realities associated with modern electronic communication and formal court procedures.

Comparative Perspective: How Other Countries Treat Digital Evidence

In the United States, the Federal Rules of Evidence (FRE) and similar state rules govern how digital evidence is used in family law cases, such as divorce, custody, and domestic violence cases. Under FRE, digital content like text messages, emails, social media posts, and call logs must meet the general standards of relevance and authenticity. For example, **Rule 901**¹⁸ requires authentication to show that the evidence is what it says it is. Courts routinely accept digital evidence if it can be verified through individual statements, metadata, or expert verification; there is no mandatory requirement for certification of electronic records as a condition to admissibility, unlike in India. Family court systems in the U.S. also apply wider

¹⁶ Indian Evidence Act, § 63, Act No. 1 of 1872 (India).

¹⁷ Bharatiya Sakshya Adhinyam, § 39(2), Act No. 47 of 2023 (India).

¹⁸ Fed. R. Evid. 901.

criteria like the Daubert reliability framework **Rule 702**¹⁹ ensuring that expert testimony is supported by science when it comes to authenticating complex digital content. Furthermore, even imperfectly obtained digital evidence may occasionally be admitted if it is essential to resolving issues like domestic abuse or parental fitness because U.S. family courts frequently prioritize the best interests of the child and fair outcomes over procedural rigidity. This adaptable, pragmatic approach places a greater priority on the content of the evidence than on formal technical compliance.

Instead of being governed by a single "digital evidence statute," digital evidence in family law in the UK is considered within the larger statutory and procedural framework. Digital photos, messages, and electronic records can be considered traditional documentary evidence under the Family Procedure Rules 2010, which outline the general procedure for admitting evidence in family proceedings. The Civil Evidence Act of 1995, which permits documents (including digital records) to be admitted and treated as evidence of facts unless a party successfully challenges their reliability, may also apply when digital material is tendered. Under rebuttable assumptions regarding the veracity of content produced by computers. **Practice Direction 41A**²⁰ & **41D**²¹ that regulate the use of electronic means in family proceedings, such as electronically filing and presenting evidence, are also included in UK regulations. These regulations stress that evidence can be presented online. This framework balances probative value against privacy concerns by permitting judges to assess digital evidence based on criteria like consistency, credibility, and contextual relevance without a strict certification requirement.

Challenge and Reform

When compared to the United States and the United Kingdom, where courts have developed more adaptable and practical approaches, India's family law system faces significant challenges in effectively handling digital evidence. One significant shortcoming is that judges and attorneys frequently lack technical knowledge, which makes it challenging to evaluate complex digital content like encrypted messages, social media interactions, or cloud-based records. Inconsistent practices and procedural disputes result from the lack of a standardized process for gathering, storing, and presenting digital evidence. Additionally, digital evidence is susceptible to manipulation, fabrication, or phony screenshots, which can undermine the

¹⁹ Fed. R. Evid. 702.

²⁰ England & Wales High Court, Practice Direction 41A, Civil Procedure Rules (2020).

²¹ England & Wales High Court, Practice Direction 41D, Civil Procedure Rules (2020).

validity of important information in cases involving domestic abuse, divorce, or custody. Section 65B of the Evidence Act 1872 of India's current legal framework requires stringent certification of electronic records, requires rigorous certification of electronic records, which frequently prevents evidence from being accepted if formal requirements are not fully fulfilled. Another urgent problem is that family courts follow obsolete procedural timelines, which causes delays that impede the prompt settlement of delicate family conflicts. This gap compromises justice, especially in situations involving children or domestic abuse.

India needs extensive reforms to address these issues. Digital evidence verification procedures, such as expert verification, forensic analysis, and authentication through metadata analysis, should be introduced first. Second, in order to lessen reliance on strict certification, legal reforms should make clear the admissibility, authenticity, and weight of digital evidence in family law proceedings. Third, to guarantee competent assessment of electronic material, training programs in digital forensics and evidence handling are crucial for judges, attorneys, and court employees. Fourth, putting in place secure online submission platforms and e-filing systems would expedite procedures, increase accessibility, and cut down on delays. Sensitive personal data would also be protected by explicit privacy and proportionality guidelines. Fifth, it is essential to update procedural schedules, case management systems, and digital infrastructure in family courts in order to ensure that cases are resolved quickly and in accordance with the timelines of the modern judiciary. When taken as a whole, these changes would improve the strength, dependability, and child-centeredness of digital evidence in Indian family law, allowing judges to concentrate on substantive results rather than procedural details, such as protecting children from domestic abuse or the best interests of children. India can create a family law system that is technologically advanced, procedurally sound, and sensitive to the demands of modern courts by learning from the United States and the United Kingdom.

Conclusion

A significant development in family law adjudication has taken place with the shift from the conventional reliance on oral testimony and paper-based evidence to the growing use of digital communication as evidence. The foundation of evidentiary evaluation used to be oral testimony and documentary evidence, but in the digital age, electronic records like emails, messages, social media interactions, and cloud-based data have grown into essential sources of proof. Although this change has improved the courts' capacity to evaluate factual timelines and

behavioral patterns, it has also given rise to grave worries about the veracity, integrity, and manipulation of digital evidence. The use of electronic and forensic evidence has been recognized and regulated in large part by Indian legal frameworks, especially Sections 45 and 65B of the Indian Evidence Act. Similar to this, Section 14 of the Family Courts Act of 1984 shows a liberal stance by permitting family courts to consider evidence that goes beyond rigorous procedural guidelines. The transition from the Indian Evidence Act to the Bharatiya Sakshya Adhiniyam, however, emphasizes the necessity of more precise and technologically advanced guidelines regulating electronic evidence in family courts.

Despite these advancements, managing digital evidence effectively remains a practical challenge for India. Indian family courts frequently struggle because there are no standardized procedures for gathering, preserving, and presenting digital evidence, unlike areas like the US and the UK where courts have adopted more flexible procedures and benefited from greater technical expertise. Inconsistent practices and procedural disputes result from judges' and attorneys' inadequate technical training, resulting in evaluating complex data like encrypted communications and cloud-based records even more challenging.

Therefore, this study concludes that while digital evidence has become indispensable in modern family law disputes, its effective use requires comprehensive reforms. These include judicial training, standardized evidentiary procedures, technological infrastructure, and clearer legislative guidance. Only through such measures can family courts ensure fairness, reliability, and consistency in the adjudication of family disputes in an increasingly digital society.