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LIVE-IN RELATIONSHIP AND THE CHANGING CONCEPT OF MARRIAGE IN INDIA

Doctrinal and Analytical Study of Constitutional Principles, Judicial Developments and Statutory Protection

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ABSTRACT

Marriage has traditionally occupied a significant position in Indian society, being regarded as a sacred institution founded upon religious beliefs, social customs, family values and legal obligations. Traditionally, marriage was considered the only socially acceptable form of establishing a family and maintaining an intimate relationship between two individuals. However, changing social attitudes, urbanisation, education, economic independence, globalisation and the growing recognition of individual liberty have transformed the traditional understanding of marriage. One important development is the increasing visibility of live-in relationships.

A live-in relationship refers to a situation in which two consenting adults voluntarily reside together and maintain an intimate relationship without formally solemnising their marriage under applicable personal or secular laws. Although Indian society has historically viewed such relationships with social disapproval, the judiciary has gradually recognised the autonomy of individuals to choose their partners and determine the nature of their personal relationships.

The Constitution of India, particularly Articles 14, 15, 19 and 21, provides an important foundation for protecting individual liberty, equality, dignity and personal autonomy. The Supreme Court, through decisions including Lata Singh v. State of Uttar Pradesh, D. Velusamy v. D. Patchaiammal and Indra Sarma v. V.K. Sarma, has developed important principles governing live-in relationships.

The Protection of Women from Domestic Violence Act, 2005 recognises relationships in the nature of marriage within the definition of a domestic relationship and provides remedies to women who satisfy the statutory requirements. Nevertheless, the absence of a comprehensive legislative framework creates uncertainty concerning maintenance, property

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rights, inheritance, separation and the protection of children. This paper critically examines these issues and argues that the law must balance individual freedom with social responsibility.

Keywords

Live-in relationship; marriage; Indian society; constitutional rights; Article 21; personal autonomy; Domestic Violence Act; judicial recognition; maintenance; family law; women's rights; changing social values.

CHAPTER I: INTRODUCTION

1.1 Introduction

Marriage is one of the oldest and most significant social institutions in human civilisation. In India, marriage has traditionally been considered a sacred and permanent union between two individuals, generally recognised through religious ceremonies, customs and statutory provisions. It has not merely represented a personal relationship but has also served as the foundation of family organisation, social stability, inheritance and the continuation of generations.

Indian society has historically attached considerable importance to marriage. In Hindu tradition, marriage has often been described as a sacrament rather than merely a contractual arrangement. Different religious communities have developed personal laws regulating marriage, divorce, maintenance and succession. Consequently, marriage in India has traditionally been governed by a combination of religious customs, personal laws and statutory enactments.

Modern education, women's economic independence, urbanisation, industrialisation, globalisation and changing social attitudes have influenced the manner in which individuals perceive relationships. The younger generation increasingly emphasises personal choice, emotional compatibility, equality and individual freedom while deciding whether and when to marry.

One consequence of this social transformation is the emergence and increasing visibility of live-in relationships. Unlike traditional marriage, a live-in relationship does not necessarily involve solemnisation through religious ceremonies or registration under a marriage statute. Two individuals voluntarily decide to share a household and maintain an intimate relationship without formally entering into marriage.

The emergence of such relationships raises important legal and constitutional questions:

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whether individuals have the fundamental right to live together without marriage; whether a woman can claim maintenance and protection; what legal consequences arise concerning children; and whether live-in relationships should receive recognition similar to marriage. These questions are increasingly relevant in contemporary India.

1.2 Meaning and Concept of Live-in Relationship

A live-in relationship may be understood as an arrangement in which two adult individuals voluntarily live together in a shared household and maintain an intimate relationship resembling that of spouses without formally entering into a legally recognised marriage. It ordinarily does not require religious ceremonies or registration under the Hindu Marriage Act, 1955 or the Special Marriage Act, 1954.

Relevant characteristics may include voluntary consent, cohabitation in a shared household, an intimate domestic relationship, emotional or financial interdependence, mutual companionship and an intention to maintain a continuing relationship. The legal character depends upon the actual circumstances. Mere friendship, occasional meetings, sexual relations or temporary cohabitation do not automatically constitute a relationship in the nature of marriage.

In D. Velusamy v. D. Patchaiammal, the Supreme Court explained that a relationship in the nature of marriage requires essential characteristics resembling a marital relationship. Every live-in arrangement does not qualify for protection under the Domestic Violence Act.

1.3 Historical Background of Marriage in India

Historically, marriage in India was regulated through religious traditions, customs and community practices. In Hindu society, it was associated with religious duties, family continuity, procreation and social status. Individual choice was often influenced by family arrangements, caste, religion, community and social expectations.

Legislative reforms transformed this structure. The Hindu Marriage Act, 1955 introduced statutory regulation of Hindu marriages and provided for divorce, judicial separation and other matrimonial remedies. The Special Marriage Act, 1954 created a secular mechanism for marriage irrespective of religious affiliation. The modern concept increasingly recognises consent, equality, companionship and emotional compatibility.

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1.4 Statement of the Problem

Despite the increasing visibility of live-in relationships, India has no comprehensive independent statute specifically regulating every aspect of such relationships. Existing protection is provided through judicial interpretation and statutes, particularly the Protection of Women from Domestic Violence Act, 2005. Uncertainties remain concerning the status of partners, maintenance after separation, property rights, inheritance, financial contributions and children's rights.

The absence of uniform legislation may expose economically dependent partners, particularly women, to uncertainty. At the same time, excessive regulation may interfere with the personal liberty and autonomy of consenting adults. The central problem is how Indian law can protect individuals without unnecessarily equating every live-in relationship with a legally solemnised marriage.

1.5 Objectives of the Study

1. To examine the historical and contemporary concept of marriage in India.
2. To analyse the meaning, nature and development of live-in relationships.
3. To examine the constitutional protection of live-in relationships.
4. To study the judicial approach of the Supreme Court and High Courts.
5. To analyse the Protection of Women from Domestic Violence Act, 2005.
6. To examine the legal rights of women in live-in relationships.
7. To study the legal position concerning children born out of such relationships.
8. To identify legislative gaps and suggest appropriate reforms.

1.6 Research Questions

1. Whether living together without marriage is protected under the Constitution of India?
2. Whether a live-in relationship is equivalent to marriage under Indian law?
3. What conditions are necessary for a relationship to qualify as a relationship in the nature of marriage?
4. Whether women in live-in relationships are entitled to maintenance and protection?
5. What are the legal rights of children born out of live-in relationships?
6. Whether India requires separate legislation to regulate live-in relationships?
7. How has the changing concept of marriage influenced Indian family law?

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1.7 Research Hypothesis

The research proceeds on the hypothesis that live-in relationships are an emerging manifestation of individual liberty and changing social values in India. Although the judiciary has recognised the freedom of consenting adults to live together without marriage, the existing legal framework provides incomplete protection. A balanced legislative framework is therefore desirable to protect vulnerable partners and children while preserving individual autonomy.

1.8 Research Methodology

The study adopts a doctrinal and analytical methodology. It is primarily based on secondary sources, including constitutional provisions, statutory enactments, judicial decisions, books, legal commentaries, research articles, journals and relevant legal publications. The study is qualitative and examines the relationship between social transformation, constitutional principles and the development of Indian family law.

CHAPTER II: CHANGING CONCEPT OF MARRIAGE IN INDIAN SOCIETY

2.1 Traditional Concept of Marriage

Traditionally, marriage in India was considered a permanent social and religious institution. It was understood as a union intended to establish a family and fulfil social, religious and familial responsibilities. In traditional Hindu society, marriage was associated with religious duties, family honour, procreation and prescribed ceremonies. The choice of the parties was often influenced by caste, religion, community and family expectations.

2.2 Modern Concept of Marriage

The modern understanding of marriage emphasises companionship, mutual understanding, equality and emotional compatibility. Women's educational and economic independence has transformed traditional gender roles. Marriage is increasingly perceived as a partnership based upon mutual respect rather than predetermined gender responsibilities. The growing recognition of divorce, inter-caste marriage, inter-religious marriage and live-in relationships demonstrates changing social values.

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2.3 Factors Responsible for the Changing Concept Education and awareness

Education has increased awareness of constitutional rights, personal freedom and legal remedies, and has contributed to questioning discriminatory customs.

Economic independence of women

Women's participation in employment and professional activities has enabled greater independence in decisions concerning marriage, relationships and family life.

Urbanisation

Migration for education and employment and interaction among people from different backgrounds have changed family structures and reduced traditional social constraints in some circumstances.

Globalisation

Exposure to different cultural practices and family arrangements has influenced attitudes towards marriage, cohabitation and personal relationships.

Individual liberty and personal autonomy

The growing recognition of personal autonomy has encouraged individuals to exercise greater control over intimate and family decisions.

Changing attitudes towards divorce

The legal and social recognition of divorce has weakened the assumption that marriage must remain permanent irrespective of the circumstances.

Technology and social media

Digital communication and social networking have changed how individuals meet, communicate and develop personal relationships.

2.4 Marriage as a Sacrament and as a Contract

The traditional Hindu understanding of marriage is closely associated with the concept of a sacrament. Statutory developments, however, have introduced contractual and legal characteristics. Marriage involves consent, mutual obligations and legal consequences. Recognition of divorce, judicial separation, maintenance and matrimonial reliefs demonstrates that marriage is also subject to legal regulation. The modern Indian approach combines social, religious, contractual and constitutional principles.

2.5 Live-in Relationships as an Alternative

Live-in relationships have emerged as an alternative arrangement for individuals who wish to maintain a domestic and intimate relationship without formal marriage. Some choose

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this arrangement to assess compatibility; others do not consider formal marriage necessary for a committed relationship. Such relationships should not be regarded as a complete replacement for marriage. Both arrangements coexist, and the law must recognise the different rights and responsibilities associated with them.

CHAPTER III: CONSTITUTIONAL VALIDITY AND PROTECTION

3.1 Article 14: Right to Equality

Article 14 guarantees equality before the law and equal protection of the laws. Consenting adults in live-in relationships are entitled to constitutional protection. Their decision not to solemnise marriage cannot, by itself, justify denying them the protection of law. Equality does not, however, automatically require live-in relationships and legally solemnised marriages to receive identical treatment for every legal purpose.

3.2 Article 15: Prohibition of Discrimination

Article 15 prohibits discrimination on specified grounds, including sex. Gender equality is particularly important where women become economically or socially vulnerable after the termination of a relationship. The law should not deny appropriate protection merely because a woman did not formally marry her partner.

3.3 Article 19: Freedom and Personal Choice

Article 19 guarantees specified freedoms to citizens, subject to reasonable constitutional restrictions. Freedom of expression and personal identity are relevant to individual choice. The protection of consensual adult relationships is more directly rooted in the broader constitutional understanding of personal liberty and autonomy under Article 21; Article 19 should not be treated as an unlimited right to every form of private conduct.

3.4 Article 21: Life and Personal Liberty

Article 21 has been interpreted to include dignity, privacy and personal autonomy. The choice of a partner and the decision whether to marry are closely connected with individual autonomy. Consenting adults cannot ordinarily be prevented from living together merely because their relationship does not conform to traditional social expectations. Constitutional protection does not exempt anyone from generally applicable laws concerning consent, violence, exploitation or age.

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3.5 Right to Choose a Life Partner

The freedom to choose a life partner is an important aspect of personal liberty. Family members and social organisations cannot use force, threats or unlawful pressure to prevent adults from exercising their lawful choices. This principle is relevant to live-in relationships because it protects the freedom to decide whether to marry or live together without marriage.

3.6 Constitutional Morality and Social Morality

Social morality is influenced by customs, traditions and community beliefs. Constitutional morality is based upon liberty, equality, dignity and fraternity. Conduct cannot be declared unlawful merely because a section of society considers it immoral. Courts must examine whether it violates applicable law or constitutional limitations.

CHAPTER IV: JUDICIAL APPROACH TOWARDS LIVE-IN RELATIONSHIPS

The judiciary has played a decisive role in developing the law governing live-in relationships. In the absence of a comprehensive independent statute, judicial interpretation provides guidance on personal liberty, domestic violence protection, maintenance and children's rights.

4.1 Badri Prasad v. Deputy Director of Consolidation

The Supreme Court recognised the evidentiary importance of long cohabitation between a man and a woman. A strong presumption in favour of marriage may arise where parties have lived together as husband and wife for a considerable period, though the presumption is rebuttable. This decision demonstrates that long-standing domestic relationships are not disregarded merely because formal proof of marriage is unavailable.

Citation: (1978) 3 SCC 527.

4.2 Lata Singh v. State of Uttar Pradesh

The Supreme Court held that an adult woman is free to marry a person of her choice and that family members cannot threaten, harass or commit violence against individuals entering into inter-caste marriages. Although the case concerned marriage, its constitutional reasoning is relevant to the freedom of consenting adults to choose their

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partners.

Citation: (2006) 5 SCC 475.

4.3 S. Khushboo v. Kanniammal

The Court considered whether public statements supporting premarital sex and live-in relationships could attract criminal liability. It observed that a live-in relationship between consenting adults may be viewed as immoral by some sections of society, but that does not automatically make it illegal. Criminal law cannot punish individuals merely for expressing views about personal relationships and changing social practices.

Citation: (2010) 5 SCC 600.

4.4 D. Velusamy v. D. Patchaiammal

The Supreme Court examined the expression relationship in the nature of marriage under the Protection of Women from Domestic Violence Act, 2005. It identified characteristics resembling marriage, including holding themselves out as spouses, legal age and capacity to marry, being otherwise legally qualified to marry, and voluntary cohabitation for a significant period. A casual or temporary relationship does not automatically qualify.

Citation: (2010) 10 SCC 469.

4.5 Indra Sarma v. V.K. Sarma

The Court considered whether a woman in a live-in relationship with a married man could claim protection under the Domestic Violence Act. It identified relevant factors: duration, shared household, pooling of resources, domestic arrangements, sexual relationship, children, public socialisation, and the intention and conduct of the parties. These factors are illustrative and must be assessed on the facts. The decision distinguishes genuine marriage-like relationships from arrangements lacking essential marital characteristics.

Citation: (2013) 15 SCC 755.

4.6 Nandakumar v. State of Kerala

The Supreme Court observed that even if parties have not attained the legally prescribed age for marriage, they are not thereby prevented from living together. The decision reaffirms the distinction between legal capacity to marry and the personal liberty of individuals to cohabit, subject to applicable law.

Citation: (2018) 16 SCC 602.

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4.7 Shafin Jahan v. Asokan K.M.

In the Hadiya case, the Supreme Court emphasised individual autonomy in choosing a life partner. The choice of a partner is an aspect of personal liberty, and an adult has freedom to make decisions concerning marriage and personal relationships. The reasoning is relevant to live-in relationships because such choices cannot be made entirely dependent upon family or societal approval.

Citation: (2018) 16 SCC 368.

4.8 Dr. Lokesh B.H. v. State of Karnataka (2026)

The Supreme Court considered whether Section 498A of the Indian Penal Code could apply to a man involved in a live-in relationship qualifying as a relationship in the nature of marriage. The judgment is a recent development and must be read narrowly: its interpretation was confined to Section 498A IPC and should not automatically be extended to other statutory provisions, including Section 85 of the Bharatiya Nyaya Sanhita, 2023. The precise holding and citation should be checked against the official judgment before academic submission.

Citation: 2026 INSC 784; decided 3 August 2026 (verify official text before submission).

CHAPTER V: STATUTORY FRAMEWORK GOVERNING LIVE-IN RELATIONSHIPS

5.1 Protection of Women from Domestic Violence Act, 2005

The Protection of Women from Domestic Violence Act, 2005 is one of the most important enactments concerning live-in relationships. It was enacted to provide effective protection to women experiencing domestic violence within domestic relationships. Section 2(f) includes relationships in the nature of marriage within the definition of domestic relationship where the persons live or have lived together in a shared household. The Act does not declare every live-in relationship equivalent to marriage; it provides protection to qualifying relationships.

5.2 Section 2(a): Aggrieved Person

An aggrieved person is a woman who is, or has been, in a domestic relationship with the respondent and alleges that she has been subjected to an act of domestic violence. A woman in a qualifying live-in relationship may seek remedies subject to the statutory requirements.

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5.3 Section 2(f): Domestic Relationship

This provision is significant because it expressly recognises relationships in the nature of marriage. It does not convert every live-in arrangement into a marriage.

5.4 Section 2(s): Shared Household

The shared household is important because residence-related remedies under the Act are connected with the domestic setting. A woman may seek statutory protection even if she does not own the property, subject to the law.

5.5 Section 17: Right to Reside

Section 17 recognises the right of a woman in a domestic relationship to reside in the shared household, whether or not she has a right, title or beneficial interest in it. This is not an automatic ownership right.

5.6 Section 18: Protection Orders

The Magistrate may pass protection orders prohibiting acts of domestic violence, harassment and other specified conduct where the statutory requirements are met.

5.7 Section 19: Residence Orders

The Magistrate may pass appropriate residence orders, including restraining dispossession or directing alternative accommodation, as authorised by the Act.

5.8 Section 20: Monetary Reliefs

Monetary relief may address expenses and losses resulting from domestic violence, including loss of earnings, medical expenses, property damage and maintenance.

5.9 Section 21: Custody Orders

The Magistrate may grant temporary custody of children. The welfare and best interests of the child are important considerations.

5.10 Section 22: Compensation Orders

Compensation and damages may be awarded for injuries, including mental torture and emotional distress caused by domestic violence.

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5.11 Other Relevant Legal Provisions

Other laws may become relevant depending on the facts. Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 provides for maintenance of wives, children and parents. Section 85 of the Bharatiya Nyaya Sanhita, 2023 concerns cruelty by a husband or his relatives and must be applied according to its statutory ingredients. Section 16 of the Hindu Marriage Act, 1955 concerns legitimacy of children of void and voidable marriages. Relevant succession and property laws may also apply. Rights available to a legally married spouse should be distinguished from those available to a partner in a live-in relationship.

CHAPTER VI: RIGHTS AND LEGAL PROTECTION OF WOMEN

6.1 Right to Maintenance

Maintenance is a major issue after the termination of a live-in relationship. A financially dependent woman may face difficulties after separation, particularly if she has made domestic contributions or sacrificed employment. The Domestic Violence Act may provide monetary relief in qualifying cases. In Chanmuniya v. Virendra Kumar Singh Kushwaha, the Supreme Court considered a beneficial interpretation of maintenance legislation. The availability of maintenance depends upon the applicable provision, the facts and the legal requirements.

Citation: (2011) 1 SCC 141.

6.2 Right to Residence

A woman in a qualifying live-in relationship may seek protection under Sections 17 and 19 of the Domestic Violence Act. These provisions are important where she has been residing in a shared household and faces a threat of unlawful dispossession. The right is a statutory residential protection and does not itself confer ownership.

6.3 Protection Against Domestic Violence

The Domestic Violence Act recognises physical, sexual, verbal, emotional and economic abuse. Its protective framework may apply to a woman in a relationship in the nature of marriage, subject to the statutory definition and judicial tests.

6.4 Property Rights

There is no general automatic property-sharing regime for live-in partners comparable to matrimonial property rights. A partner does not acquire ownership merely through

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cohabitation. Property rights depend upon title documents, joint contributions, contractual arrangements, applicable presumptions and relevant property law.

6.5 Dignity and Personal Autonomy

Women in live-in relationships are entitled to dignity and personal liberty under the Constitution. Social stigma or family disapproval cannot justify violence, threats or unlawful interference with the lawful choices of adults.

6.6 Protection Against Exploitation

Economic and emotional exploitation may occur in live-in relationships. A person who contributes financially or domestically to a shared household may face disadvantages when the relationship ends. Legal remedies should address exploitation while respecting the voluntary nature of such relationships.

CHAPTER VII: CHILDREN BORN OUT OF LIVE-IN RELATIONSHIPS

7.1 Legal Status of Children

Children should not suffer discrimination merely because their parents have not entered into a formally recognised marriage. The judiciary has recognised the importance of protecting children born from long-standing relationships. The precise legal status and remedies depend on the facts and applicable statutes.

7.2 Tulsa v. Durghatiya

The Supreme Court considered the presumption of marriage arising from long cohabitation. Where a man and woman have lived together for a considerable period as husband and wife, a presumption in favour of marriage may arise, subject to rebuttal. The decision is relevant to disputes concerning the status and rights of children.

Citation: (2008) 4 SCC 520.

7.3 Revanasiddappa v. Mallikarjun

The Supreme Court examined the rights of children born from void or voidable marriages under Section 16 of the Hindu Marriage Act, 1955. It emphasised that children should not be punished for circumstances arising from their parents' relationship. However, Section 16 should not automatically be treated as applicable to every live-in relationship.

Citation: (2023) 6 SCC 1.

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7.4 Maintenance and Welfare

The welfare of the child is a paramount consideration in matters involving maintenance, custody and upbringing. Children may be entitled to appropriate protection under applicable laws depending upon the facts and statutory provisions. A child's welfare should not be compromised merely because the parents did not solemnise marriage.

7.5 Inheritance and Succession

Inheritance rights require examination of applicable personal law, statutory provisions and the legal status of the relationship. A child born from a live-in relationship cannot automatically be assumed to enjoy every succession right available to a child born from a valid marriage in every legal context. The applicable legislation and precedents must be examined.

CHAPTER VIII: CHALLENGES AND LEGAL ISSUES

8.1 Absence of Comprehensive Legislation

India has no single comprehensive enactment regulating every aspect of live-in relationships. The framework is fragmented across judicial decisions and statutes, creating uncertainty concerning rights and liabilities.

8.2 Social Stigma and Discrimination

Live-in relationships continue to face criticism and disapproval in several parts of India. Individuals may face discrimination, harassment and family pressure because of their relationship choices.

8.3 Economic Vulnerability of Women

Women may become financially dependent upon partners and may sacrifice employment or professional opportunities. When a relationship ends, they may face economic insecurity and difficulties establishing legal claims.

8.4 Difficulty in Establishing the Nature of Relationship

The distinction between an ordinary live-in arrangement and a relationship in the nature of marriage may create evidentiary difficulties. Courts examine duration, shared household, financial arrangements, domestic responsibilities and intention.

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8.5 Property and Inheritance Disputes

Disputes may arise concerning property acquired jointly or individually during the relationship. In the absence of specific legislation, such disputes require examination of ownership, contributions and applicable property laws.

8.6 Misuse and False Allegations

The legal system must protect genuine victims while ensuring that proceedings are not used as instruments of harassment or coercion. Fair procedures and evidence-based adjudication remain essential.

8.7 Conflict Between Traditional Values and Individual Liberty

The conflict between traditional social values and constitutional liberty remains a challenge. The law must respect cultural diversity without allowing social customs to override fundamental rights.

CHAPTER IX: COMPARATIVE PERSPECTIVE

9.1 Recognition of Cohabitation in Other Jurisdictions

Several countries have developed different legal approaches to unmarried cohabiting couples. Some recognise registered partnerships, while others provide limited rights through legislation or judicial decisions. Legal treatment varies according to the country's legal system, social structure and legislative policy.

9.2 United Kingdom

The United Kingdom does not generally treat cohabiting partners as legally married merely because they have lived together for a long period. Different statutory provisions may provide protections concerning children, property and domestic abuse. The belief that long-term cohabitation automatically creates a common-law marriage is a misconception.

9.3 United States of America

Recognition of common-law marriage varies among American states. Certain jurisdictions recognise common-law marriages when specified requirements are fulfilled, whereas others do not permit the creation of new common-law marriages. This demonstrates that cohabitation and legally recognised marriage are distinct concepts.

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9.4 Lessons for India

India may examine comparative legal systems while developing a balanced framework. Any reform must consider constitutional values, personal laws, social diversity and the protection of vulnerable individuals. A foreign model should not be adopted without examining its compatibility with Indian conditions.

CHAPTER X: SUGGESTIONS AND RECOMMENDATIONS

1. Parliament should consider a balanced statutory framework addressing rights and responsibilities arising from qualifying live-in relationships, without automatically equating every such relationship with marriage.
2. Effective remedies should be available to economically dependent partners who have made substantial financial or domestic contributions.
3. Legislative clarity should be introduced concerning maintenance claims after the termination of qualifying relationships.
4. Non-financial contributions, including household management, caregiving and childcare, should receive appropriate consideration when determining equitable relief.
5. The welfare, education, maintenance and inheritance-related rights of children should be protected without discrimination solely on the basis of their parents' marital status.
6. Legal awareness programmes should educate individuals about rights and responsibilities in live-in relationships.
7. Safeguards should address deception, coercion, abandonment and economic exploitation.
8. Any legislative framework should preserve the freedom of consenting adults to choose their partners and determine the nature of their relationships.
9. Courts should continue to apply objective, fact-sensitive criteria when determining whether a relationship is in the nature of marriage.
10. The law should avoid both extremes: treating every live-in relationship as equivalent to marriage and denying all protection merely because no formal marriage exists.

CHAPTER XI: CONCLUSION

The concept of marriage in India has undergone significant transformation due to changing social values, education, urbanisation, economic independence, globalisation and the

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increasing recognition of individual liberty. The traditional understanding of marriage as an exclusively religious and social institution has gradually evolved into a more rights-oriented and legally regulated relationship based upon consent, equality, dignity and mutual responsibility.

Live-in relationships represent an important aspect of this transformation. They reflect the growing willingness of individuals to exercise personal autonomy while deciding the nature of their intimate relationships. Although such relationships continue to face social criticism, the Indian judiciary has recognised that consensual relationships between adults cannot be declared illegal merely because they do not conform to traditional social expectations.

The decisions in Lata Singh, S. Khushboo, D. Velusamy and Indra Sarma have contributed significantly to the development of the law. The Supreme Court has recognised the freedom of adults to choose their partners while clarifying that protection under the Domestic Violence Act is available only when statutory requirements are fulfilled.

The Protection of Women from Domestic Violence Act, 2005 has played an important role by recognising relationships in the nature of marriage and providing remedies concerning residence, protection, monetary relief and custody. Nevertheless, uncertainties remain concerning maintenance, property rights, inheritance, separation and children's rights. Existing legislation does not provide a complete and uniform solution to every legal issue.

A balanced legal approach is therefore necessary. The purpose of law should not be to compel individuals to adopt a particular form of relationship, but to ensure that fundamental rights are respected and vulnerable individuals are not left without remedies. Marriage remains an important social and legal institution, but it is no longer the only form through which individuals may establish meaningful domestic relationships.

The future of Indian family law should be based upon a simple principle: individual freedom must be respected, equality must be protected, and no person should be deprived of legal protection merely because their relationship does not conform to traditional social expectations.

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- Relevant articles published in Indian legal journals concerning family law, constitutional rights and live-in relationships.
- Research publications concerning the changing institution of marriage and contemporary Indian society.

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E. Online Legal Resources

- Supreme Court of India — Official Judgments.
- India Code — Ministry of Law and Justice.
- Indian Kanoon — Judicial Decisions and Statutory Materials.
- SCC Online — Case Law and Legal Research.
- Journal of Psychosexual Health — SAGE Publications.

RESEARCH LIMITATION

This paper is based primarily on doctrinal legal research and does not claim to represent the views of every individual or community in India. The legal consequences of a live-in relationship depend upon the applicable statute, judicial interpretation and facts of each individual case.

Academic verification note: Before submission, verify the full text and citation of the 2026 judgment referred to in Chapter IV against the official Supreme Court record. Parallel AIR citations, where required by the university, should be checked against the relevant law reports rather than inferred from SCC citations.