



A Socio-Legal Analysis Of Live In Relationship: A Critical Analysis

Dr. Saurabh Anand, Associate Professor (Sociology), Gujarat National Law University, Gandhinagar. Email: sanand@gnlu.ac.in

Abstract

Marriage is considered as important sacrament across all the religions. With the passage of time, the marriage institution is also changing because of various reasons. One of the important change being noticed is about the rising of Live in Relationship especially in urban areas. The increasing age of marriages, economic empowerment of women, employment opportunities, digital or virtual relationship, freedom of choice etc are considered as the few reasons of live in relationship. The paper discusses the historical and religious background of live-in relationships in India and its impact on the family institution in the society. The paper also tries to understand how and why the concept of cohabitation emerged and become so popular. It also discusses the downsides of cohabitation. Although cohabitation is a common phenomenon in the Western world, in India, it is still seen as being immoral and a means of destroying the sacred institution of marriage. The paper shall also explore the various social, psychological and legal dimensions of the live in relationship.

Introduction

The research paper deals primarily with the theme of Cohabitation, which is commonly referred to as Live-in Relationships. Cohabitation is defined as “A living arrangement in which an unmarried couple lives together in a long-term relationship that resembles a marriage.”¹ It can be understood as living together at the same residence like a couple, i.e. a husband and wife, for a long duration of time as if the parties are married. Although it is a growing trend in the Western world, it is still not openly accepted in our country because it is seen as being immoral and a means of destroying the sacred institution of marriage.

The advent of urbanisation and globalisation has caused a continuous change of technology, lifestyle and habits in the society. In a society based on traditional values like India, marriage is hailed as a sacred union of two souls and their families which gives the couple legal right

¹ The Free Dictionary. (n.d.). Accessed November 16, 2020, from <http://legal-dictionary.thefreedictionary.com/cohabitation>.

to cohabit and procreate children to form a family. Because of the impact of Western culture, the concept of live-in relationship, free from any legal responsibility, has made its way into India.² It is still considered immoral and a taboo by the majority of the society, but has gained acceptance in big cities and metros.³

Meaning of Live-in Relationship

Live-in-relationship is defined as a 'relationship with an informal arrangement between two live-in- heterosexual persons or same sex partners to live together without entering into the formal institution like marriage'. Live in relationships provide for a life free from responsibility and commitment which is an essential element of marriage. Live in relationships are a walk-in walk out relationship. There are no strings attached to these relationships as the relationship is free from any legal bond between the parties. This relationship does not impose the typical responsibilities of a marriage. The founding notion behind opting for live in relationships is to test one's compatibility with the other person before entering any sort of legal commitment. The concept of live-in relationship evolves from the broadened mindset of the people who started to yearn for a relationship with no-strings-attached. A couple is said to be in a live-in relationship when they cohabit, sharing one household but without marriage.

Live in relationship is a voluntary arrangement whereby two adults mutually agree to live together to conduct a long-term relationship that resembles to a marriage.

The Supreme Court of India has held by virtue of section 114 of the Indian Evidence Act, the courts can raise a presumption of marriage that the partners in the live in relationships are married to each other.⁴

The Malimath Committee⁵ has also recommended that the definition of 'wife' in the Criminal Procedure Code be changed to include a 'woman living with the man like his wife', which would make the woman eligible for alimony as well.

Theories By Sociologists

The historical prevalence of non-marital union destroys the notion that cohabitation represents a collapse of the traditional family. Cherlin (1992) contends that the pattern of

² E. 2014. "Status of Children born in Live in Relationships". Accessed November 12, 2020. <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.

³ Chhibber, M., & Singh, A. 2015. "Live-in relationships: An ethical and a moral dilemma?". IJAR. Accessed November 19, 2020, from <http://www.allresearchjournal.com/archives/2015/vol1issue8/PartB/1-8-42.pdf>.

⁴ <http://lawwsieindia.com/2014/07/legality-live-relationships.india/more-344>. Accessed November 24, 2020. In *Bharatha Matha and Another v. R. Vijaya* AIR 2010 SC 2685 by Dr. B.S. Chauhan.

⁵ Malimath committee report on criminal justice system <http://indialawyers.wordpress.com/2009/12/29/malimath-committee-report-on-the-criminal-justice-system/>. Accessed November 22, 2020.

early marriage prevalent in the late 1940s and the 1950s was partially caused by peace and prosperity, both of which released a social demand for marriage that had been suppressed by the Great Depression and World War II.

Gary Becker (1981) argues that a couple marries because they realise economic benefits from each other's specialised skills, that create economic interdependence between men and women, and marriage reproduces their economic security. According to him, the most important factor underlying social transformation related to lower fertility, divorce, and cohabitation is the rise in the earning power of women. This increased earning power of women has reduced the economic advantages that a woman could get from a man by marriage, resulting in an increase in divorce rates and a decrease in marriage rates. However, a shared household still offers economic advantages. Cohabitations have become popular because they offer benefits of shared household without the economic risks related to marriage.

Valerie Oppenheimer (1994) explains the emergence of cohabitation from another economic perspective. She suggests that rather than being a result of women's growing economic independence, the decline in marriage more closely relates to the deterioration of men's position in the labour market because the timing of marriage usually corresponds to men's ability to establish an independent household. However, even though economic costs delay marriage, they do not affect the desirability of union. Thus, because cohabitation has lesser costs, it has eventually become an important alternative to marriage.⁶

Apart from economic explanations, changes in social norms bound up in the rise of individualism also explain the increase in cohabitation. Contemporary cohabitation is a conscious choice that expresses the tension that has developed between personal goals and social norms. It has increased because marriage can often decrease or disrupt individual goal attainment.⁷

The deinstitutionalization of marriage refers to the weakening of the social and legal norms that regulate peoples' behaviour in regard to marriage. The rise in cohabitation is caused by major social factors such as secularisation, increased participation of women in the labour force, change in the meaning of marriage, risk reduction, individualism, and changing views on sexuality.⁸ There has also been a change in modern sexual ethics, with a focus on consent,

⁶ Cohabitation - Reasons For Cohabitation. (n.d.). Accessed November 20, 2020, from <http://family.jrank.org/pages/275/Cohabitation-Reasons-Cohabitation.html>.

⁷ Cohabitation. (n.d.). Accessed November 15, 2020, from <http://www.encyclopedia.com/social-sciences-and-law/law/law/cohabitation>.

⁸ Coast, E. (n.d.). Currently cohabiting: relationship expectations and outcomes in the British Household Panel Survey (BHPS). Accessed November 11, 2020, from <http://epc2008.princeton.edu/papers/80065>.

rather than marital status (i.e. decriminalisation of adultery & fornication and criminalization of marital rape).⁹

History of Live-in Relationships In India

The concept of live-in relationship is not new in our society. It has been the standard norm in many of the Indian tribes, many of which believe that the contemporary marriage system brings with it “several impositions, especially on women.” In fact, the Madhya Pradesh State Women’s Commission had recommended that such relationships be gifted legal status in order to protect the rights of tribal women.¹⁰

In the early and later medieval time periods of India, ‘Dasi’ culture was prominent. The royal personage was justified to have a sexual relationship with more than one female outside of or without marriage.¹¹

The practice of maintaining concubines or ‘avarudhsris’ prevailed in India before independence, due to the patriarchal nature of Indian society. A phenomenon called “Maitri Karar” was practised in Gujarat which was similar to live-in relationships. Under this concept, the man was expected to provide financially for his partner, who would live together and share intimate relationship without being legally married. Such relationships had to be registered with the District Collectorate to ensure security to the woman partner. However, the Government of Gujarat had passed an Act in 1982 prohibiting this practice.¹²

Families cringe at the concept of live-ins because it hints at sex for pleasure rather than for procreation, unlike marriage. Marriage is seen as commitment whereas live-ins as freedom from responsibility. Nevertheless, in a country where parents don’t hesitate to murder their children for marrying out of caste, many brave couples do live-in together without getting married. Yet they face social condemnation and many legal hurdles.

Religion and Live-in Relationship

The concept of marriage is common throughout the world. In India, marriage is profoundly influenced by religion and customs. Religion plays an important role in the personal life of an individual, with special reference to marriage, which has been interwoven with culture

⁹ Cohabitation. (2017, January 30). Accessed November 04, 2020, from https://en.wikipedia.org/wiki/Cohabitation#Social_changes_leading_to_increase.

¹⁰ C. 2014. “The complete guide to live-in relationships in India”. Accessed November 20, 2020. <https://qz.com/303608/the-complete-guide-to-live-in-relationships-in-india/>.

¹¹ Vivek, R. S. 2017. “Live-in Relationships In Indian Context”. Accessed November 23, 2020. <https://www.youthkiawaaz.com/2017/03/live-in-relationships-in-indian-context-2/>.

¹² E. 2014. “Status of Children born in Live in Relationships”. Accessed November 12, 2020. <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.

and tradition since time immemorial. Marriages in India are governed by either the personal laws of the religion to which the parties belong or the Special Marriage Act.

Hinduism

As per Hindu Vedic philosophy, marriage is deemed as an important 'sanskar' (sacrament) and phase in a Hindu's life called 'Grihastha Ashrama'. It is also believed that without marriage there can be no offspring and without whom, there is no release from the chain of birth, death and rebirth. Marriage is considered to be an intersection of three important duties i.e. social, religious and spiritual.¹³ Hindu marriage consists of the ritual of giving away of the bride through 'Kanya Daan' or 'the gift of the Virgin'. It is also believed that only death can normally separate those who have been united by holy matrimony and that the couple was 'made in heaven'.¹⁴ Therefore, according to Hindu personal law, the importance of the institution of marriage has been significantly established throughout the Hindu society.

Hinduism is the only religion to have the concept of Gandharva Vivaha, in which two people make a mutual decision to live together as a couple without requiring the consent of parents or priests of society. This is similar to the contemporary live-in relationship.¹⁵ However, the concept of 'Kanya Daan' stands against the concept of live-in relationship.

Islam

In Islam, marriage is considered to be a civil contract between two consenting parties, where an offer of marriage (ijab) has to be accepted by the bride (qubool).¹⁶ Marriage is regarded important for the well-being of the family and the society as a whole. The institution of marriage serves multiple purposes including spiritual tranquillity, peace, cooperation and partnership in fulfilling the divine mandate. Indian Muslims consider it to be the foundation that gives rise to family and firmly believe that it cannot be possible to deviate from what has been legislated by God and for a proper family to exist out of wedlock.¹⁷ Islam forbids pre-marital sex which is an element of contemporary live-in relationships. Thus, the concept

¹³ Koppiseti Subbarao v. State of A.P., AIR 2009 SC 2684.

¹⁴ Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. *IOSR-JHSS*, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.

¹⁵ Parmar, V. (2015, April 7). Is a live-in relationship against our Hindu religion? Accessed November 2, 2020, from <https://www.quora.com/Is-a-live-in-relationship-against-our-Hindu-religion>.

¹⁶ Khare, H. (n.d.). Muslim Marriage. Accessed November 23, 2020, from <http://www.legalserviceindia.com/article/1418-Muslim-Marriage.html>.

¹⁷ Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. *IOSR-JHSS*, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.

of live-in relationships is considered to be an immoral and unethical practice from a religious point of view under Islam.¹⁸

Christianity

Marriage, according to Christianity, is a sacrament and is not only established for providing sexual satisfaction but is considered to be a permanent and exclusive bond of love. As per Christian belief, God himself is the author of matrimony, which has certain benefits and purposes for its existence. Living together before marriage is not in keeping with God's will.¹⁹

Christianity claims that Jesus has Himself provided context to His answer by describing the foundation of marriage (Genesis 1:26-2:25). His statement puts down three parts of marriage: physical, spiritual and emotional. The first is the union of flesh; the body of the wife belongs to the husband and that of the husband belongs to the wife. Secondly, marriage is regarded as the relation between Christ and the Church.

Thirdly, when there is no emotional attachment left in a marriage, both become vulnerable to the emotional attraction of others, the most common factor in divorce.²⁰

International Scenario

USA and Canada

Canada and some States of America recognise common law marriages under 'Cohabitation Agreements' which mention that rights & obligations of cohabiting partners are identical to those in a formal marriage. Only marital divorce results in separation. Children from such relationships are considered legitimate. 'Palimony', from 'pal' and 'alimony', is maintenance to a cohabiting woman who has been abandoned by her partner.

France

"Pacte Civil de Solidarité" (PACS) are contracts which bind two adults of different or same sex to enjoy the rights granted to married couples relating to property, income tax, social welfare, etc. and can be revoked by both or either of the parties by giving three months prior

¹⁸ Live-In Relationships. (2009, January 20). Accessed November 24, 2020, from <http://theviewpaper.net/live-in-relationships/>.

¹⁹ Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. *IOSR-JHSS*, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.

²⁰ Williams, M. L. (2014, August 17). Should Christians Live Together Before Marriage? Retrieved November 1, 2020, from <http://www.patheos.com/blogs/christiancrier/2014/08/17/should-christians-live-together-before-marriage/>.

notice to the other party. These agreements were declared legal by the French National Assembly in November, 1999.²¹

UK

Although live-in relationships have not been given legal recognition in the UK, the children born out of such relationships are protected by the law. Irrespective of the fact that whether they are married or cohabiting, both parents have the obligation of bringing up their children.

Philippines

Art. 147 of Philippines Family Code recognises the right of an unmarried man and woman, who live together as husband and wife, to an equal share in salaries governed by the equal co-ownership rule. Art. 148 of Family Code identifies all such relationships not falling under the purview of Art. 147, i.e. bigamous marriages, adulterous relationships, relationships in the state of concubinage, etc.

Scotland

Live-in relationships were granted legal identity under Family Law (Scotland) Act 2006. Sections 26 to 29 mention the rights of cohabitants in matters of money, property, financial provisions and intestacy. In order to protect the parties on the termination of the agreement, the cohabitant can exercise his/her right to move the court for financial provision, under section 28 of the Act.

China

China recognises live-ins where partners can cohabit by signing a contract. The child is legitimate and is entitled to the same succession and inheritance rights as of those born through marriages.

Australia and Ireland

Both Ireland and Australia recognise live-in relationships. The family law of Australia recognises de facto relationship between couples. In Ireland, there is a rise in demand for maintenance by separated live-in partners. Also, cohabiting couples are not entitled to the same legal rights as married couples in Irish law. However, there exists a redress scheme for cohabiting couples.²²

Russia

²¹ Unmarried couples. (n.d.). Accessed November 21, 2020, from http://europa.eu/youreurope/citizens/family/couple/de-facto-unions/index_en.htm.

²² Abhang, S. (2014). Judicial Approach to Live- In-Relationship In India- Its Impact on Other Related Statutes. *IOSR-JHSS*, 19(12), 28-38. Accessed November 20, 2020, from <http://iosrjournals.org/iosr-jhss/papers/Vol19-issue12/Version-4/F0191242838.pdf>.

No form of cohabitation is recognised in Russia. There is no legal validity to any kind of union without marriage irrespective of the duration of living together or number of children born.

South Africa

There is no legal validity granted to any form of cohabitation. However, after the partnership ends, the partners may enter into an agreement called 'domestic partnership agreement' to protect their rights.

Indonesia

In Indonesia, cohabitation, referred to as 'Kumpul Kebo' is considered as a punishable offence of adultery. A bill has been drafted to prohibit the practice, which if passed, will criminalise cohabitation with imprisonment of at least one year.

Sociological Analysis

Our society has a predominant notion that the woman who lives with a man without getting married is his 'keep' or 'mistress'. She is viewed as characterless and does not get the rights of a legally-wedded wife, despite fulfilling all the duties of a wife.²³ On the other hand, the society never condemns the man in the couple for cohabiting with the partner of his choice. However, the present situation in our country is gradually changing for the better and the Indian judiciary has a major contribution in it. The Supreme Court, in this case, took a step forward to change the prevalent orthodox notions and helped women to get their rights that they rightfully deserve.²⁴

Live-in Relationship v. Marriage

Importance of Marriage

Marriage is defined as 'a socially and ritually recognised union or contract between spouses that establishes certain rights and legal obligations towards each other'.²⁵ Its importance is established by the psychological satisfaction (that of having a family and children) and biological satisfaction (that of sex) that it provides to an individual. It further ensures a twofold survival, i.e. of the group and its culture. The marital bond among the people of India is believed to bring together not just two individuals, but two families. It does not aim at providing personal satisfaction to individuals but is a social mechanism designed to create and foster social solidarity. The institutions of marriage and family are important social institutions that provide security, support and companionship of members of society and

²³ Status of live in relationships in India. (n.d.). Accessed November 15, 2020, from <http://www.helpline.law.com/family-law/SLRI/status-of-live-in-relationships-in-india.html>.

²⁴ Kathuria, D. (2015, July 27). Latest Judgments by Supreme Court of India on Rights of Women. Accessed November 10, 2017, from <https://blog.iplayers.in/supreme-courts-on-womens-rights/>.

²⁵ Associates, A. N. (2015, October 29). Right of Maintenance to Women in Live-in Relationships. Accessed November 18, 2020, from <http://www.legallyindia.com/views/entry/right-of-maintenance-to-women-in-live-in-relationships>.

bear an important role in the rearing of children. The legal and moral obligations that arise out of the celebration of marriage, such as the reciprocal duty of support and joint responsibility of raising children, perform an important social function.²⁶ Marriage has always been a socially accepted and legally recognised institution that has great moral and religious attachment in India. However, in contemporary urban society, marriage has become highly individualistic and personal.²⁷

The Concept of Live-in Relationships

There is no legislative definition of a live-in relationship. The Delhi High Court in its decision in *Alok Kumar v. State & Anr.* held that "Live-in relationship' is a walk-in and walk-out relationship. There are no strings attached to this relationship, neither this relationship creates any legal bond between the parties. It is a contract of living together which is renewed every day by the parties and can be terminated by either of the parties without the consent of the other party and one party can walk out at will at any time."²⁸

Cohabitation, also called consensual union or 'de facto marriage', is popularly understood to be a domestic arrangement between two unmarried people where sexual intimacy is also popularly accepted but is not a mandatory requirement.²⁹ It is referred to by different nomenclature in the West such as common law marriages, informal marriages or marriage by habit and repute, 'sui juris marriage' (of one's own laws), deemed marriages etc.³⁰ Live-in relationships are practised mostly in the metropolitan cities. Such practice is still a social taboo in a major part of India which is constituted by villages and towns. Till recently and even now in small towns and cities, there is much social criticism and stigma attached to such live-in relationships, forcing them to remain largely secretive.³¹ Gradually, a transition is noticed from arranged marriages to love marriages and ultimately to live-in relationships, due to many reasons like lack of tolerance and commitment.

Five kinds of cohabitation were identified by the Court in Indra Sarma³² case.

1. Domestic relationship between an adult male and an adult female, both unmarried. It

²⁶ Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. *IOSR-JHSS*, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.

²⁷ Courts and Women's Rights in India in 2015. (2015, September 09). Accessed November 14, 2020, from <http://clpr.org.in/courts-and-womens-rights-in-india-in-2015/>.

²⁸ *Alok Kumar v. State & Anr.*, Cr. M.C. No. 299/2009, Decided on 9 August 2010.

²⁹ Post, G. (2015, January 31). Live-in relationships and emerging legal issues in India. Accessed November 20, 2020, from <https://blog.ipleaders.in/live-in-relationships-and-emerging-legal-issues-in-india/>.

³⁰ Informal marriage. (2007, July 25). Accessed November 28, 2020, from <http://marriagepartner.com/forum/showthread.php?t=3842>.

³¹ Live In Relationships and its Impact on the Institution of Marriage in India. (n.d.). Accessed November 18, 2020, from <http://www.westminsterlawreview.org/downloads/Women%20Empowerment.pdf>.

³² *Indra Sarma v. V.K.V. Sarma*, 2013 (14) SCALE 448

is the most uncomplicated sort of relationship.

2. Domestic relationship between a married man and an adult unmarried woman, entered knowingly.
3. Domestic relationship between an adult unmarried man and a married woman, entered knowingly. Such relationship can lead to a conviction under Section 497 of Indian Penal Code for the crime of adultery.
4. Domestic relationship between an unmarried adult female and a married male, entered unknowingly.
5. Domestic relationship between same-sex partners (gay or lesbian), which cannot be recognised a relationship in nature of marriage in India due to laws against homosexuality.

In India, the institution of marriage still remains the most preferred form of union. The judiciary's effort to protect the interests of people living in such arrangements is a welcome step for greater benefits of society.³³ The proliferation of divorce, remarriage, and single parenthood has transformed the institution of the family, due to which attitudes of the society toward non-marital unions have become increasingly accepting and permissive.³⁴ Unlike India, various other countries all over the globe have ensured the recognition and ascribed legal status to such a relationship for the purpose of avoidance of any legal complications concerning such ties governing the modern society.³⁵

Similarities

Because cohabitation involves a shared household between intimate partners, it has characteristics in common with marriage. Other similarities include pooled economic resources, a gender division of labour in the household and sexual exclusivity.³⁶ The cohabiting couple live like a husband and a wife and portray it to the world throughout their cohabitation.

Differences

Many sociologists understand cohabitation as a distinct phenomenon not only because it has replaced marriage as a form of union, but also because it represents a fundamental structural

³³ Live In Relationship in India – A Closer Look. (2014, January 04). Accessed November 04, 2020, from <http://www.vakilno1.com/legalviews/live-relationship-india-closer-look.html>.

³⁴ Cohabitation. (n.d.). Accessed November 15, 2020, from <http://www.encyclopedia.com/social-sciences-and-law/law/law/cohabitation>.

³⁵ E. (2014, January 15). Status of Children born in Live in Relationships. Accessed November 12, 2020, from <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.

³⁶ Cohabitation. (n.d.). Accessed November 15, 2020, from <http://www.encyclopedia.com/social-sciences-and-law/law/law/cohabitation>.

change in family relationships.³⁷ Cohabitation relationships are dissimilar from marital ones in several crucial ways:

1. **Age:** It is observed that in most cases, people in cohabitation relationships tend to be younger than those in marital relationships. This further goes on to prove that cohabitation is often treated as an antecedent to marriage. It can also be concluded that most of the live-in relationships terminate because the partners get married.
2. **Social acceptance:** Despite its numerical growth and spread throughout society, cohabitation is not as socially acceptable as marriage. However, the little societal acceptance that cohabitation enjoys may be due to the expectation that the cohabiting partners will eventually get married. The youthful profile of cohabitation shows that marriage is still the preferred choice of union for most couples. Although many people choose to first settle and then marry, they have not rejected the idea of marriage completely.
3. **State recognition:** The existent laws and acts such as the HMA 1956 and the Special Marriage Act 1954 give legal backing to marriage. On the other hand, there is no legislation which sanctions cohabitation and grants rights and obligations to the live-in partners.³⁸

Reasons for Emergence of Live-in Relationships

A variety of reasons cause couples to live-in, rather than marry.³⁹

- Couples may want to first test their compatibility before getting committed to a legal union.
- Lack of commitment and tolerance cause couples to shy away from the life-long bond of marriage.
- Divorce procedures in our country are cumbersome, complex and taxing.
- Partners may want to either maintain their single status to limit their expenses or for other financial reasons.
- Growing distrust and self-centered behaviour coupled with the obligation of running a family, procreating and undertaking responsibility have distanced individuals from

³⁷ *ibid*

³⁸ *ibid*

³⁹ Sinha, K. (2015, January 13). 10 Reasons Why Live In Relationship Is Better Than Marriage. Accessed November 27, 2020, from <http://topyaps.com/live-in-relationships>.

marriage, thereby, leading to an increase in live-in relationships.⁴⁰

- The most obvious contributing factor is the transformed urban life associated with priority to career, urbanisation and increased income, long hours of work, leaving virtually no time for family.
- In cases involving gay or lesbian couples, or individuals already married to another person, the law does not allow them to marry.
- Marriage may not be supported by family due to different religion, dissimilar caste, age difference etc.
- Some bold couples believe that wedding is just a waste of money because they think their love doesn't need any paper certification or social drama.
- To escape the loneliness in their lives, senior citizens have started preferring live-in relationships.⁴¹

Sociological Impact of Live-in Relationship

No official statistics exist on unmarried couples living together in India, but a recent study found that 17% of young men in rural areas, and 10% in urban areas, have had premarital sex. Young people in India are sometimes reluctant to admit having premarital sex, much less engaging in a live-in relationship, because of the fear of spoiling their reputation and marriage prospects.⁴²

The huge shift in the attitude of society towards live-in relationships is evident from the initiative taken by the multinational companies in providing health insurance benefits to domestic partners of their employees.⁴³

Gradually, more and more people are opting for cohabitation. This is attested by the fact that the internet has extended its matchmaking services to finding live-in partners. In 2011, an NGO in Ahmedabad organised a first-of-its-kind event to help single senior citizens find companions and help them escape the loneliness in their lives. Thus, living-in goes much beyond the simplistic notion of “the rebellion of youth.”⁴⁴ It can be inferred by analysing

⁴⁰ Vivek, R. S. (2017, March 22). Live-in Relationships In Indian Context. Accessed November 23, 2020, from <https://www.youthkiawaaz.com/2017/03/live-in-relationships-in-indian-context-2/>.

⁴¹ Dholam, S. N. (2015). Socio-legal dimensions of 'live-in relationship' in India. Accessed November 11, 2020, from https://www.researchgate.net/publication/286440123_Socio-legal_dimensions_of_'live-in_relationship'_in_India.

⁴² Smith, G. (2010, March 25). In a changing India, it's no crime to cohabit. Accessed November 05, 2020, from <http://www.theglobeandmail.com/news/world/in-a-changing-india-its-no-crime-to-cohabit/article4352540/>.

⁴³ Sengupta, D. (2011, November 03). Now gift your live-in partner a mediclaim -. Accessed November 19, 2020, from <http://economictimes.indiatimes.com/now-gift-your-live-in-partner-a-mediclaim/slideshow/10589208.cms>.

⁴⁴ C. (2014, November 27). The complete guide to live-in relationships in India. Accessed November 20, 2020, from <https://qz.com/303608/the-complete-guide-to-live-in-relationships-in-india/>.

relationships that live-in couples are largely from professions like entertainment, advertising, modelling and media.⁴⁵

It is observed that the concept of cohabitation has found acceptance in both higher and lower income groups as compared to the middle class. In the present times, even parents have slowly started giving permission to live-in arrangements for the sake of happiness of their children.⁴⁶

Analysis of Landmark Judgments Over the Years

Although statutes like the Protection of Women from Domestic Violence Act 2005 exist to protect the rights of cohabiting females, the legislature has failed to handle the cohabitation issue as a whole. However, through its power of judicial activism, the Indian judiciary has passed path-breaking judgements and provided some clarity on the issue.

Badri Prasad v. Dy. Director of Consolidation, 1978

This was the first time the SC recognised the concept of live-in relationships. In this case, the SC considered a 50-year live-in relationship of a couple as a valid marriage. It was held by Justice Krishna Iyer that in such cases, it will be presumed that the partners, who have lived together for a long term, are husband and wife. However, the presumption is rebuttable and the burden of proof lies on him who seeks to deprive the relationship of its legal origin.⁴⁷

SPS Bala Subranyam v. Sruttayan, 1991

In this landmark case, the SC held, "If a man and woman are living under the same roof and cohabiting for a number of years, there will be presumption under Section 114 of the Evidence Act that they live as husband and wife and the children born to them will not be illegitimate."⁴⁸

D.Velusamy v. D.Patchaiammal, 2010

The judgment laid down certain pre-requisites for a live-in relationship to be considered valid.

- (a) "The couple must hold themselves out to society as being akin to spouses.
- (b) They must be of legal age to marry.
- (c) They must be otherwise qualified to enter into a legal marriage, including being unmarried.

⁴⁵ Banerjee, P. (2004, April 4). Mumbai, where living-in ain't all that easy - Times of India. Accessed November 15, 2020, from <http://timesofindia.indiatimes.com/city/mumbai/Mumbai-where-living-in-aint-all-that-easy/articleshow/599138.cms>.

⁴⁶ Sharma, B. (n.d.). Live-in-Relationships: The Indian Perspective. Accessed November 22, 2020, from http://www.indialawjournal.org/archives/volume2/issue_2/article_by_saakshi.html.

⁴⁷ Badri Prasad v. Dy. Director of Consolidation, 1978 AIR 1557.

⁴⁸ SPS Bala Subranyam v. Sruttayan, AIR 1992 SC 756.

(d) They must have voluntarily cohabited and held themselves out to the world as being akin to spouses for a significant period of time.”⁴⁹

In this case, the court held that all relationships will not amount to a relationship ‘in the nature of marriage’. It further clarified that where a man keeps a woman as servant, mainly for sexual purposes, and maintains her financially, such a relationship would not be considered as a valid marriage in the eyes of law. “Merely spending weekends together or a one-night stand would not make it a domestic relationship,” said the bench of Justices Markandey Katju and TS Thakur.⁵⁰

Bharata Matha & Ors. v. R. Vijaya Renganathan & Ors., 2010

In this case, the SC held that children born out of live-in relationships may be allowed to inherit the property of the parents and subsequently given legitimacy in the court of law.⁵¹

Alok Kumar v. State & Anr., 2010

In this case, the Delhi HC held that “‘Live-in relationship’ is a walk-in and walk-out relationship. There are no strings attached to this relationship, neither this relationship creates any legal bond between the parties. It is a contract of living together which is renewed every day by the parties and can be terminated by either of the parties without the consent of other party and one party can walk out at will at any time.”⁵²

S. Khushboo v. Kanniammal & Anr, 2010

The SC, in this case, absolved the petitioner, a South Indian actress, against whom 22 criminal appeals were filed. She was charged under Section 499 of the IPC. The court adjudicated that although living together is considered immoral in the eyes of the traditional Indian society, it is not illegal in the eyes of law and is a right to life under Article 21 of the Constitution of India which guarantees all its citizens “right to life and personal liberty”.⁵³

Indra Sarma v. V.K.V.Sarma, 2013

The SC discussed the concept and existence of live-in relationships in society at length. It also acknowledged five categories where live-in relationships are valid in the court of law.⁵⁴ The Court declared that a live-in relationship will fall under the scope of “relationship in the nature of marriage” under Section 2(f) of the Domestic Violence Act, 2005 and provided

⁴⁹ D. Velusamy v. D. Patchaiammal, (2010) 10 SCC 469.

⁵⁰ Mahapatra, D. (2010, October 21). One-night stand isn't live-in relationship: SC - Times of India. Accessed November 28, 2020, from <http://timesofindia.indiatimes.com/india/One-night-stand-isnt-live-in-relationship-SC/articleshow/6789125.cms>.

⁵¹ Bharata Matha & Ors. v. R. Vijaya Renganathan & Ors., (2010) 11 SCC 483.

⁵² LIVE-IN RELATIONSHIP. (2016, July 18). Accessed November 22, 2020, from <http://lawzmag.com/2016/07/18/live-in-relationship/>.

⁵³ S. Khushboo v. Kanniammal and Anr, AIR 2010 SC 3196.

⁵⁴ Supra 32.

certain guidelines, which it declared are not exhaustive but merely indicative, giving a wide ambit to the scope of the Act. The Court can decide the case considering the facts and degree.⁵⁵

Thus, the legal status of live-in relationships in India has been evolved by the SC through its various judgments. However, there is no separate legislation which lays down the provisions of live-in relationships. The court has also tried to improve the conditions of the women and children born out of live-in relationships by defining their status under the Domestic Violence Act, 2005 if the relationship is proved to be “relationship in the nature of marriage”.

Rights of Cohabiting Women

Maintenance of woman

In absence of any remedy available to women engaged in a live-in relationship, Courts have extended the scope of application of remedy available under Section 125 of the Criminal Procedure Code, 1973. Women can seek for additional maintenance apart from the maintenance received by her under any other law as per Section 20(1)(d) of the Protection of Women from Domestic Violence Act (DV Act), 2005.⁵⁶

In 2003, the Supreme Court set up the Malimath Commission for reforms in the Criminal Justice System. Malimath Committee Report and the 8th Law Commission recommended inclusion of women in live-in relationships within the purview of this Section. It has further been reiterated by a report of the National Commission for Women in 2008.

The Delhi High Court observed in *Varsha Kapoor v. UOI & Ors.*, that a woman living-in can file a complaint not only against the male partner but also against his relatives.⁵⁷ Justice Ganguly in another case of SC observed that if a man deserts a woman after living with her for a long time, even without undergoing legal necessities of marriage, is liable to pay maintenance to her.⁵⁸

Inheritance of Property

⁵⁵ Post, G. (2015, January 31). Live-in relationships and emerging legal issues in India. Accessed November 20, 2020, from <https://blog.iplayers.in/live-in-relationships-and-emerging-legal-issues-in-india/>.

⁵⁶ Associates, A. N. (2015, October 29). Right of Maintenance to Women in Live-in Relationships. Accessed November 18, 2020, from <http://www.legallyindia.com/views/entry/right-of-maintenance-to-women-in-live-in-relationships>.

⁵⁷ *Varsha Kapoor v. UOI & Ors.*, 2010 ILR 4 Delhi 383.

⁵⁸ *Chanmuniya v. Chanmuniya Virendra Kumar Singh Kushwaha & Anr.*, 2011(1) ALD(Cri) 370.

In *Dhannulal & Ors v. Ganeshram & Anr.*, the Apex Court held that a couple living-in together will be presumed as legally married and consequently the woman would be eligible to inherit the property of her partner after his death.⁵⁹

Rights of Children From Live-in Relationship

Child out of wedlock

Live-in couples are not allowed to adopt kids as per the Guidelines Governing the Adoption of Children, 2011 released by Central Adoption Resource Authority. A child out of wedlock results in a plethora of legal complexities, relating to matters of the child's legitimacy, maintenance rights, inheritance and custodial rights in case of a split.

Legitimacy and inheritance rights of child

Section 112 of the Indian Evidence Act fails to address the issue of children out of wedlock. It mentions that a child is legitimate only if he/she was born during the continuance of a valid marriage between the parents. In *SPS Bala Subranyam v. Sruttayan*, the Court declared that a child out of a prolonged relationship will be deemed legitimate.⁶⁰ Inheritance rights have been granted to children out of a live-in relationship, relating to both ancestral and self-acquired property.⁶¹ The only limitation is that such children cannot ask for a division of property during the lifetime of parents but can exercise their right after the death of the parents. Consequently, in India, such children have been given the status of "Legitimate in law, Illegitimate in fact".

Maintenance and custodial rights of children

In Hindu law, the Hindu Minority and Guardianship Act 1956 clearly states in Section 6 that the father is the natural guardian of his minor legitimate children and as laid down in *Gita Hariharan v. Reserve Bank of India*, the mother becomes the natural guardian in his absence which means when the father is incapable of acting as the guardian.⁶² The right to maintenance in a live-in relationship is decided by the court in accordance with the Domestic Violence Act, 2005 and the individual facts of the case.⁶³

⁵⁹ Choudhary, A. A. (2015, April 13). Couple living together will be presumed married, Supreme Court rules. Accessed November 12, 2020, from http://timesofindia.indiatimes.com/india/Couple-living-together-will-be-presumedmarried-SupremeCourtrules/articleshow/46901198.cms?utm_source=facebook.com&utm_medium=referral&utm_campaign=TOI.

⁶⁰ *SPS Bala Subranyam v. Sruttayan*, AIR 1992 SC 756.

⁶¹ *Parayankandiyal Eravath Kanapravan Kalliani Amma v. K. Devi*, 1996 SCC (4)76.

⁶² *Gita Hariharan v Reserve Bank of India*, 1999 2 SCC 228.

⁶³ Associates, A. N. (2015, October 29). Right of Maintenance to Women in Live-in Relationships. Accessed November 18, 2020, from <http://www.legallyindia.com/views/entry/right-of-maintenance-to-women-in-live-in-relationships>.

Custodial issues of children of live-in partners arise usually at the time of a split up and are dealt with in a manner similar to that of marriage due to the absence of specific laws. Custody will be decided on the basis of facts and circumstances of each case.⁶⁴

Criticism of Live-in Relationships

The concept of live-in relationships is criticised because of the following reasons:

- It can be mistaken for high-tech adultery. Because of lesser commitment, women in such relationships are more vulnerable to future sufferings.
- A child born out of such a relationship may have to face social stigma, especially if the father declines to marry the mother officially.
- There is a lack of legislation that explicitly recognises the rights, obligations and responsibilities of both parties.
- Equality in the rights of a wife and live-in partner would promote bigamy. The position of the legally-wedded wife becomes disadvantageous in such a situation. As a result, the rights of both the wife and the live-in partners are not secure.⁶⁵
- It threatens the notion of husband and wife and the cognition of marriage that enjoys a high level of sanctity when it comes to India.⁶⁶
- The right to property has been abused by the partners.
- Live-in relationships are often based on short-term objectives and can dissolve at any moment. There is also absence of trust in the relationship. Hence, it can prove to be a failure in building a safe and secure society.⁶⁷
- One must also be wary of possible frauds that can emerge out of a live-in relationship. Numerous cases such as one of a woman alleging rape after years of living together have been reported.⁶⁸ Such relationships will cause more perversions, crimes and offences.⁶⁹
- India's unique concept of the family is responsible for looking after the young and the aged which is absent in a live-in relationship.

Conclusion And Suggestions

⁶⁴ Gita Hariharan v Reserve Bank of India, 1999 2 SCC 228.

⁶⁵ Dholam, S. N. (2015). Socio-legal dimensions of 'live-In relationship' in India. Accessed November 11, 2020, from https://www.researchgate.net/publication/286440123_Socio-legal_dimensions_of_'live-in_relationship'_in_India.

⁶⁶ Dholam, S. N. (2015). Socio-legal dimensions of 'live-In relationship' in India. Accessed November 11, 2020, from https://www.researchgate.net/publication/286440123_Socio-legal_dimensions_of_'live-in_relationship'_in_India.

⁶⁷ Post, G. (2015, January 31). Live-in relationships and emerging legal issues in India. Retrieved November 20, 2020, from <https://blog.iplayers.in/live-in-relationships-and-emerging-legal-issues-in-india/>.

⁶⁸ S, S. P. (2014, September 10). No love in the time of amended Sec 376 as cases of 'rape' boom. Retrieved November 14, 2020, from <http://bangaloremirror.indiatimes.com/bangalore/cover-story/No-love-in-the-time-of-amended-Sec-376-as-cases-of-rape-boom/articleshow/42198843.cms>.

⁶⁹ Smith, G. (2010, March 25). In a changing India, it's no crime to cohabit. Retrieved November 05, 2020, from <http://www.theglobeandmail.com/news/world/in-a-changing-india-its-no-crime-to-cohabit/article4352540/>.

The recent circumstances have witnessed the judiciary achieving clarity and lucidity in the way live-in relationships are viewed by the society. However, the lack of legislation on cohabitation is a noteworthy downside.⁷⁰

Suggestions

- There is an urgent need to recognise live-in relationship through a separate legislation which would empower both the parties with rights and create obligations with duties thereby bringing clarity, reducing ambiguity in the field and eliminating the drawbacks the concept suffers. The Parliament should enact a separate statute rather than adjusting the live-in concept within the existing laws. Such an exercise would be futile and would make the judicial mechanism complex.
- Attempts should be done to protect live-ins in personal laws must, tackle issues carefully.⁷¹
- In order to protect the children born from live-in relationships, clear laws defining their status, and guaranteeing them rights of inheritance, succession, maintenance, etc. should be enacted. In furtherance to this, amendments should be made to ambiguous terms in present laws. This will ensure uniformity and help establish emotional, mental and physical security for such a child.⁷²
- Until any legislation comes up, Family Law experts advise cohabiting couples to address the abovementioned and other issues by preparing a written cohabitation agreement. The contract should outline how the couple will divide expenses and own property, how their assets will be distributed if one partner dies or leaves the relationship and other related conditions.

In India, live-in relationships have still not been accepted by the majority of people who consider it as an immoral and improper relationship. However, they are being adopted in big cities and metros. At present, there is no specific legislation that deals with the concept of live-in relationship.⁷³ It is true that society and law need to change with changing times but at the same time, the moral values and traditions of the society should not be compromised

⁷⁰ Sharma, B. (n.d.). Live-in-Relationships: The Indian Perspective. Retrieved November 22, 2020, from http://www.indialawjournal.org/archives/volume2/issue_2/article_by_saakshi.html.

⁷¹ Live In Relationships and its Impact on the Institution of Marriage in India. (n.d.). Retrieved November 18, 2020, from <http://www.westminsterlawreview.org/downloads/Women%20Empowerment.pdf>.

⁷² E. (2014, January 15). Status of Children born in Live in Relationships. Accessed November 12, 2020, from <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.

⁷³ H. (n.d.). Status of live in relationships in India. Accessed November 18, 2020, from <http://www.helplinelaw.com/family-law/SLRI/status-of-live-in-relationships-in-india.html>.

in the name of modernization. Hence, the need of the hour is to educate the present generation about the importance of marriage and family.⁷⁴

Though the institution of marriage still remains the dominant form of family living, the consistent increase in cohabitation suggests that this might change soon. The decline in marriage rates and an increase in cohabitation rates indicate that family is a flexible institution. The recent trend is that western people are moving towards family relations and bonding whereas Indians are moving towards commitment-less live-in relationships. Society is formed with foundational pillars such as traditions, culture, ethics, moral values and customs, which is ruined when these are ignored. Therefore, it can be concluded that “India is not quite a fertile ground for the cultivation of Live-in Relationships; at least not as long as the strong roots of the age-old ethics hold ground”.⁷⁵

References

1. The Free Dictionary. (n.d.). Accessed November 16, 2020, from <http://legal-dictionary.thefreedictionary.com/cohabitation>.
2. E. 2014. “Status of Children born in Live in Relationships”. Accessed November 12, 2020. <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.
3. Chhibber, M., & Singh, A. 2015. “Live-in relationships: An ethical and a moral dilemma?”. IJAR. Accessed November 19, 2020, from <http://www.allresearchjournal.com/archives/2015/vol1issue8/PartB/1-8-42.pdf>.
4. <http://lawwsieindia.com/2014/07/legality-live-relationships.india/more-344>. Accessed November 24, 2020. In *Bharatha Matha and Another v. R. Vijaya* AIR 2010 SC 2685 by Dr. B.S. Chauhan.
5. Malimath committee report on criminal justice system
6. [http://indialawyers.wordpress.com/2009/12/29/malimath-committee-report-on-the-criminal-justice-](http://indialawyers.wordpress.com/2009/12/29/malimath-committee-report-on-the-criminal-justice-system/)
7. [system/](http://indialawyers.wordpress.com/2009/12/29/malimath-committee-report-on-the-criminal-justice-system/). Accessed November 22, 2020.
8. Cohabitation - Reasons For Cohabitation. (n.d.). Accessed November 20, 2020, from <http://family.jrank.org/pages/275/Cohabitation-Reasons-Cohabitation.html>.
9. Cohabitation. (n.d.). Accessed November 15, 2020, from <http://www.encyclopedia.com/social-sciences-and-law/law/law/cohabitation>.

⁷⁴ Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. *IOSR-JHSS*, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.

⁷⁵ Kharkatary, M. J. (2008, January 8). Live-in-relationships: Pros and Cons. Accessed November 09, 2020, from <http://www.merineews.com/article/live-in-relationships-pros-and-cons/129148.shtml>.

10. Coast, E. (n.d.). Currently cohabiting: relationship expectations and outcomes in the British Household Panel Survey (BHPS). Accessed November 11, 2020, from <http://epc2008.princeton.edu/papers/80065>.
11. Cohabitation. (2017, January 30). Accessed November 04, 2020, from https://en.wikipedia.org/wiki/Cohabitation#Social_changes_leading_to_increase.
12. C. 2014. "The complete guide to live-in relationships in India". Accessed November 20, 2020. <https://qz.com/303608/the-complete-guide-to-live-in-relationships-in-india/>.
13. Vivek, R. S. 2017. "Live-in Relationships In Indian Context". Accessed November 23, 2020. <https://www.youthkiawaaz.com/2017/03/live-in-relationships-in-indian-context-2/>.
14. E. 2014. "Status of Children born in Live in Relationships". Accessed November 12, 2020. <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.
15. Koppiseti Subbarao v. State of A.P., AIR 2009 SC 2684.
16. Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. IOSR-JHSS, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.
17. Parmar, V. (2015, April 7). Is a live-in relationship against our Hindu religion? Accessed November 2, 2020, from <https://www.quora.com/Is-a-live-in-relationship-against-our-Hindu-religion>.
18. Khare, H. (n.d.). Muslim Marriage. Accessed November 23, 2020, from <http://www.legalserviceindia.com/article/l418-Muslim-Marriage.html>.
19. Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. IOSR-JHSS, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.
20. Live-In Relationships. (2009, January 20). Accessed November 24, 2020, from <http://theviewpaper.net/live-in-relationships/>.
21. Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. IOSR-JHSS, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.
22. Williams, M. L. (2014, August 17). Should Christians Live Together Before Marriage? Retrieved November 1, 2020, from <http://www.patheos.com/blogs/christiancrier/2014/08/17/should-christians-live-together-before-marriage/>.
23. Unmarried couples. (n.d.). Accessed November 21, 2020, from http://europa.eu/youreurope/citizens/family/couple/de-facto-unions/index_en.htm.
24. Abhang, S. (2014). Judicial Approach to Live- In-Relationship In India- Its Impact on Other Related Statutes. IOSR-JHSS, 19(12), 28-38. Accessed November 20, 2020, from <http://iosrjournals.org/iosr-jhss/papers/Vol19-issue12/Version-4/F0191242838.pdf>.

25. Status of live in relationships in India. (n.d.). Accessed November 15, 2020, from <http://www.helplinelaw.com/family-law/SLRI/status-of-live-in-relationships-in-india.html>.
26. Kathuria, D. (2015, July 27). Latest Judgments by Supreme Court of India on Rights of Women. Accessed November 10, 2017, from <https://blog.ipleaders.in/supreme-courts-on-womens-rights/>.
27. Associates, A. N. (2015, October 29). Right of Maintenance to Women in Live-in Relationships. Accessed November 18, 2020, from <http://www.legallyindia.com/views/entry/right-of-maintenance-to-women-in-live-in-relationships>.
28. Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. IOSR-JHSS, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.
29. Courts and Women's Rights in India in 2015. (2015, September 09). Accessed November 14, 2020, from <http://clpr.org.in/courts-and-womens-rights-in-india-in-2015/>.
30. Alok Kumar v. State & Anr., Cr. M.C. No. 299/2009, Decided on 9 August 2010.
31. Post, G. (2015, January 31). Live-in relationships and emerging legal issues in India. Accessed November 20, 2020, from <https://blog.ipleaders.in/live-in-relationships-and-emerging-legal-issues-in-india/>.
32. Informal marriage. (2007, July 25). Accessed November 28, 2020, from <http://marriagepartner.com/forum/showthread.php?t=3842>.
33. Live In Relationships and its Impact on the Institution of Marriage in India. (n.d.). Accessed November 18, 2020, from <http://www.westminsterlawreview.org/downloads/Women%20Empowerment.pdf>.
34. Indra Sarma v. V.K.V. Sarma, 2013 (14) SCALE 448
35. Live In Relationship in India – A Closer Look. (2014, January 04). Accessed November 04, 2020, from <http://www.vakilno1.com/legalviews/live-relationship-india-closer-look.html>.
36. Cohabitation. (n.d.). Accessed November 15, 2020, from <http://www.encyclopedia.com/social-sciences-and-law/law/law/cohabitation>.
37. E. (2014, January 15). Status of Children born in Live in Relationships. Accessed November 12, 2020, from <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.
38. Cohabitation. (n.d.). Accessed November 15, 2020, from <http://www.encyclopedia.com/social-sciences-and-law/law/law/cohabitation>.
39. *ibid*
40. *ibid*
41. Sinha, K. (2015, January 13). 10 Reasons Why Live In Relationship Is Better Than Marriage. Accessed November 27, 2020, from <http://topyaps.com/live-in-relationships>.

42. Vivek, R. S. (2017, March 22). Live-in Relationships In Indian Context. Accessed November 23, 2020, from <https://www.youthkiawaaz.com/2017/03/live-in-relationships-in-indian-context-2/>.
43. Dholam, S. N. (2015). Socio-legal dimensions of 'live-In relationship' in India. Accessed November 11, 2020, from https://www.researchgate.net/publication/286440123_Socio-legal_dimensions_of_'live-in_relationship'_in_India.
44. Smith, G. (2010, March 25). In a changing India, it's no crime to cohabit. Accessed November 05, 2020, from <http://www.theglobeandmail.com/news/world/in-a-changing-india-its-no-crime-to-cohabit/article4352540/>.
45. Sengupta, D. (2011, November 03). Now gift your live-in partner a mediclaim -. Accessed November 19, 2020, from <http://economictimes.indiatimes.com/now-gift-your-live-in-partner-a-mediclaim/slideshow/10589208.cms>.
46. C. (2014, November 27). The complete guide to live-in relationships in India. Accessed November 20, 2020, from <https://qz.com/303608/the-complete-guide-to-live-in-relationships-in-india/>.
47. Banerjee, P. (2004, April 4). Mumbai, where living-in ain't all that easy - Times of India. Accessed November 15, 2020, from <http://timesofindia.indiatimes.com/city/mumbai/Mumbai-where-living-in-aint-all-that-easy/articleshow/599138.cms>.
48. Sharma, B. (n.d.). Live-in-Relationships: The Indian Perspective. Accessed November 22, 2020, from http://www.indialawjournal.org/archives/volume2/issue_2/article_by_saakshi.html.
49. Badri Prasad v. Dy. Director of Consolidation, 1978 AIR 1557.
50. SPS Bala Subranyam v. Sruttayan, AIR 1992 SC 756.
51. D. Velusamy v. D. Patchaiammal, (2010) 10 SCC 469.
52. Mahapatra, D. (2010, October 21). One-night stand isn't live-in relationship: SC - Times of India. Accessed November 28, 2020, from <http://timesofindia.indiatimes.com/india/One-night-stand-isnt-live-in-relationship-SC/articleshow/6789125.cms>.
53. Bharata Matha & Ors. v. R. Vijaya Renganathan & Ors., (2010) 11 SCC 483.
54. LIVE-IN RELATIONSHIP. (2016, July 18). Accessed November 22, 2020, from <http://lawzmag.com/2016/07/18-live-in-relationship/>.
55. S. Khushboo v. Kanniammal and Anr, AIR 2010 SC 3196.
56. Supra 32.
57. Post, G. (2015, January 31). Live-in relationships and emerging legal issues in India. Accessed November 20, 2020, from <https://blog.ipleaders.in/live-in-relationships-and-emerging-legal-issues-in-india/>.
58. Associates, A. N. (2015, October 29). Right of Maintenance to Women in Live-in Relationships. Accessed November 18, 2020, from

<http://www.legallyindia.com/views/entry/right-of-maintenance-to-women-in-live-in-relationships>.

59. Varsha Kapoor v. UOI & Ors., 2010 ILR 4 Delhi 383.
60. Chanmuniya v. Chanmuniya Virendra Kumar Singh Kushwaha & Anr., 2011(1) ALD(Cri) 370.
61. Choudhary, A. A. (2015, April 13). Couple living together will be presumed married, Supreme Court rules. Accessed November 12, 2020, from http://timesofindia.indiatimes.com/india/Couple-living-together-will-be-presumedmarried-SupremeCourtrules/articleshow/46901198.cms?utm_source=facebook.com&utm_medium=referral&utm_campaign=TOI.
62. SPS Bala Subramanyam v. Sruttayan, AIR 1992 SC 756.
63. Parayankandiyal Eravath Kanapravan Kalliani Amma v. K. Devi, 1996 SCC (4)76.
64. Gita Hariharan v Reserve Bank of India, 1999 2 SCC 228.
65. Associates, A. N. (2015, October 29). Right of Maintenance to Women in Live-in Relationships. Accessed November 18, 2020, from <http://www.legallyindia.com/views/entry/right-of-maintenance-to-women-in-live-in-relationships>.
66. Gita Hariharan v Reserve Bank of India, 1999 2 SCC 228.
67. Dholam, S. N. (2015). Socio-legal dimensions of 'live-In relationship' in India. Accessed November 11, 2020, from https://www.researchgate.net/publication/286440123_Socio-legal_dimensions_of_'live-in_relationship'_in_India.
68. Dholam, S. N. (2015). Socio-legal dimensions of 'live-In relationship' in India. Accessed November 11, 2020, from https://www.researchgate.net/publication/286440123_Socio-legal_dimensions_of_'live-in_relationship'_in_India.
69. Post, G. (2015, January 31). Live-in relationships and emerging legal issues in India. Retrieved November 20, 2020, from <https://blog.ipleaders.in/live-in-relationships-and-emerging-legal-issues-in-india/>.
70. S, S. P. (2014, September 10). No love in the time of amended Sec 376 as cases of 'rape' boom. Retrieved November 14, 2020, from <http://bangaloremirror.indiatimes.com/bangalore/cover-story/No-love-in-the-time-of-amended-Sec-376-as-cases-of-rape-boom/articleshow/42198843.cms>.
71. Smith, G. (2010, March 25). In a changing India, it's no crime to cohabit. Retrieved November 05, 2020, from <http://www.theglobeandmail.com/news/world/in-a-changing-india-its-no-crime-to-cohabit/article4352540/>.
72. Sharma, B. (n.d.). Live-in-Relationships: The Indian Perspective. Retrieved November 22, 2020, from http://www.indialawjournal.org/archives/volume2/issue_2/article_by_saakshi.html.

73. Live In Relationships and its Impact on the Institution of Marriage in India. (n.d.). Retrieved November 18, 2020, from <http://www.westminsterlawreview.org/downloads/Women%20Empowerment.pdf>.
74. E. (2014, January 15). Status of Children born in Live in Relationships. Accessed November 12, 2020, from <http://www.legalservicesindia.com/article/article/status-of-children-born-in-live-in-relationships-1622-1.html>.
75. H. (n.d.). Status of live in relationships in India. Accessed November 18, 2020, from <http://www.helplinelaw.com/family-law/SLRI/status-of-live-in-relationships-in-india.html>.
76. Rabbiraj, C. (2014). Socio-Legal Dimensions of Live-In-Relationships in India. IOSR-JHSS, 19(7), 25-29. Accessed November 09, 2020, from <http://www.iosrjournals.org/iosr-jhss/papers/Vol19-issue7/Version-6/D019762529.pdf>.
77. Kharkatary, M. J. (2008, January 8). Live-in-relationships: Pros and Cons. Accessed November 09, 2020, from <http://www.merineews.com/article/live-in-relationships-pros-and-cons/129148.shtml>.