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Morality and Cruelty in Live-In-Relationship: Indian Scenario

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The institution of marriage had for ages been given importance as a social sacrament between two parties backed by legislation to protect the sanctity. Substantially, with the evolution of society and its constructive thought process, the lifestyle and the evolution in terms of the perceived relationship between a man and a wife are taking a new turn. With such evolution popped up the concept of live-in-relationship. Taking a peek into the statutes and state legislations, there is a negative probability to find a law on the live-in-relationships. Though marriages which are similar to the so called live-in-relationships are backed with legislative provisions, the latter is deprived of any legislative backing and carries a social stigma with it. Apart from the societal and constitutional backing that is being provided to the bond established through marriage, there are certain legal rights and reliefs provided to women to prevent any immorality or illegitimacy in their relations, but the concept of live-in-relation is open ended on that note and lacks such protection in terms of legal rights and reliefs. Protection on the grounds of cruelty is something that is discussed and debated over a long period of time, but what is the status of individuals who get exposed to such grounds of mental and physical cruelty, in an open ended, uncodified live-in-relationship status? Reflecting on the same, the author through this research paper wants to give a detailed report on constitutional morality on the concept of live-in-relationship and also give insights about the forms of cruelty in a live-in-relationship where there lies no protection or security to the individuals, and the legitimacy of live-in-relationships where the terms are renewed each day by the individuals as per their choices. The research paper concludes with a few suggestions and findings on the same, essentially backing it up with case laws and other remotely related legislations.

Keywords: constitutional morality, live-in relations, cruelty, societal morality, institutional reforms.

INTRODUCTION

The social norms that exist in any society are the trigger points or the basis on which the legislative sanctions are developed. But logically, with the evolution of individuals, the thoughts, societal beliefs and in turn societal norms are taking a different turn. This calls for a dynamic statute regime where there is space for flexibility with the changing social beliefs. One such massive belief exists with respect to marriages. Marriages are seen as societal obligations with the purpose of procreation, and continuance of the human species that necessarily involve rights and obligations that arise between the parties.

The institution of marriage had since ages been given importance as a social sacrament between two parties backed by legislation to protect the sanctity. Substantially, with the evolution of society and its constructive thought process, the lifestyle and the evolution in terms of perceiving the relationship between a man and a wife are taking a new turn. With such evolution popped up the concept of live-in-relationship. Taking a peek into the statutes and state legislations, there is a negative probability to find a law on the live-in-relationships. Though marriages which are similar to the so called live-in-relationships are backed with legislative provisions, the latter is deprived of any legislative backing and carries a social stigma with it.

In 2001 *Payal Sharma v Superintendent, Nari Niketan*¹ the Bench consisting of justice M.Katju and justice R.B.Mishra of Allahabad High Court observed that “In our opinion, a man and a woman, even without getting married, can live together if they wish to. This may be regarded as immoral by society, but is not illegal. There is a difference between Law and Morality”. Landing up with such a statement that differentiates law and morality, it is important that we at least understand the basic differentiating factor between the two. “Law generally means a rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority”.

In the instant case, there is no statute or a rule book that strikes out live-in-relationship as a wrong, and hence it fulfills the test of legality and is considered to be legal. Coming to the

¹ *Payal Sharma v Superintendent, Nari Niketan* (2001) Writ Petition No. 16876/2001

aspect of morality, it is defined as “the conformity to ideals of right human conduct”, which means they are highly dependent on societal beliefs and perceptions and hence, drawing a redline on the concept of live-in-relationship carrying a cliché. This research further moves in the direction to explain the legality of such a relationship and the moral strings attached to it. Apart from the societal and constitutional backing that is being provided to the bond established through marriage, there are certain legal rights and reliefs provided to women to prevent any immorality or illegitimacy in their relations, but the concept of live-in-relation is open ended on that note, and lacks such protection in terms of legal rights and reliefs. Protection on the grounds of cruelty is something that is discussed and debated over a long period of time, but what is the status of individuals who get exposed to such grounds of mental and physical cruelty, in an open ended, uncodified live-in-relationship status?

Live-in-relationship ‘is neither recognized by *The Hindu Marriage Act* 1955² nor by *The Criminal Procedure Code, 1973*³, nor by *The Indian Succession Act 1925*⁴. Nonetheless, legislation like the *Prevention of Domestic Violation Act, 2005*⁵ had thrown some light on the live-in-relationship through sec 2(f)⁶, stating a word like ‘relationship in nature of marriage’. In *A. Dinohamy v W.L. Blahamy*⁷ the Privy Council took a stand that, “where a man and a woman are proved to have lived together as man and wife, the law will presume, unless the contrary is clearly proved that they were living together in consequence of a valid marriage, and not in a state of concubinage”. But with living together comes a possibility of conflicts taking place. Traditionally, conflicts that might include the grounds of mental and physical cruelty can be prevented by issuing a decree of divorce to the couple, but since the partners in the live-in relationship are neither married nor have a lawful bond as per the statutes, their future of protection from such grounds of cruelty is in complete chaos.

² Hindu Marriage Act, 1955

³ Criminal Procedure Code, 1973

⁴ Indian Succession Act, 1925

⁵ Prevention of Domestic Violence Act, 2005

⁶ Hindu Marriage Act, 1955, s 2(f)

⁷ *A. Dinohamy v W.L. Blahamy* AIR 1927, PC 185

In this backdrop, this research paper sheds light on the status of individuals who are exposed to such cruelty in live-in-relationship and the existing remedies they can avail themselves for the same.

CONSTITUTIONALITY AND LIVE-IN-RELATIONSHIP

A live in relationship is a living arrangement in which an unmarried couple lives together in a long-term relationship that resembles a marriage. In everyday parlance, it is cohabitation.⁸The purpose of such a relationship may be traced back to contemporary social cultures and independent lifestyles. With the bond of marriage comes a sub-conscious thought of dependency which might lead us to a loop of un-detachable responsibilities. And eventually, personal priorities regarding career, life choices, and independent workaholic lifestyle fades away into oblivion. Live-in relationships beat the odds like these to establish independency in such relations and ensure there is necessary freedom to walk in and walk out of these responsibilities that come with marriage and allows the partners to essentially fulfill their personal priorities as well.

“Tracing back the history of the Indian traditions and customs, non-marital relationships existed in the form of Gandharva marriages where Gandharva Vivvah is akin to the modern live-in relationship and represents love marriage without the consent of the families of the couple.”

Special Bench of the Supreme Court of India consisting of K.G. Balakrishnan, Deepak Verma, B.S. Chauhan in *Khushboo v Kanniammal & Anr*⁹ posed a question "If two people, man, and woman, want to live together, who can oppose them? What is the offence they commit here? This happens because of the cultural exchange between people." S.C. held that live-in-Relationship is permissible. *“The court also held that living together is a part of the right to life u/Art.21¹⁰ of the Indian Constitution.”*¹¹ It is imperative to understand the concept of constitutional morality in contrast to public morality, to determine the legal basis of live-in

⁸ Catherin Soanes, *Live Together and Have a Sexual Relationship without Being Married* (7th edition, Oxford University Press 2007)

⁹ *S. Khushboo v Kanniammal & Anr.*, (2010) Criminal Appeal No. 913/2010

¹⁰ Constitution of India, 1950, art.21

¹¹ Sonali Abhang, 'Live- In-Relationship' In India- Its Impact on Other Related Statutes' (2014) 19 (12) IOSR Journal Of Humanities And Social Science (IOSR-JHSS), 28-38

relationships. Constitutional morality means to bow down to the norms of the Constitution and not to act in a manner that would become violative of the rule of law or reflectible (sic) of action in an arbitrary manner. It along with the commitment to the Constitution is a facet of constitutional morality.¹² While delivering the judgement in the Naz Foundation case, the High court of Delhi held that “*Unlike constitutional morality, public morality was ‘based on shifting and subjective notions of right and wrong.’*”¹³

Applying the analogy to our instant case, the cliché around live-in-relationship has essentially stirred up from public morality which is exposed to subjective perception by the members of the society, nevertheless, constitutional morality is something that is on par with the states' compelling interest. The Court also argued that for ‘compelling state interest’, the Court must consider constitutional and not public morality. Constitutional morality and public morality are two different faces of a coin called law. The heart of constitutional morality lies with the fundamental rights enshrined in Part III of the constitution. Taking extracts from *Khushboo v Kanniammal*¹⁴, S.C granted a live-in-relationship to be part of Art 21 of the constitution. It clearly indicates that the choice of individuals to cohabit in a live-in-relationship is protected through a constitutional status.

Conventionally, the basic rights and duties that are rubbed off on the individuals engaging in a marriage are spurred from what the society around us believes to be necessary, be it for maintaining harmony among the individuals or to continue the cohabitation among the individuals in a systematic manner. But with the legislative backing that is granted to individuals who are engaged in a bond like marriage, their personal rights and duties are protected. Conversing on similar lines, Justice Chandrachud in the Joseph Shine case held that, “*it is not the common morality of the State at any time in history, but rather constitutional morality, which must guide the law.*”¹⁵ It was held in *Ajay Bewra v State of Rajasthan*¹⁶ that, It is well settled legal position as expounded by the Hon'ble Supreme Court of India in *Lata Singh v*

¹² *Manoj Narula v Union of India* (2014) Writ Petition (Civil) No. 289/2005

¹³ *Naz Foundation v Govt. of NCT of Delhi* (2009) Writ Petition (Civil) No. 7455/2001

¹⁴ S. Khushboo (n 9)

¹⁵ *Joseph Shine v Union of India* (2018) Writ Petition (Criminal) No. 194/2017

¹⁶ *Ajay Kumar Berwa S/o Shri Pappu v State of Rajasthan* (2021) S.B. Criminal Miscellaneous (Petition) No. 3366/2021

*State of U.P.*¹⁷, *S. Khushboov Kanniammal*¹⁸, *IndraSarma v VKV Sarma*¹⁹ , that “personal life and liberty has to be protected, except according to procedure established by law as mandated under Article 21²⁰ of the Constitution of India, irrespective of the fact that the relation between two major individuals may be termed as immoral and unsocial.” Now that, we have established the test of constitutional morality to assess the legality of live-in-relationship, the rights and duties that go along with such a relationship ought to be protected under the statutes. Article 21 gives wide protection to such relationships as seen above and so, the immoral and societal stereotypes that prevail in the nook and corner of the existing societies might not stand a chance against the constitutional backing given for the same.

CRUELTY IN LIVE-IN-RELATIONSHIP

Since we have established the legality of live-in-relationships in the previous sections, it is crucial to understand the nature of such relationships in present day lives. Institutions like marriage are shelled in statutory rights and protected on grounds that expose the partners, to exploitation and cruelty. But live-in-relationship lack legislative backing in the true sense, so eventually, partners who get exposed to any cruelty in such relationships lack statutory protection. Legislations like *Hindu Marriage Act, 1955*²¹, *Special Marriage Act 1954*²², *Indian Christian Marriage Act 1872*²³, etc provide grounds for cohabitation and also suggest grounds for divorce if there exists any disharmony.

There exists a dual purpose of such legislations, substantially they encourage marital relations in a true sense and provide systematic procedures for the same. Nevertheless, it also lays emphasis on individual rights engaging in such relations through notions like divorce and judicial separation. The prevailing legislations are pro-marital since their main purpose is to encourage procreation, and promote harmony among individuals who wish to live together, consequently there exist only some specific grounds for divorce and judicial separation.

¹⁷ *Lata Singh v State of UP* (2006) Writ Petition (Criminal) No. 208/2004

¹⁸ *S. Khushboo* (n 9)

¹⁹ *Indra Sarma v VKV Sarma* (2013) Criminal Appeal No. 2009/2013

²⁰ Constitution of India, 1950, art.21

²¹ Indian Succession Act, 1925

²² Special Marriage Act, 1954

²³ Indian Christian Marriage Act, 1872

One such ground is cruelty in marital relationships. According to sec 13(ia)²⁴ of the Hindu Marriage Act 1955.

–(1) “Any marriage solemnized, whether before or after the commencement of this Act, may, on a petition presented by either the husband or the wife, be dissolved by a decree of divorce on the ground that the other party –

(ia)has, after the solemnization of the marriage, treated the petitioner with cruelty”

The irony lies in the fact that, though the Hindu Marriage Act provides divorce on the grounds of cruelty, it doesn't explain what cruelty means in definite terms. The interpretation, of the term, keeps evolving through precedents over time. Earlier cruelty was only a ground for judicial separation and not divorce as a whole, but with the Marriage Laws (Amendment) Act, the parliament amended Sec 13²⁵ of the Hindu Marriage Act, 1955 to include cruelty as a ground for divorce. It can be deducted and like also pointed out by A.K Srivastava, “the parliament deleted the words as to cause a reasonable apprehension in the mind of the petitioner that It will be harmful or injurious for the petitioner to live with the other party” through the amendment so as to include a broader perception of cruelty. However, the section didn't necessarily provide for the meaning of the term cruelty and left its ends open for broader interpretation from the court of law. As Justice A. K. Srivastava, “states Parliament appears to have avoided the danger of any attempt at giving a comprehensive or inclusive or exclusive definition of 'cruelty' and left it for the Judge- made-Laws.”²⁶

Cruelty can persist in two different forms mainly, mental cruelty and physical cruelty. Physical cruelty is comparatively more objective in nature than mental cruelty, so it makes it easy for the courts to interpret and conclude on matters that are related to physical cruelty. Whereas, mental cruelty lacks objective interpretation and can differ from case to case depending upon the nature and upbringing of the individuals indulged in relationships. Thus, the interpretational need by the court pitches in whenever there is a case concerned with mental cruelty and related grounds. Taking a layman's view, mental cruelty can be grouped into

²⁴ Hindu Marriage Act, 1955, s 13(ia)

²⁵ Hindu Marriage Act, 1955, s 13

²⁶ Justice A. K. Srivastava, 'Cruelty as A Ground for Divorce or Judicial Separation under the Hindu Marriage Act, 1955' (1995) IJTR <<http://ijtr.nic.in/articles/art12.pdf>> accessed 25 June 2022

multiple things, ranging from a trivial issue like, not accompanying the spouse to a jaunt, to comparatively serious issues like, having an extramarital affair, or lacking emotional quotient.

As also pointed out by A.K Srivastava, the Supreme court has given a direction to comprehend mental cruelty in matrimonial matters through cases like *Smt. Chanderkala Trivedi v Dr. S.P. Trivedi*²⁷, *V. Bhagat v Mrs. D. Bhagat*²⁸. Since the relationship in such cases is bounded by marital ties, the partners who got exposed to cruelty have been provided with a decree of divorce. Connecting the analogy of cruelty to the case of live-in relationships, regardless of the forms of abuse or cruelty the partner faces, no stated legislation protects the latter from the cruelty.

PROTECTION FROM CRUELTY

Parliament has introduced statutes like *Protection of Women from Domestic Violence 2005*²⁹, *The Hindu Marriage Act 1955*, *Special Marriage Act, 1954*,³⁰ etc. to provide judicial protection to a couple exposed to cruelty. Though it seems to be meek to distance away from a partner because of cruelty or abuse in a relationship, practically they could only be innocuous provided there is judicial protection. The laws related to protection from cruelty etc forbid the partners from committing any act of cruelty. Similarly, it might look easy to exit from a live-in relationship when it means just staying away from the abusive partner, but when we extend our vision in that direction, we might also take a peek into the possibilities of cruel acts that the distant partner could be exposed to since there is no legislative protection given for the same. On a whole, the partners in a live in relationship are engrailed in a risky bond when there pops up a misunderstanding between the two.

A decree of divorce or judicial separation when issued on grounds like adultery, desertion or cruelty is accompanied by providing maintenance to the wife. But sadly, only marital relationships are covered under the provisions covering maintenance. Section 37 of the *Special Marriage Act, 1954*³¹ states that.... “*at the time of passing any decree or at any time subsequent to the*

²⁷ *Smt. Chanderkala Trivedi v Dr. S.P. Trivedi* (1993) II (1993) DMC 271 SC

²⁸ *V. Bhagat v Mrs. D. Bhagat* (1994), AIR 710

²⁹ Prevention of Domestic Violence Act, 2005

³⁰ Special Marriage Act, 1954

³¹ Special Marriage Act, 1954, s 37

decree, on application made to it for the purpose, order that the husband shall secure to the wife for her maintenance and support, if necessary, by a charge on the husband's property such gross sum or such monthly or periodical payment of money for a term not exceeding her life....Accordingly, wife is entitled to maintenance from her husband after getting divorced on the said grounds which includes cruelty."

Applying the legislation to the live-in-relationships, it does not necessarily provide maintenance to the partners, as it is talking only about the relation in terms of husband and wife which is clearly understood to be in marital terms. Similarly, Section 18 of the *Hindu Marriage and Adoption Act, 1956*³², states that,

"Subject to the provisions of this section, a Hindu wife, whether married before or after the commencement of this Act, shall be entitled to be maintained by her husband during her lifetime.

(b) if he has treated her with such cruelty as to cause a reasonable apprehension in her mind that it will be harmful or injurious to live with her husband;"

Taking a close look at the words of the section, the word married again restricts the maintenance of marital relations. Partners in a live-in relationship who are exposed to cruelty, might walk in and walk out of the relationship because of the untied bond between them. Thus, might seem practically easy to depart from each other in the physical sense, but in essence, the partner if not financially independent might have challenges after exiting a relationship since there are no provisions that provide for the maintenance of a live-in partner. So, there is no lawful protection that is available, which opens up a potential risk of violating and humiliating the partners at wish and will without any cautious thought. This calls for a reform in the existing legal scripture to protect the sanctity of the emerging live-in relationships.

REFORMS AND SUGGESTIONS

In the modern era, cohabitation has become a behavioral norm for courtship before marriage, especially in developing countries.³³ Non-marital cohabitation embodies the broader cultural shift in individualism. There is no scope to allege infidelity, an extramarital affair, or

³² Hindu Marriage and Adoption Act, 1956, s 18

³³ Judith A. Seltzer, 'Cohabitation in the United States and Britain: Demography, Kinship and the Future' (2004) 66 (4) *Journal of Marriage and Family*, 921

immorality by the other live-in partner.³⁴ Recalling what G.K. Goswami and Siddhartha Goswami said, “A live-in relationship is preferred over marriage because it provides a convenient escape if things fail to work between partners. If the couple wishes to break up, they enjoy the freedom to split unilaterally, irrespective of the consent of the other party, and without having to go through the cumbersome legal formalities in court. Thus, a live-in is preferred to enjoy freedom and equality in intimate relations without having to shoulder many obligations.”

Superficially, there seem to be no delinquencies arising out of live-in relationships since it grants the utmost freedom one can't imagine. But too much freedom is also jeopardy to individual rights since there exists no accountability in unlimited freedom. Substantially, live-in relationships are still sailing on a bizarre ship and it's imperative that we reflect on what the Supreme has quantified in *D. Velusamy v D. Patchaiamma*³⁵ about the conditions or rules which approve the existence of a live-in relationship. It culled out five conditions to qualify for live-in relations. These quasi-legal settings largely emulate traditional marriages, the only difference being the lack of a formal social ceremony and legal documentation. “The notable conditions to qualify for cohabitation are the age of majority and “no previous marital obligation on either partner in the live-in. It must be amply clear, that if any partner was earlier married to another person but has not legally dissolved the marriage (divorced), live-in would amount to an act of adultery. Staying together for a substantial period is yet another pre-requisite for a live-in relationship.” The Supreme Court has opined: (SCC p. 478, para 31).

Non-marital cohabitation is an old Nordic tradition and has worldwide existed.³⁶ But there are several pacts and agreements worldwide which respect the relations in nature of the live-in relationship. Namely, Social security (welfare) law, Domestic Partners Registry, and Civil solidarity pact in UK, USA & France respectively. Nonetheless, Indian laws are not so intact and organized when it comes to relationships outside the marriage as also discussed above. Sec 125³⁷ of the *Criminal Procedure Code*, which dialogs the maintenance concerns is also restricted to the definition of a wife.

³⁴ *Alok Kumar v State & Anr.*, (2010) CrI. M.C. No. 299/2009

³⁵ *D. Velusamy v D. Patchaiamma* (2010) Criminal Appeal Nos. 2028-2029/2010

³⁶ Jan Trost, 'A Renewed Social Institution: Non-marital Cohabitation' (1978) 21 (4) *Acta Sociologica*, 303

³⁷ *Criminal Procedure Code*, 1973, s 125

“Sec 125.... Order for maintenance of wives, children, and parents.

(1) If any person having sufficient means neglects or refuses to maintain-

(a) his wife, unable to maintain herself, or.....

(d)(b)" wife" includes a woman who has been divorced by, or has obtained a divorce from, her husband and has not remarried.”

Ironically, the partners involved in a live-in relationship cannot be termed as wife and husband since they are not betrothed in a ceremonial marriage, this lays down a logical fact that, they cannot be divorced either. This opens up a challenge in providing maintenance. Subsequently, this logjam, calls for a reform in providing maintenance for the partners in a live-in-relationship.

In *Chanmuniya v Chanmuniya Kumar Singh Kushwaha*³⁸ where High Court declared that the “appellant wife is not entitled to maintenance on the ground that only legally married woman can claim maintenance under Section 125 CrPC”. But surprisingly the Supreme Court turned down the judgment delivered by the High Court and awarded maintenance to the wife (appellant) saying that provisions of Section 125 CrPC must be considered in the light of Section 26³⁹ of the *Protection of Women from Domestic Violence Act, 2005*⁴⁰. The Supreme Court held that women in live-in relationships are equally entitled to all the claims and reliefs which are available to a legally wedded wife. By virtue of such judgemental retreating, it becomes intricate to apply the logic provided by the Supreme Court in awarding maintenance since it is not evident from any of the statutes which act as the decisional sources of law. Reflecting back on the aim of this research paper, the partners involved in a live-in relationship when exposed to cruelty cannot take a legal enroute except through the precedential power provided by the courts of law from time to time.

There is a need for comprehensive legislation which carves out the constitutional and legal morality of live-in-relationships and subsequently establishes an institutional framework that

³⁸ *Chanmuniya v Chanmuniya Kumar Singh Kushwaha* (2010) SLP (Civil) No. 15071/2009

³⁹ Protection of Women from Domestic Violence Act, 2005, s 26

⁴⁰ Astha Saxena, ‘Live-In Relationship And Indian Judiciary’ (SCC Online, 23 January 2019)

<<https://www.sconline.com/blog/post/2019/01/23/live-in-relationship-and-indian-judiciary/>> accessed 25 June 2022

promotes live-in-relationships. Sole reliance on precedential sources without any legislative or statutory sanction might not prove to be fruitful incessantly. In *Lata Singh v State of U.P.*,⁴¹ the Supreme Court has reiterated the right of a major woman to marry or to live with anyone of her own free will.

Henceforth, the marriage shall be viewed as an individual choice and not just persistent to any nuptial clan ties between two consulting adults. As rightly pointed out by G.K. Goswami and Siddhartha Goswami, “archaic dogma of marriage also needs to adapt to modern necessity of the educated, rights-oriented and egalitarian partners. Precisely, the family law should protect the function rather than the form of relationship.”⁴² However, statutes like the prevention of women from domestic violence act, domestic violence act have thrown some limelight on the ‘relationship in nature of marriage’ it did not touch upon the contours of comprehensive legislation on live-in-relationships that might embrace delegated legislations on the protection of live-in partners, maintenance rights, grounds of cruelty, succession rights of partners, etc.

Furthermore, the changing lifestyle and the individualistic approach are provoking the current day laws to churn out a better judicial system for protecting the rights of the individuals not just from a societal point of view but also by reflecting on the constitutional morality and the principles of natural justice that shall help the betterment of man as a whole.

CONCLUSION

The choice between the institution of marriage and a live-in relationship reveals the underlying conflict between social security and individuals’ liberty. Cohabitation may not be an alternative per se to completely replace the institution of marriage, but today cohabitation is a biographical option that is here to stay as an alternative to the marital arrangement, despite its fragile nature and to a greater extent, lack of protection under the law.⁴³ Such a deliberate discussion leads to an epistemological assumption that, certain individual interests are pushed

⁴¹ Lata Singh (n 17)

⁴² G.K. Goswami & Siddhartha Goswami, ‘Live-in Relationships: Social Myths, Legal Realities and the Way Forward’ (SCC Online, 30 December 2021) <<https://ezproxy.svkm.ac.in:2090/blog/post/2021/12/30/live-in-relationships-social-myths-legal-realities-and-the-way-forward/>> accessed 25 June 2022

⁴³ P. Roger Hillerstrom & Karlyn Hillerstrom, *The Intimacy Cover-Up: Uncovering the Difference Between Love and Sex* (Kregel Publications 2004) 44

under the veil of societal immorality and traditional disgrace. Live-in relationships are also one such individual interests that are still fighting their way out to find a place in the statutory books of the Indian judicial system. Though the ambiguities that exist within such a relationship pose a problem to the sanctity of relations, it is highly accepted that, the probability of such mishaps reduces drastically when they are placed under the umbrella of legislative sanctions.

Judicial interpretation has so far facilitated the understanding and working of live-in relationships through its judgements. But this creates a paucity when compared to the recognition given to a traditional marriage system through legal laws and statutes. Consequently, it's high time that we recognise, define and bind the existence of live-in relationships and subsequently extend the veil of protection to the live-in partners, through parliamentary reforms and judicial enforcement.